

CHAPTER 1151 – SIGNS

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SECTION 1151.01 PURPOSES

(a) In the interest of promoting the general health, safety and welfare of the residents of the City, these regulations are herein established to provide for the use, location and size of signs in a manner that ensures that signs are in harmony with the character of the associated use and surrounding area. More specifically, the purpose of these regulations is to:

- (1) Ensure that signs are consistent with the community’s development objectives, thereby maintaining the community’s heritage.
- (2) Promote and maintain attractive, high value residential, retail, institutional, commercial and industrial districts, and preserve the scenic and natural beauty of designated areas.

- (3) Provide reasonable, yet appropriate, conditions for identifying institutions, businesses, and commercial and industrial establishments.
- (4) Ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment.
- (5) Provide review procedures that enable the City to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings.
- (6) Eliminate any confusion or hazardous conflict between identification signs and traffic control signs and devices.
- (7) Recognize the commercial communication requirements of all sectors of the business community.
- (8) Guarantee equal treatment under the law through accurate record keeping and consistent enforcement.
- (9) Provide the businesses and institutions with equitable sign standards, based on the values of fair competition and aesthetic standards acceptable to the community.
- (10) Prohibit all signs not expressly permitted by this Chapter.

(b) In establishing these purposes, the City has determined no sign shall be permitted as a main or accessory use except in accordance with the provisions of this ordinance. Any sign that does not conform to the regulations of this Resolution, or any subsequent amendment thereto, is a public nuisance and, as such, must be abated. Nonconforming signs are unduly distracting to motorists and pedestrians, and thereby create a traffic hazard and reduce the effectiveness of signs needed to direct the public. The regulations contained in this Chapter are the minimum regulations necessary to abate the nuisance and to achieve the stated purpose of this Chapter.

SECTION 1151.02 CLASSIFICATION OF SIGNS

For the purposes of these regulations, a sign shall include any device that is intended to announce, direct or advertise, and may be represented by words or letters, figures, symbols or characterizations, or other insignia, or devices. Signs shall further be classified by physical design or structure, and function or purpose based on the following.

(a) Physical Characteristics.

- (1) Abandoned Sign: A sign that 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) Animated Sign: Any sign that uses movement or change of lighting to depict action or to create a special affect or scene.
- (3) Banner Sign: Any sign of lightweight fabric or similar material with no enclosing framework that is mounted to a building at one or more edges. National flags, state or the official flag of any institution or business shall not be considered banners.
- (4) Building Marker: Letters, words, or insignia cut into the building surface, or otherwise permanently mounted on the building, at the time the

building was constructed to convey a memorial, the name of the building, address or date of construction, or similar message.

- (5) Canopy or Awning Sign: A sign painted on, printed on or attached to the soffit or fascia of an awning, canopy, or other fabric, plastic, or structural protective cover over a door entrance or window.
- (6) Changeable Copy Sign: A sign such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over manually or by electronic or mechanical devices.
- (7) Face of Sign: The area of a sign on which the copy is placed.
- (8) Flashing Sign: A sign that contains an intermittent or sequential flashing light source used primarily to attract attention but does not include changeable copy signs or animated signs.
- (9) Freestanding Sign: A sign that is supported from the ground or a structure other than a building.
- (10) Festoons: A string of ribbons, tinsel, small flags, or pinwheels.
- (11) Illuminated Sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- (12) Marquee Sign: A sign attached to or supported by a permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building.
- (13) Nonconforming Sign: A sign that was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.
- (14) Projecting Sign: A sign, other than a flat wall sign, that is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (15) Roof Sign: A sign erected on or over the roof of a building.
- (16) Rotating Sign: A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner.
- (17) Under-Canopy Sign: A sign suspended beneath a canopy, ceiling, roof or marquee intended to be viewed by pedestrians from the sidewalk beneath the canopy, ceiling, roof or marquee.
- (18) Wall Sign: A sign erected parallel to, or painted on the surface or on the outside wall of any building, and not extending more than 12 inches therefrom, and which does not project above the roof line or beyond the corner of the building:
- (19) Window Sign: A sign on the inside of a building affixed to, or near a window for the purpose of being visible to and read from the outside of the building.

(b) Function.

- (1) Billboard Sign: An outdoor sign advertising an establishment, merchandise, service, or entertainment that is not sold, produced, manufactured or furnished at the property on which said sign is located.

