The Village of Northfield

REGULAR COUNCIL MEETING AGENDA
January 9, 2019 7:30pm

Pledge of Allegiance

Call to Order; Roll Call; Approval of Minutes

Appointment of Council President

Howard Shafron – New Plaza Management, LLC

Presentation of Petitions, Memorials and Remonstrances

Reports of Municipal Officers:
Jesse J. Nehez, Mayor
Tricia Ingrassia, Finance Director
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:
John Zolgus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:
Alan Hipps, Planning Commission
Mayor Nehez, Recreation Board

Reports of Standing Committees:
Nicholas Magistrelli, Finance
Jennifer Domzalski, Roads and Public Works
Keith Czerr, Health and Welfare
Gary Vojtush, Wages and Working Conditions
Renell Noack, Fire and Safety
Alan Hipps, Buildings and Grounds

Legislation:
2019-01 – An Emergency Ordinance Enacting Section 238.15 of the Codified Ordinances Establishing the Position of Part-Time Finance Assistant (First Reading)

2019-02– An Emergency Resolution Confirming the Mayor's Appointment of Shannon Conway as Part-Time Finance Assistant (First Reading)

2019-03 – An Emergency Resolution Authorizing the Mayor to Enter into an Agreement with Security Benefit Mutual Plan Services to Permit Employee Deferred Compensation Withholdings (First Reading)

2019-04 – An Emergency Resolution Requesting the Summit County Fiscal Officer, in the Year 2019, to Advance to the Village Monies to Which the Village is Entitled From Proceeds of Tax Levies for the Tax Year 2018 (First Reading)

2019-05 – An Emergency Ordinance Amending Chapter 1280 of the Codified Ordinances Relating to Signs (First Reading)

Old Business; New Business; Announcements; Adjournment

VILLAGE OF NORTHFIELD RESOLUTION NO. 2019-03

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SECURITY BENEFIT MUTUAL PLAN SERVICES TO PERMIT EMPLOYEE DEFERRED COMPENSATION WITHHOLDINGS

WHEREAS, certain Village employees have requested the Village to add Security Benefit Mutual Plan Services ("Security Benefit") to the list of authorized companies for voluntary employee deferred compensation withholding; and

WHEREAS, the Mayor and Council want to designate Security Benefit as an authorized company for voluntary employee deferred compensation withholding and authorize the Mayor to execute an Agreement for same with Security Benefit.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby authorizes the Mayor to enter into an Agreement with Security Benefit to permit voluntary employee deferred compensation withholdings.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public and/or in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that the Village desires to permit its employees to avail themselves of this employee requested deferred compensation option as soon as possible, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2019.

_____
President Pro-Tem of Council

_____
Jesse J. Nehez, Mayor

Approved as to Legal Form. _____
Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2019.

_____
Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD ORDINANCE NO. 2019-01

AN EMERGENCY ORDINANCE ENACTING SECTION 238.15 OF THE CODIFIED ORDINANCES ESTABLISHING THE POSITION OF PART-TIME FINANCE ASSISTANT

WHEREAS, the Mayor and Council have determined the Village has a need for a part-time finance assistant; and

WHEREAS, Council desires to enact Section 238.15 of the Administrative Code establishing the position.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein enacts Section 238.15 of the Codified Ordinances relating to the position of Part-Time Finance Assistant as indicated in the attachment hereto.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield, for the reason that it will assist with the operations of the Village and serving the public, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2019.

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Pres. Pro-Tem of Council

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Jesse J. Nehez, Mayor

Approved as to Legal Form.

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Bradric T. Bryan, Director of Law

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Tricia Ingrassia, Clerk of Council

238.15 ESTABLISHMENT OF POSITION OF PART-TIME FINANCE ASSISTANT; DUTIES.

(a) The part-time position of Finance Assistant is hereby established.

(b) The Finance Assistant shall be hired and terminated by the Mayor with the approval of a majority of those persons elected or appointed to Council. The rate of pay for the position shall be determined by Council.

(c) The Finance Assistant shall work under the direction of the Mayor and Director of Finance on a part-time work schedule to be determined by the Mayor and Director of Finance. The duties of the position shall include performing various tasks for the Director of Finance as needed; processing purchase orders, accounts payable, and accounts receivable; performing other special projects as determined by the Director of Finance; and answering phones and attending to the needs of residents and visitors when required under the direction of the Director of Finance.

VILLAGE OF NORTHFIELD RESOLUTION NO. 2019-02
AN EMERGENCY RESOLUTION
CONFIRMING THE MAYOR'S APPOINTMENT OF SHANNON CONWAY AS PART-TIME FINANCE ASSISTANT

WHEREAS, the Village sought applicants for the position of Part-Time Finance Assistant, and Council has established the position; and

WHEREAS, Council desires to confirm the Mayor's appointment of Shannon Conway to the position.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Mayor's appointment of Shannon Conway as Part-Time Finance Assistant is hereby confirmed. The work schedule for the position shall be determined by the Mayor and Director of Finance, and the hours to be worked shall not exceed an average of 24 hours per week. The rate of pay for the position shall be $21.00 per hour. Ms. Conway's start date shall be January 14, 2019.

SECTION 2. That said appointment shall involve a one year probationary period pursuant to the terms of Section 11.04 of the Village Charter.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council and/or were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with the operation of the Village, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2019.

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Pres. Pro-Tem of Council

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Jesse J. Nehez, Mayor

Approved as to Legal Form.

