

## **ARTICLE 12**

### **SIGNS**

#### **1200 GENERAL**

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising clutter, distraction, and obstructions that may contribute to traffic accidents, to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, to provide more open space, and to curb the deterioration of the natural environment. It is further intended to enhance community development by permitting signs which are compatible with their surroundings, and by providing for the uniform and eventual elimination of all signs not in conformance with this Resolution or a previous variance thereof.

#### **1201 GOVERNMENTAL SIGNS EXCLUDED**

For the purpose of this Resolution, “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

#### **1202 GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS**

The regulations contained in this section shall apply to all signs and all use districts:

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance;
2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (1) and (2) of this section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services.
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any;
4. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel, or motel marquee;
5. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building;
6. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Sections 1220 herein;
7. No sign or part thereof shall contain or consist of banners, posters, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign. The exception is pennants in districts where specifically permitted;
8. No sign erected or maintained in the window of a building, visible from any public or private street or highway shall occupy more than 20% of the window surface;
9. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape;

10. All signs hung and erected shall be plainly marked with the name and telephone number of the person, firm, or corporation responsible for maintaining the sign.
11. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Administrator, proceed at once to put such sign in a safe and secure condition or remove the sign;
12. No sign shall be placed in any public right-of-way except publicly-owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.
13. All signs shall be so designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect;
14. All signs shall be secured in such a manner as to prevent significant movement due to wind.
15. No advertising signs shall be attached to or supported by a tree, utility pole, trash receptacle, bench, vending machine, or public shelter.
16. No sign shall contain words, images, or graphic illustrations of an obscene or indecent nature;
17. No sign shall be attached in such manner that it may interfere with any required ventilation openings;
18. No sign shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for such purpose as the notification of present danger or the prohibition of trespassing.<sup>1</sup>
19. No sign shall be located nearer than eight (8) feet vertically or four (4) feet horizontally from any overhead electrical wires, conductors, or guy wires;
20. No vehicle or trailer may be parked on a business premises or a lot for the purpose of advertising a business, product, service, event, object, location, organization, or the like;
21. From any public or private driveway exiting onto a dedicated road, no sign shall be placed as to materially impede vision across such driveway or road between the height of 2 1/2 and 10 feet.

**1203 MEASUREMENT OF SIGN AREA AND SIGN HEIGHT (Flags as defined in Article 2 of this Resolution excepted)**

1. Computation of Area of Individual Signs: The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning resolution regulations and is clearly incidental to the display itself.
2. Computation of Area of Multi-faced Signs: The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
3. Computation of Height: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or, (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

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<sup>1</sup> Section 1202 (18) Amended 12/20/23

## **1210 PERMIT REQUIRED**

1. No person shall locate or maintain any sign, or cause a sign to be located or maintained, unless all provisions of this Article have been met. To assure compliance with these regulations, a sign permit issued pursuant to this Resolution shall be required for each sign unless specifically exempted in this Article.
2. A sign initially approved for which a permit has been issued shall not be modified, altered or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, altered or replaced if any such design element constituted a basis for approval of such sign unless a new or amended permit is obtained consistent with these regulations.
3. As long as the size, shape, and location of the sign is not changed, the copy may be changed, requiring a new permit.<sup>2</sup>

## **1211 SIGNS PERMITTED IN ALL DISTRICTS NOT REQUIRING A PERMIT**

1. Signs advertising the sale, lease or rental of the premises upon which the sign is located. Such signs shall not exceed 32 square feet in area, except in Residential Districts where the sign shall not exceed eight (8) square feet;
2. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area;
3. Commemorative plaques placed by historical agencies recognized by the Township of Austinburg, County of Ashtabula, or the State of Ohio not to exceed two (2) square feet in area;
4. Membership signs for agencies recognized by the Township of Austinburg, County of Ashtabula, or State of Ohio including but not limited to Farm Bureau, 4-H Club, Soil and Water Conservation District, not to exceed two (2) square feet in area;
5. Incidental signs as defined in Article 2 of this Resolution, freestanding signs not to exceed eight (8) square feet in area and wall signs not to exceed four (4) square feet in area;
6. One wall sign on one barn (as defined in Article 2 of this Resolution) per zone lot not to exceed 64 square feet in area;
7. Flags as defined in Article 2 of this Resolution;
- 8.<sup>3</sup>

## **1212 SIGNS PERMITTED IN ANY DISTRICT REQUIRING A PERMIT**

Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed 15 square feet in area and which shall be located on the premises of such institution.