- (2) Directional Sign: A permanent sign located on private property, at or near the public right-of-way, directing or guiding traffic and parking from the street onto private property.
- (3) Identification Sign: A sign intended to identify the principal use of a lot, development, building or building unit according to the following:
 - (A) Business Identification Sign: A sign intended to announce or promote the use, activity, service or business on the premises of any business, commercial or industrial establishment, and which may include a directory of occupants.
 - (B) Institution Identification Sign: A sign displaying the name and/or organization occupying the premises of a public or quasi-public use such as but not limited to: churches and other places of worship, hospitals, public or semi-public recreational facilities, schools and/or a sign intended to announce or promote the use, activity, service or business on the premises by any institutional establishment.
 - (C) Development Identification Sign: A freestanding sign identifying the name and address of a completed residential subdivision or multi-family development.
- (4) Instructional Sign: A sign that has a purpose secondary to the use on the lot that is intended to instruct employees, customers or users as to specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, specific services offered or methods of payments accepted.
- (5) Name Plate: A sign indicating only the name and address of the person, business, profession or activity occupying the lot, building(s) or part of the operation or maintenance of any equipment which is placed on the building or site.
- (6) Project Construction Sign: A temporary sign identifying the name of a subdivision, building or public works project or facility or an architect, contractor, subcontractor, and/or material supplier participating during the time of construction.
- (7) Public Regulation and Information: A sign erected by a public authority, utility, public service organization or private industry upon the public right- of-way or, when required by law, on private property and which is intended to control traffic, direct, identify or inform the public or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Such signs include “No Parking Fire Lane”.
- (8) Temporary Sign: A sign that is designed to be used only temporarily and is not permanently, or intended to be permanently, attached to a building, structure or on the ground.

SECTION 1151.03 COMPUTATIONS

The following principals shall control the computation of sign area and sign height:

(a) Determining Sign Area or Dimension.

- (1) For a sign that is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area or dimensions shall include the entire portion within such background or frame.
- (2) For a sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, or an irregular shaped freestanding sign, the area of the sign shall encompass a regular, or a combination of regular geometric shapes which form or approximate the perimeter of all the elements in the display. When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be calculated by determining the geometric form, or combination of forms, which comprise all the display areas, including the space between the elements.
- (3) The sign area shall include the frame but shall not include the pole or other structural support unless such pole or structural support is illuminated or otherwise so designated to constitute a display device.
- (4) The 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. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 72 inches apart at their narrowest, the sign area shall be computed by the measurement of one of the faces.
- (5) In the event there is a dispute in determining the sign area or any sign dimension, the Superintendent of Permits and Inspections shall have the final responsibility for making such determination.

(b) Determining Sign Height. The height of a sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground to the top most element of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest street, drive or parking area.

(c) Determining Clearance of a Sign: The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

(d) Determining Building Frontage and Building Unit. The length of the building that faces the principal street or the length of the wall of the building that contains the main entrance to the uses therein shall be considered the building frontage.

- (1) The building frontage shall be measured along the front wall between the exterior faces of the exterior sidewalls.
- (2) In the case of an irregular wall surface, a straight line extended along such wall surface shall be used to measure the length.
- (3) For lots fronting on two or more streets, or where the building has its main entrance on a wall other than the wall that faces the street, the building frontage shall be calculated separately for each building wall facing a street or having a main entrance. The sign area that is located on a particular building wall shall not exceed the area permitted for such building wall.
- (4) For multi-tenant buildings, the portion of a building that is owned or leased by a single tenant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

SECTION 1151.04 MAXIMUM SIGN AREA PERMITTED

Signs as permitted in the respective zoning districts shall conform to the maximum area limitations set forth in Schedule 1151.05, in compliance with the regulations set forth below.

(a) Business/Institution Identification Signs. The area of business identification signs shall comply with the following:

- (1) Signs Attached to Buildings. The maximum permitted area for signs attached to a building shall comply with the following:
 - (A) The total area of all identification signs shall not exceed the area determined by the formula set forth in Schedule 1151.05.
 - (i) This maximum area shall be the sum of the areas of all identification signs attached to the building including projecting signs, marquee signs, awning signs, and canopy signs, except as otherwise specified, and shall include the area of instructional signs unless the Superintendent of Permits determines that such instructional signs are exempt pursuant to subsection (b) below.
 - (ii) Notwithstanding the above standard, each building shall be permitted a minimum of 30 square feet of identification signs attached to the building.
 - (B) Certain types of signs shall be further limited in size according to Schedule 1151.05.
 - (C) Under-canopy signs shall comply with the maximum area set forth in Schedule 1151.05; the area of which shall not be included in the sum total set forth in subsection A.1. above.
- (2) Freestanding Identification Signs. The area of freestanding business/institution identification signs shall comply with the maximum permitted area specified in Schedule 1151.05 and the regulations of Sections 1151.07 and 1151.08.

