CHAPTER 6.00 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

A. CONSTRUCTION OF LANGUAGE

The language of this ordinance shall be interpreted in accordance with the following regulations:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this ordinance and any illustration or diagram, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", or "occupied for".
7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:

   a. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
   b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
   c. "Either...or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

B. DEFINITIONS

The words in the text or illustrations of this ordinance shall be interpreted in accordance with the definitions set forth below. The illustrations and diagrams in this section provide graphic representation of the concept of a definition; the illustration or diagram is not to be construed or interpreted as a definition itself.

1. **A-SIGN** — A portable sign containing two sign faces and whose framing is hinged at the apex at an angle less than forty-five (45) degrees (Refer to Diagram 30).

2. **ABANDONED SIGN** — Any sign or its supporting sign structure which remains without a message or whose display surface remains blank for a period of: a. one (1) year or more (for a sign or its supporting sign structure which conforms to this ordinance at the time of adoption); or, b. sixty (60) days (for a sign or its supporting sign structure which does not conform to the provisions of this ordinance at the time of adoption); or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned.

3. **ADMINISTRATOR** — Administrator of the Neighborhood and Development Services Division, or such Division having jurisdiction, or their appointed representative.

4. **ADVERTISING SIGN** — Any off-premise sign which directs attention to any business, profession, product, activity, commodity, or service, that is offered, sold, or manufactured on property or premises other than that upon which the sign is located. Also known as an outdoor advertising sign.

5. **ALLEY** — Any public right-of-way which has been dedicated or deeded to and accepted by the public for public use as a secondary means of public access to a lot otherwise abutting upon a public street and not intended for traffic other than public services and circulation to and from said lot.

6. **ANIMATED SIGN** — Any sign which includes movement or change of lighting to depict action or create motion, a special effect or a scene. For purposes of this ordinance, any changeable copy sign on which the message changes more than eight (8) times per day shall be considered an animated sign.

7. **AWNING** — A roof-like cover, often of fabric, metal, plastic, fiberglass or glass designed and intended for protection from the weather or as a decorative embellishment, and which is supported by and projects from a wall or roof of a structure over a window, walk, door, or the like.

8. **AWNING SIGN** A building sign or graphic printed on or in some fashion attached directly to the awning material.

9. **BALLOON SIGN,** A temporary sign consisting of a bag made of light weight material which is filled with a gas lighter than air and designed to rise or float in the atmosphere (Refer to Diagram 30.)

10. **BANNER** Any temporary sign of lightweight fabric or similar material mounted to a pole or a building at one or more edges by a permanent frame. Flags of any government or political subdivision shall not be considered banners (Refer to Diagram 30)

11. **BEACON** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source. Also, any light with one (1) or more beams that rotate or move.

12. **BUILDING** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind, having a permanent roof supported by columns or walls.

13. **BUILDING MARKER** Any building identification sign indicating the name of a building, the date of erection and incidental information about its construction and which is cut into a masonry surface or made of bronze or other permanent material.

14. **BUILDING IDENTIFICATION SIGN** Any identification sign attached to any part of a building.

15. **BUSINESS SIGN** See Identification Sign.

16. **CANOPY** A roof-like cover, often of fabric, metal, plastic, fiberglass, or glass on a support, which is supported in total or in part, from the ground providing shelter over, for example, a doorway, outside walk or parking area.

17. **CANOPY SIGN** Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door, entrance, or window. A canopy sign is not a marquee and is different from service area canopy signs.

18. **CENTERLINE OF THE HIGHWAY** A line equidistant from the edges of the existing right-of-way separating the main-traveled ways of a divided Interstate highway, freeway, expressway, or the centerline of the main-traveled way of a non-divided Interstate highway, freeway or expressway.

19. **CHANGEABLE COPY SIGN** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged non-electrically or non-electronically without altering the face or the surface of the sign.

    The message copy of a changeable copy sign can be changed manually in the field, through the use of changeable letters, numbers, symbols and similar characters, changeable pictorial panels or through the use of rotating panels and other similar devices which are not controlled through remote electronic or electric techniques.

    A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

20. **CLEARANCE** The distance measured from the bottom of a sign face which is elevated above grade and the grade below (Refer to Diagram 33).

21. **COLLECTOR STREET** See Street, Collector.

22. **COMMERCIAL MESSAGE** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

23. **CONSTRUCTION SIGN** Any temporary sign which identifies and announces the construction activity on the property by the owner or construction company.

24. **CONVENIENCE MARKET** A retail establishment selling a limited number of food items, such as sandwiches, snacks, staple groceries, lottery tickets, household items, and food items prepared on the premises, including reheating, which can be immediately consumed. Such establishments may also provide a facility where gasoline and other motor fuels are stored and subsequently dispensed by use of fixed, approved dispensing equipment by customers of the establishment on a self-service basis.

25. **CORNER LOT** See Lot, Corner.

26. **DIRECTIONAL SIGN** Any incidental sign which serves solely to designate the location or direction of any place or area and, as such, shall be located on the same lot as said place or area.

27. **DIRECTORY SIGNS** Any incidental sign which identifies the businesses in an Integrated Center, in whole or in part, usually with a listing or a graphic representation of some or all of the tenants in the Center, and is located in the interior of said Center.

28. **DOUBLE-FACED SIGN** A sign consisting of two parallel faces supported by a single structure.

29. **DRIVEWAY** Access for vehicular movement to egress/ingress between the right-of-way of private or public streets and the required building setback line (Refer to Diagram 34).

30. **ELECTRONIC VARIABLE MESSAGE SIGN (EVMS)** A sign, or component of a sign, such as an electrically or electronically controlled message center, where the characters, letters, or illustrations can be changed or rearranged either in the field, or from a remote location, without physically altering the face or the surface of the sign.

31. **ENTRANCE ROADWAY** Any public street or turning roadway, including acceleration lanes, by which traffic may enter the main-traveled way of an Interstate highway, freeway or expressway from the general street system within Marion County, irrespective of whether traffic may also leave the main-traveled way by such street or turning roadway.

32. **ERECT** Activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, or any other way of bringing into being or establishing.

33. **EXIT ROADWAY** Any public street or turning roadway, including deceleration lanes, by which traffic may leave the main-traveled way of an Interstate highway, freeway or expressway to reach the general street system within Marion County, irrespective of whether traffic may also enter the main-traveled way by such street or turning roadway.

34. **EXTENSION** Any vertical or horizontal embellishments to an advertising sign designed as a part of, and integrally incorporated into, the announcement, declaration, device, demonstration or insignia used as a part of such sign (Refer to Diagram 35).

35. **FLAG** Any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices used to represent a government or political subdivision.

36. **FLASHING SIGN** A directly or indirectly illuminated sign which exhibits changing light, color or effect by any means, so as to provide intermittent illumination, or which includes the illusion of intermittent or flashing light by means of animation.

37. **FREESTANDING SIGN** Any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

38. **FREEWAY** — See Street, Freeway.

39. **FRONTAGE** — The line of contact of a property with the street right-of-way along a lot line. In the case of a corner lot having a rounded or cut property corner, from the intersection of the street right-of-way lines, as extended.

40. **GARAGE SALE SIGN** — Any temporary sign which identifies and announces a garage, yard or similar sale.

41. **GASOLINE SERVICE STATION** — Any building, land area or other premises or portion thereof, use or intended to be used for the retail dispensing or sales of vehicular fuels; which may include as an accessory use minor automotive repairs; the sale and installation of lubricants, tires, batteries; car washes; and similar accessory uses. Such establishments shall provide a facility where gasoline and other motor fuels are stored and subsequently dispensed by use of fixed, approved dispensing equipment by customers or employees.

42. **GOVERNMENTAL SIGN** — Signs designed for control of, or to provide information to, traffic and other regulatory functions and signs of public service companies indicating danger and aids for service or safety which are erected by the order of a public officer in the performance of his/her public duty. (See also Public Signs.)

43. **GRADE** — Grade shall be construed to be the lower of (1) existing grade prior to construction or (2) existing grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign (Refer to Diagram 4).

44. **GRADE LEVEL USE** — Each use or occupant of what is typically known as the street, ground or first floor of a building.

45. **GROUND SIGN** — Any freestanding sign constructed in or on the ground surface with its sign face extending downward to or near the ground surface and which is supported on a frame by one (1) or more uprights or braces. (Refer to Diagram 31).

46. **HEIGHT, SIGN** — The height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

47. **HOME IMPROVEMENT SIGN** — Any temporary sign which identifies and announces the construction company responsible for the home improvement of the property.

48. **HOUSE NUMBER AND NAME PLATES** — Any sign which designates the name or the street address, using numbers or plates, of the person(s) occupying the premises.

49. **IDENTIFICATION SIGN** — Any sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.

50. **ILLUMINATED SIGN** — Any sign which contains an auxiliary design element designed to emanate artificial light internally or externally from the sign, including signs illuminated from the exterior by spotlights or other lighting apparatus directed upon the sign structure either from the ground or from a lighting fixture attached to the exterior of the sign structure.

51. **INCIDENTAL SIGN** — A sign, generally informational, that has a purpose secondary to the use of the lot on which is located, such as "no parking", "entrance", "loading only", "telephone" and other similar directives. No sign with a commercial message legible from any position of the lot on which the sign is located shall be considered incidental.

52. **INFORMATION SITE** — An area or site established and maintained within or adjacent to the right-of-way of a highway on the Interstate System by or or under the supervision or control of a State Highway Department, wherein panels for the display of advertising and information signs may be erected and maintained.

53. INTERIOR SIGN Any sign not visible from the exterior of the building or structure and located within the interior of any building or structure, or within an enclosed lobby or court of any building.

54. INTEGRATED CENTER An area of development (commercial, industrial, or any combination of commercial, industrial and residential uses) of one (1) or more lots, comprised of:

a. Two (2) or more individual, unrelated and separately operated uses in one building sharing common site facilities; or,
b. One (1) or more buildings containing unrelated and separately operated uses occupying a common site, which utilize one or a combination of common site facilities, such as driveway entrances, parking areas, driving lanes, signs, maintenance and similar common services; or,
c. One (1) or more buildings containing unrelated and separately operated uses occupying individual sites, which are interrelated by the utilization of one or a combination of common facilities, such as driveway entrances, public or private street network, parking areas, maintenance and other services.

55. INTERSTATE HIGHWAY See Street, Freeway.

56. LEGALLY ESTABLISHED NONCONFORMING SIGN Any sign and its support structure lawfully erected prior to the effective date of the adoption of this ordinance which fails to conform to the requirements of this ordinance. A sign which was erected in accordance with a variance granted prior to the adoption of this ordinance and which does not comply with this ordinance shall be deemed to be a legal nonconforming sign. A sign which was unlawfully erected shall be deemed to be an illegal sign.

57. LEGIBLE Capable of being read with certainty without visual aid by a person of normal visual acuity.

58. LOGO See Trade Name.

59. LOT A tract of land designated by its owner(s) to be used or developed as a unit under single ownership or control.

A lot may or may not coincide with a lot of record and may consist of:

a. A single lot of record;
b. A portion of a lot of record; or
c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.

For purpose of this definition, ownership includes:

a. The person(s) who holds either fee simple title to the property or is a life tenant as disclosed in the records of the township assessor;
b. A contract vendee;
c. A long-term lessee (but only if the lease has been recorded at the Office of the County Recorder and has at least twenty-five (25) years remaining before its expiration at the time of applying for a permit) (Refer to Diagram 36).

60. LOT AREA The area of a horizontal plane bounded on all sides by the front, rear, and side lot lines that is available for use or development and does not include any area lying within the right-of-way of any public or private street, alley or easement for surface access (ingress or egress) into the subject lot or adjoining lots.

61. LOT, CORNER A lot abutting upon two (2) or more streets at their intersections, or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees (Refer to Diagram 36).

62. LOT, THROUGH A lot abutting two parallel streets, or abutting two streets which do not intersect at the boundaries of the lot.

63. **LOT LINE** The legal boundary of a lot as recorded in the office of the Marion County Recorder.

64. **LOT LINE, FRONT** The lot line(s) coinciding with the street rights-of-way in the case of a corner lot, both lot lines coinciding with the street rights-of-way shall be considered front lot lines; or, in the case of a through lot, the lot line which most closely parallels the primary entrance of the primary structure shall be considered the front lot line, or so declared by the Administrator.

65. **LOT LINE, REAR** A lot line which is opposite and most distant from the front lot line, or in the case of triangularly shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot line, any lot line which intersects with a front lot line shall not be considered a rear lot line.

66. **LOT LINE, SIDE** Any lot line not designated as a front or rear lot line.

67. **LOT OF RECORD** A lot which is part of a subdivision or a lot or a parcel described by metes and bounds, the description of which has been so recorded in the office of the Recorder of Marion County, Indiana.

68. **MAINTAIN** To repair, service or refurbish a sign or structure or any part thereof, in an identical manner or change any identical component of the sign.

69. **MAIN-TRAVELED WAY** The traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. The term "main-traveled way" does not include such facilities as frontage roads, turning roadways or parking areas.

70. **MARGINAL ACCESS STREET** See Street, Marginal Access.

71. **MARQUEE** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

72. **MARQUEE SIGN** Any building sign painted, mounted, constructed or attached in any manner on a marquee (Refer to Diagram 24).

73. **MESSAGE CENTER** A sign, component of a sign, which contains a changing message within the copy area which turns on and off or changes electrically or electronically for a specific period of time.

74. **MODEL HOME SIGN** Any temporary sign which identifies and announces a model home.

75. **MURAL** A design or representation painted, drawn or similarly applied on the exterior surface of a structure and which does not advertise a business, product, service or activity.

76. **OFF-PREMISE SIGN** A sign which directs attention to a business, profession, commodity, or service offered on the property other than that on which the sign is located.

77. **ON-PREMISE SIGN** A sign which directs attention to a business, profession, commodity, or service offered on the property on which the sign is located.

78. **OUTDOOR ADVERTISING SIGN** Same as Advertising Sign.

79. **OWNER** Legal owner of property as officially recorded in the office of the Marion County Recorder.

80. PARAPET(WALL) That portion of a building wall that rises above the roof level.

81. PENNANT Any sign of lightweight plastic, fabric, or other similar material, whether or not containing a message of any kind, which is suspended from a rope, wire, or string, usually in a series, and which is designed to move in the wind. Flags of any government or political subdivision shall not be considered pennants (Refer to Diagram 30).

82. PERMANENT SIGN A non-temporary sign designed and intended for long-term use.

83. PLAQUE, HISTORIC See Building Marker.

84. POLE SIGN Any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level (Refer to Diagram 31).

85. POLITICAL SIGN Any temporary sign designed to announce or identify a person, party, issue of an election or any other subject usually associated with a political election.

86. PORTABLE SIGN Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported from place to place, including, but not limited to, signs transported by means of wheels; signs attached to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right- of-way, unless said vehicle is used in the normal day-to-day operation of the business.

87. PRINCIPAL BUILDING The building in which is conducted the principal primary use of the lot. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other uses clearly accessory to the primary use shall not be considered principal buildings.

88. PROJECTING SIGN Any sign which is affixed to a building or wall in such a manner that its leading edge extends more than eighteen (18) inches beyond the surface of such building or wall face (Refer to Diagram 31).

89. PROJECT SIGN (RESIDENTIAL) A type of identification sign designed to identify a residential development permitted in the D-6, D-6II, D-7, D-8, D-9, D-10, D-11 or D-P Dwelling Districts.

90. PROTECTED AREAS All areas inside the boundaries of Marion County which are adjacent to and within six hundred and sixty (660) feet of the edge of the right-of-way of all highways within the county. When a highway terminates at a county boundary which is not perpendicular or normal to the centerline of the highway, the term "protected areas" also refers to all areas inside the boundary of such county which are within six hundred and sixty (660) feet of the edge of the right-of-way of the highway in the adjoining county.

91. PROTECTED DISTRICT Specific classes of zoning districts which, because of their low intensity or the sensitive land uses permitted by them, require additional buffering and separation when abutted by certain more intense classifications of land use. A protected district shall include any Dwelling District, Hospital District, Park District, University Quarter District, SU-1 (Church) District or SU-2 (School) District.

92. PUBLIC NOTICE Official notice posted by public officers or their representative in the performance of their duties.

93. PUBLIC SIGNS Any sign required or specifically authorized for a public purpose by any law, statute or ordinance which may be of any type, number, area, height above grade, location, illumination or animation, required by the law, statute or ordinance under which the signs are erected. (See also Governmental Sign.)

94. PUBLIC WAY Any public street, alley, sidewalk or other public thoroughfare.

95. **PUMP ISLAND SIGN** Any sign either affixed directly to a gasoline pump or otherwise attached to the pump or pump island (Refer to Diagram 25).

96. **PYLON SIGN** Any freestanding sign anchored in the ground with its sign face extending upward from the ground surface and which has a height exceeding four (4) feet (Refer to Diagram 31).

97. **REAL ESTATE SIGN** Any temporary sign which announces the sale, rental, or lease of property by the owner or real estate company.

98. **RESIDENTIAL SIGN** Any sign located in a district zoned for residential uses that contains no commercial messages except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the zoning ordinance.

99. **RIGHT-OF-WAY** Specific and particularly described land, property, or interest therein devoted to and subject to the lawful use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities as officially recorded by the office of the Marion County Recorder.

100. **RIGHT-OF-WAY, PROPOSED** Specific and particularly described land, property, or interest therein devoted to and subject to the lawful public use, typically as a thoroughfare of passage for pedestrians, vehicles, or utilities, as officially described in the Marion County Thoroughfare Plan as adopted and amended by the Metropolitan Development Commission.

101. **RIGHT-OF-WAY, PUBLIC** Specific and particularly described strip of land, property, or interest therein dedicated to and accepted by the municipality to be devoted to and subject to use by the general public for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as officially recorded by the office of the Marion County Recorder.

