

## 150.218 Signs and Billboards

### A) Permitting

- a. No sign shall be erected or altered except as otherwise provided for in this subchapter unless a sign permit has been issued by the Village.
- b. Submit a Sign Permit Application to Village Clerk (with fees and deposit).
- c. Submit neat drawings of proposed sign(s) or billboard.
- d. Show Right of Way lines and the edge of pavement on a site plan to allow the impacts on driver visibility to be considered.
- e. Drawings to be to scale and in color.
- f. Photographs of similar or identical structures are recommended.
- g. The Planning Commission reviews the application.
- h. The applicant is required to coordinate the need to obtain a Building Permit from Summit County to address structural and electrical design/installation.

### B) Village Fees

- a. Sign Permit Application fee required.
- b. Deposits are required to cover direct costs to the Village and provide money for the Village to correct sub-standard or incomplete work (within the R/W). Refer to the Village *Permits and Approvals Fee Schedule* for application and deposit fees.
- c. Deposits may be increased by the Village for complicated or larger projects.
- d. Unused deposits as determined by the Village will be returned upon the Village's approval of the work.

### C) Village Standards

- a. The general requirements of Chapter 150 of the Village Code apply to all work covered by this section.
- b. The contractor performing excavations within the Village is required to contact OUPS, OGPUP, 811 or individual utilities as required to locate and protect underground facilities. Record drawings are not exact and care should be used when excavating near utilities shown on plans or marked in the field. The Village should be contacted directly for the location of storm sewers.
- c. Sign regulations, including provisions controlling the type, design, size and location thereof, are established to protect property values and promote safer residential, commercial and industrial districts by:
  - i. Promoting clarity in sign communications;
  - ii. Balancing sign communications so that competition for prominence does not lead to unreasonably confusing or conflicting collections of messages;
  - iii. Promoting a harmonious relationship between sign types, sign sizes, sign locations and land uses; and
  - iv. Protecting the public health, safety and welfare from the hazards resulting from indiscriminate placement.
- d. Signs shall not block the view of oncoming traffic when motorists enter the roadway.

- e. Submittals for signs or billboards in zoning districts that employ cohesive layout, design, aesthetic and architectural standards to achieve an inherent look or feel will be subjected to a higher level of architectural and design review to ensure compliance with the definition of the zoning district and maintain the character of the area that current occupants support and expect (e.g. PUD's and Central Business District).
- f. Comply with Summit County Building Department standards.
- g. Signs and outdoor advertising displays shall be constructed and erected by such materials and in such a manner that the construction, supports and bracing thereof will safely support the weight of such signs and outdoor advertising.
- h. No sign or outdoor advertising display shall be placed, erected or maintained so as to obstruct, in any manner, any fire escape, window, door, entrance or exit to or from any building.
- i. No sign or outdoor advertising display shall be supported, braced or guyed from or to a public sidewalk, street, alley or public thoroughfare.
- j. All signs and outdoor advertising displays shall be erected so that all parts thereof, including cables, guys, braces, supports, etc. will not be less than 24 inches from public utility electric conductors carrying not more than 600 volts and, with the approval of the Village Building and Zoning Inspector, not less than 36 inches from conductors carrying more than 600 volts. This provision shall not apply to electric conductors which serve the sign or outdoor advertising display.
- k. All signs and outdoor advertising displays, including all their supporting features, shall be kept in a safe condition and shall be sufficiently painted or otherwise protected to prevent deterioration.
- l. Signs, billboards and outdoor advertising displays which are not maintained properly to insure their safe condition or which have become unsafe shall be properly repaired or painted, or removed, when so ordered by the Building and Zoning Inspector.

#### D) Interpretation

- a. In their interpretation and application, the provisions of these sign regulations as most recently amended, shall be held to be the minimum requirements.
- b. The provisions herein shall not amend or in any way interfere with other codes, rules or regulations governing signs within the municipality. Whenever there is a conflict between any provisions of any adopted ordinance, the more restrictive provision shall govern.

