

Chapter 1220: Signage

1220.01 PURPOSE (NEW)

The purpose of these standards is to balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication and advertising. The regulations are further intended:

- (a) To allow businesses, institutions, and people to exercise their right to free speech by displaying messages on a sign, and to allow audiences to receive such information;
- (b) Enhance the economy and the business and industry of the City by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public;
- (c) To ensure that signs are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property, and public welfare;
- (d) To reflect and support the desired ambience and development patterns of the various zoning districts and sub-districts, and promote an attractive built environment; and
- (e) To allow for adequate and effective signs whose dimensional characteristics further the interests of public safety and the needs of the motorist, where signs are viewed from a street, sidewalk, bike path, or other form of transportation infrastructure.

1220.02 APPLICABILITY

- (a) It shall hereafter be unlawful for any person to erect, place, relocate, expand, modify, maintain, or otherwise alter a sign in the City except in accordance with the provisions of this chapter.
- (b) Unless otherwise provided, this chapter shall apply to any sign, in any zoning district, that is visible from a public right-of-way or from an adjacent property.
- (c) Any sign established prior to the effective date of this code, and which sign is rendered nonconforming by the provisions herein, shall be subject to the nonconforming sign regulations of Section [1220.10](#).

(d) Exemptions

The following signs are entirely exempt from this chapter:

- (1) Any sign located entirely within buildings or other structures and/or otherwise not visible from a public right-of-way or adjacent property;
- (2) Any sign located on umbrellas or similarly related private patio furniture or seating provided it is located outside of the right-of-way and complies with any other applicable standards of this code;
- (3) Any sign on a truck, bus or other vehicle that is used in the normal course of a business for transportation (See also Paragraph [1220.03\(o\)\(1\)](#).) or signage required by the State or federal government; and
- (4) Any holiday lighting, signs, or related decorations.

(e) Certificate of Zoning Compliance Required

Unless otherwise provided by this chapter, all signs shall require a certificate of zoning compliance.

1220.03 GENERAL REGULATIONS

Unless otherwise specifically stated, the following regulations shall apply to all signs within the City:

- (a)** Permanent signs shall be constructed in compliance with all applicable regulations of the City or State's applicable building, fire, or electrical codes, as may be applicable.
- (b)** No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof.
- (c)** No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
- (d)** No rotating beam, beacon, or flashing illumination resembling an emergency light shall be used in connection with any sign display.
- (e)** No sign shall obstruct or interfere with fire ingress or egress from any door, window, or fire escape, nor shall it obstruct or interfere with traffic or traffic visibility, or resemble or imitate signs or signals erected by the City or other governmental agency for the regulation of traffic or parking.
- (f)** No part of a sign shall have animation, moving parts, flashing lights or changing colors unless specifically permitted in Section [1220.03\(m\)](#).
- (g)** All signs shall be secured in such a manner as to prevent swinging or other significant noticeable movement, not including movement related to electronic message centers.
- (h)** Unless otherwise specifically stated, all permanent signs hereafter erected, constructed or modified shall be set back at least five feet from all rights-of-way and in all cases shall comply with Section [1208.05](#).
- (i)** A sign in dangerous or defective condition, as determined by the Chief Building Official, shall not be permitted on any premises. The Chief Building Official may immediately remove or cause to be removed any dangerous or defective sign which, in the opinion of the Chief Building Official creates an immediate or potential danger to persons or property due to structural deficiencies, inadequate maintenance, improper installation, or because of the location of the sign.
- (j)** Signs, sign posts, or sign mounting hardware which are no longer functional, or are abandoned, shall be removed or relocated, in compliance with the provisions of this code, within 90 days following such dysfunction.
- (k) Substitution with Noncommercial Speech**

The commercial message sign area allowed for any permanent sign permitted in this chapter may be substituted with a noncommercial message. A certificate of zoning compliance shall not be required for this substitution if there is no structural change to the sign.

(l) Signs in Rights-of-Way

- (1)** Signs shall be prohibited in the right-of-way with the exception of:
 - A.** Signs installed by the City, Butler or Warren Counties, State of Ohio, or approved transit agency that are allowed pursuant to the latest version of the Manual on Uniform Traffic Control Devices (MUTCD);
 - B.** Any warning signs or traffic safety signs required by public utility providers; or
 - C.** Sidewalk signs as allowed in Section [1220.09](#).
- (2)** Any sign to be installed in the right-of-way by an agency other than the City shall require prior approval of the City Engineer.
- (3)** The Development Code Administrator may remove or cause to be removed any unlawful sign in the public right-of-way.

