

## CHAPTER 173

### SIGNS

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#### 173.01 INTENT AND PURPOSE.

Sign regulations, including provisions to control the type, design, size, location, illumination, setbacks, and maintenance thereof, are hereby established to protect the public health, safety, convenience, comfort, prosperity, morals and general welfare and to achieve the following purposes:

- (a) To promote attractive residential and nonresidential districts and protect property values therein;
- (b) To provide for reasonable and appropriate methods and conditions for advertising goods sold or services rendered in commercial business districts; and
- (c) To provide for appropriate and harmonious identification of uses and services within commercial business, professional office, and industrial districts;
- (d) To promote the public health, safety, and general welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstructions;
- (e) To protect public safety by requiring the removal or repair of damaged signs;

- (f) To limit visual clutter in order to protect and preserve the aesthetic quality and physical appearance of the Township;
- (g) To establish conditions under which non-conforming signage must be brought into conformity;
- (h) To permit and protect the constitutional right to freedom of speech, and
- (i) To classify signs so as to apply the appropriate regulations contained herein; provided however, these regulations are meant to be content neutral.

### **173.02 SIGN MATERIALS.**

Signs and support structures shall consist of weather resistant materials and shall be maintained in good repair and a safe condition so as to prevent rust, rot, peeling, flaking or fading. Broken or cracked sign faces or panels, missing letters, flaking or peeling paint, malfunctioning electrical or lighting components, and other visual damage or deterioration shall be repaired upon written notification provided to the owner or lessee of the affected lot or premises by the Zoning Inspector.

### **173.03 MEASUREMENT STANDARDS.**

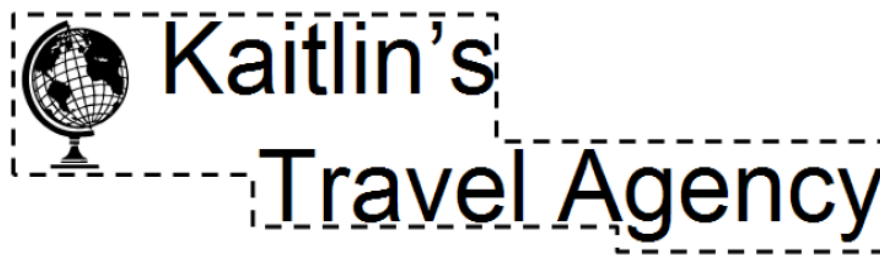
Measurement and computation of the area of signs permitted under this chapter shall be made in accordance with the following:

- (a) The area of a sign shall be measured within a single continuous perimeter enclosing the extreme limits of text, graphics, and other devices used to attract attention, together with any frame as shown in figure 1, or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, but excluding the necessary supports or uprights on which such sign is placed. Channel letters or other sign elements placed on a wall surface without a frame or other background shall include an area sufficient to enclose all lettering and other projections, including the space between letters, words, and other sign elements as shown in the example in figure 2. The enclosed area may be adjusted using up to ten (10) straight, horizontal or vertical lines as shown in figure 2, to accommodate projections of single letters or other elements.

