

any other adult entertainment facility or within a radius of 2,000 feet of any two of the following establishments:

1. Cabarets, clubs, or other establishments which feature topless or bottomless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.
  2. Establishments for the sale of beer or intoxicating liquor for consumption on the premises.
  3. Pinball palaces, halls, or arcades.
  4. Dance halls or discotheques.
  5. Pool or billiard halls.
- J. Provisions A-I above, may be waived by the Board of Zoning appeals provided that the applicant provides affidavits of fifty-one (51) percent of the property owners and residents within the above described radii, give their consent to the establishment of adult entertainment facility, and if the Board determines:
1. That the establishment of an additional regulated use in the area is not contrary to any program of neighborhood conservation and does not interfere with any program of urban renewal, residential or commercial reinvestment, or renovation of a historical area.
  2. That the proposed use is not contrary to the public interest of nearby properties and that the spirit and intent of this Chapter shall be observed.
  3. That the proposed use will not enlarge or encourage the development of a slum or blighted area.
  4. That all applicable regulations of this Chapter shall be observed.

**CHAPTER 1275**  
**OFF-STREET PARKING AND LOADING REQUIREMENTS**

- 1275.01 PURPOSE
- 1275.02 GENERAL PARKING AND LOADING REQUIREMENTS
- 1275.03 OFF-STREET PARKING AREA REQUIREMENTS
- 1275.04 PARKING SPACE REQUIREMENTS
- 1275.05 OFF-STREET LOADING SPACES
- 1275.06 OFF-STREET LOADING REQUIREMENTS

1275.01 PURPOSE

The purpose of requirements for off-street parking and loading facilities is to protect the public health, safety and general welfare and to:

- A. Regulate land use for parking, loading and maneuvering.
- B. To assure the maintenance of existing parking and loading areas.

These requirements are designed to provide for the parking and loading needs of occupants, customers, employees, visitors and others involved in the use or occupancy of any structure or land.

1275.02 GENERAL PARKING AND LOADING REQUIREMENTS

1275.02.01 General Requirements

- A. Except as provided in Section 1275.03, in all zoning districts, each lot shall have the off-street parking, loading and maneuvering spaces required under this Chapter at the time each use, as identified in this Section, commences.
- B. Any person who proposes new, expanded or revised parking and loading areas shall submit the information as required by the Zoning Administrator for final approval.
- C. Where two (2) or more uses occur on the same lot, the total number of spaces required shall equal or exceed the sum of the individual requirements.
- D. Parking and loading spaces shall be provided immediately adjacent or within two hundred (200) feet of the principal use they are intended to serve.
- E. No parking within the right-of-way shall be considered as meeting the off-street parking requirements.

1275.02.03 Calculation of Required Number

When calculations determining the number of required parking spaces result in the requirement of a fractional space, any fraction shall require one (1) parking space.

1275.02.04 Uses Not Listed

In the case of any building, structure or premise, whose use is not specifically mentioned in this Chapter, the provisions for a use mentioned and to which use is similar, shall apply, as approved by the Zoning Administrator.

1275.02.05 Minimum Set-Backs

A. Side and Rear Yard Requirements

All parking areas located in Commercial and Industrial districts shall be no closer than five (5) feet to the property line in side and rear yards. In Single Family and Multi-Family Residential Districts, no side yard setback is required for parking.

1275.02.06 Restricted Uses

Motor homes, semi-tractor/trailers, or utility trailers, less than thirty-five (35) feet in length, and motor buses or other commercial vehicles may be parked or stored in a residential district if:

- A. It is parked in an enclosed structure, provided no living quarters are maintained and no business is conducted from such stored vehicle.
- B. The equipment has no permanent connection to electric, water, gas, or sewer facilities.
- C. The equipment is kept in good repair and carries the current year's license and/or registration.
- D. Parking at the curb in front of the residence of the owner of such mobile home or utility trailer shall be permitted for a period not to exceed forty-eight (48) hours in a 14 day period for the purposes of loading and unloading except where specifically prohibited by other parking ordinances or regulations.
- E. Boats or campers stored off of utility trailers or the vehicle they ordinarily are propelled by shall be stored according to the provisions of the Zoning Code. They shall be kept properly supported and secured.

1275.02.07 Parking Area Changes

Revisions of an approved parking lot, including, but not limited to, reduction, enlargement, restriping or remarking of any parking lot in a manner that differs from the existing site plan, shall require a new site plan to be approved by the Zoning Administrator prior to the changes



being made.

