

Comparisons of Code for Commercial Façade Regulations

**Takoma Park Code 8.40
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<p align="center">Article 2. Standards</p> <p>8.40.060 County regulations. A. Montgomery County standards and regulations shall apply within all commercial areas of Takoma Park including: 1. Building Code regulations (latest version). 2. Sign Ordinance Article 59-F of the Montgomery County Code (latest version). B. The following Takoma Park City Codes shall apply: Chapter 6.12, Property Maintenance Code and Section 10.16.020 of this code.</p> <p>(Editorially amended during 2003 codification: Ord. 1999-43 § 2A, 1999)</p>	<p>Montgomery County Code Zoning Chapter 8 Buildings</p> <p>Montgomery County Code Zoning Chapter 59-6.7: General Development Requirements, Signage</p> <p>Takoma Park Code Chapter 6.12 Property Maintenance Code</p> <p>Takoma Park Code 10.16.020 Disposal of refuse on private property.</p>
<p>8.40.070 City standards—Applicability. A. The City Standards for design set forth in Section 8.40.080 and in subsequent sections shall apply to the following areas upon adoption of such Standards by the Montgomery County Historic Preservation Commission: 1. Takoma Old Town: All commercial properties located on Laurel Avenue and Carroll Avenue (MD 195), between Eastern Avenue and Columbia Avenue; 2. Takoma Junction: All commercial properties located on Carroll Avenue (MD 195) and Ethan Allen Avenue (MD 410) between Philadelphia Avenue (MD 410), Lee Avenue, and Sycamore Avenue; 3. All other commercial properties in the City on a voluntary basis only. B. The City Standards for maintenance set forth in Section 8.40.080 and in subsequent sections shall apply to all commercial properties in Takoma Park. (Ord. 1999-43 § 2B, 1999)</p>	<p>Montgomery County Code Chapter 24A-6. Historic area work permits-Generally. (a) Required. An historic area work permit for work on public or private property containing an historic resource must be issued pursuant to the provisions of this chapter before: (1) Constructing, reconstructing, moving, relocating, demolishing or in any manner modifying, changing or altering the exterior features of any historic site or any historic resource located within any historic district. (2) Performing any grading, excavating, construction or substantially modifying, changing or altering the environmental setting of an historic site or an historic resource located within an historic district; (3) Erecting or causing to be erected any sign or advertisement (with the exception of those signs which temporarily advertise for sale an historic site or an historic resource located within an historic district, or which for a temporary period advertise a political viewpoint) on the exterior or on the environmental setting of any historic site or any historic resource located within any historic district.</p> <p>Montgomery County Code Chapter 26-10. Maintenance of nonresidential property. The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements: (a) Grounds maintenance. Each lawn or other land</p>

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	<p>(b) not covered by a structure must be properly maintained reasonably free of erosion, gullying, and missing ground cover. All weeds and grass must be cut periodically, and must not grow more than 12 inches high when required by Chapter 58. Lawns, shrubbery, trees, vines, hedges, dead trees or branches, and other vegetation must be maintained so they do not endanger public health or safety.</p> <p>(b) Structure maintenance. Each structure must be structurally sound and maintained in good repair. Each surface exposed to the elements and susceptible to deterioration must be painted or provided with a suitable, weather-resistant protective coating sufficient to prevent deterioration.</p> <p>(c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof, canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration. Each exterior surface must be maintained free of flaking, peeling, or loose paint, and graffiti as defined in Section 32-12A.</p> <p>(d) Rubbish and garbage. All rubbish and garbage must be stored in approved containers as required by Chapter 48. The owner and each tenant of a nonresidential structure are both responsible for providing sufficient rubbish and garbage containers to prevent overflow, and for maintaining the premises as required by Chapter 48. Litter, rubbish, refuse, and garbage must not remain on the property outside of approved storage containers, or containment areas approved for bulk objects, for more than 24 hours. An owner or tenant of any nonresidential property must not let trash, litter, or rubbish be carried to or deposited on any street, sidewalk or other public or private property.</p> <p>(e) Paved surfaces. The paved and gravel surfaces of each entry apron, driveway, sidewalk, and parking lot must be maintained in good, serviceable, and safe condition.</p> <p>(f) Public nuisance. Each owner, after notice, must eliminate any condition which creates a public nuisance in a manner that will prevent its reoccurrence. (1988 L.M.C., ch. 23, § 2; 2002 L.M.C., ch. 15, § 1.)</p>