*Figure 1: Signs with a frame*

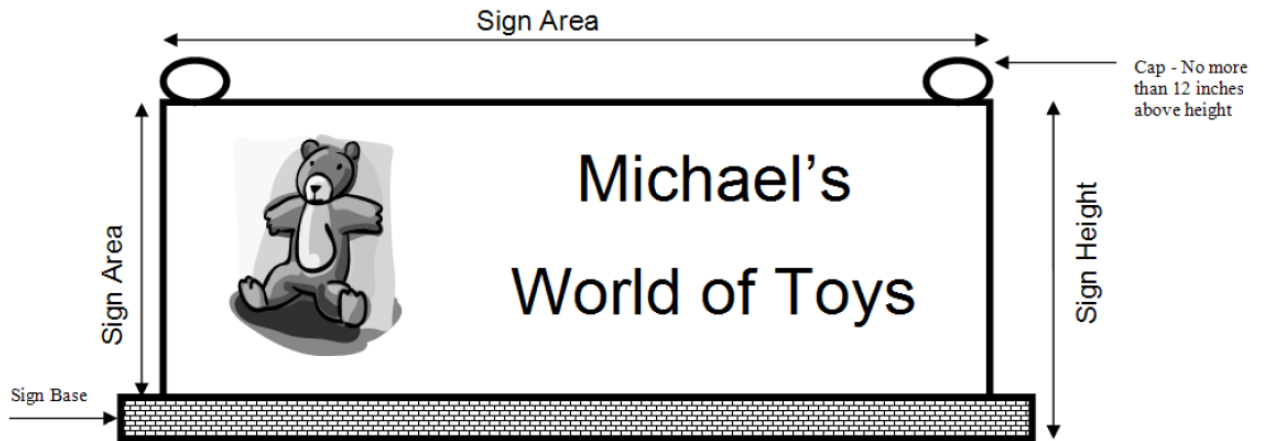


*Figure 2: Signs without a frame or background, i.e. channel letters - sign area enclosed by dashed line*



- (b) The frontage of a nonresidential building shall be the number of lineal feet of the façade facing the principal street or of the façade containing the main entrance, as determined by the Zoning Inspector.
- (c) The frontage of a lot not occupied by a building shall be the dimension of such lot abutting the principal street.
- (d) Sign height shall be computed as the vertical distance from either:
  - (1) The finished grade at the base of the sign as shown in figure 3, or
  - (2) The centerline of the road right-of way of the nearest road to which the sign is oriented and on which the lot has frontage to the highest component of the sign, including the support structure, as determined by the Zoning Inspector; provided however, that decorative caps or similar architectural elements not part of the sign face may extend up to twelve (12) inches above the designated height. For purposes of determining sign height, finished grade shall be the grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Figure 3: Sign Area and Height



**173.04 GOVERNMENTAL SIGNS EXCLUDED.**

For the purpose of this Zoning Resolution, "sign" does not include those erected and maintained pursuant to and in discharge of any governmental function, or required by any law, resolution, or governmental regulation.

**173.05 CERTIFICATE AND COMPLIANCE REQUIRED.**

Except as specifically provided in this chapter, no sign shall be erected, constructed, reconstructed, enlarged, extended, moved or altered unless a zoning certificate has been issued therefore, as provided herein. All signs shall conform to the provisions of this chapter.

**173.06 PRIOR ZONING CERTIFICATE REQUIRED.**

Where the purpose of a sign is to direct attention to a use of land, or to a business or activity conducted thereon, no zoning certificate shall be issued for such sign until a zoning certificate has been issued permitting such use of land, business or activity. If such use of land, business or activity is to be conducted within a building or utilizes a structure for which a zoning certificate is required, no zoning certificate for a sign shall be issued, except for subdivision advertising signs, until a zoning certificate has been issued permitting construction of such building or structure and/or use thereof for its intended purpose.

**173.07 SIGN ILLUMINATION.**

- (a) Residential Districts. Signs in residential zoning districts shall not be illuminated, except for street number signs, public school signs, conditionally permitted use signs, and permanent signs for entranceways to residential subdivisions.

- (b) Nonresidential Districts. Signs in zoning districts not classified residential may be illuminated, subject to the regulations provided herein.
- (c) Prohibited Illuminating Devices. Except as permitted for changeable copy signs all illuminated signs and sign lighting devices shall employ only light of constant intensity. No sign shall be illuminated by or contain any flashing, intermittent, rotating or moving lighting device. No strings of lights or other lighting devices, which are not part of a sign, shall be used to attract attention to a sign, or otherwise used to attract attention to a location, business or activity. The colors red or green, whether in direct illumination or reflection, shall not be used where such use may interfere with the sight lines of a traffic signal. See also Section 161.20.
- (d) Electrical Wiring. Electrical wiring serving any sign shall be installed underground or on or within the structure to which the sign is attached.
- (e) Illumination. Illumination shall not be of excessive brightness and shall be shielded so as to prevent direct light or glare from being cast into any adjoining residential dwelling or residential district or at vehicles traveling on a public right-of-way. Such lighting shall be shielded so as to prevent view of the light source from any adjoining residence or residential district and/or vehicles approaching on a public road right-of-way from any direction.

<b>173.08 PROHIBITIONS.</b>
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The following are prohibited in all zoning districts:

- (a) Signs which project over or upon any sidewalk, pathway or street, whether public or private.
- (b) Mobile, portable, or wheeled signs, except sandwich board or A-frame signs as provided in Section 173.11 (b)(2).
- (c) Banners, blades, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or other moving devices.
- (d) Any sign in danger of falling or which is otherwise unsafe. Such signs shall be immediately repaired or removed, upon notice for such action by the Zoning Inspector to the owner or occupant of the premises on which the sign is located.
- (e) Signs placed within the right-of-way of any public street or attached to utility poles, street signs, or traffic control poles except public signs, such as traffic control devices and directional signs.