### 1275.03 OFF-STREET PARKING AREA REQUIREMENTS

Areas of off-street parking facilities for new buildings shall be in accordance with the following minimum requirements. Existing buildings may prove to the Board of Zoning Appeals that it has adequate parking using these guidelines. Parking area length includes paved area only.

#### 1275.03.01 Parking Space Area

	<u>Maneuvering Lane Width</u>	<u>Parking Space Width</u>	<u>Parking Space Length</u>	<u>Total Width of One Tier of Spaces Plus Maneuvering Lane</u>	<u>Total Width of Two Tiers of Spaces Plus Maneuvering Lane</u>
A. 0 degree Parallel Parking	13 ft.- One Way 20 ft.- Two Way	9 ft.	22 ft.	22 ft.- One Way 29 ft.- Two Way	31 ft.-One Way 38 ft.- Two Way
B. Less than 50 degrees	13 ft.	9 ft.	20 ft.	32 ft.	51 ft.
C. Less than 80 degree But more than 50 degree	17 ft.	9 ft.	20 ft.	37 ft.	57 ft.
D. 80 degree or more	20 ft.	9 ft.	20 ft.	40 ft.	60 ft.

#### E. Compact Spaces

1. All compact car spaces must be a minimum of eight (8) feet wide by sixteen (16) feet long.
2. The design and placement of all compact spaces are subject to the review of the Zoning Administrator.
3. In commercial and industrial uses, up to ten (10) percent of the total parking spaces may be compact spaces.
4. The location of all compact spaces shall be readily identified and grouped in one or a series of locations.

#### 1275.03.02 Parking Space Access

All access to parking and loading areas shall be made through curb cuts as regulated by the Zoning Code. All curb openings shall be constructed per the Village's standards and subject to review and approval by the Zoning Administrator.

Where necessary due to multiple curb cuts, the entrances, exits, and the intended circulation pattern of the parking area shall be clearly identified. Parking areas having more than one (1) aisle or driveway shall have directional signs or markings in each aisle or driveway.

A driveway serving a parking lot shall be designed so vehicles entering and leaving will be traveling in a forward motion only. This paragraph does not apply to lots in single and two-family zoning districts.

#### 1275.03.03 Striping, Marking, and Maintenance

All parking spaces, other than for single-family and multi-family residential zoning districts, shall be striped and maintained in good condition.

Each parking space aisle shall be clearly designated and marked to assure approved utilization of the space, direction of traffic flow and general safety.

#### 1275.03.04 Wheel Stop Device

Wheel stop devices consisting of parking blocks, permanent curb, or other suitable restraint shall be installed to prevent any part of a parked motor vehicle from extending beyond the required parking space area, overhanging a pedestrian circulation way or sidewalk, or damaging any structure or landscaping.

The minimum height of a wheel stop device shall be five (5) inches and the minimum distance from a wheel stop device to a property line or protected area shall be two-and-one half (2 1/2) feet.

#### 1275.03.05 Parking for the Handicapped

Parking spaces for the handicapped and elderly shall meet the requirements of the Ohio Revised Code and the Americans with Disabilities Act. Each handicap space may be included in the computation of required spaces required by this Chapter. All handicap spaces shall be marked clearly.

#### 1275.03.07 Parking Surface

The surface of any parking area, aisle, driveway or maneuvering area shall be hard-surfaced, paved with concrete, asphaltic concrete or other similar surface as approved by the Zoning Administrator.

All parking areas and related surfaces shall be constructed in accordance with the Village's standards and subject to review and approval of the Zoning Administrator.

All parking areas shall be designed to include adequate drainage. The design of all pipe and culvert or water retention areas shall conform to specifications contained in the Village's standards and subject to review and approval of the Zoning Administrator.

1275.03.08 Dumpster Area

The area required for a dumpster shall not be allowed to count as a parking space.

When a dumpster is required, it shall be located in a designated area that does not interfere with any aisle, driveway, parking space, loading space or other circulation area.

The dumpster shall be screened from view from an area open to the public. It shall not be located in any required yard or buffer area. All dumpster areas/pads shall be paved per the Village's standards and subject to review and approval of the Zoning Administrator.

1275.03.09 Parking Area Lighting

Any lighting used to illuminate any off-street parking area shall be arranged to deflect the light away from abutting properties or the public right-of-way.

