

CHAPTER 1196 Sign Regulations

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1196.01 INTENT

Sign regulations, including provisions to control the type, design, size, location and maintenance of signs, are hereby established in order to achieve, among others, the following purposes:

- (a) To enable the public to locate goods, services and facilities without difficulty or confusion;
- (b) To provide a safe environment by prohibiting conditions hazardous to vehicular and pedestrian traffic and by prohibiting signs which prevent police surveillance of commercial and industrial buildings;
- (c) To protect property values and neighborhood character by prohibiting conditions which have undesirable impacts on adjacent development;
- (d) To ensure that signs will be aesthetically harmonious with their surroundings and with an overall urban design for the area in order to further the other purposes of this Chapter;
- (e) To promote development and economic activity in accordance with the objectives of the Master Plan; and
- (f) To ensure that the constitutionally guaranteed right of free speech is protected and to allow lawfully displayed signs as a means of communication.

1196.02 APPLICATION OF CHAPTER

Signs shall be designed, erected, altered, moved and maintained, in whole or in part, in accordance with the regulations set forth in this Chapter. The provisions of this Chapter shall not govern the display of the following signs:

(a) Signs erected by the Municipal, County, State and Federal governments, the Greater Cleveland Regional Transit Authority (RTA), and all other signs regulating traffic and parking in the City;

(b) Signs which are part of the original construction of a vending machine, fuel pump or similar device;

(c) Any monument within a cemetery or grave markers;

(d) Cornerstones and permanent building plaques not displaying a commercial message and not exceeding eight (8) square feet in area;

(e) Up to two (2) signs, each not exceeding two (2) square feet in area, displayed on a property with an individual single-family, two-family or townhouse dwelling;

(f) Holiday displays, excluding advertising;

(g) Messages displayed on vehicles regularly and customarily used to transport persons or property for a business;

(h) Works of art that do not include a commercial message;

(i) Signs that cannot be viewed from a public right-of-way or another property;

(j) Signs carried by a person; and

(k) Other signs determined by the Planning Commission to be outside this Chapter's scope of regulation with respect to a reasonable and customary interpretation of the intent of this Chapter.

1196.03 DEFINITIONS

As used in this Chapter, the terms listed below shall be interpreted according to the following definitions. Other terms shall be interpreted according to the definitions provided elsewhere in these Codified Ordinances or according to their ordinary English usage.

Banner Sign. A temporary, lightweight sign that is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials, including, but not limited to, plastic, cloth or cardboard.

Billboard. A sign directing attention to a specific business, product, service, entertainment activity or other commercial activity sold, offered or conducted elsewhere than upon the lot on which the sign is located.

Canopy Sign. A sign displayed on the fascia or soffit of a canopy or covered entrance or displayed on a permanent awning or marquee.

Community Facilities. Public buildings, schools, religious institutions, hospitals and similar uses as permitted in Residential Districts under the Zoning Code.

Development Sign. A temporary free-standing sign that does not exceed fifteen (15) square feet in area per side and eight (8) feet in height displayed on a property from the date that a binding contract exists for development of the property until the sooner of the date construction on the property has been completed or an occupancy permit has issued.

Electronic Message Center or EMC. A digital sign whose variable message and/or graphics can be electronically changed by remote or automatic means. EMCs typically use light emitting diodes (LEDs) as a lighting source.

Entryway/Exit Sign. A free-standing sign placed at an entry to or an exit from a lot or parcel of land.

Feather Sign. A type of temporary sign consisting of a piece of vertically elongated, flexible material such as cloth or vinyl which is affixed to a single pole driven in the ground. The pole may be rigid or flexible but is not permanent.

Flag. A sign made of cloth or similar material, varying in size, shape, color, and design, attachable by one edge to a pole or rope and used as a symbol, signaling device, decoration, or to attract attention.

Flashing Sign. A sign illuminated by intermittent light in a manner designed to attract attention.

Free-standing Sign. A sign which is not attached to a building, and which is either attached directly to the ground or elevated on a supporting structure attached to the ground, including signs commonly known as pole signs, ground signs and monument signs.

Inflatable Sign. An air-supported, air-inflated or tension-membraned structured sign.

Pennant. A flag usually tapering to a point or swallowtail.

Portable Sign. A sign which is not permanently attached to any part of a building or to the ground and which is designed to be moved using only ordinary hand tools.

Projecting Sign. A sign erected on the outside wall of a building and projecting out at an angle therefrom.

Roof Sign. A sign erected upon and completely over the roof of any building, excluding an inflatable sign.

Sign. Any visual communication designed to be seen from an outdoor location and used to convey a message.

Sign Panel. A structural object or portion of a structural object designed to form a distinct background area or frame for the display of a sign's information.

Temporary Sign. A sign displaying messages of a transitory or temporary nature and intended for use for a limited period of time.

Unit of a Building. In the determination of maximum sign face area, "unit of a building" or "building unit" refers to a space occupying a portion of the ground floor of a building, containing an entrance from the building exterior, and separated from other such spaces by a party wall or walls.

Wall Sign. A sign integral with the exterior face of an exterior wall of a building, structure or structural object, or attached to the wall and parallel with the wall and projecting not more than fifteen (15) inches therefrom and not perpendicular to the surface of the wall.

Window Sign. A sign displayed on, directly behind or in front of a window or the glass portion of a door.

1196.04 PERMITS; APPLICATIONS

An application for a permit to erect, place, display, alter, move or paint a sign, excluding alterations which do not alter the sign's copy, dimensions or location, shall be made by the owner or lessee of the property for which a sign is proposed or his or her agent. The application shall be submitted to the Building Department on forms furnished by the City and shall be made either separately or with the application for a permit for a building and otherwise in accordance with the Building Code. The fee shall be assessed pursuant to Section 185.04 of these Codified Ordinances.