- (3) Window Signs. The maximum area for permanent identification signs placed in or painted on a window shall be the percentage of the window area specified in Schedule 1151.05.

(b) Instructional Signs. The area of instructional signs that are clearly intended for instructional purposes, as determined by the Superintendent of Permits, shall not be included in the sum of the area of identification signs, provided such signs comply with the following:

- (1) The sign is not larger than necessary to serve the intended instructional purpose; and
- (2) The sign is not in a location and does not possess design characteristics that constitute or serve the purposes of an identification sign.

(c) Architectural Features. Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. An architectural feature is any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms complementing the site in general.

SECTION 1151.05

SCHEDULE OF MAXIMUM SIGN AREA

| Sign Type | R-50, R-70, R2F | RMF-A, RMF-B | P/I, OB | MUO, MSB | GB-A, GB-B, LI, GI |
|--|-----------------|----------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Nameplate | 2 sq. ft. | 2 sq. ft. | 2 sq. ft. | 2 sq. ft. | 2 sq. ft. |
| Residential Development Identification Signs | 16 sq. ft. (a) | 16 sq. ft. (a) | 16 sq. ft. (a) | 16 sq. ft. (a) | 16 sq. ft. (a) |
| Instructional Sign | (d) | (d) | (d) | (d) | (d) |
| Institution Identification Signs | | | | | |
| Attached to building | 32 sq. ft. | 32 sq. ft. | 1.5 sq. ft. of building front (b) | 1.5 sq. ft. of building front (b) | 1.5 sq. ft. of building front (b) |
| Freestanding sign | 32 sq. ft. | 32 sq. ft. | 40 sq. ft. | 40 sq. ft. | 40 sq. ft. |
| Marquee signs | NP | NP | 1 sq. ft. of marquee face | 1 sq. ft. of marquee face | 1 sq. ft. of marquee face |
| Projecting signs | NP | NP | NP | 12 sq. ft. | NP |
| Freestanding signs | NP | NP | 40 ft. | 40 ft. | 40 ft. (c) |
| Window Sign | NP | NP | 25% of window area | 25% of window area | 25% of window area |
| Under Canopy sign | NP | NP | 8 sq. ft. | 8 sq. ft. | 8 sq. ft. |
| Business Identification Signs | | | | | |
| Attached to building | NP | NP | 1.5 sq. ft. of building front (b) | 1.5 sq. ft. of building front (b) | 1.5 sq. ft. of building front (b) |
| Awning or canopy sign | NP | NP | 40 sq. ft. | 40 sq. ft. | 40 sq. ft. |

| | | | | | |
|--|------------------------|---------------------|---------------------------|---------------------------|---------------------------|
| Marquee signs | NP | NP | 1 sq. ft. of marquee face | 1 sq. ft. of marquee face | 1 sq. ft. of marquee face |
| Projecting signs | NP | NP | NP | 12 sq. ft. | NP |
| Freestanding signs | NP | NP | 40 ft. | 40 ft. | 40 ft. (c) |
| Window Sign | NP | NP | 25% of window area | 25% of window area | 25% of window area |
| Under Canopy sign | NP | | 8 sq. ft. | 8 sq. ft. | 8 sq. ft. |
| Sign Type | R-50, R-70, R2F | RMF-A, RMF-B | P/I, OB | MUO, MSB | GB-A, GB-B, LI, GI |
| Temporary Signs | | | | | |
| Project construction sign | 24 sq. ft. (e) | 24 sq. ft. (e) | 32 sq. ft. (e) | 32 sq. ft. (e) | 32 sq. ft. (e) |
| Window signs | 6 sq. ft. (f) | 6 sq. ft. (f) | 25% of window area (g) | 25% of window area (g) | 25% of window area (g) |
| Other signs | 16 sq. ft. (f) | 16 sq. ft. (f) | 32 sq. ft. (h) | 32 sq. ft. (h) | 32 sq. ft. (h) |
| Notes: | | | | | |
| <ul style="list-style-type: none"> (a) One per street entrance. (b) Per linear foot of building frontage, see also Section 1151.03 and 1151.04(a). (c) Except that for lots with frontage on Whipple Avenue, the maximum area permitted shall be 200 sq. ft. of sign area.. (d) Considered an identification sign unless exempt pursuant to Section 1151.04(b). (e) See Section 1151.09(a) for project construction signs. (f) See Section 1151.09(b) for temporary signs in residential districts. (g) See Section 1151.09(c) for temporary window signs. (h) See Section 1151.09(c) for other temporary signs. | | | | | |

