

**ORDINANCE NUMBER 10-03-09B**

**AN ORDINANCE TO AMEND THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO WINDOW SIGNS, SPECIFICALLY TO ALLOW WINDOW SIGNS TO OCCUPY UP TO 25% OF THE ENTIRE BUILDING WALL WINDOW AREA**

**WHEREAS**, the Zoning and Planning Board has recommended modifications to the Zoning Regulations of the Town of Lake Lure as noted in the title of this ordinance; and

**WHEREAS**, this Council finds that the proposed ordinance is reasonable and in the public interest and is neither consistent nor inconsistent with the 2007-2027 Town of Lake Lure Comprehensive Plan; and

**WHEREAS**, the Lake Lure Town Council, after due notice, conducted a public hearing on the 9<sup>th</sup> day of March, 2010, upon the question of amending the Zoning Regulations in this respect.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:**

**SECTION ONE.** Section 92.147 of the Zoning Regulations, entitled “Definitions”, is hereby amended to add the following definition:

*Window:* An opening covered in glass built into the wall or roof of a building which functions or appears to function to admit light to a building or structure.

**SECTION TWO.** Section 92.155 of the Zoning Regulations of the Town of Lake Lure, entitled “Signs Exempt from the Permit Requirements”, is hereby amended as follows:

- (I) Window Signs. Signs painted on or placed in a window shall be permitted, subject to the following provisions:
  - (1) Such signs shall not exceed an aggregate area equal to 25% of the window and/or glass area of the building wall on which it is located, to include all temporary signs.
  - (2) The sign area for a window shall not be included in the allowable sign area for the particular occupancy or activity utilizing such sign, as defined in 92.157, (B), (1). Penalty, see § 92.999

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~.]

**Ordinance No. 10-03-09B**  
**March 9, 2010**  
**Page 2**

**SECTION THREE.** Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 92.999 of the Zoning Regulations.

**SECTION FOUR.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION FIVE.** If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

**SECTION SIX.** The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

**SECTION SEVEN.** This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 9<sup>th</sup> day of March, 2010.

ATTEST:

\_\_\_\_\_  
Mary A. Flack, MMC  
Town Clerk

\_\_\_\_\_  
Jim Proctor  
Mayor

Approved as to content and form:

\_\_\_\_\_  
J. Christopher Callahan  
Town Attorney