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**ARTICLE NINE – Signs and Parking**
**Section 901 Sign Requirements Section 902 Parking Requirements**


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**Section 901  
Signs**

901.01	Purpose
901.2	Definitions
901.3	General Provisions
901.04	Residential Districts
901.05	Multi-family Residential Districts
901.6	Business District and General Business District
901.7	Industrial District
901.8	Institutional and Public Uses
901.9	Signs Exempt from Regulation
901.10	Holiday Signs and Decorations
901.11	Prohibited Signs
901.12	Design, Construction and Maintenance
901.13	Signs Not to Constitute Traffic hazard
901.14	Signs un the Public Right-of-Way
901.15	Permits
901.16	Nonconforming Signs
901.17	Violations and Enforcement
901.18	Amortization

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**901.01 PURPOSE AND INTRODUCTION**
**A. Purposes**

The purposes of these sign regulations are:

1. To encourage the effective use of signs as a means of communication for businesses, organizations and individuals in the Village of LaGrange;
2. To encourage the effective use of signs as a means to improve pedestrian and traffic safety and to promote safe way-finding in the Village of LaGrange by establishing minimum standards for visibility and legibility of signs in the Village of LaGrange;
3. To require that all signs that, because of their location, are within the view of drivers in active traffic, meet minimum standards of visibility, legibility and conspicuity

standards, and to differentiate these signs from those signs that are not within the view of drivers in active traffic but that may provide information to them while they remain in their cars but out of active traffic;

**2.**

**901.01**

4. To provide a means of way finding in the Village of LaGrange, thus reducing traffic confusion and congestion;
5. To maintain and enhance the pleasing look of the Village of LaGrange; to preserve the Village of LaGrange as a community that is attractive to business;
6. To minimize the possible adverse effects of signs on nearby public and private property;
7. To implement the provisions of the Comprehensive Plan, as updated from time to time;
8. To create a cohesive sign ordinance that creates a recognizable context in the Village of LaGrange;
9. To prohibit all signs on private property not expressly permitted under this Section, including its variance process.

**B. Applicability and Effect**

**1. Applicability**

- a. A sign may be erected, placed, established, painted, created or maintained on private property in the Village of LaGrange only in conformance with the standards, procedures, exemptions, and other requirements of this section.

**2. Effect**

- a. The effect of this section, as more specifically set forth herein, is:
- b. To establish a permit system to allow a variety of types of signs in commercial, industrial and some mixed-use zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this section;
- c. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this section, but without a requirement for permits;

- d. To provide for temporary signs in limited circumstances;
- e. To prohibit all signs not expressly permitted by this section; and
- f. To provide for the enforcement of the provisions of this section.

C. Transitional Provisions

**3.** **901.01**

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1. Existing Signs

- 2. Any sign legally erected before the effective date of this ordinance but not fully conforming with the requirements of this ordinance shall be brought into conformance within the earliest of the following dates:
- 3. Five years of the effective date of this ordinance;
- 4. Fifteen years after the initial issuance of a permit for the installation or placement of the sign.

Existing Permits

- 1. All holders of permits for signs issued legally prior to the effective date of this section may erect the signs which are the subject of such permits within the times allowed by such permits, and such signs shall then be treated as though they had been erected prior to the effective date of this section. However, such permits may not be extended or amended unless the sign which is the subject of such permit will conform to all of the requirements of this section.

Existing Violations

- 1. All violations of the sign regulations repealed by this section shall remain violations of the Village Code and all penalties and enforcement remedies set forth hereunder shall be available to the Village as though the violation were a violation of this section. However, if the effect of this section is to make a sign that was formerly nonconforming become conforming, then enforcement action shall cease.

**901.02**

**901.02 DEFINITIONS AND INTERPRETATION**

A. Definitions

ABANDONED SIGN. A sign that no longer identifies or advertises a going concern, leaser, service, owner, product or activity, and/or for which no legal owner can be found.

**ACCESSORY BUILDING OR STRUCTURE.** A building or structure which is on the same lot as, and of a nature customarily incidental and subordinate to, another building or structure, and the use of which is clearly incidental and subordinate to that of the other building or structure.

**AERIAL SIGN.** Any balloon or other airborne flotation device or banner which is tethered to the ground or to a building or other structure which directs attention on a temporary basis to a business, commodity, service, or entertainment conducted, sole or offered. All aerial signs shall be considered temporary signs.

**ANIMATED SIGN.** Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**AREA.** Sign shall be computed as including the entire area within a regular geometric form or combination of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed.

- a. The area of signs composed of individual letters, numerals or other devices shall be the sum of the areas of the smallest rectangles or other geometric figures encompassing the message. Frames and borders not being advertising matter shall not be included in the computation of surface area. In the case of irregularly shaped three dimensional signs, the area of the display surface shall be measured on the plane of the largest vertical cross section.
- b. Measurement of sign face area means that where a sign has two or more faces, only one surface shall be included in the computation of the surface area of the sign provided the angle of the two faces is 60 degrees or less. If the angle is greater than 60 degrees, both surfaces shall be included in the computation of the area of the sign.

**ATTENTION-ATTRACTING DEVICE.** Any device or object visible from any public street that is primarily designed to attract the attention of the public to a business(s), institution, sign, or activity through such means, including but not limited to illumination, color, size or location. Attention-attracting devices or objects oftentimes incorporate illumination, which may be stationary, moving, turning, blinking (including animation) or flashing. Attention-attracting devices may or may not convey a message and can include, but are not limited to, search lights, beacons, strobe lights, strings of lights, barber poles, internally illuminated translucent canopies or panels, electronically controlled message boards (time/temperature signs, gas price signs, public service announcements, etc.), banners, streamers, pennants, propellers and inflatable objects (including strings of

balloons) or other device/objects designed to attract attention. Approved traffic-control devices are not considered to be attention-attracting devices for purposes of this Ordinance.

**AWNING.** A fabric, plastic or other non-rigid protective covering that extends from the exterior wall of a building and is supported by or attached to a frame.

**AWNING SIGN.** A sign attached to or incorporated into an awning. A sign painted or printed on, or attached against the surface of the awning.

**BANNER.** Any temporary sign of lightweight fabric or similar non-rigid material with no enclosing framework, excluding flags and pennants, as defined herein.

**BEACON.** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

**BILLBOARD.** A permanent or temporary sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located. Also called off-premise sign.

**BUILDING MARKER.** Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

**BUILDING, PRINCIPAL.** A building in which is conducted the principal use of the lot on which it is situated. A multi-occupant property may have more than one principal building, but only structures regularly used for human occupancy may be considered principal buildings. Not an accessory building.

**BUILDING SIGN.** Any sign attached to any part of a building, as contrasted to a "Freestanding Sign."

**BUILDING WALL.** An exterior load-bearing or non-load-bearing vertical structure, that encompasses the area between the final grade elevation and eaves of the building, and is used to enclose functional space within the building.

**CAMPAIGN SIGN.** A sign expressing support for a candidate for public office or another position regarding a public figure or a public issue but bearing no commercial message whatsoever.

**CANOPY.** A rigid roof, generally supported at all corners or extremities by poles, posts or direct attachment to a building; a canopy typically has little vertical or wall space on it

and is only as thick as necessary to create a functional roof. See “Marquee” and “Awning”.

**CANOPY SIGN.** Any sign that is a part of or attached to a canopy.

**CHANGEABLE COPY, or CHANGEABLE COPY SIGN.** A sign or portion of a sign that is capable of changing the visible display of words, numbers, symbols and graphics by the use of individual letters or characters changed by a person, movable discs, movable panels, light apertures, or other methods. A sign on which the message changes more than eight times per day shall be considered a Message Center or Animated Sign. Changeable copy sign - Automatic means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g. electrical or electronic time and temperature units. Changeable copy sign - Manual means a sign on which copy is changed manually in the field, e.g. reader boards with changeable letters.

**CLEARANCE.** The smallest vertical distance between the grade of the adjacent street or street curb, sidewalk, or parking area and the lowest point of any sign, including the framework and embellishments, extending over that grade.

**COMMERCIAL MESSAGE.** Any sign, wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

**COPY.** The wording on a sign surface in either permanent or removable letter form.

**DIRECTIONAL/INFORMATION SIGN.** An on premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g. parking or exit and entrance signs, or indicating service areas.

**DIRECTORY SIGN.** A ground or building sign that lists tenants or occupants of a building or project, with unit numbers, arrows or other directional information.

**DOUBLE-FACED SIGN.** A sign with two (2) faces.

**ELECTRICAL SIGN.** A sign or sign structure in which electrical wiring, connections, or fixtures are used.

**ELECTRONIC MESSAGE CENTER.** A changeable copy sign that is automatic.

**ENFORCEMENT OFFICIAL.** A person charged by the Mayor and Council with enforcement of this Ordinance.

FAÇADE. The entire building front, including the parapet.

FACE. The area of a sign on which the copy is placed.

FESTOONS. A string of ribbons, tinsel, small flags and pinwheels.

FLAG. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

FLASHING SIGN. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. "Flashing sign" does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing or intermittent light.

FREESTANDING SIGN. A sign not attached to a building or other structure than its own support, supported by one or more columns, uprights or braces in or upon the ground.

FRONTAGE. The length of an outside building wall on a public right-of-way on the address side of the primary building.

GOVERNMENT SIGN. Any temporary or permanent sign erected and maintained by the Village, County, State or Federal Government for traffic direction or for the designation of or direction to any school, hospital, historical site or public service, property or facility.

GROUND MOUNTED SIGN. Any freestanding sign, other than a pole mounted sign, independently supported by the ground or mounted on a decorative wall or fence.

HEIGHT OF SIGN FROM GROUND. The vertical distance measured from the highest point of the sign to the grade of the adjacent street, the sidewalk or the surface grade (i.e. lay of the land) beneath the sign, whichever is less.

IDENTIFICATION SIGN. A sign, either freestanding or located on the building, whose copy is limited to the name and address of a building, institution or person, and/or to the activity or occupation being identified.

ILLEGAL SIGN. A sign that does not meet the requirements of this Section and has not received legal nonconforming status or for which no permit has been issued.

ILLUMINATED SIGN. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

INCIDENTAL SIGN. A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” “credit card” and similar information and directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

INFORMATION, PIECE OF. A word, whole number, telephone number, price, logo, picture, exclamation point or similar separately identifiable unit on a sign.