SECTION 1151.06 BONUS SIGN AREA FOR BUSINESS OR INSTITUTION IDENTIFICATION SIGNS ATTACHED TO BUILDINGS

Additional area for business or institution identification signs attached to buildings shall be permitted for lots in institution, business, mixed-use overlay, and industrial districts in compliance with the following:

(a) Corner Lots and Side and Rear Entrances. The maximum allowable area for identification signs attached to a building shall be increased beyond the allowable area set forth in Schedule 1151.05 in compliance with the following:

- (1) Additional area shall be permitted when a building has a secondary frontage because of one or more of the following characteristics.
 - (A) The building is located on a corner lot and faces both the primary street and the secondary street;
 - (B) The building has a customer entrance facing a parking lot and the customer entrance does not face the primary street.
- (2) The sign area for each secondary building frontage shall be 50 percent of the area computed using the formula set forth in Schedule 1151.05, based on the length of the secondary building frontage provided that:

- (A) The additional sign area is utilized only on the secondary building frontage; and
- (B) The sign area permitted on the primary building frontage may be redistributed along the secondary building frontage(s) provided that the total sign area facing the secondary street(s) or parking lot does not exceed the formula set forth in Schedule 1151.05 based on the length of the building frontage.

(b) Large Building Setbacks. The maximum allowable area for identification wall signs may be increased by one-half square foot of sign area for each foot of building frontage when the principal building is set back more than 200 feet from the primary street on which the building is located.

SECTION 1151.07 REGULATIONS FOR FREESTANDING SIGNS

Freestanding signs shall be permitted in compliance with the following regulations:

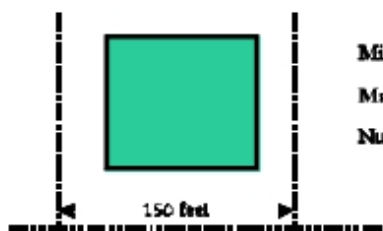
(a) Freestanding Residential Development Identification Signs. A freestanding residential development identification sign shall be permitted for a residential development in compliance with the following requirements.

- (1) Maximum Number of Freestanding Signs. A maximum of two sign faces shall be permitted per street entrance: either as a double-sided freestanding sign or as two single-sided signs either freestanding or mounted on a wall or other entrance feature.
- (2) Minimum Setback from Street. Such signs shall be located no closer than 10 feet from the street right-of-way line, and shall be placed so as not to obstruct sight lines for vehicles or pedestrians.
- (3) Minimum Setback from Side Lot Lines. Such signs shall be located no closer than 25 feet to a side lot line.

(b) Freestanding Business and Institution Identification Signs. A freestanding business or institution identification sign shall comply with the following.

- (1) Maximum Number of Freestanding Signs. One freestanding sign shall be permitted per project or development, except for facilities on corner lots pursuant to Section 1151.07(b)(4) and bonuses established for large lots pursuant to Section 1151.07(b)(5).
- (2) Minimum Sign Setback from Street. Freestanding signs shall be located no closer than two feet from any vehicular public right-of-way in the Main Street District and a distance equal to the height of the sign in all other districts.
- (3) Multi-Tenant Facilities. When a freestanding sign is erected on a site that has more than one tenant, it is the property owner's responsibility to determine the sign area devoted to identification of the development, building, anchor tenant, all tenants, or some combination thereof.
- (4) Additional Freestanding Sign and Sign Area for Corner Lots. One additional freestanding sign shall be permitted for a corner lot provided that:

- (A) The total frontage of both streets is not less than 300 feet;
 - (B) The area of each freestanding identification sign complies with Schedule 1151.05, and the total area of both freestanding signs shall not exceed 175 percent of the maximum area permitted for a single sign;
 - (C) The second freestanding sign is clearly located to provide identification along the secondary street; and
 - (D) The two signs may be aggregated into a single sign at the corner provided that the area of any freestanding sign face shall not exceed 70 square feet, except as otherwise permitted in subsection (5) below.
- (5) Additional Freestanding Sign and Sign Area for Large Lots. 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 5 square feet of area for every 20 lineal feet of lot frontage or fraction thereof greater than 200 lineal feet. See also illustration 1151.07(b)(5)D for application.
 - (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. See also illustration 1151.07(b)(5)D for application.
 - (C) Notwithstanding any provision of this section, the area of any freestanding sign shall not exceed 70 square feet, except that freestanding signs located on lots with frontage on Whipple Avenue shall not exceed 200 square feet.
 - (D) Illustration 1151.07(b)(5)D. Application of Additional Freestanding Signs and Sign Area for Large Lots.