1275.03.10 Parking Area Screening

- A. Fences used to screen parking areas shall extend to the ground grade.
- B. Where a parking area occurs in a commercial, industrial or multi-family zoned district and is located within eighty (80) feet of residentially-zoned property or a residential land use, screening shall be installed, repaired, replaced and maintained to a total height of no less than five (5) feet above the parking lot grade and to an opacity of no less than seventy-five (75) percent.

1275.04 PARKING SPACE REQUIREMENTS

Parking spaces shall be provided according to the following schedule of uses. All floor area calculations are based on gross floor area. In residential use areas, garages or carports may be counted as a part of the required parking. Stacking space refers to full size spaces, usually in lanes, for those in automobiles to stand or wait for services.

USES

PARKING SPACES REQUIRED

A. RESIDENTIAL

- |                                          |                                       |
|------------------------------------------|---------------------------------------|
| 1. One (1) and Two (2) Family Residences | Two (2) per dwelling unit             |
| 2. Multi-Family Housing for the Elderly  | Three-Fourths (3/4) per dwelling unit |
| 3. Multi-Family and Town House           | Two (2) per dwelling unit             |

B. COMMERCIAL

- |                                      |                                                                                                          |
|--------------------------------------|----------------------------------------------------------------------------------------------------------|
| 1. Animal Hospitals and Kennels      | Two (2) per each 400 gross square feet of floor area                                                     |
| 2. Automobile Car Wash, Automatic    | Two (2) per lot in addition to two (2) required stacking spaces. A washing space is not a parking space. |
| 3. Automobile Car Wash, Self-Service | No parking space is required. One (1) drying space plus two (2) stacking spaces per washing              |



4. Automobile Repair Garage  
space. A washing space is not a parking space. Four (4) per service bay. Service bay does not count as a parking space.
5. Automobile Sales & Service  
One (1) per each 5,000 square feet of development lot area used for vehicle display and one (1) per each 300 square feet of gross floor area.
6. Banks, Financial Institutions and Similar Uses  
One (1) per 200 square feet gross floor area plus one (1) per each employee.
7. Banks and Similar Uses with Drive-Through Facilities  
One (1) per 200 square feet gross floor area plus one (1) per each employee. For each drive-through there shall be a minimum stacking space of five (5) cars.
8. Barber and Beauty Shops or Similar Personal Service  
Three (3) spaces per barber or beautician.
9. Eating and Drinking Establishments With Drive-Through Facilities  
One (1) per each 75 square feet of gross floor area plus space in the drive-through lanes equal to 25% of the required number of parking spaces.
10. Eating and Drinking Establishments Without Drive-Through Facilities  
One (1) per each 75 square feet of gross floor area.
11. Funerals Parlors, Mortuaries and Similar Uses  
One (1) per each 150 square feet of gross floor area.
12. Gasoline Service Stations with Retail Sales  
Three (3) per each 250 square foot of gross floor area for all structures under 1,000 square feet and/or structures over 1,000 square feet one (1) for each additional 150 square feet of gross floor area.
13. Gasoline Service Stations With Service Bays  
Four (4) per service bay. Service bay does not count as a parking space.
14. General Merchandise, Food, Apparel, Appliance Home Furnishings and Similar Retail Sales  
One (1) per 250 square feet gross floor area.
15. Hotels and Motels  
One (1) per each sleeping room plus one (1) per each two (2) employees, and one (1) per each 100 square feet used for restaurant, cocktail lounge or similar purpose.
16. Medical and Dental Office  
One (1) per each 200 square feet of gross floor area.
17. Movie Theaters  
One (1) per each 100 square feet of gross floor area.
18. Professional, Administrative and General Office  
One (1) per each 300 square feet of gross floor area.
19. Shopping Centers  
Four (4) per 1,000 gross square feet, exclusive of theaters and restaurants.
20. Skating Rink or Dance Floor  
One (1) per each 100 square feet of gross floor

