TITLE 14
ZONING AND LAND USE CONTROL

CHAPTER
1. ZONING ORDINANCE.
2. MUNICIPAL PLANNING COMMISSION.
3. SIGN REGULATIONS.

CHAPTER 1
ZONING ORDINANCE

SECTION
14-101. Land use to be governed by zoning ordinance.

14-101. Land use to be governed by zoning ordinance. Land use within the City of Baneberry shall be governed by Ordinance #204-9, titled "Zoning Ordinance, Baneberry, Tennessee," and any amendments thereto.

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1Ordinance #200-5, an ordinance governing the construction of additions to private residences, is of record in the office of the city recorder.

2Ordinance #204-9, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.
CHAPTER 2

MUNICIPAL PLANNING COMMISSION

SECTION
14-201. Creation and membership.
14-202. Organization, powers, duties, etc.

14-201. **Creation and membership.** Pursuant to the provisions of the **Tennessee Code Annotated, § 13-4-101,** there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of seven (7) members; two (2) of these shall be the mayor and another member of the board of mayor and alderman selected by the board of mayor and aldermen; the other five (5) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the five (5) members appointed by the mayor shall be for five (5) years each. The five (5) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4) and five (5) years respectively so that the term of one (1) member expires each year. The terms of the mayor and the member selected by the board of mayor and aldermen shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor, who shall also have the authority to remove any appointive member at his will and pleasure. (as added by Ord. #204-2, July 2003)

14-202. **Organization, powers, duties, etc.** The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of the **Tennessee Code Annotated, title 13.** (as added by Ord. #204-2, July 2003)
CHAPTER 3

SIGN REGULATIONS

SECTION

14-301. Definitions.
14-302. Permit required.
14-304. Fee for permit.
14-305. Prohibited signs.
14-306. Regulations.
14-308. Violation.

14-301. Definitions. (1) "Business sign." A sign that directs attention to a business conducted on the premises.

(2) "Construction sign." A sign that directs attention to the general contractor for a new structure being erected or remodeling of an older structure on the premises.

(3) "Garage and yard sale sign." A sign that directs attention to a one family or multiple family sale of used household goods or clothing on the premises.

(4) "Professional sign." A sign that directs attention to a profession conducted on the premises.

(5) "Land and subdivision development sign." A temporary sign that directs attention to a newly developed subdivision on the premises.

(6) "Monument sign." A permanent sign that directs attention to a named subdivision or a place of historical significance.

(7) "Real estate sales sign." A sign that directs attention to the sale or lease of a permanent structure on the premises.

(8) "Short term signs." A sign that directs attention to a special event, charitable event, or public event. (as added by Ord. #202-4, Oct. 2002)

14-302. Permit required. Any individual or business enterprise who desires to erect a sign upon their property within the city's corporate limits must obtain a permit. Permits for real estate signs, garage and yard sale signs, and short term signs may be obtained from the city manager and all other sign permits must be obtained from the city's planning commission chairman after said commission has approved same. The individual or business enterprise desiring a sign permit required to appear before the planning commission shall bring a graphic drawing showing the wording to be placed on the sign, the size of the sign, type of support for the sign, color, and placement location on the property. (as added by Ord. #202-4, Oct. 2002)
14-303. Placement. No sign shall be placed on any governmental right of way, ingress or egress way, on any property which might obstruct the view of motorist, bicycle or pedestrian traffic, or on any utility pole. (as added by Ord. #202-4, Oct. 2002)

14-304. Fee for permit. No fees shall be charged for obtaining a sign permit. (as added by Ord. #202-4, Oct. 2002)

14-305. Prohibited signs. There shall be no portable signs, billboard signs, directional or information signs (except churches), banners, political signs, or flashing or intermittent signs allowed within the corporate limits. (as added by Ord. #202-4, Oct. 2002)

14-306. Regulations. The following signs shall be allowed, provided the individual or business enterprise obtains a proper permit in accordance with the guidelines set below for a specific type sign and with the placement hereinabove set forth.

1. Business. Business signs shall be no taller than five (5) feet from the ground to the top of the sign and shall be no larger than twenty-five (25) square feet.

2. Professional. Professional signs shall be placed on the wall of the structure where the professional will conduct his business with the sign not extending more than one and one-half (1-1/2) inch from the wall; the size to be no larger than 6" x 18"; and the coloring shall be black background with gold lettering.

3. Construction. Construction signs shall be limited to one per structure; the size to be no larger than five (5) square feet; and the time limitation set in the building permit.

4. Land and subdivision developments. Land and subdivision development signs shall be placed at the entrance of the subdivision; shall be no more than six (6) feet in height from the ground to the top of the sign; the size to be no larger than twenty-five (25) square feet; and the time limitation shall be one year, unless additional time is granted by the planning commission.

5. Monument. Monument signs shall be placed at the entrance of the subdivision; shall be no more than six (6) feet in height from the ground to the top of the sign; the size to be no larger than twenty-five (25) square feet.

6. Real estate sales. Real estate sale signs shall be limited to one per residence or vacant lot unless the property abuts Douglas Lake or Baneberry Golf Course for which one sign may be placed on the front of the property and one sign placed on the rear of the property facing the lake and the size to be no larger than 18" x 24".

7. Short term. Short term signs may be no larger than 18" x 24" and may be erected two weeks before the special event is to occur and removed within seventy-two (72) hours after the event has occurred.
(8) Garage and yard sales. Garage and yard sale signs may be erected forty-eight (48) hours prior to advertised day of the sale and removed within twenty-four (24) hours after the advertised last day of the sale; the size shall be no larger than two square feet; and shall have no ornamentations (balloons, streamers, etc.) focusing attention to the sign. (as added by Ord. #202-4, Oct. 2002)

14-307. Maintenance. All signs shall be maintained in a readable condition and all vegetation under sign shall be neatly trimmed or landscaped. (as added by Ord. #202-4, Oct. 2002)

14-308. Violation. Any individual or business enterprise who violates this section shall be given prompt notice by hand delivery or certified mail. Violators will be given seventy-two (72) hours to correct said violation from the time of receipt of the notice. Failure to correct said violation within the prescribed time limit may result in the issuance of an ordinance violation citation and subject the violator to a fifty-dollar ($50.00) fine for each day the violation continues. (as added by Ord. #202-4, Oct. 2002)