<p>8.40.080 City standards—Intent—Review</p>	<p>Montgomery County Code 24A-8. Same-Criteria for</p>

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<p>A. These City Standards are intended to promote and enhance the unique character of Takoma Park; to help provide and maintain economically viable, attractive and convenient business districts; to protect and enhance property values; to cultivate and maintain a positive visual image; to assist in disseminating knowledge regarding redevelopment funds; and to promote the public welfare.</p> <p>B. The City Standards shall to the maximum practical extent, clearly differentiate between issues such as maintenance/new construction/alterations, historic/non-historic, requirements/recommendations, and City/County permits.</p> <p>C. The City Standards should be reviewed and updated, as necessary, through a public hearing process at least once every 3 years by the City Council with the advice and assistance of the FAB. (Ord. 1999-43 § 2C, 1999)</p>	<p>issuance.</p> <p>(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:</p> <p>(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or</p> <p>(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;</p>
<p>8.40.090 Roofs.</p> <p>A. Design (Materials/Modifications).</p> <p>1. Roof shapes, materials and colors shall be compatible with the historic nature (if applicable) and character of the building and neighborhood.</p> <p>2. Skylights and solar collectors (if used) shall be aesthetically integrated into the roof profile and coordinated with roofing materials and finishes.</p> <p>3. Rooftop mechanical equipment, antennas, satellite dishes and similar elements shall not be permitted to be in view of the public right-of-way. When it is necessary to be located within a viewable area, such items shall be screened in a manner that is compatible with the roof profile and materials.</p> <p>4. Extraneous and unused elements, including but not limited to signs, equipment, and billboards, shall be prohibited.</p>	<p>Montgomery County Code 24A-8. Same-Criteria for issuance.</p> <p>(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:</p> <p>(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or</p> <p>(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;</p> <p>Montgomery County Code Zoning Chapter 8 Buildings</p>
<p>B. Maintenance. Roofing materials, chimneys and other auxiliary structures shall be kept in a good state of repair and appearance. (Ord. 1999-43 § 2D, 1999)</p>	<p>Montgomery County Code Chapter 26-10 Maintenance of nonresidential property.</p> <p>The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <p>(c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof,</p>

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	<p>canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration. Each exterior surface must be maintained free of flaking, peeling, or loose paint, and graffiti as defined in Section 32-12A.Maintenance</p>
<p>8.40.100 Exterior walls. A. Design (Modifications/Replacement). 1. All elements of building facades shall be compatible with the original materials and construction of the building. 2. Brick, stone, and other masonry surfaces shall be cleaned in the gentlest manner possible, repaired, and repointed as required and preserved in their original color and texture. 3. Stucco surfaces shall have a similar texture to the original or remaining existing surfaces. 4. Exterior finishes and colors shall be compatible with neighboring structures. 5. Plywood and/or asphalt shingle siding shall not be permitted. 6. Window/through-wall type air-conditioning units if used, shall be harmonious with the facade and shall not interfere with or be hazardous to pedestrian circulation and shall not drain to the sidewalk. 7. Vinyl gutter and down spouts are permitted. 8. Miscellaneous elements which are not of historic value such as empty electrical boxes, conduits, pipes, unused sign brackets, and alarm units shall be removed.</p>	<p>Montgomery County Code 24A-8. Same-Criteria for issuance. (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter. (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that: (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship;</p>
<p>B. Maintenance. 1. All exterior facade materials shall be maintained in</p>	<p>Montgomery County Code Chapter 26-10 Maintenance of nonresidential property.</p>

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<p>sound and attractive condition.</p> <ol style="list-style-type: none"> 2. Rotten, broken, or otherwise deteriorated materials shall be repaired or replaced in kind. 3. Peeling and/or chalking painted surfaces shall be repainted or otherwise refinished in a manner aesthetically compatible with their location. 4. Gutters and down spouts shall be kept securely attached. (Ord. 1999-43 § 2E, 1999) 	<p>The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <ol style="list-style-type: none"> (c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof, canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration. Each exterior surface must be maintained free of flaking, peeling, or loose paint, and graffiti as defined in Section 32-12A.Maintenance.