102. **RIGHT-OF-WAY, PRIVATE** Specific and particularly described strip of privately-held land, property, or interest therein devoted to and subject to use for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as officially recorded by the office of the Marion County Recorder.

103. **ROOF** The water-carrying surface of a building or structure, the structural make-up of which conforms to the roof structures, roof construction and roof covering sections of the Uniform Building Code.

104. **ROOF INTEGRAL SIGN** Any building sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, so that no part of the sign extends vertically above the roof (Refer to Diagrams 10 and 31).

105. **ROOF LINE** The uppermost edge of the water-carrying surface of a building or structure.

106. **ROOF SIGN** Any building sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof (Refer to Diagram 31).

107. **ROTATING SIGN** Any sign or portion of a sign designed to revolve or move in a similar manner by means of electrical power.

108. **SCENIC AREA** An area of particular scenic interest or historical significance which is designated by or pursuant to local or state law as a scenic area.

109. **SEASONAL OR HOLIDAY SIGN** Any temporary sign, such as Christmas decorations, used for an historic holiday and installed for a short, limited period of time.

110. **SERVICE AREA CANOPY** Any structural protective cover that is not enclosed on any of its four sides and is provided for the service area designated for the dispensing or installation of gasoline, oil, antifreeze, headlights, wiper blades and other similar products and the performance of minor services for customers as related to said dispensing or installation.

111. SERVICE AREA CANOPY SIGN — Any sign that is part of or attached to the service area canopy.

112. SERVICE STATION, GASOLINE — See Gasoline Service Station.

113. SETBACK — The minimum horizontal distance established by ordinance between a street right-of-way line or a lot line and the setback line (Refer to Diagram 37).

114. SETBACK LINE — A line that establishes the minimum distance that a building, structure, sign, or portion thereof, can be located from a lot line or proposed right-of-way line (Refer to Diagram 37).

115. SIGN — Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or any interests.

116. SIGN AREA — The area of a sign face (which is also the sign area of a wall sign or other sign with only one face). Sign area shall be computed by using the smallest square, rectangle, or combination thereof that 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, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself (Refer to Diagrams 1 and 2).

117. SIGN ENCROACHMENT — The placement of any sign or sign support structure or the extension of any part of a sign or sign structure into a required yard, street right-of-way or alley right-of-way.

118. SIGN FACE — The surface of the sign upon, against, or through which the message of the sign is exhibited.

119. SIGN STRUCTURE — Any structure including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.

120. SIGN TYPE — A functional description of the use of an individual sign. Includes but is not limited to identification, incidental, residential and advertising.

121. SPANDREL — A roof-like structure that covers the gasoline pump dispenser, serves as a second-tier canopy, is a lighting source for the dispensing area, serves to identify the gasoline pumps by numerical designation, and may display signage.

122. SPANDREL SIGN — Any sign that is a part of or attached to the spandrel structure.

123. STREET COLLECTOR — A street primarily designed and intended to carry vehicular traffic movement at moderate speeds (e.g. 35 mph) between local streets and arterials with direct access to abutting property(ies).

124. STREET, CUL-DE-SAC — A street having only one open end which is permanently terminated by a vehicle turnaround.

125. STREET, EXPRESSWAY — A street so designated by the Official Thoroughfare Plan for Marion County, as amended.

126. STREET FACADE — Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public or private street. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.

127. STREET, FREEWAY — A street so designated by the Official Thoroughfare Plan for Marion County, as amended.

128. **STREET, LOCAL** A street primarily designed and intended to carry low volumes of vehicular traffic movement at low speeds (e.g. 20 to 30 mph) within the immediate geographic area with direct access to abutting property(ies).

129. **STREET, MARGINAL ACCESS** A local street with control of access auxiliary to and located on the side of an arterial, thoroughfare, expressway, or freeway for service to abutting property(ies).

130. **STREET, PARKWAY** A street serving through vehicular traffic and equal to or more than 5280 feet in length, the adjoining land on one or both sides of which is predominantly dedicated or used for park purposes, and shall conform to the Comprehensive Plan and Thoroughfare Plan.

131. **STREET, PRIMARY ARTERIAL** A street so designated by the Official Thoroughfare Plan for Marion County, as amended.

132. **STREET, PRIVATE** A privately-held right-of-way, with the exception of alleys, essentially open to the sky and open for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a right-of-way for said purposes. A private street may be comprised of pavement, shoulders, curbs, sidewalks, parking space, and the like.

133. **STREET, PUBLIC** A publicly dedicated, accepted and maintained right-of way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, road, expressway, arterial, thoroughfare, highway, or any other term commonly applied to a public right-of-way for said purposes. A public street may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space, and the like.

134. **STREET, SECONDARY ARTERIAL** A street so designated by the Official Thoroughfare Plan for Marion County, as amended.

135. **STRUCTURE** A combination or manipulation of materials to form a construction, erection, alteration or affixation for use, occupancy, or ornamentation, whether located or installed on, above, or below the surface of land or water.

136. **SUBDIVISION** The division of any parcel of land shown as a unit, as part of a unit or as contiguous units, on the last preceding transfer of ownership thereof, into two (2) or more parcels or lots, for the purpose, whether immediate or future, or transfer of ownership or building development.

137. **SUBDIVISION SIGN** A type of identification sign designed to identify a residential subdivision.

138. **SUSPENDED SIGN** Any building sign that is suspended from the underside of a horizontal plane surface and is connected to this surface (Refer to Diagrams 13 and 32).

139. **SYMBOLS OR INSIGNIAS** Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems or religious orders or historical agencies.

140. **T-SIGN** A portable sign utilizing an inverted "T" style of framing structure to support the sign. (Refer to Diagram

141. **TEMPORARY SIGN** Any sign or sign structure which is not permanently affixed or installed, and is intended to be displayed for limited period only. Examples of such signs include, but are not limited to the following: real estate, construction, special event, political, garage sale, home improvement/remodeling, model home and seasonal (holiday) signs.

142. **THOROUGHFARE** A street primarily serving through vehicular traffic, including freeways, expressways, primary arterials, and secondary arterials.

143. **THOROUGHFARE PLAN** The segment of the Comprehensive Plan for Marion County, Indiana, adopted by the Metropolitan Development Commission of Marion County, Indiana, pursuant to IC-36-7-4, that sets forth the location, alignment, dimensions, identification and classification of freeways, expressways, parkways, primary arterials, secondary arterials, or other public ways as a plan for the development, redevelopment, improvement, and extension and revision thereof.

144. **TIME AND TEMPERATURE DISPLAYS** A limited function display which, through analogical or digital methods, electronically presents the time of day or the current temperature or one (1) other piece of information such as the Dow Jones average (either accrued total or change) in a non-traveling mode of operation. Displays which, through their configuration, are capable of presenting other electronic messages shall be considered Electronic Variable Message Signs.

145. **TOMBSTONE** Any cemetery marker or grave indicator.

146. **TRADE NAME** Any brand name, trademark, logo, distinctive symbol, or other similar device or thing used to identify particular business, institution, activity, place, person, product or service.

147. **TRAVELED WAY** The portion of a roadway for the movement of vehicles, exclusive of shoulders.

148. **TURNING** A connecting roadway for traffic turning between two intersection legs of an interchange, between two interstate highways.

149. **VALANCE** A vertically hanging or suspended fringe on an awning or canopy, often used as a decorative element.

150. **VISIBLE** Capable of being seen by a person of normal visual acuity (whether legible or not) without visual aid.

151. **VISIBLY OBSTRUCTED** The view of a sign which is blocked by a building or other man-made structure so as to be incapable of being seen from that line of sight.

152. **WALL** Any structure which defines the exterior boundaries or courts of a building or structure and which has a slope of sixty (60) degrees or greater with the horizontal plane.

154. **WALL SIGN** Any building sign attached parallel to, but within eighteen (18) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface (Refer to Diagram 32).

155. **WIND SIGN** A sign of lightweight fabric or similar material attached at one end to a pole or similar apparatus so as to swing freely, inflate and flutter by movement of the wind (Refer to Diagram 30).

156. **WINDOW SIGN** Any building sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed: 1) inside of, and within two (2) feet of, a window; or, 2) upon the window panes or glass, and is visible from the exterior of the window (Refer to Diagram 32).

GRAPHIC ILLUSTRATIONS

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Diagram 1	Computation of Area of Individual Signs
Diagram 2	Computation of Area of Multifaced Signs
Diagram 3	Computation of Height
Diagram 4	Grade Mounding
Diagram 5	Clear Sight Triangular Area
Diagram 6	Sign Height Exception
Diagram 7	Sign Separation From a Protected District
Diagram 8	Pole Sign Clearance
Diagram 9	Wall Sign Extension
Diagram 10	Roof-Integral Sign Extension
Diagram 11	Projecting Sign a. Maximum Sign Area b. Clearance from Grade c. Minimum Setback, Front
Diagram 12	Wall Sign/Maximum Sign Area (Dwelling and Special Zoning Districts)
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Diagram 14	Ground Sign - Maximum Sign Height
Diagram 15	Number of Freestanding Identification Signs - Extensive Frontage
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Diagram 17	Lower and Upper Level Building Identification Signs (CBD and RCM Districts)
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Diagram 19	Radial Spacing Between Outdoor Advertising Signs
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GRAPHIC ILLUSTRATIONS

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Diagram 23	Canopy Signs
Diagram 24	Marquee Signs
Diagram 25	Gasoline Service Station/Convenience Market Signs: a. Canopy Sign b. Pump Island Sign c. Spandrel Sign
Diagram 26	Signs on Interstate Freeways and Expressways - Measurement of Separation For Off-Premise Signs
Diagram 27	Signs on Interstate Freeways and Expressways - Entrance Roadway Limitation
Diagram 28	Tall Signs at Freeway and Expressway Interchanges
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Diagram 32	Sign Types III: a. Suspended Sign b. Wall Sign c. Window Sign
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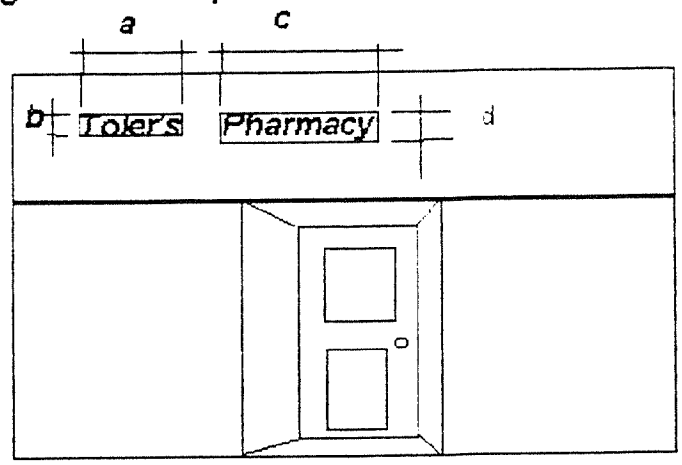
Diagram 34	Driveway
Diagram 35	Extension
Diagram 36	a. Lot b. Lot, Corner
Diagram 37	a. Setback b. Setback Line

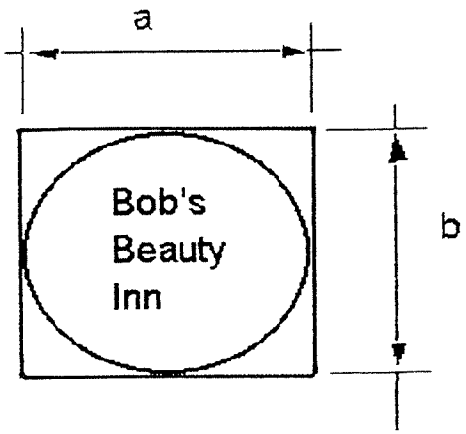
Diagram 1 -- Computation of Area of Individual Sign



Area of Copy

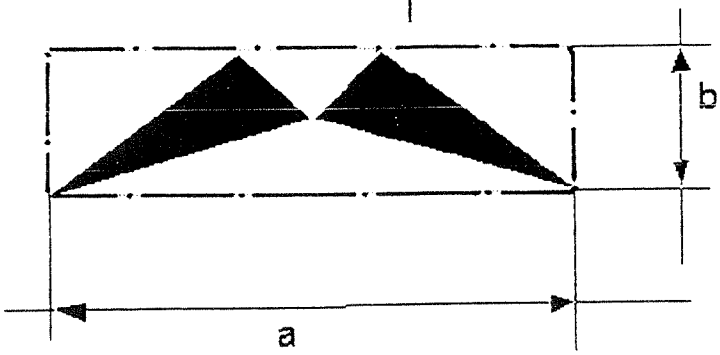
The entire area within a single, continuous perimeter composed of squares or rectangles, which enclose the extreme limits of the advertising message, announcement or decoration on a fascia or wall sign.

Area of Copy = a x b + c x d



Area of Sign

The area of the largest single face of the sign within a perimeter which forms the outside shape including any frame, forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be calculated.



SIGN AREA = a x b

Diagram 2 -- Computation of Area of Multifaced Signs

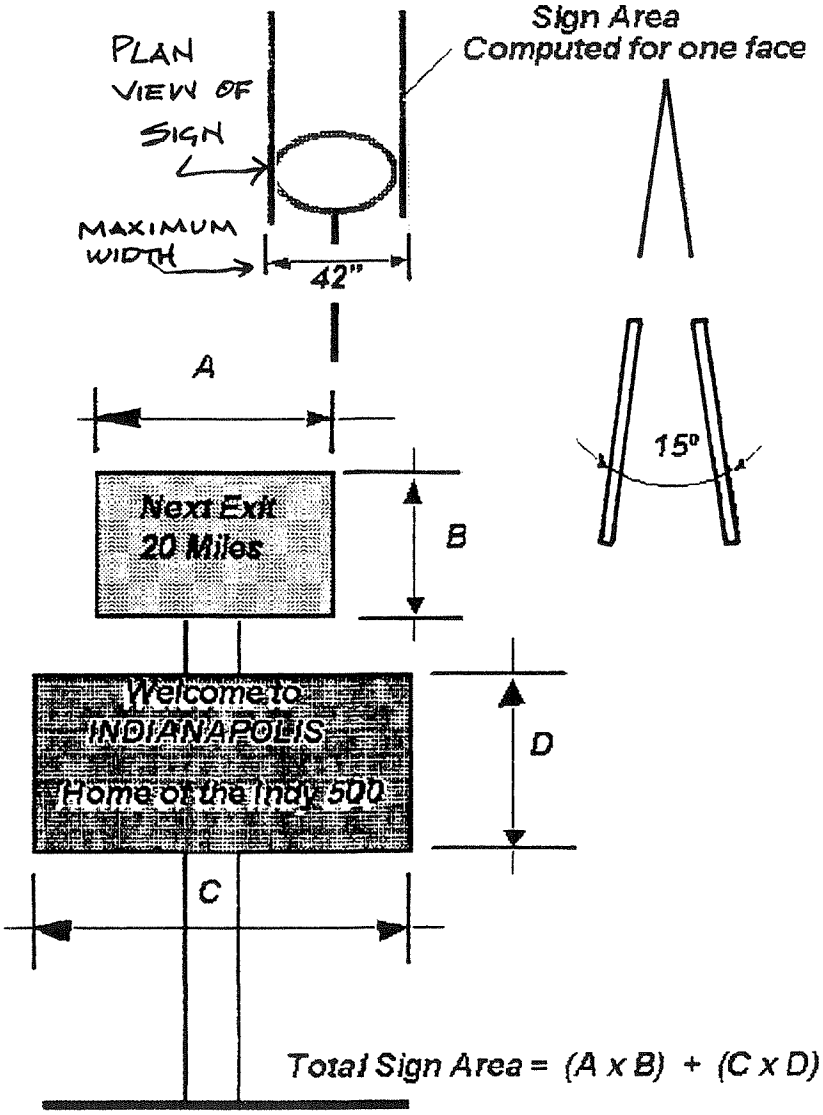
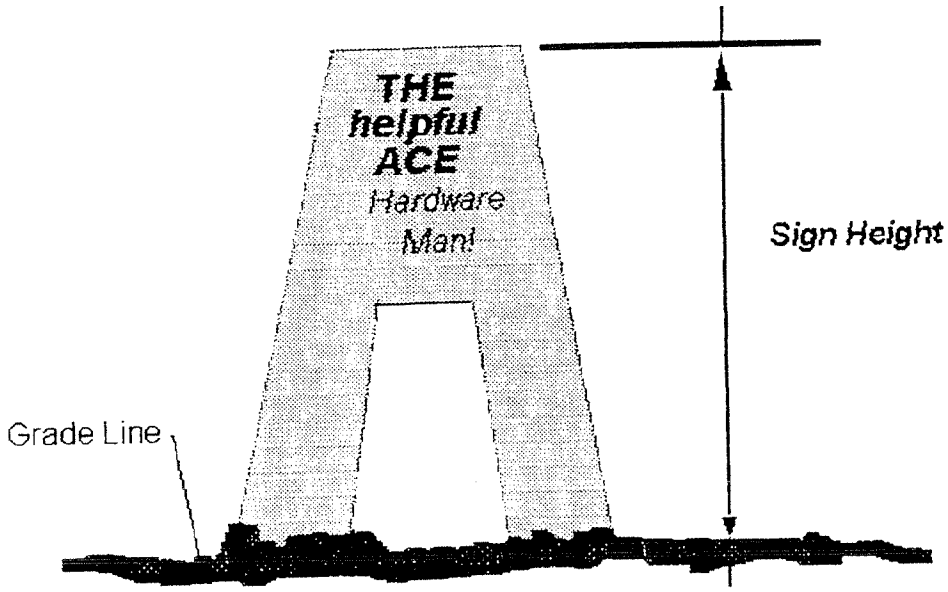
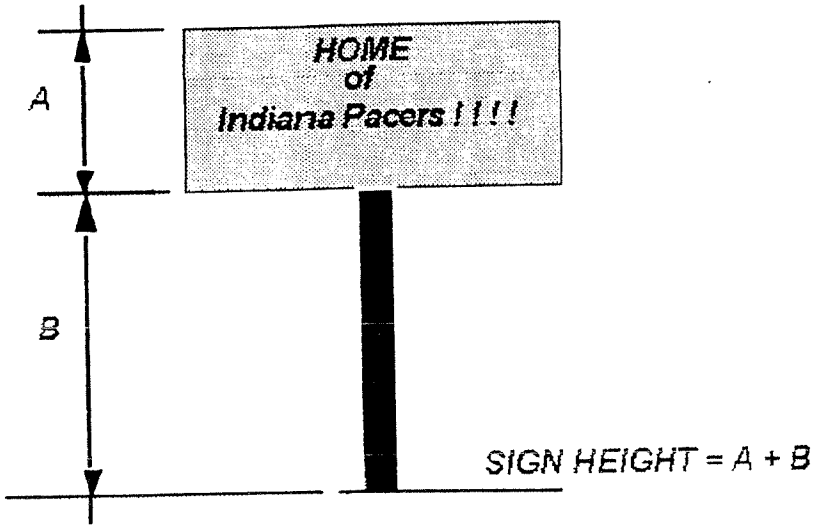


