14-101. Membership. The municipal planning commission shall consist of five (5) members. One of the members shall be the Mayor of Clifton or his designee. One shall be a member of the board of commissioners selected by the board, and the three (3) remaining members shall be citizens appointed by the mayor. The terms of the appointive members shall be for three (3) years, excepting that, in the appointment of the first municipal planning commission under the terms of this ordinance, the terms of the three (3) appointive members shall be for one (1), two (2), and three (3) years, respectively, so that the terms of one member shall expire each year. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. The terms of the mayor and the member selected from the board of commissioners shall run concurrently with their terms of office. All members of the commission shall serve without compensation. (Ord. #131, Aug. 1994, modified)

14-102. Organization, rules, staff and finances. The municipal planning commission shall elect its chairman from among its appointive members. The term of the chairman shall be for one year with eligibility for reelection. The commission shall adopt rules for its transactions, findings and determinations, which record shall be a public record. The commission may appoint such
employees and staff as it may deem necessary for its work and may contract with city planners and other consultants for such services as it may require. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the board of commissioners. (Ord. #74, Aug. 1975)

14-103. Powers and duties. From and after the time when the municipal planning commission shall have organized and selected its officers, together with the adoption of its rules of procedure, then said commission shall have all the powers, duties and responsibilities as set forth in Tennessee Code Annotated, title 13. (Ord. #74, Aug. 1975)
CHAPTER 2

FLOOD DAMAGE PREVENTION ORDINANCE

SECTION

14-201. Flood damage control to be governed by flood damage prevention ordinance.

14-201. Flood damage control to be governed by flood damage prevention ordinance. Regulations governing flood damage control within the City of Clifton shall be governed by Ordinance #137, titled "Flood Damage Prevention Ordinance" and any amendments thereto.¹

¹Ordinance #137, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.
CHAPTER 3
HISTORIC ZONING REGULATIONS

SECTION
14-301. General description.
14-302. Administration.
14-305. Injunctive powers and penalties.

14-301. General description. Intent: It is the intent of this district to preserve the historic sites and structures of the City of Clifton. The requirements of the district are designed to protect and preserve historic and/or architectural value; create an aesthetic atmosphere; strengthen the economy; protect and enhance the city's attractions to tourists and visitors; strengthen the support and stimulus to business and industry thereby provided; and promote education and patriotic heritage of the present and future citizens of the community. In order to achieve the intent of the H-1 District(s) as shown on the Official Corporate Limits Map of The City of Clifton, Tennessee, the following regulations shall apply:

The H-1 District classification may be created where the following criteria shall be determined to exist by the historic district zoning commission. The quality of significance in American history, architecture, archaeology, and culture is present in district(s), sites, buildings, and structures that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in or past; or
3. That embody the distinctive characteristics of late 19th-early 20th century period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield archaeological information; or

---

1Municipal code reference
Historic district zoning commission: Title 2.
Sign regulations: Title 14.
(5) That is listed in the National Register of Historic Places. (Ord. #143, _____, as amended by Ord. #154, May 1998)

14-302. Administration. (1) No construction, major alteration or rehabilitation, moving, or demolition is to be carried on within the H-1 District until it is submitted to and receives approval in writing by the historic district zoning commission.

(2) Administration shall be by the chairman of the historic district zoning commission and all items regulated within the H-1 District shall be submitted to the historic district zoning commission for its review. (Ord. #143, _____, as amended by Ord. #154, May 1998)

14-303. Application procedures. Upon receiving an application the historic district zoning commission shall, within thirty (30) days following the availability of sufficient data, issue to the applicant a letter stating its approval with or without attached conditions or disapproval with the grounds for disapproval stated in writing. This shall be carried out by the issuance of a certificate of appropriateness signed by the secretary of the historic district zoning commission. All applications and certificates of appropriateness shall be numbered and filed in the city files at city hall. (Ord. #143, _____, as amended by Ord. #154, May 1998)

14-304. Maintenance and repair of improvements. Every person in charge of an improvement in a historic district shall keep in good repair all of the exterior portions of such improvements and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portions of such improvements to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair. (Ord. #143, _____)