<p>8.40.110 Architectural details.</p> <p>A. Design (Modifications/Replacement).</p> <ol style="list-style-type: none"> 1. Cornices shall be restored or replaced to be compatible with their original historic design of the building as part of any substantial facade renovation work. 2. Signs covering building cornices shall be removed and the cornice repaired and restored. 3. Lintels, arch work, and sills over windows shall be preserved, restored or replaced in a style compatible with the original construction. 4. Windows shall be of matching or otherwise compatible design and material and shall be of the same height and width as existed in the original construction. Vinyl-clad wood or metal or other weather resistant materials may be considered. 5. Ornamental window grilles or balconettes may be incorporated as decorative or security devices. 6. Boarding or filling in windows on street front and side facades shall be prohibited. 7. Windows facing alleys or yards may be closed with materials and a design that matches or are compatible with the surrounding materials and finishes. 8. Textured or colored glass and ribbed or patterned metal shall not be permitted as replacement materials for shopfront windows. 9. Non-metal security grilles, screens, and mesh wire shall be prohibited. 10. Public entry doors, including stoops and approaches shall be accessible to persons with disabilities to the maximum extent practical without being detrimental to the historical value of the property. 11. Doorway steps, stoops, or ramps shall be compatible with the original design of the building. 	<p>Montgomery County Code 24A-8. Same-Criteria for issuance.</p> <ol style="list-style-type: none"> (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter. (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that: <ol style="list-style-type: none"> (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or (5) The proposal is necessary in order that the owner of the subject property not be deprived of

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<p>Where there are more than 2 risers, railings shall be installed.</p> <p>12. Rigid fixed awnings, canopies, and similar overhangs for weather protection and compatible with the building design are permitted over the first floor and on upper floor windows and entrances. Wooden shingle mansard type awnings are prohibited. Cloth awnings shall be made with fire retardant material.</p> <p>13. First floor awnings shall terminate not higher than 6" below the second floor window sill. The front valance of awnings shall not exceed one foot in depth. Signs, symbols or other designs compatible with the facade and in conformance with sign requirements are permitted on awnings.</p>	<p>reasonable use of the property or suffer undue hardship; or</p> <p>(6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.</p> <p>(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.</p> <p>Montgomery County Code 59.Section 6.7.9. Commercial/Residential, Employment, and Industrial Zones</p> <p>3. Canopy Sign (see details under Signs, below)</p>
<p>B. Maintenance.</p> <p>1. Cornices shall be structurally sound. Rotted or weakened portions shall be repaired or replaced. All exposed wood shall be painted or otherwise finished.</p> <p>2. Windows must be tight fitting. Rotted, broken, loose or otherwise deteriorated or damaged sashes, window panes, mullions, and muntins shall be repaired or replaced in kind. All exposed wood shall be painted or otherwise finished.</p> <p>3. Faded, peeling or similarly deteriorated awnings shall be removed, replaced, or repaired.</p> <p>4. Extraneous and/or unused hardware, signs, and equipment shall be removed.</p> <p>5. Broken, rotten, or damaged elements shall be removed, replaced or repaired.</p> <p>6. Security grilles shall be free of rust, peeling paint or other unsightly appearance.</p> <p>7. Solid or other similarly permanently enclosed, covered or painted shopfront windows shall not be permitted.</p> <p>8. Vending machines located within 25' of the sidewalk shall be screened from view. (Ord. 1999-43 § 2F, 1999)</p>	<p>Montgomery County Code Chapter 26-10 Maintenance of nonresidential property.</p> <p>The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <p>(c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof, canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration. Each exterior surface must be maintained free of flaking, peeling, or loose paint, and graffiti as defined in Section 32-12A.Maintenance</p>
