

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

Sponsored By: Administration

Referred to: Council

Date: August 21, 2012

AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 1145 OF THE MUNROE FALLS CODIFIED ORDINANCES REGARDING SIGNAGE.

WHEREAS, the City regulates certain aspects of signage erected or posted within the City of Munroe Falls; and

WHEREAS, the City, through its several Committees and with the assistance of the Administration and City Council, desires to amend said signage regulations.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MUNROE FALLS, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

Section 1. Council hereby amends in its entirety Chapter 1145 of the Codified Ordinances of the City of Munroe Falls to read as follows:

CHAPTER 1145

Sign Regulations

1145.01 Purpose

1145.02 Classification of signs

1145.03 Computations

1145.04 Maximum sign area permitted

1145.05 Maximum sign height permitted

1145.06 Supplemental regulations

1145.07 Design and construction standards

1145.08 Signs exempt from regulations

1145.09 Prohibited signs

1145.10 Administrative procedures

1145.11 Maintenance

1145.12 Alteration and removal of unsafe, obsolete and nonconforming signs

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

1145.13 Violations and penalties

CROSS REFERENCES

Power to regulate advertising – see Ohio R.C. 715.65

Advertising on State highways – see Ohio R.C. Ch. 5516

Traffic control signs – see TRAF. 313.07

1145.01 PURPOSE

The purpose of this Chapter is to protect the general health, safety and welfare of the community by providing an instrument for protecting the physical appearance of the community and for encouraging high quality, effective graphics for purposes of navigation, information and identification. It is the intent of this Chapter to provide businesses in the City with reasonable and equitable sign standards in accordance with fair competition and aesthetic standards acceptable to the community, and to provide the public with a safe and effective means of locating businesses, services, areas and points of interest in the City. This Chapter is based on the premise that signs are as much subject to control as are noise, odors, debris and similar characteristics of land use and that if signs are not controlled and regulated they can become a danger to the public, as well as a nuisance to adjacent properties or the community in general or depreciate the value of other properties in the City.

No sign shall create a safety hazard by blocking the line of vision for persons or vehicles entering or exiting a sidewalk or driveway or entering or exiting a roadway.

1145.02 CLASSIFICATION OF SIGNS

For purposes of these regulations, a sign shall include any identification, description, illustration or device which is affixed to or integrated into a building, structure or land, or otherwise situated on a lot and which is intended to direct or attract attention to, or announce or promote a product, place, activity, person, institution or business by means of letters, words, designs, colors, symbols, flags, banners, fixtures, images or illuminations. Signs shall be further classified by physical design or structure, and function or purpose based on the following:

A. Physical Characteristics

(1) Changeable Copy Sign: A sign such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

over manually. Copy or lettering is designed to be changed on a frequent basis. Multi tenant business ID signs are not changeable copy signs.

(2) Freestanding Sign: A sign which is supported by one or more uprights or braces in or upon the ground and is not supported by a building.

(3) Temporary Sign: A sign that is used only for a predetermined period of time and is not permanently mounted.

(4) Wall Sign: A sign erected parallel to or affixed on the outside wall or any building, and not extending more than 18 inches there from, and which does not project above the parapet wall or roof line or beyond the corner of the building.

(5) Window Sign: A sign on the inside of a building affixed to, or near, a window or transparent door for the purposes of being visible to and read from the outside of the building.

B. Function

(1) Builder's Project Sign: A temporary sign erected on a building site during the time of construction. Such signs may include a description of the project, and may list the owners, architects, engineers, developers, contractors and/or subcontractors.

(2) Directive Sign: A sign located on private property, at or near the public right-of-way to direct traffic onto private property, usually indicating the entrance and exit to a parking lot.

(3) Identification Sign: A sign intended to identify the principal use of a lot, building, or building unit according to the following:

(a) Business Identification Sign: A sign indicating the business name or logo of a commercial or industrial enterprise and limited to identification purposes.

(b) Institution Identification Sign: A sign displaying the name and/or organization occupying the premises of a public or quasi-public use restricted to: church or other place of religious worship; hospital; nursing home; public or non-profit corporation owned and operated recreational facilities; governmentally owned and facilities; schools.

(c) Residential Identification Sign: A sign identifying the name and address of a completed residential subdivision, or a PURD or multi-family development with 12 or more dwellings units.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(d) Municipal Identification Signs: A sign identifying the name of the municipality and/or municipal property.