INSTITUTIONAL USE. A school, religious institution, or other use operated by a public  
**8** **901.02**

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agency or non-profit organization and permitted as a use in one or more residential zoning districts in the Village. A day-care facility shall be considered an institution regardless of ownership or operation.

INSTITUTIONAL SIGN. A sign identifying or advertising an institutional or business use permitted in a residential district, where such sign is located on the same premises as such use.

LOT. Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.

MAINTENANCE. The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, size or structure of the sign.

MANSARD. A slope roof or roof-like structure of rigid materials supported by and extending from the façade of a building.

MARQUEE. Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building without additional supports; unlike a canopy, a marquee generally has more than one (1) foot of vertical or wall space between the bottom of it (which serves as an outdoor cover) and the top of it (which serves as a roof). See also “canopy” and “awning.”

MARQUEE SIGN. A sign painted on or attached to the face of a marquee, which is attached to the principal structure on the lot.

MESSAGE CENTER. A sign, or portion of a sign, on which the message changes, mechanically or electronically, more than eight (8) times per day but no more often than one time every five (5) seconds. If any portion of a sign changes more often than one time every five (5) seconds, it shall be considered an animated sign.



**NAMEPLATE.** A nonelectric, on premises identification sign that gives only the name, address, and/or occupation of an occupant or group of occupants.

**NONCONFORMING SIGN.** Any sign that was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations; or a sign that does not conform to these regulations but for which a special permit has been issued.

**OCCUPANCY.** The portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

**OFF-PREMISE SIGN.** A permanent or temporary sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g. billboards.

**901.02**

**9**

**ON-PREMISE SIGN.** A sign that pertains to the use of the premises on which it is located.

**OWNER.** A person recorded as such on official records. For the purpose of this Section, the owner of the property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the Responsible Authority, e.g. a sign leased from a sign company.

**PAINTED WALL/WINDOW SIGN.** Any sign which is applied with paint or a similar substance on the face of the wall or window.

**PARAPET.** The extension of a false front or wall above a roof line.

**PENNANT.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**PERMANENT SYMBOL.** A permanent tag with the Village of LaGrange Permit Number and Village Name to be placed in a visible place on the sign premise.

**PERSON.** Any association, company, corporation, firm, organization, or partnership, or other with a defined interest, either singular or plural, of any kind.

**POLE COVER.** A cover enclosing or decorating poles or other structural supports of a sign.

**PORTABLE SIGN.** Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to,

signs designed to be transported by means of wheels; signs made as A-frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for commercial messages; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

PREMISES. A parcel of land, with its appurtenances and buildings, which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

PRINCIPAL BUILDING. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

PROJECTING SIGN. Any sign, other than a flat wall sign, attached to and projects from a building wall or other structure not specifically designated to support the sign, and which extends laterally/perpendicular more than 18 inches from the face of such wall or 10  
901.02

other structure.

REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

RESIDENTIAL SIGN. A sign, typically located in a district zoned for residential use, meeting the standards of this Ordinance for a residential sign, and containing no commercial message.

RESPONSIBLE AUTHORITY. The individual or governing body responsible for reviewing and/or approving or disapproving a request.

ROOFLINE. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

ROOF SIGN. A sign that is placed above or supported on the top of a building.

ROOF SIGN, INTEGRAL. Any sign erected and constructed as an integral or essential integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

ROTATING SIGN. A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

SEPARATELY ILLUMINATED. Shall mean that a sign has its own lighting source, whether affixed to the sign or directed at the sign. A sign which is incidentally lit by streetlights, porch lights, parking lot lights or other lawful lights serving purposes other than lighting a sign shall not be considered "separately illuminated."

SETBACK. The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

SIGHT TRIANGLE (or HORIZONTAL SIGHT DISTANCE). On any corner lot on which a front yard and exterior side yard are required, no wall, fence, sign, other structure, vehicle, or plant growth having a height in excess of three (3) feet above the elevation of the lowest point of the crown of the adjacent roadway shall be maintained in a triangle formed by measuring a distance of twenty-five (25) feet along both property lines from their point of intersection and connecting the points so established to form a triangle except, however, that a single pole eighteen (18) inches or less in diameter supporting a permitted sign, or a single-tree trunk may be placed in a sight triangle, provided that the bottom of the sign or lowest tree branch when mature is at least twelve (12) feet above the elevation of the lowest point of the crown of the adjacent roadway.

SIGN. Any device, structure, fixture, placard, painting, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announces the purpose of, or **901.02** **11**

identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition shall include product dispensers where applicable.

SIGN PERMIT. The official written approval for the creation, erection or construction of a sign issued by the Village of LaGrange.

SNIPESIGN. A temporary sign or poster affixed to a tree, utility pole, fence, etc.

STREET. A strip of land or way subject to vehicular traffic, as well as pedestrian traffic, that provides direct or indirect access to property, including but not limited to alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

STREET FRONTAGE. The distance for which a lot line of a zone lot adjoins a public street from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

SUBDIVISION IDENTIFICATION SIGN. Any ground-mounted freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential complex.

SUSPENDED SIGN. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

TEMPORARY SIGN. Any sign that is used only temporarily and is not permanently mounted.

TRAFFIC CONTROL SIGN. Any traffic control sign, as defined in the Manual of Uniform Traffic Control Devices, as published by the Ohio Department of Transportation, under authority of Ohio R.C. 4511.09.

UNDER-CANOPY SIGN. A sign which suspends beneath a canopy, ceiling, roof or marquee. (See "Marquee Sign".)

USE. The purpose for which a building, lot, sign or structure is intended, designed, occupied, or maintained.

WALL SIGN. Any sign attached parallel to, but within ten (10) inches of a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

WINDOW SIGN. A sign painted on, attached to or suspended directly behind or in front of a window or the glass portion of a door and which sign can be viewed from the outside.

YARD SIGN. A temporary sign erected on a lawn, the ground or the driveway of a **12 901.02** premises.

ZONE LOT. A lot or other parcel of land in single ownership that is large enough to meet minimum zoning requirements for area, coverage, and use and that can provide such yards and other open spaces required by the zoning ordinance.

## B. Rules of Interpretation

Words and phrases used in this Section shall have the meanings set forth in the Zoning Code. Principles for computing sign area and sign height are given in the next Section. All other words and phrases shall be given their common, ordinary meanings, unless the context clearly requires otherwise. Headings or captions are for reference purposes only and shall not be used in the interpretation of this Section.

## C. Computations

### 1. Computation of Sign Area of Individual Signs

a. Area to be included

The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign.

b. Signs attached to walls

Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, wall or window, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the building.

2. Computation of Height

The height of a sign shall be computed as the distance from the base of the sign at the computed grade to the top of the highest attached component of the sign. The computed grade shall be the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

**901.03 GENERAL PROVISIONS**

A. The following regulations shall apply to the display of all signs in the Village:

**901.03** **13**

1. No sign shall be erected unless it is in compliance with the regulations of the Section.
2. Signs must be constructed in compliance with any applicable regulations of the Village's Building Code and any applicable State Building and Fire codes.
3. All signs shall be properly maintained. Exposed surfaces shall be clean and painted, if paint is required. Defective parts shall be replaced. The Responsible Authority shall have the right to order the repair or removal of any sign that is defective, damaged or substantially deteriorated. The property owner, agent, or the person having the beneficial use of the premises shall be responsible for all costs for such repair or removal.
4. Any sign, retractable canopy or awning which advertises a business no longer being conducted or a product no longer being sold on the premises to which the

sign relates constitutes a public nuisance and such sign shall be taken down and removed by the owner, agent or person having the beneficial use of the premises upon which such sign is found. Such sign shall be removed within ten (10) days after written notice from the Responsible Authority or the sign may be removed by the Responsible Authority or his or her authorized representative and the costs shall be charged to the owner, agent or person having the beneficial use of the premises on which such sign is found. If charges are not paid within thirty days of billing, they shall be placed as a lien on the property at the direction of the Village of LaGrange Council.

5. No sign shall obstruct or interfere with traffic of traffic visibility, or resemble or imitate signs or signals erected by the Village or other governmental agency for the regulation of traffic or parking.
6. Signs may be illuminated, except temporary signs, by either external or internal sources of light except where otherwise prohibited in this Section. However, no illuminated sign shall be permitted, any part of which flashes on or off or displays changing degrees of intensity (this does not apply to holiday, religious or automatic changeable copy signs). This regulation applies to signs located outside buildings, and to window signs inside the buildings that are meant to be seen from the outside.
7. No sign, whether freestanding, ground mounted or attached to a building or other structure, may project over any public street, sidewalk or other public right-of-way, except as expressly permitted in this Section.
8. No sign, with the exception of governmental signs, shall be placed, displayed or erected in the public right-of-way or on public property.
9. No snipe signs shall be placed, erected, or displayed within the Village.
10. No light source for illuminated signs shall be of such brightness as to constitute a

**14**

**901.03**

hazard to pedestrian, air, or vehicular traffic.

11. Unless otherwise specified by this Section, any sign herein allowed may use manual or automatic changeable copy.
12. Clearance of overhead utilities shall be in conformance with the National Electrical Code and all local utility standards.
13. Window signs are permitted, provided that the window sign is located in a building where commercial or industrial use is permitted as a principal use. No window sign shall advertise products or services not provided or for sale on the premises except

temporary special event signs for non-profit and civic functions and political candidates.

14. No sign shall be erected or placed on any property without the written consent of the property owner.
15. No sign shall be placed where it blocks or impedes sight lines for any person, pedestrian, or operator of a motor vehicle on a public right-of-way, driveway or sidewalk.
16. No sign shall imitate or resemble official traffic or governmental signs or signals.
17. No sign shall be solid red, green, or yellow.

## 901.04 RESIDENTIAL DISTRICTS

Signs shall be permitted in residential districts R-1, R-2, and R-3, in accordance with the following regulations:

### A. Dimensional Standards

#### 1. Sign Height

- a. Except as otherwise provided for particular types of signs, the maximum sign height in these districts shall be five feet.

#### 2. Setback

- a. Any detached non-political sign shall be set back at least five feet from the right-of-way and shall be set back from any other lot line by the same setback distance applicable to a building or structure.

#### 3. Sign Area

- a. An attached sign in these districts shall not exceed two square feet in sign area.
- b. A detached sign in these districts shall not exceed two square feet in sign area.

#### 4. Number

- a. There shall be no more than one sign on one lot at one time.