21. Swimming Pool - Indoor  
area.  
One (1) per each 100 square feet of water surface area plus one (1) per each 30 square feet of gross floor area used for spectator seating purposes.
22. Any other type of Business or Commercial Use in a Commercial District  
One (1) per each 250 square feet of gross floor area.
- C. INDUSTRIAL
1. Commercial and Business Support Services  
One (1) per each 300 square feet of gross floor area.
2. Manufacturing or Other Industrial Use  
One (1) per motor vehicle used in the business and based, for operational purposes, upon the premises:  
PLUS  
For the first twenty thousand (20,000) square feet of gross floor area, one (1) per each seven hundred fifty (750) square feet of gross floor area.  
PLUS  
For any amount over twenty thousand (20,000) square feet of gross floor area, but less than one hundred twenty thousand (120,000) square feet one (1) per each additional one thousand five hundred (1,500) square feet of gross floor area;  
PLUS  
For any amount over one hundred twenty thousand (120,000) square feet of gross floor area; one (1) per each additional three thousand (3,000) square feet of gross floor area.
3. Warehousing  
One (1) per motor vehicle used in the business and based, for operational purposes upon the premises:  
PLUS  
For the first twenty thousand (20,000) square feet of gross floor area, one (1) for each one thousand (1,000) square feet of gross floor area;  
PLUS  
For the first twenty thousand (20,000) square feet of gross floor area, one (1) for each one thousand (1,000) square feet of gross floor area;  
PLUS  
For any amount over twenty thousand (20,000) square feet of gross floor area but less than one



hundred twenty thousand (120,000) square feet, one (1) for each additional five thousand (5,000) square feet of gross floor area;

PLUS

For any amount over one hundred twenty thousand (120,000) square feet of gross floor area, one (1) per each additional ten thousand (10,000) square feet of gross floor area.

#### D. INSTITUTIONAL

1. Day Care Center,

Two (2) per classroom but in no case shall less than six (6) parking spaces be required.

2. Church or Other Place of Religious Assembly

One (1) per each thirty (30) square feet of gross floor area of the sanctuary, auditorium or main place of worship.

3. Civic, Social or Fraternal Organization

One (1) per each 75 square feet of gross floor area.

4. Elementary School

Two (2) per classroom and one (1) per each sixty (60) square feet of gross floor area in the auditorium and assembly hall.

5. High School, Business, Technical or Trade School, College or University

Two (2) per classroom and one (1) per every ten (10) students for which the facility is designed, and one (1) per each sixty (60) square feet of gross floor area in the auditorium or assembly hall, whichever is greater.

6. Hospital

Two and one-half (2 1/2) per bed. A bassinet is not a bed.

7. Library, Museum or Art Gallery

One (1) per each four hundred (400) square feet gross floor area.

8. Sanitarium, Nursing Home or Children's Home

One (1) per two (2) beds.

#### E. RECREATION

1. Baseball, Football, Soccer, Softball or Similar Organized Sport Playfield

Twenty (20) per each playfield, plus one (1) per each six (6) seats in stadium seating.

2. Bowling Alley

Four (4) per alley or lane plus one (1) per each 200 square feet of area used for eating or drinking or other recreation.

3. Swimming Pool - Outdoor

One (1) per each 50 square feet of water surface area, plus one (1) per each 30 square feet of gross floor area used for spectator seating purposes.

4. Temporary Outdoor Sales

One (1) per each 200 square feet area devoted to display and sales of goods.

5. Tennis or Racquet Ball Facility

Three (3) per each court plus one (1) per each 100 square feet of gross floor area exclusive of the courts.

6. Theaters, Stadium or Sports Arena,

One (1) per each six (6) seats.

Auditoriums or other Assembly Halls  
other than Schools

1275.05 OFF-STREET LOADING SPACES

A permanently maintained area for standing, loading and unloading shall be provided for commercial, office/industrial or institutional uses where regular deliveries will be delivered through the use of semi-tractor trailers. These off-street loading facilities shall be in accordance with the following specifications.

1275.05.01 Loading Space Location

All loading spaces and maneuvering areas shall be located on the same lot as the use they are intended to serve.

Off-street loading spaces may occupy any part of a required rear or side yard, but shall not project into any front yard.

1275.05.02 Loading Space Size

Loading spaces shall conform to the following minimum dimensions. Unless otherwise noted, all dimensions are exclusive of any driveway, aisle or other circulation area.

- A. Clearance Height - 15 feet.
- B. Minimum Width - 12 feet.
- C. Minimum Length - 50 feet.

1275.05.03 Loading Space Access

All required, off-street loading spaces shall have access to a public street or alley in such a manner that any vehicle leaving or entering the premises shall be traveling in a forward motion.

Driveway access for loading spaces shall be located so any vehicle entering or leaving the lot shall be clearly visible to any pedestrian or motorist approaching the access or driveway from a public or private street.

Nothing should project more than two-and-one-half (2 1/2') feet above the driveway grade within two (2), ten (10) foot triangles formed by the intersection of the driveway pavement edge and street right-of-way line.