- (f) Signs located so as to obstruct sight distances for vehicles entering or exiting any property or traveling on a public street or signs that prevent the driver of a vehicle from having a clear and unobstructed view of any official governmental signs.
- (g) Off-premises General Advertising signs except as provided in Section 173.16.
- (h) Signs erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use of access to any fire lane, entry/exit or standpipe, or so as to obstruct any window so that light or ventilation is reduced.
- (i) Signs erected or maintained on trees, or painted or drawn upon rocks or other natural features.
- (j) Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property, excepting an identification sign that is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise.
- (k) Signs placed, inscribed or supported upon a roof or upon any structure that extends above the roof line of any building.
- (l) Inflatable images.
- (m) Signs containing flashing, moving, intermittent, or running lights or which imitate traffic control devices, provided however, that changeable copy signs shall be permitted.
- (n) Signs that employ any part or element which revolves, rotates, whirls, spins or otherwise makes use of motion to attract attention; or, emits smoke, visible vapors, particles, odors or open flames.
- (o) Beacons or searchlights.
- (p) High intensity strobe lights.
- (q) Off-premises Directional Signs.
- (r) Pole signs.
- (s) Projecting signs.
- (t) Nothing contained herein shall be construed to restrict or prohibit holiday decorations or signs that are temporary in observance of religious, national or state holidays and which do not contain a commercial message.

- (u) Signs that interfere with, imitate, or resemble an official governmental sign, signal, or device.
- (v) Signs erected without the permission of the affected property owner.
- (w) Signs containing information which states that a building, structure or lot may be used for any purpose not permitted under the provisions of this Resolution.
- (x) Signs erected on a canopy over pump islands for a service station.
- (y) Any sign not listed as permitted or conditional in this Resolution shall be prohibited.

<p><b>173.09 SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A ZONING CERTIFICATE.</b></p>
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No Zoning Certificate shall be required for:

- (a) Periodic repair, repainting, or maintenance which does not alter the sign including, but not limited to, the sign face, design, or structure.
- (b) Changing the lettering, graphic, or information on a sign specifically approved as a changeable copy sign, whether automatic or manual.
- (c) Legal notices, warnings, regulatory, informational, or directional signs erected by any political subdivision of the State of Ohio or public utility.
- (d) Signs not exceeding three (3) square feet in area directing and guiding traffic and parking on private property, such as signs designating handicapped parking, reserved parking, visitor parking, and loading areas.
- (e) Wall signs not exceeding three (3) square feet in area which cannot be seen from a public street or right-of-way or from adjacent properties.
- (f) Signs identifying the address of the premises.
- (g) Signs for farm markets or roadside stands, provided that such signs shall not exceed twenty-five (25) square feet of sign area per lot. The sign area of farm markets located within platted major subdivisions shall not exceed four (4) square feet per lot.
- (h) Temporary signs, except as may otherwise be set forth in other sections of this Chapter, shall be subject to the following regulations:

- (1) Shall be erected only with the permission of the owner of the affected premises.
  - (2) Shall be erected for no more than thirty (30) consecutive days and a maximum of two (2) times per calendar year.
  - (3) No temporary sign shall be posted on or erected in any place or in any manner which is destructive to property upon erection or removal.
  - (4) No temporary sign shall be located within a public road right-of-way nor shall any such sign be posted on a utility pole.
  - (5) The maximum area of a temporary sign shall be thirty-two (32) square feet per sign face and the maximum height shall be six (6) feet.
  - (6) There shall be no more than one (1) temporary sign erected on a lot.
  - (7) Temporary signs shall not be illuminated by any means, including reflecting light.
  - (8) Shall not be mounted, attached, affixed, installed, or otherwise secured in a manner that will make the sign a permanent sign.
  - (9) Shall not be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roofline of a structure.
  - (10) Shall be secured in such a manner as to prevent swinging or other significantly noticeable movement resulting from the wind that could pose a danger to people, vehicles, or structures.
  - (11) Shall not be on erected wheels, runners, casters, parked trailers, or parked vehicles.
  - (12) Shall be constructed of durable material. To avoid public safety concerns, temporary signs shall be removed or replaced when such signs are in a deteriorated condition in accordance with this Resolution.
  - (13) Shall not contain any changeable copy.
- (i) Directional signs.
  - (j) Patio umbrellas displaying signage provided that such umbrellas are located in designated patio areas, must be closed when not in use during off season periods, and are not larger than necessary to accommodate the seating area for individual tables and the message area in total per umbrella shall not exceed six (6) square feet.
  - (k) Instructional signage, including but may not be limited to, hours of operation or near doors, and warning and safety messages. Such signage shall be proportionate to the door or nearby area upon which they are placed.
  - (l) Temporary signs containing a noncommercial message, including political signs relating to a candidate for political office or a public referendum issue.
  - (m) Temporary real estate signs advertising property for sale or lease.

