

CHAPTER 1262 SIGNS

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1262.01 PURPOSE

The regulation of signs by this Chapter is intended to promote and protect the public health, safety, and welfare by minimizing the depreciation of property values caused by signs that are incompatible with surrounding land

uses; by creating a more attractive economic and business climate within the commercial, office/research and industrial districts; by enhancing and protecting the physical appearance of all areas of the Village; by protecting signs from obstruction by other signs; and by reducing the distractions, obstructions. And hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs.

(Ord. 99-41. Passed 7-1-99.)

1262.02 SCOPE.

The regulations of this Chapter govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of all signs within the Village visible from any street, sidewalk, or public or private common open space. Any sign not expressly permitted by these regulations is prohibited. The regulations of this Chapter shall be in addition to any other Village Code provisions applicable to the construction and maintenance of signs.

(Ord. 99-41. Passed 7-1-99.)

1262.03 DEFINITIONS OF TERMS.

For the purposed of this Chapter, signs and their features and characteristics shall be defined and classified as set forth in the following Table.

SIGNS	
A-frame Sign	A temporary and/or portable movable sign <u>not secured or attached to the ground which is</u> constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.
Alteration	A change or rearrangement in the structural parts of the design of a sign, whether by extending on a side, by increasing in area or height, or the moving from one location or position to another, or adding or deleting words from the copy, or changing the size of the letters or figures comprising the copy.
Animated Sign	A sign which involves motion or rotation of any part by mechanical or artificial means or which displays flashing or intermittent lights, excluding an electronic changeable copy sign.
Awning	A structure constructed of fabric or metal placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings, with supports extending back to the building, supported entirely by the building. <u>Also a "Canopy".</u>
Awning Sign	A sign that is painted or otherwise made part of the awning material. (See Figure 1262A). <u>Also a "Canopy Sign".</u>
Backlit Awning Sign	An awning sign made of opaque material with translucent letters and illuminated from behind.
Balloon	An inflated nonporous object filled with air or other gas affixed to a building or lot for the purpose of attracting attention.
Banner, Secured	A sign intended to be hung on a frame, secured at the top and bottom, possessing characters, letters, illustrations or ornamentations applied to plastic or fabric of any kind, excluding official flags or emblems of political, religious or educational organizations.
Banner, Unsecured	A sign on plastic or fabric of any kind which is not secured in the manner described in the definition of a "Secured Banner".
Bench Sign	<u>A sign located on the back of a bench at a public transit stop.</u>
Billboard (<i>Outdoor Advertising Sign</i>)	A type of off-premises sign, classified as a business use generally, but not limited to, a rigidly assembled sign, display, or device, usually free standing, that is affixed to the ground or to a building. The primary purpose of which is to display advertising posters. Such signs commonly referred to as "billboards" or "poster panels" are generally designed so that the copy or poster on the sign can be changed and the advertising space may be leased. (See Figure 1262A).
Bulletin Board	<u>See "Kiosk".</u>
Building or House Numbers Sign	A flat sign which identifies the address of the property.

Building Plaque Sign	A plaque designating names of buildings, occupants and/or date of erection and other items such as architect, contractor or others involved in the building's creation, cut into or attached to a building surface and measuring no more than 4 square feet in area.
<u>Building Security Sign</u>	<u>A sign indicating the presence of an electronic security system on the premises.</u>
Building Sign	A sign attached to a building and which is not supported by any structure placed in or upon the ground surface.
<u>Business Sign</u>	<u>A sign which directs attention to a business, service, commodity or profession lawfully being conducted, sold or offered on the same premises on which the sign is erected.</u>
Canopy	A structure constructed of fabric or other material placed so as to extend outward from the building, providing a protective shield for doors, windows, and other openings, supported by the building and supports extending to the ground directly under the canopy. <u>Also an "Awning".</u>
Canopy Sign	A sign that is painted or otherwise made part of the canopy material. <u>Also an "Awning Sign".</u>
Clear Sight Triangle	The triangular area formed by a diagonal line connecting two points located on intersecting right-of-way lines (or a right-of-way line and the edge of an access road), each point being 35 feet from the intersection, and the two intersecting right-of-way lines (or a right-of-way line and an access road). See Chapter 1260, Section 1260.12.
Clearance (of a Sign)	The smallest vertical distance between the surface grade beneath the sign and the lowest point of any sign, including framework and embellishments, extending over that grade.
<u>Construction Sign</u>	<u>A sign erected on the premises on which construction, alteration, or repair is taking place, during the period of construction, displaying only the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interests with respect to the structure or project.</u>
<u>Development Entry Sign</u>	<u>A permanent sign used to identify the main entrance of a development of at least ten (10) acres containing multiple lots and/or multiple (principal) buildings.</u>
Directional Sign	A permanent sign designed to guide vehicular and/or pedestrian traffic by using words such as "Entrance", "Exit", "Parking", "One-Way" or similar directional instruction.
Directory Sign	A secondary sign on which the names and locations of occupants or the use of a building or property are identified.