<p>8.40.120 Signs.</p> <p>A. Design Standards for Modification or Construction of New or Replacement Signage.</p> <p>1. Zoning Regulations. All permanent and temporary signage shall be installed and maintained in accordance with the regulations set forth in Montgomery County</p>	<p>Montgomery County Code 59.Section 6.7.9. Commercial/Residential, Employment, and Industrial Zones</p> <p>A. Base Sign Area</p> <p>The maximum total area of all permanent signs on a lot or parcel in a Commercial/Residential, Employment, or Industrial zone is 800 square feet, excluding the</p>

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<p>Code Article 59-F.</p> <p>2. Required Permits. Historic Area Work Permits shall be secured from the Montgomery County Historic Preservation Commission prior to the installation or modification of a sign in designated historic districts. Sign permits shall be obtained from the Montgomery County Department of Permitting Services prior to sign installation.</p> <p>3. General Requirements. In general, signs should not obscure or detract from architectural details. Signs should be positioned and designed to complement and emphasize the building architecture, including special shapes or details of the facade; draw attention to the building entrance; or to emphasize a display window where feasible and desirable.</p> <p>4. Wall Signs. Signs that are mounted parallel to the wall of the building may not extend more than 8 inches from the building face.</p> <p>5. Projecting Signs. Projecting signs may not extend more than 3 feet from the building face.</p> <p>6. Awning or Canopy Signs. Signs may be incorporated as part of awnings or canopies. Images and lettering should be confined to the vertical face.</p> <p>7. Freestanding Signs. Signs erected on the ground or attached to a structure such as a post, pole or column as its sole source of support, should be appropriate to the context, balanced in size and in height and not unduly obstruct the view of the building or the view along the streetscape.</p> <p>8. Temporary Signs. Aggregated area of all temporary signs in a window may not exceed more than 20% of the window area and may not remain in place for more than 30 days.</p> <p>9. Limited Duration Signs. The provisions of this chapter shall apply to all banners and other limited duration signs as defined by Montgomery County Code Article 59-F.</p> <p>10. Sign Materials. Sign materials should be durable and easy to maintain. Appropriate materials include but are not limited to painted or carved wood, aluminum, stone, acrylic, neon, glass, and stained glass.</p> <p>11. Illumination. Light sources external to the sign surface and directed downward toward the sign are preferred. The light level should not overpower the facade or other elements of the building or adjacent streetscape. The light source should be shielded from pedestrian view. Internal lighting may be appropriate where only letters are illuminated or neon is used.</p>	<p>additional area allowed by other provisions of Division 6.7, without submitting a sign concept plan to DPS. The maximum sign area for an individual sign in these zones is 200 square feet.</p> <p>1. Freestanding Sign</p> <p>a. One sign is allowed at each customer entrance to the building or driveway.</p> <p>b. The maximum sign area for a lot or parcel is 2 square feet for each linear foot of frontage.</p> <p>i. Where a lot or parcel has frontage on more than one street, signs may be erected facing each street, or may be erected at a location which allows it to be seen along each street on which the site has frontage.</p> <p>ii. For a lot that has less than 50 feet of frontage, the sign area is based on the length of the lot line closest to the street toward which the sign is to be oriented. The applicant is restricted to using only one street and the property line closest to that street.</p> <p>c. A sign must be set back at least ¼ of the distance required for the building setback for the zone.</p> <p>d. The maximum height of the sign is the height of the tallest building on the same premises as the sign or 26 feet above the ground, whichever is less.</p> <p>e. The sign may be illuminated (see Section 6.7.6.E).</p> <p>2. Wall Sign</p> <p>a. One sign is allowed for each customer entrance. A customer entrance includes, but is not limited to, a direct outside entrance to a shop or store, and a direct outside entrance to an enclosed mall or shopping center.