#### 5. Bulletin boards

- a. An informational sign shall be permitted for churches.

### B. Signs Allowed without a Permit

The following signs shall be allowed without a permit:

#### 1. Building Markers and Memorial Signs

- a. Such signs shall not exceed two square feet in area;
- b. Such signs shall contain no commercial message;



- c. Such signs shall be permanently affixed to or made part of the building; and
- d. There shall be only one such sign on any building.

2. Flags

- a. There shall be no more than two flagpoles on any lot.
- b. There shall be no more than two flags per pole.
- c. No American Flag shall be larger than fifty (50) square feet.
- d. No flag, other than the American Flag, shall be over 5 feet in its largest dimension.
- e. No flag may contain a commercial message or company logo.
- f. No flagpole shall exceed 25 feet in height.
- g. The American Flag and the Flag of the State of Ohio are not included in signage area.

3. Incidental Signs

- a. Incidental signs may carry any type of information, except a commercial message, and may include any of the following:
  - i. Signs that provide direction or instruction, do not in any way carry a commercial message and do not exceed two square feet in area. Examples include signs identifying rest rooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs.

- a. One real estate sign on any lot or parcel shall be allowed, provided such sign is located entirely on the property to which the sign applies, is not directly illuminated, does not exceed four square feet in area on any residential lot, does not display any commercial message other than that of the real estate agency, and is removed within seven days after the sale, rental or lease has been accomplished.
- b. One Rummage/Garage Sale sign shall be allowed, provided such sign is located entirely on the property to which the sign applies, is not directly illuminated, does not exceed four square feet in area on any residential lot,

does not display any commercial message other than that of the sale, and is removed at the end of the sale.

c. House numbers, plaques, nameplates and signs indicating the name of the

**901.04**

**17**

occupant shall be allowed and shall not exceed two square feet.

#### 5. Political Signs

- a. Political signs and other signs bearing a noncommercial message regarding an issue of public interest, a candidate, a campaign or other public matter, are permitted in all zones, subject to the following:
- b. In Residential zones, the size of a political sign shall not exceed four square feet and such signs shall be set back from the right-of-way by at least two feet.
- c. There shall not be more than one political sign for a particular issue or candidate on a single lot.
- d. A political sign that relates to a particular candidacy, ballot issue or other subject matter of an election shall not be placed more than thirty days before the election and shall be removed within 10 days after such election.

#### C. Signs Allowed with a Sign Permit

The following signs shall be allowed only upon issuance of a sign permit:

##### 1. Construction or Development Signs

- a. The Responsible Authority may issue a sign permit for a temporary sign in any Residential district in connection with the marketing of lots or structures in a subdivision, subject to the following conditions:
  - i. Such sign shall be built and maintained in compliance with the area, height and setback requirements for a detached sign.
  - ii. The sign area shall not exceed (32) thirty-two square feet.
  - iii. Two-faced signs must have an angle of 60 degrees or less to be considered as one face for area.
  - iv. Permits may be issued for a period not to exceed one year. The

Responsible Authority may renew such permit when a developer is actively marketing the development. Each permit shall be reviewed upon written application at least thirty days prior to its expiration.

2. Neighborhood Identification (Subdivision) Signs

I similar a. In any single family zone, a sign, masonry wall, landscaping and other

materials or features may be combined to form a display for neighborhood or tract identification provided that the legend of such sign or display shall consist only of the neighborhood or tract name. Such sign shall be not more than (32) thirty-two square feet in area and not more than (6) six feet in height. Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness to cause glare that is hazardous to pedestrians or drivers of vehicles, or to cause reasonable objections from adjacent residential districts.

D. Illumination

1. Signs in these districts shall not be separately illuminated unless part of the signage for a sales office, model home or subdivision monument.

E. Signs for Institutional and Public Uses

1. Signs shall be permitted at institutional and public uses as follows:

a. In residential zoning districts, an institutional ground sign shall be permitted on the same site as any building constructed for worship, school, hospital or other institution which is a permitted use in that location, subject to the following:

- i. Such sign shall not exceed 42 inches in height.
- ii. Such sign shall not exceed 24 square feet in area per side.
- iii. Up to thirty percent of the surface area on each side of the sign may be a manual changeable copy sign.
- iv. Such signs may be illuminated by internal illumination or by direct white light.

F. Temporary Signs

1. Temporary signs other than those identified by this section are prohibited.

## 901.05 MULTI-FAMILY RESIDENTIAL DISTRICTS

Signs shall be permitted in multi-family residential districts in accordance with the following regulations:

### A. Dimensional Standards

#### 1. Sign Height

- a. The maximum sign height in these districts shall be five feet except for 901.05  
19

neighborhood identification, which may be six feet high.

#### 2. Setback

- a. Any detached sign shall be set back at least ten feet from the right-of-way line and shall be set back from the side and rear lot lines by the same setback distance applicable to a building or structure.

#### 3. Sign Area

- a. An attached sign in these districts shall not exceed four square feet in sign area. A detached sign in these districts shall not exceed six square feet in sign area. The combined area of signage shall not exceed eight square feet.

#### 4. Number

- a. There shall be no more than one detached sign on one lot at one time, excluding political signs and rummage/garage sale signs.

### B. Signs Allowed without a Permit

#### 1. The following signs shall be allowed without a permit:

- a. Building Markers and Memorial Signs
  - i. Such signs shall not exceed two square feet in area.
  - ii. Such signs shall contain no commercial message.

- iii. Such signs shall be made of permanent material, such as bronze, masonry, or other incombustible material and shall be permanently affixed to or made part of the building.
- iv. There shall be only one such sign on any building.      b.

Flags

- i. There shall be no more than two flagpoles per principal building on any lot;
- ii. There shall be no more than two flags per pole.      iii. No American Flag shall be larger than fifty (50) square feet.
- iv. No flag, other than the American Flag, shall be larger than five feet in its largest dimension.

**20**

**901.05**

- v. No flag may contain a commercial message or company logo.
- vi. No flagpole shall exceed 25 feet in height.
- vii. The American Flag and the Flag of the State of Ohio are not included in signage area.
- c. Incidental Signs
  - i. Incidental signs may carry any type of information, except a commercial message, and may include any of the following:
  - ii. Signs that provide direction or instruction, do not in any way carry a commercial message and do not exceed two square feet in area. Examples include signs identifying rest rooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs; and those of a similar nature.
- d. Residential Signs
  - i. One real estate sign on any lot or parcel shall be allowed, provided such sign is located entirely on the property to which the sign applies, is not directly illuminated, does not exceed four square feet in area on any residential lot, does not display any commercial message, and is removed within seven days after the sale, rental or lease has been accomplished.

- ii. One rummage/garage sale sign on any lot or parcel shall be allowed, provided such sign is located entirely on the property to which the sign applies, is not directly illuminated, does not exceed four square feet in area on any residential lot, does not display any commercial message, and is removed at the end of the sale.
  - iii. House number signs, plaques, nameplates and signs indicating the name of the occupant or location not exceeding two square feet in area for each residential building and not displaying any commercial messages, shall be allowed and must not exceed two square feet.
- e. Political Signs
- i. Political signs and other signs bearing a noncommercial message regarding an issue of public interest, a candidate, a campaign or other public matter, are permitted in all zones, subject to the following:
  - ii. In Residential zones, the size of a political sign shall not exceed four square feet and such signs shall be set back from lot lines by at least two feet.

**901.05**

**21**

- iii. There shall not be more than one political sign for a particular issue or candidate on a single lot or apartment address.
- iv. A political sign that relates to a particular candidacy, ballot issue or other subject matter of an election shall not be placed more than thirty days before the election and shall be removed within ten days after such election.

C. Signs Allowed with a Sign Permit

1. The following signs shall be allowed only upon issuance of a sign permit:

a. Construction or Development Signs

- i. The Responsible Authority may issue a sign permit for a temporary sign in any Residential district in connection with the marketing of lots or structures in a subdivision, subject to the following conditions:
  - 1) Such sign shall be built and maintained in compliance with the area, height and setback requirements for a detached sign.
  - 2) The sign area shall not exceed (32) thirty-two square feet.
  - 3) Two-faced signs must have an angle of 60 degrees or less to be considered as one face for area.

- 4) Such permits may be issued for a period not to exceed one year. The Responsible Authority may renew such permit when a developer is actively marketing the development. Each permit shall be reviewed upon written application at least thirty days prior to its expiration.

b. Identification Signs

- i. One identification sign for each developed parcel not exceeding six square feet in any residential district shall be allowed.
- ii. Such sign may be detached if it does not exceed a height of six feet in a residential district nor project into any required building setback area.
- iii. No height limit is specified for identification signs placed flat against or painted on the wall of a building provided that the signs are in compliance with all other provisions of this Section.
- iv. The top of such sign must be placed below the lowest edge of the roofline. c.

Directory Signs

- i. Directory signs shall be permitted where a particular site includes more than one tenant or occupant, subject to the following conditions:
  - ii. One directory sign may be located near the principal entrance to a parking area for individual multi-family residential buildings, as shown on an approved Master Signage Plan. Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up to and read the directory without impeding traffic on any driveway or entrance serving the development.  
Such sign may contain an unlimited number of pieces of information, but letters shall not be more than three inches in height and shall not be legible from any public right-of-way.

d. Neighborhood Identification Signs

- i. In a multifamily zone, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification, provided that the lettering of such sign or display shall consist only of the neighborhood or tract name. Such sign shall be not more than thirty-two square feet in area and not more than five feet in height.

- ii. Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness to cause glare which is hazardous to pedestrians or drivers of vehicles, or to cause reasonable objections from adjacent residential districts.

D. Illumination

- 1. Signs in these districts may be exterior illuminated only by direct, white light.

E. Signs In Institutional and Public Uses

- 1. Signs shall be permitted at institutional and public uses as follows:
  - a. In residential zoning districts, an institutional ground sign shall be permitted on the same site as any house constructed for worship, school, hospital or other institution which is a permitted use in that location, subject to the following:
    - i. Such sign shall not exceed 42 inches in height.
    - ii. Such sign shall not exceed 24 square feet in area per side.
    - iii. Up to thirty percent of the surface area on each side of the sign may be a changeable copy sign.
    - iv. Such signs may be illuminated by internal illumination or by direct white light.

**901.05**

**22 A**

F. Temporary Signs

- 1. Temporary signs other than those identified by this section are prohibited.