- (n) Changing a sign face that is lawfully existing, provided there shall be no size, structural, or illumination alteration of such sign face.
- (o) Flags of the United States, a political subdivision, or containing a noncommercial message.
- (p) Security and warning signs that shall not exceed four (4) square feet per sign face.
- (q) Signs located inside a building, except window signs.

**173.10 RESIDENTIAL DISTRICT SIGNS REQUIRING A ZONING CERTIFICATE.**

Upon issuance of a Zoning Certificate, as provided in Section 173.12 signs may be permitted in R-5A and R-3A residential zoning districts in accordance with the following provisions.

(a) Permanent Signs.

(1) A residential development containing more than ten (10) dwelling units may be permitted one (1) free-standing ground sign at each entrance to the development provided that such sign does not exceed twenty-five (25) square feet in area, does not exceed six (6) feet in height, is located at least twelve (12) feet from any street right-of-way or property line, and at least thirty-five (35) feet from any dwelling unit. In lieu of a standard two sided ground sign, a qualifying residential development which has decorative entrance walls may be permitted one (1) sign, not exceeding twenty-five (25) feet in area, mounted on the decorative wall on each side of the main entrance to the development. A residential development sign shall be maintained by the affected real property owner or by an association provided it is within a recorded easement for such purpose.

(2) Approved home occupations, Type B family day-care facilities, and licensed residential facilities may be permitted one (1) sign, which may be either a wall or ground sign, for each lot or parcel, provided that such sign shall not exceed a maximum of four (4) square feet in area and six (6) feet in height, and shall be located at least twelve (12) feet from any street right-of-way and twenty-five (25) feet from any side lot line.

(3) Public schools, private, and parochial schools, and other nonresidential uses, and conditionally permitted uses may be permitted one (1) wall sign which shall not exceed one-half (1/2) square foot in area for each lineal foot of the building wall or façade which faces the principal street or contains the main entrance as determined by the Zoning Inspector and one (1) ground sign which shall not exceed twenty-five (25) square feet in area and six (6) feet in height. Such signs shall be located at least twelve (12) feet from any street right-of-way and twenty-five (25) feet from any residential property line or residential zoning district line. Such signs may be changeable copy provided that they

comply with all of the requirements for changeable copy signs as set forth in Section 173.11(c)(1).

(b) Other Temporary Signs.

(1) A residential development containing more than ten (10) dwelling units may be permitted one (1) free-standing ground sign on each street abutting the development which may be displayed from the commencement of actual improvement construction until the latter occurrence of either of the following events:

- a. Completion of the installation of streets and utility improvements within the subdivision; or
- b. Transfer by the original owner of eighty percent (80%) of the sublots within the subdivision, other than a bulk transfer of all or substantially all of the unsold lots in the subdivision to a successor or developer.

Each such sign shall not exceed thirty-two (32) square feet per sign face in area and six (6) feet in height. Zoning Certificates for such signs shall be valid for a period not to exceed one (1) year from the date of issuance, shall terminate by its terms upon occurrence of the events listed above, and may be renewed if such events have not occurred at the expiration date. If a subdivision is developed in successive phases, the right to display a subdivision advertising sign shall be determined from time to time without reference to phases in which construction of subdivision improvements has not actually commenced.