(Ord. 21-00. Passed 7-25-00)

(4) Instructional Sign: A sign that has a purpose secondary to the use on the lot that is intended to instruct employees, customers or users as to specific parking requirements; the location or regulations pertaining to specific activities on the site or in the building; specific services offered, or methods of payments accepted. Examples of instructional signs include "Honk Horn for Service", "Restrooms Inside", "Parking for Customers Only", "Parking for Residents Only", menu boards, drive-up tellers, and "self-service" signs.

(5) Nameplates: A sign with no lighting attached to the wall of the principal building indicating only the name and address of the person or business occupying the lot or building.

(6) Political Sign: A temporary sign advocating action on a public issue, promotion of a candidate for public office, or other ballot oriented objectives.

(7) Product and Service Sign: A sign which advertises the services, products, merchandise or prices of commodities produced, stocked or sold on the premises.

(8) Real Estate Sign: A temporary sign which directs attention to the rental, sale or lease of the property on which the sign is located.

(9) Safety or Regulatory Sign: A sign erected by a public authority, utility, public service organization or private industry upon the public right-of-way or on private property which is required by law or otherwise intended to control traffic, direct, identify or inform the public, or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Safety and regulatory signs include "No Parking Fire Lane."

(10) Temporary Promotional Sign: A temporary sign, other than a construction, real estate or political sign, intended to announce special events, promotions or sales, including garage sales in residential districts.

(Ord 3-95. Passed 1-17-95.)

1145.03 COMPUTATIONS

The following principles shall control the computation of sign area and sign height.

A. Determining Sign Area or Dimension

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(1) For a sign which is framed, outlined, painted and otherwise prepared and intended to provide a background for a sign display, the area shall include the entire portion within the outside dimensions of the background or frame.

(2) For a sign comprised of individual letters, figures, or elements on a wall or similar surface, or an irregularly shaped freestanding sign, the area of a sign shall encompass a regular, or a combination of regular geometric shapes which form, or approximate, the perimeter of all the elements in the display. When separate elements are organized to form a single sign but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms which comprise all the display area including the space between the elements.

(3) The sign shall include the frame, but shall not include the pole or other necessary structural support.

(4) A freestanding sign shall have no more than two display surfaces provided that the two display surfaces are arranged back-to-back, and not more than 12 inches from each other. Each display surface shall be considered a sign face.

(5) In the event there is a dispute in determining the sign area or any sign dimension, the Planning Commission shall have the final responsibility for making such determination.

B. **Determining Sign Height.** The height of a freestanding sign shall be measured from the base of the sign or supporting structure at normal grade to the top of the highest element.

C. **Determining Building Frontage.** The building wall that faces the street or that contains the main entrance to the use(s) in the building shall be considered the front of the building. When used as the basis for determining sign area, the building frontage shall be calculated according to the following:

(1) The building frontage shall be measured along the front wall between the exterior faces of the exterior side walls.

(2) The case of an irregular wall surface, a straight line extended along the front wall surface shall be used to measure the length.

(3) For lots fronting on two or more streets, or where the building has its main entrance on a wall other than the wall that faces the street, the building frontage shall be calculated separately for each building wall facing a street or having a main entrance. The sign area that is located on a particular building wall shall not exceed the area permitted for such building wall.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(4) For multi-tenant buildings, the portion of a building that is owned or leased by a single tenant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(Ord. 3-95. Passed 1-17-95.)

1145.04 MAXIMUM SIGN AREA PERMITTED

Signs as permitted in the respective zoning districts shall conform to the maximum area limitations set forth in Schedule 1145.04, except as specified below.

A. **Business Identification Signs.** The maximum permitted area for business identification signs shall be one square foot for each lineal foot of building frontage. The maximum permitted area shall be the sum total of the areas of all identification signs including wall signs, freestanding identification signs, and window signs for second-story tenants, and shall include the area of instructional signs unless the Planning Commission, as authorized, determines such instructional signs are exempt pursuant to Section B. below.

B. **Instructional Signs:** The area of instructional signs that are clearly intended for instructional purposes and, as determined by the Planning Commission, as authorized, are not larger than necessary to serve the intended instructional purpose nor are in locations or possess design characteristics that constitute or serve the purposes of an identification sign shall not be included in the sum total of the area of identification signs.

