

## CHAPTER 21 SIGN REGULATIONS

### 21.0 Purpose of the Regulations.

- A. To promote the creation of an attractive visual environment that promotes a healthy economy by:
- B. Permitting businesses to inform, identify, and communicate effectively; and
- C. Directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites.
- D. To protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by:
- E. Encouraging the appropriate design, scale, and placement of signs.
- F. Encouraging the orderly placement of signs on the building while avoiding regulations that are so rigid and inflexible that all signs in a series are monotonously uniform.
- G. Assuring that the information displayed on a sign is clearly visible, conspicuous, legible and readable so that the sign achieves the intended purpose.
- H. To foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations.
- I. To have administrative review procedures that is the minimum necessary to:
- J. Balance the community's objectives and regulatory requirements with the reasonable advertising and way finding needs of businesses.
- K. Allow for consistent enforcement of the Sign Code.
- L. Minimize the time required to review a sign application.
- M. Provide flexibility as to the number and placement of signs so the regulations are more responsive to business needs while maintaining the community's standards.

### 21.1 Determining Sign Area and Dimensions.

- A. For a **wall sign** which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.
- B. For a **wall sign** comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements. Minor appendages to a particular regular shape, as determined by the Zoning Administrator/Inspector or BZA, shall not be included in the total area of a sign.
- C. For a **freestanding sign**, the sign area shall include the frame, if any, but shall not include:

1. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device.
2. Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.
3. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces. When the sign has more than two display surfaces, the area of the sign shall be the area of largest display surfaces that are visible from any single direction.



4. In the event of a dispute in determining the area or dimensions of any sign, a negative decision of the Zoning Administrator/Inspector may be appealed, by the applicant's submitting a formal application to the BZA for their rulings which will then be forwarded to Council for their approval or disapproval.

## 21.2 Determining Sign Height.

- A. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be **measured from the grade of the nearest pavement or top of any pavement curb.**

\*\*\*SEE FOLLOWING PAGE FOR EXAMPLES\*\*\*



- B. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

### **21.3 Determining the Building Frontages and Frontage Lengths.**

- A. Building Unit - The building unit is equivalent to the tenant space. The frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs.
- B. Primary and Secondary Frontage - The frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.
  1. The primary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.
  2. The secondary frontage shall include those frontages containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection “a” above.

**Length of Building Frontage.**

- A. The length of any primary or secondary building frontage shall be the sum of all wall lengths parallel, or nearly parallel, to such frontage, excluding any such wall length determined by the Zoning Administrator/Inspector or the BZA as clearly unrelated to the frontage criteria.
- B. For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage.
- C. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

**21.4 Business Lacking Setback.**

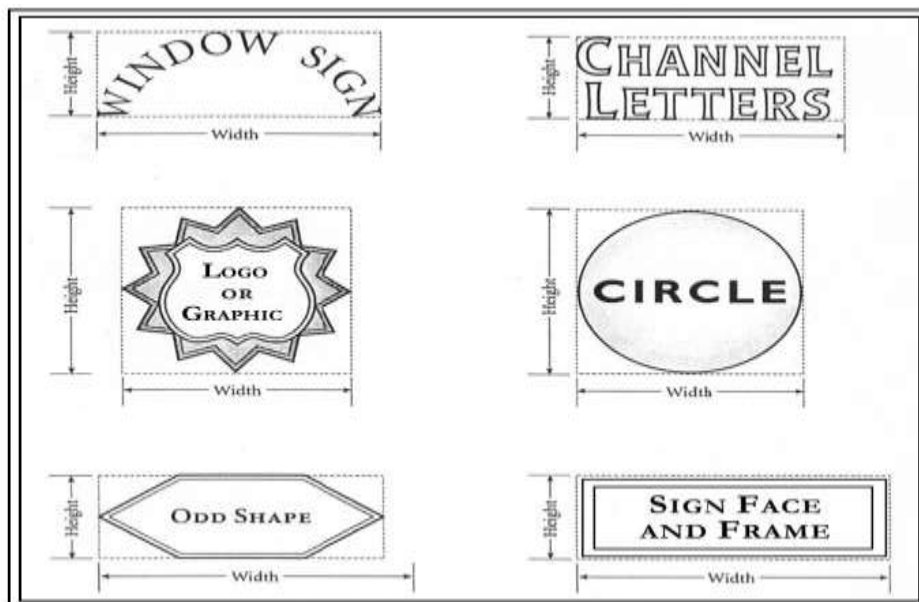
- A. Where a business is located having only one (1) street frontage and lacking the necessary setback for a freestanding sign and in harmony with the purpose of signs Section 21.03; one (1) additional wall sign is permitted using the same sign area calculation in Section 21.07 – Calculating the Sign Area;

**21.6 Business with Drive-Thru Facilities**

- A. One (1) menu board of eighty (80) square feet or less in area and not exceeding eight (8) feet in height and having a minimum setback of five (5) feet from any public right-of-way;

**21.7 Calculating the Sign Area.**

The area of a sign shall be the height of the sign at its highest point multiplied by the width of the sign copy at its widest point of the sign.