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Bradric T. Bryan, Director of Law

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Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2019-04
AN EMERGENCY RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL OFFICER, IN THE YEAR 2019, TO ADVANCE TO THE VILLAGE MONIES TO WHICH THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR THE TAX YEAR 2018

WHEREAS, O.R.C. Section 321.34 provides that money in the County Treasury to the credit of the account of a local authority and lawfully applicable to the purpose of the current fiscal year, may be withdrawn by a municipality upon the proper request; and

WHEREAS, Council has found and determined that sound fiscal policy requires that such withdrawal be requested from the Summit County Fiscal Officer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in 2019, the Summit County Fiscal Officer is hereby requested to draw warrants and pay the Village of Northfield all monies presently being held in the Summit County Treasury to the accounts of the Village lawfully applicable to the purpose of the 2019 fiscal year and derived from the proceeds of tax levies for the tax year 2018.

SECTION 2. That the Director of Finance is hereby authorized and directed to promptly forward a copy of this Resolution to the Summit County Fiscal Officer.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the provision of municipal services by the Village, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2019.

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Pres. Pro-Tem of Council

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Jesse J. Nehez, Mayor

Approved as to Legal Form.

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Bradric T. Bryan, Director of Law

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Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD ORDINANCE NO. 2019-05
AN EMERGENCY ORDINANCE AMENDING CHAPTER 1280 OF THE CODIFIED ORDINANCES RELATING TO SIGNS

WHEREAS, due to a decision issued by the United States Supreme Court, it is necessary for the Village, like other municipalities, to update its sign ordinance to make its regulations content neutral with respect to the type of message on the sign; and

WHEREAS, in connection with that process, the Mayor and Council decided to engage a planning consultant to assist the Village with a comprehensive review and update of the entire Village Sign Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein amends Chapter 1280 of its Codified Ordinances relating to Signs, as indicated in the attachment hereto.

SECTION 2. Upon passage of this Ordinance, the previous version of Chapter 1280 of the Codified Ordinances shall be repealed and replaced by the within amended version adopted by this legislation.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield, for the reason that the Village desires the amended ordinance to be in force and effect as soon as possible, and therefore, this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2019.

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Pres. Pro-Tem of Council

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Jesse J. Nehez, Mayor

Approved as to Legal Form.

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Bradric T. Bryan, Director of Law

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Tricia Ingrassia, Clerk of Council

CHAPTER
1280
Signs

1280.01 PURPOSES.

The purpose of this chapter is to provide for the type, design, location and size of signs and to regulate their installation and maintenance, in order to:

(a) Promote and maintain attractive and high-quality Residential Districts and promote attractive public facilities;

(b) Provide for reasonable and appropriate methods for identifying establishments in business and industrial districts by relating the size, type and design of signs to the size, type and design of the business and industrial establishments;

(c) Promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards and reducing visual distractions and obstructions;

(d) Control the design of signs so that their appearance will be aesthetically harmonious with an overall urban design for the area by:

1. Assuring the appropriate design, architectural scale and placement of signs;
2. Assuring that signs are placed in an orderly and attractive manner on the building or the site;
3. Assuring that the amount of information on the sign is legible and achieves the intended purpose.

(e) Promote the most desirable developments and economic activity in accordance with the objectives of the Municipality; and

(f) Protect property values.

1280.02 COMPLIANCE; APPLICATION OF CHAPTER.

(a) Signs shall be designed, erected, altered, reconstructed, moved and maintained, in whole or in part, in accordance with the provisions of this chapter.

(b) The construction, erection, safety and maintenance of all signs shall be in accordance with this chapter, but the provisions of this chapter shall not amend or in any way interfere with the codes, rules or regulations governing traffic signs within the Municipality.

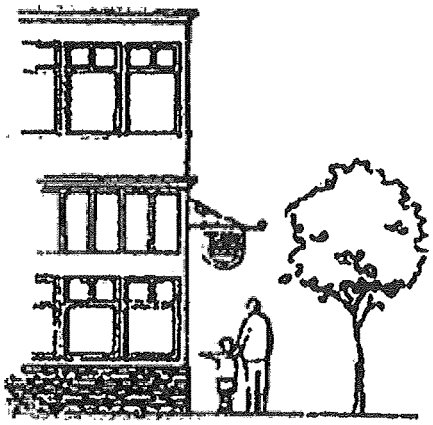
(c) The display of official public notices, or the flag, emblem or insignia of an official governmental body, shall not be governed by the provisions of this chapter.

1280.03 DEFINITIONS.

(a) "A-Frame or Sandwich Board Sign" - A sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own rigid supporting frame in the form of a triangle or an inverted V and being portable and movable. Also known as a sandwich board sign.

(b) "Awning sign" means any hood or awning made of cloth or with metal frames attached to a building and supported by the ground or sidewalk.

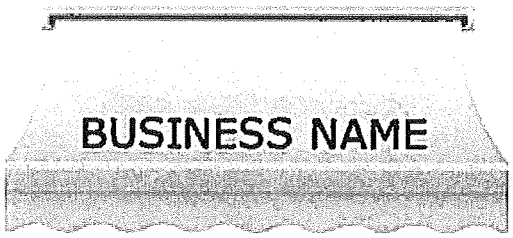
(c) "Blade or Projecting Sign" means a sign that is attached to the wall of a building and is perpendicular to the flow of either pedestrian or vehicular



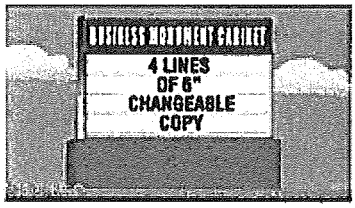
traffic.

(d) "Bulletin board" means an announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

(e) "Canopy sign" means a sign attached to the soffit or fascia of a canopy, covered entrance or walkway, or to a permanent awning or marquee.