Minimum frontage required = 150 ft.
 Maximum freestanding sign area = 40 sq. ft.
 Number of freestanding signs permitted = 1



Lot with 250 ft. of frontage
 Maximum freestanding sign area = 55 sq. ft.
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times ((250 - 200) / 20)) =$
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times 50 / 20)$ Fractional area rounded up to next whole number =
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times 3) = 40 \text{ sq. ft.} + 15 \text{ sq. ft.} = 55 \text{ sq. ft.}$
 Number of freestanding signs permitted = 1



Lot with 400 feet of frontage
 Maximum freestanding sign area = 90 sq. ft.
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times ((400 - 200) / 20)) =$
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times 200 / 20) =$
 $40 \text{ sq. ft.} + (5 \text{ sq. ft.} \times 10) = 40 \text{ sq. ft.} + 50 \text{ sq. ft.} = 90 \text{ sq. ft.}$
 Number of freestanding signs permitted = 2
 $400 \text{ ft.} / 200 \text{ ft.} = 1.6$ signs, rounded up to 2 signs

(c) Landscaping. Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots.

SECTION 1151.08 MAXIMUM HEIGHT OF FREESTANDING SIGNS

The maximum height of freestanding signs, when permitted, shall conform to the standards set forth in Schedule 1151.08 below.

| Sign Type | R-50, R-70, R2F | RMF-A, RMF-B | P/I, OB | MUO, MSB | GB-A, GB-B, LI, GI |
|--|-----------------|--------------|---------|----------|--------------------|
| Residential Development Identification Signs | 6 ft. | 6 ft. | 6 ft. | 6 ft. | 6 ft. |
| Institution Identification Signs | 6 ft. | 6 ft. | 6 ft. | 6 ft. | 25 ft. (a) |
| Business Identification Signs | NP | NP | 6 ft. | 6 ft. | 25 ft. (a) |
| Directional Signs | NP | 3 ft. | 3 ft. | 3 ft. | 3 ft. |
| Instructional Signs | (b) | (b) | (b) | (b) | (b) |
| Temporary Signs | | | | | |
| Project construction signs | 6 ft. | 6 ft. | 6 ft. | 6 ft. | 8 ft. |

| | Other signs | 4 ft. | 4 ft. | 6 ft. | 6 ft. | 8 ft. |
|--------|--|-------|-------|-------|-------|-------|
| Notes: | (a) Except that for signs located on lots with frontage on Whipple Avenue, the maximum sign height shall be 35 feet. | | | | | |
| | (b) No height limit provided sign complies with 1151.04(b). | | | | | |

SECTION 1151.09 SUPPLEMENTAL REGULATIONS FOR TEMPORARY SIGNS

The following regulations are in addition to the maximum sign area and height regulations set forth in Sections 1151.04 through 1151.08.

(a) Project Construction Signs. A project construction sign shall be permitted only in compliance with the following:

- (1) There shall be not more than one project construction sign per residential subdivision, planned residential development, multi-family project or lot proposed for a nonresidential development.
- (2) The sign shall be erected and maintained on a lot only during the period of time that the building project is under construction. A project construction sign shall be removed within fourteen days of commencement of the intended use or within two days of the erection of a permanent identification sign, whichever comes first.

(b) Other Temporary Signs in Residential Districts. Temporary signs are permitted in Residential Districts subject to the following provisions:

- (1) Each residential unit shall be permitted to erect one temporary sign either in a window or as a freestanding sign in the front yard. Such temporary sign shall be displayed for a duration not to exceed 45 days, after which time the sign shall either be removed or replaced, except as otherwise regulated in Subsection (3) below.
- (2) In addition to subsection (b)(1), each residential unit shall be permitted to erect additional temporary signs for a period not to exceed 45 consecutive days on two separate occasions in any calendar year, except as otherwise regulated in Subsection (3) below.
- (3) Any temporary sign that is erected to announce or advertise a specific event shall be removed within seven (7) days after the close of such event.
- (4) Temporary freestanding signs shall not be located in the public right-of-way.
- (5) Commercial signs shall not be permitted in residential districts except that one temporary sign promoting a garage sale or other similar household sale shall be permitted. Such sign shall be posted on private property for a period not to exceed 72 hours, no more than 2 times in a year.