(2) Non-residential permitted and conditional uses in residential districts may be permitted a temporary sign announcing special events, provided that:

- a. Only one (1) such sign shall be displayed on the property at any given time;
- b. Such signs shall not exceed sixteen (16) square feet per sign face in area or four (4) feet in height;
- c. Such signs shall be removed within seven (7) consecutive days of the completion or termination of the event;
- d. Such signs do not violate the provisions of Section 173.08;
- e. No such sign shall be displayed for longer than thirty (30) consecutive days and a maximum of two (2) times per calendar year; and
- f. Such signs shall not be illuminated by any means, including reflecting light.
- g. No fee shall be charged for such signs, provided a Zoning Certificate is obtained prior to erection.

**173.11 NONRESIDENTIAL DISTRICT SIGNS REQUIRING A ZONING CERTIFICATE.**

Upon issuance of a zoning certificate for a sign, as provided in Section 173.12, signs may be permitted in Convenience Business District (CB), Mixed Use Planned Unit Development District (MUP), Professional Office (P-O) District, Light Industry Restricted District (LIR), Active Public Park District (APP), and Passive Public Park District (PPP) zoning districts, in accordance with the following provisions:

(a) Permanent Signs. Subject to the restrictions and requirements set forth herein:

(1)Wall Signs. Wall signs shall not project more than eighteen (18) inches in front of the building wall nor beyond any building corner. Such signs shall not extend above the height of the building nor more than twenty-two (22) feet above finished grade. Such signs may include provisions for changeable copy in conformance with Section 173.11(c) (1) hereof. Except on a corner lot, one (1) wall sign for each business use or tenant within a building shall be permitted and shall not exceed 1.25 square feet in area for each lineal foot of the building wall or façade which faces the principal street or contains the main entrance as determined by the Zoning Inspector. On a corner lot, one (1) additional wall sign for each business use or tenant within a building shall be permitted and shall not exceed 1.25 square feet in area for each lineal foot of the building or wall that faces the secondary street.

A wall sign may only be located on the portion of the building unit which corresponds to the interior dimensions of it and shall be centered thereon. Wall signs shall be placed at a uniform height across the building frontage. If the building has a sign band, wall signs shall be erected within that area.

(2)Window Signs. Window signs shall not obscure more than twenty-five percent (25%) of the glazed surface of any window. No more than ten (10) square feet of any window sign may be directly illuminated with internal or neon lighting or otherwise projected so as to create an illuminated image. See also Section 161.20.

(3)Ground Signs.

- a. Each use, parcel, building, or land under common ownership of record or control shall be limited to one (1) free-standing Ground Sign. Such signs shall not exceed fifty (50) square feet per face in area nor ten (10) feet in height. Where such signs have provisions for changeable copy messages in conformance with Section 173.11 (c) (1), the area of the sign may be increased to sixty-four (64) square feet per face. Ground Signs shall not be located less than five (5) feet from the lot line of another nonresidential lot and not less than twenty-five (25) feet from a residential district line. Ground

Signs shall be located a minimum of twelve (12) feet from any road right-of-way.

- b. Commercial Shopping Centers as defined in Section 105.02, in lieu of the signage permitted in Subsection a. hereof, and provided that a comprehensive and cohesive sign package is presented for the entire center, may be permitted one (1) free-standing ground sign which shall not exceed one-hundred (100) square feet per face nor twelve (12) feet in height. Such signs shall be set back a minimum of twenty (20) feet from any road right-of-way, ten (10) feet from the lot line of another nonresidential parcel, and twenty-five (25) feet from any residential district line. Such signs may have provisions for changeable copy in conformance with Section 173.11 (c) (1). Commercial Shopping Centers that apply this provision and which have frontage on two or more streets may have a second free-standing Ground Sign provided that the second Ground Sign is located on a different street and does not exceed fifty (50) square feet per face in area nor ten (10) feet in height and is setback a minimum of fifteen (15) feet from any road right-of-way, five (5) feet from the lot line of another nonresidential parcel, and twenty-five (25) feet from any residential district line. The minimum separation between Commercial Shopping Center Ground Signs shall be two hundred (200) feet.
- c. Large Commercial Shopping Centers as defined in Section 105.02 in lieu of the signage permitted in Subsection a. hereof, and provided that a comprehensive and cohesive sign package is presented for the entire center, may be permitted one (1) free-standing ground sign which shall not exceed two-hundred (200) square feet per face nor twenty-five (25) feet in height. Such signs shall be set back a minimum of twenty (20) feet from any road right-of-way, ten (10) feet from the lot line of another nonresidential parcel, and fifty (50) feet from any residential district line. Such signs may have provisions for changeable copy in conformance with Section 173.11 (c) (1). Large Commercial Shopping Centers that apply this provision and which have frontage on two streets may have a second free-standing Ground Sign provided that the second Ground Sign is located on a different street and does not exceed one-hundred (100) square feet per face in area nor twelve (12) feet in height and is setback a minimum of twenty (20) feet from any road right-of-way, ten (10) feet from the lot line of another nonresidential parcel, and twenty-five (25) feet from any residential district line. The minimum separation measured from the sign base between Large Commercial Shopping Center Ground Signs shall be two hundred (200) feet.
- d. Directional Signs for drive-through facilities, provided that such signs comply with the criteria set forth in Subsection (c) (4), special provisions applicable to nonresidential district signs, hereof.