</p> <p>b. The maximum sign area is 2 square feet for each linear foot of building frontage. Building frontage is the side of a building that abuts, parallels, or is nearest to parallel with, a street, a parking area, or other circulation area open to the general public and that has either a main window display or a public entrance to the building. A shop or store with an outside entrance is considered to have its own building frontage, which is the front width of the portion of the building occupied for that use.</p> <p>c. A sign or supporting structure of a flat wall sign must extend 12 inches or less from the wall.</p> <p>d. A projecting wall sign may project 42 inches from the building, but not closer than 8 feet to a curb line. The sign may project over a public right-of-way only where there is no building setback.</p> <p>e. The maximum height of a sign is 26 feet and must meet the following standards:</p>
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<p>12. Sign Shape. Signs should be designed in simple, straightforward shapes that convey their messages clearly. Symbols should be easily readable.</p> <p>13. Graphics. Lettering should be properly proportioned and easy to read. In most instances, simple fonts are preferred. The number of fonts should be limited to 2 per sign. As a general rule, the letters should not occupy more than 75% of the total sign panel. Finishes should be matte or non-glare with graphics in high contrast to their backgrounds.</p>	<p>i. A sign that extends above any portion of the roof or that is placed on any roof surface is prohibited;</p> <p>ii. A sign that projects over a public right-of-way or public ingress or egress must have a minimum clearance above the ground of 10 feet for a sign that projects over a pedestrian walkway and 18 feet for a sign that projects over a street or driveway.</p> <p>f. The sign may be illuminated (see Section 6.7.6.E).</p> <p>3. Canopy Sign</p> <p>a. The maximum canopy sign area is 2 square feet for each linear foot of building frontage, not to exceed 200 square feet. Building frontage is the side of a building that abuts, parallels, or is nearest to parallel with, a street, a parking area, or other circulation area open to the general public and that has either a main window display or a public entrance to the building. Excluding lighting internal to the canopy which has the sole purpose of lighting the customer area for service or safety, the sign area of an illuminated canopy sign is the total illuminated surface area that can be seen at any one time from one vantage point outside the property lines of the property where the sign is located.</p> <p>b. The location of a canopy sign is determined by the building permit requirements for the canopy. If no building permit is required, the location requirements are the same as that of a freestanding sign.</p> <p>c. The height of the sign is determined by the building permit requirements for the canopy and is a maximum of 26 feet. If no building permit is required, the height limits are the same as those of a projecting wall sign.</p> <p>d. A canopy sign that includes only the name of the business, the address or the official logo of the occupant is a location sign.</p> <p>e. The sign may be illuminated (see Section 6.7.6.E).</p> <p>B. Additional Sign Area</p> <p>1. Location Sign</p> <p>Additional sign area is allowed for a permanent location sign if the sign is a ground sign or flat wall sign. Each sign must meet the following requirements:</p> <p>a. One sign may be placed on each face of the building. When a building has 4 or more building faces, a maximum of 4 location signs may be installed or constructed on the building.</p> <p>b. The maximum sign area is 100 square feet for each sign.</p> <p>c. The location is the same as provided generally for the zone based on the type of sign. A location sign erected as a ground sign must satisfy the setback</p>