Electronic Changeable Copy Sign	A sign containing a computer generated message such as public service time, temperature and date sign, message center or reader board, where different copy changes of a public service or commercial nature are shown on the same lamp bank or message facility. For the purposes of this Chapter 1262, the term "electronic changeable copy sign" shall not be defined as a type of "animated sign".
Festive Device Signs	Balloons, umbrellas, and similar devices.
Flag, Pennant or Other Moving or Animated Sign	Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.
Flashing Sign	A sign that uses intermittent, moving or flashing light source to attract attention.
Flat Sign	A sign erected parallel to and attached to the outside wall <u>or window</u> of a building and extending not more than twenty-four (24) inches from such wall, with messages or copy on the face side only (See Figure 1262A).
Floodlit Sign	A sign made legible in the absence of daylight by devices which reflect or project light upon it.
Gas Pump Sign	Informational matter appearing on a gasoline pump as purchased or installed.
<u>Gas Tube Signs and Neon Signs</u>	<u>An illuminated sign affected by a light source consisting of a neon or gas tube that is bent to form letters, symbols, or other shapes.</u>
Government Sign	Any temporary or permanent sign erected and maintained for any official governmental purpose.
<u>Grand Opening Sign</u>	<u>Any exterior "temporary sign" used to promote the one-time promotional event opening of a business.</u>
Ground Sign	A freestanding sign whose face extends to the ground or to a base. (See Figure 1262A).
Height (of a Sign)	The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the surface grade beneath the sign. (Compare: "Clearance")
Historical Marker	A type of memorial sign limited in content to the identification of an historical building or structure or the site of an historical event.
Illuminated Sign	A sign which has characters, letters, figures, designs or outlines illuminated by electric lights, luminous tubes or other means as a part of the sign proper.
Informational Sign	An on-premises sign which identifies the building or use but may not include an advertising message.
<u>Institutional Bulletin Board or Kiosk</u>	<u>A bulletin board of kiosk maintained on a premises owned by a unit of government, church or place of worship, a not-for-profit organization or recreation center; includes any paper notices affixed thereto.</u>

Interior Sign	A sign located within the building so as to be visible only from within the building in which the sign is located.
Kiosk	A structure which is used for the posting of temporary signs.
Logo	A business trademark or symbol.
Marquee	A permanent roofed structure designed to meet all provisions of the current Evendale Building Code and other specifications as outlined in this Chapter. Where specifications as outlined in this Chapter are different from the provisions of the Evendale Building Code, the more restrictive shall apply.
Marquee Sign	A sign attached to a marquee.
Memorial Sign	A sign memorializing a person, place, event or structure.
<u>Monument Sign</u>	<u>A freestanding sign whose face extends to the ground or a base and is supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.</u>
<u>Moving or Animated Sign</u>	<u>Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.</u>
Nameplate Sign	A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises.
<u>Neighborhood Identification Sign</u>	<u>A sign located in the public right-of-way which identifies the name of a particular neighborhood.</u>
New Development Sign	<u>A temporary-An impermanent</u> sign used to attract attention to a new development.
Nonconforming Sign	Any sign or sign structure or portion thereof which is lawfully erected in compliance with applicable regulations of the Village and maintained prior to the effective date of this Zoning Code, and which fails to conform to all applicable standards and restrictions of this Code.
Off-Premises Directional Sign	A sign designed to guide vehicular and/or pedestrian traffic to institutional uses and facilities and limited in content to the name of the institution and symbols or text indicating the distance and/or direction to such institution use.
Off-Premises (Off-Site) Sign	A sign which directs attention to a business, commodity, service, entertainment or attraction sold or offered at a location other than the premises on which the sign is erected.
Official Flag or Emblem	A flag or emblem of a government or of a membership organization.
On-Premises (On-Site) Sign	A sign which directs attention to a business, commodity, service, entertainment or attraction sold or offered on the premises on which the sign is erected.
Outdoor Advertising Sign	See <i>Billboard</i> .

<u>Pennant</u>	<u>A series of geometric shaped flags, with or without a logo, which are made of cloth, fabric, vinyl, or other lightweight material, and are fastened to a stringer that is secured or tethered to the ground and/or structure.</u>
<u>Permanent Sign</u>	<u>A sign that is designed, constructed, and intended for more than short term use.</u>
Pole Sign	A freestanding sign other than a ground sign, erected and maintained on a mast(s) or pole(s) and not attached to any building.
<u>Political Sign</u>	<u>An impermanent sign identifying support for a particular political issue, political party, election issue, or candidate.</u>
Portable Sign	A sign not permanently anchored or secured to either a building or the ground, but usually anchored or secured to a trailer, vehicle (where primary purpose is to advertise) or frame capable of being moved from place to place. <u>Includes "vehicular signs".</u>
Premises	A contiguous parcel of land with its appurtenances and buildings that function as a unit.
Projecting Building Sign	A sign attached to a building or other structure whose sign face is displayed perpendicular to the building wall.
Public Safety Sign	A sign informing the public of any danger or hazard existing on or adjacent to the premises.
<u>Real Estate Sign</u>	<u>A sign used solely for the purpose of offering the property on which it is displayed, for sale, rent, lease, or inspection.</u>
<u>Short-Term Signs</u>	<u>Short-Term Signs include the following: Real Estate Signs, New Development Signs, and Construction Signs. Short-Term Signs do not include signs that are permanent in nature, nor signs that are categorized in this Chapter as "Temporary Signs," "Political Signs," "A-Frame Signs," or "Pennants, streamers, balloons, festive device signs or similar moving devices or air activated graphics."</u>
Snipe Sign	A sign for which a permit has not been obtained which is attached to a public utility pole, service pole or supports for another sign.
Stake	Wood, metal, plastic, or other post which is less than 3 1/2 inches in width or depth, driven into the ground, and used to support any sign.
<u>Street Mailbox Sign</u>	<u>An informational sign which is affixed to a street mailbox.</u>
<u>Subdivision Entry Sign</u>	<u>A permanent on-premises sign identifying a vehicular entrance to a residential subdivision.</u>

<u>Temporary Use Sign</u>	<u>A sign which is accessory to any "Permitted Temporary Uses" found in Section 1268.03 of this Code. "Temporary Use Signs" are subject to the provisions of Section 1268.05(f) of this Code.</u>
Temporary Sign, Exterior	Any exterior sign <u>that is not intended for permanent display, which is</u> constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, <u>which and</u> is erected on stakes, wire, plastic, or cord, <u>including banners, and excluding the following: new development signs, real estate signs, construction signs, temporary use signs, and political signs. Commonly used to advertise vehicle sales, yard sales, political candidates/issues, help wanted, and church festivals.</u>
Vehicular Sign <u>(See also, "Portable Sign")</u>	A sign on a parked vehicle which is visible from the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purposes of this Code, a vehicular sign shall not include any business logo, identification or advertising on vehicle primarily used for other business purposes.
Vending Machine Sign	A sign fastened to or painted on a vending machine which directly relates to the product contained in the machine.
Visible	Capable of being seen, whether or not legible, without visible aid by a person of normal acuity.
Wall Sign	A sign that is painted on a building wall.
Warning Sign	A sign limited in content to messages conveying warning, caution or danger.
Window Sign	A sign <u>either</u> attached to the inside of a transparent glazed surface (window or door).