1275.05.04 Loading Space Surface

All required loading spaces, together with driveways, aisles and other circulation areas shall be surfaced with concrete or asphaltic concrete to provide a durable dust-free surface.

All loading spaces, together with driveways, aisles, and other circulation areas shall be constructed in accordance with the Village's standards and subject to review and approval of the Zoning Administrator. Loading areas shall be designed not to increase the rate of surface water onto adjacent properties, walkways or public streets.

1275.05.05 Loading Area Lighting Requirements

Any loading area used during non-daylight hours shall be illuminated.

All lights used to illuminate a loading area shall be arranged to reflect the light away from adjoining properties.

1275.05.06 Distance from an R District

No loading ramp, dock, door, or space, or any portion thereof, shall be located closer than fifty (50) feet from any lot zoned for any residential use.

1275.05.07 Screening of Loading Areas

All loading areas shall be permanently screened from adjoining properties of a different zoning district by a solid fence or wall or an evergreen hedge at least six (6) feet in height.

Where loading areas occur adjacent to residential areas the plant material shall produce a sustained height of six (6) feet and have an opacity of not less than one hundred (100) percent.

1275.06 OFF-STREET LOADING REQUIREMENTS

The minimum number of off-street loading spaces shall be provided in accordance with this Section. An area adequate for maneuvering, egress shall be provided in addition to the following required spaces.

For each use in the B-1 (Community Business) and O/IP (Office/Industrial Park) Districts shall provide loading spaces based on gross floor area as follows:



USE

REQUIRED LOADING SPACES

A. COMMERCIAL

- |                                                                                   |                                                                                              |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1. Building area 750 square feet or less                                          | No space required.                                                                           |
| 2. Building area 750 - 10,000 square feet                                         | One (1) space required                                                                       |
| 3. Building area over 10,000 square feet                                          | Two (2) spaces plus one (1) for each additional 10,000 square feet above 10,000 square feet. |
| 4. Office buildings and hotels with total gross floor area of 100,000 square feet | One (1) space for every 100,000-square feet of floor area or fraction thereof.               |

B. INDUSTRIAL

Each industrial-type use involving the wholesale exchange, sale, storage, processing or manufacturing of merchandise or personal property of any type, which is permitted in the O-IP (Office/Industrial Park) District, shall provide loading spaces based on gross floor area as follows:

- |                                                                 |                                                                                                  |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1. Under 5,000 square feet                                      | None.                                                                                            |
| 2. 5,000 square feet or more, but less than 10,000 square feet  | One (1) space required.                                                                          |
| 3. 10,000 square feet or more, but less than 30,000 square feet | Two (2) spaces required.                                                                         |
| 4. 30,000 square feet or more, but less than 90,000 square feet | Three (3) spaces required.                                                                       |
| 5. 90,000 square feet or more                                   | Four (4) spaces required plus one (1) space for every 60,000 square feet over 90,000 square feet |

## CHAPTER 1279 FENCES

- 1279.01 DEFINITION
- 1279.02 APPLICATION AND INSPECTION
- 1279.03 HEIGHT AND LOCATION
- 1279.04 CONSTRUCTION ON EARTHEN MOUNDS
- 1279.05 CORNER LOT RESTRICTIONS
- 1279.06 SAFETY
- 1279.08 ENFORCEMENT AND PENALTIES

### 1279.01 DEFINITION

"Fence" or "wall" means any free-standing structure composed of wood, metal, stone, brick, plastic or other material erected to enclose, partially enclose or divide any premises or part of premises for the purpose of confinement, screening, partitioning or decoration. Trellises or other structures for the purpose of supporting vines, flowers or other vegetation, when erected in such a position to enclose, partially enclose or divide any premises or any part of the premises shall also be considered a fence.

### 1279.02 APPLICATION AND INSPECTION

No fence may be erected in the Village unless the owner or erector of such fence applies to the Zoning Administrator for a Zoning Certificate. Each property owner shall certify that the fence or wall does not encroach upon another lot or parcel of land.

### 1279.03 HEIGHT AND LOCATION

For purposes of determining the fence height, the measurement shall commence at the surface of the ground. Fences shall not be permitted in intersection clearance zones.

#### 1279.03.01 Residential Districts

- A. Each residential lot in the Village shall be divided into two (2) zones: Zone A and Zone B. The permitted height of a fence or wall shall be determined by its location on the property as follows:
  - 1. Zone A (Decorative Fence Zone) shall be that area lying between the front lot line and a line parallel to the front lot line and a minimum of fifteen (15) feet behind the foremost point of the building foundation.
  - 2. Zone B shall be the area of the lot not included in Zone A.