## 21.8 Signs Permitted

The signs permitted in each character area are those indicated in Exhibit 1.

**Exhibit 1 – Signs Permitted in Each Character Area**

Type of Sign	R-1 & R-2 One & Two Family Residence	Non- Residential Use	B- 1 Neighborhood Business	B-2 General Business	M-1 Light Industrial	M-2 General Industrial
Signs used for religious and civic organizations	X	X	X	X	X	X
Directional and Informational Signs (Max 8 sq ft)		X	X	X	X	X
Holiday Decorations	X	X	X	X	X	X
Special Event Signs and Banners (ex: Open House)	X	X	X	X	X	X
Nameplates (Max 2 sq ft)	X	X	X	X	X	X
Public Sign, Public Notice, Emergency Related Signs	X	X	X	X	X	X
Window Signs (Max 25 % of Window)		X	X	X	X	X
Temporary Political Signs	X	X	X	X	X	X
Temporary Construction Sign (Max 24 sq ft)	X	X				
Temporary Construction Sign (Max 48 sq ft)			X	X	X	X
Temporary Non-illuminated Real Estate (Max 24 sq ft)	X	X	X	X	X	X
Subdivision Identification Sign (Max 16 sq ft)	X	X	X	X	X	X
Building Identification Sign (Max 16 sq ft)	X	X	X	X	X	X
Freestanding Sign (Max 32 sq ft)		X	X	X	X	X

Wall Sign (Max 50 sq ft)			X	X	X	X
Under-Canopy Sign (Max 8 sq ft)			X	X	X	X
Awning Signs (Max 50% of surface)				X	X	X
Marquee Signs				X	X	X
Sandwich Boards 2x3 or less Limit 1 and “ <b>removed nightly</b> ”			X	X	X	X

## 21.9 Wall signs

- A. The basic allowance for wall signs shall be limited to one-half (1/2) square foot of sign area for each linear foot of building or tenant frontage, in which the sign will be located.
- B. Each tenant may have multiple wall signs as long as the total wall sign area does not exceed 50 square feet.
- C. Where a business is located on corner lot or has more than one (1) street frontage: one (1) additional wall sign area is permitted for a secondary frontage (see Definitions) which shall be equal to 100% of the primary sign area calculation.



- D. The following additional wall signs may be permitted:

**21.10 Projecting signs** are permitted, in addition to the allowances for wall signs when designed and placed for the purpose of identifying the businesses for a pedestrian walking along the same side of the street as the business they seek or under a continuous rain canopy projecting from the building.

Projecting signs shall have a maximum area of two (2) square feet; the bottom of the sign shall be a minimum of eight (8) feet above the sidewalk; the sign shall not project more than two (2) feet from the wall of the building on which the sign is placed;

\*\*\*SEE FOLLOWING PAGE FOR EXAMPLES\*\*\*



*Illustration on the left shows under canopy sign and on the right a projecting sign*

**21.11 Building Directory** – In addition to the wall signs otherwise permitted by these regulations an additional sign may be permitted up to a maximum of eight (8) square feet for the purpose of identifying first floor tenants that do not have outside building frontage or up- per floor tenants.

**21.12 Additional Wall Signs for Multiple Story Buildings** – An additional building sign is permitted on each of the building’s primary and secondary frontages according to the following:

- A. For a building with two (2) floors the additional permit- the sign area is eight (8) square feet for each eligible wall.
- B. This additional permitted sign area may be increased by eight (8) square feet for each additional building floor.
  - 1. The sign must be placed at the height for which the bonus has been granted.

**21.13 Freestanding signs**

- A. The basic allowance for **freestanding** signs shall be limited to one-half (1/2) square foot of sign area for each linear foot of street frontage with a maximum sign area of fifty (50) square feet for businesses with street frontage on one-hundred (100) linear foot or greater.
- B. Freestanding signs may have (2) faces or copy areas.
- C. There shall be both a minimum and a maximum height of freestanding signs for each property with the standards established for each character area.
- D. No portion of a freestanding sign shall be in, or project over a public right-of-way.