(a) Permit Required. All signs not exempted under Section 1196.02 of this Chapter shall be subject to the applicable regulations regarding permitted types, number, area, height and location. Permits shall be required for all permanent and temporary signs with the exception of the following:

- (1) Free-standing signs, window signs, wall signs, or flags with a noncommercial message displayed in any zoning district having a total sign face area of forty (40) square feet for all sign faces visible from any point along the street frontage. Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless the two faces are joined back-to-back, are parallel to each other, are of equal size and are not more than sixteen (16) inches apart, in which case one face shall be included in determining the area of the sign;
- (2) A temporary sign that does not exceed six (6) square feet in area per side and four (4) feet in height displayed on a property with an individual single-family, two-family or townhouse dwelling, or a vacant property intended for such dwelling, that is offered for sale or lease; and
- (3) Temporary window signs in Retail Business and Shopping Center Districts as provided for in this Chapter.

(b) Contents of Applications. Each application shall present the following information through the use of photographs and drawings at a scale which clearly shows details and the design of the sign:

- (1) The design and colored layout of each sign proposed, including the total area of all signs and the area, height, materials and type of lettering of individual signs;
- (2) Photographs or drawings of the building for which the signs are proposed and photographs of surrounding buildings, signs and uses. Also included shall be the width of the building or building unit face and the lot dimensions for lots not occupied by buildings.
- (3) The number and types of lamps and lens material to be used in any illuminated signs and data showing that the illumination meets the standards established in Section 1196.14(d);

- (4) A site plan showing the exact location of each sign in relation to the building and property; and
- (5) Details and specifications for construction, erection and attachment as may be required by this Chapter, the Building Code, or other applicable provisions in these Codified Ordinances.

(c) Temporary Signs. Permits for temporary signs, where required, shall be issued for periods not exceeding sixty-two (62) days, except that permits for Development Signs shall be issued for a period not exceeding one (1) year and may be renewed while construction is diligently being pursued. Development Signs shall be removed immediately upon placement of a permanent sign.

(d) Planning Commission Approval. Planning Commission approval shall be required for all signs within shopping centers and industrial parks and in all instances where compatibility in design is required in shopping strip areas. A shopping strip area is defined as an area that has four (4) or more retail or commercial establishments abutting or adjoining each other. All other signs shall be approved by the Building Commissioner.

1196.05 ZONING DISTRICTS CLASSIFICATION

(a) District Classification. For the purposes of this Chapter, all Zoning Districts shall be classified into the following groupings of Zoning Districts:

- (1) Residential Districts. "Residential Districts" include the following Zoning Districts: Single-Family House Districts, Two-Family House Districts, Single-Family Cluster Districts and Multi-Family Residential Districts.
- (2) Commercial Districts. "Commercial Districts" include the following Zoning Districts: Retail Business District, Office Building District, Shopping Center District, Automobile Parking District.
- (3) Industrial Districts. "Industrial Districts" include the following Zoning Districts: Industrial Districts, Commercial-Manufacturing Districts, Industrial Park Districts and Research Manufacturing Districts.

(b) Mixed Use Districts. Signs for property uses in Mixed Use Districts shall conform to sign regulations for the zoning district which corresponds to the property classification and characteristics.

1196.06 SIGNS IN RESIDENTIAL DISTRICTS

Signs for uses in Single-Family House Districts, Two-Family House Districts, Single-Family Cluster Districts and Multi-Family Residential Districts shall be permitted in accordance with the following regulations.

(a) Permitted Types, Number, Area and Height. Signs in Residential Districts are permitted only in accordance with the regulations regarding maximum number, area and height as presented in the following schedule. Sign types not listed are prohibited. All signs are permanent unless listed as temporary.

RESIDENTIAL DISTRICTS SCHEDULE OF PERMITTED SIGNS

	1- & 2-Family	Single-Family Cluster	Multi-Family	Community Facilities
Free-Standing (major)	# – 1 per subdivision of at least 50 lots ¹ SF – 20 Ht – 5	# – 1 per dvlpmnt of at least 8 units ¹ SF – 20 Ht – 5	# – 1 per lot ¹ SF – 20 Ht – 5	# – 1 per lot ¹ SF – 20 Ht – 5
Free-Standing (minor)	# – 2 per dwelling SF – 2 Ht – 3	# – 1 per dwlg unit SF – 2 Ht – 3	# ² SF – 2 Ht – 3	# ² SF – 4 Ht – 4
Wall (major)	not permitted	not permitted	# – 1/ main bldg SF – 20	# – 1 SF – 20
Wall (minor)	# – 2 per dwelling SF – 2	# – 1 SF – 2	# – 2/ main bldg SF – 6	# – 2 per main bldg SF – 6
Canopy	not permitted	not permitted	# – 1 per bldg SF – 10	# – 1 per bldg SF – 10
Temporary (free-standing or wall)	# – 2 per dwelling SF – 6 Ht – 4	# – 1 per dwlg unit SF – 6 Ht – 4	# – 1 per dwlg unit SF – 6 Ht – 4	# – 1 per lot SF – 6 Ht – 4
Portable	not permitted	not permitted	not permitted	# – 1 per lot SF – 40 per face ⁴ Ht – 6
EMC (major free-standing⁵ or major wall)	# – 1 per lot ⁶ SF – 50% of total face area of permitted sign types	# – 1 per lot ⁶ SF – 50% of total face area of permitted sign types	# – 1 per lot SF – 50% of total face area of permitted sign types	# – 1 per lot SF – 50% of total face area of permitted sign types
Flags	# – 2 per lot SF – 32 ³	# – 2 per lot SF – 32 ³	# – 2 per lot SF – 32 ³	# – 2 per lot SF – 32 ³
Pennants	not permitted	not permitted	not permitted	permitted See 1196.13(f)
¹ plus 1 additional sign for each 500 ft of street frontage. ² as necessary for traffic safety and public information, determined by City staff. ³ cumulative SF of all permitted flags on lot. ⁴ maximum of two (2) faces per sign. ⁵ EMC free-standing signs are limited to monument type signs. ⁶ EMCs are prohibited on lots with dwelling structures.				
# - Max number of signs ~ SF - Max sign face area (sq ft) per side ~ Ht - Max height (ft) for free-standing signs				

(b) Location Regulations. Free-standing Signs, as permitted in Residential Districts, shall conform with the location regulations presented in the following schedule.