Diagram 3 -- Computation of Height





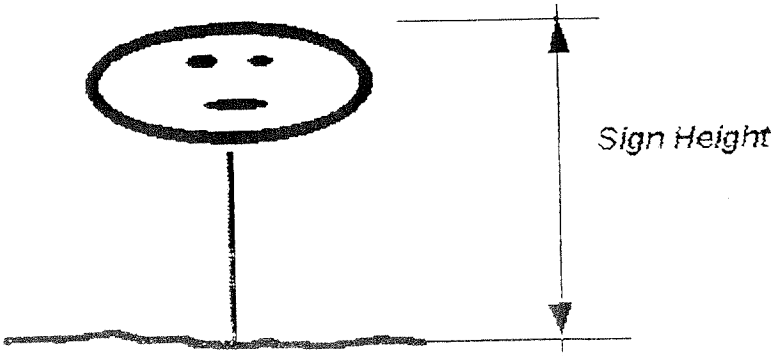


Diagram 4 -- Grade Mounding

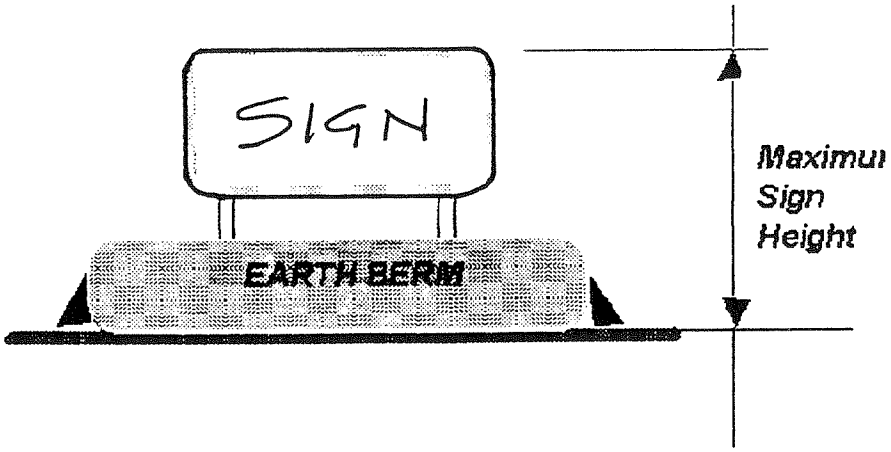
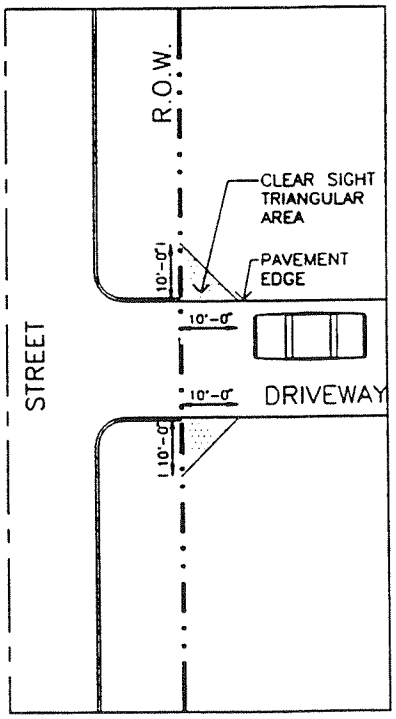


Diagram 5 – Clear Sight Triangular Area



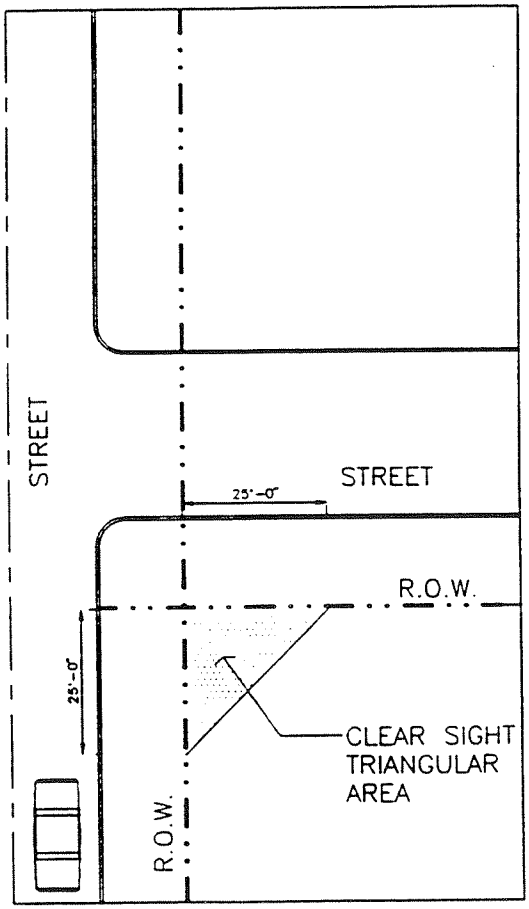
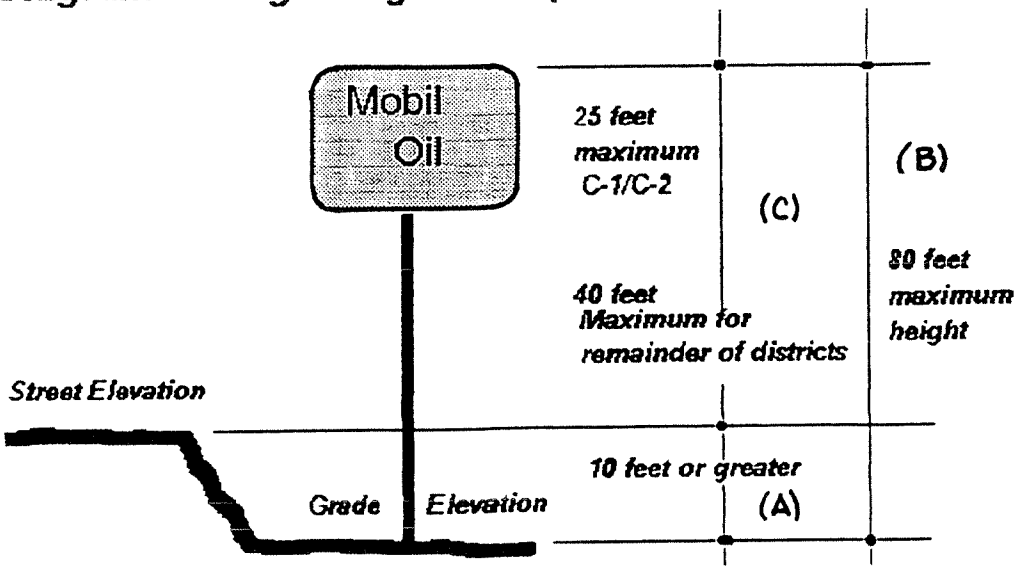


Diagram 6 – Sign Height Exception



(A) Must be 10' or greater
(B) Cannot exceed 80'
(C) Cannot exceed heights specified.

Diagram 7 -- Sign Separation From a Protected District

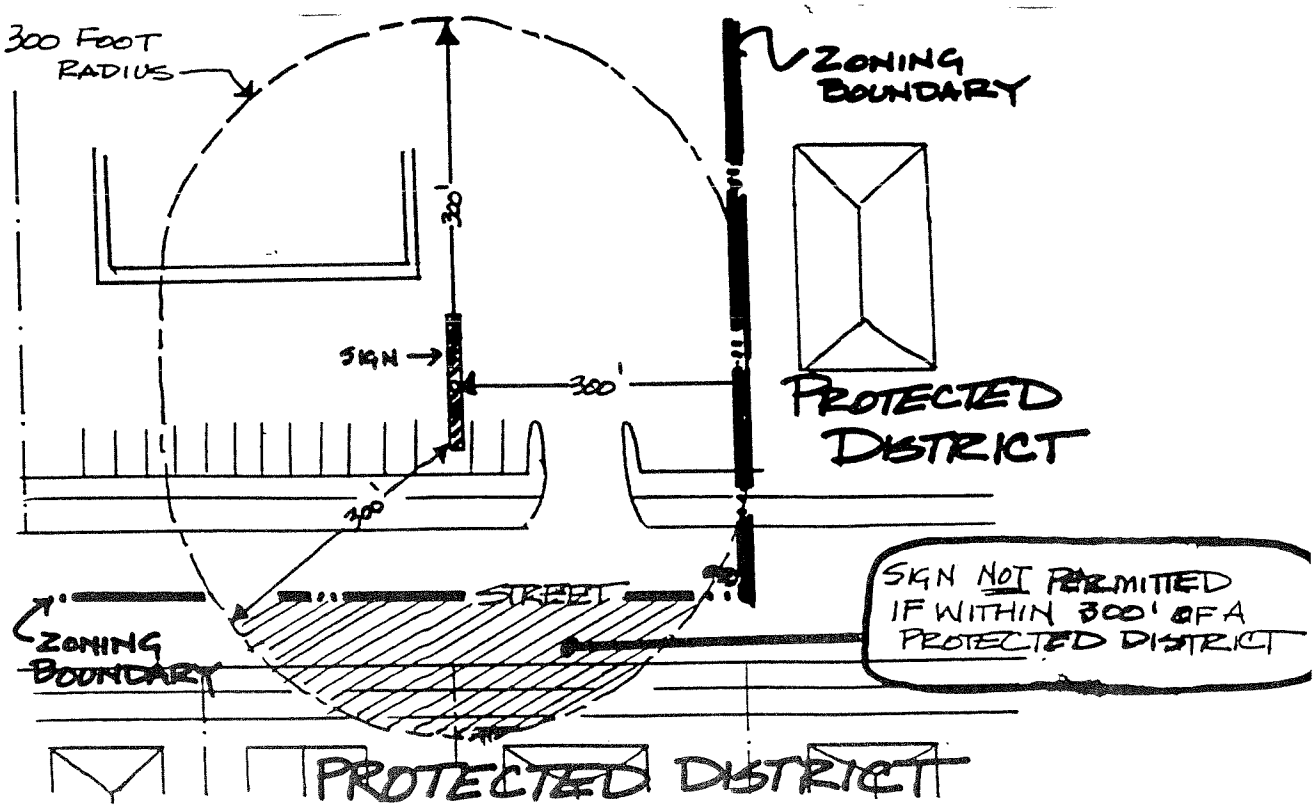


Diagram 8 -- Pole Sign

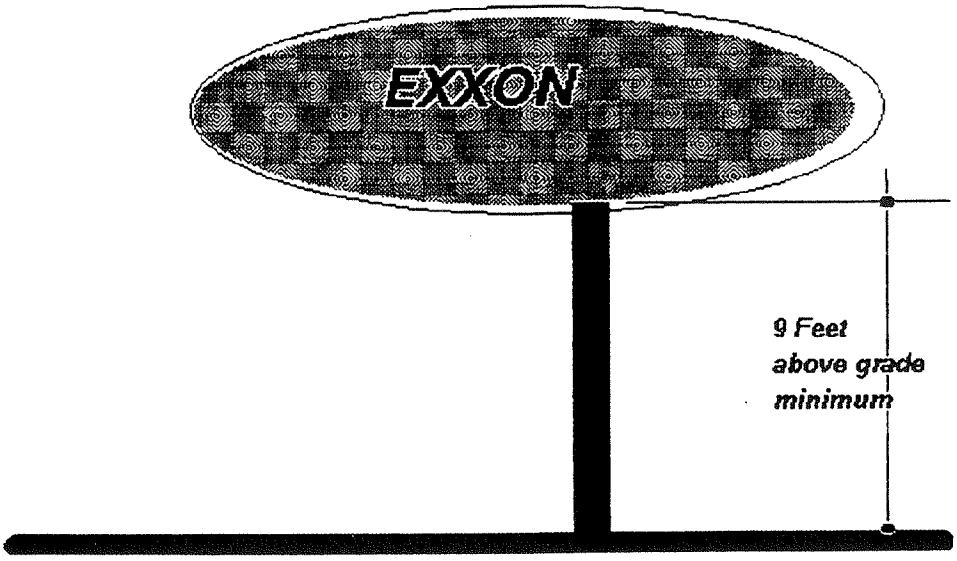


Diagram 9 --Wall Sign

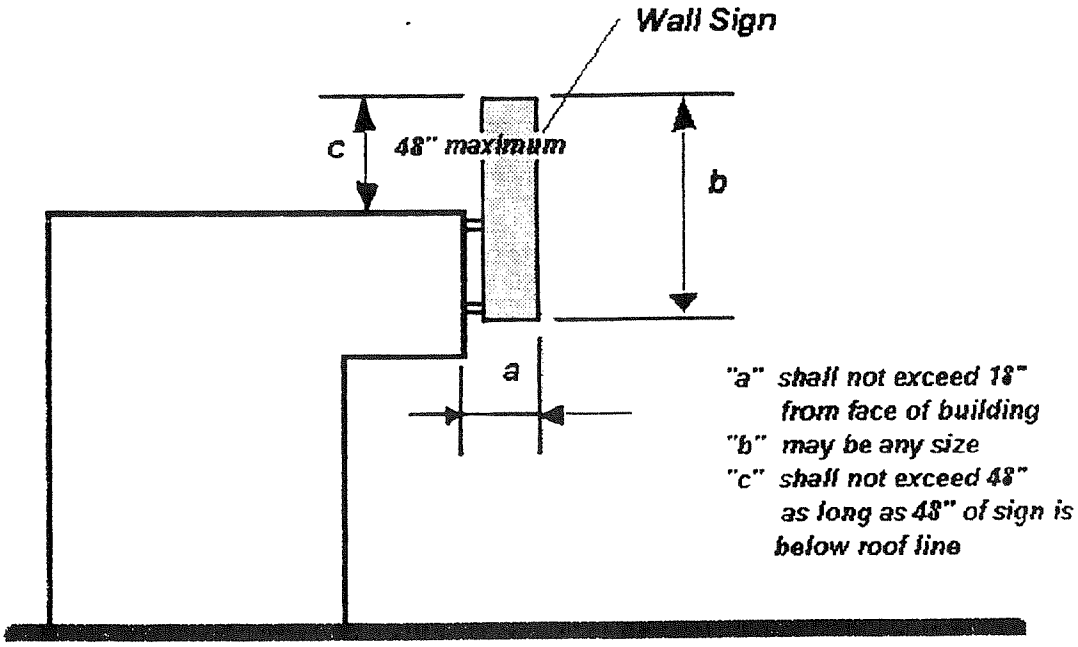
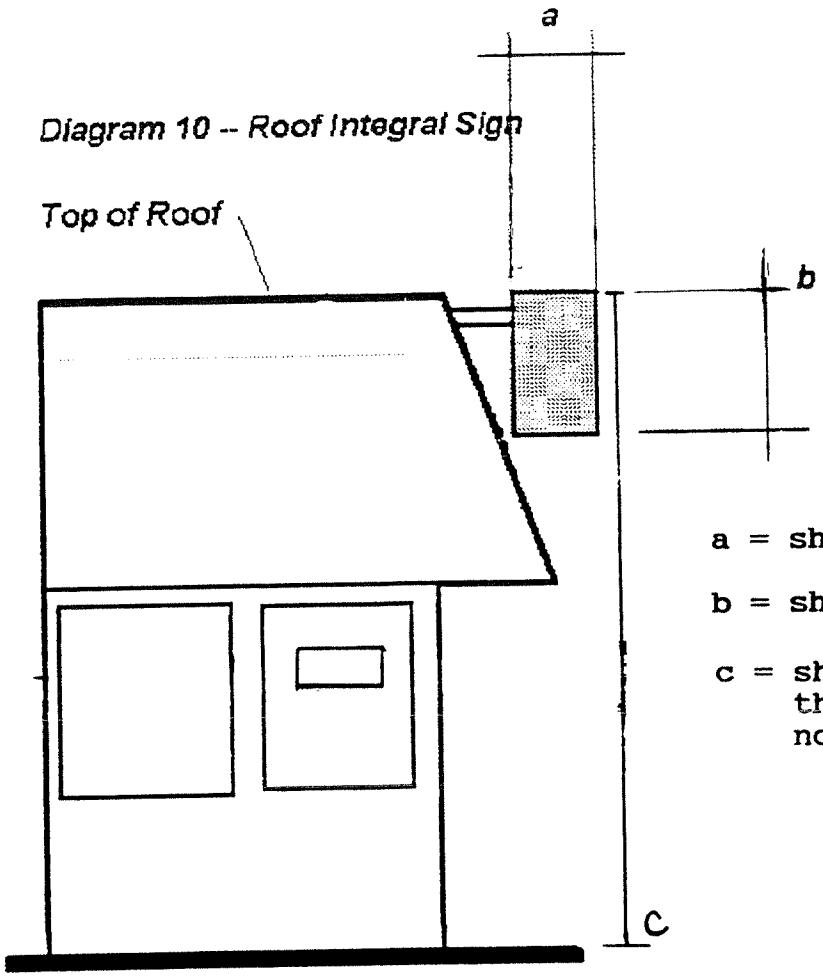


Diagram 10 -- Roof Integral Sign

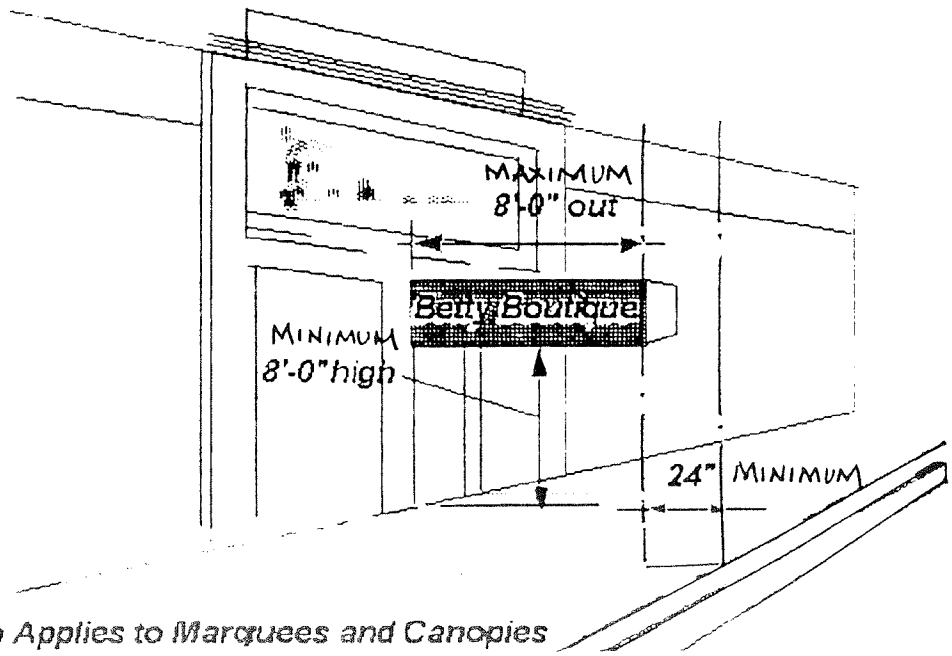


a = shall not exceed 18"

b = shall not exceed 6 feet

c = shall not extend above the roof line and shall not exceed 26 feet.

