

**YANCEYVILLE TOWN COUNCIL
MEETING MINUTES
Thursday, June 8th, 2023, 6:00pm**

The meeting of the Town Council was held in the Yanceyville Town Council Chambers at the Yanceyville Municipal Services Building located at 158 East Church Street, Yanceyville, NC and streamed through the WebEx platform on Tuesday, May 2nd, 2023, at 6:00pm.

Council Members present: Mayor- Alvin Foster, Brian Massey, and Keith Tatum

Council Members absent: Mayor Pro Tem- Odessa Gwynn

Staff present in person: Kamara Barnett-Town Manager/Clerk, Lee Farmer- Town Attorney, and Kathryn Hinton-Administrative Assistant

Staff present via Web Ex: Harmon Crutchfield, Financial Consultant

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 6:03 pm. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request.

Item 2: Review and Adoption of Agenda – Mayor & Council

Mayor Foster asked Town Council for a motion. After a brief review, Councilman Tatum made a motion to adopt the agenda as presented. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 3: Consent Agenda

a.) Minutes from May 2nd, 2023, Town Council Meeting.

Mayor Foster asked Town Council to review the Consent Agenda. After a short review, Councilman Tatum made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 4: Public Comment

None

Item 5: Fiscal Year 2021-2022 Financial Report- Becky W. Loy, Cobb Ezekiel Loy & Company, P.A.

Mayor Foster introduced Rebekah Loy, Cobb Ezekiel Loy & Company P.A to Town Council to review and discuss the Town's 2021-2022 audit financial reports. Mrs. Loy thanked Town Council for allowing her to present information to them. Mrs. Loy stated that she would like to provide Town Council a summary of the report, and then answer any questions that Town Council may have. After giving a summary, Mrs. Loy informed Town Council that the Town received an unmodified opinion, which is the best and cleanest opinion that can be received. She noted that there was nothing found in the audit that indicated that any other information presented was not true. The procedures, policies, and the way that data is collected support the information that you are getting in your financial statements. Mrs. Loy stated that there are a lot of numbers and combinations of numbers and you as a Town Council want to have confidence that the numbers are correct, and that is what the audit is designed to do. Mrs. Loy asked Town Council to turn to page eleven the Government Wide Financial Analysis Report. She explained that the Town's net position increased. However, the largest portion reflects the Town's net investment in capital assets (e.g., land, buildings, machinery, and equipment. The Town uses these capital assets to provide services to citizens, consequently, these assets are not available for future spending. Although the Town's net investment in capital assets is reported net of the outstanding related debt, the resources needed to repay the debt must be provided by other sources since the capital assets cannot be used to liquidate these liabilities. An additional portion of the Town of Yanceyville's net position \$922,464, represents resources that are subject to external restrictions on how they may be used. The remaining balance of 3,239,935 is unrestricted. The Town of Yanceyville operates an enterprise fund, the Water and Sewer Fund that constitutes all the business- type activities. Finally, Mrs. Loy added that no fraud was discovered, and the auditors had no problems or disagreements with Town Management while performing the audit, but there is a concern of segregation of duties. Which is an issue within smaller municipalities. Lack of segregation of duties places the Town at a higher risk. Account Reconciliations, Budgetary Accounting for Appropriations, and Contractual Violation. Mrs. Loy suggested putting additional controls in place if possible and if the cost is beneficial to the Town.

Ms. Loy thanked Town Council for allowing her company to be the auditors for the Town. Mrs. Loy thanked Town Council and Town Staff for their assistance during the audit. Mayor Foster thanked Mrs. Loy for her work.

Item 6: Water and Wastewater Treatment Facilities Update: Gary Stainback, Inframark Representative

Yanceyville Water Treatment Plant

- Collected Disinfection by Product (DBP) samples, which consisted of Trihalomethanes (THM) and Haloacetic Acids (HAA), on May 2nd. The running average levels are compliant.
- Total Organic Carbon (TOC) sample results have improved with the optimization of the Carbon feed system. TOC reduction is compliant with the state limitations.

