

CHAPTER 1282
Signs

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CROSS REFERENCES

Signs on windshields - see TRAF. 438.23
 Liquor age warning signs - see GEN. OFF. 612.06
 Billposting - see GEN. OFF. 642.28
 Street signs - see P. & Z. 1220.10

1282.01 PURPOSE.

This chapter, including provisions to control the type, design, size, location, motion, illumination and maintenance of signs, is established in order to:

- (a) Maintain high value Residential Districts and promote attractive public facilities by permitting only nameplates and signs related to the development, rental or sale of properties in such Districts;
- (b) Provide reasonable conditions for advertising goods sold or services rendered in Commercial and Industrial Districts by relating the size, type and design of signs to the type and size of establishments;
- (c) Eliminate any conflict between traffic control and advertising signs which would be hazardous to the safety of the motoring public or pedestrians;
- (d) Control the design of signs so that their appearance will be aesthetically harmonious with an overall urban design for the area;

- (e) Promote the most desirable developments and economic activity in accordance with the objectives of the Land Use Plan; and
- (f) Provide a mechanism for the eventual removal of signs not complying with this chapter.
(Ord. 99-31. Passed 10-12-99.)

1282.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words not defined in this section but otherwise defined in this Zoning Code shall be given the meanings set forth therein:

- (1) Abandoned Sign shall mean a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.
- (2) Address or Building Number Sign shall mean a freestanding or wall sign which identifies the address of the property.
- (3) Aerial Sign shall mean any balloon, or other airborne flotation device which is tethered to the ground or to a building or other structure which directs attention to a business, commodity, service, or entertainment conducted, sold or offered.
- (4) Awning shall mean a shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. (Compare aMarquee@)
- (5) Awning Sign shall mean a sign painted on, printed on or attached flat against the surface of an awning.
- (6) Banner Sign shall mean a temporary on-premises sign intended to be hung either with or without a frame, possessing graphics applied to non-rigid materials, excluding official flags, emblems and insignia or political, professional, religious, educational or corporate organizations, provided that such flags, emblems and insignia are displayed for noncommercial purposes. Banner signs may also include streamers or ribbons.
- (7) Bench Sign shall mean advertising or business signs painted on or affixed to a bench, chair, seat or other structure or device designed or used for sitting purposes.
- (8) Billboard Sign (Outdoor Advertising Sign) shall mean a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
- (9) Building Code shall mean the Building Code as adopted by the City of Monroe and codified in Part Fourteen - the Building and Housing Code of these Codified Ordinances.
- (10) Building Facade shall mean the entire building front, including the parapet.
- (11) Canopy shall mean a structure other than an awning made of cloth, metal or other material with frames affixed to a building and/or carried by a frame which is supported by the ground.
- (12) Canopy Sign shall mean any sign that is a part of or attached to a canopy.

- (13) Changeable Copy Area (automatic) shall mean a sign designed so that the characters, letter or illustrations can be changed or rearranged automatically on a lampbank or through mechanical means (e.g. electrical or electronic time and temperature units).
- (14) Changeable Copy Area (manual) shall mean a sign designed so that the characters, letter or illustrations can be changed or rearranged manually without altering the sign display surface. May also be known as readerboards. Changeable copy signs shall not be used to display commercial messages relating to products or services that are not offered on the premises.
- (15) City shall mean the City of Monroe.
- (16) Clearance (of a sign) shall mean the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including the framework and embellishments, extending over that grade.
- (17) Construction Sign shall mean a temporary sign identifying individuals or companies involved in design, construction, wrecking, financing or development when placed upon the premises where work is under construction.
- (18) Directional/Informational Sign shall mean a sign providing no advertising of any kind, which guides vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directional instruction and which may include the identification of restrooms, public telephones, public walkways, parking areas and other similar facilities.
- (19) Double Faced Sign shall mean a sign with two faces.
- (20) External Illumination means illumination of a sign which is affected by an artificial source of light which is not contained within the sign itself.
- (21) Face Change shall mean the removal or replacement of an existing surface display panel where the remaining structural frame is not altered. The changing of copy or poster on bulletin boards is not considered a face change.
- (22) Flashing Sign shall mean a sign which uses an intermittent, moving or flashing light source to attract attention.
- (23) Freestanding Sign shall mean any sign supported upon the ground by a pole, poles or braces and not attached to any building.
- (24) Governmental Sign shall mean any temporary or permanent sign erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation.
- (25) Grade shall mean the average level of the finished surface of the ground adjacent to a sign or the exterior wall of the building to which a sign is affixed.
- (26) Ground Mounted Sign shall mean a permanent freestanding sign other than a pole sign, not attached to a building, that is placed upon or supported by the ground independently of any other structure.
- (27) Height (of a sign) shall mean the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (Compare "Clearance of a sign".)

- (28) Historical Marker shall mean a type of memorial sign identifying an historical building or structure, or the site of an historical event.
- (29) Identification Sign shall mean a sign identifying the name, trademark or other readily recognized symbol, address, or any combination thereof, of a building, business, development, institution, person or establishment on the premises where it is located. Such sign in an office complex or industrial park may include a directory of businesses.
- (30) Illegal Sign shall mean a sign which does not meet the requirements of this chapter and which has not received legal nonconforming status.
- (31) Illuminated Sign shall mean a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- (32) Incidental Sign shall mean a small sign, emblem or decal informing the public of goods, facilities or services available on the premises, e.g. a credit card sign or a sign indicating hours of business.
- (33) Institutional Bulletin Board shall mean a temporary on-premises sign erected by a charitable, educational or religious institution or a public body, which is erected for the purpose of announcing events or services which are held on the premises.
- (34) Internal Illumination shall mean the illumination of a sign by an artificial source of light which is completely enclosed within the sign cabinet.
- (35) Logo shall mean a business trademark or symbol.
- (36) Lot shall mean a parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat, fronting on a legally dedicated public thoroughfare. In determining the lot area, no part thereof within the limits of the proposed street rights-of-way shall be included.
- (37) Lot Frontage shall mean the length of the property line of any one premises along a public right-of-way on which it borders.
- (38) Maintenance shall mean the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.
- (39) Marquee shall mean a permanent roof-like structure extending from part of the wall of a building but not supported by the ground, and constructed of durable material such as metal or glass. (Compare AAwning@ and ACanopy@)
- (40) Marquee Sign shall mean a sign painted on, printed on or attached flat against the surface of a marquee.
- (41) Memorial Plaque shall mean a sign designating the name of a building and/or date of erection and other items such as architect, contractor, or others involved in the building's creation. Such sign may be cut into or attached to the building surface.
- (42) Motor Vehicle Sign shall mean a sign attached to, in contact with, placed upon or painted on a motor vehicle including, but not limited to, cars, vans, trucks, truck trailers, recreational vehicles, etc.
- (43) Nameplate shall mean a non-illuminated identification sign giving only the name, address and/or occupation of an occupant or group of occupants.

- (44) Nonconforming Sign shall mean any sign which was erected legally prior to the adoption of this Zoning Code, but which does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements.
- (45) Official Flag or Emblem shall mean a flag or emblem of a government or of a membership organization.
- (46) Owner shall mean a person recorded as such on official records. For purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Zoning Inspector, such as a sign leased from a sign company.
- (47) Pennant shall mean any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from any rope, wire or string, usually in series, designed to move in the wind.
- (48) Person shall mean and include any person, firm, partnership, association, corporation, company or organization, singular or plural, of any kind.
- (49) Pole Sign shall mean a permanent freestanding sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.
- (50) Political Sign shall mean a temporary sign identifying a political candidate, issue or party at any general, special, school or any other election.
- (51) Portable Sign shall mean a sign not permanently affixed to the ground, a building or other structure, but usually anchored or secured to a trailer, vehicle, or frame capable of being moved from place to place. Such signs include, but are not limited to, signs designed to be transported by means of wheels, menu and sandwich board signs and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day-to-day operations of the business.
- (52) Projecting Sign shall mean a sign that is affixed perpendicular to a building or wall and extends more than eighteen inches beyond the face of such building or wall and the lowest point of which sign is not less than ten feet above the sidewalk or ground level.
- (53) Real Estate Sign shall mean a sign located on premises that advertise land, buildings or portions of buildings offered for sale, lease or rent or advertise buildings under construction for sale, lease or rent. Real estate signs located within the public right-of-way shall comply with the regulations set forth in this chapter.
- (54) Right-of-Way shall mean any street, alley or other parcel of land which has been deeded, dedicated or otherwise permanently appropriated to the public for public use.
- (55) Roof Sign shall mean a sign erected or maintained in whole or in part upon, against or directly above the roof or parapet line of a building.
- (56) Setback shall mean the closest point at which a building or structure may be constructed in relation to the lot line.
- (57) Sign shall mean any advertisement, announcement, direction or communication produced in whole or in part by the construction, erection, affixing or placing of a structure on any land or any other structure, or

- produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material on any building, structure or surface.
- (58) Special Event Sign shall mean a freestanding sign located in an A-1, R-1, R-2, R-3, R-4 or R-5 zoning district, directing attention to a special event directly associated with the owner of the property on which the sign is located. Any special event sign shall require a sign permit and be restricted to a sign face area of 20 square feet and shall not be displayed more than 14 calendar days. Each property shall be limited to two special event sign permits per calendar year.
 - (59) Subdivision Identification Sign shall mean a sign identifying a recognized subdivision, condominium complex or residential development.
 - (60) Temporary Sign shall mean a sign that is neither permanently anchored to the ground, nor permanently affixed to a structure, nor mounted on a chassis, and intended for a limited period of display.
 - (61) Temporary Sign, Commercial shall mean a temporary sign which advertises a product.
 - (62) Temporary Sign, Non-Commercial shall mean a temporary sign which displays no product advertising or is used to advertise not-for-profit or City events.
 - (63) Wall Sign shall mean a sign attached directly to an exterior wall of a building and which does not extend more than eighteen inches from nor above the roof line or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall.
 - (64) Window Sign shall mean a sign attached to, in contact with, placed upon or painted on the window or door of a building which is intended for viewing from the outside of such building. This does not include merchandise located in a window.
- (Ord. 99-31. Passed 10-12-99; Ord. 2004-20. Passed 6-22-04; Ord. 2005-01. Passed 1-25-05; Ord. 2008-49. Passed 1-13-09.)

1282.03 GENERAL REGULATIONS.

The following regulations shall apply to all signs within the City:

- (a) No sign shall be erected in the City unless it is in compliance with the regulations of this chapter. Furthermore, no sign shall be erected in the public right-of-way unless specifically provided for in this chapter.
- (b) Permanent signs shall be constructed in compliance with any applicable regulations of the City Building Code.
- (c) Additional sign standards may be established by the Planning Commission as a part of a conditional use granted under Chapter 1264 of this Planning and Zoning Code.
- (d) No sign shall obstruct or interfere with traffic or traffic visibility, or resemble or imitate signs or signals erected by the City or other governmental agency for the regulation of traffic or parking.
- (e) No part of a sign shall have animation, moving parts, flashing lights or changing colors. However, the Planning Commission may approve part of a sign which, by means of changes in copy or by means of a lighted message board, indicates time or temperature or other approved messages. The size of the lighted message

board shall not exceed twenty-five percent of the sign on which it is located and shall count in the total square footage calculations of sign area.

- (f) Signs may be illuminated by either external or internal sources of light. However, no illuminated sign shall be permitted if any part of which flashes on or off or displays changing degrees of intensity. This regulation applies to signs located outside buildings, and to window signs inside buildings which can be seen from the outside.
- (g) No sign shall be permitted as the principal use on a premises. Signs shall be permitted only as accessory uses unless otherwise specified in this chapter.
- (h) For any use which is on a corner lot, the frontage shall be determined by the location of the main entrance which is considered to face the principal street. All other streets abutting the lot shall be considered side streets.
- (i) Buildings or lots having frontage on a side street or having a secondary entrance to a parking area may be permitted additional signs along such side street or parking area. The area of the additional signs shall not exceed forty percent of the area of the signs permitted along the principal street. In addition:
 - (1) The allowable increase by virtue of the side street or entrance may not be combined with or used with the allowable sign area along the principal street.
 - (2) The sign area permitted along the principal frontage may be redistributed along the side street or entrance provided that the total sign area facing the side street does not exceed two square feet per linear foot of frontage along the side street or parking area.
 - (3) No individual sign, by virtue of redistribution, shall exceed the total sign area as specified in the district in which it is located.
- (j) No sign shall have more than 30% of area devoted to changeable copy.
(Ord. 99-31. Passed 10-12-99; Ord. 2004-20. Passed 6-22-04; Ord. 2008-49. Passed 1-13-09.)

1282.04 ENFORCEMENT BY ZONING ENFORCEMENT OFFICER.

(a) The enforcement of this chapter shall be the responsibility of the Zoning Enforcement Officer as established in Chapter 1230 of this Planning and Zoning Code.

(b) The Zoning Enforcement Officer may request assistance in the interpretation of this chapter from the Planning Commission.

(c) The final determination of the sign area and sign dimensions shall be the responsibility of the Zoning Enforcement Officer. Decisions from the Zoning Enforcement Officer may be appealed to the Board of Zoning Appeals as established in Chapter 1232 of this Planning and Zoning Code.

(Ord. 99-31. Passed 10-12-99.)

1282.05 SIGNS NOT REQUIRING A PERMIT.

The following types of signs do not require a permit from the Zoning Enforcement Officer. However, each sign exempt from the permit process shall comply with height, area and location requirements as established in the regulations for each zoning district where the sign is located.

- (a) Nameplates.

- (b) Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies for the purpose of safety.
 - (c) Flags of reasonable, customary size and color, emblems and insignia of any governmental agency or political subdivision and temporary displays of a patriotic, religious, charitable or civic character.
 - (d) Commemorative plaques placed by recognized historical agencies.
 - (e) Interior signs within a stadium, open-air theater, shopping center, arena or other use, which signs can be viewed only by persons within such stadium, open-air theater, shopping center, arena or other use.
 - (f) Temporary non-commercial signs displaying messages, including real estate signs, construction signs, political signs, not-for-profit groups and associations, and garage and yard sale signs. Such signs shall not be located within the public right-of-way and shall be allowed to remain on premises for the period of time as designated in Section 1282.19.
 - (1) Real estate signs shall be removed within seven days of closing of sale on the property and shall be regulated in Section 1282.19(i).
 - (2) Construction signs shall be removed upon completion of work.
 - (3) Political signs shall be regulated in Section 1282.19(a).
 - (4) Garage or yard sale signs may be placed twenty-four hours in advance of said sale and shall be placed only on the property at which the sale is to occur.
- (Ord. 99-31. Passed 10-12-99; Ord. 2005-01. Passed 1-25-05.)

1282.06 SIGNS REQUIRING A PERMIT; APPLICATION; FEE; EXCEPTIONS.

Except as otherwise stated in this chapter, no person shall place, erect, paint, illuminate or alter any sign in the City without first obtaining a sign permit, as established below:

- (a) An application for a sign permit shall be submitted to the Zoning Enforcement Officer by the property owner or by the lessee of the property for which the sign is proposed. The application shall be submitted on forms furnished by the City and shall be submitted with the application for a building permit when required.
- (b) The application for the sign permit shall contain at least the following information:
 - (1) The name and address of the property owner and the name and address of the lessee of the property, if other than the owner;
 - (2) The address and lot number of the property upon which the sign is intended to be located;
 - (3) A sketch of the property showing the size of the lot, the size and location of any buildings or improvements on the lot and the exact location of the sign;
 - (4) A color rendition of the design and layout proposed, including the total area, size, height, character and materials of such sign and the color of letters, lines and symbols;
 - (5) For illuminated signs, the number and location of lamps and the type of lens material;

- (6) Details and specifications for construction, erection and attachment as may be required by applicable provisions of the Building and Housing Code; and
- (7) The name and address of the sign contractor.
- (c) All fees for sign permits shall be established in the fee ordinance as adopted by motion of Council.
- (d) Notwithstanding any other section of this chapter, owners and applicants of all permitted signs or advertising devices located within 660 feet of the edge of the right-of-way of an interstate or primary State highway shall make application for a permit to the Director of the Ohio Department of Transportation, Advertising Device Control Section, and shall comply with Ohio R.C. Chapter 5516 prior to applying for a sign permit from the City. Interstate and primary highways are defined in Ohio R.C. 5516.01.
(Ord. 99-31. Passed 10-12-99.)

1282.07 REVIEW OF APPLICATIONS; ISSUANCE AND NONISSUANCE OF PERMITS.

(a) Upon receipt of a complete application package for a sign permit, the Building and Zoning Inspector shall review the application to ensure that the sign complies with all applicable provisions of this chapter.

(b) If the Building and Zoning Inspector determines that the sign complies with all applicable provisions of this chapter, the Building and Zoning Inspector shall issue a sign permit, provided that the sign complies with all other applicable regulations deemed necessary for the public health, safety and welfare. Where applicable, the Building Department Inspector may be requested to review the sign with respect to electrical and structural design issues.