14-305. Injunctive powers and penalties. Where it appears that the owner or person in charge of an improvement on a landmark site or preservation site threatens or is about to do or is doing any work in violation of this chapter, the City Attorney for the City of Clifton shall, when directed by the mayor and the city commissioners, forthwith apply to an appropriate court for an injunction against such violation of this chapter. If an order of the court enjoining or restraining such violation does not receive immediate compliance, the city attorney shall forthwith apply to an appropriate court to punish said violation pursuant to law. Any person violating any provisions of this chapter shall be guilty of a misdemeanor, punishable as other misdemeanors as provided by law. (Ord. #143, _____, as amended by Ord. #154, May 1998)

14-306. Current historical district. The official boundary of the H-1 overlay district is amended to include only the Main Street district following parcel lines on both sides of the street. See official map as amended. Other
districts, such as the Water Street district, the Pillow Street district and other residential districts will be included in the future. The Main Street Historical District (H-1) and all future historical districts will have official design guidelines developed for administrative review. Each applicant shall be served with a copy of the appropriate guidelines upon request.

All citizens requesting property to be included in the H-1 overlay district must submit a map and written request to the historic district zoning commission for recommendation. Said recommendation will be further reviewed by the city commission with two readings and one public hearing. Said property shall be added to the H-1 district following such official adoption by the city commission. (Ord. #154, May 1998)
CHAPTER 4

SIGN REGULATIONS

SECTION
4-401. Purpose and intent.
4-402. General requirements.
4-403. Definitions.
4-404. Computations.
4-405. Exempt signs.
4-406. Nonconforming signs.
4-407. Prohibited signs.
4-408. Illumination.
4-409. Inspection and safety.
4-410. Administration.
4-411. Severable nature of chapter.
4-412. Protection of first amendment rights.
4-413. Special provisions for service stations.
4-414. Historic district commission.

14-401. **Purpose and intent.** Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks and property. These provisions are intended for the following purposes. (1) To establish reasonable and impartial regulations for all signs for the City of Clifton, Tennessee.

(2) To protect the general public health, safety, convenience, and welfare.

(3) To reduce traffic hazards caused by unregulated signs that may distract, confuse and impair the visibility of motorists and pedestrians.

(4) To ensure the effectiveness of public traffic signs and signals.

(5) To protect the public investment in streets, highways and other public properties.

(6) To facilitate the creation of an attractive and harmonious community.

(7) To protect property values. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-402. **General requirements.** The regulations in this chapter specify the number, type, sizes, heights, and locations of signs that are permitted within the City of Clifton. Any sign regulation incorporated into a separate development plan approved by the city commission may supercede all or part of this chapter. (1) No permanent sign affixed to the ground shall be erected within fifty (50) feet of another like sign.
(2) All existing permanent signs may remain provided they are maintained and in good repair. (See § 14-406 for additional regulations regarding nonconforming signs.)

(3) No sign shall be permitted where in the opinion of the administrator a traffic hazard would be created.

(4) All new signs within the historic zoning overlay district must comply with design guidelines or seek further approval through the certificate of appropriateness, from the historic zoning commission.

(5) Where a commercial use abuts a residential use, no sign shall be within fifteen (15) feet of the side lot line. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-403. Definitions. The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout this sign ordinance except where definitions are specifically included in various articles and sections. Where words have not been defined, the standard dictionary definition shall prevail or such as the context may imply. In any case, the city manager, or his designee, shall have the right to interpret the definition of any word.

(1) "A-frame sign." A temporary signboard consisting of two hinged boards attached at the top and that rests on the ground, but is not permanently affixed to the ground.

(2) "Abandoned sign." A sign that no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, project or activity conducted or product available in the city or on the premises where such sign is displayed.

(3) "Administrator." The designated government official whose responsibility it is to administer the provisions of this ordinance. This shall be the City Manager for the City of Clifton or his designee.

(4) "Building frontage." The length of the single face of a building or that portion of a building occupied by a single office, business or enterprise, commonly referred to as "store-front," which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

(5) "Changeable copy sign." A sign on which copy is changed in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

(6) "Civic sign." A sign that identifies a nonprofit institution or organization on whose premises it is located, and that contains

(a) The name of the institution or organization;

(b) The name or names of the persons connected with the institution or organization; and

(c) Greetings, announcements of events or activities occurring at the institution or similar messages.