- Staff collects distribution water quality samples throughout the week and collaborates with Public Works on specific hydrant flushing needs. Sample results have indicated compliance with parameters such as turbidity, iron, manganese, pH and bacteriological.
- Replaced one flash mixer drive motor for treatment chemical mixing at the water plant.

Yanceyville Wastewater Treatment Plant

- Following the repair of a malfunctioning decanting valve, the treatment system is operating correctly and is currently compliant with permit limitations.
- The bar screen rake ends were replaced on April 27th, 2023
- Pumped and disposed of solids collected in the effluent treatment tank and the chlorine contact chamber.
- Collecting information on various options for mechanical bar screen replacement.

Mayor Foster thanked Mr. Stainback for presenting a detailed report.

Item 7: Public Hearing to Consider a Text Amendment to the Yanceyville Zoning Ordinance Chapter 6 Signs

Mayor Foster asked the Town Council for a motion to go into Public. Councilman Tatum made a motion to go into Public Hearing. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Town Manager Barnett explained for purposes of accountability and to identify the amendments, they were shown as underlined and in bold of Chapter 6 Signs, Yanceyville Zoning Ordinance included in the agenda packets. Town Manager Barnett then read aloud the Plan Consistency Statement : Proposed Amendments to Chapter 6 Signs, Yanceyville Zoning Ordinance that was adopted by the Yanceyville Planning Board on May 22, 2023. Town Manager Barnett noted that they are 12 billboards/off premise signs currently within the Town Corporate Limits.

Councilman Tatum stated that the signage that's already up will remain and the Town doesn't want any additional billboards/off-premises signage. He also asked if signage was damaged could it be rebuilt. Town Manager Barnett indicated that if a nonconforming sign is damaged to an extent equal to or greater than 50% of the sign replacement cost, the sign shall be removed if repair or damage to the sign and structure exceeds 50% of value as determined by the criteria in 19A NCAC 2E.0225(f);

Councilman Tatum indicated that if damaged by a tornado or any type of natural disaster the owner should have the option to rebuild. Town Attorney Farmer mentioned that we could add if the billboard/off premise signage is damaged or destroyed by an event that is an "Act of God" the sign owner will have the right and privilege to restore/ replace to its original condition prior to the event.

Mayor Foster asked the public for questions.

Mr. Matthew Hoagland 291 West Main Street thanked Town Council for the opportunity to address billboard/ off-premises signage in light of what will be enhanced traffic to and from the

Danville casino. Mr. Hoagland mentioned that he had spoken with Mr. Jason Julian, NCDOT District Engineer, a couple of weeks ago, and he said that their office has gotten a tremendous number of calls and requests about billboards , specifically up now, NC Highway 86. He added that he had brought this topic up before the Caswell County Planning Board a couple weeks ago as well. Mr. Hoagland indicated that it is his belief that an outright prohibition of billboard/ off-premises signage would maybe be a little bit of a step too far. He stated, I understand the Town's desire, as mentioned to eliminate the construction of the billboards. And in general, I agree with you, but rather than an outright ban, perhaps there's an opportunity for a few other options. Like, for example. Requiring the billboards/ off- premises signage be within a certain distance of one another. Controlling the height of the billboards. He referenced the comprehensive plan that the general sentiment in Town is an appreciation of small towns atmosphere, and perhaps there's an opportunity to insure like a historic look and feel for billboards, when they are constructed. Limiting them to one specific zoning category. Managing the lighting at night (dark sky lighting). A bright billboard/ off- premises signage could obviously be a distraction at night. He added that it could be someone out there, you may be land rich but cash poor. Somebody who may be a little bit struggling to make ends meet, but a billboard lease could help them with a little additional income. But also, from the Town's perspective by reviewing future billboards, you get development review fees, or perhaps annual review fees that be phase to go along with that as well. Mr. Hoagland thanked Town Council.

Mayor Foster asked for any additional questions.

