

# **HOWARD COUNTY MARYLAND**

## **THE SIGN CODE**

**Department of Inspections, Licenses and Permits  
3430 Court House Drive  
Ellicott City, Maryland 21043**

**(410) 313-2455 Permit Information  
(410) 313-1830 Permit Enforcement**

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## § 3.500

### TITLE 3 BUILDINGS, SUBTITLE 5. SIGNS

#### Sec. 3.500. Purpose and scope.

- (a) The purpose of this subtitle is to regulate all exterior signs and interior window signs placed for exterior observance so as to protect property values, to protect the character of the various communities in the county, to protect health, safety and morals, and to promote the public welfare.
- (b) The principal features are the restriction of advertising to the business or use of the premises on which the sign is located and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purpose of identification or for advertising a use conducted thereon or therein shall be deemed accessory and incidental to such land, building or use. It is intended that the display of signs will be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. With respect to signs advertising business uses, it is specifically intended, among other things, to avoid excessive clutter among displays in their demand for public attention.
- (c) It is intended by this section that all temporary signs erected for directional purposes, for public information, or to call attention to special events shall be confined to those that are of general public interest and that such signs shall be limited to the giving of information.
- (d) All other signs, commonly referred to as outdoor advertising, billboards or poster panels, which advertise products or businesses not connected with the site or building on which they are located, are deemed by this section to constitute a separate use. Permanent display of outdoor advertising is deemed to be inappropriate to the character and the sound development of the county, and it is intended that such advertising be confined to temporary displays on unimproved property in industrial districts.

*(Council Bill No. 1, 1972) (Supplement No. 40)*

## § 3.501

#### Section 3.501. Sign Standards by district.

- (a) **General.** The following sign standards by district shall apply to every existing district and to every new zoning district classification hereafter created in Howard County; to commercial or industrial uses permitted by special exception under Section 122 of the Zoning Regulations unless the Board of Appeals shall expressly provide for stricter conditions for signs or billboards in granting such uses; and to the areas of residential, multi-family commercial and industrial uses in multi-use districts

such as New Town District, Planned Community District and similar districts. The districts are defined by the zoning regulations and official zoning maps. Only signs as described herein and as may be described under Section 3.502 “Signs permitted in all districts”, and Section 3.503 “Exemptions”, shall be permitted in each particular district.

(b) *Residential Districts and Residential Areas.*

(1) **Single family.** Two (2) home occupation signs not exceeding two (2) square feet each in area shall be permitted per single family dwelling. Such signs shall be set back at least six (6) feet from the nearest property line and shall not be over five (5) feet above the ground, whether freestanding or on a building. Other signs for single family dwellings shall be subject to the standards set forth in Subsection 3.503(g). Illumination shall be in accordance with the restrictions set forth in Section 3.508.

(2) **Multiple family.** In any multiple family dwelling in which a professional or rental office is permitted, one sign shall be permitted at each vehicular entrance from a public right-of-way and at each major public entrance to the dwelling for all offices in the dwelling, the sign not to exceed one square foot for each office or ten (10) square feet overall, whichever is smaller. Permitted signs shall be set back at least six (6) feet from any property line, and the top of the sign shall not be over five (5) feet above the ground, whether freestanding or on a building. The sign shall indicate only the name, address and occupation of the occupant. Illumination shall be in accordance with the restrictions set forth in Section 3.508.

*(Supplement No. 40)*

(3) **Mobile homes.** Signs in mobile home parks shall be in accordance with the standards as set forth in Section 3.501(c) of this subtitle.

(c) *Commercial Districts, Commercial Areas, Industrial Districts and Industrial Areas.*

(1) **Size.** A total sign area of two (2) square feet for each lineal foot of building frontage shall be allowed. If the building has multiple frontage, an additional sign area of one square foot for each additional lineal foot of building frontage shall be allowed. The total area of all signs erected on the lot and building shall be within the allowable square footage. Where there is multiple frontage, no more than two (2) square feet of sign area for each lineal foot of building frontage shall be allowed to face that frontage.

(2) **Location.**

a. *Flat wall signs.* Flat wall signs may be located anywhere on any wall of a building, except that, above the first floor, no window or part of a window shall be situated within the area, or surface area, as

defined herein, of such sign, or its supporting structure, nor shall any such sign or part of such sign or its supporting structure cover any window or part of a window. No flat wall sign shall extend above the top of the wall. In the case of a multi-story building which has screening enclosing elevator shafts, stairs or heating and air conditioning units, a flat wall sign may be permitted within the area of the screening.