(c) Regulations for Temporary Signs in Business, Mixed Use Overlay and Industrial Districts. Temporary signs are permitted subject to the following provisions:

- (1) Temporary window signs shall be attached to the interior of the building and shall comply with the following:

- (A) The area of temporary window signs, either affixed thereto or visible from the outside, shall not exceed the percentage of the window area set forth in Schedule 1151.05. This area is in addition to the allowable sign area for identification signs permanently attached to windows.
- (B) All temporary window signs shall be displayed no longer than 30 days after placement, after which time such sign shall either be removed or replaced, except as otherwise regulated in Subsection (4) below.
- (2) All other temporary signs. One freestanding temporary sign or one banner attached to the front of the building shall be permitted for a period not to exceed 30 days, no more than once per calendar year. A temporary freestanding sign shall be located no closer than 10 feet from the street right-of-way line.
- (3) In addition to subsection (c)(1) and (c)(2), each lot shall be permitted to erect temporary signs for a period not to exceed 45 consecutive days on two separate occasions in any calendar year. Such signs shall be limited to noncommercial messages; provided the total area of all temporary signs, except window signs and project construction signs, shall not exceed the maximum sign area set forth in Schedule 1151.05(7)(c).
- (4) Any temporary sign that is erected to announce or advertise a specific event shall be removed within seven (7) days after the close of such event.

SECTION 1151.10 BILLBOARDS

Billboards shall be considered a business use of a property and shall not be erected or constructed in the City of North Canton unless such billboard is erected in compliance with the following:

- (a) The minimum lot area required for a billboard shall be three acres.
- (b) The maximum area of a billboard shall be 100 square feet.
- (c) The maximum height of a billboard shall be 25 feet.
- (d) A billboard shall be located a minimum of 100 feet from a street right-of-way and 300 feet from a side or rear lot line.

SECTION 1151.11 SIGNS EXEMPT FROM REGULATION

The following signs shall be exempt from regulation under the Zoning Ordinance.

- (a) Any public regulations and information sign and any other notice or warning required by a valid and applicable federal, state or local law, regulation or resolution.
- (b) Any sign inside a building, not attached to a window or door that is not legible from a distance of more than 3 feet beyond the building in which such sign is located.

(c) Works of art that do not include a commercial message.

(d) Scoreboards for athletic fields.

(e) Religious and other holiday lights and decorations containing no commercial message when displayed during the appropriate time of the year.

(f) Flags of the United States, the state, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting these conditions shall be considered a sign and shall be subject to regulations as such.

SECTION 1151.12 PROHIBITED SIGNS

All signs not expressly permitted in this Chapter or exempt from regulation pursuant to Section 1151.11 are prohibited in the City. Such signs include but are not limited to the following:

(a) Abandoned signs;

(b) Pennants, festoons, searchlights;

(c) Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;

(d) Animated, flashing, blinking, racer type, moving or revolving signs, whirligig devices, inflatable signs and tethered balloons, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, except those exempt under the previous section, and other similar features;

(e) Signs on temporarily placed vehicles or trailers for the primary purpose of displaying such sign;

(f) Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention getting, identification or advertising purposes;

(g) Signs shall not be located on trees, utility poles, public benches or any other form of public property or in the public right-of-way;

(h) Portable temporary signs with a chassis or support designed to be transported to a site on wheels.

SECTION 1151.13 CRITERIA FOR THE DESIGN AND CONSTRUCTION OF SIGNS

In addition to ensuring compliance with the numerical standards of these regulations, the Superintendent of Permits shall consider the proposed general design, arrangement, and placement of the sign as well as the appropriateness of the proposed sign in relationship to other signs and other structures both on the premises and in the surrounding areas, and shall only approve signs that are consistent with the intent, purposes, standards, and criteria of these sign regulations. Specific standards for determining the appropriateness of the sign shall include, but not be limited, to the following:

(a) The lettering shall be large enough to be easily read but not overly large or out of scale with the building or site.

(b) The number of items, letters, symbols and shapes shall be consistent with the amount of information that can be comprehended by the viewer, reflect simplicity, avoid visual clutter and improve legibility.

(c) The shape of the sign shall be simple, and the sign should be consolidated into a minimum number of elements.

(d) A ratio between the message and the background shall permit easy recognition of the message.

(e) The size, style and location of the sign shall be appropriate to the activity of the site.

(f) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture. The sign shall also have a minimum of advertising and reflect the primary purpose of identifying the name and type of establishment.

(g) Signs shall have an appropriate contrast and be designed with a limited number of, and harmonious use of, colors.

(h) Signs, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or block.

(i) 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.

(j) A sign should be constructed with a minimum of different types of material so as to provide a consistent overall appearance.

(k) Illumination. Signs shall be permitted to be illuminated in compliance with the following:

- (1) Signs may be illuminated by internally or reflected light provided that all lighting complies with the regulations set forth in Section 1155.11.

- (2) No flashing, moving or intermittent lighting, including beacon lights, shall be used except for permitted time, temperature and message signs.
- (3) Signs shall not be lighted to obstruct traffic control or any other public informational signs. Signs visible from sight lines along streets shall not contain symbols or words, or red and green lights that resemble highway traffic signs or devices. These regulations shall not apply to Christmas display lighting.