**21.14 Electronic Message/Changeable Copy Signs (EMCs)**

- A. A community, in formulating its sign regulations, should recognize the emerging technology and benefits of electronic messages. The technology





motorist's attention and contrary to the general development objectives of the community and the purposes of the community's sign regulations.

2. Many of the concerns regarding EMCs are related to brightness. Since the technology is available, it is reasonable that EMCs be required to have dimming capabilities that adjust the brightness to the ambient light – regardless of the time of day.
3. Lastly, the regulations should make regulatory distinctions between electronic changeable copy and the older mechanical or manual changeable signs.



- C. Illustrations of changeable copy signs --- both manual and electronic.
- D. In the Character Areas EMCs are permitted with unlimited motion provided the electronic message center does not exceed 25 percent of the total sign area permitted on the site.
- E. In the Character Areas the EMCs are not limited.
- F. All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.
  1. No single electronic message is permitted to be repeated by flashing more than once every sixteen (16) seconds.
- G. All EMCs are permitted only in B-2 "General Business" Districts.
- H. All EMCs must be turned off between the hours of 12 a.m. to 6 a.m.
- I. All EMCs must be 500' from each other and 200' from residential areas.

### 21.15 Instructional signs

Instructional or "way-finding" signs shall be permitted in addition to all other signs when they are of such size and location that satisfy the intended instructional purpose and based on their size, location, and intended purpose will not constitute additional

advertising. Instructional signs shall be permitted without limitation as to number or size and may include the name of the business and logos.

### **21.16 Window Signs**

Permanent window signs shall not exceed twenty-five (25%) percent of the area of a window and the total area of all window signs, including both permanent and temporary, shall not exceed fifty (50%) percent of the window area.

### **21.17 Temporary Signs**

#### **A. Special Events**

1. It is reasonable for a community to regulate signs for special events – whether these events are related to commercial enterprises (grand opening, clearance sales, sidewalk sales, etc.) or institutional (places of worship, schools, non-profits) festivals, etc.
2. A maximum of three (3) special events are allow per calendar year;
3. A permit is required for each special event;
4. The use of such signs and banners for special events shall be limited to a maximum of fourteen (14) days.
5. Each property must be granted temporary signs for these purposes any time of the year;

#### **B. Specific regulations exists for the following events:**

1. Winter Holiday Season.
  - a. In an effort to help promote the winter season within the Village, the use of signs and banners shall be allowed from the Monday before the holiday known as Thanksgiving through January 2nd of the next year.
  - b. A permit is not required for this special event.
  - c. This shall not count as one (1) of the special events.
2. Special Events by Proclamation of the Mayor:
  - a. In an effort to help promote Village-wide special events, the use of signs and banners shall be allowed when declared by proclamation of the Mayor of Hartville.
  - b. This shall not count as one (1) of the special events.
3. Political:
  - a. Each property must be granted temporary signs for these purposes any time of the year;

- b. All political signs shall be erected only on private property and only with the property owner's permission;
- c. Political signs shall not count as one (1) of the special events.

4. Real Estate:

- a. One (1) non-illuminated real estate sign of twenty-four (24) square feet or less in sign area;
- b. One (1) non-illuminated real estate sign per lot or premises;
- c. One (1) non-illuminated real estate sign per street frontage; Sign shall be removed fifteen (15) days following the sale, rental or lease.

5. Construction:

- a. Each property must be granted temporary signs for these purposes any time of the year;
- b. Depending on classification of property:
- c. One (1) construction sign of twenty-four (24) square feet or less in signage area for each street frontage of a construction project OR
- d. One (1) construction sign of forty-eight (48) square feet or less in signage area for each street frontage of a construction project;
- e. Sign may be erected thirty (30) days prior to a construction project and shall be removed fifteen (15) days after the completion of said construction project.

- C. Temporary signs will be permitted up to two (2) weeks before a permanent sign is required.

## **21.18 General Provisions**

- A. Achieving the long term removal of non-conforming signs is in the mutual best interests of both the business community and the Village. Without such elimination some businesses, with non-conforming signs, continue to have a decided advantage over those newer businesses that have installed signs in compliance with the newer regulations. Furthermore, there will be tendencies to retain such larger – and perhaps “tired” signs beyond their useful life in order to continue a long standing advantage. Conversely, eliminating non-conforming signs assure, over time, a level playing field for all businesses – at least with respect to signs.