(f) "Changeable Copy Sign" - means a sign designed to display multiple or changing messages whether by manual, mechanical or electronic means. Such signs are characterized by changeable letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time manually or by electronic or mechanical devices. Electronically changed signs may include either electronic message boards or digital displays and are defined separately.

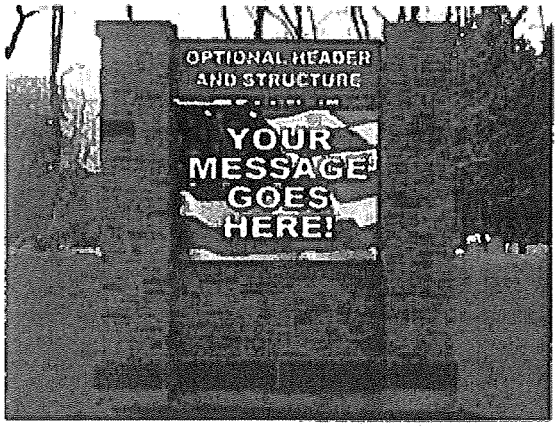


(g) "Dilapidation" Dilapidation includes any sign where elements of the sign area or background have portions of the finished material missing, broken, peeling or illegible; where the structural support is visibly bent, broken, dented, rusted, peeling, corroded, or loose; or where the sign or its elements are not in compliance with the adopted electrical code and/or the Building and Housing Code.

(h) "Directional" A sign indicating a direction or a location to which traffic, whether pedestrian or vehicular, is requested to move within the parcel for the purpose of traffic control and public safety.

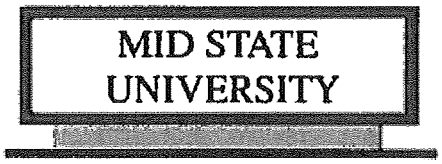
(i) "Electronic Sign" Is a changeable copy sign for which the text, letters, numbers, pictures, or symbols forming the informational portion of the sign consists of flashing, intermittent, or moving lights, including any LED screen or any other type of video display. This definition does not include signs that

have internal or indirect illumination that is kept stationary or constant in intensity and color at all times when such sign is in use or any government sign located within the right-of-way that functions as a traffic-control device and is described and identified in the Ohio Manual of Uniform Traffic-Control



Devices.

(j) "Free-standing ground sign" means a stationary sign which is not affixed to a building or supported by a pole or poles. It may be supported from the ground by means of a free-standing wall, monument, or other structural support system.

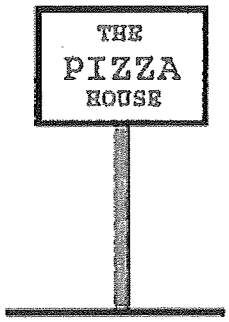


(k) Marquee sign" means a sign attached to the soffit or fascia of a marquee, to a roof over an entrance or to a permanent awning.

Marquee Sign

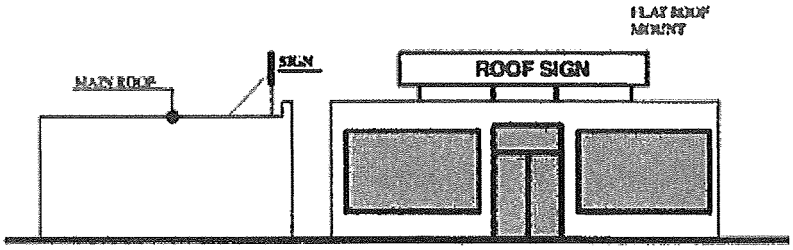
(l) "Permanent Sign" - means a sign permanently affixed or attached to the ground or a structure and which cannot be removed without special handling, such as removing or dismantling the foundation or a portion thereof, fasteners, adhesives or similar materials providing support or structural integrity for the sign.

(m) "Pole sign" means a stationary two-face sign erected on a metal pole or poles that is wholly independent of any building for support. The faces shall be back-to-back and shall not be more than a foot apart.



POLE

(n) "Roof Sign" means a sign placed, inscribed or supported upon a roof or upon any structure which extends above the roof line of any building.



(o) "Sign" means any display, figure, painting, drawing, placard, poster or other

device, visible from a public way, which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. It may be a structure or a part thereof or it may be painted on or attached directly or indirectly to a structure. It may be painted on stone or be formed out of shrubbery.

(p) "Sign Area" For a Freestanding or Pole sign is the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure. For a Wall or Panel sign, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers, or design.

(q) "Sign face" The entire display surface area of a sign upon, against, or through which copy is placed.

(r) "Temporary" A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appears to be intended or is determined by the Building and Zoning Inspector to be displayed for a limited period of time.

(s) "Wall or panel sign" means a sign integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than twelve inches therefrom.

(t) "Window sign" means a sign painted, attached or affixed to the interior or exterior surface of a window or door of a building.

1280.04 PROHIBITED SIGNS.

Signs shall be permitted in each use district and regulated as to type, size and location as provided in this chapter. Unless otherwise specifically permitted herein, the following signs are prohibited in all districts, except the C-1 Industrial District:

(a) Pennants, ribbons, streamers, strings of light bulbs, spinners, feathered flag banners or signs or other similar devices;

(b) Mobile, portable, or wheeled signs;

(c) Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property, excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;

(d) Roof signs;

(e) Inflatable images;

(f) Signs containing flashing, moving, intermittent, or running lights or which

imitate traffic control devices provided, however, that changeable copy signs shall be permitted as regulated by this ordinance;

(g) Signs which employ any part or element which revolves, rotates, whirls, spins, flutters or otherwise makes use of motion to attract attention;

(h) Beacons or searchlights;

(i) High intensity strobe lights;

(j) Signs which hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path;

(k) Window signs except as specifically authorized herein; and

(l) Window frame lighting: light emitting diode or other types of bar, string, or strand lighting, whether white or another color, within or directly outside of window frames of their buildings.