C. **Institutional Identification Signs.** For an institutional use in a Residential District the Planning Commission may approve a greater area for identification signs than specified in Schedule 1145.04 if the Planning Commission during the conditional use approval process determines that because of the size of the facility and the site the proposed larger sign will be consistent with the objectives, intent and criteria of these regulations.

**SCHEDULE 1145.04
MAXIMUM SIGN AREA
(in square feet per side)**

	Single Family In R Districts	Multi-Family in R-4, C-1 and T-C Districts	Accessory Office in R-4 District(a)	Institutional in R Districts	Nonresidential Uses in C-1, I-1 And T-C Districts
Nameplate	4(b)	4(c)	--	4(c)	--
Identification Sign	50 (d)	50 (d)	16(e)	40	(f)

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO.	25-2012	PASSED: September 18, 2012				
Directive Sign	--	4	--	4	4	
Builders Project Sign	50(g)	50	--	50	50(h)	
Real Estate Sign	6	10	--	--	36	
Window sign	--	--	--	(j)	(j)	
Temporary	8	8	--	20	32	
Promotional Signs						
Instructional Sign	--	--	--	(k)	(k)	
Safety/Regulatory Sign	(l)	(l)	(l)	(l)	(l)	
Product/Service Sign	50	50	16	40	f	
Temporary Changeable Copy Sign	12	12	24	50	50	
Free Standing Sign (PC/CC)	12	12	24	50	50	
Wall Sign (PC/CC)	8	8	16	40	f	

Notes to Schedule 1145.04:

-- Not Permitted

(a) Shall be in addition to signs permitted for the principal use (i.e. single-family). See Munroe Falls Codified Ordinance Section 1127.03(k).

(b) One per dwelling unit.

(c) One 2 sq. ft. sign per dwelling unit or one 10 sq. ft. sign per building.

(d) Per sign face, a maximum of two sign faces per entrance to a subdivision, PURD or multi-family development.

(e) Only one sign per street frontage; shall be either a wall sign or a freestanding sign.

(f) See Section 1145.04 A.

(g) 50 square feet for a subdivision; 16 square feet for new construction on a single-family lot.

(h) Plus 10 sq. ft. for each 100 feet of lot frontage greater than 200 feet provided the maximum

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(i) Two 50 sq. ft. signs per subdivision; a single-family lot shall be permitted on e 8 sq. ft. sign.

(j) See Section 1145.06 E.

(k) See Section 1145.04 B.

(l) Shall be permitted as needed to achieve the intended public purpose.

(m) Maximum of thirty-two sq. ft. for Office use when contiguous to Main Street (SR 91)

(Ord. 20-01. Passed 9-18-01)

1145.05 MAXIMUM SIGN HEIGHT PERMITTED

The maximum height of freestanding signs, when permitted, shall conform to the standards set forth in Schedule 1145.05.

SCHEDULE 1145.05 MAXIMUM HEIGHT OF FREESTANDING SIGNS (in feet)

	Single Family In R District	Multi-Family in R-4, C-1, T-C District	Accessory Office R-4 District (a)	Institutional R Districts and T-C	Nonresidential in C-1, I-1 districts
Identification Sign	8	8	8	8	9
Directive Sign	--	3	--	3	3
Builder's Project Sign	--	8	--	8	10
Real Estate Sign	6(a)	6	--	6	6
Temporary Promotional Sign	6	6	--	6	6(b)
Instructional Sign	--	--	--	(c)	(c)
Safety or Regulatory Sign	(c)	(c)	(c)	(c)	(c)
Product/Service Sign	6	6	--	6	6b
Temporary Changeable Copy Sign	6	6	--	6	6
Free Standing Sign	8	8	8	8	9

Notes to Schedule 1145.05:

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

-- Not Permitted

(a) Signs on single-family lots have a maximum height limit of 6 feet.

(b) Banners erected in the public right-of-way shall be approved by the Mayor. See also Section 1145.06(i)(4).

(c) No height limitation

(Ord. 3-95. Passed 1-17-95)

1145.06 SUPPLEMENTAL REGULATIONS

The following sign regulations are in addition to the maximum sign area and height regulations set forth in Sections 1145.04 and 1145.05.

A. **Residential Identification Signs.** A residential identification sign shall be permitted for each entrance to a subdivision, PURD and multi-family development pursuant to the area limitations of Schedule 1145.04 and the height limitations of Schedule 1145.05 in compliance with the following regulations.

(1) Such signs shall be placed on private property no closer than 10 feet to the right-of-way, except as permitted in subsection (2) below, and shall be located no closer than 20 feet to a side lot line.