(Ord. 99-41. Passed 7-1-99.)

1262.03 SIGN PERMITS AND FEES

(a) **Sign Permit Required.** Unless expressly exempted pursuant to Section 1262.05 below, no sign shall be erected, enlarged, expanded, altered, relocated or maintained on private or public property unless a Sign Permit evidencing the compliance of such sign with the provisions of this Chapter shall have first been issued by the Building Commissioner.

(b) **Electrical Permit Required.** Signs in which electrical wiring and connections are to be used shall be subject to the provisions of the National Electric Code.

(c) **State Permit.** In addition to the Sign Zoning Certificate and permits required pursuant to this Section 1262.04, a state permit issued by the State Director of Transportation may also be required for outdoor advertising signs located within 600 feet of roadways that are part of the interstate or primary highway systems.

(d) **Sign Permit Fee Required.** The owner or other person having charge or control of any sign as described and authorized by this Chapter shall pay a fee for such sign based upon the Fee Schedule established by the Village Council.

(Ord. 99-41. Passed 7-1-99.)

**1262.05 SIGNS EXEMPT FROM PERMIT
AND PERMIT FEE REQUIREMENTS.**

The following signs and sign-related activities shall be exempt from the provisions of this Chapter to the extent indicated below and shall not require a sign permit:

- (a) Routine Maintenance of Signs. Routine Sign maintenance or changing of lettering of parts of signs designed to be regularly changed, e.g., readerboards.
- (b) Gas Pump Signs. Signs permanently affixed to or painted directly onto a gasoline pump.
- (c) Official Flags and Emblems. Government flags and emblems displayed on flag poles or in the form of a wall sign.
- (d) Building Security Signs. Building security signs shall be limited to no more than 1 square foot in area, and shall be limited to no more than 4 signs per each two acres.
- (e) Building or House Number Signs. Building or house numbers shall be limited to no more than 1 wall or freestanding sign per occupancy. In no event shall building numbers be more than 2 square feet in area and house numbers more than 1 square foot in area. No freestanding sign shall be higher than 4 feet or closer to any lot line than 6 feet.
- (f) Vending Machine Signs. Signs permanently affixed to or painted onto a vending machine.
- (g) Interior Signs. Any sign in the interior of a building.
- (h) Directory Signs. Any directory sign not greater than 3 square feet in area.
- (i) Incidental Residential Signs. Incidental residential signs may be less than 1 square foot, and each residential property may have up to a maximum of three (3) such signs.
- (j) Street Mailbox Signs. Signs on street mailboxes mounted 42 to 49 inches

above the ground and 12 inches from the curb that identify the name and postal address only in letters up to a maximum of 3 inches in height.

(Ord. 99-41. Passed 7-1-99.)

**1262.06 SIGNS EXEMPT FROM PERMIT
FEE.**

The following types of signs are exempt from the Sign Permit fee. However, the erection or placement of such signs does require the prior issuance of a Sign Permit.

- (a) Institutional Bulletin Boards or Kiosks. Bulletin boards or kiosks no greater than eighteen (18) square feet per sign face, maintained in premises owned by a unit of government, church or place of worship, a not-for-profit organization or recreation center and any paper notices affixed thereto.
- (b) Building Plaque Signs. Building plaque signs shall be limited to no more than one (1) per zoning lot; shall be made of durable materials, such as including, but not limited to, bronze, stone, or concrete; and shall not exceed four (4) square feet in area.
- (c) Historical Markers. Historical markers shall be limited to no more than one (1) flat or freestanding sign per zoning lot; shall be made of durable materials, such as including, but not limited to, bronze, stone, or concrete; and shall not exceed eight (8) square feet in area. No freestanding historical marker shall be higher than six (6) feet.
- (d) New Development Sign. New Development signs as permitted pursuant to Sections 1262.10 through 1262.14.

(Ord. 99-44. Passed 7-1-99.)

**1262.07 SIGNS PERMITTED IN ANY
ZONING DISTRICT WITHOUT
PERMIT OR FEE.**

Except as expressly prohibited in this Section, and notwithstanding any other contrary provisions of this Code, the following signs may be erected and maintained in any zoning district without obtaining a Sign Permit or paying the fee required for such permit, subject to the following limitations, as applicable:

- (a) Nameplate Signs. Such building signs shall be limited to no more than one wall, memorial, or monument sign per occupancy, shall be no more than one square foot in area and shall not be illuminated.
- (b) Informational Signs. Such on-premises signs shall be located at least fifteen (15) feet from right of way and ten (10) feet from property lines.
- (c) Residential District Real Estate Signs. Such signs shall be limited to one (1) single- or double-faced, non-illuminated sign having no more than 9 six (6) square feet per sign face. This section shall not authorize the placement of real estate "sold by" signs.
- (d) Directional Signs. On-premises directional or informational signs directing and guiding vehicular or pedestrian traffic are permitted subject to the following limitations:
 - (1) The information on the sign shall direct the public to the entrance, parking, or other pertinent public feature of the facility and may include identification of the building and uses served by the parking areas and regulations pertaining to the parking areas;
 - (2) The sign shall contain no advertising or promotional content;
 - (3) The sign surface area of any such directional sign shall not exceed nine (9) square feet per sign face;
 - (4) The height of any such sign shall not exceed eight (8) feet;
 - (5) If located at the driveway entrance to the site, there shall be no more than one (1) such sign per driveway; and

- (6) Such accessory signs shall not be located in or overhang any public right-of-way.

(e) Public Safety Signs.

