

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

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CHAPTER 1

MUNICIPAL PLANNING COMMISSION

SECTION

- 14-101. Creation and membership.
14-102. Organization, powers, duties, etc.
14-103. Environmental review board.

14-101. Creation and membership. Pursuant to the provisions of 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 governing body selected by the governing body; the other five (5) members shall be appointed by the city manager. 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 city manager 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 governing body shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the city manager. (1979 Code, § 11-101)

14-102. 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 Tennessee Code Annotated, title 13. (1979 Code, § 11-102)

14-103. Environmental review board. An Environmental Review Board shall hereby be created and empowered to review, recommend and assist in enforcement of noise standards in regard to existing and proposed commercial/industrial uses. This board shall be composed of five members, with experience in construction, noise abatement, environmental engineering, architecture, or similar areas of expertise. Each member shall be appointed for staggered terms and may be reappointed. The Environmental Review Board shall hold meetings at the request of the planning commission, city commission, mayor, or city manager on an as needed basis.

The duties of the board are to: Review site plans referred from the planning commission to determine noise impact, mitigation measures, construction design, or abatement measures to insure site plan conformance to zoning and noise standards in the municipal code. All decisions are advisory; review noise problems on existing establishments and make recommendations on readings, abatements measures, or construction standards to reduce noise impact. Recommendations shall be made to the owner, leasor, police department, city attorney, mayor and city manager.

The Environmental Review Board may hire, by approval of city manager and/or city council, experts to assist its review. It may also require the developer to provide additional information to the planning commission in regard to site plans involving new construction, remodeling, or additions of commercial or industrial uses. (1979 Code, § 11-103)

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Pigeon Forge shall be governed by Ordinance Number ____, titled "Zoning Ordinance, Pigeon Forge, Tennessee," and any amendments thereto.¹

¹Ordinance No. ____, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 3

TRAILERS AND PORTABLE BUILDINGS

SECTION

14-301. Legislative findings.

14-302. Definitions.

14-303. Parking, location, or occupancy restricted.

14-304. Permit required for trailer camp; application for permit.

14-305. Requirements for trailer camps.

14-306. Violations.

14-301. Legislative findings. The board of commissioners does hereby legislatively find:

(1) That the unregulated use and occupancy of portable buildings, trailers, and trailer camps constitutes a public nuisance in that the same creates hazardous conditions with respect: to fire prevention and to the health of the community.

(2) That the unregulated use and occupancy of portable buildings, trailers, and trailer camps, as herein defined, is detrimental to the health, morals, comfort, safety, convenience, and welfare of the inhabitants of the city and that it is necessary to exercise the general police powers of the city in the adoption of this chapter. (1979 Code, § 8-601)

14-302. Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

(1) "Portable building." The term "portable building" shall mean any small, compact structure, similar to a trailer, intended for or capable of human habitation, mounted on skids or otherwise so constructed that it is capable of being readily moved from one location to another without change in structure or design except for foundation or method of support.

(2) "Trailer." The term "trailer" shall mean any structure intended for or capable of human habitation, mounted, or designed for mounting, upon wheels or capable of being mounted on wheels and of being driven, propelled, or towed from place to place without change in structure or design, regardless of whether such structure is actually mounted on wheels or whether the same is placed on a temporary or permanent foundation; provided, that this definition shall not include a structure or car used exclusively upon fixed tracks or rails.

(3) "Trailer camp." The term "trailer camp" shall mean any site, privately or publicly owned or operated, upon which two or more trailers used for living, eating, or sleeping quarters are, or are intended to be, located, whether operated for or without compensation. (1979 Code, § 8-602)

14-303. Parking, location, or occupancy restricted. It shall be unlawful and a misdemeanor for any person to park, locate, or occupy any trailer or portable building, for the purpose of advertising, residing, or transacting business therein, on any street, lot, or parcel of land within the city outside a duly permitted trailer camp as hereafter provided. However, this provision shall not be applicable to prefabricated dwellings or structure kits approved by the standard building code compliance listing; temporary office and storage buildings located on approved construction sites provided they are removed upon completion of construction; or customary accessory storage buildings in approved residential locations. (1979 Code, § 8-603)

14-304. Permit required for trailer camp; application for permit. Any person desiring to install and operate a trailer camp within the City of Pigeon Forge shall make application to the city manager for a permit for said trailer camp. Said application shall be accompanied by a sketch or plan drawn to scale showing the number and arrangement of trailer lots, roadways, water supply, water outlets, location and type of sewage, liquid, and garbage disposal and the location of the buildings for toilets, baths, laundries, and other facilities. The city manager may issue a permit for the installation and operation of said trailer camp if the application therefor meets the requirements of this chapter. (1979 Code, § 8-604)

14-305. Requirements for trailer camps.