- 1. Nonconforming signs shall be maintained in good condition pursuant to Section 21.22.
- 2. A nonconforming sign shall not be altered, modified or reconstructed except:

- a. When such alteration, modification or reconstruction would bring such sign into conformity with these regulations.
- b. When the existing use has new ownership which results in a change in the name or logo of the use or business on the property, and such change complies with “d” below.
- c. When the space is re-occupied by a similar use and the new occupant requires no external building or site renovation, and such change complies with subsection “d” below.
- d. Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign panel, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection or relocation of the sign unless such changes conform to subsection “a” above.

### **21.19 Limitations for Non-Conforming Signs.**

- A. A nonconforming sign shall be removed upon verification that any of the following conditions have been met:
  - 1. The use to which such non-conforming sign refers has been abandoned for more than 180 consecutive days; or
  - 2. Extension of time to comply - The dates established in this Section for a sign to be brought about into compliance with the requirements of these regulations may be extended at the request of the sign owner or leasee. In evaluating the extension of time for a nonconforming sign, the Village shall consider the following factors to determine whether the owner of the sign has had reasonable amount of time to re- coup the initial investment:
    - a. The value of the sign at the time of construction and the length of time the sign has been in place;
    - b. The life expectancy of the original investment in the sign and its salvage value, if any;
    - c. The amount of depreciation and/or amortization of the sign already claimed for tax or accounting purposes;
      - a. The length of the current tenant lease or expected occupancy compared to the date the sign is to be brought into compliance;
      - b. The extent to which the sign is not in compliance with the requirements of these regulations; and
      - c. The degree to which the Village determines that the sign is consistent with the purposes of these regulations.
    - d. Whether the sign has “historical” or “landmark” significance and should, therefore, be exempt from amortization, as seen below.

### **21.20 Sign Review Procedures.**

Prior to submitting a formal application, applicants are encouraged to meet with the Zoning Administrator/Inspector, to fully understand the Village's requirements, objectives, interpretations, and review procedures.

- A. Time limits – All sign applications shall be reviewed for compliance with these regulations within five (5) business days from the time a completed application has been accepted by the Zoning Administrator/Inspector.
- B. All appeals and variances regarding the sign ordinance would be heard by the BZA if not otherwise prohibited by law.

### **21.21 Construction Standards.**

- A. The construction, erection, safety and maintenance of all signs shall comply with the Ohio Basic Building Code; the National Electrical Code and the Fire Prevention and Safety Code.
  - 1. Signs shall be structurally sound and located so as to pose no reasonable threat to pedestrian or vehicular traffic.
  - 2. All permanent freestanding signs shall have self-supporting structures erected on, or permanently attached to, concrete foundations.
  - 3. If possible, signs should not be in locations that obscure architectural features such as pilasters, arches, windows, cornices, etc.
  - 4. The signs should not be in locations that interfere with safe vehicular and pedestrian circulation or public safety signals and signs.
  - 5. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.
  - 6. All signs shall be designed to withstand a wind load of thirty (30) pounds per square foot on any face.
  - 7. All signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical, cable and telephone wires.
- B. Signs shall be structurally designed in compliance with ANSI and ASCI standards. All elective signs shall be constructed according to the technical standards of a certified testing laboratory.
- C. Signs may be illuminated – by external or internal means -- provided that:
  - 1. The brightness and intensity shall not be greater than necessary to meet reasonable needs of the business or use served.
  - 2. Light sources shall be shielded from all adjacent buildings and streets.
  - 3. The lighting shall not create excessive glare to pedestrians and/or motorists and will not obstruct traffic control or any other public informational signs.

## **21.22 Maintenance**

- A. All signs shall be maintained in accordance with the following:
1. The property owner shall maintain the sign; in a condition appropriate to the intended use; to all Village standards; and has a continuing obligation to comply with all building code requirements.
  2. If the sign is deemed by the Zoning Administrator/Inspector to be in an unsafe condition, the owner of the business shall be immediately notified in writing, and shall, within 48 hours of receipt of such notification, respond to the Village with a plan to correct the unsafe condition, remove the unsafe sign, or cause it to be removed. If after ten (10) days, the unsafe condition has not been corrected through repair or removal, the Zoning Administrator/Inspector may cause the repair or removal of such sign, at the expense of the property owner or lessee. If the total costs are not paid in full within Ten (10) days of the repairs or removal, the amount owed shall be certified as an assessment against the property of the sign owner, and lien upon that property, together with an additional processing fee (10%) penalty for collection as prescribed for unpaid real estate taxes.
  3. In cases of emergency, the Zoning Administrator/ Inspector may cause the immediate removal of a dangerous or defective sign without notice.
  4. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, re-lettering or repainting, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:
    - a. There is no alteration or remodeling to the structure or the mounting of the sign itself;
    - b. There is no enlargement or increase in any of the dimensions of the sign or its structure;
    - c. The sign is accessory to a legally permitted, conditional or nonconforming use.
    - d. There is no change in location or characteristics when compared to the existing sign.