- b. *Projecting signs.* Projecting signs may project over public rights-of-way only where there is no building setback, and then it may project no more than forty-two (42) inches beyond the right-of-way line. It may be no closer than eight (8) feet to a curbline without variance from the Board of Appeals, except that on commercial properties within the Ellicott City Historic District it may be no closer than three (3) feet to a curbline without variance from the Board of Appeals, and must have a minimum clearance of ten (10) feet above the finished grade of a sidewalk and eighteen (18) feet above any road, driveway or alley. No projecting sign or supporting structure shall project more than forty-two (42) inches from the wall of a building, nor be less than ten (10) feet from the ground level at the base of the building, nor be higher than twenty-five (25) feet from the ground level to the top of the sign on a multi-story building, and above the first floor, no window or part of a window shall be situated within the area, or surface area, as defined herein, of such sign, or its supporting structure, nor shall any such sign or part of such sign or its supporting structure cover any window or part of a window. Furthermore, no projecting sign or supporting structure shall be located in such a manner as to obstruct the light and vision of a window. Every face of a projecting sign shall be considered as a separate sign for the purposes of computing the allowable area, and the sum of the areas to all faces of a projecting sign shall not exceed twenty-five (25) square feet. No projecting sign or supporting sign or supporting sign or supporting structure shall extend above the top of the wall.
  
- c. *Freestanding signs.* Where a building does not cover the full area of the property, business signs may be freestanding or ground supported and may be located in the front yard. The height of the sign may not exceed 1 foot for each 2 feet the sign is set back from the right-of-way and shall not exceed 26 feet from the grade level to the top of the sign. Freestanding signs shall be permitted only where there is a minimum of 40 lineal feet of lot frontage. The maximum allowable area for a freestanding sign shall be 1 square foot for each 1 foot the sign is set back from the road right-of-way. The largest single face of a freestanding sign shall be considered for the purpose of computing allowable area under this section. No part of the sign

shall extend beyond a property line or right-of-way line. Signs satisfying requirements for gas price posting are permitted up to an area of 32 square feet per face. Such signs may be affixed to the main freestanding sign and will not be assessed against the allowable area for the facility nor will they be considered for purposes of determining setback in relation to sign area.

- d. *Marquee signs.* Signs may be placed on the vertical faces of a marquee provided no part of the sign shall project above or below the vertical faces of a marquee.
  - e. *Roof signs.* Single-faced signs shall be permitted on the front profile of a building provided that the top of the sign does not exceed the height of the building, as defined in the zoning regulations.
- (3) *Area.* The total area of all signs erected on the lot and building shall be within the allowable square footage.
  - (4) *Content.* Signs allowed shall be identification signs only, as defined elsewhere in this subtitle.
  - (5) *Unimproved property.* Signs for business conducted on unimproved lots shall be allowed a total area for all signs not to exceed one-half square foot for each lineal foot of lot frontage or one hundred fifty (150) square feet overall, whichever is smaller. Signs on unimproved property shall comply with all other restrictions of Subsection 3.501(c).
  - (6) *Shopping centers and industrial parks.* A freestanding identification sign, stating the name of the facility and the major tenants, shall be allowed. The maximum allowable area of the sign shall be determined independently from the sign area allowed under Subsection 3.501(c)(1) for building frontage, and it may be 1 square foot for each lineal foot of lot frontage or 200 square feet, whichever is smaller. If the facility has frontage in more than one public road, one such identification sign may be allowed for each frontage. The height of the sign shall not exceed 26 feet from the grade at the base of the sign; provided, however, an increase in height may be allowed not to exceed 40 feet from the grade at the base of the sign, if it can be shown to the Board of Appeals that excessive grade, building interference, bridge construction and the like exists.
  - (7) *Illumination.* Illumination shall be in accordance with the restrictions set forth in Section 3.508.
  - (8) *Commercial directional signs.* Commercial directional signs may be permitted by a variance by the Board of Appeals subject to a finding by the Board that the directional sign or signs are necessary for the public convenience and are consistent with the intent and purposes of this subtitle. Such signs shall be

located only at road intersections and shall be subject to the approval of the Director of Inspections, Licenses and Permits of Howard County, based on criteria that he shall establish for the design and location of such signs. All directional signs at a single intersection shall be consolidated in a single frame or, if necessary, in several such frames. The maximum allowable area of any such consolidated sign shall be twelve (12) square feet, and no more than four (4) such signs shall be permitted for any single business. The content of such signs shall be limited to the name of the business, the principal product or services offered, and directional information. (C.B. 1, 1972; C.B. 53, 1974; C.B. 36, 1976; C.B. 77, 1981; C.B. 42, 1985; C.B. 62, 1988; C.B. 90, 1989)