(c) If the Building and Zoning Inspector determines that the sign does not comply with applicable provisions of this chapter, the Building and Zoning Inspector shall notify the applicant of the disapproval in writing. The notice shall also convey the reasons for disapproval. The Building and Zoning Inspector, in citing reasons for disapproval, may suggest modifications that would bring the sign into compliance with this chapter.

(d) The Building and Zoning Inspector may request the assistance of the Planning Commission in the interpretation of this chapter with regard to any specific application or sign. When this request is made, the Building and Zoning Inspector shall notify the applicant, in writing, stating the nature of the interpretative review and the time and place of the Planning Commission meeting.

(e) The Building and Zoning Inspector shall notify the applicant of the decision to issue the sign permit, to disapprove the application or to refer the application to the Planning Commission within 15 days of receipt of the application.
(Ord. 99-31. Passed 10-12-99; Ord. 2005-01. Passed 1-25-05.)

1282.08 PROHIBITED SIGNS.

The following types of signage are prohibited within the City:

- (a) Signage attached to, or painted on, a motor vehicle or tractor trailer which is not utilized as an integral part of that business. Vehicles with commercial messages shall be parked out of the public view during non-business hours.
- (b) No sign shall be attached to or otherwise applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way.
- (c) Pennants, streamers and other similar type devices.
- (d) Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure.
- (e) No projecting sign shall extend above the wall or parapet of a building to which it is affixed.

(Ord. 99-31. Passed 10-12-99.)

1282.09 MEASUREMENT STANDARDS.

The following standards shall be used to determine the area and height measurements for all signs in the City:

- (a) Unless stated otherwise in this chapter, the area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the exterior display limits of a sign, including any supporting frame or bracing, but excluding the pole or other structure support.
- (b) For a sign which is composed of separate elements to form a single sign, where the elements are separated by open space, the area shall be calculated by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the entire display area of the sign, including the space between the elements.
- (c) The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. The larger face of the two sides shall be calculated in the case of unequal sign faces.
- (d) In the case of irregularly shaped three dimensional signs the area of the display surface shall be measured on the plane of the largest vertical cross section.
- (e) The height of a sign shall be determined by measuring the vertical distance between the top part of the sign to the elevation of the ground beneath the sign prior to construction, excluding additional elevation added by the creation of berming or mounding. If the grade prior to construction can not be determined, the elevation of the base of the sign shall be computed using the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the premises, whichever is lower.
- (f) The area of a monument and/or tombstone type sign shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof excluding the support or bracing materials surrounding the sign face. The size of the area of a monument and/or tombstone surrounding the sign face shall be subject to approval of the Building and Zoning Inspector based upon issues

affecting the health, safety and general welfare of the public including but not limited to maintaining adequate site visibility distance for both pedestrians and vehicles and the height, area, and style of the overall structure shall be compatible with the general character of the surrounding area.
(Ord. 99-31. Passed 10-12-99; Ord. 2002-02. Passed 2-26-02; Ord. 2005-01. Passed 1-25-05.)

1282.10 SIGN REQUIREMENTS FOR THE A-1, R-1, R-2, R-3, R-4 AND R-5 ZONING DISTRICTS.

(a) Permitted Signs. The following types of signs are permitted in the A-1, R-1, R-2, R-3, R-4 and R-5 Zoning Districts:

- (1) Wall signs.
- (2) Subdivision signs.
- (3) Temporary commercial signs in A-1 zoning districts only.
- (4) Temporary non-commercial signs in A-1 zoning districts only.
- (5) Freestanding signs or ground-mounted signs for non-residential uses in A-1 zoning districts only.
- (6) Real estate, garage sale and yard sale signs as regulated in Section 1282.05(f).
- (7) Special event freestanding sign as regulated in Section 1282.02.

(b) Permitted Number, Height, Area and Location.

- (1) Permitted number. Only one sign shall be permitted for each permitted use on a lot. One subdivision sign may be erected and maintained at the main entrance to a residential subdivision or multi-family dwelling complex, designating the name of such subdivision or complex. Additional subdivision signs are subject to the approval of the Zoning Enforcement Officer.
- (2) Maximum height. The maximum height for all subdivision signs, freestanding signs, ground-mounted signs, and temporary signs shall be five feet. The maximum height for subdivision identification signs shall be eight feet.
- (3) Maximum area. The maximum area for signs shall be as follows:
 - A. Wall signs - Two square feet.
 - B. Subdivision signs - The maximum area for subdivision identification signs shall be 40 square feet. The area calculations for a subdivision identification sign shall not include any supporting brick, stone, or any other material used to frame, brace or otherwise provide structural support for the sign. Subdivision identification signs shall be reasonable and proportional to the size and scope of the development identified. The maximum area for all other subdivision signs shall be 25 square feet and conform to the area measurement requirements set forth in Section 1282.09(a).
 - C. Temporary commercial signs - 32 square feet when advertising a new residential development.
 - D. Temporary non-commercial signs - 6 square feet.
 - E. Freestanding signs - 20 square feet.
 - F. Ground-mounted signs - 20 square feet.

- (4) Location and setback.
- A. Signs shall be located on the same lot to which they are an accessory use.
 - B. All signs shall be set back a minimum of one-half the height of the sign from the street right-of-way, provided that no part of a freestanding or ground-mounted sign shall be closer to the front property line than 7 feet.
 - C. All signs shall be set back a minimum of 10 feet from any side lot line.
 - D. All signs shall be set back a minimum of 25 feet from any residential use.
(Ord. 99-31. Passed 10-12-99; Ord. 2001-15. Passed 8-14-01; Ord. 2002-02. Passed 2-26-02; Ord. 2005-01. Passed 1-25-05.)

1282.11 SIGN REQUIREMENTS FOR THE C-1 ZONING DISTRICTS.

(a) Permitted Signs. The following types of signs are permitted in C-1 Neighborhood Commercial Districts:

- (1) Wall signs.
- (2) Ground-mounted signs.
- (3) Freestanding signs.
- (4) Directional/Informational signs.
- (5) Temporary commercial signs.
- (6) Temporary non-commercial signs.
- (7) Subdivision signs (Refer to Section 1282.24).

(b) Permitted Number, Height, Area and Location.

- (1) Permitted number. Each permitted use may erect and maintain one freestanding sign or one ground-mounted sign, plus one wall sign, one temporary commercial sign, and one temporary non-commercial sign on a lot. Each permitted use may also erect and maintain two directional/informational signs at each driveway accessing a public street at the discretion of the Zoning Enforcement Officer.

Each structure containing multiple occupants shall have a maximum of one freestanding or ground-mounted sign to be used by all occupants, plus a maximum of one wall sign for each occupant.

- (2) Maximum height.
- A. Wall signs - Wall signs shall not project more than 18 inches from the building wall and shall not extend above the wall or beyond the wall to which they are attached.
 - B. Freestanding signs - 12 feet.
 - C. Ground-mounted signs - 10 feet.
 - D. Directional/Informational signs - 3 feet.
 - E. Temporary commercial signs - 6 feet
 - F. Temporary non-commercial signs - 6 feet
- (3) Maximum area. The maximum permitted sign area, in square feet, for all signs, is two times the linear length of the building frontage. The maximum area applies to the total of all permanently mounted types of signs. Furthermore:
- A. Wall signs - The sign area shall not exceed 20 square feet.

- B. Freestanding signs - The sign area shall not exceed 25 square feet.
For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the one permitted freestanding sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant freestanding signs shall have a coordinated appearance, and all individual occupants' panels shall be constructed of the same materials.
 - C. Ground-mounted signs - The sign area shall not exceed 25 square feet.
For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the one permitted ground-mounted sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant ground-mounted signs shall have a coordinated appearance, and all individual occupants' panels shall be constructed of the same materials. Ground-mounted signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
 - D. Directional/informational signs - 4 square feet.
 - E. Temporary commercial signs - 10 square feet.
 - F. Temporary non-commercial signs - 10 square feet.
- (4) Location and setback.
- A. Signs shall be located on the same lot to which they are an accessory use.
 - B. All signs shall be set back a minimum of one-half the height of the sign from the street right-of-way, provided that no part of a freestanding or ground-mounted sign shall be closer to the front property line than 7 feet.
 - C. All signs shall be set back a minimum of 10 feet from any side lot line.
 - D. All signs shall be set back a minimum of 25 feet from any Residential District.
(Ord. 99-31. Passed 10-12-99; Ord. 2008-49. Passed 1-13-09.)