## **21.23 Signs Exempt from the Regulations.**

- A. The following signs shall be exempt from regulation under this Zoning Ordinance:
1. Any public purpose/safety sign and any other notice or warning required by a valid and applicable federal, state or local law, regulation or resolution.

2. Works of art that do not include a commercial message.
3. Religious and other holiday lights and decorations containing no commercial message and displayed only during the appropriate time of the year.
4. Religious symbols.
5. Flags of the United States, the state, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting these conditions shall be considered a sign and shall be subject to regulations as such. The number of flags shall not exceed two (2) on any premise and the area of any flag shall not exceed sixty (60) square feet and shall not exceed a height of thirty-five (35) feet.
6. Building markers.
7. Display of street numbers.
8. Scoreboards on athletic fields.
9. Gravestones.
10. Commemorative plaques.

#### **21.24 Prohibited Signs and/or Sign Characteristics.**

- A. The following signs are prohibited in the Village:
  1. Abandoned signs (see definitions).
  2. Animated, flashing, **rotating signs** and **festoons** (See definitions), inflatable signs, tethered balloons, banners, pennants, searchlights, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features, except those specifically exempt from regulation in Section 21.23, special event signs or banners permitted in 21.17, or electronic message centers as permitted in Section 22.14.
  3. Signs on vehicles when the vehicle is placed in a location not normally expected for such vehicles, and the location apparently has the primary purpose of attracting attention or providing advertising in addition to that permitted for legal wall and/or freestanding signs on the site.
  4. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control, direction signals or government signs and signals.
  5. Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.
  6. Signs located on trees; mail box; fence; utility poles; public benches; traffic control sign, signal or device; any other form of public property; or within any public right-of-way unless explicitly permitted by the regulations.

7. All projecting signs.
8. All roof or rooftop signs.
9. All off-premise signs.
10. All signs utilizing a beacon, strobe light, searchlight, signaling light, spotlight or similar apparatus, equipment or device and all lighting which is not directed toward sign.
11. All signs utilizing flame as a source of light.
12. Any exposed incandescent lamp in excess of twenty-five (25) watts unless a screen is attached or unless the sign is placed over ten (10) feet above the ground.
13. All signs with an exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion.
14. All flashing signs except for electronic message board.
15. All signs constructed or utilizing electric not in accordance with the provisions of the Ohio Basic Building Code.
16. Other signs or attention getting devices that raise concerns substantially similar to those listed above.
17. Any sign placed within the visual limits or causing a visual obstruction at an intersection.
18. All signs conveying misleading or unlawful commercial information.
19. All moving, swinging or rotating signs or any sign giving the illusion of movement.
20. All lighter-than-air or inflatable signs.
21. All floral signs.
22. All signs and or portable signs placed on motor vehicles or trailers which are not used for transportation and are parked or located for the principle purpose of displaying said sign during normal business hours.
23. All portable signs also known as "Sandwich Board" displayed during non-business hours (See definitions).
24. All signs obstructing any fire escape, exits, windows or doors used as a means of egress.
25. All signs within one (1) foot horizontally or vertically of any public utility line, wire or any guy-wire.
26. Any sign requiring a Sign Permit but not having been issued a Sign Permit.
27. Any sign not specifically authorized by these regulations.

**21.25 Methodology for Estimating the Appropriate Area of Freestanding Signs**  
(Three Options Based on Highway Speeds)

\*\*\*SEE FOLLOWING PAGE FOR EXAMPLE\*\*\*



	<b>LOWER 25 MPH</b>	<b>MIDDLE 40 MPH</b>	<b>HIGHER 55MPH</b>
<b>DISTANCE SIGN IS VIEWED</b>	200'	320'	440'
<b>REQUIRED LETTER HEIGHT</b>	7"	10"	15"
<b>APPROPRIATE VIEWING TIME</b>	4-6 Seconds	4-6 Seconds	4-6 Seconds
<b>ELEMENTS COMPREHENDED</b>			
· Letter	40-60	40-60	40-60
· Words/Symbols 5 to 7 letters per word; 1 word = 1 symbol	6-12	6-12	6-12
<b>TOTAL AREA OF LETTERS/SYMBOLS (Width of letter, including spacing equal's the letter height)</b>	14-20 Feet	28-42 Feet	63-94 Feet
<b>TOTAL SIGN AREA (with message – 40% of total area)</b>	35-50 Square Feet	70-105 Square Feet	160-235 Square Feet