(m) Changeable Copy Signs (New)

- (1)** For any sign that has a sign area of 50 square feet or less of sign area, up to two-thirds of a permitted freestanding sign may incorporate a changeable copy sign.
- (2)** For any sign that exceeds 50 square feet in area, up to 50 percent of the sign may incorporate a changeable copy sign.
- (3)** The following standards shall apply to all electronic message centers allowed in this chapter:
 - A.** Electronic message centers are prohibited in the UC-C and UC-S Subdistricts.
 - B.** Electronic message centers are permitted in residential zoning districts only for public and institutional uses located on lots that have a lot area of five acres or more. Signs with electronic message centers in residential districts shall be set back 75 feet from any adjacent residential lot line.
 - C.** Any message change shall be a static, instant message change;
 - D.** Messages can only change once every eight seconds or more;
 - E.** The transition time between messages shall be less than one second;
 - F.** All electronic message centers shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions;
 - G.** Only Light Emitting Diodes (LED) technology or similar quality signs shall be permitted for electronic message centers; and
 - H. Brightness Controls**
 - i.** The electronic message center shall come equipped with an automatic dimming photocell, which automatically adjusts the display's brightness based on ambient light conditions.

- ii. The brightness level shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot candle meter at a pre-set distance.
- iii. The procedure and distances for measurement of brightness shall be as established by the International Sign Association's Recommend Night-time *Brightness Levels for On-Premise Electronic Message Centers*.

(n) Illumination

- (1)** All signs, except as specifically stated in this chapter, may be illuminated by internal or external light sources, provided that such illumination shall:
 - A.** Be shielded from all adjacent residential buildings and all streets;
 - B.** Not have an intensity to cause glare visible to pedestrians or vehicle drivers, nor shall the illumination be of such brightness as to cause reasonable objection from adjacent residential districts; and
 - C.** No illuminated sign shall be permitted if any part of the sign flashes on or off, has lighting that moves or illustrates movement, or displays changing degrees of intensity in illumination. This regulation applies to signs located outside of buildings and to window signs inside buildings that can be seen from the outside. This prohibition on flashing, moving, or intermittent lighting shall not apply to permitted electronic message centers in Section [1220.03\(m\)](#).
- (2)** Signs shall not be lighted so as to obstruct traffic control or other public information signs.

(o) Prohibited Signs

The following types of signs are specifically prohibited within the City:

- (1)** Vehicle signs viewed from a public road with the primary purpose of providing signage not otherwise allowed by this code. Vehicle signs include those attached to or placed on a vehicle or trailer. Vehicles or trailers shall not be parked continuously in one location to be used primarily as additional signage. This does not apply to a vehicle parked at a driver's residence and is the primary means of transportation to and from his or her place of employment.
- (2)** Signs that are applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure, or otherwise placed in the public right-of-way;
- (3)** Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign.
- (4)** Signs that employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention;
- (5)** Beacons and searchlights, except for emergency purposes; and

- (6) Signs mounted above the roofline of a building.

1220.04 SIGNS NOT REQUIRING A CERTIFICATE OF ZONING COMPLIANCE

The following signs or activities do not require a certificate of zoning compliance. Each sign exempt from the permit process shall still comply with any applicable safety, height, area, and locational standards established in this chapter.

- (a) Noncommercial message flags provided there shall be no more than three such flags on any lot and each flag shall not exceed 100 square feet in area;
- (b) Signs and/or notices issued by any court, officer, or other person in performance of a public duty;
- (c) For the purposes of safety and emergency access, signs indicating the street number of a building or structure are permitted without a certificate of zoning compliance but shall not exceed three square feet in sign area.
- (d) Interior signs within a stadium, open-air theater, shopping center, arena or other use, which signs can be viewed only by persons within such stadium, open-air theater, shopping center, parks, arena, or other use;
- (e) Sign face changes where there is no change to the structure including change in sign face area, height, or alteration of the sign cabinet, if applicable (e.g., replacement of a sign face, repainting of a sign face, etc.);
- (f) Certain temporary signs as established in Section [1220.09](#).
- (g) A certificate of zoning compliance is not required for a change of copy on signs with changeable copy (See Section [1220.03\(m\)](#)).
- (h) A certificate of zoning compliance is not required for general maintenance, painting, repainting, cleaning and other normal maintenance and repair of a sign or any sign structure unless a structural change is made that results in anything more than a minor modification.
- (i) **Window Signs**