#### E) Definitions

- a. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words use in the present tense shall include the future. The word "shall" is mandatory and not directory; the word building shall include the word "structure"; the word "used" shall include the words "arranged", "designed", "constructed", "altered", "converted" or "intended to be used" and a "person" shall mean, in addition to an individual, a firm, corporation, association or any legal entity which may

own and/or use land or buildings. In addition to the specific definitions herein, the definitions of terms as set forth in previous sections of this chapter shall also be applied.

*ANNOUNCEMENT SIGN.* A sign directing attention to the use or event of a public or quasi-public institution and located upon the premises of the institution.

*BILLBOARD.* A sign used to advertise a business, commodity or service conducted elsewhere than on the premises on which the billboard is located.

*BUILDING AND ZONING INSPECTOR.* The Building and Zoning Inspector of the Village of Mogadore, Ohio, its chief enforcement official or his regularly authorized deputy.

*BULLETIN BOARD.* A changeable announcement sign directing attention to the use or event of a public or quasi-public institution and located on the premises of the institution.

*BUSINESS SIGN.* A sign which directs attention to the name of the business or establishment, the goods or commodities sold and/or services rendered on the premises on which the sign is located.

*IDENTIFICATION SIGN.* A sign indicating the name and/or nature of the use of the property on which the sign is located.

*ILLUMINATED SIGN.* A sign illuminated by gas, electricity or other artificial light including reflected or phosphorescent light.

*NAME PLATE.* A sign indicating the name, address and/or title of the owner, renter or lessee of the premises on which the sign is located.

*POLE SIGN.* Any freestanding sign supported by poles, posts or other uprights, having the area for display purposes at least ten feet above the grade at the base of the supports, and completely free of and not attached to any building, and has no more than four upright supports.

*PROJECTING SIGN.* Any sign attached to a building or other structure and which extends beyond the line of such building or structure in such a manner that the exposed face or faces of the sign are generally perpendicular to or at an angle to the plane of the wall or the building or structure to which such sign is attached.

*REAL ESTATE SIGN.* A sign directing attention to the promotion, development, rental, sale or lease or property on which the sign is located or a sign indicating the name of the development.

*ROOF SIGN.* Any sign erected, constructed and maintained upon or over the roof or parapet wall of any building, and having its principal support on the roof or walls of the building.

*SAFETY SIGN.* A sign alerting the public to certain hazards.

*SIGN.* Any structure, vehicle, trailer, device, or natural objects such as a tree, rock, bush and the ground itself, or part thereof, or device attached thereto or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business, or which shall display or include any letter, word, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. For the purpose of this subchapter the word *SIGN* does not include the American Flag, the insignia of any government, governmental agency or any charitable organization.

*SIGN AREA.* That surface area which is included by a line drawn to surround all elements of the communication where those elements are said to include lettering, accent color, pattern or texture areas and/or other background features which are not a usual part of another structure.

*SIGN, ILLUMINATED.* Any light, string of lights, or group of lights located or arranged to cast illumination on a sign.

*SIGN, OFF PREMISES.* Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises upon which the sign is located.

*SIGN, ON PREMISES.* Any sign related to a business or profession conducted, or to a commodity or service sold or offered upon the premises upon which the sign is located.

*TEMPORARY SIGN.* A sign not intended for permanent use.

*WALL SIGN.* Any sign painted on, attached to or erected against the wall of a building or structure having the exposed face of the sign in a plane parallel to the plane of such wall.

F) Nonconformance

- a. The purpose of this section is to provide for the continuation of those signs that do not conform to the existing sign regulations, but which are installed prior to the enactment of this chapter.
- b. Nothing in this chapter shall prohibit the construction of a nonconforming sign for which a sign permit has been issued prior to the effective date of this section,

or any amendment thereto, providing that construction is completed within 90 days after the issuance of the sign permit.