RESIDENTIAL DISTRICTS SCHEDULE OF LOCATION REGULATIONS

	<i>Minor Sign</i>	<i>Major Sign</i>
<i>Minimum Distance From</i>
Lot lines, generally	5 feet	20 feet
Lines of lots occupied by 1- and 2-family dwellings	10 feet	35 feet

1196.07 SIGNS IN COMMERCIAL DISTRICTS

Signs for uses in Retail Business Districts, Office Building Districts, Shopping Center Districts, and Automobile Parking Districts shall be permitted in accordance with the following regulations.

(a) Permitted Types, Number, Area and Height. Signs by structural type are permitted only in accordance with the regulations regarding maximum number, area and height as presented in the following schedule. Sign types not listed are prohibited. All signs are permanent unless listed as temporary.

COMMERCIAL DISTRICTS SCHEDULE OF PERMITTED SIGNS

	Retail	Office	Shopping Center	Automobile Parking
Free-Standing (major)	# – 1 per lot ¹ SF – 40 Ht – 5	# – 1 per lot ¹ SF – 40 Ht – 5	# – 1 per lot ¹ SF – 60 Ht – 5	# – 1 per lot ¹ SF – 20 Ht – 5
Free-Standing (minor)	# – 2 per lot entry/exit SF – 4 Ht – 3	# – 2 per lot entry/exit SF – 4 Ht – 3	# – 1 per main bldg or bldg unit SF – 4 Ht – 3	# – 1 per lot ¹ SF – 4 Ht – 3
Wall (major)	# – 1 per bldg street frontage SF – 10 + (W x 1.5)	# – 1 per bldg street frontage SF – 10 + (W x 1.5)	# – 1 per bldg street frontage SF – 10 + (W x 1.5)	# – 1 per street with vehicle entrance SF – 6
Wall (minor)	# – 2/ main bldg ³ SF – 2	# – 2/ main bldg ³ SF – 2	# – 2/ main bldg ³ SF – 6	# – 2/ main bldg ³ SF – 2
Projecting	# – 1 per bldg or bldg unit ² SF – 12	not permitted	# – 1 per bldg or bldg unit ² SF – 12	not permitted
Canopy	# – 1 per bldg or bldg unit SF – 20	not permitted	# – 1 per bldg or bldg unit SF – 20	not permitted
Temporary (free-standing or wall)	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4
Temporary (window)	SF – 25% of window area	SF – 25% of window area	SF – 25% of window area	SF – 25% of window area
EMC	# – 1 per lot	# – 1 per lot	# – 1 per lot	# – 1 per lot

(major free-standing⁵ or major wall)	SF – 50% of total face area of permitted sign types	SF – 50% of total face area of permitted sign types	SF – 50% of total face area of permitted sign types	SF – 50% of total face area of permitted sign types
Flags	# – 3 per lot SF – 48 ⁴	# – 3 per lot SF – 48 ⁴	# – 3 per lot SF – 48 ⁴	# – 3 per lot SF – 48 ⁴
Inflatable	permitted See 1196.13(e)	not permitted	permitted See 1196.13(e)	not permitted
Pennants	permitted See 1196.13(f)	not permitted	permitted See 1196.13(f)	not permitted
¹ plus 1 additional sign for each 500 ft of street frontage. ² with a minimum setback of 20 ft from lot lines and building unit dividing lines. ³ as necessary for traffic safety and public information, determined by City staff. ⁴ cumulative SF of all permitted flags on lot. ⁵ EMC free-standing signs are limited to monument type signs.				
# - Max number of signs ~ SF - Max sign face area (sq ft) per side ~ Ht - Max height (ft) for free-standing signs ~ W - width of bldg or unit frontage				

(b) Location Regulations. Free-standing Signs, as permitted in Commercial Districts, shall conform with the location regulations presented in the following schedule.

COMMERCIAL DISTRICTS SCHEDULE OF LOCATION REGULATIONS

	<i>Minor Sign</i>	<i>Major Sign</i>
Minimum Distance From
Lot lines, generally	5 feet	20 feet
Lines of lots occupied by 1- and 2-family dwellings	10 feet	50 feet

1196.08 SIGNS IN INDUSTRIAL DISTRICTS

Signs in Industrial, Industrial Park, Commercial-Manufacturing and Research-Manufacturing Districts shall be permitted in accordance with the following regulations.

(a) Permitted Types, Number, Area and Height. Signs by structural type are permitted only in accordance with the regulations regarding maximum number, area and height as presented in the following schedule. Sign types not listed are prohibited. All signs are permanent unless listed as temporary.