(1) Location restricted. No trailer camp shall be located in a known area of mosquito breeding and each trailer site shall be well drained to avoid pools of water. All trailer camps must be located in an industrial and/or commercial zone according to the zoning ordinance of the city.

(2) Requirements as to lots. The lot for each trailer shall be plainly staked off or marked, and each lot shall have an area of not less than eight hundred (800) square feet. No two trailers shall be parked closer than ten (10) feet of each other. At least a twenty-foot roadway shall be provided between each block of lots.

(3) Water to be provided. An adequate supply of water under pressure, from a source and of a quality approved by the Tennessee Department of Health, shall be provided in all trailer camps. There shall be a water outlet within twenty-five (25) feet of each trailer lot and in each shower room, washroom, laundry room, sink and night waste container washing facility.

(4) Toilet requirements. Approved flush toilets connected to an approved sewer or an approved septic tank shall be provided in the ratio of one toilet seat for each sex, for each ten trailer lots or fraction thereof, plus at least one urinal for each men's public toilet room. A minimum of three persons is assumed for each trailer with the sexes assumed equal in number. When not in use, the sewer connection shall be covered with a flytight cap or screen.

(5) Shower and lavatory requirements. Public shower nozzles and lavatories shall be provided in the same ratio as toilet seats, and shall be supplied with an adequate quantity of hot water. Shower rooms shall be provided with two sets of slatted walkways.

(6) Disposal of liquid wastes. Liquid wastes from showers, sinks, hoppers, laundry rooms and lavatories shall be piped to an approved sewer.

(7) Disposal of dishwater. If cooking is done in any trailer which is not provided with a sewer connection and sink, a hopper, kitchen or laundry sink shall be provided within one hundred fifty feet of all such lots for the disposal of dishwater. The facilities for disposal of dishwater, and the hopper for the disposal of night wastes and the washings from night waste containers, shall be separate.

(8) Disposal of night waste. If trailers do not have inside toilets which are connected to a sewer, a hopper for the disposal of night waste, which is connected to a sewer, shall be provided within one hundred fifty feet of all such trailer lots. Provisions for washing night waste containers shall also be provided and the wash water from these shall be conducted into an approved sewer or septic tank.

(9) Laundry room to be provided. A laundry room with adequate laundry trays, tubs or washing machines and adequate facilities for heating water shall be provided.

(10) Flytight metal cans to be provided. A flytight metal can shall be provided by each trailer camp for each trailer lot.

(11) Requirements as to administration and operation. The camp shall be under the supervision to a caretaker who shall be responsible for the maintenance of physical equipment; for cleanliness of the grounds, surroundings, toilets, showers, lavatories and laundry facilities; and for the general conduct of the camp operation. All contact surfaces (sinks, toilets, and showers) shall be washed daily, then disinfected with a two per cent U.S.P. cresol solution, 200 P.P.M. chlorine solution, or an equivalent disinfectant, and dried.

A complete and permanent register shall be kept at the trailer camp, listing car license number and state, names, age and sex of occupants of each trailer, and dates of admission and departure from the camp. The city manager shall be notified immediately of communicable diseases in camp. (1979 Code, § 8-605)

14-306. Violations. Any person violating any provisions of this chapter shall be guilty of a misdemeanor. In addition to any penalty which may be assessed judicially under the general penalty clause for this municipal code, the city manager is expressly authorized to institute suits in the name of the city, in any court of competent jurisdiction, to enforce compliance herewith by injunctive process. (1979 Code, § 8-606)

CHAPTER 4

OUTDOOR ADVERTISING SIGNS¹

SECTION

- 14-401. Legislative findings.
- 14-402. Permit required.
- 14-403. Approval by the city manager.
- 14-404. Flashing signs prohibited.
- 14-405. Outdoor billboards.
- 14-406. Removal of unlawful signs.
- 14-407. Injunctions.
- 14-408. Inspection of signs.
- 14-409. Advertising on U. S. Highway 441 right of way.