*Editor's note – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.*

### **Section. 3.502. Signs permitted in all districts.**

Subject to the other conditions of this subtitle, the following signs shall be permitted anywhere within the county:

- (a) *Construction identification signs.* One sign shall be permitted for identifying all building contractors, one sign for identifying all professional firms, and one sign for identifying all lending institutions on sites under construction. Each sign shall not exceed 32 square feet, and no more than three signs shall be permitted on one site. Permits are not required when such signs are six square feet or smaller. The sign(s) shall be confined to the site of the construction, construction shed or trailer and shall be removed no later than 14 days after the completion of the project. Freestanding construction signs shall be exempt from the setback requirements of this subtitle applicable to freestanding signs.
- (b) *Real estate signs.*
  - (1) One temporary real estate sign not exceeding 32 square feet in area and located on the property shall be allowed for each lot, parcel or tract two acres or over. If the lot, parcel or tract has multiple frontage, one additional sign, not exceeding 32 square feet in area, shall be allowed in the property, to be placed facing the additional frontage. Under no circumstances shall more than a maximum of two signs be permitted on the property. Signs shall be removed within seven days of the sale. Freestanding temporary real estate signs shall be exempt from the setback requirements of this subtitle applicable to freestanding signs.
  - (2) One temporary subdivision identification sign not exceeding 64 square feet in area and located on the property shall be allowed for each development of 10 lots or more. Freestanding temporary subdivision identification signs shall be exempt from the setback requirements of this

subtitle applicable to freestanding signs. Signs shall be removed within seven days of the sale of the last lot in the subdivision.

- (3) One (1) temporary subdivision approach sign may be erected near each major intersection to the subdivision, with a maximum of four (4) such signs permissible for any one (1) subdivision. Each sign shall not be more than three (3) feet long and one (1) foot high. No illumination will be permitted, and such signs shall be no less than fifteen (15) feet from the nearest edge of the pavement nor less than one hundred (100) feet from the nearest curb intersection of any street or road. The content of such signs shall be restricted to the name of the subdivision, the name of the developer and/or agent, or identification emblem, and a directional arrow. The top of such signs shall not exceed eight (8) feet above grade. In the event that there is a need for more than one (1) sign at any major intersection, all such signs must be consolidated and confined within a single frame, subject to the criteria established by the Director of Public Works for commercial directional signs.
- (c) *Street banners.* Street banners advertising a public entertainment or event, if specifically approved by the county executive and if in locations designated by him, may be displayed fourteen (14) days prior to and seven (7) days after the public entertainment or event.
- (d) *Window signs.* There shall be no limit to the number of such signs; provided, however, that the total area of all window signs shall not exceed twenty (20) percent of the window glass area, which shall be calculated separately for each side of the building. An additional twenty (20) percent of the window area may be used on a temporary basis. An additional ten (10) percent of the window area may be used on a temporary basis to advertise nonprofit activities.
- (e) *Permanent identification signs.* Signs of a permanent nature setting forth the names of religious facilities, communities, subdivisions, apartments, schools, public/quasi-public institutions and neighborhoods shall be permitted and are exempt from the setback requirements established in Section 3.501(c)(2)c. Illumination shall be accordance with restrictions set forth in Section 3.508. Such signs shall not exceed 32 square feet in area nor six feet in height. Signs that are in existence on November 2, 1981, identifying a subdivision, apartment, condominium, village or neighborhood, which have been inventoried by the Department of Inspections, Licenses and Permits by March 1, 1982, shall be permitted and shall be exempt from the provisions of Section 3.505(a)(5) of this subtitle.
- (f) *Civic, religious and quasi-public signs.* Name, directional and information signs, and emblems of service clubs, places of worship, civic organizations and quasi-public uses shall be permitted on private property. Each sign shall be not more than fifteen (15) square feet in area. The top of such sign shall not exceed eight

(8) feet above grade. Illumination shall be in accordance with the restrictions set forth in Section 3.508; and in the event that there is a need for more than one (1) sign at one (1) location, all such signs must be consolidated and confined within a single frame, subject to the review and recommendations of the Department of Inspections, Licenses and Permits.