Diagram 11 -- Projecting Signs



Also Applies to Marquees and Canopies

DIAGRAM 12

WALL SIGN/MAXIMUM SIGN AREA
(DWELLING AND SPECIAL ZONING DISTRICTS)

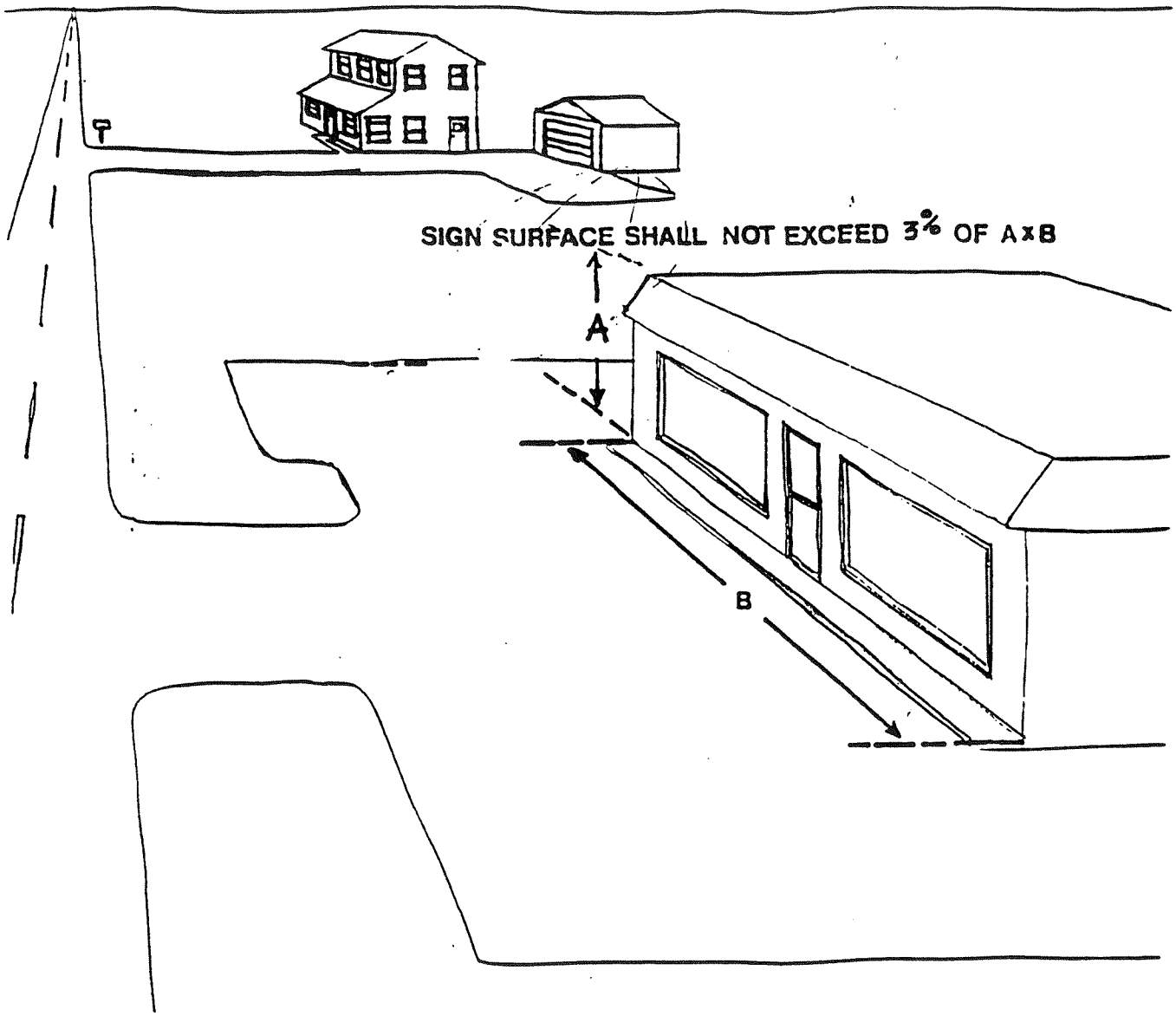


DIAGRAM 13

SUSPENDED SIGNS
CLEARANCE FROM GRADE

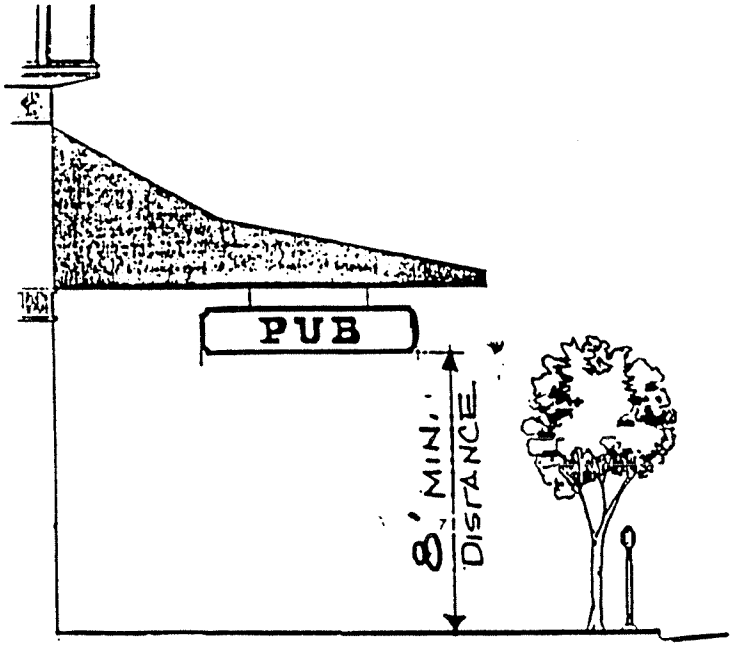


DIAGRAM 14

GROUND SIGN
MAXIMUM SIGN HEIGHT

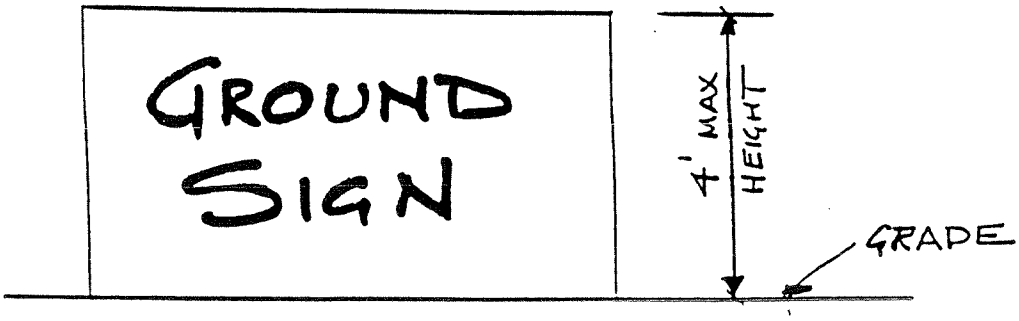
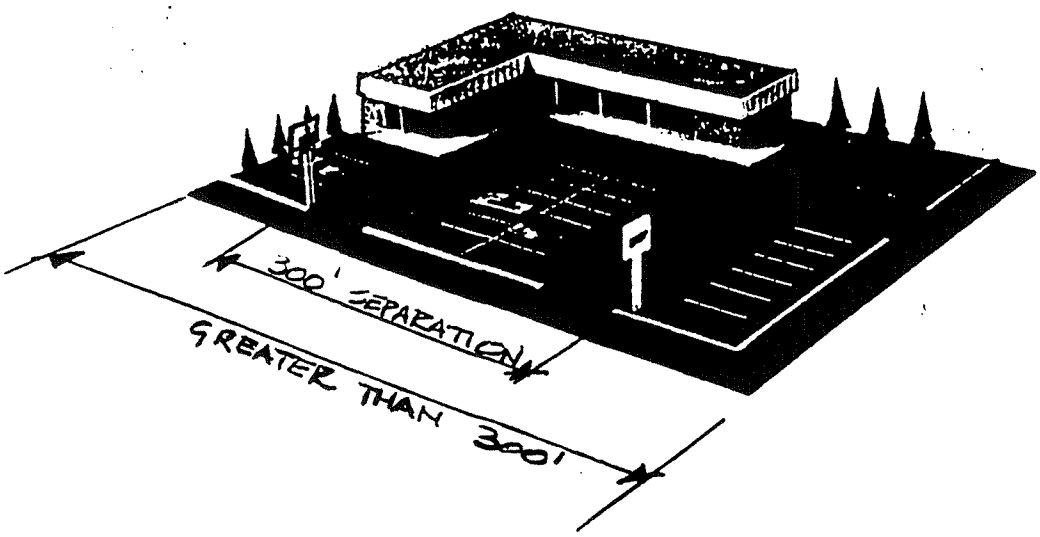


DIAGRAM 15

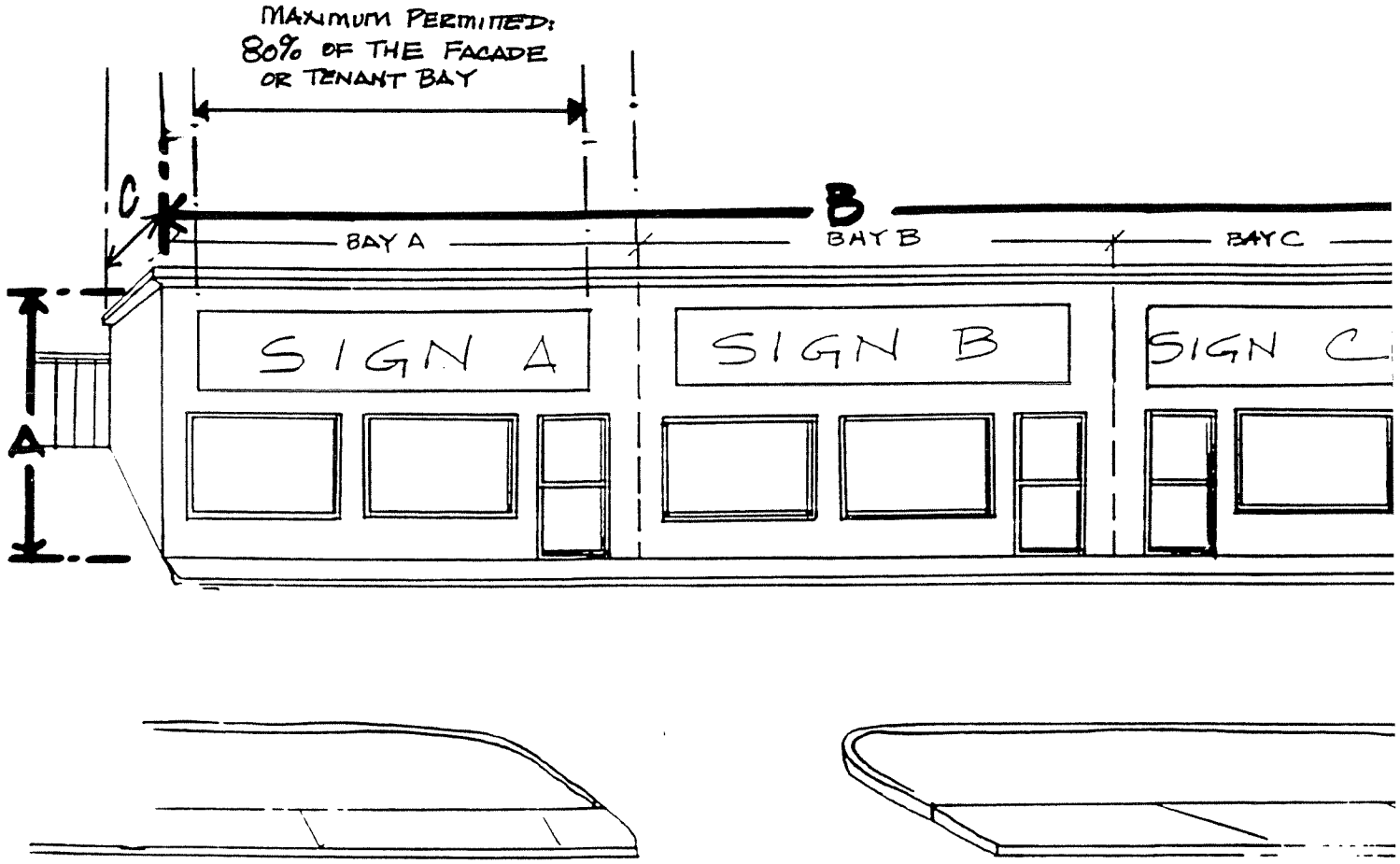
NUMBER OF FREESTANDING IDENTIFICATION SIGNS
(EXTENSIVE FRONTAGE)



Where a parcel has in excess of 300 feet of frontage, one additional free-standing sign may be erected for each additional 300 feet of street frontage in excess of the first 300 feet of street frontage abutting the developed portion of said parcel.

DIAGRAM 16

WALL SIGNS
MAXIMUM SURFACE AREA
(COMMERCIAL AND INDUSTRIAL DISTRICTS)



MAXIMUM PERMITTED SIGN SURFACE AREA

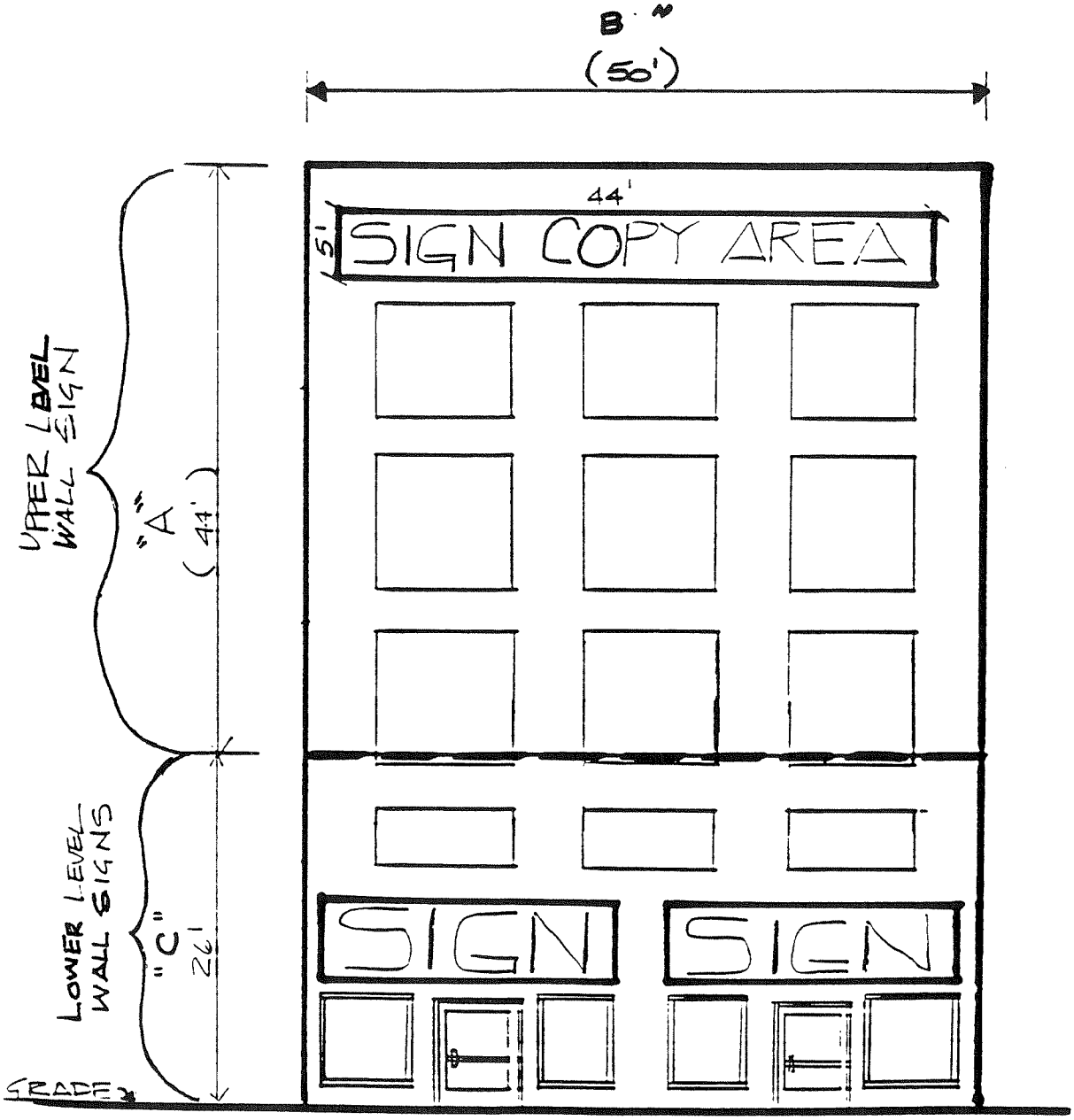
FRONT FACADE = 20% (A X B)

SIDE FACADE = 15% (A X C)

REAR FACADE = 10% (A X B)

DIAGRAM 17

UPPER AND LOWER LEVEL WALL SIGNS
(CBD DISTRICTS)



1) UPPER LEVEL = 44'(A) X 50'(B) OR 2,200 SQ. FT. X 10% = 220 SQ. FT. SIGN SURFACE AREA

* SIGN SHOWN IS 220 SQ. FT.