14-401. Legislative findings. The Board of Commissioners of the City of Pigeon Forge does hereby legislatively declare and find:

(1) That the City of Pigeon Forge is primarily a tourist resort city of under 5,000 permanent population, but that each year there is attracted to said city many thousands of tourists and visitors.

(2) That the influx of many thousands of tourists and visitors creates a hazard to the safety and movement of both pedestrian and motor vehicle traffic within the city requiring precautionary measures to protect the welfare of the general public.

(3) That the unregulated construction of outdoor advertising signs endangers the lives and safety of inhabitants with respect to fire prevention and traffic movement in that debris and rubbish tends to be deposited around certain types of signs, creating fire hazards, and that the unregulated use of outdoor advertising signs tends to interfere with proper observation of traffic signs.

(4) That unregulated construction and erection of outdoor advertising signs constitutes a public nuisance detrimental to the health, morals, comfort, safety, convenience, and welfare of the inhabitants of the City of Pigeon Forge, and the board of commissioners desires to regulate by this chapter the construction and erection of such outdoor advertising signs in the exercise of its police powers. (1979 Code, § 5-501)

14-402. Permit required. It shall be unlawful for any person hereafter to construct or erect any permanent-type outdoor advertising sign, display, or billboard within the corporate limits of the City of Pigeon Forge until a permit

¹Municipal code reference:

Tourist Oriented Directional Signs: title 14, chapter 6.

in writing, authorizing the signs, has been issued by the city manager. (1979 Code, § 5-502)

14-403. Approval by the city manager. Before the permit required by the preceding section is issued, complete plans and specifications giving the construction, methods of support, and the materials to be used shall be submitted to the city manager along with a certificate, by a licensed architectural engineer, stating that the requirements of the city's building code¹ have been met. (1979 Code, § 5-503)

14-404. Flashing signs prohibited. (1) It shall hereafter be unlawful to construct, erect, place or operate any outdoor advertising sign or outdoor display as defined in section 3108.1.1 of the city's building code which flash, blink or turn off and on or rotate by electric current at regular or irregular intervals provided however, that this section shall not apply to time and temperature devices which alternately show time and temperature readings when such time and temperature devices are installed in accordance with the specifications set forth herein. Said provisions shall further not apply to electronic signs which display motion pictures or still pictures through LCD or other similar technology provided they are installed and operated for said on-premise business, and/or on-premise business situated in a C-5 or C-7 zoning district in accordance with the following specifications:

(a) Maximum overall size for motion picture or still screen--one hundred (100) square feet provided however that the maximum overall size for the motion picture or still screen of a monument sign of at least five hundred (500) square feet situated within a C-5 or C-7 zoning district shall be two hundred fifty (250) square feet provided further there shall be no more than two (2) monument signs situated in any C-5 or C-7 zoning district.

(b) Minimum time, dwell time for flashing letters or images (lighting period of letters or images)--one (1) second.

(c) Interval between time/temperature if utilized to be continuous; maximum interval--one-half (1/2) second.

(d) No other advertising lettering or display permitted except for the business premise on which the sign is erected.

(e) Construction to be at least of metal and frame and installation to meet city's building code wind loading requirements.

(f) A permit will be required before the installation of each device enumerated herein. The applicant shall present a set of plans meeting the above listed specifications as a condition for such permit.

(g) Sign devices under this subsection are also subject to all requirements of the Pigeon Forge Zoning Ordinance.

(h) Electronic sign devices allowed under this subsection are limited to one (1) per property and its use shall be restricted to

advertising the business located at said property, provided two (2) monument signs may be located at a C-5 or C-7 zoning district they advertise only businesses within said zone and said signs are at least five hundred (500) square feet.

(2) No business shall be permitted to construct, install, or operate more than one (1) portable sign in front of each business and such sign shall not exceed a dimension of six (6) feet by twelve (12) feet.

(3) This section shall apply to any ferris wheel, merry-go-round, or similar rotating amusement device when such device is at rest; provided, however, that any such amusement device which conforms to the requirements of this chapter when at rest shall not be deemed to be in violation when the device is in motion if said device is in compliance with the following conditions:

(a) No device on which lights are affixed may rotate at a speed greater than ten (10) seconds per complete revolution.