- (g) *Farm signs.* Signs displayed on any working farm by the owner or other operator for the purpose of advertising solely the products thereof shall be permitted. No single sign shall exceed thirty-two (32) square feet in area. The total area of such signs shall not exceed sixty-four (64) square feet. (C.B. 1, 1972; C.B. 53, 1974; C.B. 77, 1981; C.B. 44, 1983; C.B. 34, 1985; C.B. 42, 1985; C.B. 62, 1988; C.B. 90, 1989)

*Editor's note* – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

### **Section. 3.503. Exemptions.**

The following types of signs are exempt from all the provisions of this subtitle, except for construction and safety regulations and the following standards:

- (a) *Public signs.* Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as directional signs, regulatory signs, warning signs and information signs.
- (b) *Temporary signs.* Temporary signs not larger than 32 square feet announcing any public, charitable, educational, or religious event may be placed on the property at which the event will take place. Temporary signs announcing the event may be placed at other locations provided that the total area of these signs on any residential lot shall not exceed six square feet and the total area of these signs on any commercial or industrial lot shall not exceed 32 square feet. Such signs shall be permitted to be erected within a county public road right-of-way except in an area designated as an historic district in a form no larger than 6 square feet and of materials prescribed by the Department of Inspections, Licenses and Permits solely upon the specific written approval of the Department of Inspections, Licenses and Permits in accordance with Section 3.505a(b), provided that no more than two such signs are erected at any one time at any one location, and that placement of the signs does not create a situation hazardous to pedestrian or vehicular traffic. Such signs shall be allowed no more than 21 days prior to the event and must be removed within seven days after the event. Such signs may be illuminated in accordance with the restrictions set forth in Section 3.508. If building mounted, these signs shall be flat wall signs and shall not project above the top of the wall. If ground mounted, the top shall be no more than 12 feet above ground level.

- (c) *Integral signs.* Names of buildings, dates of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
  
- (d) *Private traffic direction.* Signs directing traffic movement onto a premise or within a premise, not exceeding eight (8) square feet in area for each sign. Illumination of these signs shall conform to Section 3.508, except that standard traffic signal light devices may be used if needed. Horizontal directional signs on and flush with paved areas are exempt from these standards.
  
- (e) *Real estate signs.*
  - (1) *Signs on private property.* Temporary real estate signs not exceeding six square feet in area located on the subject property and limited to one such sign for each frontage of a home, lot, parcel or tract under two acres in area. Signs shall be removed within seven days of the sale.
  
  - (2) *Signs on approach routes.* Temporary real estate directional signs, not exceeding three square feet in area and four in number, showing a directional arrow and placed back on the property line, shall be permitted on approach routes to an open house. These directional signs announcing an open house may be placed in the county right-of-way between the hours of 4:00 p.m. Friday and noon on the following Monday. When a holiday occurs on Monday or Friday, the hours in which these signs may be placed in the county right-of-way shall be extended by 24 hours to include the holiday. A police officer may remove these signs if, in the opinion of the police officer, the signs so placed constitute a hazard to traffic.
  
  - (3) *Height of real estate signs.* The top of any temporary real estate signs shall not exceed three feet in height, except crossbar post signs located on the property, the crossbar of which shall be limited to no higher than five feet above the ground.
  
- (f) *Political campaign signs.* Signs announcing candidates seeking public office and other data pertinent thereto shall be permitted up to a total area of nine (9) square feet for each premises in a residential district and thirty-two (32) square feet in a commercial or industrial district. These signs shall be located only on private property and shall be no less than fifteen (15) feet from the nearest edge of the pavement and no less than one hundred (100) feet from the nearest curb intersection of any street or road. These signs may be displayed sixty (60) days prior to and seven (7) days after the election for which intended. In cases where a

final election follows within seventy-five (75) days of a primary election, those candidates who won in the primary election may continue to display their signs during the interim period and up to seven (7) days after the final election.

- (g) *Single-family residential name and street address signs.* Two (2) single-family residential name signs not exceeding two (2) square feet each in area shall be permitted per single-family dwelling. Such signs shall be allowed on mailboxes, but shall otherwise be set back at least six (6) feet from the nearest property line and shall not be over five (5) feet above the ground, whether freestanding or on a building. Two (2) street number signs not exceeding two (2) square feet in area shall be allowed in any district. Such signs shall be allowed on mailboxes and over doorways but shall otherwise be set back at least six (6) feet from the nearest property line, shall not be over five (5) feet above the ground when freestanding, and shall not be over ten (10) feet above ground on a building.
- (h) *Flags.* Flags of a nation, state, municipality, educational institution or noncommercial organization. In addition, any commercial or industrial use may display its corporate emblem in the form of a flag, provided that there is not more than one (1) such flag on any parcel.
- (i) *Vending/dispensing machines.* Permanent signs on vending machines, gas pumps or similar dispensing devices.
- (j) *Banners.* One banner no more than 32 square feet in area is permitted for 14 days to announce the grand opening of an establishment.
- (k) *Small construction identification signs.* Signs six square feet in area or smaller to identify building contractors, professional firms and lending institutions are permitted at construction site provided there are no more than three such signs per site. (C.B. 1, 1972; C.B. 77, 1981; C.B. 44; 1983; C.B. 34, 1985; C.B. 90, 1989; C.B. 106, 1989)