**901.06**

**23**

**901.06 CENTRAL BUSINESS DISTRICT AND GENERAL BUSINESS DISTRICT**

Signs shall be permitted in the CB-1, Central Business District and GB-1, General Business District, in accordance with the following regulations:

A. Dimensional Standards

- 1. Sign Height
  - a. The maximum sign height in these districts shall be six feet for a freestanding sign from the ground to the top of the sign.



b. The maximum sign height for a wall sign shall be 25 feet and shall not exceed the roof line or parapet.

2. Setback

A detached sign in this district shall be set back at least five feet from the front lot line and shall be set back at least 5 feet from any side or rear lot lines.

3. Sign Area

An attached sign in this district shall not cover more square footage than 1.75 times the lineal front feet of the building. A detached sign in these districts shall not exceed 32 square feet in sign area.

4. Sign Area on State Route (placed within thirty feet of the right-of-way)

An attached sign in these districts shall not exceed twenty (20) square feet. A detached sign in these districts shall not exceed fifteen (15) square feet in sign area in a four by four foot area with only one side of sign counted for square footage provided sign faces are 60 degrees or less separation. Total signage area shall not exceed 200 square feet per lot.

B. Signs Allowed without a Permit

The following signs shall be allowed without a permit:

1. Building Markers and Memorial Signs

- a. Such signs shall not exceed two square feet in area.
- b. Such signs shall contain no commercial message.
- c. Such signs shall be made of permanent material, such as bronze, masonry, or other non-combustible material and shall be permanently affixed to or made

**24**

**901.06**

part of the building.

- d. There shall be only one such sign on any building.

2. Flags

- a. There shall be no more than two flagpoles per principal building on any lot.
- b. There shall be no more than two flags per pole.

- c. No American Flag shall be larger than fifty square feet.
- d. No flag, other than the American Flag, shall be larger than five feet in its largest dimension.
- e. A flag may contain a company logo but not a commercial message.
- f. No flagpole shall exceed 25 feet in height.
- g. The American Flag and the Flag of the State of Ohio are not included in signage area.

3. Political Signs

- 1. Political signs and other signs bearing a noncommercial message regarding an issue of public interest, a candidate, a campaign or other public matter, are permitted, subject to the following:
  - a. The size of a political sign shall not exceed six square feet and such signs shall be set back from lot lines by at least two feet.
  - b. There shall not be more than one political sign for a particular issue or candidate on a single lot.
  - c. A political sign that relates to a particular candidacy, ballot issue or other subject matter of an election shall be placed no sooner than 30 days before an election and shall be removed within 10 days after such election.

C. Signs Allowed with a Sign Permit

The following signs shall be allowed only upon issuance of a sign permit:

1. Awning Sign

- a. An awning sign shall cover only the drop portion of the awning surface and

**901.06**

**25**

the drop area shall not be more than 12" in height.

- b. Letter height shall not exceed eight inches.

2. Canopy or Marquee Signs

- a. The area of copy may be one square foot per linear foot of canopy front and sides.
- b. Copy area or any part of copy area allowed for one facing cannot be added to that allowed for other facings.
- c. Such sign shall be a minimum height limit of nine feet between bottom edge of sign and surface of sidewalk.
- d. Copy may be installed above, on the face of, or below the canopy proper.
- e. Copy area shall be computed on the total of the sign face.
- f. No portion of any canopy sign shall be closer than two feet to a vertical line from the curb face.
- g. Letter height shall not exceed eight inches.

### 3. Construction or Development Signs

The Responsible Authority may issue a sign permit for a temporary sign in any Central Business or General Business District in connection with the marketing of lots or structures in a subdivision, subject to the following conditions:

- a. Such sign shall be built and maintained in compliance with the area, height and setback requirements for signs as follows:
  - i. Sign Height
    - 1) The maximum sign height in these districts shall be six feet for a freestanding sign from the ground to the top of the sign.
    - 2) The maximum sign height for a wall sign shall be 25' and shall not exceed the roof line or parapet.
  - ii. Setback
    - 1) A detached sign in this district shall be set back at least five feet from the front lot line and shall be set back at least 5 feet from any side or rear lot lines.

### iii. Sign Area

- 1) An attached sign in this district shall not cover more square footage than 1.75 times the lineal front feet of the building. A detached sign in these districts shall not exceed 32 square feet in sign area.
- b. Such permits may be issued for a period not to exceed one year. The Responsible Authority may renew such permit when a developer is actively marketing the development. Each permit shall be reviewed upon written application at least thirty days prior to its expiration.
- c. The sign must be located on the property to which it relates.
- d. Letter height shall not exceed fourteen inches.

#### 4. Directory Signs

Directory signs shall be permitted where a particular site includes more than one tenant or occupant, subject to the following conditions:

- a. One directory sign may be located at the principal entrance to a parking area for office buildings or business parks, as shown on an approved Master Signage Plan. Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up to and read the directory without impeding traffic on any driveway or entrance serving the development. Such sign may contain an unlimited number of pieces of information, but letters shall not be more than three inches in height and shall not be legible from any public right-of-way. Such sign may not exceed eight square feet in area and six feet in height when in conjunction with an office building or business park.

#### 5. Ground Sign

- a. Each ground sign shall include the address of each business identified on such sign. The area reserved for the address shall be in addition to the area otherwise permitted for such ground sign.
- b. A ground sign shall display a principal message of no more than three lines; it may also include symbols, action information, arrows and exit numbers where there is room on the sign.
- c. For a single-occupancy property, there shall be only one ground sign per principal entrance to the project, provided that no two ground signs shall be within 300 feet of each other on the same property, as defined on an approved Master Signage Plan and letter height shall not exceed ten inches.

- d. For a multi-occupant project, there shall be only one ground sign plus one additional ground sign for either of the following: street frontage on a second street, provided that the frontage on that Street is at least 150 feet in length and that an actual entrance to the project is permitted on such street; and for every 300 feet of frontage on any one street in excess of 300 feet and letter height for the name of the complex shall not exceed 18" and 10" inches for the names of the occupants.

#### 6. Under-canopy Sign

- a. Under-canopy signs shall be permitted under canopies attached to buildings at entrances to businesses or other users under that canopy.
- b. There may be one under-canopy sign per entrance, and the under-canopy sign may have copy on both sides.
- c. An under-canopy sign shall not exceed two square feet in face area on one side for a maximum of four square feet.
- d. A maximum letter height of six inches shall be permitted on such a sign.
- e. The bottom edge of each under-canopy sign shall be a minimum of eight feet from the surface of the sidewalk and shall be mounted as nearly as possible to a right angle to the building face.
- f. An under-canopy sign shall not be separately illuminated.

#### 7. Wall Signs

- a. A wall sign may be installed or painted only on a building wall of a principal building.
- b. An attached sign in this district shall not cover more than 1.75 times the lineal frontage of the building. All sign elements shall be measured as a single sign, applying the following principles:
  - i. Area to be included
    - 1) The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign.

- c. Signs attached or painted on walls or windows.

- i. Where a sign consists of individual letters, words or symbols attached or painted on a surface, building, canopy, awning, wall or window, the sign area shall be the area of the smallest rectangle that completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the building.
- d. On a multiple-occupancy building, there may be a separate sign for each separate entrance regularly used by the general public on each wall, and each of those shall be measured separately. Each building occupant shall be limited to 1.75 times the occupant's frontage in square footage for signage. Total signage for building shall not exceed 200 square feet. If the occupant does not occupy any building frontage, the lineal frontage shall be shared by the front to back tenants when determining signage square footage.
- e. On the front of a single or multi-story building, the sign shall be located between the first floor door lintel and the parapet or the top of the wall of that building, however, in the case of multiple occupancies, the signs shall be enclosed in a single imaginary rectangle which shall not exceed 1.75 times the lineal frontage of the building or 200 square feet, whichever is less.
- f. On the sides and rear of the building, the sign may be located anywhere; however, in the case of multiple occupancies, the signs shall be enclosed in a single imaginary rectangle which shall not exceed 1.75 times the lineal frontage of the building or 200 square feet, whichever is less.
- g. The square footage of all signs shall be added together to determine the total square footage of signs for the building.
- h. Letter height shall not exceed 12 inches.
- i. Where a wall of a building in a Central Business District or a General Business District faces and is within 100 feet of a residential zoning district, the following size and lighting limitations shall apply to the sign(s) on that wall only:
  - i. Such sign shall not exceed 42 inches in height.
  - ii. Such sign shall not exceed 24 square feet in area per side.
  - iii. Such signs may be illuminated by internal illumination by direct white light.

## 9. Incidental Signs

Incidental signs may carry any type of information, except a commercial message, and may include any of the following:

**901.06**

**29**

- a. Signs that provide direction or instruction, do not in any way carry a commercial message and do not exceed two square feet in area. Examples include signs identifying rest rooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs.
  - b. One directional sign is permitted near each driveway. The area of each sign may not exceed two square feet and the maximum permitted height shall be three feet or mounted on the ground low enough so not to cause sight problems for motorists.
- D. Signs in these districts may be externally or internally illuminated and may not include exposed neon tubes or exposed bulbs as part of the sign.

**30**

**901.07**

### **901.07 INDUSTRIAL DISTRICTS**

Signs shall be permitted in the LI-1 and GI-1 Industrial districts, in accordance with the following regulations:

#### A. Dimensional Standards

1. Detached Sign Height
  - a. The maximum sign height in these districts shall be five feet.
2. Setback
  - a. Any detached sign shall be set back at least the following distances from lot lines: five feet from the right-of-way, at a minimum of one foot from the sidewalk on the property side; 25 feet from side lot line; 50 feet from rear lot line. Where property abuts a residential district, side set back shall be 100 feet from side lot line that abuts the residential district.
3. Sign Area on State Route (placed within fifty feet of right-of-way)
  - a. An attached sign in these districts shall not exceed twenty (20) square feet. A detached sign in these districts shall not exceed fifteen (15) square feet in

sign area with only one side of sign counted for square footage provided sign faces are 60 degrees or less separation. Total signage area shall not exceed twenty (20) square feet per lot.

4. Sign Area

- a. An attached sign in these districts shall not exceed 1.5 times the lineal frontage of the building limited by a maximum of 200 square feet in sign area. A detached sign in these districts shall not exceed 32 square feet in sign area with only one side of sign counted for square footage provided sign faces are 60 degrees or less separation. Total signage area shall not exceed 200 square feet per lot.