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	<p>restrictions for a freestanding sign, and a location sign erected as a wall sign must satisfy the requirements for a wall sign.</p> <p>d. A sign may be placed on each face of a building more than 26 feet from the ground if it is located below the eave or parapet and at least 10 feet from the corner of the building.</p> <p>e. An entrance sign that is a freestanding location sign must be placed at least 100 feet from another freestanding sign. A wall location sign at an entrance must be placed at least 30 feet from another wall sign.</p> <p>f. The sign may be illuminated (see Section 6.7.6.E).</p> <p>2. Freestanding Sign for Sites Larger than 5 Acres Additional sign area is allowed for a freestanding sign erected at any driveway entrance to an industrial or commercial center that is larger than 5 acres. The sign must meet the following requirements:</p> <p>a. 2 signs per customer entrance are allowed.</p> <p>b. The maximum sign area is 200 square feet per sign.</p> <p>c. A sign must be set back at least ¼ of the distance required for the building setback for the zone.</p> <p>d. The maximum height of a sign is 26 feet.</p> <p>e. Each sign or pair of signs must be placed a minimum of 200 feet from another sign or pair of signs.</p> <p>f. The sign may be illuminated (see Section 6.7.6.E). (Legislative History: Ord. No. 18-18, §1.)</p>
<p>B. Maintenance Standards. Signs shall be appropriately maintained with missing lettering, peeling paint, and other signs of deterioration corrected in a timely fashion. Damaged and obsolete signs, as well as associated posts, wiring and structures, shall be repaired or removed within 30 days of notice by the City. (Ord. 2007-49, 2007: Ord. 1999-43 § 2G, 1999)</p>	<p>Montgomery County Code Chapter 26-10 Maintenance of nonresidential property. The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <p>(c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof, canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration. Each exterior surface must be maintained free of flaking, peeling, or loose paint, and graffiti as defined in Section 32-12A.Maintenance</p>
<p>8.40.130 Lighting. A. Design (Modifications/Replacement).</p> <p>1. Exterior lighting may be installed to illuminate the building facade and entry. Lighting</p>	<p>Montgomery County Code 24A-8. Same-Criteria for issuance. (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this</p>

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<p>fixtures must be located, aimed and shielded so that the light is directed only onto the building and not toward adjacent roads.</p> <p>2. Lighting fixtures shall be compatible with the design of the building and may not project more than 24" from the face of the building.</p> <p>3. Maximum facade illumination shall not exceed an average of 5 foot candles.</p> <p>4. The following lighting sources are permitted:</p> <ul style="list-style-type: none"> a. Fully recessed down lights with a bulb not visible at pedestrian eye level; b. Wall washers in projecting metal box or goose neck fixtures with a diffuser or reflector fully shielded light sources, not visible at pedestrian eye level; c. Individually lit letters internally or backlit. <p>5. The following lighting methods are not permitted:</p> <ul style="list-style-type: none"> a. Exposed (visible) fluorescent, quartz or mercury vapor lamps; b. Exposed incandescent lamps other than low wattage, decorative type fixtures lighting; c. Flood lights which create glares to vehicles, or occupants of buildings; d. Low pressure sodium; e. Lights which blink, black out, flash, or create a motion effect. <p>6. Electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switch and panel boxes shall be concealed from view.</p>	<p>chapter, if it finds that:</p> <ul style="list-style-type: none"> (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or <p>Montgomery County Code 59,6.7.6 Permanent Signs</p> <p>E. Illumination</p> <p>When illumination of a sign is permitted, the applicant must satisfy the following requirements:</p> <ul style="list-style-type: none"> 2. Sign illumination must use an enclosed lamp design or indirect lighting from a shielded source and be 0.5 footcandles or less at the property line if the subject property abuts a property that is improved with a residential use in any zone or is vacant in a Residential zone; 3. A sign illuminated in a pattern or lighting combination that resembles a traffic signal is prohibited; 4. A sign illuminated by flashing, revolving or intermittent lights, or lights of changing intensity is prohibited; and 5. A sign on a lot or parcel within 150 feet of a residential use must be illuminated only during the hours the entity is open for public business, unless the applicant demonstrates that the sign is located so that no adverse impact will affect the residential use.