INDUSTRIAL DISTRICTS SCHEDULE OF PERMITTED SIGNS

	Industrial	Industrial Park	Commercial-Manufacturing	Research-Manufacturing
Free-Standing (major)	# – 1 per lot ¹ SF – 100	# – 1 per lot ¹ SF – 100	# – 1 per lot ¹ SF – 100	# – 1 per lot ¹ SF – 100
Free-Standing (minor)	# – as necessary ² SF – 4 Ht – 3	# – as necessary ² SF – 4 Ht – 3	# – as necessary ² SF – 4 Ht – 3	# – as necessary ² SF – 4 Ht – 3
Wall (major)	# – 1 for each street frontage w/ vehicular entrance SF – (W x 1)+15	# – 1 for each street frontage w/ vehicular entrance SF – (W x 1)+15	# – 1 for each street frontage w/ vehicular entrance SF – (W x 1)+15	# – 1 for each street frontage w/ vehicular entrance SF – (W x 1)+15
Wall (minor)²	# – as necessary ² SF – 4	# – as necessary ² SF – 4	# – as necessary ² SF – 4	# – as necessary ² SF – 4
Temporary (free-standing or wall)	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4	# – 2 per lot SF – 6 Ht – 4
Temporary (window)	SF – 25% of window area	SF – 25% of window area	SF – 25% of window area	SF – 25% of window area
EMC EMC (major free-standing⁶ or major wall)	# – 1 per lot SF – 50% of total face area of permitted sign types	# – 1 per lot SF – 50% of total face area of permitted sign types	# – 1 per lot SF – 50% of total face area of permitted sign types	# – 1 per lot SF – 50% of total face area of permitted sign types
Flags	# – 3 per lot SF – 48 ³	# – 3 per lot SF – 48 ³	# – 3 per lot SF – 48 ³	# – 3 per lot SF – 48 ³
Pennants	permitted See 1196.13(f)	permitted See 1196.13(f)	permitted See 1196.13(f)	permitted See 1196.13(f)
Billboards (free-standing or wall)	# – 1 per lot SF – 300 ⁴ Ht – 25 ⁵	not permitted	# – 1 per lot SF – 300 ⁴ Ht – 25 ⁵	not permitted
	¹ plus 1 additional sign for each 500 ft of street frontage. ² as necessary for traffic safety and public information, determined by City staff. ³ cumulative SF of all permitted flags on lot. ⁴ Limited to 12 feet in vertical dimension and 25 feet in horizontal dimension. ⁵ Maximum height of free-standing billboard above the grade of the street to which sign is oriented. ⁶ EMC free-standing signs are limited to monument type signs.			
	# - Max number of signs ~ SF - Max sign face area (sq ft) per side ~ Ht - Max height (ft) for free-standing signs ~ W - width of building or unit frontage			

(b) Location Regulations. Free-standing Signs, as permitted in Industrial Districts, shall conform with the location regulations presented in the following schedule.

INDUSTRIAL DISTRICTS SCHEDULE OF LOCATION REGULATIONS

	Minor Sign	Major Sign
<i>Minimum Distance From</i>
Lot lines, generally	5 feet	20 feet
Lines of lots occupied by 1- and 2-family dwellings	10 feet	50 feet

1196.09 MEASUREMENT STANDARDS

Sign area, sign location and building frontage, as regulated in this Chapter, shall be measured according to the following standards.

- (a) Sign Area – Eight-Line Method. The face area of signs shall be measured using a maximum of eight straight, right-angled lines to determine the smallest geometric shape (squares or rectangles) that will enclose all extreme points of a sign. A sign’s extremity includes any letters, figures, symbols, logos, trademarks, pictures and design elements, together with all framing, nonstructural trim, background material, colored or illuminated areas and attention-attracting devices forming an integral part of a sign’s composition.

Illustrations submitted must be drawn to scale and the scale identified on the drawings, such as 1-inch equals 1 foot. Number the drawings accordingly from one to eight. Use charts to convey exact dimensions and show all mathematical calculations.



Example of eight-line measurement of a sign

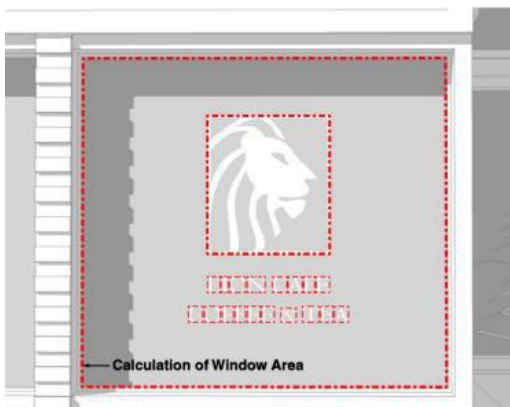
DIMENSION CHART	
LINE #	DIMENSION
1	= 10' - 0"
2	= 1' - 6"
3	= 3' - 0"
4	= 1' - 6"
5	= 6' - 6"
6	= 8"
7	= 6' - 6"
8	= 2' - 0"

EXAMPLE SIGN AREA CALCULATION		
LINE #	DIMENSIONS	SIGN AREA
1 x 8	10' x 2'	= 20.0 sq. ft.
3 x 4	3' x 1' - 6"	= 4.5 sq. ft.
6 x 5	8" x 3' - 6"	= 2.3 sq. ft.
Total Sign Area =		26.8 sq. ft. Or 27sq.ft.

- (b) Wall Sign Area. Wall signs having no visible boundary, border or clearly defined background shall have the spaces between letters, words, logos or other sign elements intended to be read together and any device intended to draw attention to the sign included in the computation of overall sign area. Such uncontained or undefined sign spaces may be excluded from the calculation of sign area if the width of the building façade on which the wall sign is located is greater than three (3) times the sign's width.



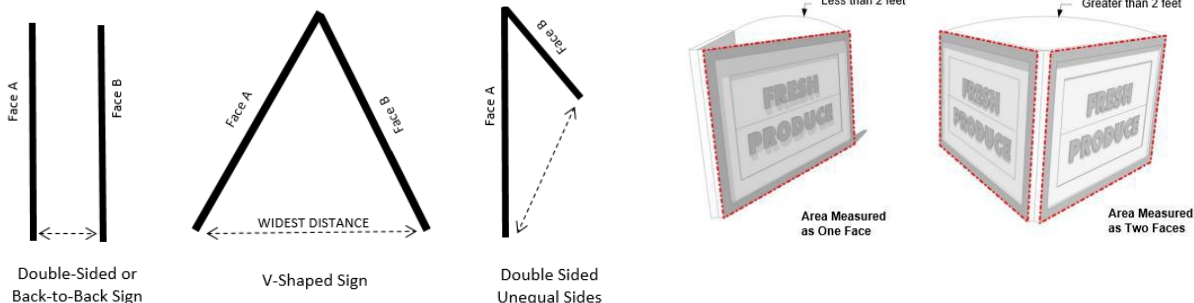
- (c) Window Sign Area. Window sign area is measured using the 8-line method described in division (a) of this section for each individual sign, or by multiplying the full width of the overall sign copy (lettering, logo, graphics) by the overall height of the sign copy in a rectangular manner ($A=W \times L$), regardless of the arrangement of the copy.