(f) Political Signs.

(g) Single-Family Residential Construction Signs.

(h) Temporary Signs which are posted on Single-Family Residential Property.

(i) Government Signs.

(Ord. 99-41. Passed 7-1-99.)

1262.08 SIGNS SPECIFICALLY PROHIBITED IN ALL DISTRICTS.

The following signs, as well as all other signs not expressly permitted by this Chapter, are prohibited in all districts and shall not be erected, maintained or, except as a nonconforming sign, permitted to continue in any district:

~~(a) Moving or Animated Signs, except public service signs.~~

~~(b)~~ (a) Portable Signs, except when approved in connection with temporary uses.

~~(c)~~ (b) Projecting Building Signs.

~~(d)~~ (c) Roof Signs.

~~(e)~~ (d) Any sign that advertises, identifies, or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located. Such signs shall be removed within 30 days following cessation of the relevant activity.

~~(f)~~ (e) Any sign on a tree, utility pole or public bench, whether on public or private property, except house numbers on private property.

~~(g)~~ (f) Any sign on public property, except governmental signs authorized in this Chapter.

~~(h)~~ (g) Any sign using reflective paint or tape, other than governmental sign or warning sign.

~~(i)~~ (h) Signs which incorporate in any manner any flashing or moving lights, except electronic message boards.

~~(j)~~ **(i)** Signs which are painted on or attached to any trees, telephone poles, public benches or street lights.

~~(k)~~ **Pennants, streamers, or similar moving devices or air activated graphics.**

~~(l)~~ **(i)** Search lights.

~~(m)~~ **(k)** Any **Unauthorized Warning Signs** signs which make use of words such as "Stop," "Look," "Danger," or any other words, phrases, symbols or characters which might interfere with, mislead or confuse traffic.

~~(n)~~ **(l)** Any signs or other advertising structures containing any obscene matter.

(m) Marquee Signs.

(n) Gas Tube and Neon Signs.

(Ord. 99-41. Passed 7-1-99.)

1262.09 GENERAL STANDARDS.

The following general standards shall apply to all outdoor signs unless expressly stated otherwise in this Chapter:

(a) Illumination.

- (1) Location and Design of Light Source. Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as to not be directly visible from any public street or private residence. No receptacle or device housing a permitted light source shall protrude more than 18 inches from the face of the sign or building to which it is attached.
- (2) Level of Illumination. In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed 50 foot candles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such face. All artificial illumination shall be so designed, located, shielded, and directed as to illuminate only the

sign face or faces and to prevent the casting of glare or direct light upon adjacent property or streets.

(3) Signs Adjacent to Residential Areas.

Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area, shall not be illuminated from the hours of 10:00 p.m. **and to** 7 a.m. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.

(4) Flashing Lights Prohibited. Except for public service signs when expressly permitted by this Section, no flashing, blinking, or intermittent lights shall be permitted.

~~(5) Gas Tube Signs Prohibited. Exposed neon and other gas tube signs are prohibited.~~

- (b) Structural Elements. The construction and structural components of all signs shall be in accordance with the standards and regulations of the Village Building Code.
- (c) Minimum Height of Certain Signs. The bottom of every awning, canopy, **marquee**, flat sign and wall sign shall be elevated at least eight (8) feet above grade. Wall signs on the same façade shall maintain the same top and bottom elevations above grade.
- (d) Minimum Setback. Except as otherwise provided, no sign shall be closer than ten (10) feet to a right-of-way or six (6) feet from a side lot line.
- (e) Obstruction of Access Ways. No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window, or other required access way.
- (f) Traffic Safety.
- (1) Confusion with Traffic Signals. No sign shall be maintained at any location whereby reason of its position, size, shape, content, color, or illumination it may obstruct, impair, obscure, interfere with the view of, or be confused with

any traffic control sign, signal, or device or where it may interfere with, mislead, or confuse traffic.

(2) Obstruction of Sight Triangles

Prohibited. No sign, nor any part of a sign other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be located lower than eight feet from grade within the area of any sight triangle as defined in Section 1262.03 of this Chapter in districts where pole signs are allowed.

(g) Signs in Rights-of-Way. No sign, except governmental signs, shall be placed in or extend into or over any public property or public right-of-way. ~~upon the specific prior approval of the Village Council on the basis of need, impact on pedestrian and vehicular traffic, and impact on surrounding property.~~

(h) Sign Maintenance. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this Code and applicable laws, in a safe and secure condition, and in neat and orderly condition and good-working order at all times, and to prevent the development of rust, corrosion, rotting, or other deterioration in the physical appearance or safety of such sign. The premises around monument and pole signs shall be kept clean and free of rubbish and weeds. No sign or sign structure shall be maintained which, in the opinion of the Building Commissioner, is structurally unsafe or constitutes a hazard to safety, ~~or health,~~ and welfare by reason of inadequate construction, maintenance, dilapidation or abandonment.

(i) Sign Measurement.

(1) Determination of Sign Face Area.

The area of a sign shall be determined by computing the entire area within a single polygon that completely enclosed the sign face (i.e., the extreme limits of lettering,

representations, emblems or other figures, together with all surrounding material, color, lighting, trim or ornamentation forming an integral part of the display or used to differentiate the sign from the background from which it is placed) and in which polygon no interior angle is greater than 180 degrees. (See Figure 1262A).

(2) Area of Sign with More Than One Exterior Face. The area of the sign designed with more than one exterior face shall be computed as including one hundred percent (100%) of all sign face areas as defined above that are visible from any ground position. A V-shaped sign whose interior angle is 90 degrees or less shall be counted as two sign faces.

(3) Exceptions. In a residential development where the sign identifying the name of the development is attached to a wall or fence, the area of the entire wall or fence shall not be computed in determining the maximum sign area.

(j) Signs on Lots with Multiple Users.

When more than one user occupies a zoning lot, the owner of that lot shall be responsible for allocating permitted signage among such users.