(7) "Copy." The characters, letters, or illustrations displayed on a sign face.
(8) "Directional sign." A sign that provides on-site directional assistance for the convenience of the public such as locations of exits, entrances and parking lots.

(9) "Election sign." A temporary yard sign not exceeding six (6) square feet erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

(10) "Illegal sign." A sign that was erected in violation of regulations that existed at the time it was constructed. An illegal sign is not the same as a nonconforming sign.

(11) "Nonconforming sign." A sign that met all legal requirements when constructed but that is not in compliance with this chapter. An illegal sign is not a nonconforming sign.

(12) "Off-premise/off-site sign." Any sign that is not located on the premises that it identifies or advertises.

(13) "Product advertisement." Any sign that references an item, product, or line of products sold by a business.

(14) "Portable sign." A sign that is designed to be moved easily and not permanently affixed to the ground or to a structure or building.

(15) "Roof sign." Any sign erected and constructed wholly on or over the roof of a building, and that is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building. (A roof sign is an illegal sign)

(16) "Roofline." On a sloping roof, the roofline is the lower edge or eave of the roof. On a flat roof, the roofline is the lowest continuous line of a roof or parapet, whichever is lower, on the side of the building upon which the sign is to be located.

(17) "Show window sign." Any temporary sign advertising sales or specials attached to the inside or outside of the glass surface of any window (glazing).

(18) "Sign." Any identification, description, illustration or device, that is attached to the inside or outside of a building face, door, or window; and that directs attention to a product, service, place, activity, person, institution, business or solicitation, except the following:

(a) Merchandise temporarily displayed in show windows that is available for sale on the premises;

(b) National, state or city flags not exceeding thirty-two (32) square feet; and

(c) Decorative devices or emblems as may be displayed on a mailbox.

(19) "Sign structure" Any structure that supports, has supported or is capable of supporting a sign, including decorative cover.

(20) "Temporary sign." A sign that is not permanent and is allowed for a specific time period.
(21) "Traffic directional sign." Any sign that aids the flow of traffic.
(22) "Waterside identification sign." A sign identifying retail, commercial or recreational property, and that can be viewed only from the waters of the Tennessee River. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-404. Computations. The following principles shall control the computation of sign area. (1) Computation of area of individual signs. The area of a sign shall be computed by means of the smallest box that will encompass the limits of the sign, but not including any supporting framework or bracing. Only one (1) side shall be used to compute the size of a two sided sign. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-405. Exempt signs. The following types of signs are exempted from all the provisions of this chapter.
(1) Public signs: Signs erected by government agencies or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities, and any signs erected by the board of zoning appeals or under the direction of the board.
(2) Historical markers: Historical markers as recognized by local, state or federal authorities.
(3) Signs indicating address and/or name of residential occupants of the premises. Not more than one (1) such sign shall be allowed for each street frontage of each principal use on a lot.
(4) Civic signs: One (1) civic sign of not more than sixteen (16) square feet is allowed.
(5) Construction sign: One temporary sign not to exceed thirty-two (32) square feet in area indicating the name of the contractors, engineers, and/or architects of a project during a construction period.
(6) Handicapped parking space sign: Signs not exceeding two (2) square feet in area reserving parking spaces for handicapped motorists.
(7) Home-occupation signs: On-premise identification signs for home-occupations shall not exceed one sign per street frontage not to exceed a total of sixteen (16) square feet in area and shall contain only the name of the business and/or business owner.
(8) Memorial signs: Plaques, cornerstones, and the like.
(9) Security and warning signs: On-premise signs regulating the use of the premises such as "no trespassing," "no hunting," and "no soliciting" or signs indicating security systems used on premises that do not exceed two (2) square feet in area on residential lots and five (5) square feet in area on commercial and industrial lots.
(10) Temporary real estate or auction signs: Temporary signs indicating the availability of real property for sale or lease, located on the premises being sold or leased. Display of such sign shall be limited to one (1) per
property street frontage not exceeding a total of sixteen (16) square feet in area. Such signs shall be removed within seven (7) days of the settlement or lease of the property.