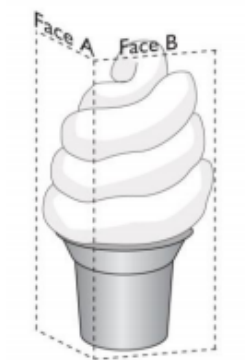
Window area shall be measured to include all windows and the glass portions of doors. Each façade or side of the building shall be considered separately. Window area can be an individual pane of glass, or a contiguous area of glass separated by nonstructural elements of dissimilar (non-glass) material or by structural materials. Windowpanes separated by muntins or mullions are not to be counted separately but included in the calculation of the cumulative window area.



(d) Multifaced Sign Area. Only one side of a double-sided sign arranged back-to-back or V-shaped sign is calculated provided the distance between the two faces is less than two feet apart. Where two sides are not of equal size, the larger of the two sides is measured. Where the sign faces are more than two feet apart all sides are calculated to determine sign area.



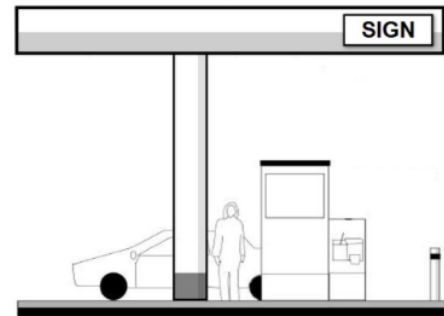
(e) Spherical and Three-Dimensional Sign Area. Signs that are spherical or have three-dimensional objects that project less than eight inches from the sign support structure shall be measured as a flat sign. Signs that project more than eight inches from the sign support structure shall be measured using the smallest two-dimensional geometrical shape or shapes which will best approximate the greatest actual sign area visible from any one direction.



(f) Awning and Canopy Sign Area. The sign area on awnings and canopies attached to a building shall include all sign elements (copy, striped graphics, patterns, etc.) and all areas that are translucent when illuminated. When the ends of awnings are parallel and contain a sign or are translucent, only one side is counted in addition to the front.

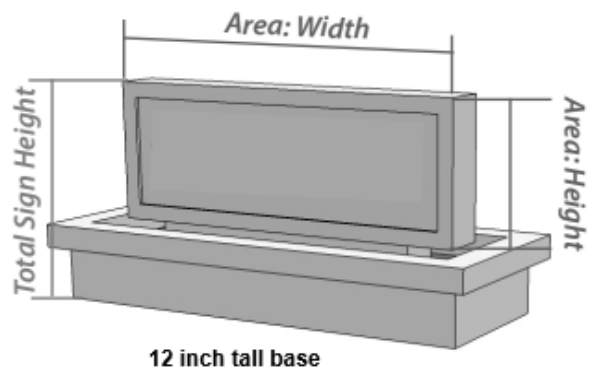
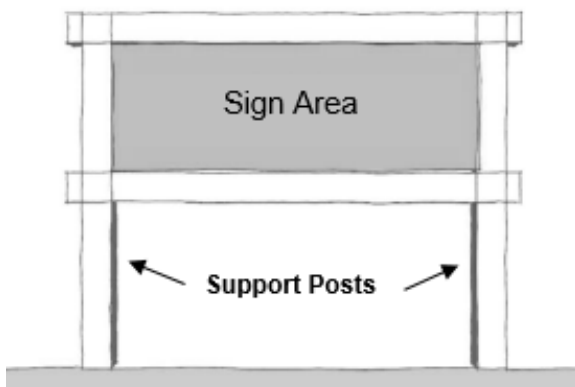


Signs on all sides of a free-standing canopy structure are calculated.



- (g) Free-standing Sign Area. Sign area does not include sign support posts or poles that are clearly incidental and are used only to support the sign cabinets, panels or nonstructural trim or serve another permitted purpose separate from the sign, such as a retaining wall, fence or other structure.

The height of free-standing signs shall be measured from the base of the sign at its highest point of attachment to the ground to its topmost element. The first 12 inches in vertical height above grade is not included when calculating the sign area of a free-standing sign provided it does not contain sign copy; the first 12 inches is considered necessary to elevate the sign above grade or to provide a sign base for a monument type sign.



Support structures or bases that exceed the allowed number, width or height, or that serve a purpose unrelated to supporting a sign, shall be considered part of the sign's background and included in the calculation of sign area.

- (h) Sign Location. In determining the location of signs in relation to lot lines (including district and street right-of-way lines), distances shall be measured from the vertical projection of the lot line to the closest point on the sign. For corner lots, two lot lines shall be considered street right-of-way lines.

- (i) Building Frontage. The frontage of a building shall be the width of the above ground facade of the building, excluding any roof overhang or nonbearing decorative wall, which faces the principal street or contains the main entrance. If a building is divided into units, the building unit frontage shall be the width of that unit, as measured from the party wall centerline, on the frontage of the building.

1196.10 PLACEMENT REGULATIONS

The following regulations regarding the location of signs are generally applicable to all land use categories. Regulations regarding the location of free-standing signs in relation to lot lines are found in sections 1196.06 through 1196.08 of this Chapter concerning particular Zoning Districts and land use categories.

(a) Vertical Clearance. The following regulations shall apply to any sign which occupies the vertical space above a pedestrian or vehicular way and which is designed to permit traffic thereunder. The lowest member of such sign shall be at least eight feet above the finished grade of a sidewalk or other pedestrian way and at least fifteen feet above the finished grade of a pavement used for vehicular traffic if such sign is located within eighteen inches of the vertical projection of the pavement edge.