Window signs do not require a certificate of zoning compliance provided they comply with the following standards:

- (1) Window signs shall not occupy more than 50 percent of the window area in all nonresidential districts except the UC-C and UC-S Subdistricts where the maximum coverage shall be 25 percent of the window area. See [Figure 1220-A](#) for locations used in the calculation of sign area. The sign area is based on the window area, regardless of the presence of an awning.



Figure 1220-A: The window area is illustrated within the dashed line area for the two storefronts in the above image.

- (2) Window signs are not permitted in any window of a space used for residential uses or purposes.

1220.05 MEASUREMENTS AND CALCULATIONS

- (a) Freestanding sign height shall be measured from the average elevation of the finished grade of the road that the sign immediately fronts. Height of sign is measured from the base of the sign and/or structure along the road to the highest point of the sign and/or structure. The use of berms, grading or other means in order to achieve the full allowable sign height shall not be permitted unless site conditions are such that the proposed sign location is below the grade of the adjacent roadway. In such cases, the sign height shall be measured from the adjacent roadway elevation closest to the base of the sign. For signs along waterways, the sign height shall be measured from the base of the sign.¹⁸
- (b) The sign area shall be computed by means of the smallest square, rectangle, triangle or circle that encompasses the extreme limits of the sign message. See [Figure 1220-B](#), [Figure 1220-C](#), and [Figure 1220-D](#).

¹⁸ We will add a graphic for this provision.

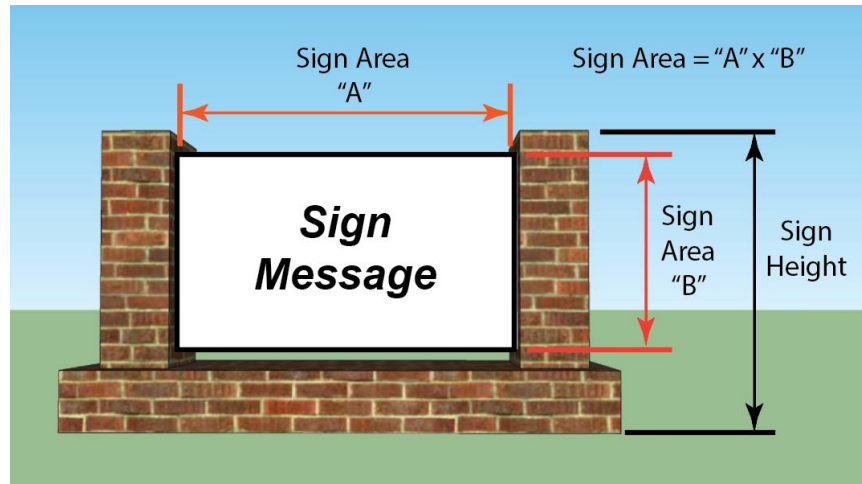


Figure 1220-B: Illustrative example of the calculation of the sign area and height of a freestanding sign.

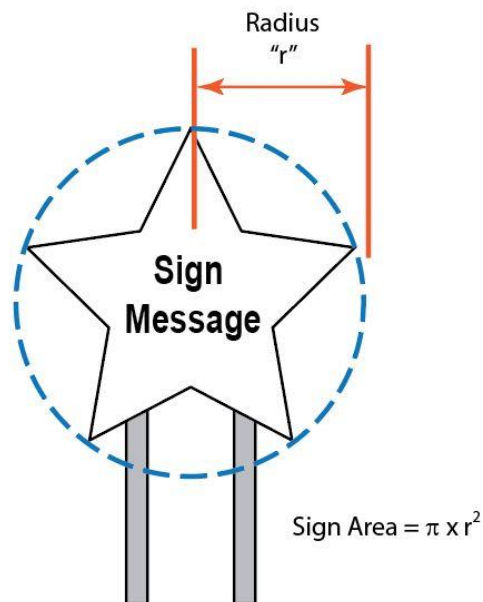


Figure 1220-C: Example of sign area computation by the smallest circle encompassing the extreme limits of the sign message. For the purposes of calculations, π equals 3.14.