(k) Sign Spacing. No sign shall be nearer than two (2) feet to any other sign or structure, other than a structure to which it is lawfully attached.

(l) General Safety. Notwithstanding any other provision of this Section, no sign shall be constructed or maintained in any area or in any manner so as to create a nuisance or a threat to the public safety or welfare.

(m) Electronic Changeable Copy Signs.

Electronic Copy Signs are permitted provided that movement is limited to scrolling, or flashing copy with a minimum two second delay. Animation and graphics are prohibited.

- (n) Nonconforming Signs. Nonconforming signs are subject to the provisions of Section 1262.08.
- (o) Temporary Signs. ~~Temporary signs shall be permitted for fifteen (15) days in any calendar month.~~
- (i) All Temporary Signs, excluding Banners, Political Signs, A-Frame Signs, Grand Opening Signs, and Pennants, streamers, balloons, festive device signs, or similar moving devices or air activated graphics, may be displayed for a period not to exceed 30 days for a maximum of four times a year for every calendar year with a minimum of 30 days between installations.
 - (ii) All Temporary Signs must be located on the same zoning lot as the use to which they are accessory.
 - (iii) All temporary signs in Planned Business Districts may be permitted as authorized by these regulations.
 - (iv) Banners.
 - (1) One (1) banner may be displayed for a maximum of two (2) time(s) per year for a period not to exceed 14 days in the Commercial, Public Facilities, and Office Research Districts, and for a maximum of six (6) time(s) per year for a period not to exceed 14 days in the Industrial Districts.
 - (2) All banners shall be securely fastened.
 - (v) Grand Opening Signs.
 - (1) Grand Opening signs are limited to one (1) sign per street front.
 - (2) Grand Opening signage shall be erected for a period not to exceed fourteen (14) days.
- (3) Permits for Grand Opening Signs shall be issued only if a valid Certificate of Occupancy has been issued for the use in question within the previous 6 months.
- (p) Political Signs.
- (1) Political Signs must have a minimum setback of ten (10) feet in all districts.
- (q) A-Frame Signs.
- (1) A-Frame Signs may be displayed up to 180 days a year.
 - (2) A-Frame Signs must be placed indoors at the close of each business day, or no later than 10:00 p.m.
 - (3) A-Frame signs must be located on the same parcel as the structure or activity to which they are accessory, and within 15 feet of the use or activity on the lot to which they are accessory. The “use” in this case may be any lawfully placed principal, accessory, or temporary structure located on the lot.
- (r) Pennants, streamers, balloons, festive device signs, or similar moving devices or air activated graphics.
- (1) One (1) pennant, streamer, balloon, festive device sign, or similar moving device or air activated graphic may be displayed per use.
 - (2) The pennant, streamer, balloon, festive device sign, or similar moving device or air activated graphic shall be erected for a maximum of two (2) time(s) per year for a period not to exceed 14

days in the Commercial and Public Facilities Districts, and for a maximum of four (4) time(s) per year for a period not to exceed 14 days in the Industrial Districts.

(3) The pennant, streamer, balloon, festive device sign, or similar moving device or air activated graphic shall be securely fastened.

(Ord. 99-41. Passed 7-1-99.)

1262.10 SIGN REGULATION FOR THE RESIDENTIAL DISTRICT.

The following regulations shall apply to those properties located in the Residential District. Any sign not expressly permitted by these regulations is prohibited.

(a) Purpose. Signage in the Residential District should be used for purposes typically accessory to single family residential use and which do not impact neighboring residences. The sign regulations of this district are intended to limit the type, number, size and duration of signage permitted in the Residential District in order to prevent the creation of nuisances and impacts on the use and enjoyment of surrounding residential property.

(b) Sign Type, Size and Height Standards for the Residential District.

Types of Signs Permitted	Number of Signs Permitted	Maximum Area Per Sign Face in Sq. Ft.	Maximum Height in Feet	Minimum Setback
<u>Permanent Signs</u>				
Subdivision Entry Sign	(b)	(b)	(b)	(b)
<u>Short-Term Signs</u>				
Construction Sign	1 per lot	9 sq. ft.	4 ft. ^(a)	10 ft.
New Development Sign	(b)	(b)	(b)	(b)
<u>Real Estate Sign</u>	<u>1 per lot</u>	<u>6 sq. ft.</u>	<u>6 ft.</u>	<u>10 ft.</u>
<u>Temporary Signs</u>				
Temporary Sign	1 per 20 linear feet of frontage on right of way	9 sq. ft.	4 ft.	10 ft.
Notes: (a) Applies only to ground mounted signs. No restrictions on building mounted signs. (b) Subject to approval by Planning Commission.				

(c) Supplementary Regulations.

(1) Total Number of Signs. The total number of signs permitted on a residential lot shall not exceed three (3), with a limit of

one sign per sign type, exclusive of nameplates, public safety signs, and subdivision entry signs.

- (2) **Illumination.** Signs for residential uses shall not be illuminated, except for new development signs and subdivision entry signs.
(Ord. 99-41. Passed 7-1-99.)

1262.11 SIGN REGULATION FOR THE COMMERCIAL DISTRICTS.

The following regulations shall apply to those properties located in the Commercial Districts. Any sign not expressly permitted by these regulations is prohibited.

- (a) **Purpose.** Signage in the Commercial Districts should be used for lot by lot commercial development on parcels which generate either large volumes of

consumer traffic or larger vehicle traffic from suppliers. The sign regulations for these districts are intended to: (i) promote traffic safety by enhancing visual clarity for passing motorists; (ii) enhance the aesthetics of business areas within the Commercial Districts; (iii) coordinate signage and landscape requirements of the Commercial Districts; and (iv) relate the physical dimensions of signs to the scale of buildings and lots within the district.

- (b) **Applicability.** These regulations shall apply to all lots within the “GC” General Commercial and “HC” Heavy Commercial Districts.