Mayor Foster asked for a Town Council motion to come out of Public Hearing. Councilman Tatum made a motion to come out of Public Hearing. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to return to Regular Session. Councilman Tatum made a motion to return to Regular Session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to adopt the Consistency Statement dated May 22nd, 2023 from the Town of Yanceyville Planning Board and to and to approve the proposed revised Chapter 6, Signs, of the Yanceyville Zoning Ordinance; and to also add if the billboard/off premise sign is damaged or destroyed by an event that is an "Act of God" the sign owner will have the right and privilege to restore/ replace to its original condition prior to the event. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

The amendments and clarifications in this chapter will assist the Town in preserving the community appearance of the Town.

*see attached (Chapter 6 Signs)

*see attached (Plan Consistency Statement)

Item 8: Town Attorney Report- Lee Farmer

None

Item 9: Town Manager Report- Kamara Barnett

a) Budget Message for FY 2023- 2024

Town Manager Barnett read aloud Budget Message for Fiscal Year 2023-2024

*see attached

b) Presentation of Recommended Budget for FY 2023-2024

Town Manager Barnett presented the Draft/ Recommended Budget for Fiscal Year 2023-2024

*see attached

Town Manager Barnett noted that the July First Friday, Independence Day Program will be held early this season. It will be held on Friday, June 30th, 2023. The Retro Band will be providing entertainment and food will be available for purchase. She encouraged all to invite someone and come out and enjoy the local talent.

Item 10: Fullers Creek Reservoir Intent to Seek Grant Funding/ Application

Mayor Foster noted that he was contacted by Travis Cooke and Ben Carroll, Resource Environmental Solutions, LLC regarding a funding opportunity for the removal of the Water Supply Dam/Fullers Creek Reservoir. The Transportation Infrastructure Resilience Fund is a grant program that is managed out to the NCDPS Emergency Management that can fully fund projects that will mitigate the damages or access to transportation infrastructure from natural disasters. The updated program will be able to fund local projects up to 2 million, with no required match/cost-share. He explained with the WSD's high-hazard classification of the Fullers Creek Reservoir, and its proximity to Main Street, that this project may be a good fit for this funding opportunity. He also mentioned that Resource Environmental Solutions will gladly assist with all aspects of the grant submittal and project implementation.

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to seek funding by way of Resource Environmental Solutions, LLC to submit a grant application on behalf of the Town to the Transportation Infrastructure Resilience Fund managed by the NCDPS Emergency Management. The motion was seconded by Councilman Tatum and passed with a unanimous vote

Item 11: Informal Discussion/Public Comment- Discussion & Comments must directly relate to agenda items

None

Item 12: Recess Town Council Meeting Until, Tuesday, June 20th, 2023, at 6 pm

Mayor Foster asked the Town Council for a motion. After no further discussion, Councilman Tatum made a motion to recess the Town Council Meeting until Tuesday, June 20th, 2023, at 6:00pm. Councilman Massey seconded the motion that passed with a unanimous vote. The meeting ended at 7:08pm.

Kamara Barnett, Town Clerk prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting.

Respectively Submitted:

Alvin Foster, Mayor

Kamara Barnett, Town Clerk

PLAN CONSISTENCY STATEMENT
Proposed Amendments to Chapter 6 Signs, Yanceyville Zoning Ordinance

As required by NCGS 160D-601(d) the Yanceyville Planning Board has reviewed text amendments to Chapter 6 Signs, of the Yanceyville Zoning Ordinance and provides this Consistency Statement. The Planning Board recommends adoption of the proposed amendments to Chapter 6, Signs, of the Yanceyville Zoning Ordinance and associated edits to the Zoning Ordinance text. The context for certain of these amendments is the development of a casino in Danville, Virginia . Demand is anticipated for off -premise advertising signs at various locations within the Town’s zoning jurisdiction, particularly the Highway 86 corridor. The Planning Board agrees that existing off-site advertising signs, all located in the Highway Business district, should be allowed to remain. Consistent with zoning practice under such conditions, they will be allowed to remain as nonconforming signs under the conditions established in Section 6-24. However, no new off-premise advertising signs will be permitted.