(m) Neon, unless used in window signs or as approved by the Planning Commission.

1280.05 PERMIT REQUIRED.

(a) A zoning permit is required prior to the display, erection or alteration of any sign except as otherwise provided in this Chapter. Repairs or maintenance not involving structural or electrical changes may be permitted without obtaining a permit.

(b) Routine maintenance or changing parts of signs shall not be considered an alteration of a sign, provided that the maintenance or change of parts does not alter the type of installation, surface area, heights, or otherwise make the sign non-conforming.

(c) Applications for sign permits shall be made upon forms provided by the Village Building and Zoning Inspector.

(d) Upon determining that a sign application is complete and accurate, the Building and Zoning Inspector shall approve the application or, if required by this Chapter, submit the sign application to the Planning Commission for approval.

(e) If Planning Commission review is required, the Building and Zoning Inspector shall not issue the permit until receiving the action of the Planning Commission which may be to recommend approval, approval with modifications, or denial of the application.

(f) Any sign application which requires a variance shall first be submitted to the Planning Commission for consideration.

(g) No signs, except highway safety signs, shall extend into any right-of-way.

1280.06 VALIDITY OF PERMIT.

If the work authorized under a sign permit has not been completed within one (1) year after the date of issuance, the permit shall become null and void.

1280.07 FEES.

Fees for sign permits shall be charged in accordance with the schedule of sign fees as established by Section 1262.05 (f) (4) and periodically revised by Council.

1280.08 PERMIT REVOCABLE AT ANY TIME.

All rights and privileges acquired under the provisions of this chapter or any amendment hereto, are mere licenses that are revocable at any time by Council.

1280.09 REVOCATION.

The Building and Zoning Inspector is hereby authorized to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

1280.10 FAILURE TO OBTAIN A PERMIT.

Any person who erects, alters or moves a permanent sign after the effective date of this Chapter without obtaining a permit as required by this section, shall be subject to a penalty and or remedy as provided by Section 1280.99.

1280.11 PERMITS NOT REQUIRED.

Signs which do not require a zoning permit include:

(a) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties, provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.

(b) Any sign wholly within the confines of a building and oriented so as to be out of view from outside the building.

(c) One sign per entrance door in a non-residential district which shall be limited to two (2) square feet in size and located within five (5) square feet of the entrance door.

(d) Signs located within the grounds of public facilities such as baseball fields,

stadiums, community centers, and other public facilities placed by a governmental entity.

(e) Any sign not expressly requiring a permit under this chapter.

(f) Sign faces that are visible from the public right of way, but are not intended for public view and are not discernible in message due to the small size of the sign's text, copy, or graphics as viewed from the public Right of Way. Such signs shall not exceed twelve (12) square feet in area and shall not exceed 6 feet in height.

(g) Signs that are an integral part of the original construction of vending or similar machines, fuel pumps, or similar devices;

(h) Signs that are constructed of paper, cloth, or similar expendable material, attached to the inside of a window, do not exceed 8 square feet in sign face area, and do not cover more than 25% of the area of the window pane; and

(i) Temporary Ground Signs as regulated in Residential districts set forth in Sections 1280.14 and 1280.15.

1280.12 MEASUREMENT DETERMINATIONS.

The following shall be the basis for determining sign area, sign height, and building or tenant frontage.

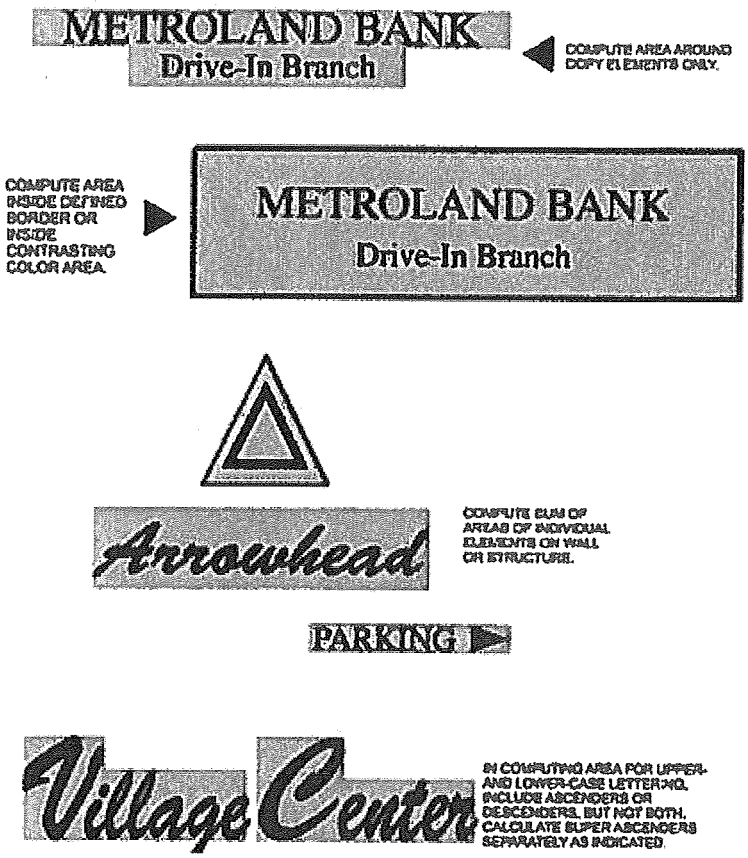
(a) **Sign Area and Dimensions.**

Sign area shall include the entire face of the sign from edge to edge, including any frame or structure around the perimeter of the sign, provided, however, that a proportional framing or structure around the display area may be excluded by the Planning Commission.