#### **Section 3.504. Nonconforming signs.**

- (a) *Removed Immediately.* The Department of Inspections, Licenses and Permits shall order the removal of any sign erected or maintained in violation of the law as it existed prior to the date of the adoption of this subtitle; provided, however, that if such signs are redesigned or altered so as to conform to the law as it existed prior to the date of the adoption of this subtitle and a permit is applied for within ninety (90) days of the effective date of this subtitle, these signs shall be regarded as nonconforming signs subject to the provisions of subsection (b) of this section. Removal shall be in accordance with Section 3.511(d).
- (b) *Permitted.* Other signs existing at the time of the enactment of this subtitle and not conforming to its provisions, but which did conform to previous laws, shall be regarded as nonconforming signs which may be continued if properly repaired and

maintained as provided in this subtitle, if in conformance with other laws of the county, and if not prohibited under Section 3.505 of this subtitle. Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this subtitle. (C.B. 1, 1972; C.B. 77, 1981; C.B. 62, 1988)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

**Section. 3.505. Prohibited signs.**

- (a) *Removed Immediately.* The following signs are prohibited and shall be removed immediately in accordance with Section 3.511(d):
- (1) Signs which imitate an official traffic sign or signal or which contain the words “stop”, “go slow”, “caution”, “danger”, “warning” or similar words, except as provided in Section 3.503(d).
  - (2) Signs which are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic-control device or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.
  - (3) Signs which advertise an activity, business, product or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lessor of the premises is seeking a new tenant, such signs may remain in place for no more than ninety (90) days from the date of vacancy.
  - (4) Signs which contain or consist of pennants, ribbons, streamers, spinners, strings of light bulbs, or other similar or moving devices. These devices, when not part of any sign, are similarly prohibited. However, strings of lights which are used to display merchandise or for security purposes are exempt from this section and shall comply with Section 3.508 of this subtitle.
  - (5) Signs which are placed on a county right-of-way, except signs permitted pursuant to Section 3.505A of this subtitle.
  - (6) Signs which are posted or otherwise attached to utility poles or trees.
  - (7) Banners others than those permitted pursuant to this subtitle.

(b) *Removal Within One Year.* The following signs are prohibited and shall be removed, if not made to conform with the provisions of this subtitle within one (1) year of the adoption of this subtitle, in accordance with Section 3.511(d):

(1) Signs which move in any manner or have a major moving part which gives an illusion of motion.

(2) Signs which are painted directly on the wall, exterior of a window or any other structural part of a building, unless the Board of Appeals shall grant a variance for such signs based on findings that they contribute significantly to the historical, architectural or aesthetic character in the area in which the sign is located. (C.B. 1, 1972; C.B. 767, 1981; C.B. 44, 1983; C.B. 90, 1989)

**Section 3.505A. Permitted signs in county rights-of-way.**

(a) *Signs Not Requiring Prior Approval (Signs in Rights-of-Way).* The following signs shall be allowed in the county rights-of-way without prior approval or permit:

Temporary real estate directional signs as specified in Section 3.503(e).

(b) *Signs Requiring Prior Approval (Signs in Rights-of-Way).* The following signs shall be allowed in county rights-of-way provided that the sign is approved by the Department of Inspections, Licenses and Permits and that the Director of Inspections, Licenses and Permits issues a revocable permit conditioned upon removal of the sign upon the county's request, at no cost to the county:

Identification signs for a community, development, or subdivision project as set forth in Section 3.502(e);

Identification signs for residential apartment complexes and condominiums as set forth in Section 3.501(b)(3);

Temporary subdivision directional signs as specified in Section 3.502(b)(3); and

Temporary signs announcing public, charitable, educational, or religious events as set forth in Section 3.503(b).

(C.B. 44, 1983; C.B. 34, 1985; C.B. 62, 1988; C.B. 106, 1989)

**Editor's note** – C.B. 62, 1988, effective July 1, 1988, amended subsection (b) of this section but identified it as subsection (b) of § 3.507.