Additional proposed amendments consist of updated and expanded definitions of various sign types and definitions.

The proposed amendments are consistent with Yanceyville’s **Comprehensive Land Use Development Plan 2022-2036** as follows

Policy 1-5. Clarify Zoning Ordinance and Map - These amendments will provide greater understanding and distinction of sign types and applicable sign regulations.

Map No. 1- NC Highway 86 Corridor – North Segment - This area is identified in the Plan as a focus area for the Town. Controlling proliferation of off-premise advertising will give the Town more control of development in the corridor.

Additionally, in response to the question cited in the Plan “what do you like most about the Town of Yanceyville?” the top-rated response was “small town atmosphere.” Prohibiting additional off-premise advertising, as many towns have done, will help maintain this community character.

This motion adopted this the 22nd day of May, 2023 by the Town of Yanceyville Planning Board to be submitted to the Yanceyville Town Council.

CHAPTER 6. SIGNS

DIVISION I. IN GENERAL

Sec. 6-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Sign – Any words, lettering, parts of letters, pictures, figures, numerals, phrases, sentences, emblems, devices, design, trade names or trademarks by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product, which is visible from any public way and used to attract attention. (Ord. of 8-27-87, art. VI, § 2)

A-Frame or Sandwich Sign - A pedestrian-oriented temporary/movable sign that sits on the grade located proximate to the primary entrance of a non-residential use whose products or services are being advertised. The sign is composed of two boards set up in a triangle shape hinged at the top and shall be self-supporting. The sign shall be equipped with support to ensure it remains stable in normal wind conditions.

Electronic Sign - A sign designed where a portion of the sign area uses fixed or changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel to display a message or messages in text and/or image. The electronic display panel for a changeable copy electronic sign generates a sequence of messages with the rate of change electronically programmed and can be modified by electronic processes. Time/temperature signs are not considered electronic message signs.

Freestanding Sign/Pole Sign - A sign which is attached to or anchored in the ground with one or more supports that are not part of a building or other structure and with open space between the bottom of the sign face area and the grade beneath it.

Flashing Sign. A sign with an intermittent or sequential flashing light source is used primarily to attract attention. Flashing signs do not include electronic signs.

Ground Sign/Monument Sign - Any sign, other than a pole sign, that is attached directly to the ground by means of a supporting system comprised of a solid pedestal, or other bracing system where there is no open space between the bottom of the sign face area and the ground. Ground signs are configured so that the base of the sign support structure is at least as wide as the sign face area. Ground signs may also be referred to as “pedestal” signs or “monument” signs.

Off-Premises Advertising Sign (Billboard) - A sign that is not located on the property of the business, commodity, entertainment, or service which it advertises.

Pole banner sign - A sign consisting of a flexible banner or similar material (i.e., plastic, vinyl, etc.) secured to a single permanent pole.

Projecting sign - A sign attached to and mounted on a building and extending beyond the building to which it is attached at a right angle, i.e., perpendicular to the building.

Suspended Sign – A sign that is suspended from the underside of a principal building’s overhang or canopy that is intended for view by pedestrians or patrons already on a site. The sign may be parallel or perpendicular to the building wall. A sign that is not suspended from a canopy or overhang of a building is not a suspended sign.

Temporary Sign - A non-electrified sign or banner placed on property in conjunction with an event of short duration and which sign is to be removed after the end of the event. If a sign structure is permanent but the message changes periodically, that sign shall not be regarded as temporary.

Wall sign – A sign that is attached to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen (15) inches. A painted work of art or mural is not considered a wall sign.

Window Sign - A sign, which is painted on, affixed to, or designed to be visible through a window, excluding displays of merchandise.

Sec. 6-2. Purpose and scope.

This chapter addresses the placement of signs within the town's jurisdiction for the following purposes: to promote traffic safety; to prevent business and advertising signs from conflicting with public safety signs; to ensure that permitted signs do not become a hazard or nuisance; to prevent the overcrowding of land; to facilitate fire and police protection; to protect and enhance the value of properties; to provide a pleasing overall environmental setting and good community appearance which is deemed vital to the continued economic attractiveness of the town; and to promote the public safety and welfare of the town. (Ord. No. 1-00, 2-1-00)

Sec. 6-3. Sign compliance.