(11) Special event signs: Signs announcing special events to be used on a temporary basis. Any business, individual, or organization may display one sign per street frontage not to exceed a total of sixteen (16) square feet of area for up to fourteen (14) days prior to a special event. Such signs shall be attached to buildings, or existing private sign structures, or sign poles with the permission of the owner.

(12) Farm product signs: Temporary on-premise signs announcing the availability of seasonal farm produce or nursery products. The number of signs shall not exceed one per street frontage and total area of all such signs shall not exceed sixteen (16) square feet.

(13) Any signage required by federal law pertaining to wireless transmission facilities.

(14) Any signage required by the Federal Aviation Administration.

(15) A changeable copy sign not exceeding thirty-two (32) square feet will be allowed when included as part of another authorized sign.

(16) Subdivision entrance signs for a duly recorded subdivision plat located at the entrance to subdivisions, but not including driveway entrances, that includes information about the subdivision and do not exceed thirty-two (32) square feet of sign face area per sign.

(17) One waterside sign per development along the Tennessee River provided that the sign is visible only from the Tennessee River and does not exceed one (1) square foot per one (1) foot of river frontage, not to exceed a total of two hundred (200) square feet.

(18) Show window signs announcing special events or products may be displayed up to a total of sixteen (16) square feet of area for up to fourteen days. Such signs must be located on the interior of the building.

(19) Signs totaling one (1) square foot of area for each one (1) square foot of building linear street frontage, not to exceed one hundred (100) square feet.

(20) Seasonal decorations that do not reference a business or product.

(21) Off-premise signs indicating the location or direction to a non-profit organization located within the City of Clifton, which do not exceed six (6) square feet of sign area per sign. Each organization is allowed a maximum of three such signs. These signs may be located within the public rights-of-way if they do not interfere with traffic safety.

(22) Signs erected by the City of Clifton on public rights-of-way that serve as a directory of businesses within the City of Clifton and are uniform in size and design. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

4-406. Nonconforming signs. (1) Any permanent identification sign that lawfully exists at the time of enactment of this chapter shall be allowed to
remain until such time as the sign is substantially altered or changed, or until such time as another sign is proposed in lieu of the existing sign, or until such time as the ownership of the business changes. Such sign shall be in conformance to all other provisions of this chapter.

(2) No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner.

(3) Nonconforming signs shall not be considered the same as an illegal sign: one that is constructed after this chapter was enacted and that does not comply with this chapter. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

4-407. Prohibited signs. The following signs are prohibited under this Chapter. (1) Signs painted on or attached to fence posts, trees, rocks, canopy posts, utility poles, in any river, stream or creek, in the Federal Emergency Management Agency determined floodway area, or any other designated USGS natural water body (blue-line stream). Signs may be located within the 100-year floodway fringe or the 500-year flood limit areas subject to further review.

(2) Any sign that may be confused with or obstruct the view of any authorized traffic sign or signal, or extend into the public right-of-way.

(3) Signs that contain characters, cartoons or statements of an obscene, indecent or immoral character that would offend public morals or decency.

(4) Signs that advertise an activity, business, product or service not conducted on the premises upon which the sign is located.

(5) Signs displayed as, pennants, flags with commercial messages, banners, streamers, propellers, discs, and searchlights that are intended for permanent use.

(6) Signs that include lights that flash, blink, or turn on and off intermittently, not including time and temperature signs that are intended for permanent use.

(7) Glaring signs with light sources or reflectivity of such brightness that constitute a hazard or nuisance.

(8) Inflatable signs and objects including, but not limited to, balloons that are intended for permanent use.

(9) Portable signs that are not permanently affixed to the building, structure, or the ground. This shall not apply to authorized, temporary signs.

(10) Roof signs, i.e., signs that are erected on a roof or that extend in height above the roofline of the building on which the sign is erected.

(11) Signs that extend in height above the roofline of the building on the premises upon which the sign is erected.