2) LOWER LEVEL = 26'(C) X 50'(B) = 1,300 SQ. FT. X 20% = 260 SQ. FT. SIGN SURFACE AREA

* SIGNS SHOWN EQUAL 260 SQ. FT.

DIAGRAM 18 AND 19

MEASUREMENT OF DISTANCE BETWEEN ADVERTISING SIGNS
ORIENTED TOWARD DIFFERENT STREETS; THE SAME STREET; AND BOTH STREETS

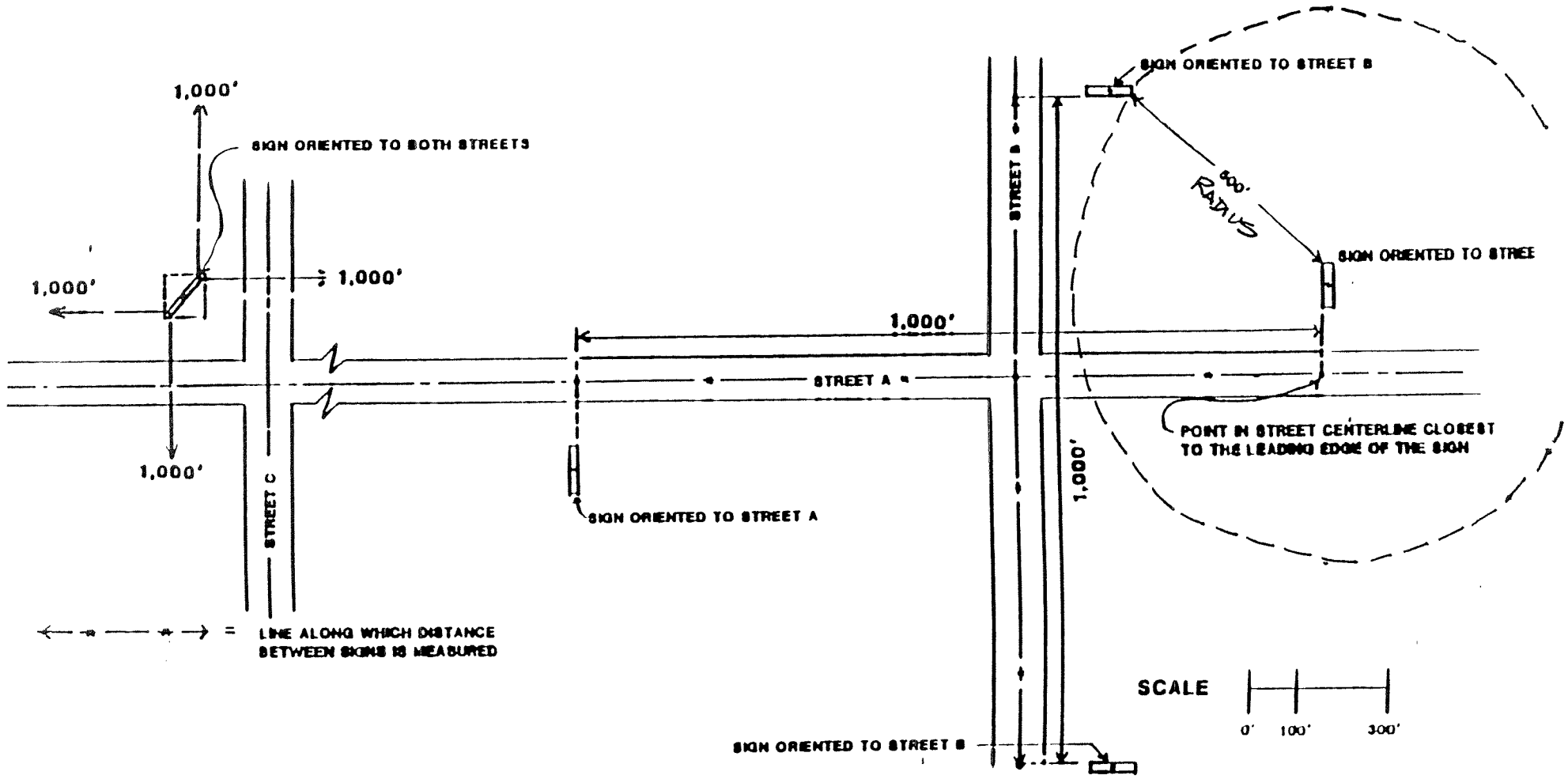


DIAGRAM 20

MEASUREMENT OF DISTANCE BETWEEN
ADVERTISING SIGNS AND PROTECTED DISTRICTS

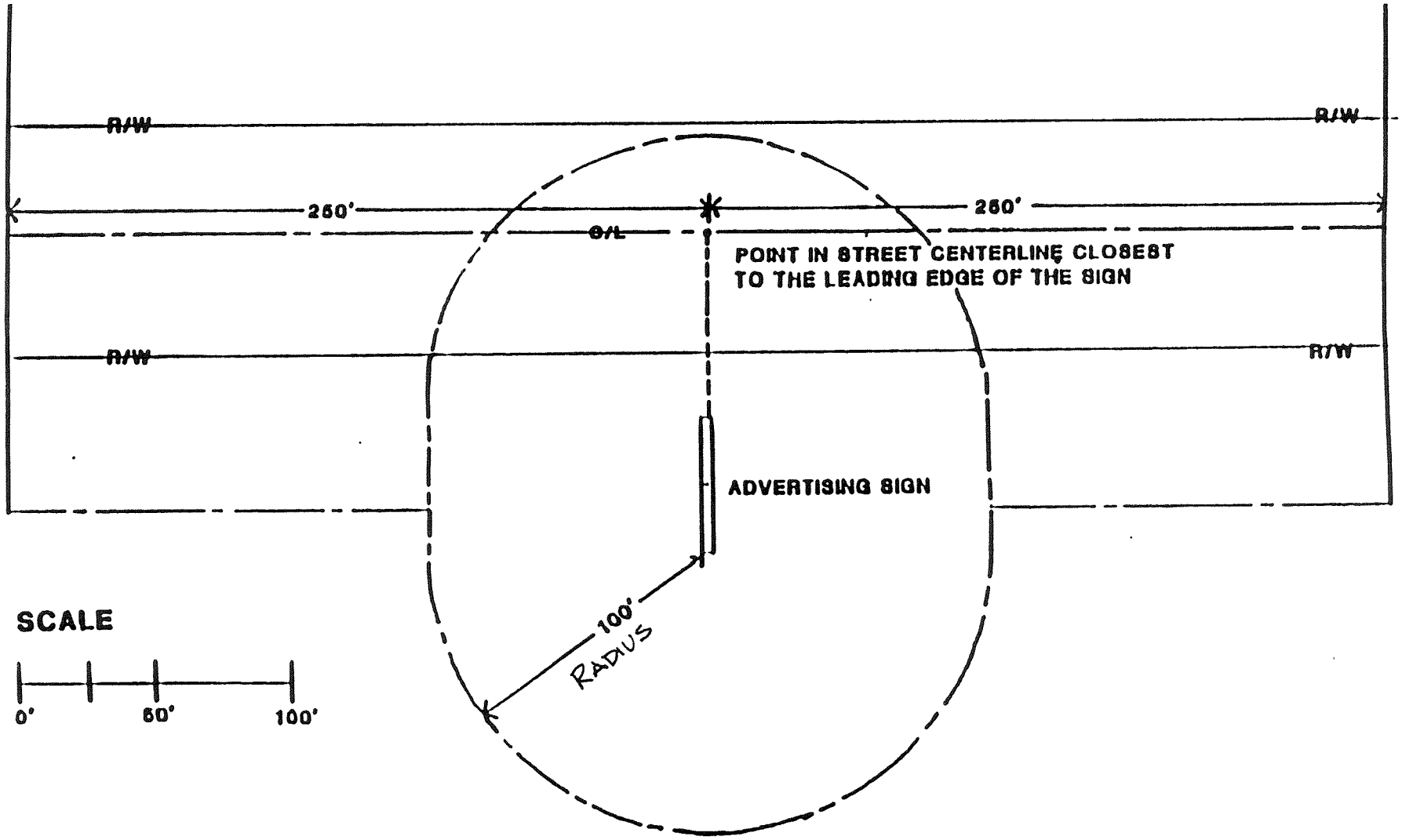
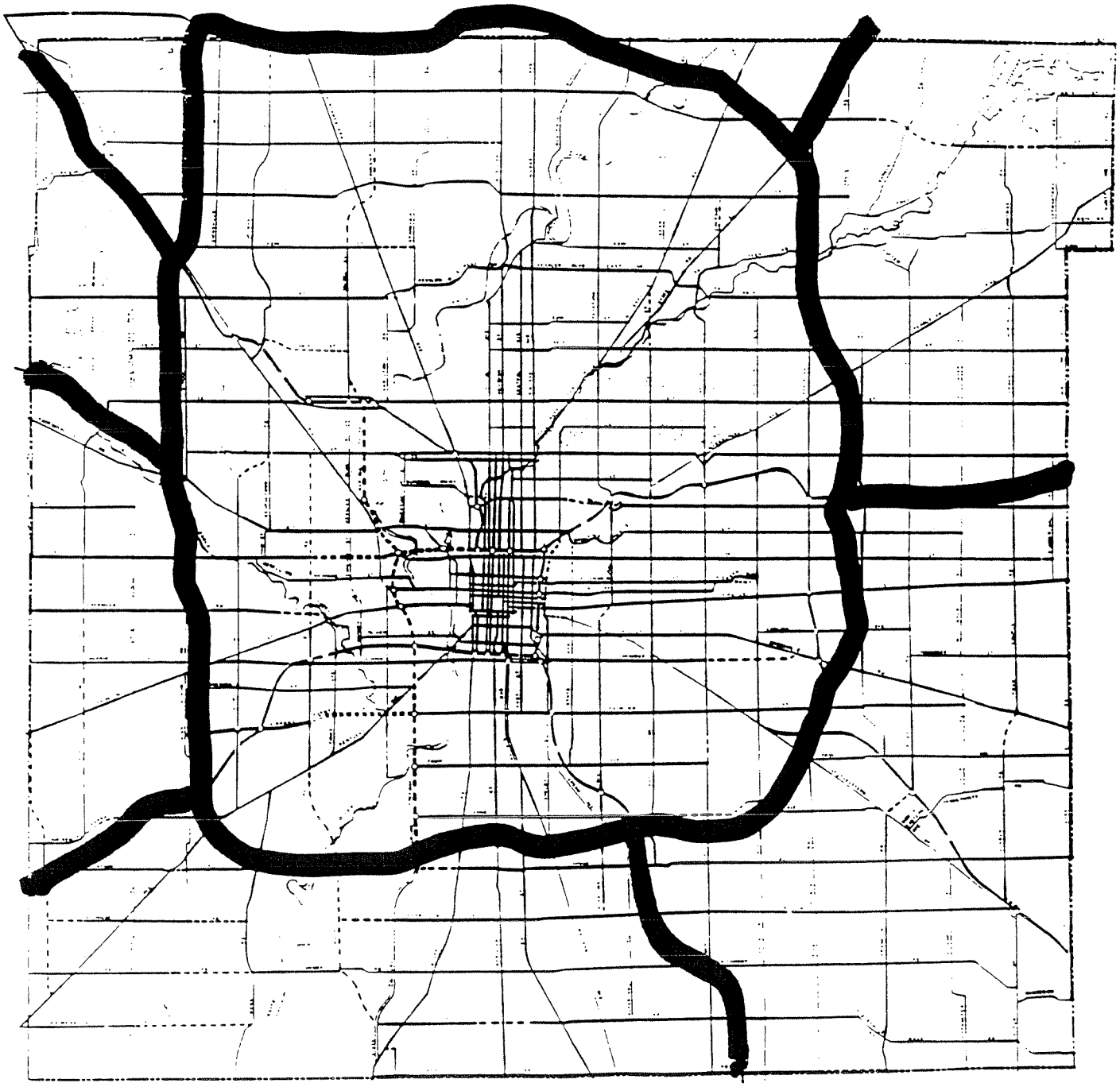


DIAGRAM 21

OUTDOOR ADVERTISING SIGNS INSIDE I-465

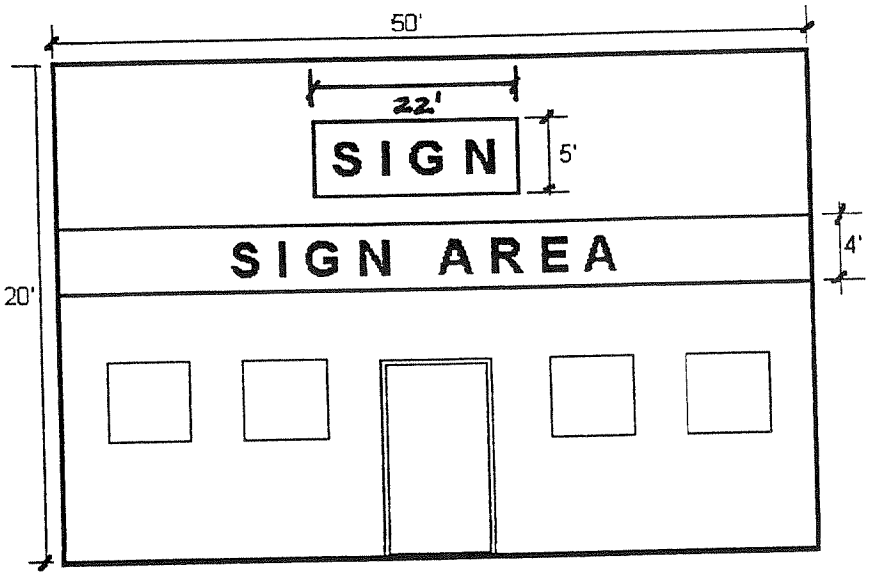


D28

N

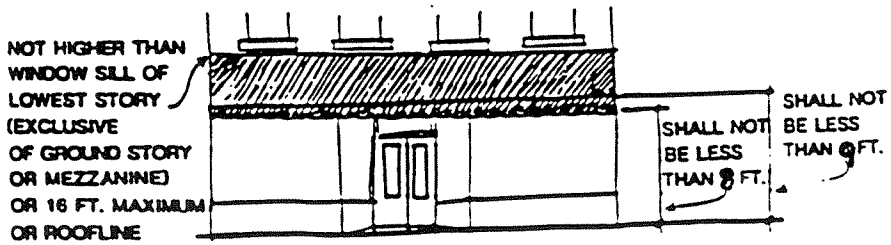
OUTDOOR ADVERTISING SIGNS
NOT PERMITTED ON FREEWAYS
INSIDE OF I-465

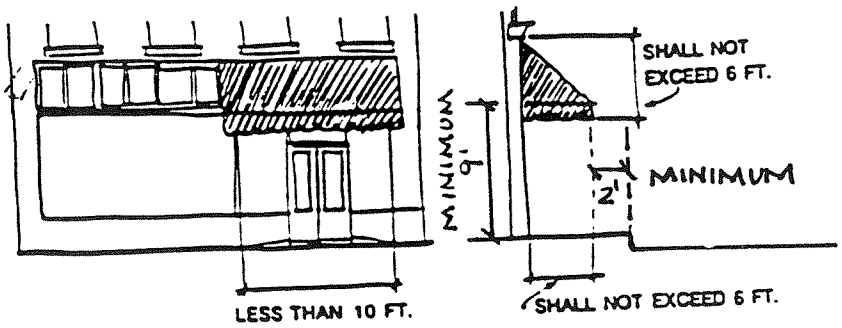
Diagram 22 -- Awning Sign Calculation



1000 Sq. Ft. Facade (20' x 50')
20% of facade = 200 Sq. Ft. (Awning is 50' x 4') or 200 Sq. Ft.)
45% of awning can be copy = 90 Sq. Ft.
Remaining Sq. Ft. for wall sign copy = 110 Sq. Ft.
Wall sign above awning = 22' x 5' = 110 Sq. Ft.

