

## SIGNS

### § 153.090 PURPOSE AND INTENT.

This subchapter is established to protect health, safety, general welfare, and order within the city through the establishment of a comprehensive and impartial series of standards, regulations, and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use, and display of devices, signs, or symbols serving as visual communication media to persons situated within or upon public rights-of-way or properties. The provisions of this subchapter are intended to encourage opportunity for effective, orderly communication by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communication facilities.

(1997 Code, § 25.11) (Ord. passed 11-14-1994)

### § 153.091 REGULATIONS AND STANDARDS; PERMITS.

(A) No sign permitted by this subchapter shall, by reason of its location, color, or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic or otherwise create a hazard to the health, safety, or welfare of the public. No private sign shall contain words which might be construed as traffic controls, such as "Stop," "Caution," "Warning," and the like, unless the sign is intended to direct traffic on the premises.

(B) All signs and sign structures posted more than 120 hours in any eight-day period shall be properly maintained and shall be kept in a safe, orderly condition. In addition, all parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced, or otherwise altered, shall be repainted, repaired, or replaced by the licensee, owner, or agent of the owner of the property upon which the sign stands, upon written notice of the Administrator.

(C) No sign shall be attached to or hung from any building until all necessary attachments have been approved by the city official.

(D) No sign, nor any guy, stay, or attachment thereto shall be erected, placed, or maintained by any person on any rock, fence, or tree, nor on or in such a manner as to interfere with any electric light, power, telephone, or telegraph wire, or pole, or any support thereof.

(E) When electrical signs are installed, the installation shall be subject to the State Electrical Code as may be amended and approved by the Electrical Inspector.

(F) (1) No sign other than bench signs at public transit stops and governmental traffic safety or roadway information signs shall be permanently or temporarily erected within any street right-of-way or upon any public easement except as may be authorized below.

(2) Any sign other than governmental signs remaining on such property in excess of 120 hours in any eight-day period, or placed for any length of time in violation of division (A) above, may be summarily removed by the city or other governmental agency owning the public right-of-way or easement and, at its discretion, destroyed.

(G) The temporary use of banners, pennants, search lights, signs, trailers, trucks, and similar



devices shall require a permit, the fee for which is set forth by Council resolution.

(1) The permit shall be valid for ten consecutive days and shall be prominently displayed during the period of its validity.

(2) Permits shall be available only for business proprietors at their place of business and shall be available at the frequency of two permits per proprietorship during any 12-month period. However, where more than one proprietorship or business uses the same building or parcel, no more than one temporary sign device shall be in place at any one time.

(3) Devices such as banners and pennants shall not exceed 40 square feet.

(4) Violations of this division (G) shall be resolved as follows.

(a) The Administrator shall notify in writing the permit holder or, if none, the person he or she believes to be responsible for the temporary sign, setting forth the violation, corrections required, and a 24-hour time limit for compliance. Failure to notify the Administrator of a change in permit information, the failure to apply for a permit, or the failure of the Administrator to correctly identify the person responsible for the temporary sign shall not be a defense to a violation of this division (G), or an impediment to the procedures set forth below.

(b) If any violation remains uncorrected at the end of the 24-hour period the Administrator may, at the expense of the person(s) described in division (G)(4)(a) above, cause the temporary sign to be dismantled, removed, or otherwise rendered in compliance without further notice and in a manner reasonably calculated to allow its proper placement.

(c) The permit holder or person responsible for the temporary sign may appeal the Administrator's notice to the City Council, in writing, by filing the appeal with the Administrator-Clerk-Treasurer within five days of the Administrator's notice. The appeal shall be placed before the City Council at its next regular meeting.

(d) Before the appeal is heard and decided, the temporary sign device which is the subject of the Administrator's notice shall be dismantled, removed, or otherwise rendered in compliance.

(e) The Council shall hear all testimony and receive all evidence offered by the Administrator. After considering all the evidence and testimony submitted, the Council may order action as it, in its sole discretion, deems appropriate.

(f) In addition or in the alternative the city may pursue any other civil or criminal proceeding available to it to enforce this division (G).

(H) With the exception of lawful political signs and any sign posted no more than 120 hours in any eight-day period, no part of a sign or sign structure shall be placed closer to any lot line than a distance equal to one-half the minimum front yard setback for the district in which the sign is located.

(I) A minimum of one address sign shall be required on each building in all districts. The sign shall contain numerals of a sufficient size to be legible from the nearest street yet shall not exceed two square feet in area. The numerals shall be metal, glass, plastic, or durable material and shall not be less than three and one-half inches in height and shall be in a contrasting color to the base. The numerals shall be light or made of some reflective material and so placed to be easily seen from the street.

(J) No sign or sign structure shall be erected or maintained so as to prevent free ingress or egress from any door, window, or fire escape. No sign or sign structure shall be attached to a standpipe or fire