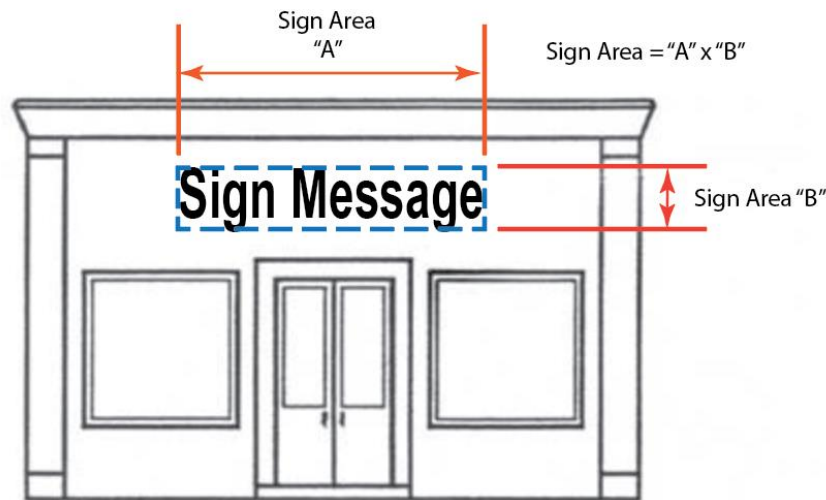


Figure 1220-D: Example of sign area calculation for wall signs.

- (c) In the case of a three-dimensional sign where the sign faces are not mounted back-to-back, the sign area shall be calculated by the smallest square, rectangle or circle that encompasses the profile of the sign message and multiplying by two. The profile used shall be the largest area of the sign message visible from any one point.
- (d) Except for three-dimensional signs, the sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces when the interior angle is greater than 91 degrees.
- (e) When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces. If the two faces are unequal, the sign area shall be calculated based on the larger of the two faces.
- (f) All fractions will be rounded to the closest integral number.

1220.06 PERMANENT SIGNS PERMITTED IN PD DISTRICTS

All development in a PD District shall be subject to the standards of this chapter unless otherwise modified through the PD review and approval process.

1220.07 PERMANENT SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

The following are the permanent signs permitted in residential zoning districts or for residential developments, along with all applicable standards:

(a) Signs for Individual Dwellings

- (1)** One wall sign is permitted on each individual lot used for residential purposes provided the sign is mounted flush to the façade of the principal dwelling and does not exceed one square foot. Such sign shall not be directly illuminated. A certificate of zoning compliance shall not be required for this type of sign.
- (2)** For dwellings where a home occupation is located, one ground-mounted sign is permitted per lot with a maximum sign area of two square feet and a maximum height of three feet.

(b) Entrance Signs

Two wall signs or one permanent ground-mounted sign may be permitted for any subdivision or multi-family dwelling development provided that the sign meets the following requirements:

(1) General Standards

- A.** Each sign may have a maximum sign area of 30 square feet.
- B.** No such sign or any portion of the structure shall exceed six feet in height.
- C.** The sign may only be illuminated through an external light source.

(2) Ground-Mounted Sign

- A.** A maximum of one ground-mounted sign may be permitted for each entrance to the subdivision or development on a collector or arterial street, as determined by the Development Code Administrator.
- B.** The sign shall be setback five feet from the public right-of-way and 10 feet from any adjacent lot lines.
- C.** If an applicant proposes to use a ground-mounted sign, no wall signs, as allowed in Section [1220.07\(b\)\(3\)](#), below shall be permitted.

(3) Wall Signs on Entry Fences or Walls

- A.** A maximum of two wall signs may be permitted for each entrance to the subdivision or development on a collector or arterial street, as determined by the Development Code Administrator.
- B.** The signs shall be mounted to a decorative wall or fence that generally runs parallel with the street.
- C.** The sign shall be setback five feet from the public right-of-way with no minimum setback from adjacent lot lines.
- D.** If an applicant proposes to use wall signs, no ground-mounted sign, as allowed in Section [1220.07\(b\)\(2\)](#), above shall be permitted.