- c. Whenever a nonconforming use has been discontinued, any further sign shall be in conformity with the provisions of this chapter.
- d. Whenever the boundaries of a district shall be changed as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any nonconforming signs existing therein.

#### G) Violations

- a. Any sign erected or altered which does not conform to the provisions of this subchapter is a violation.
- b. Any person may file a complaint in regard to an alleged violation of this subchapter. All such complaints shall be in writing and shall be filed with the Building and Zoning Inspector, which shall properly record and investigate the alleged violation.
- c. If the Building and Zoning Inspector finds that any of the provisions of this subchapter are being violated, he shall notify the person responsible for such violations of the nature of the violations. He shall order cessation of the illegal use and shall take any other action as is reasonably necessary to insure that the sign will comply with the provisions of this subchapter. After notice of the violation has been served or posted on the premises no work shall be performed except to correct the violation.
- d. All violations shall be corrected within a reasonable period after the written order has been issued or for a longer period of time as indicated by the Building and Zoning Inspector in the written order. Any party responsible for violations not corrected within the specified period of time may be prosecuted. (Ord. passed 12-11-90) Penalty, see §152.999

#### H) Appeals

- a. Any person, firm or corporation aggrieved by the action of the Zoning Inspector may take an appeal to the Board of Zoning Appeals. (Ord. passed 12-11-90)

#### I) General Restrictions for Permitted Signs.

- a. Safety signs, including those providing information, warnings, prohibition or commands which promote or protect the safety of pedestrians or vehicles are permitted only when provided or approved by the Building and Zoning Inspector.
- b. Light sources to illuminate signs may be direct or indirect but the source of light shall not be visible. Illumination shall not be of excessive brightness or cause glare hazardous to pedestrians or vehicular traffic, or be objectionable to adjacent residential districts. Flashing, moving or intermittent illumination and outline lighting shall not be permitted. Within 100 feet of an intersection lights cannot duplicate the colors of a traffic light. Signs in residential districts shall not be illuminated, except for nameplates and for bulletin boards for institutions. All signs in business and industrial districts may be illuminated.
- c. Projecting signs, roof signs, pennants, banners and flags, except as otherwise

stated in this subchapter are not permitted.

- d. Signs shall not obstruct windows, doors or fire escapes.
  - e. Signs shall not obstruct traffic sight lines, traffic sign signals at railroad grade crossings or other safety signs.
  - f. Business signs visible from the street shall not in any way resemble any safety sign.
  - g. No signs shall be erected, placed or over hung in a public right-of-way except those signs provided or approved by the Building and Zoning Inspector and those signs affixed to the surface of a mailbox located in a public right-of-way.
  - h. No wall sign shall project beyond the ends of top of the building wall to which it is attached nor shall the face of the sign be set out more than one foot from the face of the building to which it is attached.
  - i. Signs must be maintained in good repair at all times.
  - j. All signs and portions thereof shall be stationary.
  - k. Pennants, banners and flags shall be applied for and approved by the Building and Zoning Inspector. None of these shall be placed so as to create a hazard for traffic. None may be displayed for a period longer than 30 days prior to announced events and must be removed not later than five days following the event. The fee may be waived for civic groups at the discretion of the Village Clerk-Treasurer; however, failure to comply with the aforementioned regulations will constitute a termination of the privilege.
  - l. Political campaign signs advertising candidates or issues may be permitted for a period not exceeding 30 days before the election concerned and shall be removed within five days after the election. The area of one sign shall not exceed ten square feet.
  - m. Portable signs shall be applied for and approved by the Building and Zoning Inspector upon payment of a \$20 permit fee. None of these signs shall be placed so as to create a traffic hazard. These signs may be displayed for a period of seven days. After the sign has been displayed for seven days, it must be removed from the property for at least 60 days. At this point, the process starts over again, i.e. with a new permit. (Ord. passed 12-11-90) Penalty, see §152.999
- J) Signs permitted in Residential Districts. Only the following signs are permitted in the R-1, R-2, and R-3 districts.
- a. One name plate not exceeding one square foot in area shall be permitted for each dwelling.
  - b. A church, school, community center or other public or institutional building, or quasi-public building for its own use may erect one announcement sign or bulletin board not over 40 square feet in area.
  - c. One temporary unlighted real estate sign not exceeding six square feet in area pertaining only to the sale, lease, or rent of the particular building, property, or premises upon which displayed. Such signs shall be removed within two weeks of the completion of the sale, lease, or rental.
  - d. One temporary real estate sign advertising the development of the premises upon which it stands or the opening of a new subdivision within which such sign is located may be located and maintained upon the issuance of a temporary