B. General Regulations

1. Posts for fences or walls may exceed the height by no more than six (6) inches.
2. On vacant plats, Zone A and Zone B shall be determined by the building setback line for the District in lieu of the foundation line.

C. Zone A Regulations

1. Fences may not exceed forty-two (42) inches in height nor may any fence be constructed within three (3) feet of the right-of-way line.
2. A chain link fence shall not be used.

D. Zone B Regulations

1. In Zone B, there may be constructed a fence not to exceed eight (8) feet in height.

1279.03.02 Commercial Districts

- A. No fence or wall in a commercial district shall exceed twelve (12) feet in height, excluding any barbed, razor or electrified wire crown, in any side or rear yard.
- B. Posts for fences or walls may exceed fence height by no more than twelve (12) inches.
- C. Barbed wire fences or walls having wire or metal prongs or spikes or cutting points or edges or those charged with electric current shall be prohibited unless above twelve (12) feet.

1279.03.03 Industrial District

- A. No fence or wall in an industrial district shall exceed twelve (12) feet in height in any side or rear yard, exclusive of barbed wire and electrified sections of fences, when used for security purposes within any side or rear yard.
- B. Fences may not be constructed in the minimum front yard area.

1279.04 CONSTRUCTION ON EARTHEN MOUNDS

Where a fence or wall or ornamental feature is constructed on a mound, or where the ground under the same has been raised to a higher level than the surrounding surface, the permissible height of the fence or wall or ornamental feature shall be reduced by the height of the mound or raised ground surface.



#### 1279.05 CORNER LOT RESTRICTIONS

On corner lots, the portion of the property fronting on both streets shall be subject to the requirements set forth in Zone A, as if such lot had a single frontage.

In the area located behind the rear foundation line of the building, a fence meeting the requirements of Zone B may be constructed provided such fence does not extend into the front yard setback area as established on the side street.

#### 1279.06 SAFETY

No person shall install or cause to be installed along or adjacent to the boundary line of the front yard of any lot or parcel of ground any barrier stretched between stakes, poles, trees or other supports.

However, a readily visible temporary barrier may be installed to prevent damage to a newly planted lawn, new planting, new driveway or new sidewalk.

The temporary barrier shall be maintained only as long as is reasonably necessary, as determined by the Zoning Administrator.

#### 1279.99 ENFORCEMENT AND PENALTIES

If any provision of this Chapter is violated, the Zoning Administrator may provide notice that the fence must be removed. If the fence is not removed within ten (10) days of receipt of the notice, the property representative shall be fined a minimum of twenty-five (25) dollars for each violation.

## CHAPTER 1281 Signs

- 1185.01 Purpose and intent.
- 1185.02 Governmental signs excluded.
- 1185.03 General requirements for all districts.
- 1281.01 PURPOSE AND INTENT
- 1185.04 Compliance; permit required; fees.

The purpose of this chapter is to promote and protect the public health, safety and general welfare by regulating existing and proposed signs of all types. This chapter is intended to reduce distractions and obstructions that may contribute to traffic accidents; to reduce hazards that may be caused by signs overhanging or projecting over public rights of way; to provide better directions; to curb the deterioration of the environment; and to enhance community development by permitting signs that are compatible with their surroundings.

### 1281.02 GOVERNMENTAL SIGNS EXCLUDED

For the purposes of this Zoning Code, the word "sign" does not include a sign erected and maintained pursuant to, and in the discharge of, any governmental function or that is required by any law, ordinance or governmental regulation.

### 1281.03 GENERAL REQUIREMENTS FOR ALL DISTRICTS

The following regulations shall apply to all signs in all zoning districts:

- (a) Any illuminated sign or lighting device shall employ only light of constant intensity. No sign shall contain or be illuminated by a flashing, intermittent, rotating or moving light (except for a sign indicating the time and/or temperature). No illuminated sign or lighting device shall cause glare or reflection that may constitute a nuisance or traffic hazard.
- (b) No sign shall employ any parts or elements that revolve, rotate, whirl, spin and/or otherwise make use of motion to attract attention (except for a sign indicating time and/or temperature).
- (c) All wiring, fittings and/or materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the National Electrical Code as adopted by the Village.
- (d) No sign shall be erected or maintained that projects more than two feet from the front of a structure measured at a 90 degree angle from the structure, including signs projecting from the face of the marquee of any theater, hotel or motel.
- (e) No sign shall be placed on the roof of any structure, except those signs whose supporting structure is screened so that the sign appears to be a continuation of the front of the building.