- A. No sign shall be constructed, erected, modified, placed, maintained, or moved, except as authorized by this article.
- B. A zoning permit must be obtained before a sign is erected, modified, or moved on a zoning lot, unless otherwise provided in this Chapter.
- C. No sign shall be placed within a public right-of-way or within the sight triangle of a roadway

intersection as would be determined by the state department of transportation, unless otherwise provided in this Chapter.

- D. Any sign authorized in this chapter is allowed to contain non-commercial copy in lieu of any other copy. (Ord. No. 1-00, 2-1-00)

Secs. 6-4 Prohibited signs.

The following signs are prohibited:

1. Any non-governmental sign which resembles a public safety warning or traffic sign.
2. Signs with animated, blinking, scrolling chasing, flashing, or moving effects. This does not include electronic signs as defined herein or time and temperature displays.
3. Rotating or revolving sign
4. Roof sign above the parapet of a building.
5. Off premise advertising signs, except for off-premises advertising signs established before June 8th, 2023, which may be permitted to continue as a nonconforming use only in accordance with Section 6-24 Nonconforming Signs and G.S. 160D-912 "Outdoor Advertising."

Secs. 6-5 – 6-9 Reserved.

DIVISION II. SIGNS NOT REQUIRING A PERMIT

Sec. 6-10. Signs allowed without a permit.

The following signs shall be exempt from regulation under this chapter, regardless of whether they may be considered "signs".

1. Commemorative tablets or signs, historical or memorial markers or monuments, erected by or with the permission of the county board of commissioners, town council or the state department of transportation;
2. Official traffic control or other government signs;
3. On-premises directional, instructional or warning signs provided they contain no commercial message except a business logo or name and do not exceed four square feet in area or 3 feet in height.
4. Flags, emblems, or insignia of corporate, political, professional, fraternal, civic, religious, or educational organizations;
5. Lights and decorations with no commercial message temporarily displayed on traditionally adopted civic, patriotic or religious holidays.
6. Time and temperature signs limited to one freestanding sign bearing no advertising

matter other than the name or logo of the business; permitted in addition to other freestanding signs on the property, provided the area requirements for freestanding signs are not exceeded and all sign height and setback requirements are met.

7. Signs carried by people.
8. Signs located on the interior of buildings, courts, lobbies, stadiums, or other structures which are not intended to be seen from the exterior of the structures.
9. Window signs painted on or attached to the interior of a window or glass door or inside a window.
10. Sandwich signs either at the doorway or in the parking lot of the business if they are folded and taken inside at the close of business and are put back outside when the business reopens.

Sec. 6-11. Certain temporary signs allowed without a permit.

7. The following temporary signs do not require a zoning permit, provided they are not placed within the public road right-of-way, except as provided in Subparagraph 6 below, nor attached to any natural or man-made permanent structure located within a public right-of-way, including without limitation, trees, utility poles, or traffic control signs in a public right-of-way; and conform to the standards and provisions of this section and other applicable parts of this chapter.
 1. Real estate signs. No real estate sign shall be placed off the premises that is for sale without the permission of the owner.
 2. Construction site and property improvement identification signs.
 3. Seasonal agricultural signs. Such signs may be erected for the purpose of advertising and directing potential patrons to the seasonal sale of agricultural products produced and offered for sale at bona fide farming operation. Seasonal agricultural signs may be erected not sooner than 30 days before the normal sales or harvest season and must be removed within 30 days after the normal sales or harvest season.
 4. Temporary special event signs or banners indicating that an event such as an athletic event, fair, carnival, circus festival, air show, fund raiser, or similar event is to take place. Such signs may be erected no sooner than 30 days before the event and must be removed no later than seven days after the event. The town manager or designee shall be notified before such signs are erected so that an account can be kept of the time they are displayed.
 5. Temporary on-premises signs or banners not covered in the foregoing category as long as such signs: (a) are not displayed for longer than 60 consecutive days, limited to 3 special events per 12-month period, (b) are limited to three per zoning lot, and (c) do

not exceed 4 sq. ft in residential districts and 32 sq. ft in commercial/industrial districts. The town manager or designee shall be notified before such signs are erected so that an account can be kept of the time they are displayed.