<p>B. Maintenance.</p>	<p>Montgomery County Code Chapter 26-10 Maintenance of nonresidential property.</p>

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<ol style="list-style-type: none"> 1. Low level facade lighting is recommended to be operational to 11:00 pm. 2. Continuous internal security/police surveillance night lighting is recommended for all street level businesses. (Ord. 1999-43 § 2H, 1999) 	<p>The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <p>(c) Exterior surfaces. Each exterior surface and appurtenance, such as a wall, window, door, roof, canopy, step, walkway, planter box, or sign, must be maintained in good condition, with materials having properties and qualities substantially equal to the original materials, and substantially free from damage and deterioration.</p>
<p>8.40.140 Rear and side yards.</p> <p>A. Design (Modifications/Replacement).</p> <ol style="list-style-type: none"> 1. Paved rear yards may be used for parking or loading. 2. Storage or trash containers shall be screened from public view. 3. Parking areas shall be screened from adjoining residential property. 4. Refuse and storage areas shall be screened from the view of adjacent properties and public rights-of-way. Screening may consist of masonry walls or durable wooden fences not less than 4' nor more than 6' high, or compact dense evergreen hedges not less than 4' high at time of installation. 	<p>Montgomery County Code 24A-8. Same-Criteria for issuance.</p> <p>(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:</p> <p>(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or</p> <p>(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or</p> <p>(4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or</p>
<p>B. Maintenance.</p> <ol style="list-style-type: none"> 1. Yards shall be maintained to provide a neat appearance and not detract from the building or surrounding neighborhood. 2. Refuse and storage areas must be maintained and kept neat in appearance at all times. (Ord. 1999-43 § 2I, 1999) 	<p>Montgomery County Code Chapter 26-10. Maintenance of nonresidential property.</p> <p>The owner of each nonresidential property, including any property converted from residential use, must comply with the following requirements:</p> <p>(a) Grounds maintenance. Each lawn or other land not covered by a structure must be properly maintained reasonably free of erosion, gullyng, and missing ground cover. All weeds and grass must be cut periodically, and must not grow more than 12 inches high when required by Chapter 58. Lawns, shrubbery, trees, vines, hedges, dead trees or branches, and other vegetation must be maintained so they do not endanger public health or safety.</p> <p>(d) Rubbish and garbage. All rubbish and garbage must be stored in approved containers as required by Chapter 48. The owner and each tenant of a nonresidential structure are both responsible for</p>

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	<p>providing sufficient rubbish and garbage containers to prevent overflow, and for maintaining the premises as required by Chapter 48. Litter, rubbish, refuse, and garbage must not remain on the property outside of approved storage containers, or containment areas approved for bulk objects, for more than 24 hours. An owner or tenant of any nonresidential property must not let trash, litter, or rubbish be carried to or deposited on any street, sidewalk or other public or private property.</p> <p>(e) Paved surfaces. The paved and gravel surfaces of each entry apron, driveway, sidewalk, and parking lot must be maintained in good, serviceable, and safe condition.</p>
<p>8.40.150 New buildings. Facades must be compatible with and enhance the character of the adjacent areas and approved by the Montgomery County Historic Preservation Commission. (Ord. 1999-43 § 2J, 1999)</p>	<p>Montgomery County Code 24A-8. Same-Criteria for issuance.</p> <p>(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:</p> <p>(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or</p> <p>(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;</p> <p>(6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.</p> <p>(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.</p>
<p>8.40.160 Compliance procedures. A. Reviews and Approvals.</p> <p>1. Design plans are required to be reviewed and approved by Montgomery County before</p>	<p>Takoma Park Code Chapter 1.04.120 Municipal infractions</p> <p>A. Issuing Citations. The City Manager shall designate enforcement officers who shall have primary responsibility for issuing municipal infraction citations.</p>

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<p>proceeding with work.</p> <p>2. The City of Takoma Park notes that the Montgomery County Historic Preservation Commission may refuse to approve drawings, plans, or specifications that are not suitable or desirable for aesthetic or functional reasons; and shall have the right to take into consideration issues such as, but not limited to, the suitability of the site plan, architectural treatment, plans, elevations, materials and color, construction details, streets, sidewalks, and the harmony of the plans with the surrounding area.</p> <p>3. All demolition applications are subject to review and approval by the Montgomery County Historic Preservation Commission as stipulated under Chapter 24-A of the Montgomery County Code.</p> <p>4. To help facilitate approval, it is recommended that plans also be reviewed and submitted to the County with an endorsement/comment report by the FAB.</p>	<p>An enforcement officer may issue a citation for a municipal infraction if the officer:</p> <ol style="list-style-type: none"> 1. Observes a violation of the Takoma Park Code; or 2. Receives an affidavit citing the facts of the alleged infraction. <p>B. Contents of Citations. The citation must contain:</p> <ol style="list-style-type: none"> 1. A certification by the enforcement officer that the information in the citation is true or that the citation is based on an affidavit. 2. The name and address of the person charged. 3. A description of the nature of the infraction. 4. The location and time that the infraction occurred. 5. The amount of the infraction fine assessed. 6. The manner, location and time in which the fine may be paid to the City. 7. Notice of the person’s right to elect to stand trial for the infraction. 8. Notice of the effect of failing to pay the assessed fine or demand a trial within the prescribed time. <p>C. Serving Citations. The citation shall be served on the person charged by:</p> <ol style="list-style-type: none"> 1. Personal delivery; 2. Certified mail addressed to the last known address of the person to be served if the return receipt is returned indicating that the certified mail was received by the recipient; 3. Leaving the citation at the person’s residence with a person of suitable age and discretion if the person to be served is an individual; or 4. For real property-related violations, sent by regular first-class mail to the last known address of the person to be served and posted in a conspicuous location on the real property where the infraction occurred or is occurring and, if located in the City, posted at or delivered to the residence or place of business of the person to be notified.