5. Number

- a. For a multi-occupant project, there shall be only one ground sign plus one additional ground sign for either of the following: street frontage on a second street, provided that the frontage on that street is at least 150 feet in length and that an actual entrance to the project is permitted on such street; and for every 300 feet of lot frontage on any one street in excess of 300 feet.

B. Signs Allowed without a Permit

The following signs shall be allowed without a permit:

**901.07**

**31**

1. Building Markers and Memorial Signs

- a. Such signs shall not exceed two square feet in area.
- b. Such signs shall contain no commercial message.
- c. Such signs shall be made of permanent material, such as bronze, masonry, or other incombustible material and shall be permanently affixed to or made part of the building.
- d. There shall be only one such sign on any building.

2. Flags

- a. There shall be no more than three flagpoles per principal building on any lot.
- b. There shall be no more than two flags per pole.
- c. No American Flag shall be larger than 50 square feet.



- d. No flag, other than the American Flag, shall be larger than five feet in its largest dimension.
- e. A flag may contain a company logo but may not contain a commercial message.
- f. No flagpole shall exceed 25 feet in height.
- g. The American Flag and the Flag of the State of Ohio are not included in signage area.

### 3. Incidental Signs

Incidental signs may carry any type of information, except a commercial message, and may include any of the following:

- a. Signs that provide direction or instruction do not in any way carry a commercial message and do not exceed two square feet in area. Examples include signs identifying rest rooms, suite number, address, public telephones, walkways or signs providing direction such as parking lot entrance and exit

signs.

### 4. Political Signs

Political signs and other signs bearing a noncommercial message regarding an

**32**

**901.07**

issue of public interest, a candidate, a campaign or other public matter, are permitted, subject to the following:

- a. The size of a political sign shall not exceed six square feet and such signs shall be set back from lot lines by at least two feet.
- b. There shall not be more than one political sign for a particular issue or candidate on a single lot.
- c. A political sign that relates to a particular candidacy, ballot issue or other subject matter of an election shall be placed no sooner than 30 days before an election and shall be removed within 10 days after such election.

### C. Signs Allowed with a Sign Permit

The following signs shall be allowed only upon issuance of a sign permit:

1. Construction or Development Signs

a. The Responsible Authority may issue a sign permit for a temporary sign in any nonresidential district in connection with the marketing of lots or structures in a subdivision, subject to the following conditions:

i. Such sign shall be built and maintained in compliance with the dimensional standards of this section.

ii. Such permits may be issued for a period not to exceed one year. The Responsible Authority may renew such permit when a developer is actively marketing the development. Each permit shall be reviewed upon written application at least thirty days prior to its expiration.

2. Ground Sign

a. Each ground sign shall include the address of each business identified on such sign. The area reserved for the address shall be included in the area permitted for such ground sign.

b. A ground sign shall display a principal message of no more than three lines; it may also include symbols, action information, arrows and exit numbers

where there is room on the sign.

c. For a single-occupancy property, there shall be only one ground sign per principal entrance to the project, provided that no two ground signs shall be within 300 feet of each other, as defined on an approved Master Signage Plan, which was approved by the Planning Commission for new construction or was approved by the Board of Zoning Appeals for existing construction.

**901.7**

**33**

d. For a multi-occupant project, there shall be only one ground sign plus one additional ground sign for either of the following: street frontage on a second street, provided that the frontage on that street is at least 150 feet in length and that an actual entrance to the project is permitted on such street; and for every 300 feet of frontage on any one street in excess of 300 feet, as defined on an approved Master Signage Plan, which was approved by the Planning Commission for new construction or was approved by the Board of Zoning Appeals for existing construction.

e. Lettering shall not exceed fourteen inches in height.

3. Temporary Signs

a. Temporary signs, which include, but are not limited to, banners, pennants, searchlights and inflatable signs, shall be permitted as specified below:

- i. One temporary sign not exceeding 32 square feet in copy area may be erected or installed for new businesses during their first 6 months of existence in an industrial district. Such sign shall not be located within the public right-of-way and shall conform to all applicable setback and side yard requirements. The sign shall be permitted one time for a maximum period of 60 days.
- ii. Pennants and banners may be used in an industrial district at the opening of a new business for up to six months or special event of an existing business for a period not to exceed sixty days per year and shall be allowed in conjunction with an open house or model demonstration conducted by a realtor not to exceed a total period of thirty days.
- iii. Banners are permitted subject to the following limitations:
  - 1) A banner shall not exceed 32 square feet.
  - 2) A banner may be installed on a building, an existing light post or other structural element serving another purpose on the property  
  
but may not have its own pole or separate ground support.

4. Under-canopy Sign

- a. Under-canopy signs shall be permitted under canopies attached to buildings at entrances to businesses or other users under that canopy.
- b. There may be one under-canopy sign per entrance, and the under-canopy sign may have copy on both sides, with only one side counted as square footage.

- c. An under-canopy sign shall not exceed two square feet in face area on one side.
- d. A maximum letter height of nine inches shall be permitted on such a sign.
- e. The bottom edge of each under-canopy sign shall be a minimum of eight feet from the surface of the sidewalk and shall be mounted as nearly as possible to a right angle to the building face.
- f. An under-canopy sign shall not be separately illuminated.

## 5. Wall Signs

### a. Industrial

- i. A wall sign may be installed or painted only on a building wall of a principal building.
  - ii. No wall sign shall cover more of the wall than the percentage limitation.
  - iii. On a single-occupancy building, all sign elements on a single wall shall be measured as a single sign.
  - iv. On a multiple-occupancy building, there may be a separate incidental sign for each separate entrance regularly used by the general public on each wall, and each of those shall be measured separately.
  - v. On the front of a single or multi-story building, the sign shall be located between the first floor door lintel and the parapet of that building; however, in the case of multiple occupancies, the signs shall be enclosed in a single imaginary rectangle that shall conform to the area limits for this district.
  - vi. On the sides and rear of the building, the sign may be located anywhere; however, in the case of multiple occupancies, the signs shall be enclosed in a single imaginary rectangle which shall conform to the area limits for this district.
- b. Where a wall of a building in an industrial district faces and is within 100 feet of a residential zoning district, the size and lighting limitations the following rules shall apply to the sign(s) on that wall only:
- i. The sign shall not exceed 24 square feet in area.
  - ii. The sign may be illuminated by internal illumination, by direct white light or by other means.

## 6. Directory Signs

Directory signs shall be permitted where a particular site includes more than one tenant or occupant, subject to the following conditions:

- a. One directory sign may be located near the principal entrance to a parking area for individual office buildings or business parks, as shown on an approved Master Signage Plan. The sign shall be located away from any public right-

ofway, so that drivers can conveniently pull up to and read the directory without impeding traffic on any driveway or entrance serving the development. The sign may contain an unlimited number of pieces of information, but letters shall not be more than three inches in height and shall not be legible from any public right-of-way. The sign may not exceed eight square feet in area and six feet in height. Under no circumstances shall the directory sign for an office building or business park be separately illuminated.

D. Illumination

Signs in these districts may be externally or internally illuminated but shall not include exposed neon tubes or exposed bulbs as part of the sign.

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**901.08 INSTITUTIONAL AND PUBLIC USES**

Signs shall be permitted at institutional and public uses as follows:

A. In Residential Districts

In residential zoning districts, an institutional ground sign shall be permitted on the same site as any house constructed for worship, school, hospital or other institution which is a permitted use in that location, subject to the following:

1. Such sign shall not exceed 42 inches in height.
2. Such sign shall not exceed 24 square feet in area per side.
3. Up to thirty percent of the surface area on each side of the sign may be a changeable copy sign.
4. Such signs may be illuminated by internal illumination by direct white light.

B. In Non-residential Districts

In nonresidential zoning districts, an institution may elect to erect the ground sign that would be permitted to a business in the same location, or it may elect to erect the institutional sign permitted under these provisions, but it may not erect or maintain both.

**901.09 SIGNS EXEMPT FROM REGULATION**

- A. The following types of signs shall be exempt from regulation under this Section:

- Any sign inside a building, not attached to a window or door that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located.
- 2. Works of art that do not include a commercial message.
- 3. Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of, a public officer in the performance of his public duty.
- 4. Official notices posted by public officers or employees in the performance of their duties.
- 5. Signs required or specifically authorized for a public purpose by any law, statute or section; which may be of any type, number, area, height above grade, location, illumination, or animation, required by the law, statute or Section under **901.08 37** which the signs are erected.
- 6. Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary, to be removed upon subsidence of danger.
- 7. Traffic control signs on private property, such as Stop, Yield, and similar signs, the faces of which meet Department of Transportation standards and which contain no commercial message of any sort.

#### **901.10 HOLIDAY SIGNS AND DECORATIONS**

Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than 30 consecutive days for any holiday. Such signs shall comply with the sign ordinance for the zoning district in which they are placed.

#### **901.11 PROHIBITED SIGNS**

- A. The following types of signs are expressly prohibited in all districts, except as otherwise provided by this section:
  - 1. No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other means not providing constant illumination.

This does not apply to electronic message centers that are specifically permitted in some commercial districts.

2. The tacking, pasting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, on trees, poles, posts, fences or other structures is prohibited unless otherwise permitted by this section.
3. Except as otherwise provided in this Section, no sign or any portion thereof shall be permitted which moves or assumes any motion constituting a nonstationary or fixed condition except for the rotation of barber poles, permissible changing signs or permissible multi-prism units. Indexing multi-prism units shall not exceed a speed of two complete revolutions every twenty seconds.
4. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located, shall be prohibited. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located, shall be removed within sixty days and/or blank no copy panels inserted.
5. No person shall park any vehicle or trailer on a public right-of-way or public

property or on private property so as to be visible from a public right of way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This section is not intended to prohibit parking of any vehicle with vehicular signage that is painted on the motor vehicle provided that vehicle is actively used for deliveries or in the conducting of the business.

6. No sign shall be permitted which is placed on any curb, sidewalk, post, pole, electrical cabinet, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare except as may otherwise expressly be authorized by this Section.
7. Portable or wheeled signs are prohibited. This shall not be interpreted to prohibit lettering on motor vehicles or permissible advertising on buses.
8. The permanent use of searchlights shall be prohibited. Searchlights shall be considered temporary signs and shall be in compliance with the regulations in the District it is being used in.