- (f) No portable or temporary sign shall be placed on the front of a structure or on any premises, except as provided in the Zoning Code.
- (g) No sign placed in a window shall occupy more than twenty percent of the window area.
- (h) No sign shall be installed, erected, maintained or attached in any form, shape or manner to a fire escape, or to any door or window giving access to any fire escape.
- (i) All signs shall be plainly marked with the name and telephone number of the person responsible for maintaining the sign.
- (j) No sign shall be placed on and/or above any public right of way.
- (k) All signs shall be designed and supported to carry the weight of the sign, shall be designed to withstand a seventy-five mile per hour wind and shall comply with the Ohio Basic Building Code.
- (l) All signs shall be secured to prevent the sign from toppling, moving more than one inch along the ground or swinging more than ninety degrees due to a seventy-five mile per hour wind.
- (m) No sign shall be attached to, or supported by, a tree, utility pole, trash receptacle, bench, fireplug, street light pole, public shelter and/or similar street items.
- (n) No sign shall contain obscene or indecent words, images or graphic illustrations.
- (o) No sign shall be attached in such manner that it might interfere with any required ventilation opening.
- (p) No sign shall be located on a vacant lot, except for the purpose of:
  - (1) Advertising the lot for sale or lease;
  - (2) Providing notification of present danger; or
  - (3) Prohibiting trespassing.
- (q) No sign shall be located closer than eight feet to any overhead electrical wire, conductor and/or guy wire.
- (r) No motor vehicle shall be parked on any lot for the purpose of advertising a business, product, service, event, object, location, organization and/or the like.
- (s) No sign shall be located in the intersection clearance zone as required in the Zoning Code.
- (t) All signs shall be erected or placed in conformity with the side and rear yard requirements of the district in which the sign is located.
- (u) The overall height of a sign shall not be more than twenty-five feet from the street



level to the top of the sign.

- (v) No sign shall impede the view of pedestrian or vehicular traffic

#### 1281.04 COMPLIANCE; PERMIT REQUIRED; FEES

No person shall erect or maintain any sign (or cause a sign to be erected or maintained) unless all provisions of this chapter have been complied with. To ensure compliance with this chapter, a sign permit shall be required for each sign, unless specifically exempted as provided in this chapter. A use period fee and permit are required for a new sign and an additional use period fee and permit is required when a sign is proposed to be modified, altered or replaced. In addition, no design elements of any structure or lot upon which an approved sign is maintained shall be modified, altered or replaced if any such design element was a basis for the approval of such sign, unless a new use period fee and new permit is obtained.

Repainting, changing sign parts and corrective or preventive maintenance of signs are not alterations requiring a sign permit.

#### 1281.05 SIGNS NOT REQUIRING PERMITS

The following signs are the only signs that do not require a sign permit:

- (a) A sign advertising the sale, lease and/or rental of the premises upon which such sign is located. Such sign shall not exceed twelve square feet in area, except in any Residential District, where the area of the sign shall not exceed six square feet. There shall be only one such sign on any lot.
- (b) A sign advertising a garage sale, yard sale or a similar sale. Such sign shall be located only upon the premises upon which the sale is located, except as provided in subsection (c) hereof. Such sign shall not exceed two square feet in area. There shall be only one such sign on any lot. The sign shall not be placed earlier than the day before the sale, and it shall be removed by the end of the day of the sale.
- (c) A sign that indicates how to get to a property that is for sale, rent and/or lease, or to a property that is holding a garage sale, yard sale or a similar sale, shall not exceed two square feet in area. There shall be no more than two such signs indicating how to get to the property. No such sign shall be placed earlier than the day before the sale, and all such signs shall be removed by the end of the day after the sale.
- (d) A sign denoting the name and/or address of the occupants of the premises that does not exceed one square foot.

#### 1281.06 SIGNS PERMITTED IN ALL DISTRICTS; PERMIT REQUIRED

The following signs require a sign permit but are allowed in any district:

- (a) Identification signs or bulletin boards that are not larger than fifteen square feet, that are customarily incidental to a semipublic use (such as a church, private school, private library or museum) and that are located on the premises of the semipublic use.
- (b) A sign that advertises a real estate development or subdivision; that is not larger than sixteen square feet in area; that advertises only the name of the project, owner, contractors, trade unions, the architects and/or engineers involved (including addresses and/or telephone numbers); and that is located on a lot within the real estate development or subdivision.