(b) Other Temporary Signs.

(1) Commercial and industrial properties may be permitted one (1) free-standing ground sign on the site during construction or reconstruction of a building for which a valid zoning certificate has been obtained. Such sign may be displayed from the commencement of actual construction until completion as determined by the Zoning Inspector. No such sign shall exceed fifty (50) square feet per sign face in area or eight (8) feet in height. Zoning Certificates for such signs shall be valid for a period not to exceed one (1) year, shall terminate by its terms upon completion of construction, and may be renewed at the expiration date.

(2) A commercial use having an exterior store front or entrance may have a maximum of one (1) temporary sandwich board or A-frame sign. The sign shall be located within three (3) feet measured from the exterior store front or entrance to the interior side of the sign so as not to impede pedestrian traffic. The sign shall have a maximum height of three (3) feet and a maximum width of two (2) feet. The sign shall not be illuminated and shall be displayed only during the hours of operation of the affected business.

(c) Special Provisions Applicable to Nonresidential District Signs.

(1) Changeable Copy Signs. Multiple message and variable message signs which are changed electronically shall conform to the following standards

- a. Each message or copy shall remain fixed for at least twelve (12) seconds. Messages shall not flash, include moving video displays or animation, or emit intermittent light.
- b. Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.
- c. Each such sign must be capable of regulating the digital display intensity and the light intensity level of the display must automatically adjust to natural ambient light conditions.
- d. No such sign shall be of such intensity as to create a distraction or nuisance for motorists.
- e. Displays shall not emulate traffic control devices.
- f. Such signs shall contain a default design that will freeze the sign in one position if a malfunction occurs.
- g. The entire message shall change at once, without scrolling, animation, flashing, blinking or other movement or noise.
- h. The changeable copy portion of any free-standing Ground Sign shall not exceed seventy-five percent (75%) of the total area of the sign.

(3) Landscaping. Landscaping comprised of flowers, shrubs, or small trees, may be installed and maintained around the perimeter of each free-standing ground sign in an area equal to the area of the sign face, provided however, that the maximum amount of landscaping required around the base of any sign shall not exceed one hundred (100) square feet.

(3) Treatment of Ground Sign Bases. Sign bases for all permanent ground signs shall have a decorative brick or stone appearance and the sign face or other skirting shall extend upwards from the base of the sign such that no pole or similar support post is visible. Ground sign bases shall be a minimum average height of six (6) inches across the length of the base. No portion of the sign face may project past the base of the sign.

(4) Directional Signs for Drive-Through Facilities. Directional signs serving drive-through facilities shall conform to the following standards:

- a. A maximum of two (2) such signs, consisting of a primary sign and a secondary sign, shall be permitted on any site.
- b. The primary sign shall be a maximum of thirty-two (32) square feet per face with a maximum of three (3) faces.
- c. The secondary sign shall be a maximum of twenty (20) square feet per face with a maximum of three (3) faces.
- d. The maximum height of such signs shall be six (6) feet.
- e. Such signs shall be set back a minimum of seventy-five (75) feet from any road right-of-way line or property line.

(5) Design Standards. The following design standards may apply to signs in Convenience Business District (CB), Mixed Use Planned Unit Development District (MUP), Professional Office (P-O) District, Light Industry Restricted District (LIR), Active Public Park District (APP), and Passive Public Park District (PPP) zoning districts.

- a. Each free-standing ground sign should be designed and constructed of such materials as to be compatible with the exterior treatment of the principal building located on the site as determined by the Zoning Inspector.
- b. Wall signs should be proportionate to the wall upon which they are placed and to other signage within the complex. The quantity of wall signs should be limited to that required to provide a balanced appearance to the building and other signage in the area.
- c. Specific types and styles of signs, materials, and placements should be used uniformly throughout all or a portion of each Commercial Shopping Center and each Large Commercial Shopping Center in order to create a consistent architectural appearance.