six-month renewable zoning certificate. Such sign shall be removed from the premises no later than 30 days after the sale or rental of the premises or at such time that 70% of the subdivision's lots are occupied by structures or 70% of the units within the development are occupied. Such sign shall not exceed 50 square feet in area per side and shall not be located closer than 25 feet to any street right-of-way.

- e. One identification sign indicating the name and address of multi-family apartment developments. Such signs shall not exceed ten square feet in area and shall not be located closer than six feet to the street right-of-way nor closer to any side lot line than ten feet. (Ord. passed 12-11-90; Am. Ord. 12, passed 4-5-00) Penalty, see 152.999

K) Signs permitted in Commercial Districts. The following signs are permitted in C-1 District provided no business sign shall be located closer than 25 feet to any lot located in the R District, and except as provided elsewhere in this chapter.

- a. All signs as permitted in Residential Districts.
- b. One exterior wall sign may be erected which advertises a business or service conducted upon the premises and/or advertises products, merchandise or commodities stocked and sold on the premises, except that a building on a corner lot or at the end of a block of buildings may have one sign for each of two building sides. Such sign may be affixed flat against the wall of buildings with the face of the sign no more than one foot from the surface of the wall. No wall sign shall be extended beyond the surfaces of the building.
- c. One pole sign which advertises a business or service conducted upon the premises or advertises products, merchandise or commodities stocked and sold on the premises may be permitted, provided such sign shall not have an area of more than 40 square feet per side. A pole type business sign shall be no more than 25 feet in height. (Ord. passed 12-11-90) Penalty, see 152.999.

L) Signs permitted in Industrial Districts. The following signs are permitted in the I District, provided no sign shall be located closer than 25 feet to any lot located in the R District.

- a. All signs as permitted in Residential Districts.
- b. One exterior wall sign may be erected which advertises an industrial activity conducted upon the premises or advertises products, merchandise or commodities produced on the premises. Such sign shall be affixed flat against the wall of the building. No sign shall extend beyond the face of the building to which it is attached. See 152.074 for sign area: and
- c. One pole sign which advertises an industrial activity conducted upon the premises and/or advertises products, merchandise or commodities produced on the premises may be permitted. Such sign shall not have an area of more than 20 square feet per side. Such sign shall be set back no less than one-half the required yard depth and shall not exceed 20 feet in height. (Ord. passed 12-11-90) Penalty, see 152.999.

M) MAXIMUM SIGN AREA

The following are the maximum sign areas for C-1 and I Districts:

<i>Building Frontage (Feet)</i>	<i>Maximum Sign Area (Square Feet)</i>
Under15	25
15-19	30
20-24	35
25-29	40
30-34	45
35-39	50
40-44	55
45-49	60
50-54	65
55-59	70
60-64	75
65-69	80
70 and over	100+5 for each additional 10 feet of frontage or fraction thereof.

(Ord. passed 12-11-90) Penalty, see §152.99

N) Conditionally Permitted Signs.

- a. Any application for a conditionally permitted signs shall be submitted in accordance with the following procedures:
- b. The application shall include the following information.
  1. A plot plan or building elevations drawn to scale showing the locations and dimensions for all business signs.
  2. A description and drawings indicating the color, style, materials and lighting of the proposed signs.
  3. Any other pertinent data as may be deemed necessary by the Planning Commission for the proper enforcement of this chapter.
- c. The application shall be accompanied by the payment of a fee, which shall be determined by Council.