- (c) **Sign Type, Size and Height Standards for the GC and HC Districts.**

Types of Signs Permitted	Number of Signs Permitted	Maximum Area Per Sign Face in Sq. Ft.	Maximum Height in Feet	Minimum Setback
<u>Permanent Signs</u>				
Canopy/Awning Sign	1 per canopy	.5 sq. ft. per linear ft. of store front; building total not to exceed 40 sq. ft.	No Limit	10 ft.
Flat or Wall Sign	1 per tenant	The smaller of (a) 1/8 total sq. ft. of one wall area; (b) 1 sq. ft. of sign area for each foot of wall width on which sign is located; or (c) 200 sq. ft.	Roof or parapet line	N.A.
Ground <u>or Monument</u> Sign	1 per lot	60 sq. ft.	8 ft.	20 ft.
<u>Short-Term Signs</u>				
Construction Sign	1 per lot	60 sq. ft.	12 ft. ^(a)	25 ft.
New Development Sign	1 per lot	(b)	(b)	(b)
Real Estate Sign	1 per lot	32 sq. ft.	8 ft. ^(a)	10 ft.
<u>Temporary Signs</u>				
<u>A-Frame Sign</u>	<u>1 per tenant</u>	<u>6 sq. ft. with a maximum width of 2 ft.</u>	<u>3 ft.</u>	<u>10 ft.</u>
<u>Banners</u>	<u>1 per tenant</u>	<u>May not exceed 12 feet in any direction.</u>	<u>Roof or parapet line</u>	<u>10 ft.</u>

<u>Festive Device Sign (including pennants, streamers, balloon, or similar moving devices or air activated graphics)</u>	<u>1 per tenant</u>	<u>N.A.</u>	<u>Roof or parapet line</u>	<u>One (1) foot for each of the height of the device (including tethering cords) but no less than 10 feet</u>
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Temporary Sign	1 per 30 linear feet of frontage on right of way	9 sq. ft.	4 ft.	10 ft.
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Other

Temporary Use Sign	See Section 1268.5(f)			
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Notes:

- (a) Applies only to ground mounted signs. No restrictions on building mounted signs.
 (b) Subject to approval by Planning Commission.

(d) Supplementary Regulations.

- (1) Total Number of Signs. One (1) flat sign or wall sign is permitted per use tenant, or as an alternative, canopy/awning signs are permitted as provided in the Table found at Section 1262.11(c) above. One (1) monument sign is permitted. Temporary signs are permitted as provided in Section 1262.09(o) and the Table 1262.11(c) above. Two (2) additional signs, limit one per sign type, shall be permitted for each building from the following sign types: construction sign, ~~political sign~~, real estate sign, and new development sign.
- (2) Illumination. Illuminated signs shall be limited to flat signs, monument signs, ~~window signs~~, ~~roof signs~~, and pole signs.
- (3) Items of Information. Monument signs, flat signs, awning and canopy signs and wall signs shall be limited to the name of the business and one other item of information.

~~(4) Temporary Banner.~~

~~Temporary banners shall be limited to one (1) every six months for a period not to exceed 14 days.~~

(Ord. 99-41. Passed 7-1-99.)

1262.12 SIGN REGULATION FOR THE OFFICE/RESEARCH DISTRICT.

The following regulations shall apply to those properties located in the Office/Research District. Any sign not expressly permitted by these regulations is prohibited.

- (a) Purpose. Signage in the Office/Research District should respond to the campus-like setting promoted by this district, with signage functioning principally to identify building occupants. Freestanding signs should accent the landscape and building signs should accent the buildings.
- (b) Applicability. These regulations shall apply to all lots within the Office/Research District.
- (c) Sign Type, Size and Height Standards for the Office/Research District.

Types of Signs Permitted	Number of Signs Permitted	Maximum Area Per Sign Face in Sq. Ft.	Maximum Height in Feet	Minimum Setback
<u>Permanent Signs</u>				
Flat Sign or Wall Sign	1 per building	The smaller of (a) 1/8 total sq. ft. of one wall area; (b) 1 sq. ft. of sign area for each foot of wall width on which sign is located; or (c) 200 sq. ft.	Roof or parapet line	N.A.
<u>Ground or</u> Monument Sign	1 per lot	60 sq. ft.	8 ft.	20 ft.
<u>Short-Term Signs</u>				
Construction Sign	1 per lot	16 sq. ft.	12 ft. ^(a)	20 ft.
New Development Sign	(b)	(b)	(b)	(b)
<u>Real Estate Sign</u>	<u>1 per lot</u>	<u>32 sq. ft.</u>	<u>8 ft.^(a)</u>	<u>10 ft.</u>
<u>Temporary Signs</u>				
<u>Banners</u>	<u>1 per tenant</u>	<u>May not exceed 12 feet in any direction.</u>	<u>Roof or parapet line</u>	<u>10 ft.</u>
Temporary Sign	1 per 50 linear feet of frontage on right of way	16 sq. ft.	6 ft.	10 ft.
Notes: (a) Applies only to ground mounted signs. No restrictions on building mounted signs. (b) Subject to approval by Planning Commission.				

(d) **Supplementary Regulations.**

- (5) **Total Number of Signs.** Two (2) signs, one per type of sign, are permitted from the following sign types: flat or wall sign and monument sign. Two (2) new development signs are permitted. **Temporary signs and banners are permitted as provided in Section 1262.09(o) and the Table 1262.12(c) above.** Two additional signs, one per type of sign, shall be permitted from the following sign types: construction sign,

political sign and real estate sign.

- (6) **Illumination.** Illuminated signs shall be limited to flat signs, monument signs, and new development signs.
- (7) **Items of Information.** Monument signs and flat or wall signs shall be limited to the name of the business or use.
- (8) Temporary Banner.** **Temporary banners shall be limited to one (1) every six months for a period not to exceed 14 days.**
- (Ord. 99-41. Passed 7-1-99.)

