



HISTORIC  
**FRANKLIN**  
TENNESSEE

## **Outdoor Merchandise Display and Sandwich Board Signage within the City of Franklin's Historic Preservation Overlay District**

Effective June 21, 2012, the City of Franklin Board of Mayor and Aldermen approved Ordinance 2012-26, which addresses Franklin Municipal Code Title 16, Chapter 7, Outdoor Merchandise Displays and Sandwich Board Signage in the Historic Preservation Overlay district. The ordinance created an application process that allows for building owners and tenants to submit proposals to place items (outdoor merchandise displays, easel or sandwich board/A-frame signs, and carts) on the sidewalk to enhance the ambiance of downtown. Private decorative fixtures (flower pots, flower baskets, benches, decorative flags/banners, or similar ornaments/statues) do not require this permit but will be regulated to ensure that they meet the standards set forth in this ordinance.

Individual merchants are responsible for obtaining appropriate permits. Included in this package is the application for the Outdoor Merchandise Displays and Sandwich Board Signage permit. You will also find a copy of the Title 16, Chapter 7 ordinance for your review, detailing how this affects your specific business location. Please review this document completely, as it contains very important information.

Please note that sandwich board signs also require approval through the issuance of a Certificate of Appropriateness (COA) in light of the Historic District Design Guidelines ([www.franklintn.gov/designguidelines](http://www.franklintn.gov/designguidelines)). To apply for a sandwich board sign COA, please refer to the "Certificate of Appropriateness" link underneath the "Application Requirements and Procedures" section of the Application User Guide ([www.franklintn.gov/applicationuserguide](http://www.franklintn.gov/applicationuserguide)). In the guide, refer to Step 3 and guidance for an Administrative COA application. You may also contact the Assistant Preservation Planner in the Planning Department at 615-791-3212 for additional assistance.

For Information/questions regarding a Certificate or Appropriateness contact

- **Amanda Rose**, City of Franklin Preservation Planner - 615-550-6737 or [Amanda.Rose@franklintn.gov](mailto:Amanda.Rose@franklintn.gov)

For general information contact Building and Neighborhood Services - 615-794-7012

- **Shanna McCoy**, Zoning and Floodplain Administrator - [shanna.mccov@franklintn.gov](mailto:shanna.mccov@franklintn.gov)
- **Mark Pagan**, Zoning Enforcement Supervisor - [mark.pagan@franklintn.gov](mailto:mark.pagan@franklintn.gov)

8/23/2022

- **CHAPTER 7. - OUTDOOR MERCHANDISE DISPLAYS, PRIVATE DECORATIVE FIXTURES, AND SANDWICH BOARD SIGNS<sup>[4]</sup>**

- **Sec. 16-701. - Purpose.**

The purpose of this chapter is to provide for the appropriate location and design of outdoor merchandise displays, private decorative fixtures, and sandwich board signs on the public sidewalk within the city's historic preservation overlay to complement its unique, historic character, and charm while mitigating any adverse impacts such displays or fixtures may have on pedestrians and adjacent property.

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-702. - Definitions.**

(1)

*Merchandise* shall include products, goods, and wares available for purchase from the adjacent business where the products, goods, and wares are displayed.

(2)

*Merchandise display fixtures* shall include tables, racks, cases, and shelving used to display merchandise.

(3)

*Private decorative (not for sale/non-advertising) fixtures* shall include and be limited to flower pots, plants, baskets, benches, decorative flags/banners, non-flashing/moving string lighting, and similar ornaments/statues.

(4)

*Easel-type signs.* A three-leg self-supporting frame for displaying charts, promotional materials, announcements, schedules, and menus.

(5)

*Approved sandwich board signs* consist of a pair of advertisement boards connected at the top by straps or hinge designed to be freestanding with no face greater than six square feet in area and the total height of the sign four feet or less. Has obtained a valid certificate of appropriateness approved by the city's preservation planner in conjunction with the permitting application process.

(6)

*Freestanding ornaments/statues (non-advertisement and limited to four feet or less in height).* An accessory, non-advertising article used to complement the character of the city's historic preservation overlay.

(7)

*Flags/banners (non-advertisement and not exceeding 4.5 square feet per face).* A piece of cloth or pliable material not exceeding 4.5 feet in area usually attached on its edge(s) to a staff or cord, and used as the symbol of a nation, state, community, or art.

(8)

*City square.* The outer open area or monument plaza that exists within the intersection of Main Street and Third Avenue South in the City of Franklin, Tennessee.

(9)

*Carts.* Small wheeled wagon capable of being pushed or pulled by hand and used for the display of merchandise.

(10)

*Guided tours.* A pre-arranged walking or riding tour of place(s) facilitated by a person or persons who have familiarity and knowledge of the place(s).