(2) A freestanding identification sign may be placed in the right-of-way provided such sign shall be located on the center island of a boulevard entrance, placed no closer than 25 feet to the intersecting street's right-of-way.

(3) A maximum of two sign faces shall be permitted per entrance; either as a double-sided freestanding sign or as two single-sided signs either freestanding or mounted on a wall or other entrance feature.

B. **Requirements for Freestanding Identification Signs.** Freestanding identification signs for institutions in Residential Districts and uses in C-1, I-1 and T-C Districts shall comply with the following regulations.

(1) One freestanding identification sign, with a maximum area of 50 sq. ft. per sign face, shall be permitted per lot, or per development if more than one lot is included in the development, except as otherwise provided herein. The area of the freestanding identification sign shall be included in the total sign area permitted for identification signs.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(2) Such sign shall be permitted only when the principal building conforms to the minimum building setback and lot width requirements specified in the district regulations.

(3) Such sign shall be located no less than 10 feet from the right-of-way provided no portion of any freestanding sign shall be closer to the street right-of-way than a distance equal the height of the sign, and shall be located no less than 20 feet from a side lot line.

(4) For a corner lot, one freestanding sign shall be permitted per street frontage provided that the lot has at least 80 feet of lot frontage on each street and the signs are located a minimum of 30 feet from the intersection.

(5) Content of Freestanding Signs.

(a) Multiple-Tenant Facilities. When a freestanding sign is permitted on a site with more than one tenant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), be a directory for all or only a select group of tenants, or some combination thereof.

(b) Product and Service Signs. Up to a maximum of fifty percent (50%) of the area of the freestanding identification sign may be devoted to advertising using a Product and Service Sign.

(c) Changeable Copy Sign. Up to a maximum of seventy-five percent (75%) of the area of the freestanding identification sign may be devoted to changeable copy.

(6) For lots having more than 250 feet of lot frontage, one freestanding identification signs shall be permitted for each 250 feet of lot frontage or fraction thereof, provided the total allowable sign area for identification signs shall comply with Section 1145.04. Future subdivision of such lot shall not be approved unless all signs existing prior to the subdivision comply with the requirements for the resulting sub lots

(7) Freestanding signs shall be landscaped as an integral part of the required front yard landscaping.

C. **Additional Requirements for Business Identification Signs.**

(1) Rear Entry Signs for Multiple-Tenant Buildings. Each rear entrance to a tenant space in a multiple-tenant commercial or industrial building shall be clearly identified with the name and address of the occupant.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(2) Second Story Tenant Identification Signs. For multi-story retail or office buildings, each tenant not located on the ground floor shall be permitted one permanent identification sign to be placed in a window of the tenant's space. Such sign shall not exceed four square feet and shall be included as part of the identification sign area for the building.

(3) Signs on Awnings and Canopies. A permitted identification sign may be placed on an awning or canopy, applied to the face of the awning or canopy. Awnings or canopies may be back-lit.

D. **Directive Signs.** A maximum of two directive signs shall be permitted per access drive for multi-family, institutional, commercial and industrial uses pursuant to the area limitations of Section 1145.04 and the height limitations of Section 1145.05. Such signs shall be located no less than 10 feet from a side lot line in a residential district and no less than 5 feet from a side lot line in a non-residential district, and may be located at or near the right-of-way but shall not be in the right-of-way.

E. **Window Signs in C-1 and T-C Districts.** Window signs for the purpose of identification or periodic or special advertising shall be permitted in C-1 and T-C Districts without a zoning certificate provided that such signs shall not cover more than 50 percent of the total window area.

F. **Builder's Project Signs.** Non-illuminated builder's project signs shall be permitted in all districts pursuant to the area limitations of Section 1145.04 and the height limitations of Section 1145.05 in compliance with the following:

(1) There shall be not more than one builder's project sign per lot located no less than 10 feet from the right-of-way and 20 feet from a side lot line, except that signs having an area greater than 50 square feet shall be located no less than 20 feet from the right-of-way and 30 feet from a side lot line.

(Ord. 3-95. Passed 1-17-95.)

(2) A builder's project sign shall be erected on the lot only during the period of time that the building project is under construction and while a valid building permit is in force. Such sign shall be removed with fourteen days of the commencement of the intended use.

(3) In the event construction extends beyond the time period specified on the zoning certificate, a request for an extension of the sign permit shall be submitted to the Zoning Inspector for review and approval.