- d. The application shall be reviewed by Planning Commission in accordance with the provisions of this section.
- e. Upon completion of the review, the Planning Commission may approve, approve with modification or deny the request for a conditional sign permit. If approved, the Planning Commission shall direct the Clerk-Treasurer to issue a conditional sign permit. If the request for a conditional sign permit is denied, the applicant shall be informed of the reason.
- f. Upon Approval of a conditionally permitted sign shall become void at the expiration of six months after the date of issuance if the proposed sign has not been erected. (Ord. passed 12-11-90)
- g. Upon completion of the review, the Planning Commission may approve, approve with modification or deny the request for a conditional sign permit. If approved, the Planning Commission shall direct the Clerk-Treasurer to issue a conditional sign permit. If the request for a conditional sign permit is denied, the applicant shall be informed of the reason.

O) Sign Maintenance and Repair.

- a. Sign maintenance and repair required. Every sign including, but not limited to, those signs for which permits or for which no permits or permit fees are required, shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of such sign. The Building and Zoning Inspector shall require compliance with all standards of this chapter. If the sign is not made to comply with adequate safety standards, the Building and Zoning Inspector shall require its removal in accordance with this section.
- b. Abandoned signs prohibited. Except as otherwise provided in this chapter, any sign which is located on property which becomes vacant or unoccupied, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.
- c. Dangerous or defective signs prohibited. No person shall maintain or permit to be maintained on any premises owned or controlled by him any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises.

P) Removal of signs by Building Department

- a. The Building and Zoning Inspector shall cause to be removed any sign that endangers the public safety such as an abandoned, dangerous or materially, electrically or structurally defective sign or a sign for which no permit has been issued. The Building and Zoning Inspector shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten days the sign shall be removed in accordance with the provisions of this section
- b. All notices mailed by the Building and Zoning Inspector shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail. Notwithstanding the above, in cases of

emergency the Building and Zoning Inspector may cause the immediate removal of a dangerous or defective sign without notice.

Q) Disposal of signs; costs; assessments; penalties

- a. Any sign removed by the Building and Zoning Inspector pursuant to the provisions of this section shall become the property of the Village and may be disposed of in any manner deemed appropriate by the Village. The cost of removal of the sign by the Village shall be considered a debt owed to the Village by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the Village or by assessment against the property as hereinafter provided. The cost of removal shall include any and all incidental expenses incurred by the Village in connection with the sign's removal. When it is determined by the Building and Zoning Inspector that such sign would cause an imminent danger to the public safety, and contact cannot be made with a sign owner or building owner, no written notice shall have to be served. In this emergency situation, the Building and Zoning Inspector may correct the danger, all costs being assessed as contained in the following divisions.
- b. The notice given by the Building and Zoning inspector shall state not only the remedial action required to be taken, but shall also state that if such action is not taken within the time limits set forth in this chapter, the cost of correcting the unlawful feature of the sign may be assessed against the property on which the sign is located, together with the additional 5% for inspection and incidental costs and an additional 10% penalty for the cost of collection, and collected in the same manner as real estate against the property.
- c. In the event the owner of the premises or person entitled to the possession, or the owner of the sign fails, neglects or refuses to comply with the notice to repair, rehabilitate or demolish the sign declared to be unlawful, the owner of the sign, the owner of the premises upon which the sign is located and the person entitled to possession thereof, if other than the owner of the premises, or all or any of them, may be prosecuted for violation of this chapter. The Building and Zoning Inspector may remove the sign declared to be unlawful.
- d. If it is necessary for the Building and Zoning Inspector to remove a sign pursuant to the provisions hereof, bids shall be taken when the estimated costs of demolition exceed \$1,000. When completed, the Building and Zoning Inspector shall certify to the Clerk the legal description of the property upon which the work was done, together with the name of the owner thereof, as shown by the tax rolls of the related municipal area, together with a statement of work performed, the date of performance and the cost thereof.
- e. Upon receipt of such statement, the Clerk shall mail a notice to the owner of the premises as shown by the tax rolls, at the address shown upon the tax rolls, by certified mail, postage prepaid, notifying such owner that the work has been performed pursuant to this chapter, stating the date of performance of the work, the nature of the work and demanding payments of the costs thereof, as certified by the Building and Zoning Inspector, together with 5 % for the inspection and the other incidental costs in connection therewith. Such notice shall state that if such amount is not paid within 30 days of mailing the notice, it shall become an assessment upon