(b) Relation to Traffic Devices. Unless regulated otherwise in the Traffic Code of the City, signs shall not be erected so as to obstruct sight lines along any public way or so as to obstruct sight lines to traffic control lights, street name signs at intersections or signals at railroad grade crossings. Signs visible from the sight lines along a street shall not resemble highway traffic signs or devices or interfere with the effectiveness of any traffic sign or device.

(c) Wall Signs. A wall sign shall not extend above or beyond the wall to which it is attached, and such a sign shall be set back from the ends of the building and party wall lines a minimum distance of three (3) feet. This setback shall be a minimum of two (2) feet for buildings or building units with a principal facade less than sixteen (16) feet in width. Wall signs shall fit within any given frame of the architectural space intended for signage.

(d) Canopy Signs. A sign which is attached to the fascia of a canopy shall not extend beyond the edges of that surface.

(e) Public Property; Utility Pole. Unless approved by the City in a particular location, no private sign shall be placed in or upon any public property, including but not limited to any park, public grounds, sidewalk, tree lawn, street or highway, or utility pole. The city shall remove and dispose of any sign in violation of this section. The penalty for violation of this section is a minor misdemeanor.

1196.11 DESIGN STANDARDS

In order to facilitate information, legibility, traffic safety and general economic vitality, signs shall be designed in a manner compatible with the character and style of the buildings on which they are located and with the character and style of adjoining buildings and neighboring signs, in terms of color, materials and size. More specifically, signs shall be designed in accordance with the following standards.

(a) Lettering. The lettering on a sign shall be large enough to be easily read, but not overly large or out of scale with the building upon which it is placed. Visual clutter that could create a potential safety hazard to motorists or pedestrians shall be avoided.

(b) Free-Standing Signs. Sign panels on free-standing signs shall face not more than two (2) directions and such panels shall be in parallel arrangement or v-shaped. The distance between parallel, back-to-back sign panels shall be not greater than three (3) feet.

(c) Temporary Window Signs. Temporary signs displayed on window areas shall be clustered into one or more groups, where feasible, so that relatively large sections of window area remain uncovered.

(d) Supporting Structure. The structural support of a free-standing sign shall not be designed or used in any part as a sign or in conveying the sign's message. Free-standing signs are permitted a maximum of two (2) supporting posts or poles. Sign support posts or poles shall be less than two (2) feet in width and one (1) foot in height.

(e) Materials. Signs shall be fabricated on and of materials which are of good quality, good durability. Outdoor signs and display structures, including the supporting structure and all parts, shall be of noncombustible material when required by the Building Code. Wood, approved plastic or other material not more combustible than wood or approved plastic may be permitted by the Building Commissioner in the following locations:

- (1) For small ornamental moldings, cappings, nailing strips, individual letters, symbols, figures and insignia; and
- (2) On the face of a sign, provided that the aggregate area of such facing for any sign shall not exceed 100 square feet.

(f) Structural Design. The construction, erection, safety and maintenance of all signs shall be in accordance with the Building Code and State regulations. All signs and supporting structures shall be designed and constructed to withstand a wind pressure of not less than twenty (20) pounds per square foot of net surface area, allowing for wind from any direction.

1196.12 PROHIBITED SIGNS

The following types of signs are not permitted in any zoning district:

- (a) Feather Signs, as defined in Section 1196.03;
- (b) Flashing, revolving and moving signs of any type, other than Electronic Message Centers as specifically permitted in Section 1196.13(c) and digital Billboards as specifically permitted in Section 1196.13(b);
- (c) Roof signs; and
- (d) Any sign displayed on a parked trailer or truck or other vehicle that is not routinely used for transportation purposes between the hours of 6 a.m. and 12 midnight so that the primary purpose of the vehicle is to display a message or to advertise a product, service, business, or other activity.

1196.13 SPECIFIC SIGN TYPES REGULATED

The display of the following sign types shall be governed by the regulations in this Section in addition to other applicable regulations of this Chapter.

(a) Portable Signs.

- (1) Location. Portable signs shall be set back at least five feet from street right-of-way lines and twenty feet from side lot lines.
- (2) Illumination. No flashing or changing lights may be used to illuminate portable signs. All permitted lighting shall be shielded from motorists and adjoining properties.
- (3) Safety Standards. All wiring shall be located underground or in other locations not constituting safety hazards, as determined by the Building Commissioner. Signs shall be designed and placed to withstand customary wind pressures, as determined by the City Engineer.
- (4) Period of Display. A use or group of uses occupying one lot shall not display portable signs for a period of more than sixty-two days during any calendar year.

(b) Billboards.

- (1) Sign Types. Billboards shall be permitted as either free-standing or wall signs and may be equipped with Tri-Vision or other similar automatic changeable copy, including electronic digital displays. No other sign shall be displayed on the side of a building which includes a wall displaying a billboard.
- (2) Location. Billboards shall be located behind the building lines of the lots on which they are located. In addition, billboards exceeding two (2) square feet in area shall be located a minimum distance of twenty-five (25) feet measured in any direction from the point of intersection of the street lines of two intersecting streets. No billboard shall be located less than 200 feet from a Residential zoning district.
- (3) Spacing. The minimum distance permitted between billboards located on one side of a road shall be 500 feet.
- (4) Digital Billboards shall conform to the display standards for Electronic Message Center signs set forth in divisions 1196.13(c)(3)-(7) of this Section.

(c) Electronic Message Centers.

- (1) EMC signs must have automatic brightness controls, either by photocell (hardwired) or via software, that are keyed to ambient light levels in order to bring the EMC lighting levels into compliance with subsection (4) hereof.
- (2) EMC signs may not exceed a maximum luminance level of 250 cd/m² or Nits during nighttime beginning 15 minutes before apparent sunset and ending 15 minutes after apparent sunrise, as determined by the National Institute of Standards and Technology (NIST) and the U.S. Naval Observatory (USNO) for the U.S. Eastern Time Zone (DST). At other times, EMC signs may not exceed a maximum luminance level of 5,000 cd/m² or Nits.
- (3) EMC signs shall have a minimum display time of eight (8) seconds. The transition time between messages and/or message frames is limited to one (1) second.