G. **Political Signs.** Non-illuminated political signs shall be permitted on private property without a zoning certificate in all districts.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(1) Signs shall not be placed on utility poles or on public property or in the street right-of-way.

H. **Real Estate Signs.** Non-illuminated real estate signs shall be permitted in all districts pursuant to the area limitations of Section 1145.04 and the height limitations of Section 1145.05 in compliance with the following:

(1) One such sign shall be permitted per street frontage located no less than 10 feet from the right-of-way and 15 feet from a side lot line.

(2) Real estate signs shall be located only on the site being advertised for sale, lease or rent.

(3) On individual lots, such signs shall be removed by the property owner or realtor identified on the sign within ten days after said property is transferred, rented, leased or removed from the real estate listing.

(4) A sign advertising the sale of lots in a new residential subdivision shall be permitted for a period not to exceed 24 months and shall be removed within 30 days after the last lot is sold or the development abandoned.

I. **Temporary Promotional Signs.** Temporary non-illuminated promotional signs, banners, pennants or flags (other than institutional, State, Federal or other patriotic flags) intended to promote or advertise special events or sales may be permitted without a zoning certificate when complying with the following regulations.

(1) **Open House, Auction, Garage Sale Signs.** Signs promoting an open house, an auction or a garage sale (which shall include yard sale, porch sale, house sale or similar terms) in a residential district shall be permitted without a zoning certificate pursuant to the area limitations for a temporary promotional sign set forth in Section 1145.04 and the height limitations of Section 1145.05 in compliance with the following:

(a) All signs posted on private property shall have the permission of the property owner.

(b) Signs may be located at or near the right-of-way, shall be placed no less than 10 feet from a side lot line, and shall not be placed upon or in a street right-of-way or attached to or upon any street identification sign or utility pole.

(c) Such signs shall be allowed to remain in place for the period of the open house, auction or garage sale, but in no case shall the period exceed 72 hours.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(2) Community Programs and Activities. Signs promoting community programs and/or activities sponsored by a public or semi-public organization on a lot in a residential district shall be permitted pursuant to the area limitations for a temporary promotional sign set forth in Section 1145.04 and the height limitations of Section 11445.05. Such signs shall be posted on private property with the owner's permission for a period not to exceed 14 days.

(3) Temporary Sales Signs. Signs for periodic sales or promotions by establishments located in a C-1 and T-C District shall be permitted pursuant to the area limitations of Section 1145.04 and the height limitations of Section 1145.05 in compliance with the following:

(a) Freestanding signs or banners shall be permitted to be placed on the premises.

(b) Such sign shall be located no less than 10 feet from the right-of-way and shall be no less than 10 feet from a side lot line or shall be attached to the building.

(c) Such sign is intended to advertise a special event or promotional sale activity.

(4) Banner in the Public Right-of-Way. Temporary promotional banners for the purpose of announcing a civic event may be erected in the public right-of-way upon approval of the Mayor, for the duration and in the location approved by the Mayor.

J. **Safety or Regulatory Signs.** Signs to direct vehicular or other traffic on the premises and to ensure the safety of residents, visitors and employees may be erected in any district. Such signs should be sized and landscaped in such a manner that the signs cannot be viewed from the highway or adjacent property and shall contain no message of any sort.

K. **Municipal Signs.** Signs identifying the City of Munroe Falls and/or Municipal Property. All such signs shall be uniform and conform to established standards approved by Council. In addition, and prior to the procedures for approval of signs provided in Section 1145.10, the Park Board shall review proposed signs to determine whether they uniformly meet the established standards.

(Ord. 28-01. Passed 9-18-01.)

1145.07

DESIGN AND CONSTRUCTION STANDARDS

In addition to ensuring compliance with the numerical standards of these regulations, the Zoning Inspector and the Planning commission shall consider the proposed general

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

design, arrangement, material, colors, lighting, and placement of the sign, as well as the appropriateness of the sign shall include, but not be limited, to the following conditions.

A. The lettering shall be large enough to be easily read but not out of scale with the building, site or streetscape.

B. The number of items (letters, symbols and shapes) shall be consistent with the amount of information which can be comprehended by the viewer, reflect simplicity, avoid visual clutter and improve legibility.

C. Signs, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or block. Continuity of design means uniformity of background colors or harmonious use of a limited range of complementary background colors.