(12) Signs attached to, suspended from, or painted on any vehicle that is regularly parked on any street or private property when one of the purposes of so locating such vehicle is to display, demonstrate, and advertise or attract the attention of the public for a duration of more than fourteen (14) days.
(a) It is not a violation of this chapter merely to have a common logo or business sign attached to, suspended from, or painted on a company vehicle regularly engaged in the business of the owner.

(b) When it is determined by appropriate authorities that a vehicle is being regularly parked in a manner that violates this chapter, the city will issue a single notice of warning to the owner of the vehicle, who will be provided an opportunity for an informal hearing by representatives of the city prior to the institution of formal judicial proceedings.

13. Election signs exceeding one per candidate or issue per property.

14. Permanent signs exceeding one (1) square foot of sign per one (1) linear foot of building frontage.

15. Total permanent signs exceeding one hundred (100) square feet of surface area per property.

16. A single permanent sign exceeding thirty-two (32) square feet of surface area.

17. Signs located within public rights-of-way.

18. Signs located over pedestrian areas that do not have a minimum of eight (8) feet of clearance from ground to base.

19. Signs extending to within eighteen (18) inches of a street curb or parking area.

20. Product advertisement signs: No product advertisement signs shall be located on the exterior of a building. A product advertisement advertises a particular product or line of products being sold, rather than the business located on the premises.

21. A-frame signs left on the exterior of the building when business is not open for business. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-408. Illumination. Illuminated signs shall adhere to the following provisions and restrictions. (1) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.

2. Beacon lights are not permitted unless required by the Federal Aviation Administration.

3. No colored lights shall be used at any location in any manner so as to be confused with or construed as traffic control devices or emergency vehicle lights.

4. Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-409. Inspection and safety. (1) Inspection. All signs shall be inspected periodically for compliance with this chapter.
(2) **Maintenance.** All signs and sign components shall be kept in good repair and in safe, neat, clean and attractive condition.

(3) **Removal of signs.** The city manager shall remove any sign immediately and without notice if the sign presents an immediate threat to the safety of the public or if the sign is located within a public right-of-way or on public property. Any sign removal shall be at the expense of the property owner or lessor.

(4) **Abandoned signs.** A sign shall be removed by the property owner when the business that it advertises is no longer conducted on the premises. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-410. **Administration.** (1) **Enforcement.** The city manager, or his designee, is hereby authorized and directed to enforce all of the provisions of this chapter.

(2) **Violations.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor. The owner of any sign, building or premises, or part thereof, where anything in violation of this chapter shall be placed, or shall exist, and any person who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense.

(3) **Appeals.** Any person which disagrees with the decision of the administrator may appear in municipal court before the judge to state their appeal of the administrator's decision. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-411. **Severable nature of chapter.** The various sections, subsections, paragraphs and clauses of this chapter are severable and in the event that any section, subsection, paragraph or clause is judged to be invalid, the remainder of the chapter shall remain in full force and effect. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-412. **Protection of first amendment rights.** Any sign, display, or device allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful, non-commercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this chapter. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-413. **Special provisions for service stations.** A service station or convenience store that is engaged in the retail distribution of petroleum and petroleum products shall be further entitled to the following signs.

(1) One non-illuminated permanent price sign is allowed to be located on the pump island. This sign counts toward the total square footage allocated for the property upon which it is displayed.
(2) Signs displaying the federal and state stamps, octane ratings, pump use directions, no smoking signs and other signs as required by federal, state and local authorities, provided that the accumulated total square footage of same shall not exceed two (2) square feet per pump island.

(3) Other signs and stamps required by state and federal law, provided same are of size no greater than the minimum requirements of the law and for design, size and lighting as approved by the city manager. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)

14-414. Historic district design guidelines. In addition to the requirements set forth by this sign ordinance, signs to be located within the historic districts must go through the historic district commission's approval process prior to sign erection. In most cases, attending a meeting of the historic district commission will be necessary. The commission has set some general guidelines for signs that are to be located within the historic districts. The historic district commission is granted separate injunctive powers, as authorized by state law, to enforce the guidelines not specifically mentioned within this ordinance. (Ord. #155, May 1998, as replaced by Ord. #204, Sept. 2005)