Total Sign Copy Area = 200 Sq. Ft. (20% of Facade)





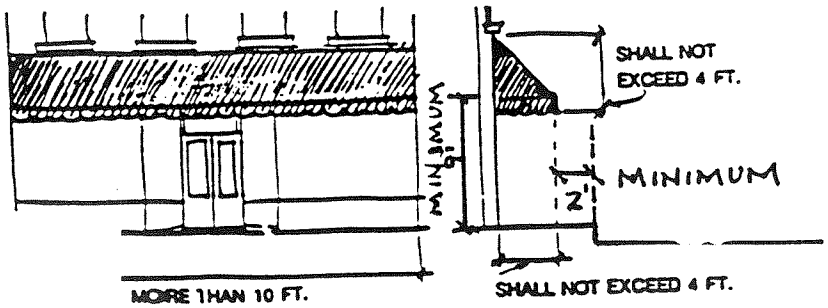
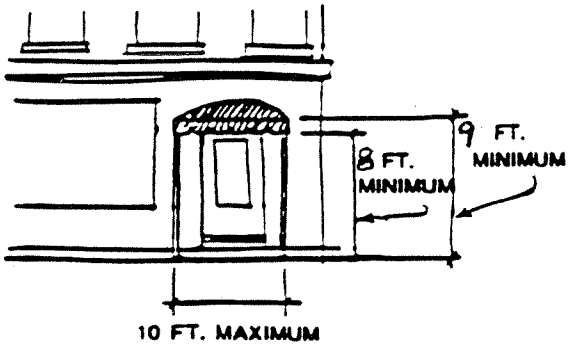
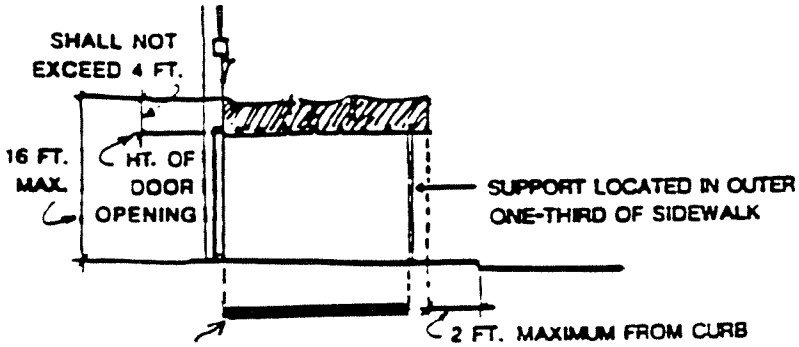


DIAGRAM 23

CANOPY SIGNS





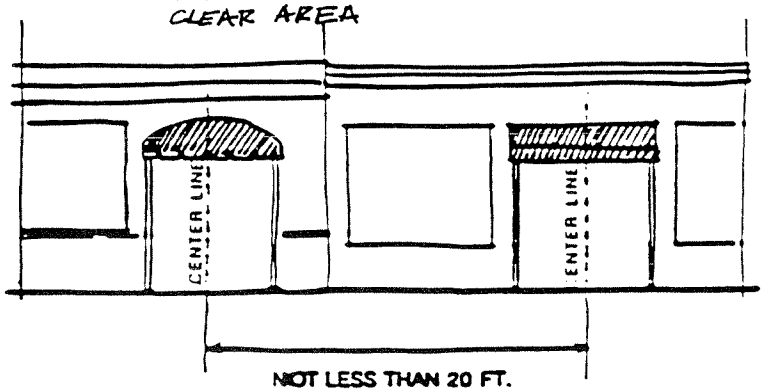
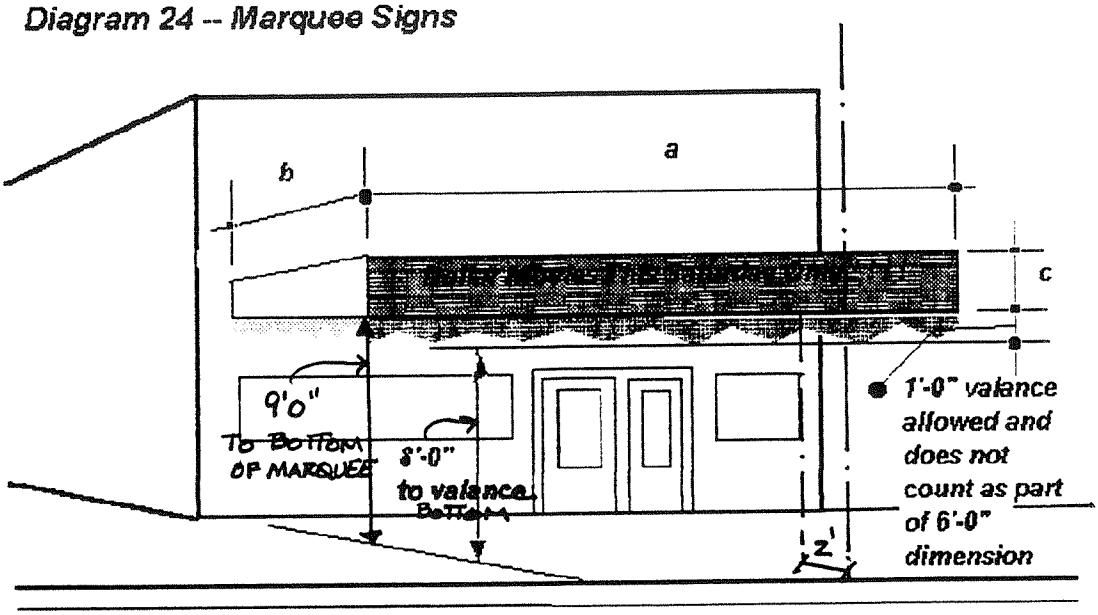


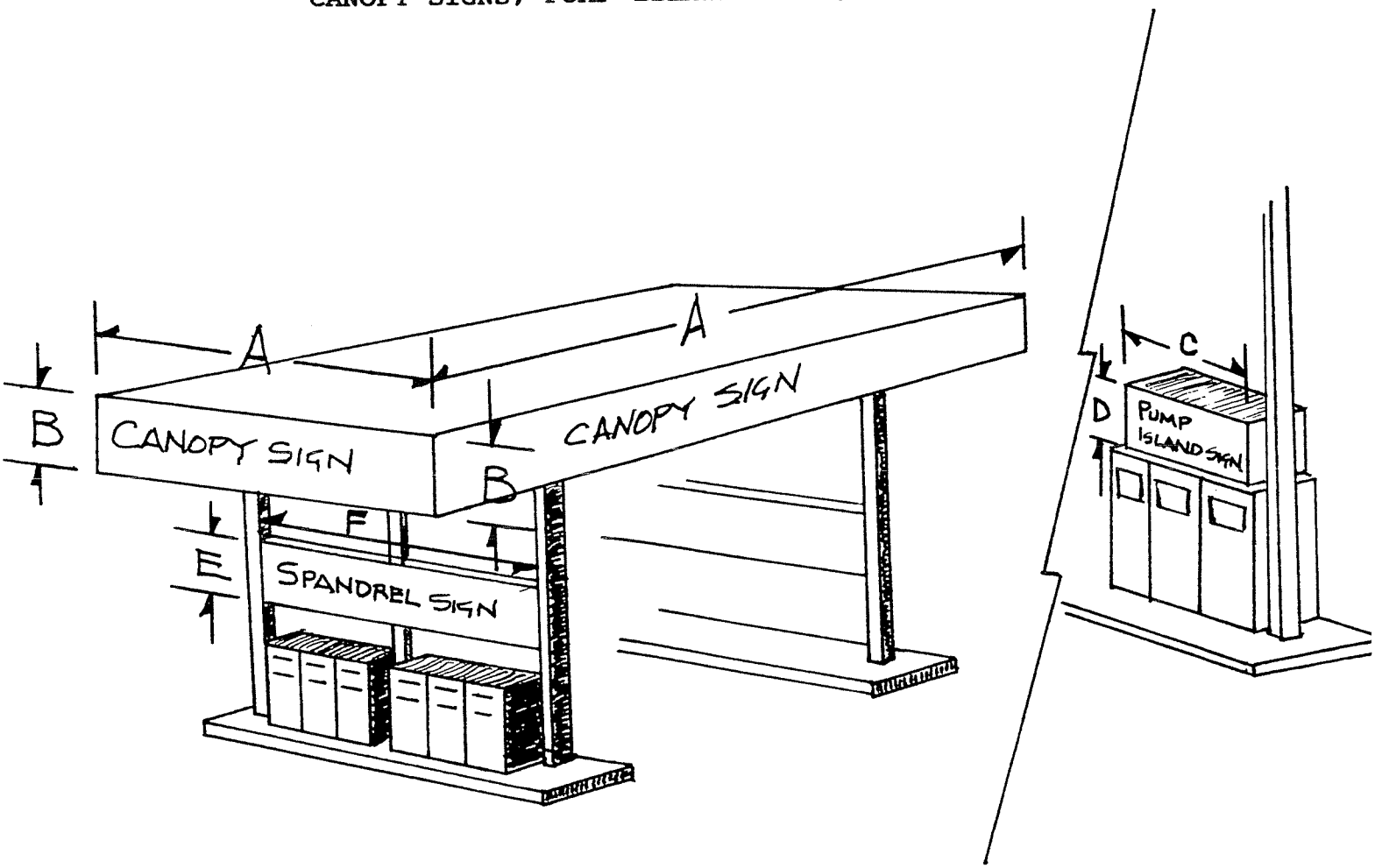
Diagram 24 -- Marquee Signs



When (a) is 10'-0" or less (b) shall not exceed 6'-0".
(c) shall not exceed 6'0".

DIAGRAM 25

GASOLINE SERVICE STATION/CONVENIENCE MARKET SIGNS
CANOPY SIGNS; PUMP ISLAND SIGNS; SPANDREL SIGNS



Canopy Signs:

- Sign Area shall not exceed 25% the area of the individual facade of the canopy. Area of the particular canopy facade = A x B.

Pump Island Signs:

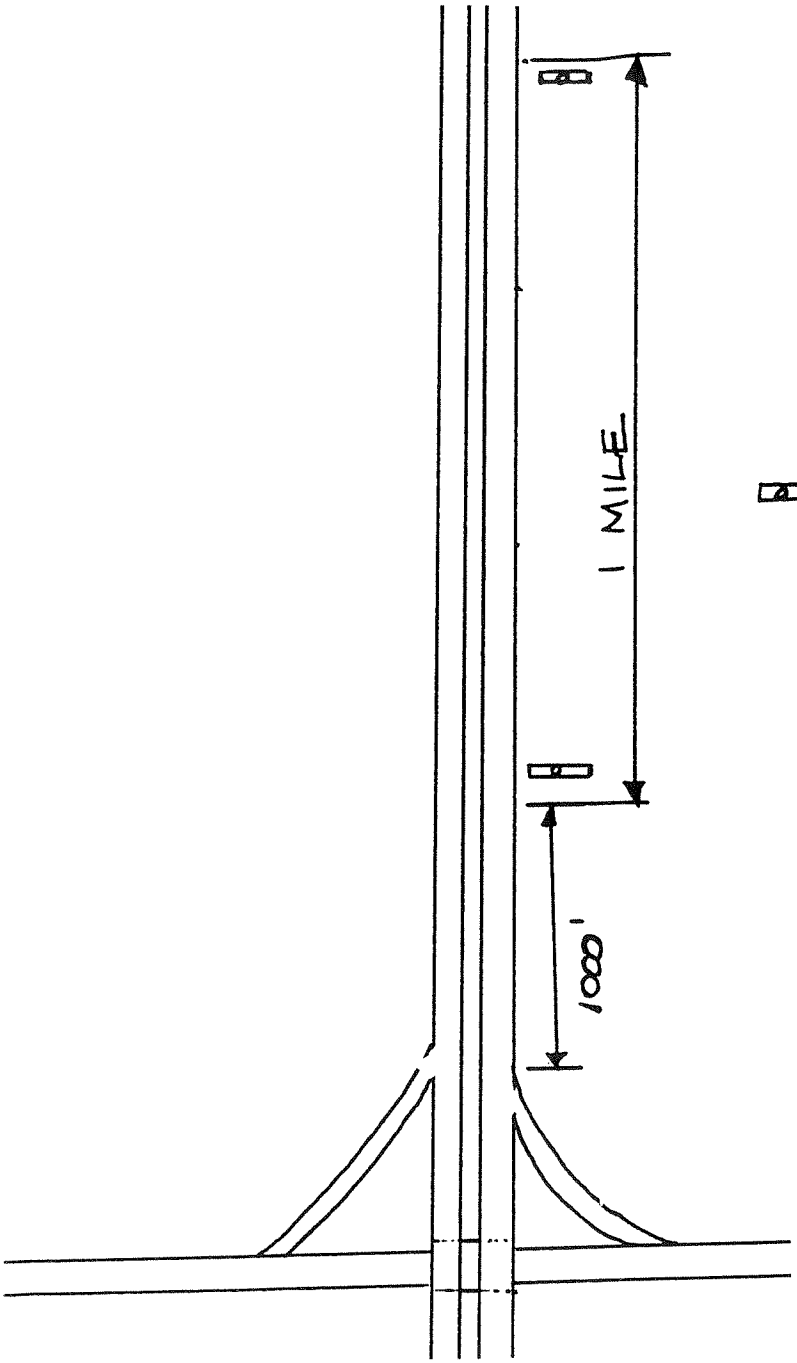
- Shall not exceed 16 square feet. Area of sign = C x D
- Four sided structure permitted only if two sides contain: 1) government or Federal warnings/information; or, 2) are left blank.
- Shall not be permitted if spandrel signs are utilized.

Spandrel Signs:

- Shall not exceed 25% of the spandrel's structural area. Area of spandrel = E x F.
- Shall not be permitted if pump island signs are utilized.

DIAGRAM 26

SIGNS ON INTERSTATE FREEWAYS AND EXPRESSWAYS
MEASUREMENT OF SEPARATION FOR OFF-PREMISE SIGNS



= SIGN

Distance from Intersection	Maximum Number
0 - 1,500 feet	0
over 1,500 feet	2 per mile

The specified distances shall be measured to the nearest point of the intersection of the travelled way of the exit roadway and the main-travelled way of the Interstate Freeway or Expressway (Refer to Diagram 26).

Sign Spacing:

Subject to the other provisions of this subsection (4.40, C.), not more than two such signs shall be permitted within any one-mile distance measured from any point, and no such signs shall be permitted to be less than 1,000 feet apart.