## **1213 SIGNS PERMITTED IN THE R-1 DISTRICT<sup>4</sup>**

1. No on-premise sign shall exceed 25 feet in height.
2. Signs not requiring a permit:
  - a. One freestanding Residential Sign as defined in Article 2 not to exceed six (6) square feet in area;
  - b. One wall Residential Sign not to exceed four (4) square feet.
3. Signs requiring a permit:
  - a. One freestanding sign not to exceed 32 square feet in area per exclusive entrance to a subdivision or tract, such signs restricted to the subdivision or tract name.

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<sup>2</sup> Section 1210(3) Amended 10/21/09

<sup>3</sup> Section 1211(8) Deleted 10/19/2011

<sup>4</sup> Section 1213 SIGNS PERMITTED IN THE R-1 DISTRICT Amended 12/20/23

#### **1214 SIGNS PERMITTED IN THE R-2 DISTRICT**

1. No sign shall exceed 25 feet in height.
2. Signs not requiring a permit:
  - a. One freestanding Residential Sign not to exceed six (6) square feet in area;
  - b. One wall Residential Sign not to exceed four (4) square feet in area;
3. Signs requiring a permit:
  - a. One freestanding sign not to exceed 32 square feet in area per exclusive entrance to a subdivision, tract, or multi-family housing complex, such signs restricted to the subdivision, tract, or complex name.

#### **1215 SIGNS PERMITTED IN THE RECREATION COMMERCIAL (RC) DISTRICT**

1. No sign shall exceed 25 feet in height;
2. Signs requiring a permit:
  - a. One freestanding on-premise sign not to exceed 64 square feet;
  - b. Temporary signs according to Section 1220;
  - c. Banner according to Section 1220;
  - d. One wall sign not to exceed 32 square feet.

#### **1216 SIGNS PERMITTED IN THE NEIGHBORHOOD COMMERCIAL DISTRICT<sup>5</sup>**

1. No on-premises sign shall exceed 25 feet in height.
2. The total square footage of all wall and window signs shall not exceed 100 square feet;
3. Signs not requiring a permit:
  - a. One wall Residential Sign not to exceed four (4) square feet;
  - b. Pennants not less than 10 feet from road right-of-way;
  - c. Window signs (included in total square footage; see Section 1216(2));
4. Signs requiring a permit:
  - a. One freestanding on-premise sign not to exceed 64 square feet. There shall be only one freestanding on-premise sign per zone lot regardless of the number of businesses conducted on said zone lot;
  - b. Temporary sign (Section 1220 to apply);
  - c. Banner (Section 1220 to apply);
  - d. One wall sign for each business not to exceed an area equivalent to one and one half (1½) square feet of sign area for each lineal foot of building width, or part of building, occupied by said business but shall not exceed a maximum area of 100 square feet.

#### **1217 SIGNS PERMITTED IN THE ACCOMMODATION COMMERCIAL (AC) DISTRICT**

1. The total square footage of all canopy, wall, and window signs shall not exceed 300 square feet in area;
2. Signs not requiring a permit:
  - a. One wall Residential Sign not to exceed 4 square feet;
  - b. Pennants, not less than 10 feet from road right-of-way;
  - c. Window signs (included in total square footage; see Section 1217(1); 3).
3. Signs requiring a permit:
  - a. One freestanding on-premise sign per zone lot regardless of how many businesses are conducted on said zone lot, not to exceed 35 feet in height and 100 square feet in area;
  - b. One freestanding on-premise sign per zone lot regardless of how many businesses are conducted on said zone lot, not less than 50 feet and not more than 70 feet in height, and not more than 680

