

ORDINANCE # O-2021-XX

**AN ORDINANCE TO AMEND TOWN CODE § 157.304 (B)(12)
REGARDING ILLUMINATED SIGNS**

WHEREAS, the Town Zoning Code contains various provisions governing indirect lighting of signs and permitting backlit signs; and

WHEREAS, Town Code § 157.304 (B)(12) prohibits illuminated signs, except for box signs; and

WHEREAS, the definition of “illuminated sign” currently reads “A sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign”; and

WHEREAS, the Town Planning Commission and Town Council wish to eliminate the inconsistency in the Town Zoning Ordinance by eliminating the prohibition of illuminated signs and replacing it with a prohibition on internally lighted signs except for box signs (which may be internally lighted under Town Code § 157.307 (B)) and marquees (which may be internally lighted under Town Code § 157.321 (table)).

NOW, THEREFORE, BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in _____ session this ___ day of _____, 2021:

1. That the Town Council hereby amends Town Code § 157.304 (B)(12) as follows:

§ 157.304 PROHIBITED SIGNS.

In addition to signs prohibited elsewhere in this code or by applicable state or federal law, the following signs are prohibited.

(A) General prohibitions. General prohibitions include:

- (1) Signs that violate any law of the state relating to outdoor advertising;
- (2) Signs attached to natural vegetation;
- (3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized town official as a nuisance;
- (4) Vehicle or trailer signs;

- (5) Freestanding signs more than 15 feet in height;
- (6) Vending machines within the Old and Historic Occoquan District that are outside of a wholly enclosed structure; and
- (7) Any sign displayed without complying with all applicable regulations of this chapter.

(B) Prohibitions based on materials. Prohibitions based on materials include:

- (1) Signs painted directly on a building, driveway, or road, except where expressly permitted by this chapter;
- (2) Animated signs;
- (3) Flashing signs;
- (4) Non-white colored signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows, or wall edges of any building, except during the period October 15 through February 15;
- (5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas;
- (6) Signs that emit sound;
- (7) Any electronic sign that is generated by a series of moving images, such as a TV, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit;
- (8) Strings of flags (two or more connected together) visible from, and within 50 feet of, any public right-of-way;
- (9) Pole signs less than six feet in height;
- (10) Feather signs;
- (11) Inflatable signs;
- (12) ~~Illuminated~~ Internally lighted signs, except for marquees and box signs; and
- (13) Neon signs.

(C) Prohibitions based on location. Prohibitions based on location include:

- (1) Off-premises signs;
- (2) Signs erected on public land other than those approved by an authorized town official in writing, required by law without such approval, or permitted under VA Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign;
- (3) Signs on the roof surface or extending above the roofline of a building or its parapet wall;
- (4) Any sign which obstructs visibility for motorists or pedestrians at an intersection;
- (5) Window signs whose aggregate area on a window or door exceed 25% of the total area of the window or door; and
- (6) Commercial signs are not permitted as yard signs in business districts.

2. That this ordinance is effective upon passage.

PASSED AND ADOPTED by the Town Council of the Town of Occoquan on this ____ day of ____, 2021.

BY ORDER OF THE TOWN COUNCIL

**MEETING DATE:
Town Council Meeting
Ord. No. O-2021-XX**

RE: An Ordinance to Amend Town Code § 157.304 (B)(12) Regarding Illuminated Signs

**MOTION:
SECOND:
ACTION:**

**Votes:
Ayes:
Nays:**

Absent from Vote:
Absent from Meeting:

CERTIFIED COPY _____

Town Clerk