**1262.13 SIGN REGULATION FOR
THE PUBLIC FACILITIES USE
DISTRICT.**

The following regulations shall apply to those properties located in the Public Facilities Use District. Any sign not expressly permitted by these regulations is prohibited.

- (d) Purpose. Signage in the Public Facilities Use District should be appropriate for small scale commercial uses and institutional uses. The sign

regulations for this district are intended to permit signage that is appropriate for commercial and institutional uses, with minimum impacts on any nearby residential uses.

- (e) Applicability. These regulations shall apply to all lots within the Public Facilities Use District.
(f) Sign Type, Size and Height Standards for the Public Facilities Use District.

Types of Signs Permitted	Number of Signs Permitted	Maximum Area Per Sign Face in Sq. Ft.	Maximum Height in Feet	Minimum Setback
<u>Permanent Signs</u>				
Awning Sign	1 per canopy	.5 sq. ft. per linear ft. of store front; building total not to exceed 40 sq. ft.	No Limit	10 ft.
Flat Sign or Wall Sign	1 per tenant	The smaller of (a) 1/8 total sq. ft. of one wall area; (b) 1 sq. ft. of sign area for each foot of wall width on which sign is located; or (c) 200 sq. ft.	Roof or parapet line	N.A.
<u>Ground or</u> Monument Sign	1 per lot	60 sq. ft.	8 ft.	20 ft.
<u>Short-Term Signs</u>				
Construction Sign	1 per lot	16 sq. ft.	12 ft. ^(a)	10 ft. ^(b)
New Development Sign	(c)	(c)	(c)	(c)
<u>Real Estate Sign</u>	<u>1 per lot</u>	<u>32 sq. ft.</u>	<u>8 ft.^(a)</u>	<u>10 ft.^(b)</u>
<u>Temporary Signs</u>				
<u>Banners</u>	<u>1 per tenant</u>	<u>May not exceed 12 feet in any direction.</u>	<u>Roof or parapet line</u>	<u>10 ft.</u>
<u>Festive Device Sign (including pennants, streamers, balloon, or similar moving devices or air activated graphics)</u>	<u>1 per tenant</u>	<u>N.A.</u>	<u>Roof or parapet line</u>	<u>One (1) foot for each of the height of the device (including tethering cords) but no less than 10 feet</u>
Temporary Sign	1 per 30 linear feet of frontage on right of way	16 sq. ft.	6 ft.	10 ft.
Notes:				
(a) Applies only to ground mounted signs. No restrictions on building mounted signs.				
(b) Does not apply if sign is mounted as a flat sign.				
(c) Subject to approval by Planning Commission.				

(d) Supplementary Regulations.

- (1) Total Number of Signs. Two (2) signs, one per type of sign, are permitted from the following sign types: wall sign or flat sign, and monument sign, **or as an alternative, awning signs are permitted as provided in the Table found at Section 1262.13(c) above. Temporary signs are permitted as provided in Section 1262.09(o) and the Table 1262.13(c) above.** Two (2) additional signs, one per type of sign, shall be permitted from the following sign types: construction sign, ~~political sign~~, real estate sign and new development sign.
- (2) Illumination. Illuminated signs shall be limited to flat signs;

~~marquee signs, projecting signs~~ and monument signs.

(Ord. 99-41. Passed 7-1-99.)

1262.14 SIGN REGULATION FOR THE GI AND ITC INDUSTRIAL DISTRICTS.

The following regulations shall apply to those properties located in the General Industrial and Industrial Truck Center Districts. Any sign not expressly permitted by these regulations is prohibited.

- (a) Purpose. Sign regulations for the GI and ITC Industrial Districts are intended to provide for appropriate identification of industrial and manufacturing uses.
- (b) Applicability. These regulations shall apply to all lots within the GI and ITC Industrial Districts.
- (c) Sign. Type, Size and Height Standards for the GI and ITC Industrial Districts.

Types of Signs Permitted	Number of Signs Permitted	Maximum Area Per Sign Face in Sq. Ft.	Maximum Height in Feet	Minimum Setback
<u>Permanent Signs</u>				
Flat Sign or Wall Sign	1 per tenant	The smaller of: (a) 1/8 total sq. ft. one wall area; (b) 1 sq. ft. of sign area for each foot of wall width on which sign is located; or (c) 200 sq. ft.	Roof or parapet line.	N.A.
<u>Ground or Monument Sign</u>	1 per lot	60 sq. ft.	8 ft.	20 ft.
Pole Sign	1 per lot in front yard; and if applicable, one additional pole sign in lot frontage abutting I-75 right-of-way**.	.5 sq. ft. per linear ft. of lot frontage; not to exceed 200 sq. ft.	35 ft.	25 ft.
<u>Short-Term Signs</u>				
Construction Sign	1 per lot	16 sq. ft.	12 ft.*	10 ft.
<u>New Development Sign</u>	<u>1 per lot</u>	<u>(a)</u>	<u>(a)</u>	<u>(a)</u>

<u>Real Estate Sign</u>	<u>1 per lot</u>	<u>32 sq. ft.</u>	<u>8 ft.*</u>	<u>10 ft.</u>
<u>Temporary Signs</u>				
<u>Banners</u>	<u>1 per tenant</u>	<u>May not exceed 12 feet in any direction.</u>	<u>Roof or parapet line</u>	<u>10 ft.</u>
<u>Festive Device Sign (including pennants, streamers, balloon, or similar moving devices or air activated graphics)</u>	<u>1 per tenant</u>	<u>N.A.</u>	<u>Roof or parapet line</u>	<u>One (1) foot for each of the height of the device (including tethering cords) but no less than 10 feet</u>
Temporary Sign	1 per 40 feet of linear frontage on right of way	16 sq. ft.	6 ft.	10 ft.
Notes: * Applies only to ground mounted signs. No restrictions on building mounted signs. ** If lot frontage abutting I-75 right-of-way is greater than one-half-mile, one additional pole sign may be permitted for each additional complete linear half-mile of lot frontage on I-75 right-of-way. <u>(a) Subject to the approval of the Planning Commission.</u>				

(d) Supplementary Regulations.