(b) Such ferris wheel, merry-go-round, or similar rotating amusement device must otherwise be lawfully operating as a business within the city, or by special temporary permit, if for charitable or nonprofit purposes.

(c) No other product or service shall be sold on the lot where said amusement device is operating except for candy, drinks, or trinkets of the variety customarily sold at fairs, circuses, or carnivals.

(d) The ferris wheel, merry-go-round, or other rotating amusement device must not be located closer than two hundred (200) feet to the building, office, or retail outlet of any other business, or closer than one hundred (100) feet to any lane of traffic on U.S. Highway 441.

(4) This section shall not apply to the candy striped rotating symbols of barber shops when such devices are not greater than twelve (12) inches in diameter nor more than three (3) feet tall.

(5) This section shall not apply to temporary displays, or other materials, not containing advertising, which are displayed during the time period each year designated as Smokey Mountain WinterFest Celebration. (1979 Code, § 5-504, as amended by Ord. #789, Feb. 2006, and Ord. #937, Feb. 2012)

14-405. Outdoor billboards. It shall here after be unlawful to erect any outdoor billboard or modify any outdoor billboard, which does not have an outdoor advertising device application approval issued by the Tennessee Department of Transportation on or before January 1, 2007, and which is herewith defined as a sign which directs attention to a business, commodity, service, entertainment, or other activity conducted, sold or offered elsewhere than on the premises upon which the sign is located, in any zoning district as defined in the Zoning Ordinance of the City of Pigeon Forge, Tennessee except as here after provided.

No off-premise advertising sign shall be allowed in any district after the effective date of this ordinance,¹ except as provided herein.

Along any principal arterial or major or minor collector on the "Major Thoroughfare Plan, Pigeon Forge, Tennessee," at its intersection with a road leading to a business which business shall not be located on said arterial or collector, only one (1) directional sign for said business may be located, said sign not to be located on a public right of way or public property except as provided hereinafter. Should designation of a street change in classification, directional signs made nonconforming by such change shall be allowed to continue no longer than one (1) year from the effective date of such change. It is the purpose of this section to encourage all businesses to use common signs so that there will be no confusing clusters of signs at intersections.

The following schedule is used to determine the area of such signs:

<u>Sign Advertizing</u>	<u>Square Footage</u>	<u>Maximum Height</u>
1 Business	9 square feet	8 feet
2 Businesses	18 square feet	10 feet
3 Businesses	27 square feet	15 feet
4 or more Businesses	36 square feet	20 feet
	PLUS AN ADDITIONAL 5 SQUARE FEET FOR EACH BUSINESS OVER 4, TO A TOTAL OF 85 SQUARE FEET.	

In a situation where property is not available at an intersection for the placing of off premise signs, the City of Pigeon Forge may permit the location of such signs within the right of way of a road, provided that the location of such sign will not interfere with traffic movement and sight distances. Where property is not available and an off-premise sign cannot be satisfactorily located within the adjoining right of way, such sign may be located at the closest available property to the appropriate intersection. For such signs, information may be provided to allow for sufficient directions to each individual business advertised on the sign.

No other information other than the name and nature of, distance to, and trademark for, each business shall be allowed on such sign. Arrows may be used on each sign to point the correct direction of each business.

In cases where any business, structure, location, place of enterprise, or other such attraction, which is listed on the National Historical Register, is desirous of locating an off-premises sun, the following guidelines and restrictions shall apply:

¹This provision was added by Ord. # 111 which became effective on June 14, 1976.

The restrictions for locating any such directional sign will be the same as explained herein above, with no more than one sign per business or attraction allowed. The size restrictions will be as follows:

Each such directional sign shall be single or double faced, with each of said faces not exceeding 3 feet by 18 feet, or 54 square feet. Maximum height shall be 25 feet above grade or street level with a minimum clearance of 8 feet below the face of the sign to ground level. (1979 Code, § 5-505; as amended by Ord. #797, May 2006, and Ord. #815, Dec. 2006)

14-406. Removal of unlawful signs. Whenever it shall appear to the city manager that any sign has been constructed or erected or is being maintained in violation of the terms of this chapter, or is unsafe or insecure, such sign shall either be made to conform with all sign regulations as provided by this chapter or shall be removed within forty-eight (48) hours after written notification thereof to the person or persons responsible therefor by the city manager. Such notice may be served personally or by registered mail. (1979 Code, § 5-506)