6. Temporary signs erected in connection with elections or political campaigns. Political signs shall not be erected on private property without permission of the owner; shall not be erected before the established filing date for an election or allowed to remain longer than ten days after the election.
7. Pursuant to G.S. 136-32(b), temporary signs erected in the right-of-way of the state highway system in connection with elections during the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day. Such signs:
 - (a) shall be no closer than three feet from the edge of the pavement of the road;
 - (b) shall not obscure motorist visibility at an intersection;
 - (c) shall not be higher than 42 inches above the edge of the pavement of the road; shall not larger than 864 square inches;
 - (d) shall not obscure or replace another sign; and
 - (e) shall not be illuminatedAny such sign remaining in the right-of-way more than 30 days after the end of the period prescribed in this subsection shall be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty.
8. Yard sale sign. A sign not exceeding six square feet may be erected not sooner than two weeks before the event and must be removed not later than three days after the event.
9. Signs affixed to windows of vehicles displaying information on the terms of sale for said vehicles.
- B. Unless otherwise stated herein, temporary signs shall not exceed 4 square feet in residential districts and 32 square feet in area per sign face **in non-residential districts** or have more than one sign face per direction of travel or exceed six feet in height.

Secs. 6-12– 6-14 Reserved.

DIVISION III. SIGNS REQUIRING A PERMIT

Section 6-15. Application for a Permit required.

- A. A sign permit is required before any sign is displayed or erected unless this Article provides that no permit is required.
- B. An application for a sign permit must be filed with the Zoning Administrator on forms

furnished by that department.

- (1) The applicant must provide sufficient information to determine if the proposed sign is allowed under this code and other applicable laws, regulations, and ordinances.
 - (2) An application for a temporary sign must state the dates intended for the erection and removal of the sign, not to exceed 30 days.
- C. The application shall be accompanied by a fee set by the Town Council.
 - D. The Zoning Administrator or designee must promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies.
 - E. The Town may revoke a sign permit if the Zoning Administrator determines that the sign is not being properly maintained or has been abandoned.

Sec. 6-16. On-premises business identification and advertising signs.

The following sign types identify or advertise a business or service on the premises where they are located. They shall be considered an accessory use incidental to the principal land use.

- A. **A-Frame, Sandwich or Sidewalk Sign** - A pedestrian-oriented movable sign that sits on the grade located proximate to the primary entrance of a non-residential use whose products or services are being advertised. The sign shall be self-supporting and only visible during operating hours. Sidewalk signs are configured with a broader base than a top or are equipped with supports to ensure they remain stable in normal wind conditions.
- B. **Freestanding Sign, Pole Sign** - On-premises freestanding signs shall be permitted and shall comply with the following:
 1. *Where Permitted.* Freestanding, pole signs are permitted in the OI, HB, M-1 and M-2 districts.
 2. *Area.* The maximum area of all freestanding on-premises signs shall be 300 square feet. The area shall mean the surface area of a sign as computed in accordance with section 6-22.
 3. *Height.* The maximum height of a freestanding on-premises sign shall be 30 feet. The height shall mean the height of a sign as determined in accordance with section 6-22 herein.
 4. *Setback.* The minimum setback from the public right-of-way for an on-premise freestanding sign is ten (10) feet.
 5. *Number permitted.*
 - a. One freestanding on-premises sign shall be permitted per street frontage of a zoning lot.
 - b. A zoning lot with a freestanding sign (or two freestanding signs if fronting on two streets) is allowed the following additional types of signs: one wall sign and two additional signs in either the bench sign, ground sign or pole banner sign category.
- C. **Ground Sign/Monument Sign** -