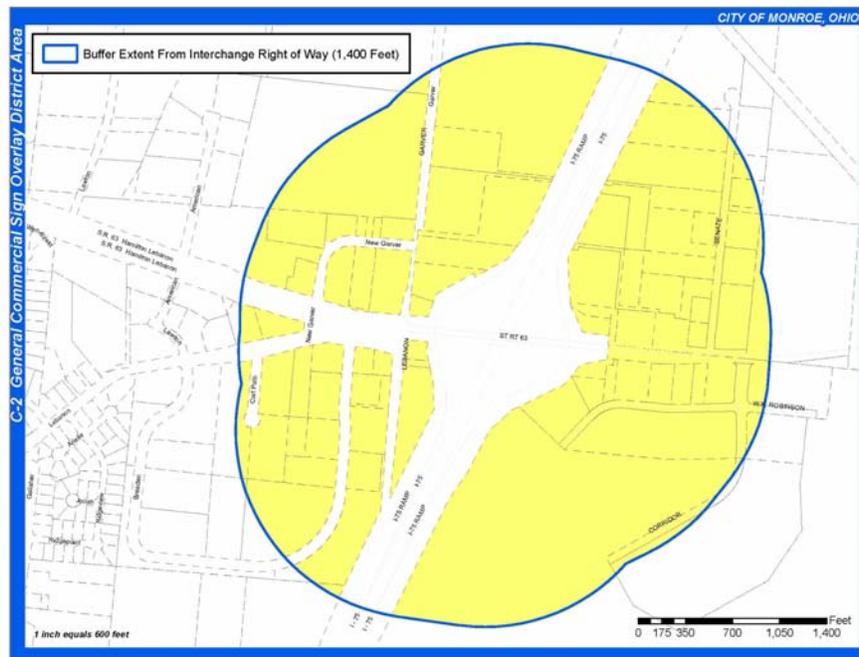
1282.12 SIGN REQUIREMENTS FOR THE C-2 ZONING DISTRICTS.

(a) Permitted Signs. The following types of signs are permitted in C-2 General Commercial Districts:

- (1) Wall signs.
- (2) Canopy signs.
- (3) Freestanding signs.
- (4) Ground-mounted signs.
- (5) Directional/informational signs.
- (6) Temporary commercial signs.
- (7) Temporary non-commercial signs.
- (8) Subdivision signs (Refer to Section 1282.24).

(b) Permitted Number, Height, Area and Location.(1) Permitted number.

- A. Each permitted use may erect and maintain one freestanding sign or one ground-mounted sign, a canopy sign, one temporary commercial sign, and one temporary noncommercial sign on the lot. In addition, each permitted use may erect and maintain one primary wall sign and one secondary wall sign on the building.
- B. All businesses within a 1,400-foot radius of an interstate interchange may be permitted both a freestanding and a ground-mounted sign with the approval of the Planning Commission. Such approval for an additional sign shall be considered a conditional use and shall follow the procedures established for conditional uses under this Planning and Zoning Code.



- C. The 1,400-foot radius shall be measured from the right-of-way lines of the interstate interchange. Any portion of any property which touches or is contained within this 1,400-foot radius may be considered for an additional conditionally permitted freestanding sign.
- D. Each structure containing multiple occupants shall have a maximum of one freestanding or ground-mounted sign to be used by all occupants, plus a maximum of one wall sign for each occupant.

E. Ground Mounted Signs.

- (a) All such signs shall conform to the following maximum display area requirements:

| <u>Frontage Along Public Street Right of Way</u> | <u>Permitted Square Feet of Display Area</u> |
|--|--|
| 0 – 150 ft. | 48 sq. ft. |
| 151 – 300 ft. | 96 sq. ft. |
| 301 + ft. | 144 sq. ft. |

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

| <u>Total Square Footage of Principal Building</u> | <u>Permitted Square Feet of Display Area</u> |
|---|--|
| 0 - 10,000 ft. | 48 sq. ft. |
| 10,001-20,000 ft. | 96 sq. ft. |
| 20,001+ ft. | 144 sq. ft. |

- (b) The maximum amount of display area for a ground mounted sign shall be forty-eight square feet. Parcels containing less than 150 feet of frontage or in cases where no frontage exists, a principal building containing less than 10,000 square feet shall be permitted one ground sign per parcel. Parcels containing 151-300 feet of frontage or in cases where no frontage exists, a principal building containing 10,001-20,000 square feet shall be permitted two (2) ground signs (maximum of 48 square feet per sign) per parcel. Parcels containing more than 301 feet of frontage or in cases where no frontage exists, a principal building containing more than 20,001 square feet shall be permitted three (3) ground signs (maximum of 48 square feet per sign) per parcel.
- (c) On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both.
- (d) For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the permitted ground-mounted sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant ground-mounted signs shall have a coordinated appearance, and all individual occupants' panels shall be constructed of the same materials. (Ord. 2007-42. Passed 10-09-07)

- (2) Maximum height.
- A. Wall signs - Wall signs shall not project more than 18 inches from the building wall and shall not extend above the wall or beyond the wall to which they are attached.
 - B. Freestanding signs - 30 feet.
 - C. Freestanding signs within 1,400 feet of an interstate interchange - 100 feet. The bottom of said signs shall be a minimum of 50 feet above existing grade at the location of the proposed sign.
 - D. Ground-mounted signs - 10 feet.
 - E. Directional/informational signs - 3 feet.
 - F. Temporary commercial signs - 6 feet.
 - G. Temporary non-commercial signs - 6 feet.
- (3) Maximum area. The maximum permitted sign area, in square feet, for all signs, is two and one-half times the linear length of the building frontage. This maximum area shall not include any permitted freestanding interchange sign located on the same lot.
- A. Wall signs - The total amount of square feet permitted for such signs shall not exceed 8% of the total square footage of the front building wall elevation. Corner or double frontage lots shall be permitted 8% of the total square footage of each front building wall elevation and shall not be cumulative.
 - B. Canopy signs - The sign area for all canopy signs shall not exceed 30 square feet.
 - C. Freestanding signs - The sign area shall not exceed 64 square feet.
For multiple-occupant structures, individual occupants wishing to use a portion of their allowable sign area on the one permitted freestanding sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple-occupant freestanding signs shall have a coordinated appearance, and all individual occupants' panels shall be constructed of the same materials.
 - D. Freestanding signs located within 1,400 feet of an interstate interchange - The sign area shall not exceed 225 square feet.
 - E. Ground-mounted signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
 - F. Directional/informational signs - 4 square feet.
 - G. Temporary commercial signs - 10 square feet.
 - H. Temporary non-commercial signs - 10 square feet.
- (4) Location and setback.
- A. Signs shall be located on the same lot to which they are an accessory use.
 - B. All signs shall be set back a minimum of one-half the height of the sign from the street right-of-way, provided that no part of a freestanding or ground-mounted sign shall be closer to the front property line than 7 feet.
 - C. All signs shall be set back a minimum of 10 feet from any side lot line.
 - D. All signs shall be set back a minimum of 25 feet from any Residential District.

(5) Ground-mounted signs.

- A. 1. All such signs shall conform to the following maximum display area requirements:

| <u>Frontage Along Public Street Right-of-Way</u> | <u>Permitted Square Feet of Display Area</u> |
|--|--|
| 0 B 150 feet | 48 square feet |
| 151 B 300 feet | 96 square feet |
| 301+ feet | 144 square feet |

2. The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

| <u>Total Square Footage of Principal Building</u> | <u>Permitted Square Feet of Display Area</u> |
|---|--|
| 0 B 10,000 feet | 48 square feet |
| 10,001 B 20,000 feet | 96 square feet |
| 20,001+ feet | 144 square feet |

- B. The maximum amount of display area for a ground mounted sign shall be 48 square feet. Parcels containing less than 150 feet of frontage or in cases where no frontage exists, a principal building containing less than 10,000 square feet shall be permitted one ground sign per parcel. Parcels containing 151 to 300 feet of frontage or in cases where no frontage exists, a principal building containing 10,001 to 20,000 square feet shall be permitted two ground signs (maximum of 48 square feet per sign) per parcel. Parcels containing more than 301 feet of frontage or in cases where no frontage exists, a principal building containing more than 20,001 square feet shall be permitted three ground signs (maximum of 48 square feet per sign) per parcel.
- C. On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both.
- D. For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the permitted ground-mounted sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant ground-mounted signs shall have a coordinated appearance, and all individual occupants' panels shall be constructed of the same materials. (Ord. 99-31. Passed 10-12-99; Ord. 2002-02. Passed 2-26-02 ; Ord. 2002-30. Passed 11-26-02; Ord. 2003-03. Passed 2-25-03; Ord. 2005-01. Passed 1-25-05; Ord. 2007-04. Passed 3-13-07; Ord. 2007-42. Passed 10-9-07; Ord. 2008-49. Passed 1-13-09.)