14-407. Injunctions. In addition to the other enforcement powers granted by law, the city manager is hereby authorized to make application to a court of competent jurisdiction in the name of the City of Pigeon Forge for writs of injunction to restrain violations of, or compel compliance with, the terms and provisions of this chapter. (1979 Code, § 5-507)

14-408. Inspection of signs. It shall be the duty of the city manager to inspect all outdoor advertising signs, displays, or billboards at least once annually. (1979 Code, § 5-508)

14-409. Advertising on U.S. Highway 441 right of way. It shall be unlawful for any person, partnership, or corporation to place advertising signs or devices of any description within sixty (60) feet of the white line of the outside traffic lane on the right of way of U.S. Highway 441 where said right of way equals three hundred (300) feet in the city. In areas within the city where the right of way is less than three hundred (300) feet, it shall be unlawful for any person, partnership, or corporation to place advertising signs or devices on the right of way of U.S. Highway 441.

Such advertising media shall include, but not be limited to signs of a portable or permanent nature or vehicles or trailers on which advertising signs are painted or mounted whose primary objective is the advertising of a business, product, or service.

This section is not intended to prohibit the normal movement in parking trucks or cars by the public in locations normally used for such parking.

It is not the purpose of this section to set aside or conflict with any state or federal law which may now exist or which may in the future be enacted in

observance of this section shall not relieve any person, partnership, or corporation from compliance with said state or federal law containing provisions more stringent than provisions of this section. (1979 Code, § 5-509)

CHAPTER 5

FLOOD DAMAGE PREVENTION ORDINANCE

SECTION

14-501. Flood damage control to be governed by flood damage prevention ordinance.

14-501. Flood damage control to be governed by flood damage prevention ordinance. Regulations governing flood damage control within the City of Pigeon Forge shall be governed by Ordinance #896, titled "Municipal Flood Damage Prevention Ordinance" and any amendments thereto.¹

¹Ordinance #896, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 6

TOURIST ORIENTED DIRECTIONAL SIGNS

SECTION

14-601. Off-premise directional signage.

14-602. Rules and regulations for tourist oriented directional signs.

14-601. Off-premise directional signage. Off-premise directional signage is permitted only in accordance with the following rules and regulations. (Ord. #575, § 1, Sept. 1998)

14-602. Rules and regulations for tourist oriented directional signs. (1) Preface. (a) Tourist oriented directional signs (hereafter referred to as TODS) provide the traveling tourist to Pigeon Forge, Tennessee with attraction, service and business identification and directional information for establishments related to the tourists needs or interests. The scope of the TODS Program will be limited to the city's generically advertising for businesses who directly provide a direct service to tourists.

(b) The following rules and regulations set forth the criteria to be followed in the application, participation, construction and administration of the TODS Program. If questions arise in the interpretation of these rules and regulations, the City Commission of Pigeon Forge, Tennessee will make the final administrative determination.

(2) Definitions. (a) "Business" means any approved public activity that provides a service, product or attraction for the tourist-oriented towards family oriented visitors or guests.

(b) "Commission" means the Mayor and Board of Commissioners of Pigeon Forge, Tennessee.

(c) "Eligibility distance" means the total roadway distance from the turn on the principal highway where the TODS sign is located to the entry driveway.

(d) "MUTCD" means the Federal Highway Administration's Manual on Uniform Traffic Control Devices, as adopted in Tennessee by law.

(e) "TODS sign" means an individual sign of a generic type business in the TODS Program that consists of the name of the business type (generic), distance from the intersection of the state route, and direction of turn necessary to reach the business.

(f) "TODS sign assembly" means an official sign structure placed within the state's highway right-of-way along the mainline of travel with a business or attraction name, direction of turn, and distance.

(g) "Trailblazer sign" means the sign used in the TODS program on a non-state route that indicates the name, direction, and distance to a tourist activity.

(3) General provisions. Participation in the TODS Program shall be available to lawful cultural, historical, recreational, agricultural, educational, or entertainment activities; state and national parks; and commercial activities which are unique and local in nature; and the major portion of whose income or visitors are derived during its normal business season from motorists not residing in the immediate area of the activity. The purpose is to provide generic advertising for any tourist oriented business. Non-tourist oriented businesses such as funeral homes, automobile repair, furniture sales, adult-oriented businesses, etc., shall not be eligible for a generic sign.