D. The size, style and location of the sign shall be appropriate to the activity of the site as prescribed elsewhere in these regulations.

E. The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture. The sign shall reflect the primary purpose of identifying the name and type of establishment.

F. Instructional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.

G. A sign should be constructed with a minimum of different types of elements and materials so as to provide a consistent overall appearance.

H. No part of a sign shall project above the parapet line.

I. Signs in commercial and industrial districts may be internally or externally illuminated except as otherwise set forth in Section 1145.06 provided that light sources to illuminate such signs shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness so as to cause glare hazardous to pedestrians or motorists, or as to cause reasonable objection from adjacent residential districts.

J. Identification signs in residential districts shall be illuminated by external means only except as otherwise set forth in Section 1145.06. Illumination shall occur only during the hours of 6:00 a.m. to 11:00 p.m.

K. The source of light shall not be visible from the street and external light sources shall not shine on adjoining properties. No flashing, revolving or intermittent illumination shall be employed

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

L. No flashing or moving parts shall be permitted for any sign or advertising display within the Municipality.

M. All signs shall be designed, constructed, and erected in a professional and workmanlike manner, in conformance with all applicable building codes, and with materials which are durable for the intended life of the sign.

N. Signs shall have no secondary or other signage added to the sign face or sign structure, except as recommended by Planning Commission and authorized by Council.

O. For any sign which projects above a public right-of-way, the sign owner shall obtain and maintain in force liability insurance for such sign in such form and in such amount as the Law Director may reasonably determine. Proof of such insurance shall be required prior to obtaining a zoning certificate.

P. Freestanding signs shall be designed and located so as not to obstruct a driver's visibility entering or exiting a lot or to be a safety hazard to pedestrians or vehicles.

Q. A freestanding permanent business identification signs must include the street address number at the sign location as part of the business identification.

The Planning Commission and Zoning Inspector may prepare from time to time or authorize the preparation of illustrations which interpret these design and construction standards. Such illustrations may include drawings, photographs of signs in Munroe Falls and elsewhere, and drawings or photographs of signs which have been approved pursuant to these regulations. Any such interpretive illustrations may be approved by a majority vote of the Planning Commission and, when approved, shall be considered administrative guidelines which assist in the interpretation of these design and construction standards. Any sign proposed which is consistent with these illustrations shall be in prima facie compliance and not be subject to further review by the Planning Commission.

(Ord. 3-95. Passed 1-17-95)

1145.08 SIGNS EXEMPT FROM REGULATION

The following signs shall be exempt from regulation under the Zoning Ordinance.

A. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

B. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the building in which such sign is located.

C. Works of art that do not include a commercial message.

D. Religious and other holiday lights and decorations containing no commercial message when displayed during the appropriate time of the year.

E. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting these conditions shall be considered a sign and shall be subject to regulations as such.

F. Any banner or sign that is placed through the City sponsored banner program.

(Ord. 42-2004. Passed 10-19-04)

1145.09 PROHIBITED SIGNS

All signs not expressly permitted under the zoning Ordinance or exempt from regulation hereunder in accordance with the previous section are prohibited in the Municipality. Such signs include, but are not limited to:

A. Animated, flasher, blinker, racer type, moving or revolving signs, pennants, inflatable signs and tethered balloons, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, except those exempt under the previous section, and other similar features.

B. Signs on temporarily placed vehicles.

C. Signs containing any works or symbols that would cause confusion because their resemblance to highway traffic control or directional signals.

D. Outdoor advertising signs (billboards) being any sign erected for the benefit of any person, organization, business, cause, product or service not residing or located on the premises upon which said sign is erected.

E. Merchandise, equipment, products, vehicles, or other items not themselves for sale and placed for attention getting, identification, or advertising purposes.

(Ord. 3-95. Passed 1-17-95)

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

1145.10 ADMINISTRATIVE PROCEDURES

The maximum sign areas, maximum sign heights, supplemental regulations, and design construction standards described hereinabove are intended as guidelines allowing for reasonable variance as necessary to accomplish the stated purpose and goals of the City's regulations of signage throughout the City. Strict application of the limitations described hereinabove may, from time-to-time, create an unnecessary and/or unreasonable burden on businesses and institutions. Therefore, deviation from the guidelines may be expected to occur on a case-by-case basis subject to approval and/or disapproval by City Council.