(Ord. No. 2012-26, 6-21-2012; Ord. No. 2013-02, § 1, 2-12-2013)

- **Sec. 16-703. - Zoning district allowed.**

(1)

Outdoor merchandise displays, private decorative fixtures, and sandwich board signs shall be limited to the public sidewalk area immediately in front of the merchant's/property owner's place of business and within the perimeters as described in this chapter for those businesses whose primary entrance directly front or directly face a public right-of-way within the City of Franklin's Historic Overlay District.

(2)

All outdoor merchandise displays, private decorative fixtures, and sandwich board signs shall directly relate to the adjacent merchant's property/place of business. The advertisement or promotion of off-site businesses or products not available from the adjacent business is prohibited.

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-704. - Physical location requirements and pedestrian clearance.**

(1)

Except as provided, outdoor merchandise displays, private decorative fixtures, and approved sandwich board signs may be placed immediately adjacent to and extend no further than 36 inches from the face of the building on the public sidewalk or 36 inches from the edge of the public sidewalk beginning at the point where the public sidewalk and private property meet provided a continuous path, a minimum of four feet in width, is maintained on the public sidewalk between any fixed or temporary display, merchandise, fixture, sign, or other obstruction for unobstructed pedestrian access and movement.

(2)

Outdoor merchandise displays shall not exceed 50 percent of the lineal footage of the front property line.

*Exceptions:*

(a)

Provided no parallel parking spaces exist on the adjacent street, approved sandwich board signs and carts may be placed within the area beginning at the face of the curb extending toward the building no further than 36 inches provided a minimum of four feet is maintained between any fixed

or temporary display, fixture, sign, or obstruction. Generally this is the area within the tree line that is improved with brick pavers.

(b)

As an alternative of placing approved sandwich board signs and private decorative fixtures immediately adjacent to the building, approved sandwich board signs and private decorative fixtures may be placed within the area beginning at the face of the curb extending toward the building no further than 36 inches provided a minimum of four feet is maintained between any fixed or temporary display, fixture, sign, or obstruction. Generally this is the area in the tree line improved with brick pavers.

(c)

Outdoor merchandise displays, private decorative fixtures, and sandwich board signs shall not be placed over an engraved paver.

(d)

As an alternative of placing approved sandwich board signs immediately adjacent to the building as described above, approved sandwich board signs and flower carts may be placed within the public area located around the outer, perimeter of the city square provided a minimum of six feet is provide between the building and any other obstruction but no closer to the street than the bollards. All merchandise displays, private decorative fixtures, sandwich board signs, and other fixtures and signage are strictly prohibited within the inner "square."

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-705. - Duration of displays.**

(1)

Outdoor merchandise displays and sandwich board signs shall be removed from the public sidewalk at such time the business is not open to the public.

(2)

Private decorative fixtures are permitted 24/7 or at the discretion of the adjacent merchant/property owner.

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-706. - Annual permit and certificate of insurance required.**

(1)

Merchants/property owners who display merchandise outdoors and/or sandwich board signs shall obtain an annual permit. The annual fee shall be as specified in appendix A, comprehensive fees and penalties and be applicable for both outdoor merchandise displays and sandwich board signs. A permit is not required for private decorative (not for sale/non-advertising) fixtures.

(2)

In addition to the annual permit, merchants utilizing sandwich board signs shall obtain a one-time certificate of appropriateness (COA) which shall be included in the initial permit application process. A small COA sticker shall be affixed to the interior of the sign.

(3)

Approved guided tours originating within historic downtown Franklin shall receive approval from the historic zoning commission and obtain a COA for all signage.

(4)

A certificate of insurance with the City of Franklin named as an additional insured and with minimum coverage limits as specified in appendix A, comprehensive fees and penalties shall be submitted with the annual permit and fee. A certificate of insurance is not required for private decorative (not for sale/non-advertising) fixtures.

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-707. - Indemnity.**

As part of the permitting process set forth herein, any person or entity receiving a permit shall execute an indemnity agreement indemnifying and releasing the City of Franklin, its agents, employees, and elected officials from any and all liability against any and all claims, actions, and suits of any type whatsoever.

(Ord. No. 2012-26, 6-21-2012)

- **Sec. 16-708. - Penalty.**

The city reserves the right to regulate the outdoor merchandise displays and sandwich board signs. Should any merchant/property owner be found in violation of the terms of this chapter, that merchant/property owner shall be issued a notice of violation (NOV). Failure to immediately comply with an NOV or obtaining a total of three NOV's in any 12-month period shall result in revocation of the annual permit for one full year.

(Ord. No. 2012-26, 6-21-2012)