(6) Order, pre-order or menu board signs for Drive-in, Drive-Through Facilities. Order, pre-order or menu board signs for drive-in, drive-through facilities in accordance with Sections 143.06 and 169.08 shall comply with the following regulations per stacking lane:

- a. The sign shall have only one (1) face.
- b. The maximum size of the sign face shall be thirty-two (32) square feet.

- c. The sign may be internally illuminated and may have changeable copy subject to the applicable provisions of Section 173.11(c)(2).
- d. A two-way speaker system for ordering may be a part of the sign structure. See also Section 143.06 (b).

**173.12 ZONING CERTIFICATES FOR SIGNS.**

- (a) Application. When a Zoning Certificate for a sign is required by this chapter, application therefor shall be made by the owner or lessee of the property upon which a sign is proposed, and shall be submitted as is required and provided for a Zoning Certificate in Section 109.04.
- (b) Issuance. The Zoning Inspector shall issue a Zoning Certificate for a sign upon receipt of a completed application and the required fee, provided that the proposed sign conforms with the requirements of this chapter. A Zoning Certificate for a sign may be applied for and issued in conjunction with a Zoning Certificate for a use of land, but shall be administered as a separate Zoning Certificate. Any alteration from submitted drawings and the application after certificate issuance shall require a new application and the issuance of a new Zoning Certificate for a sign.
- (c) Exceptions. Ordinary repair and maintenance of legally existing signs shall not require a Zoning Certificate, but must comply with other provisions of this Resolution. A Zoning Certificate shall be required when there is a change in use or when changes result in an increase in sign area, height, location, or place the sign into a different functional category. The complete removal of a sign, shall constitute a face change and shall require a Zoning Certificate if it is replaced with a new sign.

**173.13 NONCONFORMING SIGNS.**

Signs which legally existed prior to the effective date of this Resolution or any amendment thereto, but which do not conform with these regulations, may be maintained as a matter of right provided that such signs comply with the provisions hereof regarding safety, maintenance, and repair. Normal maintenance such as painting, cleaning, or minor repairs shall be permitted on all such nonconforming signs. Relocation or replacement of a non-conforming sign, any alteration in the size or structure of such sign, or if more than fifty percent (50%) of the sign is damaged as determined by the Zoning Inspector shall cause the sign to lose its status as legally nonconforming and said sign shall be immediately brought into compliance with this Resolution.

#### **173.14 REMOVAL OF SIGNS.**

The Zoning Inspector shall order the removal or modification of any sign erected without a Zoning Certificate or found to be noncompliant or in violation of these regulations. The owner or lessee of the premises on which the sign or structure is located shall, upon written notice of such violation from the Zoning Inspector within thirty (30) days, remove or modify the sign or structure in a manner approved by the Zoning Inspector. If such sign is not removed or brought into compliance as directed in the notice of violation within thirty (30) days, the Zoning Inspector may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation.

Any existing conforming or nonconforming sign which no longer relates to the building, structure, or use of the affected premises and has become obsolete shall be completely removed within thirty (30) days after written notification of same has been provided by the Zoning Inspector to the owner or lessee.

#### **173.15 VIOLATIONS AND REMEDIES.**

If any sign is installed, erected, constructed, located or maintained in violation of the provisions of this chapter, the Zoning Inspector shall give written notice to the owner or lessee of the premises on which such sign is located ordering abatement of such violation. Failure to comply with the abatement order or any provision of this chapter shall be deemed a violation of this Zoning Resolution and punished as provided in Section 109.99.

#### **173.16 BILLBOARDS.**

##### **a. Conditional Zoning Certificate Required.**

A billboard is an off-premises outdoor advertising sign and shall be classified as a conditional use and shall be subject to the procedures and general conditions set forth in this resolution. No billboard shall be located, erected, constructed, reconstructed, enlarged or altered without first obtaining a conditional zoning certificate in accordance with this resolution. Alteration shall not include changing the content or elements of the sign face, or ordinary maintenance of structural components such as painting, and shall not require the issuance of a conditional zoning certificate.