9. Signs which bear or contain statements, words or pictures of an obscene, pornographic, immoral character or which contain advertising matter which is untruthful shall be prohibited.
10. Signs that are painted on or attached to any fence or any wall which is not structurally a part of a building, except permitted incidental signs.
11. Signs which operate or employ any stereopticon or motion picture projection or media in conjunction with any advertisements, or have visible moving parts or any portion of which moves, or gives the illusion of motion except as permitted in this section shall be prohibited.
12. Signs which emit audible sound, odor or visible matter shall be prohibited.
13. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words "Stop", "Go Slow", "Caution", "Danger" or "Warning" shall be prohibited.
14. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle or which hide from view any traffic or street sign or signal or device shall be prohibited.
15. Sandwich board or A-frame signs.



**901.12 DESIGN, CONSTRUCTION, AND MAINTENANCE****A. Code Compliance**

All signs shall comply with the appropriate detailed provisions of the OBBC, as amended.

**B. Permanent Installation Required**

Except for permitted banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this section:

1. All signs shall be constructed of permanent materials; and
2. All signs, except those created solely by the application of paint or similar material to an existing wall, shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

**C. Additional Construction Specifications**

1. Electrical signs shall be marked with input amperages at the full load input similar to the UL (48).
2. No sign 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.
3. No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provisions of the Building or Fire Prevention Codes.
4. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specification, depending on voltages concerned. However, in no case shall a sign be installed closer than 24 inches horizontally or vertically from any conductor or public utility guy wire.
5. The roofs of all awnings, canopies, and marquees exceeding forty square feet shall be properly guttered and connected with downspouts to storm sewers so that water will not drip or flow onto public sidewalks or streets.
6. All freestanding sign structures shall be self-supporting structures erected on and permanently attached to foundations.

7. All electric signs shall be approved and labeled as conforming to the standards

of the United States Bureau of Standards, the Underwriters' Laboratories, Inc. or other similar institutions of recognized standing. The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or replaced. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated.

8. A parapet wall shall be designed for and have sufficient strength to support any sign which is attached thereto.
9. Metal supports or braces shall be adequate for wind loadings in paragraphs 11 and 12, immediately following. Wire or cable supports shall have a safety factor of four. All metal, wire cable supports and braces and all bolts used to attach a sign to a bracket or brackets and signs to the supporting building or structure shall be of galvanized steel or of an equivalent material. All such sign supports shall be an integral part of the sign design.
10. All signs shall be designed and constructed to withstand wind pressure as provided in OBBC.
11. Signs adequately designed to withstand wind pressures shall generally be considered capable of withstanding earthquake shocks, except as provided in OBBC and for combined loading in OBBC.
12. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

D. Shielding

Light sources to illuminate signs and light sources from temporary searchlights shall be shielded from all adjacent residential buildings and streets, and shall not be of such brightness to cause glare that is hazardous to pedestrians or drivers of vehicles, or to cause reasonable objections from adjacent residential districts.

E. Maintenance

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 material condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of such sign. The Responsible Authority shall require compliance with all standards of this section. If the sign is not made to comply with adequate safety standards the Responsible Authority shall require its removal in accordance with this section. The Responsible

Authority may require immediate removal or repair of any sign that is deemed hazardous.

**901.12** **41**

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1. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 successive days.
2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of no more than ten successive days.
3. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the street or right-of-way from which it is to be viewed, for a period of no more than 10 successive days.
4. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than 10 successive days.

**F. Abandoned Signs**

Except as otherwise provided in this section, any sign that is located on property which becomes vacant and unoccupied for a period of two years or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located, shall be prohibited. Such business signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located, shall be removed within sixty days and/or blank no copy panels inserted. A sign is not considered abandoned if it is a seasonal business sign for which the business activity has been suspended in their off season.

**901.13 SIGNS NOT TO CONSTITUTE TRAFFIC HAZARD**

No signs shall be erected, and there shall be no lighting of signs or premises, in such a manner or in such location as to obstruct the view of, or be confused with, any authorized traffic signal, notice or control device, or with lights on any emergency vehicle, or to create hazards or distractions to drivers because of direct or reflected natural or artificial light, flashing, intermittent or flickering lighting, or real or apparent movement/animation. Any such signs or light sources

shall be removed at the direction of the Responsible Authority. If not removed by owners or occupants of the property within ten days of notice, the Responsible Authority shall cause the signs to be otherwise removed, and the cost of removal shall become a lien against the property until satisfied.

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**901.14 SIGNS IN THE PUBLIC RIGHT-OF-WAY**

No signs shall be allowed in the public right-of-way, except for the following:

A. Permanent signs

1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.
2. Bus stop signs erected by a public transit company.
3. Awning, projecting and under-canopy signs projecting over a public right-of-way in conformance with this section.

B. Temporary Signs

Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

**901.15 PERMITS**

A. Permits Required for Sign

If a sign requiring a permit under this Section is to be placed, constructed, erected or modified on a lot, the owner of the lot or an interested party with the authorization of the owner of the lot, shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of this section.

B. Permits To Be Consistent with Section

No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this section (including those protecting existing signs) in every respect and with the Master Signage Plan in effect for the property.

C. Master Signage Plan

No permit shall be issued for an individual sign requiring a permit on a property consisting of one acre or more or which contains or will contain a building of more than 10,000 square feet unless and until a Master Signage Plan for the lot on which the sign will be erected has been submitted to the Responsible Authority and approved by the Responsible Authority as conforming with this section.

**901.15**

**43**

1. For any lot on which the owner proposes to erect or install one or more signs

requiring a permit, the owner shall submit to the Planning Commission and the Zoning Committee, a Master Signage Plan containing the following:

- a. An accurate plot plan of the lot, at such scale as the Responsible Authority may reasonably require.
  - b. Location of buildings, parking lots, driveways, and landscaped areas on such lot.
  - c. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this section, with such computations demonstrating conformance to the applicable dimensional requirements of this section.
  - d. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.
  - e. The Master Signage Plan shall be part of the final development plan for the property.
2. A Master Signage Plan shall be included in any planned development plan, site plan, or other plan required by the Village for the proposed development.
  3. A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms with all requirements of this section in effect at the time of the application.
  4. After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in accordance with such plan, and such plan may be enforced in the same way as any provision of this section. In case of any conflict between a provision of a Master Signage Plan and one or more provisions of the Village Code, the Village Code shall control.

#### D. General Permit Procedures

The following procedures shall govern the application for and issuance of all sign permits under this section and the submission and review of Master Signage Plans.

1. All applications for sign permits of any kind and for approval of a Master Signage Plan shall be submitted to the Responsible Authority or on an application form or in accordance with application specifications published by the Zoning Department.

**44**

**901.15**

2. Each application for a sign permit or for approval of a Master Signage Plan shall be accompanied by the applicable fees, which shall be established by the Village Council from time to time by ordinance.
3. Within fourteen days of receiving an application for a sign permit or for a Master Signage Plan, the Responsible Authority shall review it for completeness. If the Responsible Authority finds that it is complete, the application shall then be processed. If the Responsible Authority finds that it is incomplete, the Responsible Authority shall within such fourteen-day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this section.
4. Within 30 days of the submission of a complete application for a sign permit, the Responsible Authority shall either:
  - a. Issue the sign permit, if the sign(s) that is or are the subject of the application conform in every respect with the requirements of this section and the applicable Master Signage Plan.
  - b. Deny the sign permit if the sign(s) that is or are the subject of the application fail(s) in any way to conform to the requirements of this Section and/or of the applicable Master Signage Plan. In case of a rejection, the Responsible Authority shall specify in the rejection the Section or Sections of the Sign Ordinance or applicable section with which the sign(s) is or are inconsistent.
5. On any application for approval of a Master Signage Plan, the Responsible Authority shall take action on the applicable one of the following dates:
  - a. By the Zoning Committee, forty-five days after the submission of a complete application if the application is for signs for existing buildings.

- b. By the Planning Commission with review of the Zoning Committee, on the date of final action on any related application for building permit, site plan, or development plan for signs involving new construction.
6. On or before such applicable date, the Responsible Authority shall either:
- a. Approve the proposed plan if the sign(s) as shown on the plan and the plan itself conform in every respect with the requirements of this section.
  - b. Reject the proposed plan if the sign(s) as shown on the plan or the plan itself fail in any way to conform to the requirements of this section. In case of a rejection, the Responsible Authority shall specify in the rejection the section or sections of the Sign Ordinance with which the plan is inconsistent.

E. Permits to Construct or Modify Signs

**901.15**

**45**

Signs requiring a sign permit shall be erected, installed or created only in accordance with a duly issued and valid sign permit from the Responsible Authority. Such a permit shall be issued only in accordance with the following requirements and procedures:

1. An application for construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by a detailed drawing to show the dimensions, design, structure, and location of each particular sign, to the extent that such details are not contained in a Master Signage Plan then in effect for the lot. One application and permit may include multiple signs on the same lot.
2. The Responsible Authority shall cause an inspection of the lot for which each permit for a new sign or modification of an existing sign is issued during the sixth month after the issuance of such permit or at such earlier date as the owner may request. If the construction is complete and in full compliance with this Section and with the building and electrical codes, the Responsible Authority shall provide the applicant/owner a permanent symbol identifying the sign(s) and the applicable permit by number or other reference. If the construction is substantially complete but not in full compliance with this Section and/or other applicable Village Code, the Responsible Authority shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is complete by such date, the Responsible Authority shall affix to the premises the permanent symbol described above.

F. Lapse of Sign Permit

A sign permit shall lapse automatically if the business license for the premises lapses, is revoked, or is not renewed. A sign permit shall also lapse if the business activity on the

premises is discontinued for a period of 45 days or more and is not renewed within 30 days of a notice to the last permit holder, sent to the premises, that the sign permit will lapse if such activity is not renewed. A seasonal establishment's sign permit will not lapse unless the establishment will not or does not reopen the next season.

#### G. Permit Exceptions

The following operations shall not be considered as creating a sign insofar as requiring the issuance of a sign permit, but the signs shall be in conformance with all other building, structural and electrical laws and regulations of the Village.

1. Changing of the advertising copy or message on an existing approved painted or printed sign, marquee, changeable copy sign or a similar approved sign whether electrical, illuminated, electronic changing message center or nonilluminated painted message which are all specifically designed for the use of replaceable copy.

**46**

**901.16**

2. Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of the plastic face shall be included as an exempt operation provided it is due to a change caused by breakage and/or deterioration of the face, but not for the substitution of a new or different advertiser.
3. Changes in the content of show window displays.