DIAGRAM 27

SIGNS ON INTERSTATE FREEWAYS AND EXPRESSWAYS
ENTRANCE ROADWAY LIMITATION

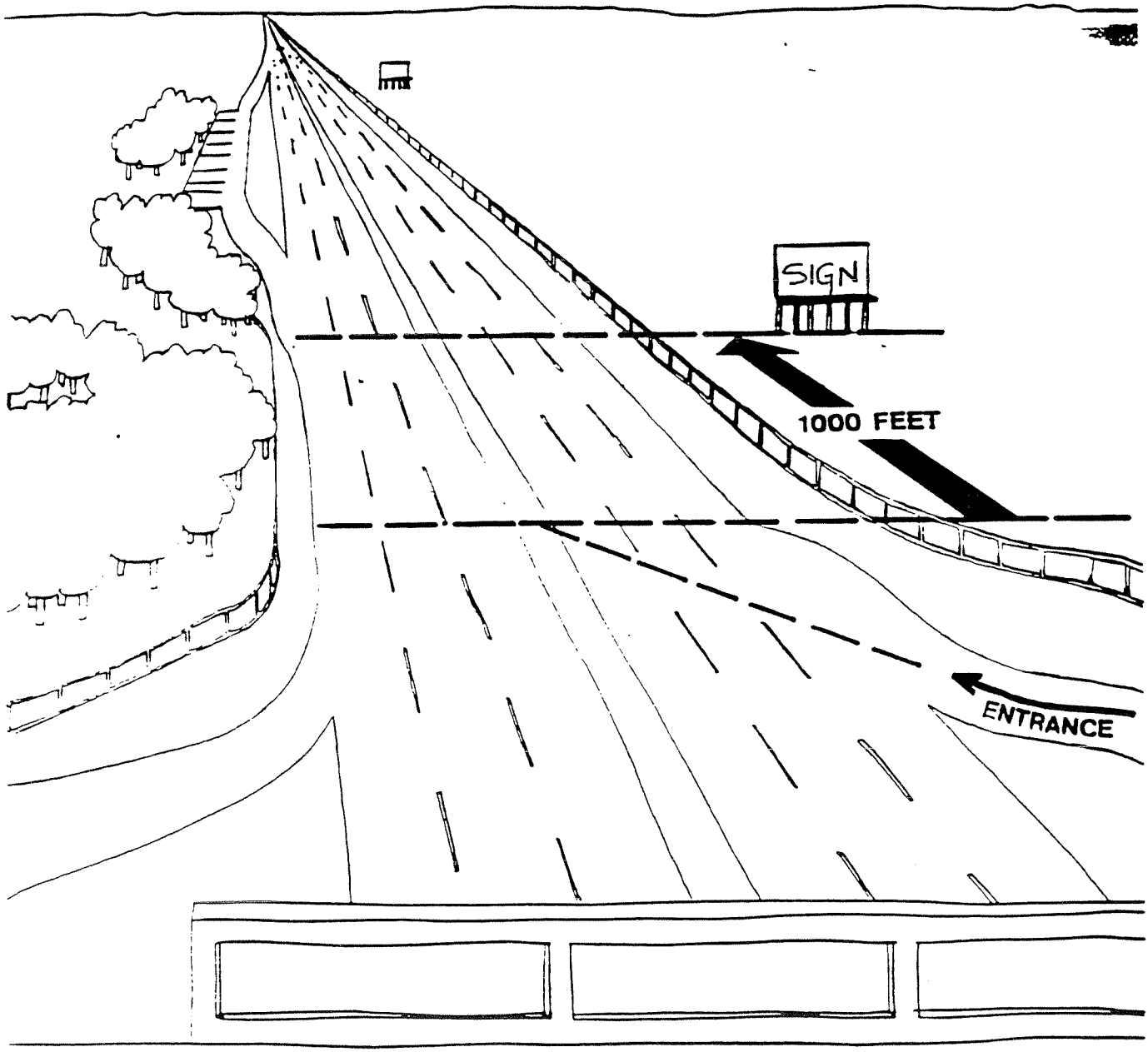


DIAGRAM 28

TALL SIGNS AT FREEWAY AND EXPRESSWAY INTERCHANGES

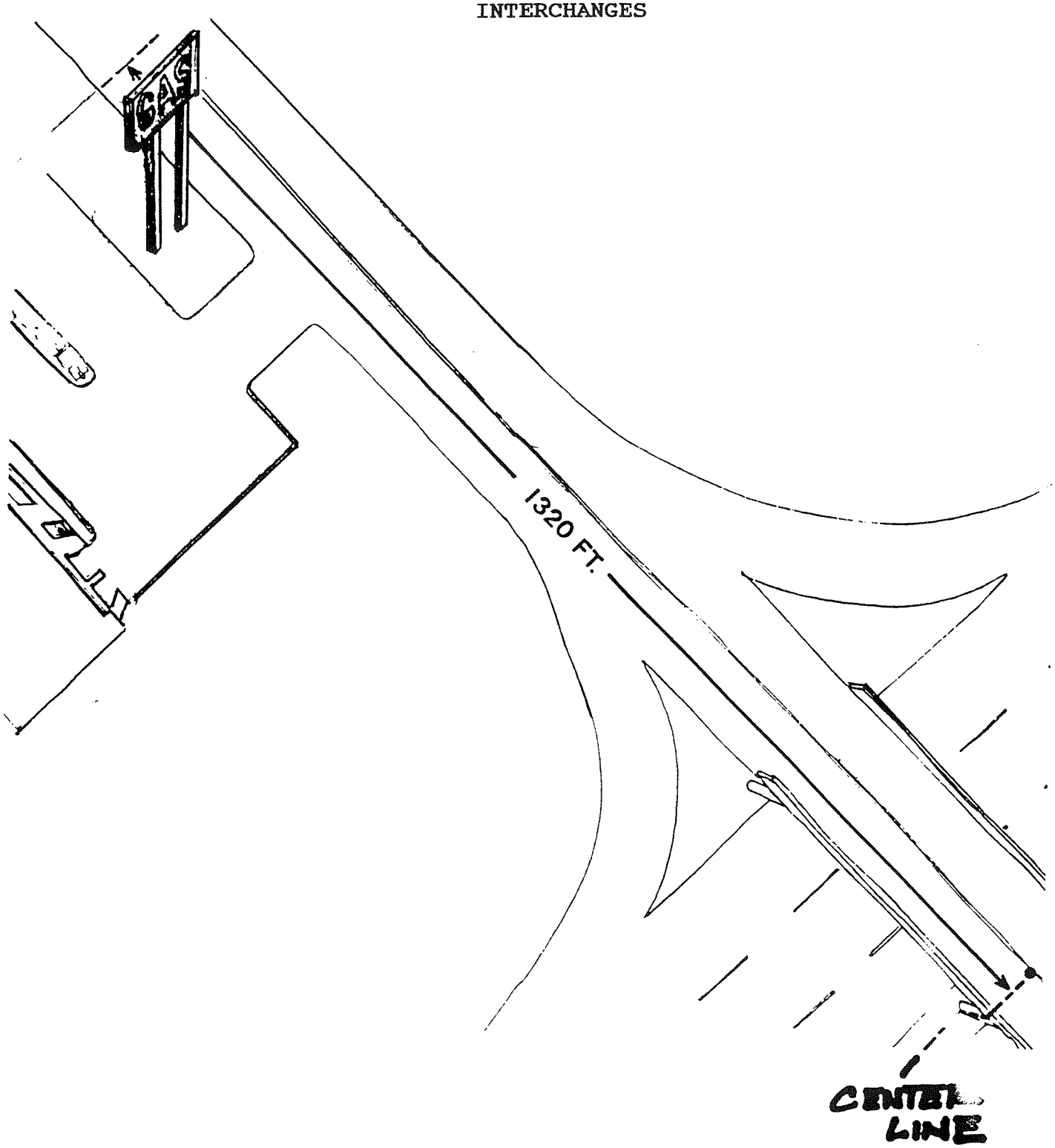


DIAGRAM 29

DISTANCE FROM SIGNALIZED INTERSECTIONS
EVMS

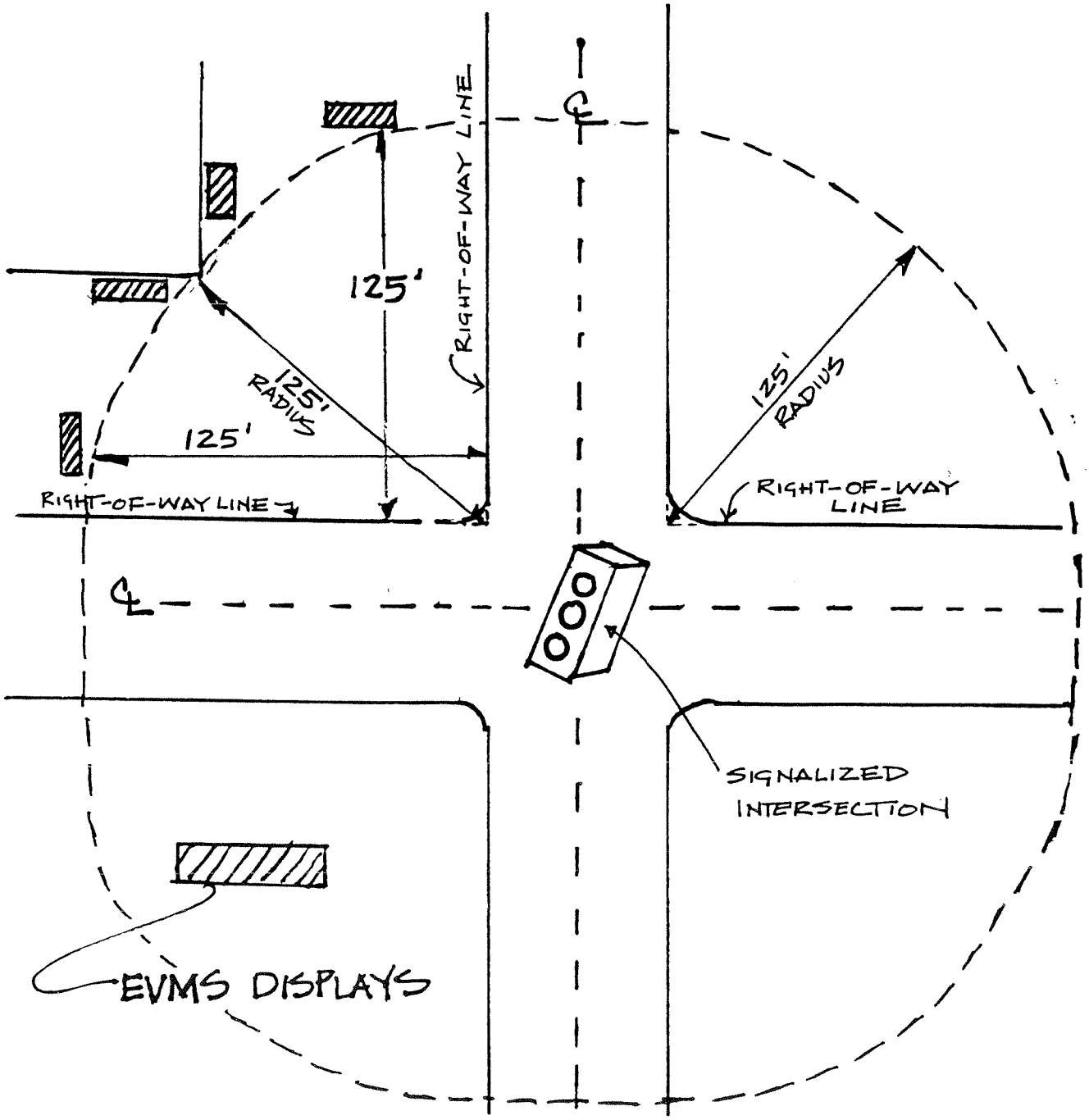
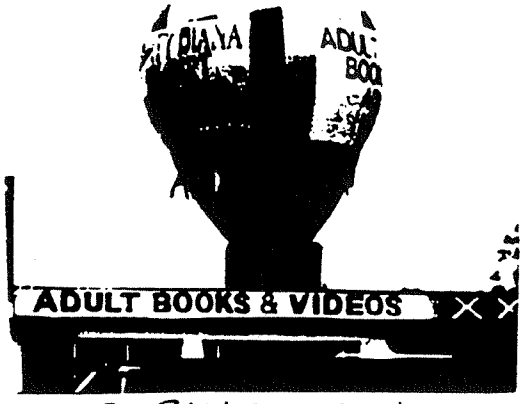


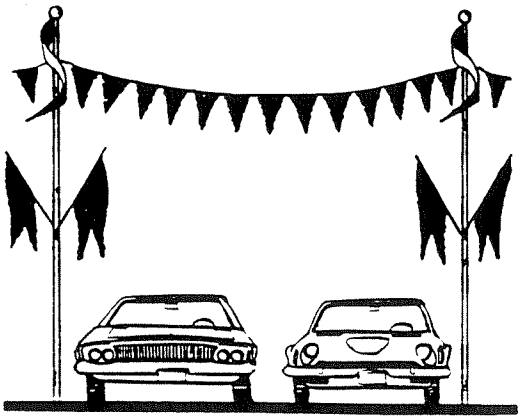
DIAGRAM 30

SIGN TYPES I

A. A-SIGN

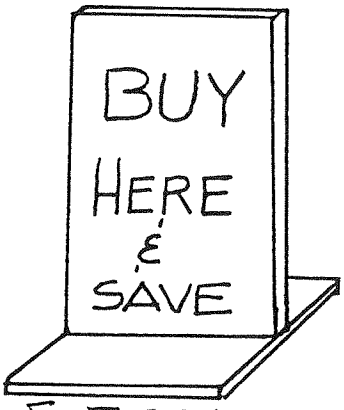


B. BALLOON SIGN

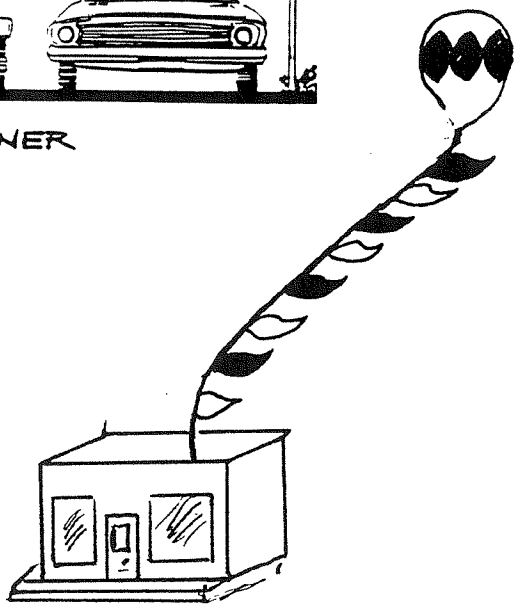


C. PENNANTS

D. BANNER



E. T-SIGN



F. WIND SIGN

DIAGRAM 31

SIGN TYPES II

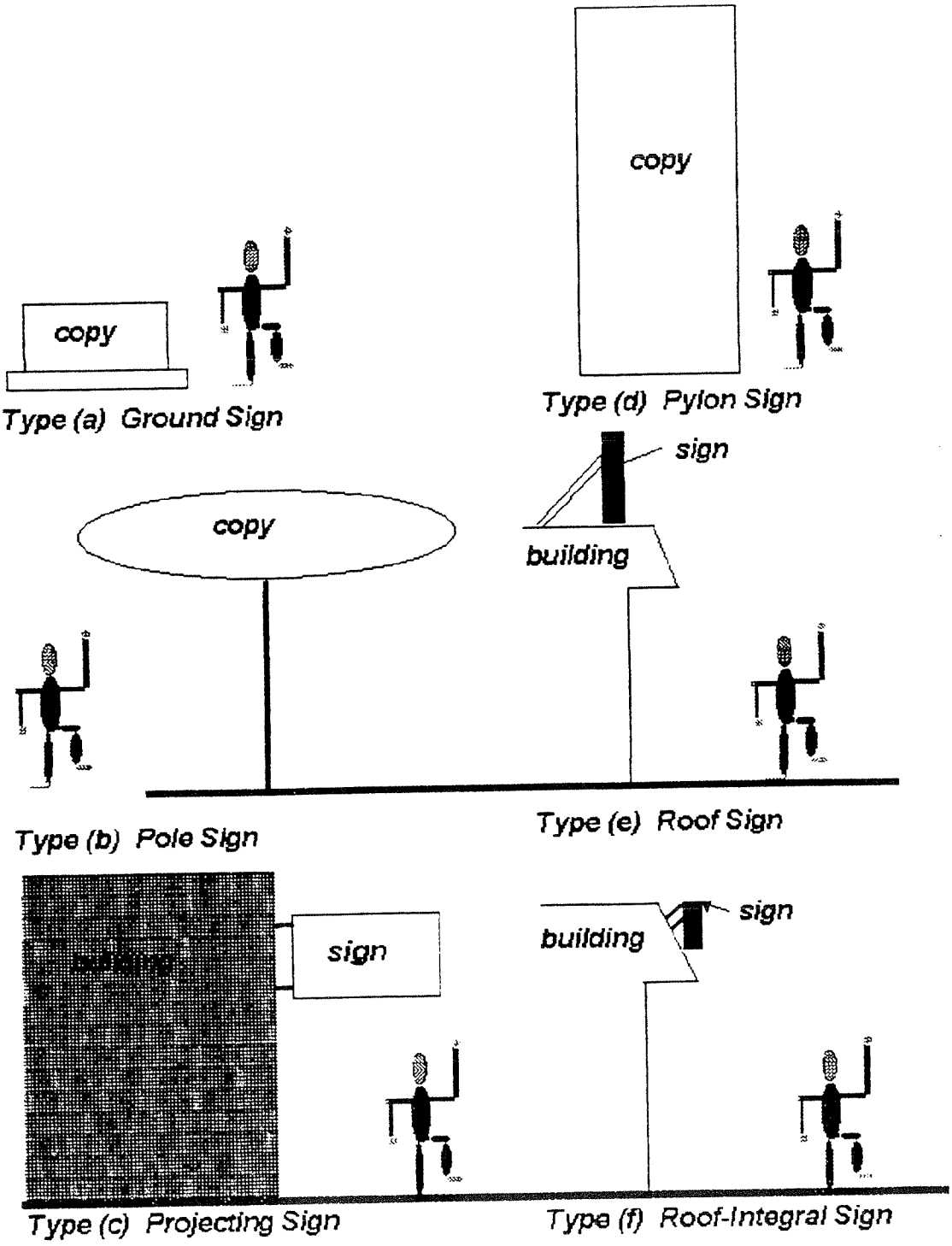
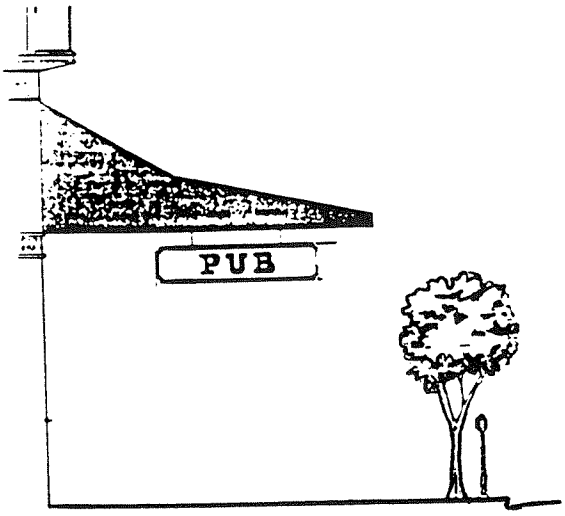