(1) Construction Standards.

- (1) The construction, erection, safety and maintenance of signs shall comply with the Ohio Basic Building Code and the Ohio Revised Code.
- (2) Signs shall be located so as to pose no threat to pedestrian or vehicular traffic.
- (3) All signs shall be rigidly secured and no sign shall swing from a bar, crane, awing or other sign. No part of any sign shall be revolving, oscillating or otherwise designed to move to attract attention.
- (4) All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.
- (5) All freestanding, under-canopy, projecting, awning, and marquee signs shall have a minimum clearance of 14 feet over any vehicular use area and 8 ½ feet over any pedestrian use area.
- (6) No sign shall be erected so as to obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.
- (7) No sign shall be located on the roof of any building.
- (8) Signs shall be fabricated on and of material that are of good quality, good durability and are complimentary to the building of which they become a part.
- (9) Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than 12 inches horizontally or vertically from any conductor or public utility guy wire.
- (10) Signs shall be structurally designed to withstand wind pressure of 30 pounds per square foot in any direction.

SECTION 1151.14 MAINTENANCE

All signs shall be maintained in accordance with the following:

(a) The property owner shall maintain the sign in a condition fit for the intended use and has a continuing obligation to comply with all building code requirements.

(b) Each sign having an area greater than 4 square feet shall contain the name, address and telephone number of a firm or person responsible for erecting the sign. Such information shall be placed on the frame or other supports and large enough to be read by a person standing on the ground, sidewalk or parking lot nearest the sign.

(c) Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, relettering or repainting, the same may be done without a permit or any payment of 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, conditional or nonconforming use.

(d) If a sign is deemed by the Superintendent of Permits and Inspection to be in an unsafe condition, the owner of the business shall be immediately notified, in writing, and shall, within 10 days of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within the 10 days, the Superintendent of Permits and Inspection may remove, or cause such unsafe sign to be removed, repaired or maintained at the expense of the property owner or lessee, sign owner or sign lessee. If the amount owed for the removal of such sign is not paid within 30 days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property together with a 10 percent penalty for collection in the same manner as real estate taxes.

(e) In cases of emergency, the Superintendent of Permits and Inspection may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the Ohio Basic Building Code or the North Canton Traffic Code.

SECTION 1151.15 ADMINISTRATION PROCEDURES

(a) Signs Requiring a Permit. The following signs shall require a permit prior to the erection or alteration of the sign.

- (1) The Superintendent of Permits and Inspections shall review and act on sign applications for the following signs according to the design and construction criteria set forth in Section 1151.13 and the review procedures for development plan review set forth in Chapter 1175.
 - (A) Business identification signs;
 - (B) Institution identification signs; and
 - (C) Residential development identification signs;
- (2) The Superintendent of Permits and Inspection shall review and act on applications for the following signs. However, the Superintendent of Permits and Inspection may forward such application to the Planning Commission for their review and comment.
 - (A) Building markers;
 - (B) Directional signs,
 - (C) Temporary signs for uses other than single family and two-family dwellings,
 - (D) Instructional.

(b) Signs Not Requiring Permit. The erection of the following signs shall not require a permit provided that all applicable regulations of this Chapter are complied with:

- (1) Temporary signs for single-family and two-family dwellings
- (2) Nameplates.
- (3) Temporary window signs.

(c) Sign Concept Plan. For multi-tenant buildings and development projects with multiple buildings in Business, Mixed-Use Overlay, and Industrial Districts, the Superintendent of Permits and Inspection may approve basic sign parameters that set forth the location, size and style of each tenant sign. Such sign parameters may be established when the Planning Commission reviews development plans for new buildings or at the time that a specific sign application is made for an identification sign for an existing building. Whenever the Planning Commission has approved such sign parameters, the Superintendent of Permits and Inspection shall be authorized to review and approve any subsequent sign application submitted for a tenant of the development or building that complies with such sign parameters.

(d) Application Requirements. An application for a sign permit shall be made to the Superintendent of Permits and Inspection on the form provided. The application shall include two copies; one copy depicting the actual colors of the building and sign, either drawing or photo, with the second copy at eight and one half by eleven size and suitable for reproduction. The application shall present the sign in a manner which best illustrates how the sign shall be experienced by the public after it is erected on the site. Specifically, the application shall include:

- (1) A complete site plan or photograph showing the location of the sign and its relationship to the building, the locations and square footage areas of all existing signs on site, the adjacent parcels and parking lots, drives and sidewalks;
- (2) Detailed drawings showing the design of the sign, including size, content, style of lettering, logo and other graphic features, colors of the applied lettering and background, and materials of the sign and the frame or structure; and
- (3) Construction, erection or fastening details.
- (4) A permit fee for each sign application, pursuant to the fee schedule as listed in the most current edition of the North Canton Fee Ordinance.