1. *Where Permitted.* Ground, monument signs are permitted in the OI, HB, M-1 and M-2 districts.
2. *Area.* The maximum area of a monument sign shall be one hundred (100) square feet. The area shall mean the surface area of a sign as computed in accordance with section 6-22.
3. *Height.* The maximum height of a ground or monument sign shall be twelve feet. The height shall mean the height of a sign as determined in accordance with section 6-23 herein.
4. *Setback.* The minimum setback from public right-of-way shall be ten (10) feet.
5. *Number permitted.*
 - a. One monument on-premises sign shall be permitted per street frontage of a zoning lot.
 - b. Businesses on a zoning lot with a monument sign (or 2 monument signs if fronting on two streets) are allowed one wall sign

D. Electronic Signs

1. Electronic signs are permitted for non- residential uses within the H-B, M-1 and M-2 districts. In addition, electronic signs are also permitted in any district on the property of a cultural facility, primary or secondary, educational facility - university or college, government office/facility, park/playground, or place of worship.
2. Only one electronic sign per lot is permitted.
3. Each message or image displayed on an electronic sign shall be static for a minimum of eight seconds. Electronic signs shall not flash and shall have no animation or effects simulating animation or video.

C. Pole banner sign - Where permitted OI, B-1 and HB. One flag, other than those exempt from regulation in Sec. 6-10 consisting of a flexible banner or similar material (i.e., plastic, vinyl, etc.) secured to a single permanent pole allowed for every 75' of lot frontage. Said flag shall not exceed 15 sq. ft. in area; and it shall be secured to single, permanent pole not exceeding 25' in height.

D. Projecting sign – Where permitted OI, B-1 and HB. One projecting sign attached to a building in a perpendicular fashion in any business district shall be permitted provided the business does not have an area to place a freestanding sign. Ex: Downtown businesses that only have a sidewalk in front of their location. Projecting signs shall be acceptable as part of the overall allowed signage provided:

1. *Area.* The sign area shall not exceed six square feet per side and 12 square feet in total.
2. *Projection.* The signboard or bracket by which it is attached shall not project more than 36 inches from the wall.
3. *Height Above Ground.* No part of the sign shall hang lower than eight feet above the ground or pedestrian walkway.

Mounting. The sign is mounted, attached and maintained in a secure manner.

E. Wall signs - Wall signs are permitted on a zoning lot that has a freestanding sign or a ground/monument sign.

- F. Requirements for sign types in this Section shall be deemed complied with if signs provided for herein are specifically included as part of the sign plan approved as condition of, or pursuant to a special use permit. (Ord. No. 1-00, 2-1-00)

Sec. 6-17. Home occupations.

A home occupation shall be permitted one professional or announcement sign per dwelling unit not exceeding six square feet in area. (Ord. No. 1-00, 2-1-00)

Sec. 6-18. Subdivision and multi-family development entrance signs.

At any entrance to a residential subdivision or multi-family development, there may be not more than two ground signs to identify or identifying such subdivision or development. A single face of any such sign may not exceed 16 square feet, nor may the total surface area of all such signs located at a single entrance exceed 32 square feet. (Ord. No. 1-00, 2-1-00)

Sec. 6-19. Industrial Park entrance signs.

At any entrance to an industrial park, there may not be more than two ground signs identifying the park. A single face of any such sign may not exceed 100 square feet, nor may the total surface area of all such signs located at a single entrance exceed 160 square feet. (Ord. No. 1-00, 2-1-00)

Sec. 6-20. Off-premises directional signs

Off-premises directional signs shall conform to the standards of this chapter and shall be considered in violation if they do not meet the provisions of this Chapter. An off-premises directional sign shall not exceed 32 square feet in area per sign face or have more than one sign face per directional flow of traffic, or no more than two sign faces per sign structure or exceed six feet in height. Not more than three off-premises directional signs shall contain directions to the same business or activity. At the time the permit is applied for, the applicant shall provide written evidence of the owner's permission to place the sign on such property.

Sec. 6-21. Sign illumination.