and a lien against the property of such owner, describing the same, and will be certified as an assessment against the property of such owner, together with a 10% penalty for collection in the same manner as the real estate taxes upon the property.

- f. If the Clerk does not receive payment within a period of 30 days following the mailing of such notice, the Clerk shall inform Council of such fact and Council shall thereupon enact a resolution assessing the whole cost of such work, including 5 % for inspection and other incidental costs in connection therewith upon the lots and tracts of land from which the sign has been removed, together with a 10% penalty for the cost of collection.
- g. Following passage of such resolution upon a third reading, the Clerk shall certify the same to the County Auditor who shall collect the assessment, including the 10% penalty of cost for collection, in the same manner as other taxes are collected.
- h. Each such assessment shall be a lien against each lot or tract of land assessed until paid and shall have priority over all other liens except general taxes and prior special assessments.
- i. For all purposes hereinafter the owner of the premises shall be presumed to be the owner of all signs thereon, unless the contrary shall appear from facts brought to the attention of the Building and Zoning Inspector. (Ord. passed 12-11-90) Penalty, see 152.999.

#### R) Inspections

- a. Preliminary field staking of the sign or billboard locations is required to allow the Village to approve the location prior to the installation of electrical conduit or foundations. For monument signs, stake all four corners.
- b. Provide the Village a 48 hour (2 business days) notice prior to foundation excavation to allow a pre-installation inspection of the final location.
- c. The Summit County Building Department is responsible for construction inspection.

# VILLAGE OF MOGADORE SIGN PERMIT

135 S. Cleveland Ave., Mogadore, OH 44260  
Phone: 330-628-4896 Fax 330-628-5850



DATE: \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

APPLICANT ADDRESS: \_\_\_\_\_

CONTRACTOR NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

CONTRACTOR ADDRESS: \_\_\_\_\_

LOCATION OF SIGN: \_\_\_\_\_

TYPE OF SIGN: \_\_\_\_\_

SIZE OF SIGN: \_\_\_\_\_

IS SIGN CONDITIONAL: \_\_\_\_\_ IS SIGN TEMPORARY: \_\_\_\_\_

ZONING DISTRICT: \_\_\_\_\_

VILLAGE COMMENTS: \_\_\_\_\_

APPROVED: \_\_\_\_\_ PERMIT #: \_\_\_\_\_ DATE: \_\_\_\_\_

FEE: \_\_\_\_\_ DEPOSIT: \_\_\_\_\_ PAID: \_\_\_\_\_

INSPECTED: \_\_\_\_\_ DATE: \_\_\_\_\_

NOTE: VILLAGE INSPECTION FEES AND RESTORATION DEPOSIT MAY BE REQUIRED. INSPECTION FEES AND RESTORATION DEPOSIT ARE BASED ON THE TYPE AND DURATION OF THE WORK BEING PERFORMED.

Application is made for a sign permit within a Village limits as indicated and in accordance with the following conditions:

1. The applicant agrees to notify the Village a minimum of 48 hours in advance of any work. The applicant also understands that it is solely responsible to notify OHIO811 a minimum of 48 hours in advance of any excavation.
2. Applicant complies with the regulations contained in the Village Codified Ordinances and with the representations made herein.

APPLICANT SIGNATURE: \_\_\_\_\_