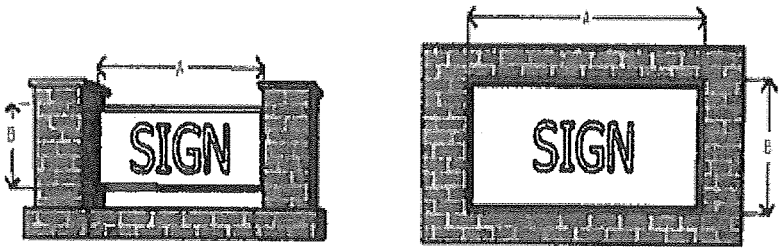
(1) For a sign comprised of individual letters, figures or elements on a wall or similar surface of a building or structure, or an irregular shaped free-standing sign, the area of the sign shall be the area of not more than three (3) adjacent regular geometric shapes that encompasses the perimeter of all the elements in the display. Regular geometric shapes are squares, rectangles, circles, ovals, triangles, and trapezoids.

(2) When separate elements are organized to form a single sign, but the elements are separated by open space, the area of the sign shall include the space between the elements.

SIGN AREA—COMPUTATION METHODOLOGY



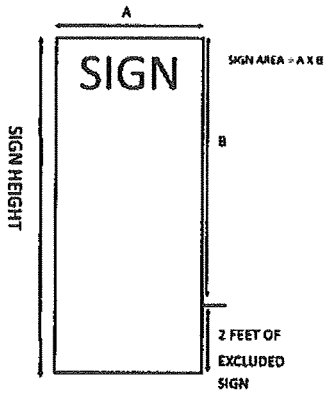
(3) For free-standing signs:



A. The sign area shall be computed by the measurement of one (1) of the faces when two (2) identical display faces are joined, are parallel or are within 30 degrees of being parallel to each other and are at no point separated by a distance that exceeds two feet.

B. The portion of a solid sign base, up to a maximum height of two (2) feet,

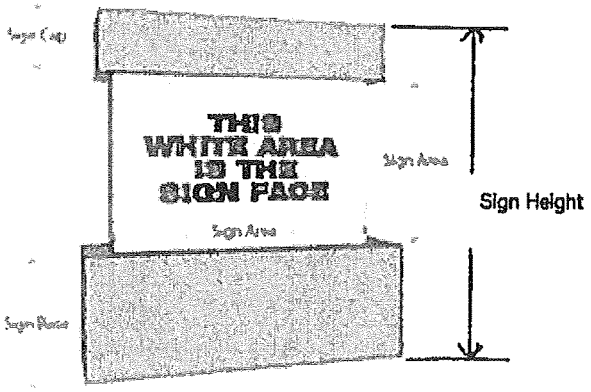
may be excluded from the calculated sign area provided such base is adequately screened by landscaping as determined by the Planning Commission.



(4) Air between a projecting sign and the wall to which it is attached and detached lighting fixtures and associated brackets shall not be included in the calculation of sign area.

(b) **Sign Height.**

The height of a free-standing sign shall be measured from the average natural grade at the base of the sign or support structure to the tallest element of the sign or its support structure. A free-standing sign on a man-made base, including a graded earth mound, shall be measured from the average site grade prior to any grade change in the area of a sign.



(c) **Building Frontage and Building Unit.**
For the purposes of these sign regulations, the length of the building wall that faces a public street other than a limited access highway or that contains a public entrance to the uses therein shall be considered the building frontage.
(1) The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls.
(2) In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.
(3) A building is considered to have two frontages whenever the lot fronts on two or more streets or the building has a public entrance on a wall other than the wall that faces the street. The property owner shall determine which wall shall be the primary building frontage and which wall shall be the secondary building frontage. Only one outside wall of any business shall be considered its primary frontage and only one additional wall considered its secondary frontage.
(4) For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant 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.

1280.13 GENERAL PROVISIONS.

(a) All signs shall be of substantial construction so as to withstand weather conditions, such as rain, snow, wind, and freezing and thawing, without deterioration of the sign or its structure. Cloth, paper, or any other temporary materials shall not be permitted on permanent signs.
(b) All signs shall be constructed, erected and maintained in accordance with the Village Building and Housing Code.
(c) All signs, including temporary signs, shall at all times be maintained in good condition and repair at all times. Upon determination that a sign is not being maintained, is in poor condition or repair, or is unsafe, the Building and Zoning Inspector or his designated agent may order such sign to be brought into compliance or removed within a specified time period. Should the property owner fail to bring the sign into compliance as directed, the Building and Zoning Inspector may remove (or cause to be removed) or maintain such sign at the expense of the person, firm or corporation who erected the sign or on whose premises it was erected, affixed or attached. Each such person, firm or corporation shall be individually and separately liable for the expense incurred in the removal of the sign. The Building and Zoning Inspector may

also institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation.

(d) Illuminated signs are permitted pursuant to the following regulations:

(1) Signs may be internally illuminated with LED's or similar technology, provided that the sign shall be factory set so that the luminance of the sign shall not exceed a maximum of three (3) foot candles measured ten (10) feet from the sign's face at maximum brightness. Internally illuminated signs shall be equipped with a reduced intensity nighttime setting device activated by photocell or timer.