- (1) Total Number of Signs. One (1) flat sign or wall sign is permitted per lot. One (1) pole sign or monument sign is permitted in the front yard, with additional pole signs permitted along Interstate-75 in accordance with the regulations in Table 1262.12
- (c). Temporary signs are permitted as provided in Section 1262.09(o) and the Table 1262.14(c) above. Two (2) additional signs, one per type of sign, shall be permitted per lot from the following sign types: construction sign, **political sign**, real estate sign, and new development sign.
- (2) Illumination. Illuminated signs shall be limited to flat signs, monument signs and pole signs.
- (3) Items of Information. Monument signs, pole signs,

flat signs and wall signs shall be limited to the name of the business and one other item of information.
(Ord. 99-41. Passed 7-1-99.)

1262.15 INSPECTION AND ENFORCEMENT

(a) Violations and Penalties.

- (i) ~~(a)~~ Written Notice of Violation.

- (1) Notice for all Sign Violations excluding Temporary Signs.
The Building Commissioner **or his/her designated representative** will issue a written notice of violation by registered mail to the person **or entity** having charge or control or benefit of any sign, **including Permanent Signs and Short-Term**

Signs and excluding Temporary Signs,

found by the Zoning Administrator to be unsafe or dangerous, or in violation of these Sign Regulations or of any other Village ordinance, and where the Village is contemplating removal of the sign.

- (2) **Notice for all Temporary Sign Violations. The Building Commissioner or his/her designated representative will issue a written notice of violation by hand delivery to the person or entity having charge or control or benefit of any Temporary Sign found by the Zoning Administrator to be unsafe or dangerous, or in violation of these Sign Regulations or of any other Village ordinance, and where the Village is contemplating removal of the sign.**

- (ii) **Time Limit and Options. After receipt of a Written Notice of Violation, the person or entity having charge, control or benefit of the noncompliant sign must take the following actions:**

- (1) **For all signs except Temporary Signs:**
A. Abatement of the violation within thirty (30) days; or

- B. An application for appeal to the Board of Zoning Appeals may be filed no later than 14 days after receipt of the Written Notice of Violation being appealed, and in accordance with the requirements of this Part V, Chapter 1276.**

- (2) **For Temporary Signs, the following action:**

- A. For the first violation, abatement of the violation must occur within one business day (24 hours). For any violations thereafter which occur within one (1) year of the first violation or any subsequent violation, citations will be issued immediately, and no abatement period shall be granted; and**
- B. An application for appeal to the Board of Zoning Appeals of the penalties imposed pursuant to Section 1262.15(iii) may be filed no later than 14 days after receipt of the Written Notice of Violation being appealed, and in accordance with the requirements of this Part V, Chapter 1276.**
- C. An application for appeal to the Board of Zoning Appeals of the order to remove any Temporary Sign pursuant to this Chapter may be filed no later than one business day (24 hours) after receipt of the Written Notice of Violation being appealed, and in accordance with the**

requirements of this Part
V, Chapter 1276.

(iii) Citation.

- (1) If the violation has not been abated nor an appeal filed within thirty (30) days of the issuance of the Written Notice of Violation for all signs except Temporary Signs, a citation will be issued.
- (2) In the case of Temporary Signs, a citation will be issued for the first violation with a 12-month period if the violation has not been abated within one business day (24 hours) of receipt of the Written Notice of Violation. For any further violation within 12 months of the first or any subsequent violation, citations will be issued immediately and concurrently with the Written Notice of Violation.

(iv) Continuing Violations.

- (1) Each day following the issuance of a citation that the violation continues shall be deemed a separate offense. The penalty amount designated in Table 1262.15(a)(v) for the applicable citation (first citation, second citation, and so forth) shall apply to each separate day that the violation continues.

(v) Penalties.

<u>Penalties - Cost Per Day</u>		
<u>1st Citation*</u>	<u>2nd Citation*</u>	<u>3rd Citation and So Forth*</u>
<u>\$50</u>	<u>\$75.00</u>	<u>each \$150</u>

* Citations accumulate when issued repeatedly on the same parcel to the same person or entity to whom other citations were issued previously or simultaneously.

(b) Nonmaintained or Abandoned Signs.

The Building Commissioner shall require each nonmaintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure.

(c) Unsafe or Dangerous Signs.

If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after the Building Commissioner gives notice pursuant to Section 1262.15(d), and shall at once abate and remove the sign, and the person having charge, control or benefit of any such sign shall pay to the Village the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such a person.

(d) Illegal Signs.

If an illegal sign is not made conforming within thirty (30) working days after the Building Commissioner gives notice pursuant to Section 1262.15(a), the Commissioner shall at once abate and remove the sign, and the owner, person having charge, control or benefit of any such sign shall pay to the Village the costs incurred, including, but not limited to, village employee time, sign storage fees, etcetera, in such removal within thirty (30) calendar days after written notice is mailed to such person.

- (e) Confiscation of Signs. The Building Commissioner shall immediately confiscate any sign located on public property or in the public right of way in violation of these Sign Regulations or any other Village ordinances. Confiscated signs shall be stored at a location determined by the building official for a period of thirty (30) days, during which time the owner or person having charge, control or benefit of the confiscated sign may redeem the sign after payment of enforcement cost to the Village as set forth in the Schedule of Fees established by the Village Council. Payment of costs to the Village shall be held harmless for and damages incurred to signs as a result of confiscation. In addition to enforcement costs, sign owners and person having charge control and benefit of any sign erected in violation of this chapter shall be liable for any damages caused to public property, public facilities or public utilities by reason of the placement, attachment and/or removal of such unlawful signs. Signs not redeemed within thirty (30) days shall be destroyed.
(Ord. 99-41. Passed 7-1-99.)

1262.16 NONCONFORMING SIGNS.

See Section 1264.08.
(Ord. 99-41. Passed 7-1-99.)