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Merchants seek compromise to relax city sign ordinance

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Article Text:

A group of U.S. 31 merchants will ask the **Hoover** City Council in January to consider changing or relaxing enforcement of the city's **sign ordinance**.

The group, led by McAnally's Pub and Grill owner Kathy Levine, is composed of 17 businesses mainly on U.S. 31, plus several **sign** and banner shops. They say **sign** height limits and prohibitions against attention-getting banners and balloons keep businesses from attracting customers on the busy corridor.

At the request of **Hoover** Mayor Tony Petelos, the group will present a compromise proposal to a council work session on Jan. 12. Petelos invited the proposal after hearing grievances from the group at a meeting in July.

"Our main complaint is that we can't tell anyone we're here," said Levine, who paid a \$50 fine and \$165 in court costs two weeks ago for posting a sandwich **sign** in front of her **Hoover** Court business, in violation of the regulations.

Levine, who admits breaking the rules, said it was worth making a city court appearance to make her cause known.

Hoover's sign regulations, which are part of the zoning **ordinance**, are designed to keep the commercial corridors clear of distractions and maintain **signs** in keeping with the character of the commercial zone. The rules set 20-foot height limits on most commercial freestanding **signs** and prohibit portable **signs**, roof **signs**, flashing **signs**, electronic message boards, posters, banners, twirling **signs**, balloons and unofficial flags.

Signs cannot be placed in rights of way or be used to advertise off-premise sales or attractions.

Regulations are enforced by an official assigned by the city's Inspection Services Department.

Even enforcement

Levine said that department should cut some slack to businesses - such as her own - that are set back from the highway. The ban against stationary billboards has been too actively and unevenly enforced, she said.

For example, some businesses have been warned not to use lettered trucks as billboards by parking them near the highway, while other businesses do so without penalty, she said.

Under Levine's proposal, new businesses could hang banners for up to four weeks, instead of the two weeks currently allowed, and could advertise with balloons and portable, off-premise **signs**.

"We know we need rules, but something needs to change," she said.

Efforts to reach enforcement officials at the Inspection Services Department for comment failed. However, Petelos said he has not ordered tougher enforcement. To his knowledge, the **sign** regulations are enforced as they were before he took office in 2004, he said. The recent complaints are an indication that merchants upset with the restrictions are trying their luck with a new mayor, he said.

"If indeed there are inconsistencies about enforcement, then I want to know it, and it will stop," Petelos said.

Hoover Florist owner Bebe Abner, a member of Levine's group, said the trouble started "about five years ago when there was talk of turning the highway into a tree-lined boulevard." Abner moved her shop in November from Braddock Drive near U.S. 31 to a larger location at **Hoover** Court. One reason for the move was better visibility, she said.

Abner said she had been warned three times at the previous location to remove banner **signs** advertising \$15 specials on cut roses.

"I'd put a banner on the front awning and get a warning because it wasn't anchored on all four sides," she said. "So, I put it on the side of the building, but that wasn't right. The last time, I duct-taped it good to the front window, and by the next morning the man was there giving me a copy of the (**sign**) regulations."

Abner said the inspector's only solution was a poor one: to tape the banner inside the store's tinted glass storefront.

"In 25 years I've contributed a quarter of a million dollars in sales taxes, and I still can't put up a banner **sign**," she said.

Grandfathered woes

Amy Calvert, general manager of American Cycle Centers on U.S. 31, said the motorcycle dealership opened in 2003 but still has little place recognition, even among bikers, because of the **sign** restrictions.

She is not allowed to park bikes in front of the store. The modest Victory motorcycle dealership **sign** is dwarfed by a nearby billboard that was in place before **sign** restrictions were adopted.

"We opened here because of a 46,000 daily traffic count," she said. "But when I go to a bike night (event) and there are 300 bikers and they are saying, 'Where are you located?' that's a problem," she said.

Calvert said a city **sign** inspector has warned her three times about placing a **sign** on the grass, painting a message in the window and draping a banner across the storefront. At the same time, other merchants attract attention "by putting up 36-foot flags," she said. "I don't see how American flags flapping in the wind are less distracting than a banner **sign**."

Merchants would adhere to any **sign ordinance** that's reasonable and consistently enforced, she said. "That's my real issue. If I can't do it, nobody better be able to do it."

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