1282.13 SIGN REQUIREMENTS FOR THE C-3 ZONING DISTRICTS.

(a) Permitted Signs. The following types of signs are permitted in C-3 Downtown Commercial Districts:

- (1) Wall signs.
- (2) Canopy signs.
- (3) Freestanding signs.
- (4) Ground-mounted signs.
- (5) Projecting signs.
- (6) Portable sandwich signs.
- (7) Directional/informational signs.
- (8) Temporary commercial signs.
- (9) Temporary non-commercial signs.
- (10) Subdivision signs (Refer to Section 1282.24).

(b) Permitted Number, Height, Area and Location.

(1) Permitted number.

- A. Permitted nonresidential uses may have one wall sign, a canopy sign, one projecting sign, one freestanding or ground-mounted sign, one temporary commercial sign, one temporary non-commercial sign and one portable sandwich sign on the premises.
- B. Permitted residential uses may have one wall sign and one temporary noncommercial sign. If there is a combination of uses within the same structure, then the number of signs permitted for nonresidential uses shall apply.

(2) Maximum height. The maximum height shall be as follows:

- A. Wall signs - Wall signs shall not project more than 18 inches from the building wall and shall not extend above the wall or beyond the wall to which it is attached.
- B. Projecting signs - The bottom of any projecting sign shall be a minimum of 8 feet above any sidewalk and 15 feet above any driveway.
- C. Portable sandwich board signs - 6 feet.
- D. Freestanding signs - 10 feet.
- E. Ground-mounted signs - 5 feet.
- F. Directional/informational signs - 3 feet.
- G. Temporary commercial signs - 5 feet.
- H. Temporary non-commercial signs - 5 feet.

(3) Maximum area. The maximum area for signs shall be as follows:

- A. Wall signs - The sign area shall not exceed one square foot per linear foot of frontage of the premises, maximum of 30 square feet.
- B. Canopy signs - The sign area for all canopy signs shall not exceed 30 square feet.
- C. Freestanding signs - The sign area shall not exceed one square foot per linear foot of frontage of the premises, maximum of 36 square feet.
- D. Ground-mounted signs - The sign area shall not exceed one square foot per linear foot of frontage of the premises, maximum of 25 square feet.
- E. Projecting signs - 16 square feet.
- F. Portable sandwich boards - 12 square feet.

- G. Directional/informational signs - 3 square feet.
- H. Temporary commercial signs - 6 square feet.
- I. Temporary non-commercial signs - 6 square feet.
- (4) Location and setback.
 - A. Signs shall be located on the same lot to which they are an accessory use.
 - B. Projecting signs shall be allowed to project over two-thirds the width of the sidewalk or five feet from the building, whichever is less. All components of the projecting sign shall have a minimum clearance of eight feet from the sidewalk.
 - C. Portable sandwich board signs are permitted in the C-3 Downtown Commercial District, and may be located in the sidewalk right-of-way, so as not to obstruct pedestrian traffic, and shall be located in front of the same building frontage for which the sign is erected.
 - D. All signs shall be set back a minimum of one-half the height of the sign from the street right-of-way, provided that no part of a freestanding or ground-mounted sign shall be closer to the front property line than seven feet.
 - E. All signs shall be set back a minimum of 10 feet from any side yard lot line.

(c) General Provisions.

- (1) All signs in the C-3 Downtown Commercial District shall be constructed of wood or materials similar to the principal permitted structures which they identify, unless otherwise approved by the Planning Commission.
- (2) All signs in the C-3 Downtown Commercial District shall utilize similar or compatible colors and styles to the buildings which such signs identify.
- (3) No projecting sign in the C-3 Downtown Commercial District shall be internally illuminated. Other signs in the C-3 Downtown Commercial District can be internally illuminated if approved by the Planning Commission
- (4) Lighting shall be from an external source unless otherwise specified.
(Ord. 99-31. Passed 10-12-99; Ord. 2002-02. Passed 2-26-02; Ord. 2008-49. Passed 1-13-09.)

1282.14 SIGN REQUIREMENTS FOR THE B-P, L-1 AND H-1 ZONING DISTRICTS.

(a) Permitted Signs. The following types of signs are permitted in the B-P, L-1 and H-1 Districts:

- (1) Wall signs.
- (2) Freestanding signs.
- (3) Ground-mounted signs.
- (4) Directional/informational signs.
- (5) Temporary commercial signs.
- (6) Temporary non-commercial signs.
- (7) Canopy signs.
- (8) Subdivision signs (Refer to Section 1282.24).

(b) Permitted Number, Height, Area and Location.

- (1) Permitted number. Each permitted use may erect and maintain one freestanding sign or one ground-mounted sign, plus one wall sign, one temporary commercial sign and one temporary non-commercial sign on a lot. Each permitted use may also erect and maintain two directional/informational signs at each driveway accessing a public street at the discretion of the Zoning Enforcement Officer.

Each permitted use containing multiple occupants shall have a maximum of one freestanding sign or one ground-mounted sign used by all occupants, site or development, plus a maximum of one additional wall sign for each occupant.

- (2) Maximum height. The maximum height shall be as follows:

- A. Wall signs - Wall signs shall not project more than eighteen inches from the building wall and shall not extend above the wall or beyond the wall to which it is attached.
- B. Freestanding signs - Ten feet.
- C. Ground-mounted signs - Ten feet.
- D. Directional/informational signs - Three feet.
- E. Temporary commercial signs - Six feet.
- F. Temporary non-commercial signs - Six feet.
- G. Freestanding signs at the interchange - Any freestanding sign located within the interchange area set forth in Section 1282.12(b)(1) shall be permitted a maximum height of 35 feet.

- (3) Maximum area. The maximum area for signs in the B-P, L-I and H-I District shall be as follows:

- A. Wall signs. The sign area shall not exceed one square foot per linear foot of building frontage. Each permitted use utilizing a portion of the building area for commercial and retail activity ancillary to the primary industrial or warehousing use may be permitted an increase in the allowable sign area for a wall sign not to exceed 6% of the total square footage of the front building wall elevation. For multiple occupant structures, the wall sign area calculation stated above shall be based upon the portion of the building frontage attributed to the specific user requesting the wall sign permit.
- B. Canopy signs. The sign area for all canopy signs shall not exceed 30 square feet.
- C. Free-standing signs. The sign area shall not exceed one square foot per linear foot of frontage of the premises, maximum of 64 square feet.

For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the one permitted free-standing sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant free-standing signs shall have a coordinated appearance, and all

- individual occupants' panels shall be constructed of the same materials.
- D. Ground-Mounted Signs.
1. All such signs shall conform to the following maximum display area requirements:

| Frontage Along Public Street Right-of-Way | Permitted Square Feet of Display Area |
|---|---------------------------------------|
| 0 - 150 ft. | 48 sq. ft. |
| 151 - 300 ft. | 96 sq. ft. |
| 301+ ft. | 144 sq. ft. |

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

| Total Square Footage of Principal Building | Permitted Square Feet of Display Area |
|--|---------------------------------------|
| 0 - 10,000 ft. | 48 sq. ft. |
| 10,001 - 20,000 ft. | 96 sq. ft. |
| 20,001+ ft. | 144 sq. ft. |

2. The maximum amount of display area for a ground mounted sign shall be 48 square feet. Parcels containing less than 150 feet of frontage or in cases where no frontage exists, a principal building containing less than 10,000 square feet shall be permitted one ground sign per parcel. Parcels containing 151 to 300 feet of frontage or in cases where no frontage exists, a principal building containing 10,001 to 20,000 square feet shall be permitted two ground signs (maximum of 48 square feet per sign) per parcel. Parcels containing more than 301 feet of frontage or in cases where no frontage exists, a principal building containing more than 20,001 square feet shall be permitted three ground signs (maximum of 48 square feet per sign) per parcel.
3. On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both.
4. For multiple occupant structures, individual occupants wishing to use a portion of their allowable sign area on the permitted ground-mounted sign shall erect such sign on this common structure, the area of which shall be divided proportionately among the occupants based on the width of the individual storefront building frontage, or as otherwise mutually agreed upon among the tenants. Multiple occupant ground-mounted signs shall have a

- coordinated appearance, and all individual occupants' panels shall be constructed of the same materials.
5. Ground-mounted signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
- E. Directional/informational signs - Four square feet.
 - F. Temporary commercial signs - Ten square feet.
 - G. Temporary non-commercial signs - Ten square feet.
- (4) Location and setback.
- A. Signs shall be located on the same lot to which they are an accessory use.
 - B. All signs shall be set back a minimum of one-half the height of the sign from the street right-of-way, provided that no part of a freestanding or ground-mounted sign shall be closer to the front property line than seven feet.
 - C. All signs shall be set back a minimum of ten feet from any side lot line.
 - D. All signs shall be set back a minimum of 25 feet from any Residential District.
- (Ord. 99-31. Passed 10-12-99; Ord. 2002-30. Passed 11-26-02; Ord. 2005-31. Passed 10-11-05; Ord. 2008-49. Passed 1-13-09.)