Except as otherwise stated herein, a zoning certificate or conditional use certificate shall be required for all signs. The procedures for obtaining a certificate are as follows:

A. **Review Procedures.** Signs shall be erected, modified, or replaced only upon the submission of proper plans and specifications and upon review and approval according to the following:

(1) A zoning certificate shall not be required for the following signs when such signs are in full compliance with these sign regulations:

- (a) Nameplate signs;
- (b) Political signs;
- (c) Temporary Promotional Signs
- (d) Real estate signs with an area of 10 sq. ft. or less; and,
- (e) Window signs, except permanent identification signs located in the window.

(2) The Zoning Inspector shall have the responsibility to review and approve (or disapprove):

- (a) Rear entrance signs for multi-tenant buildings;
- (b) Safety or regulatory signs;
- (c) Real estate signs having an area greater than ten square feet;
- (d) Temporary sales signs; and
- (e) Community programs and activity signs.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

However, the Zoning Inspector may refer the decision on any of the above signs to the Planning Commission for consideration if the Zoning Inspector determines that the sign, as proposed, is more appropriately the responsibility of the Planning Commission.

(3) The Planning Commission and Council shall have the responsibility to review and approve (or disapprove):

- (a) All identification signs, including wall signs, freestanding signs, and second-story tenant identification signs;
- (b) All other permanent freestanding signs;
- (c) Instructional signs; and
- (d) Builder's project signs.

B. **Application Requirements.** The application for a Zoning Certificate shall be made upon the application forms provided by the Municipality and shall be submitted with the following:

(1) Three blueprints of the site plan drawn to scale showing:

(a) The dimensions of the lot or property, the location of all dwellings and/or buildings on the lot, the location and size of driveways and access drives, and the identification of and distances to adjacent dwellings, buildings and/or land uses;

(b) The location of the proposed sign(s) on the site;

(2) Three blueprints or ink drawings of the plans and specifications and method of construction and attachment of the signs to the building or method of installation in the ground;

(3) A drawing or description indicating the exact sign message, including letter style and colors'

(4) Name of person, firm, corporation or association erecting structure.

(5) Written consent by the owner of the building, structure, or land to which, or on which the structure is to be erected when the sign pertains to businesses or services not conducted upon the premises where the sign is located;

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(6) Any other pertinent data necessary for the determination of compliance with the purposes and objectives of the Zoning Ordinance;

(7) Payment of any required application and sign fees, bonds, or other performance and/or maintenance guarantees.

C. **Site Plan Review.** All signs subject to Planning Commission and Council review and approval shall be reviewed according to the procedures set forth for Site Plan Review in Section 1163.03.

Signs proposed for a use requiring site plan review or a conditionally permitted use may be submitted for review as part of the application for site plan review or conditional use approval.

D. For multi-tenant buildings in commercial or industrial districts, and individual buildings located in business and industrial parks, the applicant shall submit with the application for site plan review basic sign parameters as to the location, size and style of proposed signs. The Planning Commission shall approve with the site plans for new buildings, or at the time a specific sign request is made for a tenant identification sign in an existing building, the basic sign policies for each tenant sign. The Planning Commission may authorize the Zoning Inspector to specifically approve the subsequent individual tenant signs upon specific application when such proposed signs comply with the sign policy established by the Planning Commission. Such established sign policy shall be made part of all leases or sales of stores or other tenant space.

E. **Modification to Existing Sign.** Any proposed change in an existing sign, sign structure or lighting, shall be approved according to the review procedure set forth in this section prior to said change being made.

F. **Fees.** Concurrent with the filing of an application for any sign, unless specified otherwise in these sign regulations, an application fee shall be paid to the City in the amount established by ordinance. No refund of any part of an application fee shall be made to an applicant in cases of denial of the requested sign(s).

(Ord. 3-95. Passed 1-17-95.)

1145.11 MAINTENANCE

All signs shall be maintained in accordance with the following standards.

A. The property owner, owner of the sign, tenant, and agent are required to maintain the sign in a condition fit for the intended use and in good repair, and such

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

person or persons have a continuing obligation to comply with all building code requirements.

B. A sign in good repair shall be free of peeling or faded paint; shall not be stained or show uneven soiling or rust streaks; shall not have chipped, cracked, broken or bent letters, panels or framing; shall not otherwise show deterioration; and shall comply with all other applicable maintenance standards of the City.

C. The Zoning Inspector may order any sign to be painted or refurbished at least once a year, if needed, to keep the sign in a neat and safe condition.