A billboard shall be classified as a business use and may be allowed in any CB or LIR district or on lands used for agricultural purposes as defined in this resolution. Billboards shall be prohibited in all other zoning districts.

b. Conditions.

No application for a conditional zoning certificate shall be approved for a billboard and a conditional zoning certificate issued therefor unless it complies with all of the following conditions. Each billboard shall be subject to the issuance of a separate conditional zoning certificate.

1. There shall be no more than two (2) faces or advertising surfaces on a billboard structure. Each face of a billboard shall be considered a separate sign. The face shall be the readable copy area or panel devoted to advertising purposes visible to traffic proceeding along a road in one (1) direction. There shall not be more than one (1) billboard structure with a maximum of two (2) sign faces on a lot.
2. A billboard shall be the principal use of the lot on which it is located.
3. The sign face area of a billboard shall be included in determining the maximum allowable signage on a lot for the zoning district in which it is located.
4. Billboards shall be spaced a minimum of three thousand (3,000) feet apart. Such spacing shall be measured in all directions from the nearest portion of the proposed billboard to the nearest portion of the next billboard, whether on the same side or opposite side of the road right-of-way. The measurement shall not be limited to the boundaries of the township, where the affected road extends beyond such boundaries.
5. A billboard shall be set back a minimum of three hundred (300) feet from any residential zoning district boundary. The setback shall be measured from the nearest zoning district boundary line to the nearest portion of the billboard.
6. A billboard shall be set back a minimum of three hundred and fifty (350) feet from an existing residential dwelling, a church or place of worship, a cemetery, a school, a public park or playground, a public library or a day care center. The setback shall be measured from the nearest lot line to the nearest portion of a billboard.
7. A billboard shall be set back a minimum of three hundred (300) feet from any front lot line. The setback shall be measured from the front lot line to the nearest portion of the billboard.
8. A billboard shall be set back a minimum of three hundred (300) feet from any side lot line. The setback shall be measured from the nearest side lot line to the nearest portion of the billboard.

9. A billboard shall be set back a minimum of three hundred (300) feet from any rear lot line. The setback shall be measured from the nearest rear lot line to the nearest portion of the billboard.
10. A billboard shall be set back a minimum of one thousand (1,000) feet from the intersection of any public roads, measured from the edge of the nearest road right-of-way to the nearest portion of the billboard.
11. A billboard shall be set back a minimum of thirty (30) feet from any building on a lot. The setback shall be measured from the nearest portion of a building to the nearest portion of the billboard.
12. The maximum height of a billboard shall be twenty-five (25) feet measured vertically from the average finished grade within ten (10) feet of the support base or pole(s) supporting the billboard to its highest point, including any structural members.
13. The maximum sign face of a billboard shall be two hundred (200) square feet.
14. No billboard shall be located on top of, cantilevered, or otherwise suspended from or attached to any building.
15. A billboard shall not project over a driveway.
16. A billboard may be illuminated, provided such illumination is concentrated on the sign face and is so shielded as to prevent glare or reflection onto any portion of an abutting road, oncoming vehicles, or a contiguous lot. Any lighting device shall employ lighting of a constant intensity. Flashing, rotating or oscillating lighting shall be prohibited. Illumination shall not interfere with the effectiveness or obscure an official traffic sign device or signal. Any illumination shall be demonstrated to be compliant with International Dark Sky Association standards.
17. A billboard shall not employ any elements which revolve, whirl, spin or otherwise make use of motion.
18. All wiring, fittings, and materials used in the construction, connection and operation of a billboard shall comply with the applicable provisions of the building and electrical codes enforced by the Geauga County Building Department. Proof of compliance with such codes shall be provided by the applicant.
19. The applicant shall demonstrate that the billboard complies with all of the applicable provisions of O.R.C. Chapter 5516 and O.A.C. Chapter 5501.
20. A billboard shall be included in determining the maximum coverage of buildings and structures on a lot for the zoning district in which it is located.

21. A billboard shall not be located within a regulatory floodplain per the latest version of the Federal Emergency Management Agency's Flood Insurance Rate Maps of Geauga County.
22. A billboard shall not be located within a jurisdictional wetland as defined by the U.S. Army Corps of Engineers.
23. The name, telephone number, and address of the owner or lessee shall be permanently shown on a billboard.
24. Billboard sign faces shall be neatly painted or posted at all times and the billboard structure shall be kept in a safe state of repair.