SECTION 1151.16 REGULATIONS FOR NONCONFORMING SIGNS

(a) Maintenance of Nonconforming Signs. Nonconforming signs shall be maintained in good condition pursuant to Section 1151.14.

(b) Alteration and Removal of Nonconforming Signs.

- (1) Nonconforming signs shall be removed and any subsequent modification or replacement, excluding maintenance pursuant to Section 1151.14, shall conform to all requirements of this Chapter:
 - (A) When more than 50 percent of the value of the sign has been destroyed or has been taken down; or

- (B) When the use which the nonconforming sign is accessory to is vacant for 90 consecutive days.
 - (C) Except an existing free standing sign that is nonconforming only because of sign area surface or sign height, as determined in Section 1151.05 and Section 1151.08 respectively, may be modified or replaced, provided the modification or replacement improves conformity as to area by at least 30% and as to height by at least 20%.
- (2) A nonconforming sign shall not be altered, modified or reconstructed other than to comply with this Chapter except:
- (A) When the existing use has new ownership which results in a change in the name of the use or business on the property;
 - (B) When the space is reoccupied by a similar use and the new occupant requires no external building or site renovation; or
 - (C) An existing sign pursuant to this subsection may be changed by replacing a sign panel or by repainting a sign face only. Such alterations shall not require changes to the structure, framing or erection or relocation of the sign unless such changes conform to this Chapter.

SECTION 1151.17 INSPECTION UPON COMPLETION

(a) Any person installing, altering, or relocating a sign for which a permit has been issued shall notify the Superintendent of Permits and Inspection upon completion of the work. The Superintendent may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

(b) The Superintendent of Permits and Inspection may require, upon issuance of a permit, that he/she be notified in writing for inspection prior to the installation of certain signs.

SECTION 1151.18 SIGN CONTRACTOR'S LICENSE

No person may engage in the business of erecting, altering, relocating, constructing, or maintaining signs requiring permits, without a valid contractor's license and all required state and federal licenses.

SECTION 1151.19 INDEMNIFICATION AND INSURANCE

(a) All persons involved in the maintenance, installation, alteration, or relocation of signs near or upon any public right-of-way or property shall agree to hold harmless and indemnify the City, its officers, agents, and employees, against any and all claims of negligence resulting from such work insofar as this Ordinance has not specifically directed the placement of a sign.

(b) All persons involved in the maintenance, installation, alteration, or relocation of signs shall maintain all required insurance and shall file with the state a satisfactory certificate of insurance to indemnify the state, county or city against any form of liability to a minimum of \$100,000.

SECTION 1151.20 VIOLATIONS AND PENALTIES

(a) It shall be the duty of the sign owner, sign erector, the owner of the business being identified or advertised and/or the owner of the property upon which the sign is to be placed to see that any sign that is erected, altered, modified or maintained is in compliance with all applicable provisions of these sign regulations. Failure to come into compliance after notice as specified in this Section shall be a violation of this Zoning Ordinance.

(b) The Superintendent of Permits and Inspection shall declare any violation a nuisance and order in writing the correction of all conditions that are found to be in violation of these regulations.

- (1) Where the sign regulations provide that a permit and, where applicable, the approval of the Superintendent of Permits are required prior to the erection of a sign, and no permit or approval has been obtained, violations shall be corrected within five days after the written order is issued or the sign in question shall be removed by the City.
- (2) Any violation involving temporary signs, except as outlined in Subsection (1) above, shall be corrected within five days after the written order is issued. If the permit holder, sign owner, property owner or sign provider fails to remove or alter the temporary sign within five days after such notice, such sign may be removed or altered by the City to comply with these regulations at the expense of the permit holder, the owner of the property upon which it is located, the sign owner or the sign provider. The Superintendent of Permits and Inspection may refuse to issue a permit to any permit holder, sign owner, property owner or sign provider who refuses to pay costs so assessed. The Superintendent of Permits and Inspection may cause any sign that is in immediate peril to persons or property to be removed summarily and without notice.
- (3) In the case of a sign that poses an immediate danger to the public health or safety, such sign shall be removed immediately upon notification of such pending danger or the sign in question shall be removed by the City.

(c) Any signs illegally posted in the public right-of-way may be removed immediately and without notice by the City.

(d) All other violations shall be subject to the standards and criteria set forth in Chapter 1191.