D. If the sign is deemed by the Zoning Inspector to be in disrepair or in an unsafe condition, such sign shall be considered an unsafe structure and all City regulations applicable for the repair or removal of such sign shall apply.

E. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, re-lettering, or repainting, the same may be done without a certificate, or any payment of fees, provided there is no alteration or enlargement to the structure or the mounting of the sign itself, and the sign is accessory to a legally permitted or nonconforming use.

(Ord. 3-95. Passed 1-17-95.)

1145.12 ALTERATION AND REMOVAL OF UNSAFE, OBSOLETE, AND NONCONFORMING SIGNS

A. Every sign or other advertising structure, including supporting materials, in existence upon adoption of these regulations that violates or does not conform to the provisions herein shall be altered or replaced in a timely manner only in conformance with the provisions of these regulations and upon the review and approval of the Board of Zoning Appeals, except in the following situations.

(1) When the existing use has new ownership which results only in a change of the name of the use or business on the property.

(2) When a building or structure is reoccupied by a use permitted in the district in which such building or structure is located, provided the building or structure is reoccupied within 90 days of being vacated and the new occupant requires no external building or site renovation.

(3) When a sign is damaged to fifty percent (50%) or less of its current fair market value, it may be restored to its former condition.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

B. Nonconforming signs shall be removed in the event one or more of the following occurs:

(1) When a sign is damaged by more than fifty percent (50%) of its current fair market value.

(2) When the use for which the nonconforming sign is accessory is vacant for 90 consecutive days.

(3) Following five years from the date of the adoption of these regulations, or five years from the date of any amendment to these regulations which made the sign nonconforming.

Signs which are not so removed are hereby declared to be a nuisance subject to abatement by the City.

C. Any conforming sign and supporting materials which no longer advertises a bona fide business, or which no longer serves the purpose for which it was intended, shall, within 90 days of business termination or the time such sign becomes obsolete, be removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign may be found. Signs which are not so removed are hereby declared to be a nuisance subject to abatement by the city.

D. Written notification from the Zoning Inspector concerning the removal of a sign shall be complied with within 30 days. Failure to comply with the abatement order shall result in the Zoning Inspector having authorization to cause removal of such sign and supporting material. Any expense incidental to this removal shall be paid by the owner of the property upon which said sign is located. Failure to pay the cost for such removal shall result in a lien upon the premises, which lien shall be filed with the County Recorder's office, to remain a lien or record, until paid. The lien shall accrue interest at the maximum rate permitted by Ohio law prior to payment.

E. If the Zoning Inspector shall find that any sign or other advertising structure is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Zoning Ordinance, notice shall be given in writing by the Zoning Inspector to the certificate holder thereof. If the certificate holder fails to remove or alter the structure so as to comply with the standards herein set forth within 30 days after such notice, such sign or other advertising structure may be removed or altered to comply with these regulations at the expense of the certificate holder or the owner of the property upon which it is located. The Zoning Inspector shall refuse to issue a certificate to any certificate holder or owner who refuses to pay costs so assessed. The Zoning Inspector may cause any sign or advertising structure which is in immediate peril to persons or property to be removed summarily and without notice.

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

(Ord. 3-95. Passed 1-17-95.)

1145.13 VIOLATIONS AND PENALTIES

A. Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor and any person on conviction thereof shall be fined not more than one hundred dollars (\$100.00) and each day during which such violation of any provision of this chapter shall continue shall be considered to be a separate offense. In case any person violates any of the provisions of this chapter as aforesaid, the Law Director, in addition to the foregoing fines and penalties, and in addition to the remedies otherwise provided by law, is hereby authorized to institute an appropriate action or proceeding in law or equity to prevent such violation, or to restrain, correct or abate such violation.

B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

C. Nothing herein contained shall prevent the Municipality from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. 3-95. Passed 1-17-95.)

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed

Approved

President of Council

Mayor

Director of Finance

Reviewed as to form:

Director of Law

I, the duly appointed and qualified Clerk of Council of the City of Munroe Falls, County of Summit, and State of Ohio do hereby certify that this is a true copy of the original

RECORD OF ORDINANCES

Prop. Ord. #2012-31

ORDINANCE NO. 25-2012

PASSED: September 18, 2012

Ordinance adopted at a meeting of City Council duly held on the _____ day of _____, 2012. Dated this _____ day of _____, 2012.

Clerk of Council

First Reading: _____

Sading: _____

Third Reading: _____