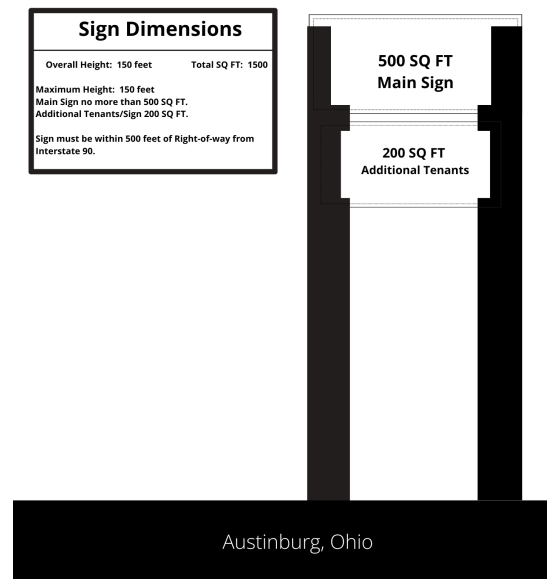
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<sup>5</sup> Section 1216 SIGNS PERMITTED IN THE NC DISTRICT Amended 12/20/23

square feet in area. Signs 50 feet or more in height must be set back from all property lines and right-of-ways a distance at least equal to the height of the sign;

- c. One freestanding on-premise sign per zone lot regardless of the number of businesses conducted on said zone lot, not to exceed 150 feet max height and 500 square feet in area. The placement of the on premise sign must also be within 500 feet from the right-of-way from Interstate 90. Any subsequent signs added to the same structure can be no more than 200 square feet. The cumulative area of all on-premise signs on a single zone lot shall not exceed 1,500 square feet. See Figure X<sup>6</sup>.
- d. Temporary signs (Section 1220 shall apply);
- e. Banner (Section 1220 shall apply);
- f. Canopy signs not to exceed 8 in number;
- g. Two (2) wall signs for each business not to exceed a total area equivalent to one and one half (1½) square feet or sign area for each lineal foot of building width, or part of building, occupied by said business but shall not exceed a maximum total area of 100 square feet.

Figure X



## 1218 SIGNS PERMITTED IN THE INDUSTRIAL/OFFICE PARK (IOP) DISTRICT<sup>7</sup>

- 1. On-premise signs shall not exceed 25 feet in height, except those signs located within 500 feet of the right-of-way off of I-90.
- 2. Exterior spot lighting is permissible, but only if shielded so as to direct the light to the sign only;
- 3. Signs requiring a permit:
  - a. One freestanding sign to identify the Industrial Park not to exceed 32 square feet in area;
  - b. One freestanding sign per zone lot regardless of how many businesses are conducted on said zone lot, identifying the building occupation, establishment or use not exceeding 32 square feet in area;
  - c. The total amount of wall signage permitted on any principal structure is calculated on the basis of: Front width of the building x 2.5 sq. ft., equals the total allowable square feet of the wall sign. The total square footage of the wall sign shall not exceed 125 square feet;<sup>8</sup>
  - d. One freestanding on-premise sign per zone lot regardless of the number of businesses conducted on said zone lot, not to exceed 150 feet max height and 500 square feet in area. The placement of the on premise sign must also be within 500 feet from the right-of-way from Interstate 90. Any subsequent signs added to the same structure can be no more than 200 square feet. The cumulative area of all on-premise signs on a single zone lot shall not exceed 1,500 square feet. See Figure X.

## 1219 SIGNS PERMITTED IN THE EDUCATIONAL DISTRICT<sup>9</sup>

- 1. No freestanding signs to exceed 32 square feet with a maximum height of 8 feet excluding those already allowed in Section 1211.

<sup>6</sup> Section 1217 (3) (c) Amended 12/20/23

<sup>7</sup> Section 1218 SIGNS PERMITTED IN THE IOP DISTRICT Amended 12/20/23

<sup>8</sup> Section 1218(3)(c) Amended 11/6/03

<sup>9</sup> Section 1219 Added 10/8/15

## **1220 TEMPORARY SIGNS AND BANNERS**

1. All temporary signs shall conform to the general requirements listed in Section 1202, the setback requirements in Sections 1240-1244, and in addition such other standards deemed necessary to accomplish the intent of this Article as stated in Section 1200;
2. Signs permitted in any district not requiring a permit:
  - a. Temporary signs not exceeding 50 square feet in area announcing the erection of a building, the architect, the builders, or contractors may be erected for a period of 60 days plus the construction period;
3. Signs permitted in the Recreational Commercial, Neighborhood Commercial, and Accommodation Commercial Districts requiring a permit:
  - a. One temporary sign or banner not exceeding 50 square feet in area may be permitted for a specified 60-day period.
  - b. No more than two (2) temporary sign permits shall be issued to the same business license holder on the same zone lot in any calendar year.