Signs must be effectively shielded to prevent beams or rays of light from being directed toward any portion of a traveled road, and must not be of such intensity or brilliance or glare or impair the vision of the driver of any motor vehicle or otherwise interferes with any driver's operation of a motor vehicle. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign device or signal. All illuminated signs or structures shall be placed so as to prevent the light rays or illumination from being cast directly on any residence. (Ord. No. 1-00, 2-1-00)

Sec. 6-22. Computations.

The area and height of a sign shall be computed as follows:

(1) *Area of individual signs.* The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, ornamental base or trim.

If the sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.

(2) *Multi-faced signs—Computation of area.* For multi-faced signs, the sign area shall include all sign faces visible from any one point. When two identical sign faces are placed back-to-back so that both faces cannot be viewed from any point at the same time, and when the backs for such sign faces are part of the same sign structure and are not than 42 inches apart, the sign area shall be computed by the measurement of one of the larger faces.

(3) *Height.* Height shall be measured from: (i) the higher of the unaltered grade of the terrain of the sign location or (ii) the elevation of the grade of the road shoulder perpendicular to the sign, whichever is higher, to the uppermost part of the sign or sign structure, whichever is higher. (Ord. No. 1-00, 2-1-00)

Sec. 6-23. Sign maintenance.

All sign supports, braces, poles, wires and other appurtenances of the sign or sign structure shall be kept in good repair, maintained in a safe condition, and shall conform to the standards in this section and the state building codes.

Maintenance of sign supports, braces, poles, wires and other appurtenances of the sign or sign structure and not the result of damage or destruction shall not require a zoning permit, provided the sign is not enlarged, moved, or altered in any manner which would create or increase a nonconforming condition.

A sign face shall be in a state of disrepair when more than 20 percent of its total surface is disfigured, cracked, ripped or peeling paint or poster paper, or any combination of these conditions.

No sign shall be allowed to stand with bent or broken sign facing, broken supports, loose appendages, or struts.

No sign or sign structure shall be allowed to have weeds, vines or other vegetation growing on it and obscuring it from the road or highway from which it is intended to be viewed.

Sec. 6-24. Nonconforming signs.

A. Off premise advertising signs

1. Off premise advertising signs (formerly outdoor advertising signs or billboards) are hereby made nonconforming within the zoning jurisdiction of the Town of Yanceyville as of June 8th, 2023. Off premise advertising signs in existence before such date may be permitted to continue as a nonconforming use, provided:
 - a. the signs and supporting structures may not be enlarged or moved to a different location;
 - b. the signs and supporting structures may be repaired or reconstructed without enlargement of square footage of the advertising surface area.
 - c. lights and/or other electric or electronic features may not be added;
 - d. a signed statement with the name and address of the owner and current lease for each sign shall be kept on file with the code enforcement officer.
 - e. they shall be subject to yearly inspections; and
 - f. they shall conform to applicable requirements set forth in Article 11 Outdoor Advertising of North Carolina General Statutes, Chapter 136.

2. If a nonconforming sign is damaged to an extent equal to or greater than 50% of the sign replacement cost, the sign shall be removed if repair or damage to the sign and structure exceeds 50% of value as determined by the criteria in 19A NCAC 2E.0225(f); however, if the sign is damaged or destroyed by an event that is an “Act of God” the Sign owner have the right and privilege to restore/ replace to its original condition prior to the event.

B. Other nonconforming signs - All signs made nonconforming by this chapter, but which were lawfully established may continue provided that no such sign shall be:

- changed or replaced with another nonconforming sign except that copy may be changed on an existing sign;
- expanded;
- relocated except in conformance with the requirements of this chapter;
- reestablished after damage or destruction of more than 60 percent of the fair market value immediately prior to the time of the damage or destruction.
- modified in any way which increase the sign's degree of nonconformity; or
- reestablished after the sign structure has been removed.

As soon as reasonably possible after the effective date of this amendment, the zoning administrator shall make every reasonable effort to identify all the nonconforming signs with the town’s planning jurisdiction. (Ord. No. 1-00, 2-1-00)