(2) External illumination of signs shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and to prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way. In no instance shall the intensity of the light exceed twenty (20) foot candles at any point on the sign face.

(3) Signs may use back lighting or halo lighting subject to the approval of the Planning Commission.

(4) No sign shall be illuminated between the hours of 2:30 a.m. and 5:00 a.m., unless the activity displaying the sign is open for business during those hours. The Building and Zoning Inspector is authorized to grant an exception from the provisions of this section to any activity in which illumination of signs during the hours otherwise proscribed is necessary or desirable for the security and safety of the activity or for property in the custody of the activity.

(5) Electronic Message signs. Multiple message and variable message signs which are changed electronically shall conform to the following standards:

A. Electronic Message signs shall only be permitted in the B-1 Retail Business District, B-2 Highway Business District, C-1 Industrial District and C-2 Light Industrial District.

B. Each message or copy shall remain fixed for at least ten (10) seconds. Messages shall not flash, or include animation, or emit intermittent light.

C. Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.

D. Each such sign must be capable of regulating the digital display intensity, and the light intensity level of the display must automatically adjust to natural ambient light conditions.

E. No such sign shall be of such intensity as to create a distraction or nuisance for motorists.

F. Displays shall not emulate traffic control devices.
G. Such signs shall contain a default design that will freeze the sign in one position or cause it to go dark if a malfunction occurs.
H. The entire message shall change at once, without scrolling, animation, flashing, blinking or other movement or noise.
I. The changeable copy portion of any free-standing ground sign, wall sign or pole sign shall not exceed eighty percent (80%) of the total area of the sign.

(6) Temporary signs shall not be illuminated.

(e) Signs not visible from off the premises are exempt from these regulations.

(f) All signs shall be erected entirely on private property with no part of said sign extending over the public street or right of way.

1280.14 SIGNS PERMITTED IN R-1 RESIDENTIAL DISTRICT.

(a) The following sign regulations are established for residential uses in the R-1 District. No permit shall be required for the following signs:

(1) Permanent Signs
A. One permanent free-standing sign not more than two (2) square feet in area nor four (4) feet in height.
B. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

(2) Temporary Signs.
A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.
B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

(3) No sign permitted by this section shall be illuminated.

(4) No sign shall be erected closer than fifteen (15) feet from the pavement of a street or within six (6) feet of any property line.

(b) The following sign regulations are established for non-residential uses in the R-1 District. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

1. One permanent free-standing sign not more than twenty (20) square feet in area nor six (6) feet in height.

2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. One temporary wall banner not to exceed thirty–two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.

B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

(3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(4) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

1280.15 SIGNS PERMITTED IN R-2 AND R-3 RESIDENTIAL DISTRICTS.

(a) The following sign regulations are established for residential uses in the R-2 Multiple Family and R-3 Townhouse Districts. Permits shall be required for the following signs:

(1) Permanent Signs

A. Freestanding Signs

1. One (1) permanent free-standing sign not greater than twenty-four (24) square feet in area nor six (6) feet in height shall be permitted at each entrance to a Multiple Family or townhouse development.

2. Two permanent free-standing signs, neither of which shall be more

than one (1) square foot in area nor three (3) feet in height.

3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. A total of 12 square feet of temporary signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

B. One temporary free-standing sign not exceeding thirty-two (32) square feet in area nor six (6) feet in height may be erected during active construction of a residential subdivision development, provided that no such sign shall be displayed for longer than two (2) years.

(3) Permanent signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

(4) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(b) The following sign regulations are established for non-residential uses in the R-2 Multiple Family and R-3 Townhouse Districts:

(1) Permanent Signs

A. Freestanding Signs

1. One permanent free-standing sign not more than twenty (20) square feet in area nor six (6) feet in height.

2. Two permanent free-standing signs, neither of which shall be more than one (1) square foot in area nor three (3) feet in height.

3. Two (2) Directional signs not more than three (3) square feet in area nor three (3) feet in height each.

B. Wall Signs

1. One per street frontage not to exceed forty (40) square feet in area.

(2) Temporary Signs

A. One temporary wall banner not to exceed thirty–two (32) square feet may be displayed for no longer than 30 consecutive days. No more than 4 temporary wall banners may be displayed in any one year.

B. A total of twelve (12) square feet of temporary freestanding signs not more than four (4) feet in height. No single sign shall be larger than six (6) square feet. The total number of signs is not limited provided the signs are in compliance with the maximum amount of area permitted.

(3) No sign shall be erected closer than fifteen (15) feet from the street right of way line or within six (6) feet of any property line. Signs shall not obstruct the visibility at street corners.

(4) Permanent Signs permitted by this section may be externally illuminated provided the external illumination of the sign shall not be of excessive brightness and shall be designed and shielded so as to prevent glare and minimize light trespass onto adjacent properties and prevent view of the light source from any adjoining residential property and/or vehicles traveling on public rights-of-way.

1280.16 SIGNS PERMITTED IN THE B-1 RETAIL BUSINESS DISTRICT.

(a) The following sign regulations are established for uses in the B-1 Retail Business District:

(1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed three (3) square feet for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one pole sign. Such sign shall not exceed fifteen (15) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight (8) feet above grade. The pole sign shall not exceed forty (40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.

2. Properties that are at least 100 feet in width and contain a building that is set back at least twenty-five (25) feet from the street right of way line may install a ground sign. Such ground sign shall be set back a minimum of five (5) from the street right of way line and shall not

exceed eight (8) feet in height. Ground signs shall not exceed forty (40) square feet in area. The ground sign shall be in lieu of a pole sign.

3. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent free-standing sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor twenty (20) feet in height. Signs shall not be located closer than five (5) feet to a front or side property line.

4. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one pole or ground sign for each building, provided such building is a minimum of 2,500 square feet in gross floor area. Each sign shall be in conformance with the requirements of this section.

5. Signs in the B-1 District may be illuminated only in conformance with Section 1280.13(d).

B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of store front.

2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.

3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.

4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.

5. Signs in the B-1 District may be illuminated only in conformance with Section 1280.13(d).

C. Marquee signs

1. Marquee signs shall not exceed an area equal to twenty-five percent (25%) of the face of the marquee on which the sign is affixed.

2. Marquee signs are subject to the same size regulations for wall signs. Where a marquee and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to the requirements of 1280.16 (a)(2)(B)(1).

D. Blade or Projecting Signs

1. Businesses may have a blade or projecting sign located under a canopy or eave, with a maximum area of ten (10) square feet. The lower edge of such signs must be a minimum of eight feet above any underlying area accessible to pedestrians.

2. Projecting signs may be used in lieu of a pole or ground sign for identification and shall project no more than two (2) feet perpendicular from the wall and not more than three (3) feet vertically above the wall of the building and shall not be more than forty (40) square feet in area.

E. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.16 (a)(2)(B)(1).

F. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(3) Temporary Signs

A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.

B. Each building is permitted one temporary wall banner not to exceed thirty–two (32) square feet.

C. Each building is permitted one temporary free-standing sign not more than thirty–two (32) square feet in area nor six (6) feet in height.

(4) Window Signs

A. The total area of all window signs, inclusive of both permanent and

temporary, shall not exceed twenty-five (25%) percent of the area of a single window.

B. Illuminated signs, which may include neon, shall not be greater than ten (10%) percent of a single window.

C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

(5) "A" Frame or Sandwich Board Signs

A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.

B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.

C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.

D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.

E. Such signs shall be located not more than thirty-five (35) feet from the entrance to the business and shall not block sight visibility from a public street or driveway.

F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.

G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.

H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

1280.17 SIGNS PERMITTED IN THE B-2 HIGHWAY BUSINESS DISTRICT.

(a) The following sign regulations are established for uses in the B-2 Highway Business District:

(1) Area of Signage. The total area of all permanent signs for each use, building, or land under common ownership or control shall not exceed three (3) square feet for each lineal foot of the building wall or facade which faces the principal street or contains the main entrance.

(2) Permanent Signs

A. Freestanding

1. Each building is permitted one pole sign. Such sign shall not exceed fifteen (15) feet in height, and the lowest horizontal projecting feature of the sign shall not be less than eight (8) feet above grade. The pole sign shall not exceed forty (40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.
2. Properties that are at least 100 feet in width and contain a building that is set back at least twenty-five (25) feet from the street right of way line may install a ground sign. Such ground sign shall be set back a minimum of five (5) feet from the street right of way line and shall not exceed eight (8) feet in height. Ground signs shall not exceed forty (40) square feet in area. A ground sign shall be in lieu of a pole sign.
3. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent free-standing sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor twenty (20) feet in height. Signs shall not be located closer than five (5) feet from a front or side property line.
4. Signs in B-2 Districts may be illuminated only in conformance with Section 1280.13(d).

B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of store front.
2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.
3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.
4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.
5. Signs in B-2 Districts may be illuminated only in conformance with Section 1280.13(d).

C. Marquee signs

1. Marquee signs shall not exceed an area equal to twenty-five percent (25%) of the face of the marquee on which the sign is affixed.
2. Marquee signs are subject to the same size regulations for wall

signs. Where a marquee and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to the requirements of 1280.17 (a)(2)(B)(1).

D. Blade or Projecting Signs

1. Businesses may have a blade or projecting sign located under a canopy or eave, with a maximum area of ten (10) square feet. The lower edge of such signs must be a minimum of eight feet above any underlying area accessible to pedestrians.
2. Projecting signs may be used in lieu of a pole or ground sign for identification and shall project no more than two (2) feet perpendicular from the wall and not more than three (3) feet vertically above the wall of the building and shall not be more than forty (40) square feet in area.

E. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.
2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.17 (a)(2)(B)(1).

F. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(3) Temporary Signs

A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year. In multi-tenant buildings or properties with multiple buildings, the property owner shall be a joint applicant for all permits for each temporary sign.
B. Each Building is permitted one temporary wall banner not to exceed thirty–two (32) square feet.

C. Each Building is permitted one temporary free-standing sign not more than thirty–two (32) square feet in area nor six (6) feet in height.

(4) Window Signs

A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25%) percent of the area of a single window.

B. Illuminated signs, which may include neon, shall not be greater than ten (10%) percent of a single window.

C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

(5) "A" Frame or Sandwich Board Signs

A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.

B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.

C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.

D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.

E. Such signs shall be located not more than thirty-five (35) feet from the entrance to the business and shall not block sight visibility from a public street or driveway.

F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.

G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.

H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

1280.18 SIGNS PERMITTED IN THE C-1 INDUSTRIAL DISTRICT.

(a) The following sign regulations are established for uses in the C-1 Industrial District:

(1) Signs shall be permitted in the C-1 Industrial District as authorized and approved by the Planning Commission. The Commission shall have sole

authority to establish the size, design, character, height, number, style and location of all signage within the C-1 District per Section 1220.02 of the Codified of Ordinances. Per Section 1220.02 (b)(11), the Commission may require the applicant to provide a proposed sign standards package for review and approval as part of the approval of development within the C-1 District. The Commission may establish specific sign criteria and standards for each building as it may determine to be appropriate based upon the nature of the development.