1282.15 REQUIRED MAINTENANCE OF SIGNS.

(a) (1) The property owner shall maintain all signs in a safe and attractive condition for the intended use. For the purposes of this chapter, a sign is not legally maintained if any of the following occur: the appearance of rust, cracks, electrical defects, fraying, chipped paint or other materials, structural defects or other defects, or if the commercial message of the sign no longer pertains to any business activity on the site upon which the sign is located. Such factors shall cause it to be presumed that a sign has been abandoned and is not being legally maintained.

(2) The property owner of such a sign may receive notice from the City to return the sign to its original satisfactory condition within sixty days of the date of the notice. Unless the property owner complies with the notice, signs which are abandoned and are not being legally maintained in accordance with this Code or other applicable regulations of the City, are hereby declared to be a nuisance contributing to visual blight and are hereby determined to be abandoned. The property owner also has a continuing obligation to comply with all Building and Housing Code requirements of the City.

(b) If the sign is deemed by the Building and Zoning Inspector to be in an unsafe or abandoned condition, the owner of the property shall be immediately notified, in writing, and shall, within 48 hours of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within 48 hours, the Building and Zoning Inspector may remove such unsafe sign or cause such unsafe sign to be removed, repaired or maintained at the expense of the property owner. To recover the costs from the property owner, the City may certify the total cost, together with a proper description of the land, to the County Auditor to place such costs upon the tax duplicate, or the City may commence a civil action against the property owner for the costs.

(c) All lighting of signs shall be fully functional as designed or the lighting shall be turned off until such time as such non-functioning lighting has been fixed.

(d) Whenever any sign, either conforming or nonconforming to this chapter, is required to be removed for the purpose of repair, relettering or repainting, the same may be done without obtaining a permit or paying fees, provided that all of the following conditions are met:

- (1) There is no alteration or remodeling to the structure or the mounting of the sign itself.
- (2) There is no enlargement or increase in any of the dimensions of the sign or its structure.
- (3) The sign is accessory to a legally permitted or legally nonconforming use. (Ord. 99-31. Passed 10-12-99; Ord. 2005-01. Passed 1-25-05.)

1282.16 NONCONFORMING SIGNS.

(a) A sign conforming to the regulations prevailing on the effective date of this chapter, but which does not conform to this chapter, or any amendment hereto, shall be construed as a legal nonconforming use.

(b) Any sign which becomes a nonconforming sign due to a zoning change shall be considered a legal nonconforming sign and shall be treated in accordance with this section.

(c) Nonconforming signs shall be maintained in good condition pursuant to Section 1282.15.

(d) Nonconforming signs shall be removed and any subsequent modification or replacement (excluding maintenance pursuant to Section 1282.15) shall conform to this chapter when:

- (1) More than 50% of the value of the sign has been destroyed or has been taken down; or
- (2) The use to which the nonconforming sign is accessory is vacant for ninety consecutive days. Permanent signs associated with a seasonal business may be exempted.

(e) Five years from the effective date of this chapter, or five years from any amendment hereto which made the sign nonconforming, or five years from a zoning change which makes a sign nonconforming, the nonconforming sign shall be required to comply with this chapter.

(f) A nonconforming sign shall not be altered, modified or reconstructed, other than to comply with this chapter, except:

- (1) When the existing use has new ownership which results in a change in the name of the use or business on the property;
- (2) When the space is reoccupied by a similar use and the new occupant requires no external building or site renovation; or
- (3) When a new sign pursuant to division (f)(1) or (2) of this section is changed by replacing a sign panel or by repainting a sign face only. Such alterations shall not require changes to the structure, framing, erection or location of the sign unless such changes conform to this chapter.

(g) A nonconforming sign that is not removed within the time periods as specified in this section, in compliance with the order, may be removed by the City at the expense of the property owner. To recover the costs from the property owner, the City may certify the total cost, together with a proper description of the land, to the County Auditor to place such costs upon the tax duplicate, or the City may commence a civil action against the property owner for the costs.

(Ord. 99-31. Passed 10-12-99.)

1282.17 APPEALS; VARIANCES.

(a) Actions of the Building and Zoning Inspector related to this chapter may be appealed to the Board of Zoning Appeals. When considering an appeal, the Board shall follow the criteria and procedures set forth in Chapter 1232 of this Zoning Code.

(b) The Board may extend the time for removal of a nonconforming sign, as required by Section 1282.16, for the remaining depreciable life of the nonconforming sign or five years, whichever is the lesser period of time. Any such extension shall be subject

to the criteria listed in this chapter. In determining the depreciable life of a nonconforming sign, the Board may consider the depreciable life determined by the owner of such sign, but may also consider other standard accounting principles.

(Ord. 99-31. Passed 10-12-99; Ord. 2005-01. Passed 1-25-05.)

1282.18 CONFLICT OF LAWS.

This chapter shall be considered the current sign ordinance as referenced in other sections of these Codified Ordinances. In the event of any conflict with other sections of these Codified Ordinances, this chapter shall take precedence.

(Ord. 99-31. Passed 10-12-99.)

1282.19 ADDITIONAL SIGN STANDARDS.

(a) Political Signs.

- (1) Political signs are permitted on private property in all zoning districts with the permission of the property owner.
- (2) Political signs shall be subject to the area limitations of temporary non-commercial signs in the applicable district.
- (3) Political signs shall not be in place more than 60 days prior to nor more than 10 days following the election or issue they are intended to promote.
- (4) Signs promoting the candidacy of persons shall not be permitted on public property.
- (5) Political issue signs may be a maximum of 32 square feet per face when placed on public property and shall not be placed in a public right-of-way.
- (6) Political signs which are not removed within 10 days following the election shall be removed by the City, and the candidate or the treasurer of the campaign committee shall be subject to a fine as set forth in Section 1230.99.

(b) Temporary Signs.

- (1) Temporary signs, temporary signs erected by not-for-profit groups and associations, banners, pennants or flags (other than corporate, institutional, State, Federal or other patriotic flags) intended to promote or advertise special events or sales may be permitted in addition to the type and size of signs permitted in Sections 1282.10 to 1282.14, provided that:
 - A. Signs pertaining to such special event or sale shall not exceed 50% of the maximum area permitted on the premises for wall signs with a maximum area permitted of 40 square feet.
 - B. Banners pertaining to such special event or sale shall likewise not exceed 50% of the maximum area permitted on the premises for wall signs with a maximum area permitted of 40 square feet.
 - C. Signs and banners shall be displayed only for the duration of the special event or for not more than 30 days, whichever is less.
 - D. Signs erected by not-for-profit groups and associations relating to fund raising events, festivals, community sports sign-ups, etc., may be located in the public right-of-way, as approved by the Building and Zoning Inspector.

- E. Any temporary sign shall not be displayed more than 30 days. Each property shall be limited to two temporary sign permits per calendar year. When a new business has received an occupancy permit or zoning certificate, or a change in business name or ownership, and the permanent sign has not been installed, one additional temporary sign (for a total of three potential temporary signs within the calendar year) may be permitted until the permanent sign has been installed for not more than 60 days, whichever is less. These temporary sign regulations shall prevail unless otherwise modified by Chapter 1282.
- (2) Holiday displays and greetings which contain no commercial message are exempt from this Zoning Code.
- (c) Portable Signs. Portable signs shall be permitted only as follows:
- (1) When intended to promote not-for-profit groups or charitable associations, one portable sign may be permitted for a period not to exceed 30 days. The sign shall not be located within the public right-of-way.
- (d) Window Signs.
- (1) A permanent window sign or a sign affixed to the outside of the window is limited to 25% of the window area.
- (2) A permanent window sign inside the window, either affixed thereto or visible from the outside, may be permitted, if:
- A. The sign so located is identifying the name of the business or is intended to serve the same purpose as an identification sign. These signs shall be subject to the area provisions contained in division (d)(1) of this section.
- B. Any display signs or promotional signs or emblems which exceed 50% of the window area shall only be displayed for a maximum of 30 days.
- (e) Billboards.
- (1) Billboards are prohibited within the Municipal limits, except as otherwise provided in divisions (e)(2)D.
- (2) No billboard shall be erected or maintained within 660 feet of the edge of the right-of-way of a highway on the interstate system, except as follows:
- A. Directional or other official signs or notices that are required or authorized by law;
- B. Signs advertising the sale or lease of the property upon which they are located;
- C. Billboards indicating the name of the business or profession conducted on such property or which identify the goods produced or sold or the services rendered on such property; and
- D. Billboards which are located in Commercial or Industrial Districts traversed by segments of the interstate system within the boundaries of the City as such boundaries existed on September 21, 1959, which conform to regulations promulgated by the Ohio Director of Transportation, provided that no sign or notice shall be erected or maintained until a permit is obtained as provided in Ohio R.C. 5516.10.