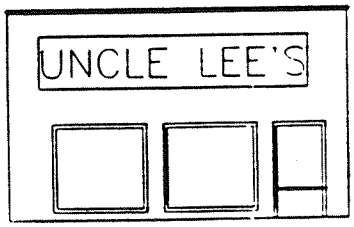
DIAGRAM 32

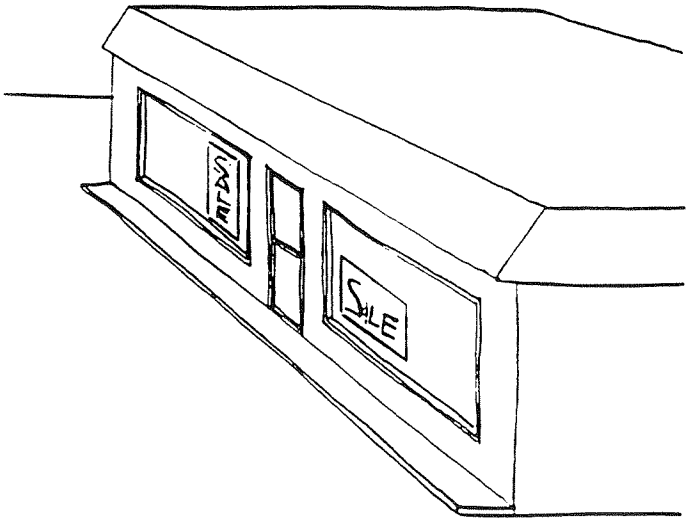
SIGN TYPES III



A. SUSPENDED SIGN

B. WALL SIGN

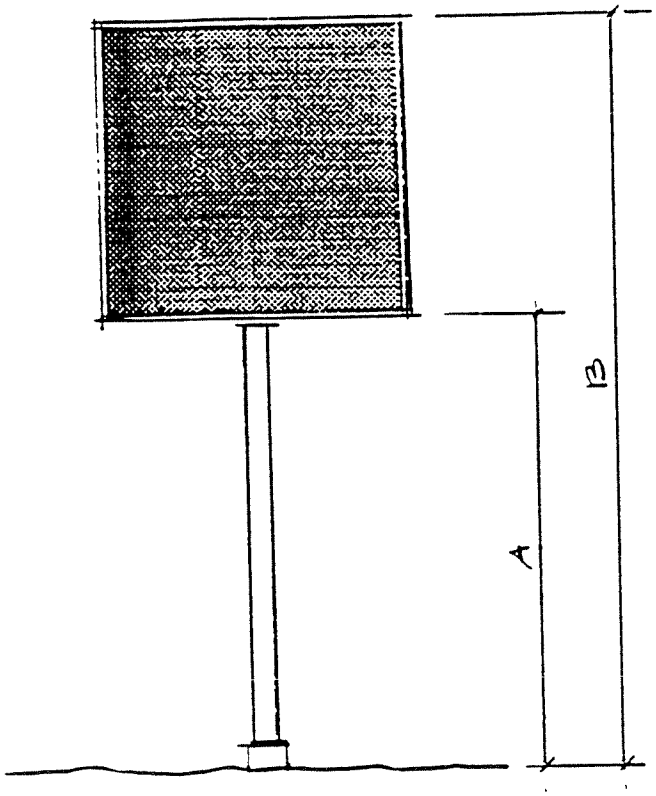




C. WINDOW SIGN

DIAGRAM 33

SIGN CLEARANCE



A - CLEARANCE
B - HEIGHT

DIAGRAM 34

DRIVEWAY

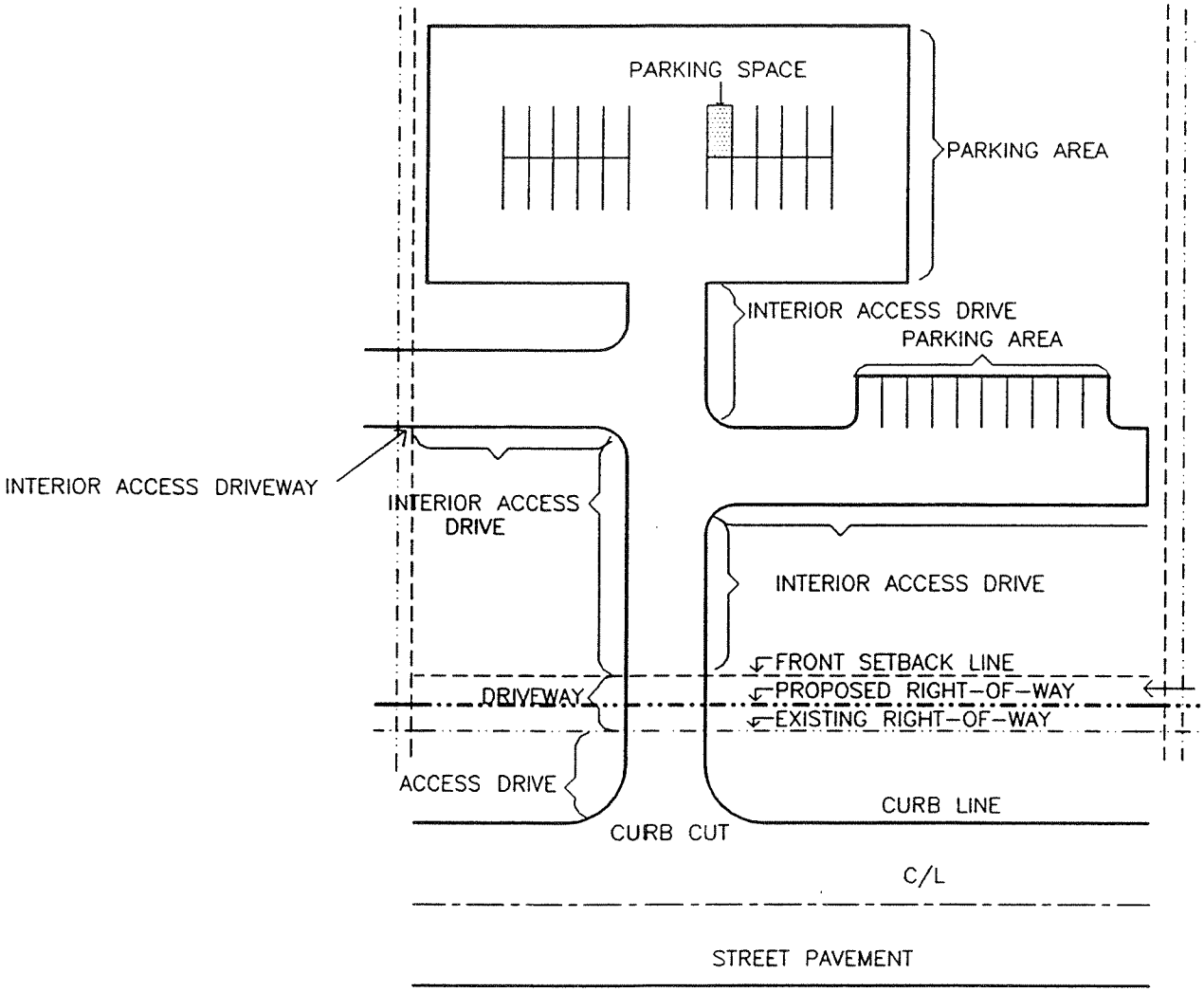
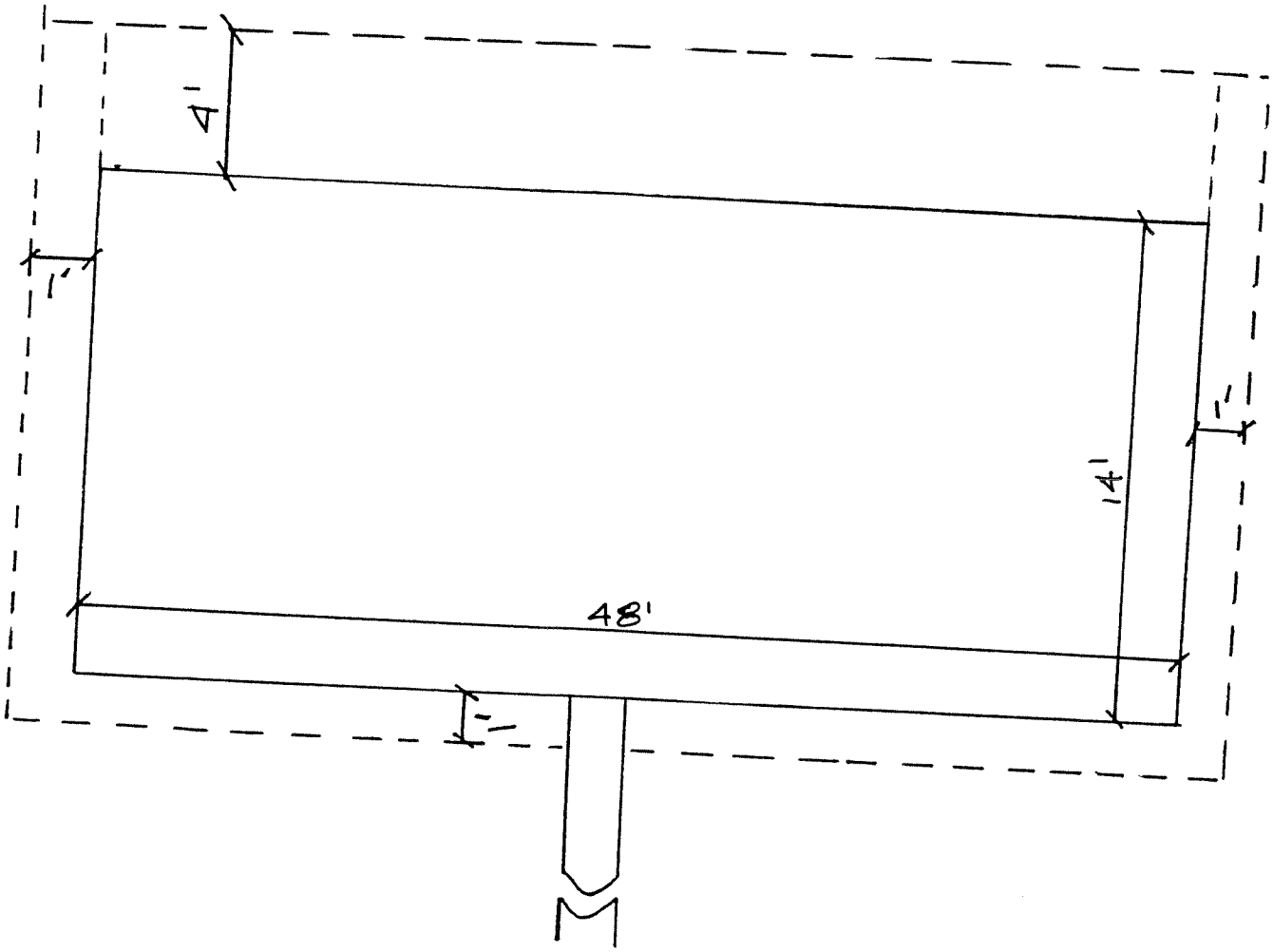


DIAGRAM 35

ADVERTISING SIGN EXTENSION



Any vertical or horizontal embellishment to a 10.5 foot by 36 foot or 14 foot by 48 foot advertising sign designed as a part of and iuntegrally incorporated into the announcement, declaration, device, demonstration or insignia used as a part of an advertising sign. An extension shall have a maximum vertical dimension of four (4) feet above the top of a sign, a maximum horizontal dimension of one (1) foot to the sides of the sign and a maximum horizontal dimension of one (one) foot to the bottom of the sign.

DIAGRAM 36

TYPES OF LOTS
LOT/CORNER LOT

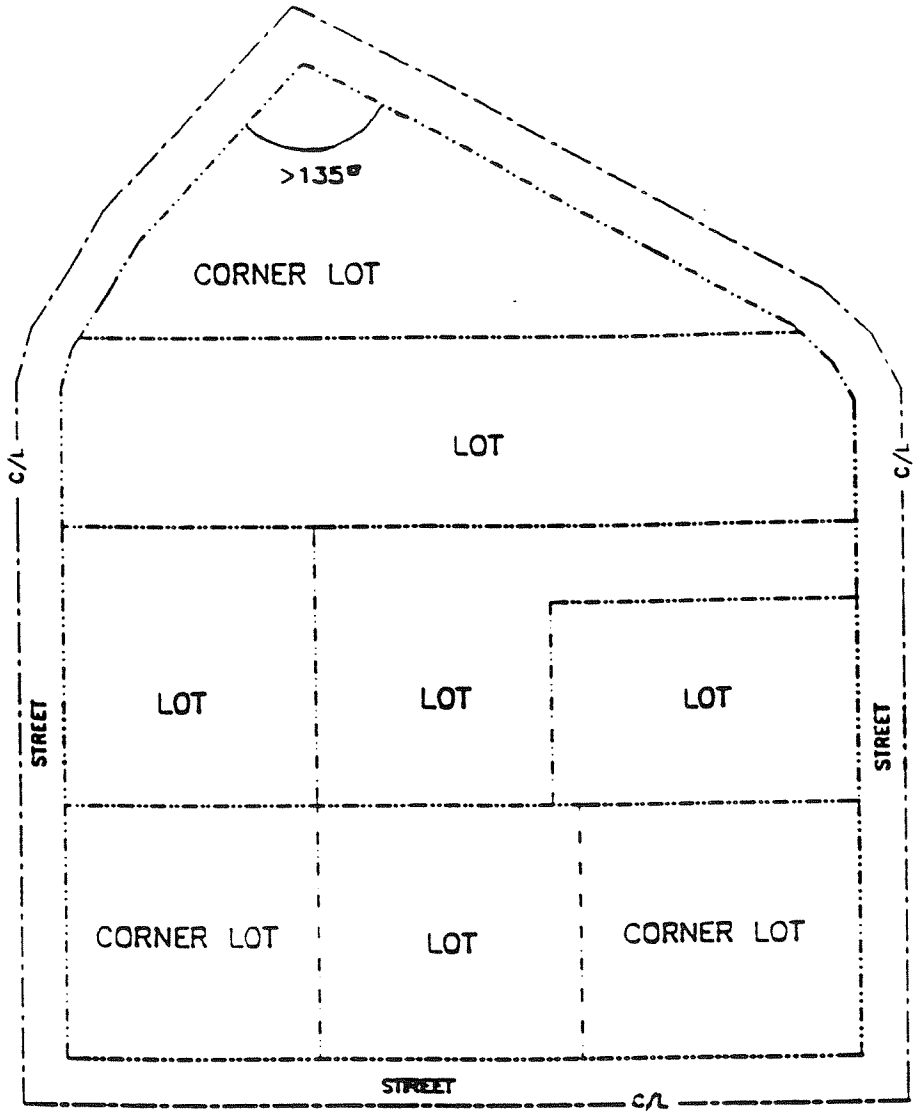
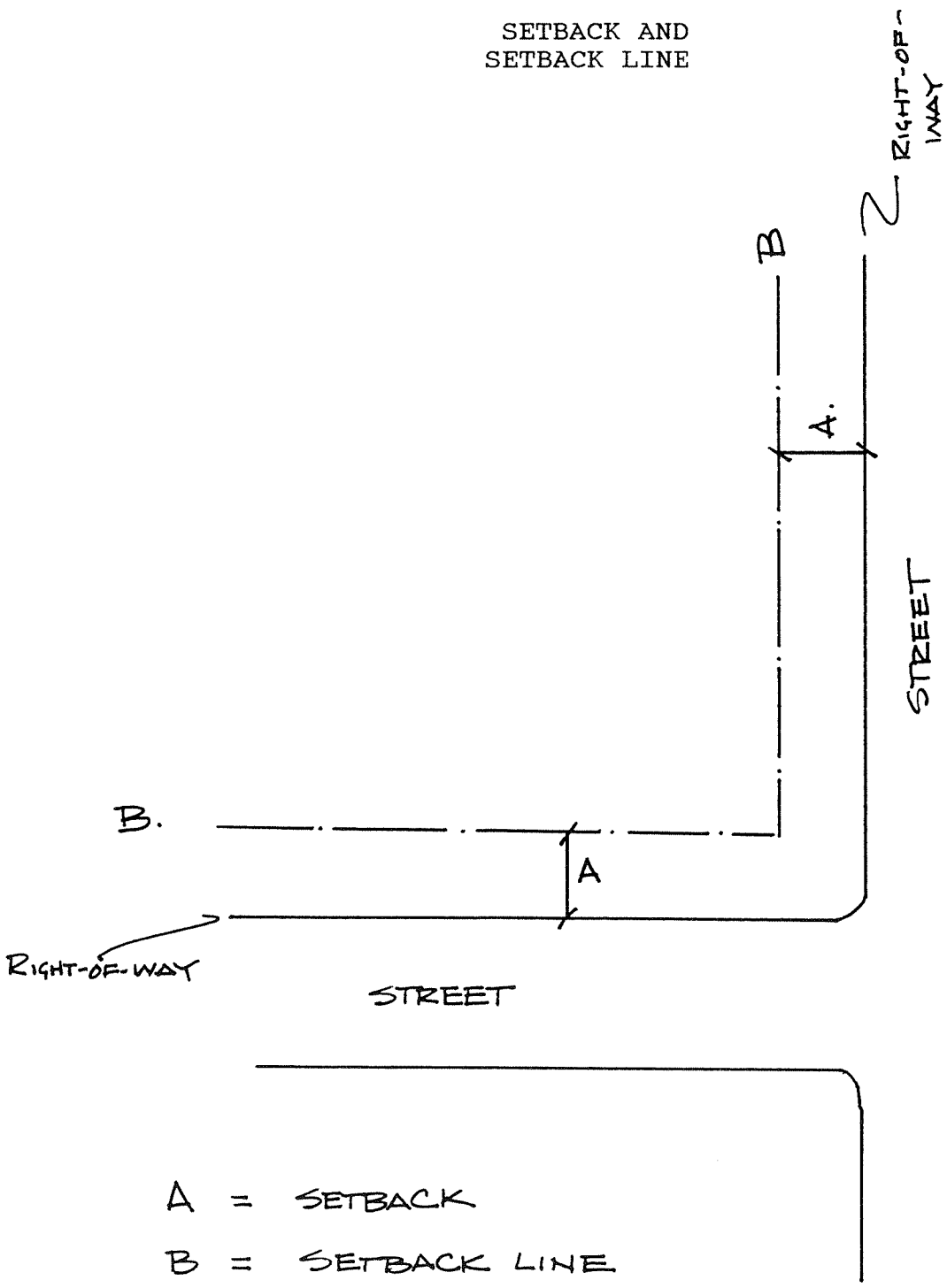


DIAGRAM 37

SETBACK AND
SETBACK LINE



CHAPTER 7.00 VIOLATIONS/ENFORCEMENT AND REMEDIES

The Enforcement and Remedies Zoning Ordinance of Marion County (88-AO-5/G.O. 122, 1988, as amended) shall govern the enforcement of violations of any provision of this ordinance.

CHAPTER 8.00 SEVERABILITY CLAUSE

If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.