- (4) The following EMC display features and functions are prohibited: scrolling, traveling, flashing, spinning, rotating, fade, dissolve, any other moving effects, and all dynamic frame effects or patterns of illusionary movement or simulated movement.
 - (5) EMC signs shall be turned off promptly in the event of a malfunction.
- (d) Flags.
- (1) Flags may be displayed on any property without the need to obtain a permit subject to the limitations set forth in this Chapter.
 - (2) Flags may be mounted on or hung from the structure, or mounted on a single flagpole not exceeding the building height. Flags must be located on-site and must not be located within any street right of way (which includes the entire public sidewalk and street terrace area), or vision triangle.
 - (3) In Residential Districts, flags that display a commercial message are prohibited.
 - (4) In Non-Residential Districts, flags that display a commercial message are permitted, but the area of such flags shall be included in determining the maximum allowable area of signage on the property.
- (e) Inflatable Signs.
- (1) The company which installs inflatable signs must be a properly licensed contractor in the City.
 - (2) Construction, erection, safety and maintenance of all inflatable signs shall be in accordance with the Building Code and State regulations, including the BOCA National Fire Prevention Code and the O.B.B.C.
 - (3) Inflatable signs shall be secured in an approved manner so as not to encroach upon the air rights of adjoining properties.
 - (4) Inflatable signs shall not be installed below or within ten (10) feet horizontally of any electrical conductors, phone conductors, CATV conductors, fire alarm conductors or any other similar installations.
 - (5) The inflatable structure shall be ground-mounted or attached to supports and guy wires ground-mounted or securely attached to the building roof. No inflatable structure will be permitted to be secured to any mechanical equipment, parapet walls or other items normally found on the roof of a structure.
 - (6) The location of the inflatable structure shall not create a nuisance to adjacent or surrounding properties.
 - (7) Each applicant must pay a fee according to Section 185.04 and obtain a proper sign permit according to Section 1196.04.
 - (8) Each applicant who uses an inflatable sign is limited to no more than four times per year.
 - (9) The duration of each inflatable display will not exceed thirty days.
 - (10) Each applicant who uses an inflatable sign is required to wait at least thirty days before a subsequent use.
 - (11) No inflatable shall be permitted within a one-mile radius of another inflatable.
 - (12) Signage on the inflatable shall be limited to no more than two lines of advertising.

(f) Pennants. The display of banner signs, or strings of pennants, streamers, pinwheels, balloons and similar objects shall be prohibited except as permitted for carnivals and open-air festivals and for new businesses for a single period not exceeding sixty-two (62) days within the first six (6) months after issuance of the initial Occupancy Certificate for a new business.

1196.14 SUPPLEMENTAL REGULATIONS

The following supplemental regulations shall apply to permitted signs in non-residential zoning districts:

(a) Secondary Frontages/Entrances. A building or building unit with frontage on a second street or with a customer building entrance from a rear or side parking lot shall be permitted total additional wall, window, projecting and canopy sign area not to exceed fifty percent (50%) of the sign area otherwise permitted. Such signs shall be displayed so that the total sign area placed on any facade does not exceed the maximum sign area permitted for the building's primary frontage.

(b) Non-Ground Floor Uses. For uses not located on the ground floor and for ground floor uses which lack direct access from the building exterior, regardless of the number of such uses, the following signs shall be permitted. Not more than one (1) wall sign, a maximum of fifteen (15) square feet in area, shall be placed at each ground floor entrance providing access to the uses in question. The area and number of such signs shall be permitted in addition to the signs otherwise permitted for the building or units thereof.

(c) Shopping Centers. A shopping center, as defined in section 1121.45 of this Zoning Code, occupying one lot or under common ownership and exceeding 100,000 square feet in gross floor area, shall be permitted, in addition to other permitted signs, one (1) free-standing sign not exceeding 100 square feet in area per side and six (6) feet in height, located at a vehicular entrance to the shopping center. A second such sign shall be permitted at a vehicular entrance to the shopping center if such entrance is separated by at least five hundred (500) feet, measured along street lines, from the closest other entrance to the shopping center. No other free-standing sign shall be permitted within the shopping center property, other than permitted Minor Signs.

(d) Illumination. Light sources to illuminate signs, where lighting is permitted in this Chapter, shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness or intensity so as to cause glare hazardous to pedestrians or auto drivers, or so as to cause reasonable objection from adjacent residential districts. Except as provided in Section 1196.13(b) for Digital Billboards and Section 1196.13(c) for Electronic Message Centers, flashing, moving or intermittent illumination shall not be permitted. In Residential Districts, only permitted electronic message center signs, nameplates and bulletin boards may be illuminated. All signs in districts other than Residential districts may be illuminated.

(e) Gasoline Service Stations. Signs for gasoline service stations shall conform with all regulations of this Chapter except for those which directly conflict with the following regulations:

- (1) Free-standing signs. Each station shall be permitted one (1) permanent free-standing sign, not exceeding thirty-two (32) square feet in area and six (6) feet in height.

- (2) Signs at Service Islands. Stations shall also be permitted signs at fuel pumps or other service islands, provided the messages displayed on such signs are not legible from the public right-of-way or another property. The number, area and height of such signs shall be as determined by the Planning Commission.
- (3) Canopies. For canopy structures which shelter service islands, one (1) sign not exceeding twenty (20) square feet shall be permitted on each canopy fascia that faces a public street. The canopy fascia area shall be non-illuminated and shall be designed in a manner which does not call attention to the canopy structure.
- (4) Other Signs. Each station shall be permitted two (2) wall signs not exceeding fifty (50) square feet in total area and not exceeding fifteen (15) square feet for any single sign. Temporary signs shall be displayed only as window signs and shall cover not more than twenty-five percent (25%) of the window area.