- (3) No billboard shall be erected closer than 1,000 linear feet from an existing billboard.
 - (4) The vertical stacking of one or more billboards is prohibited.
- (f) Increasing Sign Area. The following modifications may be made to legal conforming signs:
- (1) Large building setbacks. The maximum allowable area for wall signs may be increased by one-half square foot of sign area for each foot of building frontage when the principal building is more than 200 feet from the principal street on which the building is located.
 - (2) Identification signs. In addition to the area permitted in the corresponding district for identification signs, a building in a Commercial District is permitted an additional thirty square feet on each building face to identify the name of the building. Any portion of such sign which is larger than 30 square feet is subject to the maximum allowable area for identification signs pursuant to the corresponding district.
 - (3) Upper floor tenants. Each tenant on an upper floor is permitted a window sign, not to exceed two square feet, in addition to the maximum area permitted for identification signs or window signs, provided that if any such sign exceeds two square feet or is not located in a window, the square footage shall be included within the maximum permissible area for identification signs.
 - (4) Increase in the allowable sign area for a lot located in a commercial or industrial zoning district. The Building and Zoning Inspector may permit an increase in the total allowable sign area for a lot, not to exceed 15% of the maximum allowable area per the applicable total sign area formula utilized in the C-1, C-2, C-3, B-P, L-I and H-I code sections contained herein. The request for said increase shall be in writing by the applicant. The Building and Zoning Inspector shall only consider an increase in sign area when the literal enforcement of the maximum sign area allotment provision is impracticable or will clearly exact undue hardship because of peculiar conditions pertaining to the specific parcel of land in question.
- (g) Freestanding Signs.
- (1) The following regulations apply to all freestanding signs:
 - A. Freestanding signs are permitted only when the principal building is set back from the street right-of-way a minimum of 25 feet and the site has a continuous lot frontage of not less than 100 feet. The owner of a facility or parcel which does not possess such minimum required frontage may enter into an agreement, subject to the approval of the Law Director, which secures the rights to such a freestanding sign from those adjacent property owners who are otherwise entitled to a freestanding sign.
 - B. One freestanding sign is permitted per project or development, except for facilities on corner lots pursuant to division (g)(2) of this section,

- and except for bonuses as established for large lots pursuant to division (g)(3) of this section.
- C. Freestanding signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
- (2) One additional freestanding sign may be permitted for a corner lot, provided that:
 - A. The corner lot has a total frontage, on both sides, of at least 200 feet.
 - B. The total area of all identification signs complies with the requirements for the district in which it is located.
 - C. The second freestanding sign is clearly located to provide identification along the secondary street.
 - D. The total area of both freestanding signs shall not exceed 175% of the maximum area permitted for a single sign.
 - E. The two signs may be aggregated into a single sign at the corner, provided that the area of the aggregated sign face shall not exceed 75% of the maximum area permitted in the district in which it is located.
 - (3) The area and number of freestanding signs on large lots may be increased according to the following:
 - A. The allowable area of any freestanding sign face may be increased by 10 square feet of area for every 10 linear feet of building frontage greater than 200 linear feet.
 - B. The allowable area pursuant to this section may be distributed to one freestanding sign for each 250 feet of lot frontage or fraction thereof.
 - C. The area of freestanding signs may be increased by one square foot for each additional foot the sign is set back beyond the minimum required in the district in which it is located.

(h) Pole Signs at Freeway Interchange Areas. Restaurants, hotels and automotive or other vehicular service businesses in the immediate vicinity of limited access highway interchanges, entrances and exits may be allowed signs constructed to dimensions as established for the district in which the sign is located.

(i) Real Estate Signs.

- (1) The allowable sign area for real estate signs pursuant to the regulations for temporary non-commercial signs as established in each specific district, may be increased by one square foot for each additional linear foot of property frontage in excess of 120 feet, provided that no single sign face exceeds 100 square feet, and provided, further, that not more than two real estate signs shall be permitted on any street frontage for properties in excess of 120 feet.
- (2) Real estate signs directing traffic to new major subdivisions, as defined in the Monroe Subdivision Regulations, may be permitted with the approval of the Zoning Enforcement Officer. Such signs shall not be illuminated and shall be limited to nine square feet in area.
- (3) Real estate signs located within the public right-of-way. The following regulations shall apply to any real estate sign located within the public right-of-way. No real estate signs shall be permitted to be placed in the

public right-of-way for any duration of time unless a permit has been granted under this section.

- A. Permitted sign locations. Real estate signs shall only be permitted at the following intersections subject to the approval of the Zoning Enforcement Officer:
1. I-75 and S.R. 63;
 2. S.R. 4 and S.R. 63;
 3. Caron Road and South Main Street;
 4. North Main Street and S.R. 63;
 5. North Main Street and Todhunter Road;
 6. S.R. 63 and Britton Lane;
 7. Britton Lane and Todhunter Road;
 8. Lebanon Street and Gallaher Road;
 9. S.R. 63 and Yankee Road;
 10. Yankee Road and Todhunter Road;
 11. S.R. 63 and Salzman Road;
 12. S.R. 63 and Crossings Boulevard;
 13. S.R. 4 and Roden Park Drive;
 14. S.R. 4 and Todhunter Road;
 15. Heritage Green Drive and S.R. 63;
 16. S.R. 63 and New Garver Road; and
 17. Approved real estate signs may be permitted at an intersection constituting a main entrance to a residential subdivision. Signs may only be permitted on the two corners of the intersection right-of-way area for which the subdivision entrance is located. A main subdivision entrance shall be defined as any public or private residential subdivision road or street terminating into a road or highway maintaining a roadway classification of a Secondary Collector or higher as specified in Section 1226.04.
- B. Sign setback. All permitted real estate signs shall be set back a minimum of ten feet from the edge of pavement. The Zoning Enforcement Officer may increase this distance to avoid traffic safety issues.
- C. Size of sign. The outside frame of any single sign shall have an area no larger than 18" x 24" and shall not have a height exceeding 36" measured from the ground to the top of the sign or any attachments thereto. The outside frame of any totem sign shall have an area no larger than 24" x 36" and shall not have a height exceeding 40" measured from the ground to the top of the sign or any attachments thereto. No more than three separate developments shall be listed on any one totem sign.
- D. Permitted number of signs per applicant/property. Each permitted single sign shall count as one sign. Each permitted totem sign shall count as two signs. The maximum number of signs permitted under the initial permit identifying a new development shall not exceed fifteen signs. For each subsequent permit applied for (after the initial permit)

the applicant shall be limited to four signs per additional permit. The maximum number of signs permitted under a permit advertising a single (existing) structure shall not exceed two.

- E. Permitted sign content. The intent of this section is to provide for directional and identification of new and existing structures for sale, lease or rent. No advertising is permitted. One descriptive phrase is permitted, i.e. ΔHomes from the 170's@. No structures or developments located outside the corporate boundaries of the City shall be permitted. The Zoning Enforcement Officer shall have the authority to regulate the sign content set forth in this section consistent with the regulations herein.
- F. Days and hours of placement. No real estate sign permitted under this section shall be placed in the public right-of-way before Friday at 6:00 p.m. Any real estate sign permitted under this section shall be removed from the public right-of-way before 5:00 a.m. on Monday. Any real estate sign found in the public right-of-way before Friday at 6:00 p.m. or after Monday at 5:00 a.m. shall be deemed a violation of this section.
- G. Permit process.
 - 1. The applicant shall submit a sign permit on an application form provided by the Zoning Enforcement Officer. Sign permit stickers shall be placed on all permitted signs located within the public right-of-way. The duration of any permit under this section shall be no longer than the current calendar year for which a permit is granted. Any and all permits granted in the calendar year will expire as of December 31st of that same calendar year. Each applicant shall apply for one permit per each development the applicant seeks to identify. If the applicant seeks identification for properties located in more than one subdivision, additional permits shall be applied for.
 - 2. The fee for each (individual) sign permit applied for under this section shall be one hundred dollars (\$100.00). Said fee shall be paid to the City at the time of submission of the application. Upon expiration or cancellation of each sign permit approved under this section, the applicant shall submit a new permit application along with the one hundred dollar (\$100.00) application fee to the City for consideration of right-of-way sign placement privileges.
- H. Fines and penalties. For all valid permit holders, the fine for the first violation shall be one hundred dollars (\$100.00). For all non-valid permit holders, a twenty-four hour grace period shall be offered after the first violation. Subsequent violations shall result in the levying of a one hundred dollar (\$100.00) fine to the violator. After three violations in any calendar year, the applicant or non-valid permit violator shall lose all existing and future permit privileges for a duration of 365 days commencing from the date of the third violation. After the third violation, the Zoning Enforcement Officer may elect to initiate the violation and penalty provisions found in Section 1230.99.