(4) Criteria for the erection of signs for the TODS Program. (a) The TODS Program shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), these rules and regulations, and contract provisions. However, to minimize the interference with the more critical regulatory, warning and guide signs, the TODS sign assembly will be created at least 200 feet from the intersection with the crossroads where possible. In addition to the aforementioned, the following criteria will be met:

(b) The erection of TODS shall require:

(i) Compliance with local zoning and local zoning authorities;

(ii) Compliance with all laws and regulations for scenic highways, in accordance with title 54, chapter 17, part 2, that TODS signing is not allowed on scenic highways, however, pursuant to Tennessee Code Annotated, 54-17-109-15(A)(b), TODS are allowed in certain counties along scenic highways.

(iii) Compliance with provisions regarding illegal signs as defined by the Highway Beautification Act of 1965 (23 U.S.C. 131);

(iv) Erection by the City of Pigeon Forge in a generic, standard sign format as specified in this chapter. No signs erected by individual business owners shall be permitted.

(5) Placement of signs. (a) The placement of individual TODS signs on the TODS sign assembly will be as follows:

(i) Generic commercial activities - no logo's, business names, etc. - that are accessible via a left turn from the intersection will be placed first;

(ii) Generic commercial activities - no logo's, business names, etc. - that are accessible via a right turn from the intersection will then be placed;

(iii) The TODS signs of all generically named commercial activities will be placed according to distance from each direction of turn, starting with the TODS panel of the generic commercial

activity with the shortest eligibility distance and going to the TODS panel of the business with the greatest eligibility distance.

(iv) A historic district shall be allowed a separate panel.

(b) For any given intersection and for each direction of travel only four business panels shall be installed for each direction of turn.

(c) A separate TODS sign assembly shall be erected for each direction in turn, except where no more than two approved generic commercial activities are available for each direction of turn. The commission, in that case, may elect to display a single TODS sign for up to four (4) generic commercial activities, with those four (4) commercial activities which can be reached by turning left on the top of the sign assembly, and the four (4) business which can be reached by turning right, placed directly below the others.

(d) A generic commercial activity will have its TODS sign installed adjacent to an intersection that provides it with the shortest eligibility distance.

(e) Wording on the TODS sign shall be limited to the generic name of businesses. Generic names are those which are commonly descriptive of a class of business such as campgrounds, crafts, restaurants, outlet shopping, amusements, lodging, churches, historic area, etc. No descriptive advertising words, phrases, or slogans shall be allowed on the TODS sign; such as hours of operation, special promotions, merchandise, prices, or business affiliations.

(f) Trailblazer signs may be installed to indicate the need for an additional turn to reach a participating business. All trailblazer signs shall have the same generic commercial activity name as shown on the mainline TODS sign, a directional arrow and distance to the business.

(6) Business eligibility, criteria, restrictions. (a) To be eligible for participation on a TODS sign, a business establishment shall be located off the principle state route, but within five (5.0) miles of the state highway.

(b) No generic commercial activity signage shall be permitted for commercial activities not within the corporate limits.

(7) Sign composition. TODS signs shall be 60" x 15" and shall have a white legend and border on a blue background. Mainline signs on state routes will be fabricated and installed by the city. Trailblazer signs should be similar in appearance and detail to the mainline signs. The purchase and installation of trailblazer signs are the responsibility of the City of Pigeon Forge, Tennessee. The sign faces shall be fabricated from encapsulated lens reflective sheeting meeting Tennessee Standard Specification 916.06, Type III. The sign faces shall be applied to 0.100 flat sheet aluminum sign blanks conforming to ASTM-B 209 Alloy 6061-T6 or 5052-H38.

(8) TODS installation and maintenance. All TODS sign assemblies will be installed by the City of Pigeon Forge on state rights-of-way. Additional directional signs (trailblazers) required to guide the traveler to the generic

commercial activity after leaving the state route shall be installed by the city before the mainline signs are installed.

(9) Inspections and liability. The City of Pigeon Forge have no liability for business lost due to TODS panels becoming temporarily out of service, and the display of the generic commercial activity on the City of Pigeon Forge's sign structures is not to be considered an endorsement or recommendation by the state on behalf of the business. (Ord. #575, § 1, Sept. 1998)