### **901.16 NONCONFORMING SIGNS**

It is the policy of the Village to encourage and, to the maximum extent practicable, require that all signs within the Village of LaGrange be brought into compliance with the requirements of this section.

#### A. Nonconforming Signs Protected

A sign which was lawfully erected prior to the effective date of this section but which does not conform in one or more respects with the requirements of this Section may remain in use, subject to the requirements of the non-conforming signs requirements, the amortization rules and other applicable requirements of the Village Code.

#### B. Limitations on Nonconforming Signs

1. Any nonconforming sign which shall cease being used or cease being leased for a continuous period of 45 days for any reason including having been blown



down, destroyed or otherwise taken down for any purpose other than normal maintenance shall not be rebuilt, re-erected, relocated or reused for sign purposes unless and until it is made to comply with the standards of this section and the Building Code.

2. Change of copy or the substitution of panels or faces on nonconforming signs shall be permitted. Repairs and maintenance of nonconforming signs, such as repainting, electrical repairs, and neon tubing, shall be permitted provided the change is not to change the advertiser.

## **901.17 VIOLATIONS AND ENFORCEMENT**

### **A. Violations**

Any of the following shall be a violation of this section and shall be subject to the enforcement remedies and penalties provided by this section, by other sections of the Village Code, and by state law:

1. To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located.

**901.17**

**47**

2. To maintain or permit to be maintained on any premises owned or controlled by him or her any sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises.
3. To install, create, erect, or maintain any sign requiring a permit without such a permit.
4. To fail to remove any sign that is installed, created, erected or maintained in violation of this section, or for which the sign permit has lapsed.
5. To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portion of this section.
6. Each sign installed, created, erected or maintained in violation of this section shall be considered a separate violation when applying the penalty portions of this section.

### **B. Enforcement and Remedies**

Any violation or attempted violation of this section or of any conditions or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of this

section shall be considered a violation of the Village Code. The remedies of the Village shall include the following:

1. Issuing a stop work order for any and all work on any signs on the same lot.
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity.
3. Imposing any penalties that can be imposed directly by the Village under this section, under the Village Code, and under state law.
4. Seeking in court the imposition of any penalties that can be imposed by such court under this section.
5. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the Village under the applicable provisions of the building and zoning portions of this Village Code for such circumstances.

C. Remedies Cumulative

All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a

**48**

**901.17**

section thereof, such remedy shall remain available for other violations or other sections of the same violation.

D. Street Improvement Projects

Any sign projecting over a public right of way at the time of the effective date of this section that was subject to removal or relocation at the owner's expense, pursuant to a permit or other section of the Village, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this Section if, as the result of, or after completion of a street improvement project, such sign does not, or would not, comply with the provisions of this section.

E. Removal, Disposal of Signs by Responsible Authority

1. Removal

- a. The Responsible Authority 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 Responsible Authority may also immediately remove any sign installed in the right-of-way without a permit. The Responsible Authority 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 Responsible Authority shall be sent by certified mail and a copy of the notice shall be sent by regular mail. Any time periods provided in this section shall be deemed to commence five days after the date of the mailing of the certified mail.
- c. For all other signs the notice shall be mailed by regular mail to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If known, or with reasonable care should be known, the notice shall be mailed to (by regular mail) or delivered to the owner of the sign and the occupant of the property.
- d. Any person having an interest in the sign in (c) or the property may appeal the determination of the Responsible Authority ordering removal or compliance by filing a written notice of appeal with the Zoning Board of Appeals within thirty days after the date of mailing the notice, or thirty days after receipt of the notice, if the notice was not mailed.
- e. Notwithstanding the above, in cases of emergency, the Responsible Authority may cause the immediate removal of a dangerous or defective sign without notice.

## 2. Disposal

- a. Any sign removed by the Responsible Authority 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.
- b. When it is determined by the Responsible Authority 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 Responsible Authority may correct the danger, all costs being assessed as follows:

- i. The notice given by the Responsible Authority shall state 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 Section, 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 five percent for inspection and incidental costs and an additional 10% penalty for the cost of collection, and collected in the same manner as real estate taxes against the property.
- ii. In the event that the owner of the premises, or person entitled to the possession or the owner of the sign, shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish the sign to be 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 section. The Responsible Authority may remove the sign declared to be unlawful.
- iii. If it shall be necessary for the Responsible Authority to remove a sign pursuant to the provisions thereof, bids shall be taken when the estimated costs of demolition exceed \$500.00. When completed, the Responsible Authority 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.
- iv. 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, and by regular mail, notifying such owner that the work has been performed pursuant to this section, stating the date of performance of the work, the nature of the work and demanding payments of the costs thereof, as certified by the Responsible Authority, together with five percent for the inspection and the other incidental costs in connection therewith. Such notice shall state that if the amount is not paid within thirty days of mailing the notice, it shall become an assessment upon and a lien against the property of the owner, describing the same, and will be certified as an assessment against the property, together with a ten percent penalty, for collection in the same manner as the real estate taxes upon the property.

- v. If the Clerk shall not receive payment within a period of thirty 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 five percent 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 ten percent penalty for the cost of collection. If the costs are to be assessed against the property, a hearing prior to Council assessing the cost shall be held before Council. At such hearing, the owner of the property or other person with an interest in the matter may appear and object to the proposed assessment. Notice of the hearing shall be given at least ten days prior to the date of the hearing to the property owner by mailing a notice of the hearing by regular mail to the address of the property owner as shown on the last equalized assessment roll.
- vi. Following passage of such resolution, the clerk shall certify the same to the County Auditor and Treasurer who shall collect the assessment, including the ten percent penalty of cost for collection, in the same manner as other taxes are collected.
- vii. 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.
- viii. 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 Responsible Authority.

F. Variances

- 1. Where there are permanent or long-range physical obstacles that would substantially impair the visibility of a principal ground sign permitted by this Section, **901.17** **51**

the sign permit applicant may apply to the Zoning Board of Appeals for a variance from the sign height and/or setback standards of this Section. The Zoning Board of Appeals shall grant the variance only if it is able to make all of the following findings:

- a. There are unusual topographic or other physical conditions on or affecting the site.
- b. The effect of such conditions is to impair significantly the visibility of any ground sign that is erected in conformance with this section.
- c. Such conditions do not involve landscaping or buildings which conform with the

Zoning Section, both of which have been considered in establishing the height, size and setback criteria of this section.

- d. Such conditions are not and will not be within the control of the permit applicant.
  - e. The granting of the variance would make the sign as visible to the roadway on which the property faces as similar signs are along similar roadways without the physical conditions unique to this site.
  - f. The sign that would be built under the variance will not encroach on the required clear-sight triangle.
2. If the Zoning Board of Appeals makes a negative finding on one or more of the enumerated factors, it shall deny the variance.
  3. The Zoning Board of Appeals shall act on the variance application no later than the sixtieth day after the filing of a completed application; if the Zoning Board of Appeals fails to act within such period, the variance shall be deemed granted and the Responsible Authority shall process the permit application as though the Zoning Board of Appeals had approved it.

## **901.18 AMORTIZATION**

### **A. Context and Purpose**

The Village has adopted a comprehensive system for the regulation of signs on private property in Village of LaGrange. The effect of this section is to ensure that signs erected or placed in the Village of LaGrange after the adoption of said regulations will be consistent with the Village's stated purposes of encouraging the effective use of signs as a means of communication in the Village of LaGrange; maintaining and enhancing the pleasing look of the Village of LaGrange, which attracts to the Village of LaGrange major events of regional, national and international interest; preserving a community that is attractive to business; improving pedestrian and traffic safety; minimizing the possible adverse effects of signs on nearby public and private property;

**52**

**901.18**

and implementing relevant provisions of the Comprehensive Plan, as updated periodically. However, there remain in the Village of LaGrange a moderate number of signs that violate the letter and purpose of the new regulations but that were lawfully

erected under regulations applicable to signs prior to the adoption of this Sign Ordinance. This section protects such signs, as pre-existing nonconforming signs. Although such protection is both fair and rational for the period of time necessary for those owning the signs to recover their reasonable investments in them, it is the intent of the Village that these signs should at some point be removed. The purpose of this

Section is to provide for the eventual removal of such nonconforming signs, after allowing their owners a reasonable period of use during which to recover their reasonable investment in such signs.

**B. Findings**

In support of the purposes of this section and as a basis for its adoption, the Village Council hereby finds that:

1. Certain signs erected lawfully in the Village of LaGrange under previous sign regulations are inconsistent with both the letter and purpose of the new sign regulations adopted by the Village.
2. The existence of such signs will in part hinder the purposes of the Village in adopting this Section, which adoption was based on careful study and discussion.
3. The Village recognizes the need to allow an owner to recover the investment in a lawful investment, such as the erection or placement of a sign, but it also recognizes that the period of time necessary to recover such an investment is finite.
4. The Internal Revenue Code and regulations adopted there under allow businesses to depreciate the full cost of a sign over a period of five years or less.
5. Most signs are financed or leased for a period of five years or less.
6. Many signs are routinely replaced after a period of five years or a few more.
7. Many general advertising signs are erected on property leased for a period of five years, which may be renewable for additional periods of five years.
8. There are thus many indications in the market that a reasonable sign user anticipates recovery of the investment in a sign over approximately five years.
9. Therefore, the requirement that a sign be removed after a specified period that is more than five years long will, in most cases, permit an owner to recover the full investment in the sign.

**901.18**

**53**

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10. This concept is commonly called the “amortization” of an investment.

**C. Removal Required**

1. Any legal sign in existence on the effective date of this section that does not comply with all of the applicable requirements of this Section, shall be brought into

conformance with the requirements of this Section by the earliest of the following dates:

- a. Fifteen (15) years after the initial issuance of a permit for the installation or placement of the sign.
- b. Five (5) years after the effective date of this ordinance.

#### D. Remedies

The Responsible Authority shall notify the owner of a sign affected by this section of the requirements of said Section at any time after the thirtieth day before the date on which such sign must be brought into compliance with this section. The owner of the sign shall have a period of thirty days from the date of such notice to bring such sign into conformance with the requirements of this section, whether by removal of the sign or modification of the sign. If the sign is not so removed or modified, the owner shall be subject to a separate penalty for each day for which the sign continues to exist in violation of the requirements of this section as stated under Section 901.17 Violations and Enforcement.