**Section 3.506. Human, animal or product form sign.**

Signs which are shaped to resemble any human, animal or product form or any animation of any human, animal or product shall be permitted in commercial districts, commercial areas, in

industrial districts, and in industrial areas, subject to all other requirements for signs in the district or area in which located. The sign shall be reviewed and approved by the Board of Appeals as consistent with the requirements, intent and purposes of this subtitle. (C.B. 1, 1972; C.B. 77, 1981)

**Section 3.507. Billboards.**

- (a) *General.* Outdoor advertising structures, billboards and poster panels (referred to as billboards), which advertise products or businesses not connected with the site on which they are located, shall be permitted only as temporary uses on unimproved property in industrial or manufacturing districts. Erection of billboards may be authorized only by a special permit issued by the Board of Appeals. The maximum period for which such permits may be issued is one year; and except for permits for billboards containing directional information to an historic site, such permits shall not be renewable. Permits for billboards providing directional information to a historic site may be renewed where the board makes the determinations required under Section 3.513 of the Howard County Code.
- (b) *Location.* No billboard shall be closer than one hundred (100) feet to any property line, nor located closer than six hundred sixty (660) feet to the right-of-way line of any highway which is part of the interstate highway system, nor closer than two hundred (200) feet to the right-of-way of any other street or road.
- (c) *Height.* No billboard shall be more than twenty (20) feet in height from the ground level; provided, however, a variance in height may be allowed by the Board of Appeals, if it can be shown to the board that excessive grades, building interference, bridge obstruction and the like exist, in which case the height may be increased to forty (40) feet.
- (d) *Area.* Billboards may be single-face or double-face, but no billboard shall contain more than two (2) signs or parcels and shall not exceed in aggregate a total area of five hundred (500) square feet per facing.
- (e) *Illumination.* Illumination shall be in accordance with the restrictions set forth in Section 3.508.
- (f) *Removal.*
  - (1) *Illegal.* The Department of Inspections, Licenses and Permits shall order the removal of any billboard erected or maintained in violation of law, as it existed prior to the date of adoption of this section, in accordance with Section 3.511(d); provided, however, that any billboard existing on the effective date of this subtitle shall be granted nonconforming status as provided in Section 3.507(f)(2), if within ninety (90) days of the effective date of this subtitle, such billboard is redesigned or altered to comply with the law as it existed prior to the adoption of this subtitle.

- (2) *Nonconforming*. Other billboards existing at the time of enactment of this section and not conforming to its provisions, but which did conform to previous laws, shall be regarded as nonconforming billboards which may be continued, if properly repaired and maintained as provided in this section and if in conformance with other laws of the county. Nonconforming billboards which are structurally altered, relocated or replaced shall comply immediately with all provisions of this section. (C.B. 1, 1972; C.B. 77, 1981; C.B. 62, 1988; C.B. 65, 1989)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

Supplement No. 64

**Section 3.508. Illumination.**

- (a) *Shading*. The light from any illuminated sign or billboard or from any light source, including interior of the building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Light shall not shine or reflect on or into residential structures.
- (b) *Blinking or Flashing*. No sign shall have blinking, flashing or fluttering lights or other illuminating devices which have a changing light operated as to create an appearance or illusion of writing or printing. A variance may be granted by the Board of Appeals for movement showing the date, the time and the temperature exclusively. Nothing contained in this section shall, however, be construed as preventing the use of lights or decorations related to religious and patriotic festivities. Beacon lights or search lights shall not be permitted as a sign for advertising purposes.
- (c) *Strobe and Incandescent Lamps*. No exposed reflective type bulbs and no strobe lights or incandescent lamps which exceed fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property. (C.B. 1, 1972; C.B. 77, 1981)

**Section 3.509. Permits and fees.**

- (a) *Permit Requirements*. No sign or billboard shall be erected, altered or relocated without a sign permit issued by the Department of Inspections, Licenses and Permits. Any sign or billboard involving electrical components shall be wired by a licensed electrician in accordance with the Howard County Electrical Code, and the electrical components used shall be in accordance with the Howard County Electrical Code.

- (b) *Applications.* The permit application shall be signed by the applicant, and when the applicant is any person other than the owner of the property, the permit application shall also be signed by the owner of the property or his authorized representative. It shall contain the location of the sign structure, the name and address of the sign owner and of the sign erector, drawings showing the design, dimensions and location of the sign, and such other pertinent information as the Department of Inspections, Licenses and Permits may require to ensure compliance with the laws of Howard County.
- (c) *Fees.* Fees for sign permits shall be as determined from time to time by resolution of the County Council. Such fees shall cover the cost of enforcing this section.
- (d) *Nullification.* A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit. A permit may be renewed.
- (e) *Permit Exceptions.* The following operations shall not be considered as creating a sign or billboard and shall not require a sign permit.
  - (1) *Replacing copy.* The changing of the advertising copy or message on an approved painted or printed sign or on a theater marquee and similar approved signs which are specifically designed for the use of replaceable copy.
  - (2) *Maintenance.* Painting, repainting, cleaning other normal maintenance and repair of a sign or a sign structure unless a structural change is made.
  - (3) *Non-illuminated exempt signs and window signs.* Signs exempt under Section 3.503 of this subtitle and window signs are also exempt from permit requirements, unless illuminated. (C.B. 1, 1972; C.B. 77, 1981; C.B. 62, 1988)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