(2) Permits shall be required for signs in the C-1 District. No permit shall be issued without the approval of the Planning Commission.

1280.19 SIGNS PERMITTED IN THE C-2 LIGHT INDUSTRIAL DISTRICT.

(a) The following sign regulations are established for uses in the C-2 Light Industrial District:

(1) Permanent Signs

A. Freestanding

1. Each building is permitted one ground sign. Such sign shall not exceed eight (8) feet in height. The ground sign shall not exceed forty (40) square feet in area. Signs shall not be located closer than five (5) feet to a front or side property line.

2. Multi-tenant buildings that contain over 40,000 square feet under common ownership and control, having shared parking and access, shall be permitted one (1) permanent ground sign, provided that such sign shall not be more than sixty-four (64) square feet in area nor ten (10) feet in height. Signs shall not be located closer than five (5) feet to a front or side property line.

3. Properties that have multiple freestanding buildings on the same parcel and have a shared entrance and exit shall be permitted one ground sign for each building located on such property in conformance with the requirements of this section.

4. Signs in the C-2 District may be illuminated only in conformance with Section 1280.13(d).

B. Wall Signs

1. The maximum sign area for a wall sign shall be two (2) square feet per one (1) linear foot of building frontage or individual building space.

2. Buildings with frontage on two or more public streets shall be permitted an additional sign on each secondary frontage provided the sign shall not exceed twenty-five percent (25%) of the area of the sign

permitted on the primary frontage. In no case shall the area of the signs exceed the total amount of signage permitted on the site.

3. No more than one (1) wall sign shall be permitted per building frontage or individual tenant space.

4. Wall signs shall be affixed flat to the wall of the building and not project more than one (1) foot.

5. Signs in the C-2 District may be illuminated only in conformance with Section 1280.13(d).

C. Other signs

1. Marquee, Blade or Projecting signs shall not be permitted in the C-2 District.

D. Canopy or Awning Signs

1. Canopy or awning signs are subject to the same size regulations for wall signs and shall not exceed an area equal to twenty-five percent (25%) of the canopy or awning.

2. If a canopy or awning and wall sign are used in conjunction with each other, the total square footage of both signs must be added together to determine the total square footage permitted. Such signs shall also conform to requirements of 1280.19 (B)(1).

E. Directional Signs

1. No more than two (2) permanent free-standing directional signs not exceeding three (3) square feet in area and located not more than three (3) feet above grade shall be permitted at each access drive to the site.

(2) Temporary Signs

A. Temporary signs may be displayed for no longer than 30 consecutive days. No more than 4 temporary signs may be displayed in any one year.

B. Each building is permitted one temporary wall banner not to exceed thirty–two (32) square feet.

C. Each building is permitted one temporary free-standing sign not more than thirty–two (32) square feet in area nor six (6) feet in height.

(3) Window Signs

A. The total area of all window signs, inclusive of both permanent and temporary, shall not exceed twenty-five (25%) percent of the area of a single window.

B. Illuminated signs, which may include neon, shall not be greater than

ten (10%) percent of a single window.

C. For the purposes of this section, a single window shall include the entire area of glass with a separation between the glass panes less than four (4") inches.

(4) "A" Frame or Sandwich Board Signs

A. "A" Frame or Sandwich Board signs shall be limited to two (2) feet in width and three (3) feet in height.

B. Businesses are permitted one (1) "A" Frame or Sandwich Board sign which must be located on the property on which the business is located.

C. All "A" Frame or Sandwich Board signs must be removed at the end of each business day and may only be displayed during the posted hours the business is open.

D. "A" Frame or Sandwich Board signs shall not be located on the public sidewalk or within the right-of-way.

E. Such signs shall be located not more than thirty-five (35) feet from the entrance to the business and shall not block sight visibility from a public street or driveway.

F. Signs located on private sidewalks or pedestrian paths must provide a minimum of five (5) feet clear area for passage of pedestrians.

G. For multi-tenant commercial buildings, one (1) sign per tenant is permitted with a minimum of twenty (20) feet separation maintained between signs.

H. No attachments, illumination, banners, balloons, ribbons, flags or moving parts are permitted with the sign.

1280.20 NONCONFORMING SIGNS.

(a) Signs which were legally in existence prior to the effective date of this Chapter, but which do not conform with the provisions hereof, may be maintained as a matter of right provided that such signs comply with the provisions of Part Fourteen of the Building and Housing Code regarding safety, maintenance, and repair.

(b) Normal maintenance such as painting, cleaning, or minor repairs to the sign face shall be permitted on all such nonconforming signs.

(c) Relocation or replacement of a nonconforming sign or any alteration in the size or structure of such sign or a change in the mechanical facilities, type of illumination or sign face material, shall cause the sign to lose its status as legally nonconforming, and said sign shall be immediately brought into compliance with this Chapter.

(d) If more than 50% of the sign area is damaged, it shall be repaired to conform to this Chapter.

(e) If a non-conforming sign ceases to be used for any reason for a continuous period of six (6) months, the non-conforming sign shall be eliminated, and the sign shall thereafter be required to comply with the requirements of this Chapter.

(f) For the purpose of amortization, these signs may be continued from the effective date of this Chapter for a period not to exceed ten (10) years.

1280.99 PENALTY.

A person violating this section is guilty of a minor misdemeanor and shall be subject to a fine of not more than one hundred and fifty dollars ($150.00) per offense. A company or organization convicted of this offense shall be guilty of a minor misdemeanor and be subject to the organizational minor misdemeanor fine threshold set forth in Section 698.04 of not more than one thousand dollars ($1,000.00) per offense.