#### E. Appeal

1. The owner of a sign affected by this section may, at any time after the effective date of this Ordinance and before the expiration of thirty days after the date of notice under Section 901.17, file a hardship appeal with the Zoning Board of Appeals.
2. The Zoning Board of Appeals shall consider said appeal at its next regular meeting. If and only if it finds that the sign owner will not by the date established by Section 901.17 be able to recover the owner's reasonable investment in the sign, the Zoning Board of Appeals may extend that date by a reasonable period which shall not be longer than is necessary to allow the owner to recover the reasonable investment in the sign and shall in no event extend such date more than an additional five years.
3. In making its determination, the Zoning Board of Appeals shall consider only the reasonable investment of the owner in the sign prior to the effective date of this section; no considerations of alleged "market value" shall be considered, nor shall investments made after the effective date of this section.

4. The sign owner shall have the burden of proof in such a matter and shall be obligated to provide to the Zoning Board of Appeals original or certified copies of all invoices for work or materials related to the sign and certified copies of



applicable land leases, equipment leases and/or security agreements related to the sign. Any appeal of the determination of the Zoning Board of Appeals shall be to the district court.

5. For purposes of this section, a sign owner shall be deemed to have recovered the investment in the sign when:
  - a. For a leased sign, the total lease revenues equal the cost of the sign plus actual, necessary maintenance expense, plus a net return on investment equal to three percentage points above the cost of funds borrowed for the sign, or, if the cost of such funds cannot be determined or if no funds were borrowed, fifteen percent per annum.
  - b. For a sign used by its owner, when the sign has been in use for one year past the date when it could first have been fully depreciated under the Internal Revenue code, regardless of whether the owner actually claimed such depreciation.

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**Section 902  
Parking**

902.01	General
902.02	Parking Space Dimensions
902.03	Loading Space
902.04	Paving
902.05	Drainage
902.06	Maintenance
902.07	Lighting
902.08	Location of Parking Spaces
902.09	Screening
902.10	Required Trash Areas
902.11	Disabled Vehicles
902.12	Minimum Distances and Setbacks
902.13	Joint Use
902.14	Wheel Blocks
902.15	Width of Driveways
902.16	Access
902.17	Directional Signs
902.18	Striping
902.19	Parking Space Requirements
902.20	Parking Islands
902.21	General Interpretations

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**902.01 GENERAL REQUIREMENTS**

- A. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this ordinance.
- B. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this Ordinance.
- C. Whenever a building or structure constructed after the effective date of this ordinance is changed or enlarged in floor area, number of employees, number of

housing units, seating capacity, use, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be

provided on the basis of the enlargement or change, provided whenever a building or structure existing prior to the effective date of this ordinance is enlarged to the extent of fifty (50) per cent or more in floor area, use, number of employees, number of housing units, seating

capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

**902.2 PARKING SPACE DIMENSIONS**

A parking space shall have minimum rectangular dimensions of not less than ten (10) feet in width and twenty (20) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty— three (23) feet in length for parallel parking, ten (10) feet in width and twenty-one (21) feet in length for sixty (60) degree parking, and twelve (12) feet in width and twenty (20) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 902.19 through 902.25 of this Ordinance.

**902.3 LOADING SPACE REQUIREMENTS AND DIMENSIONS**

A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods and having a modified gross floor area up to five thousand (5,000) square feet.

**902.4 PAVING-CONCRETE OR ASPHALT**

The required number of parking and loading spaces as set forth in this Article, together with driveways, aisles, and other circulation areas, shall be improved with acceptable material to provide a durable and dust-free surface.

**902.5 DRAINAGE**

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

**902.6 MAINTENANCE**

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

## 902.7 LIGHTING

Any parking area that is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

## 902.8 LOCATION OF PARKING SPACES

The following regulations shall govern the location of off-street parking spaces and areas:

**902.08**

**57**

- A. Parking spaces for all detached residential uses shall be located on the same lot as the use that they are intended to serve, unless approved by the Planning Commission.
- B. No individual parking space shall be located further than seven hundred (700) feet from the principle use. Parking spaces further than seven hundred (700) feet from the principal use may be approved by the Planning Commission. Parking lots shall be located on the same parcel as the principal use unless otherwise indicated by the Board of Zoning Appeals.
- C. Parking spaces for apartments, dormitories, or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

## 902.9 SCREENING AND/OR LANDSCAPING, PARKING AREA CAPACITY

Whenever a parking area is located in or adjacent to a residential district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptably designed wall, fence, or planting screen. Such fence, wall or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.

## 902.10 REQUIRED TRASH AREAS

All commercial, industrial, institutional, and multi-family residential uses that provide trash and/or garbage collection areas shall be enclosed on all four sides either by a solid wall, gated fence or landscaped material of at least four (4) feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Planning Commission shall be required.

**902.11 DISABLED VEHICLES**

The parking of a disabled vehicle within a residential or commercial district for a period of more than two (2) weeks shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.

**902.12 MINIMUM DISTANCE AND SETBACKS**

No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one family

**58**

**902.13**

residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than four (4) feet to any established street or alley right-of-way.

**902.13 JOINT USE**

Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Planning Commission shall be filed with the application.

**902.14 WHEEL BLOCKS**

Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

**902.15 WIDTH OF DRIVEWAYS**

Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, eighteen (18) feet for sixty (60) degree parking, and thirteen (13) feet for forty-five (45) degree parking. Driveways shall be located a minimum of five feet from the property line.

**902.16 ACCESS**

Any parking area shall be designed in such a manner than any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion. Access of driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

Interior vehicular circulation by way of access roads shall maintain the following minimum standards:

- A. For one-way traffic, the minimum width of fourteen (14) feet except for forty-five (45) degree parking in which case the minimum width of the access road shall be seventeen (17) feet.
- B. Access roads for two-way traffic shall have a minimum width of twenty-four (24) feet. Parking areas having more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

902.17            **DIRECTIONAL SIGNS**

The entrances and exits to the parking area shall be clearly marked.

902.18            **STRIPING**

**902.19**  
**59**

Where applicable, parking areas shall be striped with double lines six (6) inches both sides of center between stalls to facilitate the movement into and out of the parking stalls.

**902.19 PARKING SPACE REQUIREMENTS**

For the purpose of this ordinance, the following parking space requirements shall apply:

<u>TYPE OF USE</u>	<b>RECREATIONAL OR ENTERTAINMENT</b>
Apartment hotels, apartments, or multi-family dwellings <b>RESIDENTIAL</b> Single family or two-family dwelling Boarding houses, rooming houses, dormitories, and fraternity houses which have sleeping rooms  <b>COMMERCIAL</b> Automobile service station which also provide repair  Automobile service station/Convenience store Dance floors, skating rinks  Hotels, motels   Funeral parlors, mortuaries, and similar type uses	<b>Village of LaGrange Zoning Code</b> Dining rooms, restaurants, taverns, night clubs, etc.  Bowling alleys  <b><u>PARKING SPACES REQUIRED</u></b>  Two (2) for each unit Two (2) for each unit Two (2) for each sleeping room or two for each permanent occupant   One (1) for each two (2) gasoline pumps and two (2) for each service bay  One (1) for each two (2) gasoline pumps and five (5) spaces per each 1,000 sq. ft. of floor area One for each 100 sq. ft. of floor area used gross floor area for One (1) per each sleeping room plus one (1) the activity four (4) seats

space for each two (2) employees, plus one (1) for each 400 sq. ft. of Public meeting area and restaurant space.

One(1) for each 200 sq. ft. of floor area

One (1) for each 100 sq. ft. of floor area in slumber rooms, parlors, or service rooms.

Four (4) for each alley or lane plus one (1) additional space for each 100 sq. ft. of the area used for restaurant, cocktail lounge, or similar use.

**Article Nine – Section 902 Parking**

**60**

**902.19**

**TYPE OF USE**

**PARKING SPACES REQUIRED**

Outdoor swimming pools, public or community or club

One for each five (5) persons capacity plus one for each four (4) seats or one for each 30 sq. ft. floor area used for seating purposes whichever is greater.

Auditoriums, sports arenas, theaters, and similar uses

One (1) for each four (4) seats

Retail stores

One for each 250 sq. ft. of floor area

Banks, financial institutions, and similar uses

One for each 200 sq. ft. of floor area.

Offices, public or professional administration, or service buildings

One for each 400 sq. ft. of floor area

All other types of business or commercial uses permitted in any commercial district

One for each 300 sq. ft. of floor area

**INSTITUTIONAL**

Churches and other places or religious assembly

One (1) for each four (4) seats

Hospitals

One (1) for each bed

One (1) for each two (2) beds

Sanitariums, homes for the aged, nursing homes, children homes, asylums, and similar uses

Medical and dental clinics

One (1) for every 200 sq. ft. of floor area of examination, treating room office, and waiting room

Libraries, museums, and art galleries

One (1) for each 400 sq. ft. of floor area

**SCHOOLS (PUBLIC, PAROCHIAL,  
OR PRIVATE)**

Elementary and junior high schools

Two (2) for each classroom and one (1) for every eight (8) seats in auditoriums or assembly halls

High Schools

One (1) for every ten (10) students and one (1) for each teacher and employee

Business, technical, and trade schools

One (1) for each two (2) students

902.19

61

**TYPE OF USE**

**902.20 PARKING ISLANDS**

**PARKING SPACES REQUIRED**

Colleges, universities

One (1) for each four (4) students.

Kindergartens, child care center, nursery schools, and similar uses

Two (2) for each classroom, but not less than six (6) for the building. Sufficient area shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines or traffic.

**INDUSTRIAL**

All types of manufacturing, storage, and wholesale uses permitted in any industrial district

One for every two (2) employees (on the largest shift for which the building is designed) plus one (1) for each motor vehicle used in the business.

Cartage, express, parcel delivery, and freight terminals

One (1) for every two (2) employees (on the largest shift for which the building is designed) and one (1) for each motor vehicle maintained on the premise.



A. Any parking lot area exceeding over 30,000 square feet shall provide a landscaped island, and fall in accordance to Article I, Section 105-Landscaping Requirements.

**902.21 GENERAL INTERPRETATIONS**

- A. In the interpretation of this Article, the following rules shall govern:
1. Off-street parking requirements for other permitted or conditional uses not listed in this Article shall be determined by the Planning Commission.
  2. Fractional numbers shall be increased to the next whole number.