#### 1281.07 SIGNS PERMITTED IN BUSINESS AND INDUSTRIAL DISTRICTS; PERMIT REQUIRED

The following regulations shall apply to signs in Business and Industrial Districts (in addition to those signs complying with Section 1281.05 or 1281.06), and a permit for such signs shall be required :

- (a) A business shall be permitted one sign for each building frontage.
- (b) The permitted sign for any single business may have a size equivalent to one and one-half square feet of sign area for each linear foot of building frontage occupied by the business, but the area of each sign face shall not exceed 100 square feet.

#### 1281.08 TEMPORARY SIGNS

Temporary signs shall not exceed fifty square feet. Temporary signs announcing special public or institutional events may remain erected for a total of sixty days. Temporary signs announcing the erection of a building that name the architect, builder and/or contractor may remain erected for a period of sixty days, plus the construction period, not to exceed two years.

All temporary signs shall conform to the general requirements provided in Sections 1281.03 and 1281.04.

#### 1281.10 POLITICAL SIGNS

No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted in a public right of way, nor shall any such sign be posted on a utility pole.

No permit is required. These signs shall not exceed sixteen square feet in area.



No political sign shall be posted more than sixty days before an election. Each candidate for public office or treasurer for an issue is responsible for the proper posting of campaign material and its removal within two weeks following election day.

#### 1281.11 OFF-PREMISES OUTDOOR ADVERTISING SIGNS

For purposes of this chapter, off-premises outdoor advertising signs shall be classified as a business use and shall be permitted in all Industrial and Business Districts and on lands used for agricultural purposes.

Regulation of signs along primary highways shall conform to the requirements of Ohio R.C. Chapter 5516 (or its successors) and regulations adopted pursuant thereto.

#### 1281.12 MAINTENANCE; REMOVALS

All signs (including banners, posters, ribbons, streamers, spinners or other similar moving devices) shall be maintained in a safe and sound structural condition at all times and shall be presentable (no peeling paint, missing letters, etc.). The Zoning Administrator shall cause the removal of any off-premises advertising sign or structure found to be unsafe and/or structurally unsound within ninety days after issuing a written notification to the sign permit holder and/or property owner. The Zoning Administrator may cause the removal of any sign that is determined to be unsafe or structurally unsound if the sign is not removed, repaired or made structurally sound within ninety days after issuance of notice to the sign permit holder property owner or property representative of the unsafe or unsound condition of the sign. The cost of removal of the sign shall be charged to the responsible party. The Zoning Administrator may require removal of all components of a sign assembly, including posts, brackets, supports, frames, electrical conduits and wiring, and any things pertaining to the sign itself.

Primary responsibility for maintenance of any sign shall be that of the owner. Nothing in this Zoning Code shall imply in any way that the primary responsibility for the condition of a sign is that of the Zoning Administrator.



### 1281.13 NONCONFORMING SIGNS AND RELATED STRUCTURES

Signs and related structures in existence prior to the effective date of this Zoning Code that are not in conformance with the provisions of this chapter shall be deemed nonconforming. All such previously legal but now nonconforming signs and related structures may be retained, as long as the signs are maintained in a safe and structurally sound condition in accordance with this chapter. The burden of establishing the legal nonconforming status of any sign and related structure shall be upon the owner of the sign and/or related structure. However, the owner of the sign may, within one year of the enactment of the Zoning Code, or any amendment thereto that would make the sign a nonconforming sign, apply for a sign permit that the Zoning Administrator shall issue upon proof that the sign was nonconforming on the date of enactment. The sign permit shall indicate that the sign is a nonconforming sign under this section.

### 1285.14 1281.14 LOSS OF LEGAL NONCONFORMING STATUS FOR NONCONFORMING SIGNS

A legal nonconforming sign or structure shall immediately lose its legal nonconforming status, and, therefore, must be brought into conformance with this chapter or be removed, if the sign or related structure is:

- (a) Significantly altered in structure;
- (b) Enlarged, relocated or replaced; or

### 1281.15 VIOLATIONS

If any sign or related structure is installed, erected, constructed or maintained in violation of any of the terms of this Zoning Code, the Zoning Administrator shall immediately notify, in writing, the sign permit holder, property owner or property representative that the sign or related structure must be altered, repaired or removed so as to comply with this Zoning Code. Failure to comply with any of the provisions of this chapter shall be deemed a violation of this Zoning Code.