**Sec. 3.510. Structural requirements.**

All signs and billboards shall comply with the pertinent requirements of the BOCA Basic Building Code, as amended. (C.B. 1, 1972)

**Section 3.511. Inspection; removal; safety.**

- (a) *Inspection.* Signs and billboards for which a permit is required shall be inspected annually by the Department of Inspections, Licenses and Permits for compliance with the subtitle and the other laws of Howard County.
- (b) *Tagging.* All signs and billboards requiring permits shall display, in a place conspicuous to inspectors, evidence of the sign permit supplied by the Department of

Inspections, Licenses and Permits and containing such data as may be designated by the department.

- (c) *Maintenance.* All signs and billboards and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.
- (d) *Removal of Signs.* The Department of Inspections, Licenses and Permits shall order the removal of any sign or billboard erected or maintained in violation of this subtitle. Ten (10) days notice in writing shall be given to the owner of such sign, billboard or building, structure or premises on which such sign or billboard is located, to remove the sign or billboard or to bring it into compliance with this subtitle.

Upon failure to remove the sign or billboard or to comply with this notice, the department shall remove the sign or billboard immediately and without notice, if it reasonably appears that the condition of the sign or billboard is such as to present an immediate threat to the safety of the public. Any cost of removal incurred by the department shall be assessed to the owner of the property on which such sign or billboard is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge shall be a lien on the property.

If a sign or billboard is placed illegally in the county right-of-way or if it is in the county right-of-way at times other than those permitted by this subtitle, the department may remove the sign or billboard without notice to the owner.

- (e) *Abandoned Signs.* A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the department shall order it removed in accordance with subsection (d) above. These removal provisions shall not apply where a succeeding owner or lessee conducts the same type of business and agrees to maintain the signs as provided in this subtitle or changes copy of the signs to advertise the type of business being conducted on the premises, provided the signs comply with the other provisions of this section. (C.B. 1, 1972; C.B. 77, 1981; C.B. 62, 1988; C.B. 90, 1984)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

### **Sec. 3.512. Administration and penalties.**

- (a) *Administration, Interpretation and Penalties.*
  - (1) *Rules and regulations.* The Director of Inspections, Licenses and Permits may promulgate reasonable rules and regulations for the administration, enforcement and interpretation of this subtitle in accordance with the Howard County Administrative Procedure Act. These regulations shall provide for issuance of civil citations for violations of this subtitle without prior issuance of a notice of violation. The Director of Inspections, Licenses and Permits shall issue final interpretation of this subtitle.

- (2) *Right of entry.* Upon presentation of the proper credentials, the Director or the Director's duly authorized representative may enter at reasonable times any building, structure or premises in Howard County to perform any duty imposed upon the Director by this subtitle.
- (b) *Rights of Appeal and Variances.* Upon denial of a sign permit by the Department of Inspections, License and Permits, or to request a variance, a sign owner or owner of property on which a sign is located or for which a sign is requested may file an appeal or request for variance with the Board of Appeals within thirty (30) days of the date of the department's action. The Board of Appeals shall be authorized to hear such appeal or request for variance, in accordance with the Subsection 3.513. The appeal or request for variance shall be in writing in the form required by the Board of Appeals.
- (c) *Penalties.*
- (1) *Criminal penalties.* Any person who violates this subtitle shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than \$250 nor more than \$500.
- (2) *Civil penalties.* Alternatively or in addition to and concurrent with all other remedies, the provisions of this subtitle may be enforced pursuant to the provisions of title 24, "civil penalties", of the Howard County Code. A violation of Section 3.503(e)(2) shall be a class E offense; any other violation of this subtitle shall be a Class C offense. Each day that a violation continues shall be a separate offense.
- (3) *Other remedies.* In addition to and concurrent with all other remedies, the Director or the Director's duly authorized representative may seek civil relief in a court of competent jurisdiction. Such relief shall include but not be limited to injunctive relief. (C.B. 1, 1972; C.B. 77, 1981; C.B. 32, 1985; C.B. 82, 1988; C.B. 90, 1989)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

### **Section. 3.513. Variances.**

- (a) *Variances Not Permitted.* The Board of Appeals shall not grant variances for signs prohibited by Section 3.505 of this subtitle.
- (b) *The Board of Appeals* may grant variances from the provisions of this subtitle where the following determinations are made:

