

AN ORDINANCE
ADOPTING CERTAIN AMENDMENTS TO CODE OF ORDINANCES
CHAPTER 155, REGULATING THE DISPLAY OF SIGNS IN THE TOWN OF
FRANKLIN AND ITS EXTRATERRITORIAL JURISDICTION.

WHEREAS, there was adopted an ordinance regulating the display of signs for the Town of Franklin and its extraterritorial jurisdiction, by unanimous vote of the Board of Aldermen, at its regular meeting held on the 1st day of March, 2006, which was duly codified as Chapter 155 of the Town Code of Ordinances (the "Sign Ordinance"); and

WHEREAS, the Acts of the State Legislature of the State of North Carolina empower and authorize the Board of Aldermen as Legislative Body of the Town of Franklin to adopt ordinances, and to revise, amend, augment, recodify and restate ordinances adopted pursuant to that authority; and

WHEREAS, the Board of Aldermen deems it necessary and expedient to adopt certain amendments to the Sign Ordinance, and has considered adoption of the same on the recommendation of the Planning Board, after due advertisement and public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Franklin that:

Section 1. §155.02 of the Sign Ordinance is hereby amended to read as follows:

"§152.02 DEFINITIONS.

...

BANNER, SPECIAL EVENTS. A sign of lightweight, windproof material that is mounted to poles or buildings by ties or other means on both sides of a street within the town such that the sign crosses over the said street, not exceeding 240 square feet in area.

..."

Section 2. The Sign Ordinance is amended to add a new section as follows:

"§155.16 SPECIAL EVENTS BANNERS.

(A) Anything in this chapter to the contrary notwithstanding, special events banners shall be permitted pursuant to this section.

(B) *Permits required.* Any person, nonprofit association or corporation, may apply to the Town Planner for a permit to display a special event banner. Any banner which is displayed without the requisite permit shall be in violation of this chapter and shall be considered an illegal sign.

(C) *Content.* Special events banners may display promotions for nonprofit and community events, which may include fundraising activities and/or promote the Town of Franklin. The names of businesses and for-profit corporate entities may

not be included on special events banners, and the use of banners to display commercial messages or promote any particular business or businesses is not permitted.

(D) Location and number. No more than one special event banner may be displayed at any time. Permits shall be issued on a first come, first served basis. The location of the banner shall be as approved from time to time by the Town Planner, but in any case the banner must be located on East Main Street, between the eastern boundary of the Town Hall property and the intersection of East Main Street and Phillips/Iotla Street.

(E) Duration of display. Special events banners may be displayed pursuant to this section for a period of time not to exceed two weeks before the event promoted by the banner. The special event banner must be removed within three (3) days after the conclusion of the event.

(F) Property owner and NCDOT approval. As a condition to issuance of a special events banner permit, the applicant shall demonstrate to the satisfaction of the Town Planner the following: 1) that the applicant has permission from any property owner upon whose property the banner will be anchored or otherwise affixed to attach the banner for the duration that it will be displayed; and 2) that the North Carolina Department of Transportation has given permission for the banner to be displayed, and/or that the banner conforms to all NCDOT regulations regarding banners crossing state roads then in place. In any event, the lower edge of the special event banner shall be at least twenty feet (20') above the surface of the street.

(G) Liability; insurance. The Town of Franklin shall not be liable for the installation or maintenance of any special event banner displayed pursuant to this section, nor for any cause of action arising from the display of the same. As a part of the application required by this section, the applicant shall sign a statement acknowledging the town's nonliability, and indemnifying the town, its officers, employees and agents from any liability arising therefrom. The applicant shall provide proof of special event insurance or general liability insurance covering the event promoted by the special event banner, and shall have the Town of Franklin named as additional insured on such policy.

(H) Enforcement. Except as otherwise specified herein, special events banners shall permitted and enforced pursuant to §155.15 of this chapter."

Section 3. Except as specifically amended herein, the Sign Ordinance, Code of Ordinances Chapter 155, shall remain as previously enacted.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the Board of Aldermen and the Clerk of the Town of Franklin is hereby authorized and ordered to file a copy of said ordinance in the Office of the Town Clerk.

Section 5. Said ordinance shall be in full force and effect immediately on the date of its publication and filing thereof in the Office of the Clerk, and said ordinance shall be presumptive evidence in all courts and places of the ordinances and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested recorded and approved and that any public hearings and notices thereof as required by law have been given.

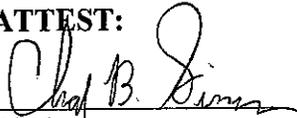
ADOPTED: This 1st day of June, 2015, upon motion by Alderman Jamison, seconded by Alderman Abel, and having been approved by a vote of 6 in favor and 0 against.

TOWN OF FRANKLIN

By:


Robert S. Scott, Mayor

ATTEST:


Clerk