## **1230<sup>10</sup>**

## **1240 SIGN SETBACK REQUIREMENTS<sup>11</sup>**

Except as modified in Sections 1241 through 1244, on-premise signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least 10 feet.

## **1241<sup>12</sup>**

## **1242<sup>13</sup>**

## **1243 SETBACKS FOR PUBLIC AND QUASI-PUBLIC SIGNS**

Real estate signs and bulletin boards for a church, school, or any other public, religious or educational institution may be erected not less than 10 feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections or driveways.

## **1244 SPECIAL YARD PROVISIONS<sup>14</sup>**

On-premise signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premise signs shall not be erected or placed within 12 feet of a side or rear lot line. If the requirement for a single sideyard in the appropriate zoning district is more than 12 feet, the latter shall apply.

## **1250 LIMITATION<sup>15</sup>**

Regulation of signs along interstate and primary highways shall conform to the requirements of the Ohio Revised Code §5516 and the regulations adopted pursuant thereto.

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<sup>10</sup> Section 1230 Political Signs Deleted 10/21/09

<sup>11</sup> Section 1240 SIGN SETBACK REQUIREMENTS Amended 12/20/23

<sup>12</sup> Section 1241 SETBACKS FOR OFF-PREMISE SIGNS NOT EXCEEDING 100 SQUARE FEET Deleted 12/20/23

<sup>13</sup> Section 1242 OFF-PREMISE SIGNS EXCEEDING 100 SQUARE FEET Deleted 12/20/23

<sup>14</sup> Section 1244 SPECIAL YARD PROVISIONS Amended 12/20/23

<sup>15</sup> Section 1250 LIMITATION Amended 12/20/23

## **1260 MAINTENANCE<sup>16</sup>**

1. All signs shall be maintained in safe and sound structural condition at all times and shall be presentable;
2. No person shall maintain or be permitted to maintain, on any premises owned or controlled by him, any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign, or, if the owner of the sign cannot reasonably be determined or located, by the owner of the premises.

## **1261 ABANDONED SIGNS (AND ADVERTISING STRUCTURES) PROHIBITED**

An abandoned sign is declared to be a nuisance, is prohibited, and shall be removed by the owner of the sign, or, if the owner of the sign cannot be reasonably determined, by the owner of the property.

1. Any on-premise sign which is located on property which becomes vacant or unoccupied for a period of two (2) years or more, or any on-premise sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to be abandoned. On-premise signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of two (2) years or more;
2. No off-premise signs permitted (see Article 2 SIGN TYPES), except for signs that exist within 500 feet of the right-of-way of I-90<sup>17</sup>.

## **1262 NON-CONFORMING SIGNS AND STRUCTURES**

Advertising signs and structures in existence prior to the effective date of this Resolution and for which a permit or variance has been granted which violate or are otherwise not in conformance with the provisions of this Article shall be deemed non-conforming. All such legal non-conforming signs and structures shall be maintained in accordance with this Article. The burden of establishing the legal non-conforming status of any advertising sign or structure shall be upon the owner of the sign or structure.

## **1263 LOSS OF LEGAL NON-CONFORMING STATUS**

1. A legal non-conforming sign shall immediately lose its legal non-conforming status, and therefore must be brought into compliance with this Article or removed if it meets any one of the following criteria:
  - a. It is altered in copy (except changeable copy signs);
  - b. It is altered in structure;
  - c. It is enlarged;
  - d. It is relocated or replaced;
  - e. It is structurally damaged to an extent greater than one-half (½) of its estimated replacement value;
  - f. It is abandoned as defined in Section 1261;
  - g. It is in violation of Section 1202.

## **1270 VIOLATIONS**

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Administrator shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Article 14 of this Resolution. Political signs posted in violation of Section 1230 of this Resolution are subject to removal by the Zoning Administrator five (5) days after written notice of violations of Sections 1230 has been given.

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<sup>16</sup> Section 1260 MAINTENANCE Amended 12/20/23

<sup>17</sup> Section 1261 (2) Amended 12/20/23