- (1) That there are unique physical conditions or exceptional topographical conditions peculiar to the property on which the proposed sign is to be located, including the location of existing buildings and other structures, irregularity, narrowness or shallowness of the lot, irregularity of the road right-of-way, location on a highway that has a dependency on non-local use, which conditions lead to practical difficulty and unnecessary hardship in complying strictly with the provisions of this subtitle; or
- (2) That there are obstructions, such as excessive grade, building interference, structures or landscaping on abutting property or properties which seriously interfere with the visibility of a proposed sign, resulting in practical difficulties and unnecessary hardship in complying strictly with the provisions of this subtitle; or
- (3) That there are historical, architectural or aesthetic characteristics which shall be considered; and
- (4) That the variance, if granted, will not adversely affect the appropriate use or development of adjacent properties, nor result in a dangerous traffic condition; and
- (5) That the requested variance is the minimum necessary to afford relief, and can be granted without substantial impairment of the intent, purpose and integrity of this subtitle; and
- (6) That such practical difficulties or hardships have not been created by the applicant; provided, however, that where required findings pursuant to Section 3.513 are made, the purchase or lease of the property on which a proposed sign is to be located subject to the restrictions sought to be varied shall not itself constitute a self-created hardship. (C.B. 1, 1972; C.B. 77, 1981)

**Sec. 3.514. Definitions.**

- (a) *Area*: Sum of display surfaces, that area enclosed by a standard geometric figure, the sides of which make contact with the extreme points or edges of the sign, excluding the supporting structure which does not form part of the sign proper or of the display. The area of a freestanding sign shall be the area of the largest single face. In the case where there is more than one (1) sign on the structure, the area shall include the aggregate area of all signs on the face.
- (b) *Banner*: A strip of cloth, canvas, plastic sheet, cardboard or similar flexible lightweight material with lettering on it and intended to be displayed for a limited period of time.
- (c) *Billboards*: Outside structures which advertise products or businesses not connected with the site on which they are located.

- (d) *Department:* The Department of Inspections, Licenses and Permits.
- (e) *Director:* The Director of the Department of Inspections, Licenses and Permits.
- (f) *Industrial Park:* A tract of land ten (10) acres or more in area that has been planned, developed and operated as an integrated facility for a number of industrial uses, with special attention to circulation, parking, utility needs, aesthetics and compatibility.
- (g) *Marquee:* A canopy or covering structure projecting from and attached to a building.
- (h) *Person:* Any individual, corporation, association, firm, partnership and the like, singular or plural.
- (i) *Projection:* The distance by which a sign extends over public property or beyond the building line.
- (j) *Shopping Center:* A shopping center shall be as defined in the zoning regulations.
- (k) *Reserved.*
- (l) *Sign:* A placard or structure containing graphic or printed information for identifying or advertising a use conducted on the premises whereon such placard or structure is located. "Sign" shall include all exterior signs and all interior window signs.
- (m) *Sign, Electric:* Any sign containing electric wiring. This does not include signs illuminated by an exterior flood light source.
- (n) *Sign, Identification:* Any sign which carries only the name of the firm, the major enterprise or the principal product offered for sale on the premises, or other graphic or printed information relevant to the business conducted on the property where the sign is located.
- (o) *Sign, Projecting:* A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.
- (p) *Sign, Roof:* A sign located on or above the roof of any building.
- (q) *Sign, Temporary:* A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials and intended to be displayed for a limited period of time.
- (r) *Sign, Wall, Flat:* One affixed directly to the exterior wall or screening surface, confined within the limits thereof, and which projects from the surface less than twelve (12) inches at all points.

- (s) *Wall*: Any vertical construction enclosing occupiable space. (C.B. 1, 1972; C.B. 77, 1981; C.B. 62, 1988; C.B. 90, 1989)

**Editor's note** – Section 101 of C.B. 62, 1988, declared the bill effective July 1, 1989.

**Sec. 3.515. Historic districts.**

Whenever an application for a sign permit is filed under these regulations for the erection of a sign in any area of Howard County classified as an “Historic District”, the application shall be subject to the approval of the Historic District Commission as well as the required approval of the Department of Inspections, Licenses and Permits. (C.B. 1, 1972; C.B. 53, 1974)

**Sec. 3.516. Severability.**

If any clause, sentence, part or parts of this subtitle, or of any section thereof, shall be held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining parts of this subtitle or of any section thereof. The County Council hereby declares that it would have passed the remaining parts of the subtitle or any section thereof if it had known such clause, sentence, part or parts of any section thereof should be declared invalid or unconstitutional. (C.B. 1, 1972)