- I. Alternative totem sign regulations. The Zoning Enforcement Officer may establish alternative totem sign regulations when two or more builders within the same subdivision agree to combine their directional signage on a single totem pole, maintaining the same sizes as provided for in this chapter. The Zoning Enforcement Officer shall only consider an alternative number of totem signs when a substantial net reduction in total signs using the base formula in division (i)(3)D. of this section is achieved. Any alternative formula shall be transmitted to the applicant(s) by an Administrative Order signed by the Zoning Enforcement Officer. The issuance of an alternative totem sign regulation shall waive the applicants' rights to pursue other real estate sign permits under division (i)(3) of this section.
(Ord. 99-31. Passed 10-12-99; Ord. 2002-30. Passed 11-26-02; Ord. 2004-20. Passed 6-22-04; Ord. 2005-01. Passed 1-25-05; Ord. 2006-05. Passed 2-28-06; Ord. 2007-42. Passed 10-9-07; Ord. 2008-49. Passed 1-13-09.)

1282.20 DESIGN STANDARDS.

(a) In addition to ensuring compliance with this chapter, the Planning Commission, in reviewing all signs, shall also:

- (1) Consider the proposed general design, arrangement, texture, material, colors, lighting and placement;
- (2) Consider the appropriateness of the proposed sign in relationship to other signs and structures, both on the premises and in the surrounding areas; and
- (3) Approve signs which are consistent with the intent, purposes, standards and criteria of this chapter.

(b) Specific standards for determining the appropriateness of signs shall be as follows:

- (1) The lettering shall be large enough to be easily read but not overly large or out of scale with the building or site.
- (2) The number of items (letters, symbols, shapes) shall be consistent with the amount of information which can be comprehended by the viewer, reflect simplicity, avoid visual clutter and improve legibility.
- (3) The shape of the sign shall be simple and not create visual clutter.
- (4) A ratio between the message and the background shall permit easy recognition of the message.
- (5) The size, style and location of the sign shall be appropriate to the activity of the site.
- (6) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture.
- (7) The sign should be consolidated into a minimum number of elements.
- (8) Signs shall have an appropriate contrast and be designed with a limited number of, and with the harmonious use of, colors.
- (9) Extraneous sign elements, by virtue of inappropriate remodeling, and which exist at the time a new sign is proposed, shall be removed to improve the clarity and design of the proposed sign and restore the character of the building.

- (10) Signs, if seen in series, shall have a continuity of design, with the style of sign generally consistent throughout the building or block.
- (11) Instructional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.
- (12) Visible frames or supports for projecting signs shall be artistic in nature.
- (13) A sign should be constructed with a minimum of different types of material so as to provide a consistent overall appearance.
(Ord. 99-31. Passed 10-12-99.)

1282.21 ILLUMINATION.

(a) All signs, except as herein modified, may be illuminated by internal or reflected light, provided that such illumination shall:

- (1) Be shielded from all adjacent residential buildings and all streets;
- (2) Not have an intensity to cause glare visible to pedestrians or vehicle drivers, nor shall the illumination be of such brightness as to cause reasonable objection from adjacent Residential Districts; and
- (3) Not be flashing, moving or intermittent, except for permitted time, temperature or message signs, except as indicated in Section 1282.03.

(b) In Residential Districts only nameplates and subdivision signs may be illuminated.

(c) Signs shall not be lighted so as to obstruct traffic control or other public information signs. Signs visible from sight lines along streets shall not contain symbols, words or colors that resemble highway traffic signs or safety devices.

(d) Any sign having an outside power source shall obtain a permit and electrical inspection to govern safety and conformity with the National Electrical Code.
(Ord. 99-31. Passed 10-12-99.)

1282.22 CONSTRUCTION STANDARDS.

(a) Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.

(b) Signs shall be fabricated on and be of materials which are of good quality, of good durability and complementary to the building of which they become a part.

(c) The construction, erection, safety and maintenance of signs shall comply with the Building and Housing Code or other applicable codes of the City.

(d) Signs shall be structurally designed to withstand a wind pressure of thirty pounds per square foot in any direction.
(Ord. 99-31. Passed 10-12-99.)

1282.23 SIGNS PERMITTED IN THE PUBLIC RIGHT-OF-WAY.

(a) Signs may be permitted in the public right-of-way subject to the limited criteria provided for in this section. The Planning Commission shall approve any application for

a sign located in the right-of-way under this section. Each application shall be treated on an individual basis and shall conform to the standards of review contained in this section.

(b) Signs located in the public right-of-way shall be limited to:

- (1) One residential, commercial or industrial subdivision identification sign may be considered for placement within a public right-of-way when the subdivision has no practical means to erect an identification at the main entrance.
- (2) An existing conforming sign that becomes nonconforming due to modified boundaries of a public right-of-way as part of a public infrastructure improvement project.

(c) The Planning Commission shall not consider an application under this section unless the following conditions are met:

- (1) The sign shall not create traffic sight distance or other related traffic safety conditions.
- (2) The applicant shall demonstrate the steps taken to provide for other means of sign placement outside of a public right-of-way and clearly show the impractical nature of alternative sign placement locations.
- (3) The applicant shall provide all necessary legal documents providing for maintenance, upkeep, liability and any other condition deemed reasonable by the Planning Commission.
- (4) The sign will not impair the essential character of the area.
- (5) The surrounding properties will be properly protected.

(d) The sign dimensions shall be determined by the Planning Commission.
(Ord. 2006-05. Passed 2-28-06.)

1282.24 COMMERCIAL AND INDUSTRIAL PARK SIGN REGULATIONS.

(a) Commercial Parks. In addition to signs otherwise permitted, a commercial park identification sign shall be permitted for a unified development of five or more commercial firms and/or buildings served by a common access road. Such sign shall conform to the following:

- (1) One for each primary vehicular entrance to the commercial site as determined by the Planning Commission. An additional sign may be permitted to meet special conditions with the approval of the Planning Commission.
- (2) The sign may contain the name and address of the commercial park and names of firms located in the park.
- (3) The maximum sign face area of a commercial park identification sign shall equal 20 square feet for each 50,000 square feet of gross floor area but shall not exceed 100 square feet.
- (4) A maximum height of 15 feet shall be permitted.
- (5) Such sign shall be located as to not interfere with line-of-sight or safety issues regarding right-of-way lines, and must be located ten feet from side and rear lot lines, and 75 feet from any residential district line.

- (6) If a commercial park identification sign is displayed, no other freestanding identification sign in the development shall be located within 100 feet of the road or street on which the commercial park has vehicular access.
- (7) Subdivision signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
- (8) Additional area and height may be increased as determined by Planning Commission.

(b) Industrial Parks. In addition to signs otherwise permitted, an industrial park identification sign shall be permitted for a unified development of three or more industrial firms and buildings served by a common local access road. Such sign shall conform to the following regulations:

- (1) One for each street frontage containing vehicular entrance to the industrial park and must be located at a vehicular entrance to the industrial park.
- (2) The sign may contain name and address of the industrial park and names of firms located in the park.
- (3) 100 square feet maximum sign face area per side.
- (4) A maximum height of 15 feet shall be permitted.
- (5) Such sign shall be located as to not interfere with line-of-sight or safety issues regarding right-of-way lines, and must be located ten feet from side and rear lot lines, and 75 feet from any residential district line.
- (6) If an industrial park identification sign is displayed, no other freestanding identification sign in the development shall be located within 100 feet of the road or street on which the industrial park has vehicular access.
- (7) Subdivision signs shall be erected in a landscaped setting and shall not be permitted on sidewalks or drives or in parking lots.
- (8) Additional area and height may be increased as determined by Planning Commission.
(Ord. 2008-49. Passed 1-13-09.)