(f) Theaters. The following regulations shall apply to indoor and outdoor movie theaters, playhouses and places of live entertainment. Signs for such uses shall conform to all regulations of this Chapter, except for those which directly conflict with the following regulations:

- (1) Wall and Canopy Signs. Such uses shall be permitted wall or canopy signs with a maximum combined area of 250 square feet.
- (2) Free-standing Signs. If permitted by other regulations of this Chapter, a theater or similar use may display a free-standing sign with a maximum area of fifty (50) square feet. If such sign is displayed, the maximum area permitted, above, for wall and canopy signs shall be reduced to 200 square feet.
- (3) Drive-in Theaters. Drive-in theaters and other uses which lack buildings appropriate for sign placement may be permitted one free-standing sign by the Planning Commission. The maximum area of such sign shall be 150 square feet.
- (4) Other Signs. Such uses shall be permitted directional and information signs as permitted for other retail uses.

(g) New businesses. Upon its initial opening, a new business establishment may display a temporary sign for a maximum period of sixty-two (62) days prior to the installation of a permitted permanent sign. Such temporary sign shall be a wall or window sign, shall conform with all regulations applicable to permanent signs, except clearly inapplicable structural requirements, and shall be counted as part of the maximum permitted permanent sign area.

(h) Open Lots. For uses without buildings, and for uses on lots where building frontage in less than twenty percent (20%) of lot frontage, maximum sign face area for the use, including free-standing signs, shall be the greater of fifty (50) square feet or the figure resulting from the following formula where "LW" equals the width of the front lot line, as defined in Section 1121.28: $LW \times 1.0 = \text{SQUARE FEET OF SIGNAGE}$. The area of a free-standing sign shall in no instance exceed one hundred (100) square feet.

(i) Outdoor Tobacco Advertising. No person shall display an outdoor advertising sign for a tobacco product if the advertising message can be viewed within 1,000 feet of any church, library, park, playground, school or childcare center. Any retail establishment licensed to sell tobacco products shall be exempt from this section.

1196.15 MAINTENANCE AND REMOVAL OF SIGNS

(a) Permanent Signs. All permanent signs and sign structures shall be maintained in a safe and attractive condition, in accordance with the following regulations.

- (1) Permanent signs and sign structures which no longer serve the purpose for which they were intended or which have been abandoned or are not maintained in accordance with the Building Code, Zoning Code and other applicable regulations of the City shall be removed by the last permit holder, by the building owner or by the City at the expense of such individual.
- (2) Whenever the removal or maintenance of any permanent sign or sign structure has been ordered by the Building Commissioner, and the person who was ordered to remove the permanent sign or sign structure fails to remove or maintain the sign within forty-eight hours after receiving such notice, the Building Commissioner may remove or cause to be removed or maintained such sign at the expense of the person who erected such sign or on whose premises it was erected, affixed or attached. Each such person shall be individually and separately liable for the expenses incurred in the removal of such sign.

(b) Temporary Signs. All temporary signs and sign structures shall be maintained in a safe and attractive condition in accordance with the following regulations.

- (1) Temporary signs shall include those signs defined in Section 1196.03 and any other sign intended for use for a limited period of time.
- (2) Temporary signs in violation of this Chapter shall be removed immediately, without notification to the owner. Such signs shall be taken to the City garage for storage. A notice shall be sent to the permit holder or, if no permit has been issued, to the address on the sign or for which the sign is posted. The owners or permit holders shall have five business days to reclaim the sign(s). Before the sign(s) are returned, the owner or permit holder shall pay any expenses associated with the removal and notification process.
- (3) In addition to the costs mentioned in subsection (b) hereof, whoever violates this section is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

1196.16 NONCONFORMING SIGNS

(a) Generally. A permanent sign, nonconforming as to the regulations prevailing on the effective date of this section (Ordinance xx-xx, passed dd/mm/yyyy), but previously lawfully erected in accordance with a City permit, shall be construed as a legal nonconforming sign. A permanent sign conforming as to the regulations prevailing on such effective date but which does not conform with the regulations of a subsequent amendment also shall be construed as a legal nonconforming sign.

(b) Maintenance, Repair and Alteration. Except as permitted in this subsection, a nonconforming sign shall not be altered or moved unless it is made to comply with this Chapter. If any sign or part thereof is removed, destroyed or damaged to fifty percent or more of the current cost to replace the sign, including labor and materials, it shall not be rebuilt or relocated unless it is made to comply with this Chapter. The addition of an EMC sign to any non-conforming sign is prohibited. Legal nonconforming signs may be maintained, repaired or altered only in the following instances:

- (1) Routine maintenance and the repair of structural and electrical parts as required by law;
- (2) Change of copy or sign face on bulletin boards, billboards and other signs that may lawfully display changeable copy under the provisions of this Chapter; and
- (3) Replacement of the face of a wall sign if the face is encased in a structure which is consistent in size and appearance with all other such structures in a unified shopping area.

(c) Discontinuance of Use. A nonconforming sign, the use of which is discontinued for a period of thirty days or more, shall thereafter conform to the regulations of this Chapter.

(d) Temporary Signs. All nonconforming temporary signs shall be removed or made to comply with this Chapter. In no circumstances shall temporary signs be considered legal nonconforming signs.

1196.17 CONFLICTS, SEVERABILITY, SUBSTITUTION

(a) Conflicts. Any and all provisions contained elsewhere in these Codified Ordinances, controlling or purporting to control signs or their installation, are hereby abrogated and repealed.

(b) Severability. If any provision or portion of this Chapter or rules adopted hereunder is invalidated by any court of competent jurisdiction, the remaining provisions or portions will not be affected, impaired or nullified and will continue in full force and effect.

(c) Substitution. The owner of any sign which is otherwise allowed by this Code may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

1196.99 PENALTY

Notwithstanding any other provision of this chapter, whoever violates any of the provisions of this Chapter is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.