<p>B. Enforcement.</p> <ol style="list-style-type: none"> 1. The City shall provide training to the staff of the Office of Code Enforcement, and distribute informational materials to affected building and business owners. 2. Not sooner than 8 months following the date of adoption of the City Standards by 	<p>Takoma Park Code Chapter 1.04.120 Municipal infractions</p> <p>A. Issuing Citations. The City Manager shall designate enforcement officers who shall have primary responsibility for issuing municipal infraction citations. An enforcement officer may issue a citation for a municipal infraction if the officer:</p> <ol style="list-style-type: none"> 1. Observes a violation of the Takoma Park Code; or

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<p>Montgomery County Historic Preservation Commission, the Façade Advisory Board shall notify the owners of properties determined not to be in compliance with the City Standards set forth in Section <u>8.40.080</u>. Notice shall be in writing and shall include a statement of the suggested corrective action and a notice that the FAB is available to provide assistance by appointment.</p> <p>3. Should the Office of Code Enforcement identify a property which is not in compliance with the City Standards set forth in Section <u>8.40.080</u>, Code Enforcement may issue a written notice of violation to the property owner which shall:</p> <ul style="list-style-type: none"> a. Include a legal description or the street address of the property; b. Include a detailed description of the violation; c. State a reasonable time for the property owner to abate the violation. <p>4. Notices of violation shall be deemed to have been properly served by personal delivery, or by first class mail to the property owner’s last known address, or by any other method authorized by the laws of the State of Maryland and the City.</p> <p>5. If a property owner does not abate the violation within the time allowed for correction, the maintenance provisions of the City Standards set forth in Section <u>8.40.080</u>, then a citation for a Class C municipal infraction may be issued to the property owner or other responsible party. (Ord. 2002-7 (part), 2002/Ord. 1999-43 § 2K, 1999)</p>	<p>2. Receives an affidavit citing the facts of the alleged infraction.</p> <p>B. Contents of Citations. The citation must contain:</p> <ul style="list-style-type: none"> 1. A certification by the enforcement officer that the information in the citation is true or that the citation is based on an affidavit. 2. The name and address of the person charged. 3. A description of the nature of the infraction. 4. The location and time that the infraction occurred. 5. The amount of the infraction fine assessed. 6. The manner, location and time in which the fine may be paid to the City. 7. Notice of the person’s right to elect to stand trial for the infraction. 8. Notice of the effect of failing to pay the assessed fine or demand a trial within the prescribed time. <p>C. Serving Citations. The citation shall be served on the person charged by:</p> <ul style="list-style-type: none"> 1. Personal delivery; 2. Certified mail addressed to the last known address of the person to be served if the return receipt is returned indicating that the certified mail was received by the recipient; 3. Leaving the citation at the person’s residence with a person of suitable age and discretion if the person to be served is an individual; or 4. For real property-related violations, sent by regular first-class mail to the last known address of the person to be served and posted in a conspicuous location on the real property where the infraction occurred or is occurring and, if located in the City, posted at or delivered to the residence or place of business of the person to be notified.
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