(c) Signs for Nonresidential Uses in Residential Zoning Districts

- (1) One permanent ground-mounted sign may be permitted on a lot containing a nonresidential use in a residential zoning district provided the sign meets the following requirements:
 - A. The sign shall be set back five feet from the public right-of-way and 10 feet from any adjacent lot lines.
 - B. The maximum sign area shall be 40 square feet.
 - C. No such sign or any portion of the structure shall exceed six feet in height.
 - D. The sign may only be illuminated through an external light source.
- (2) Building signs shall be permitted for all nonresidential uses in a residential district in the same manner as permitted for nonresidential uses in the B-1 District. This shall not apply signs located on lots used exclusively for residential dwellings where signage is controlled by Section [1220.07\(a\)](#).

1220.08 PERMANENT SIGNS PERMITTED IN NONRESIDENTIAL DISTRICTS

- (a) All sign structures in the nonresidential districts shall be accessory to the principal use.
- (b) Buildings, developments, or subdivisions that are 100 percent residential in any nonresidential district, including the BC-R Subdistrict, shall be subject to the permanent sign allowances established in Section [1220.07](#).

(c) Building Signs

Building signs are permitted on all principal structures in accordance with the following:

- (1) The building sign area allowed in [Table 1220-1](#) shall include the total amount of all awning, canopy, marquee, projecting, or wall signs on each wall. Standards for each individual building sign type follow [Table 1220-1](#).
- (2) Building signs shall not extend above the roofline of the building to which it is attached.
- (3) Building signs may not be attached to a penthouse or roof structure including but not limited to mechanical equipment or roof screening.
- (4) **Size**
 - A. [Table 1220-1](#) establishes the maximum sign area for building signs based on the district, building, and/or use they serve.
 - B. There is no maximum number of building signs but the total square footage of building signs located on a single façade shall comply with the requirements of this section.
 - C. Where there are multiple facades that face a public street (e.g., corner lots or double frontage lots), the maximum building sign area shall apply to the individual façade. An applicant shall not combine the total amount of building sign area permitted on all facades and apply it to a single façade.

- D.** Any sign that is incorporated into a building as an architectural element shall be classified as a wall sign.

TABLE 1220-1: MAXIMUM BUILDING SIGN AREA ALLOWANCE

	UC-C, UC-S, OR BC-R SUBDISTRICTS AND ANY NONRESIDENTIAL USE IN A RESIDENTIAL DISTRICT	ALL OTHER NONRESIDENTIAL ZONING DISTRICTS
Buildings with Multiple Tenant Spaces [1]	1.5 square foot of sign area per lineal foot	2.0 square feet of sign area per lineal foot
Buildings with Single Tenant Occupancy		
Large-Scale Nonresidential Buildings with a Single Tenant [2]	The sign area shall not exceed 5 percent of the total facade area and shall not exceed 35 percent of the height of the facade, as measured from the bottom most point of the message to the top most point of the message [3]	
Notes: [1] The ratio shall be applied to each lineal foot of building facade width assigned to each individual tenant. [2] Large-scale nonresidential buildings shall be defined as a building, with a single tenant that exceeds 150,000 square feet of gross floor area. [3] Signs shall be limited to wall signs.		

(5) Wall Signs

- A.** Wall signs shall be mounted on or flush with a wall and shall not protrude more than 18 inches from the wall or face of the building to which it is attached.
- B.** A wall sign may be painted directly on a building wall, mounted on the façade wall, or mounted on a raceway.
- C.** Wall signs shall not include electronic message centers.

(6) Canopy or Awning Signs

Any awning or canopy sign allowed pursuant to this section shall comply with the following standards:

- A.** Signage shall not cover more than 25 percent of any awning or canopy in the Business Center subdistricts and 50 percent in all other districts.
- B.** All components of the awning or canopy shall have a minimum clearance of eight feet from the sidewalk and 15 feet above any driveway or vehicular use area.¹⁹
- C.** An awning or canopy sign shall in no case project any closer than two feet from a curb.

¹⁹ We will add a graphic for this regulation as well as for projecting signs.

(7) Projecting Signs

- A.** A projecting sign shall be perpendicular to the wall of the building to which it is attached. A projecting sign may also be attached to the ceiling of an outdoor arcade if it complies with the sign area, height, and clearance standards of this section.
- B.** A projecting sign that is attached perpendicular to the wall to which it is affixed may project up to four feet from the front of the building including into a right-of-way.
- C.** The maximum sign area for any single projecting sign shall be 15 square feet.
- D.** A projecting sign shall in no case project any closer than two feet from a curb.
- E.** All components of the projecting sign shall have a minimum clearance of nine feet from the sidewalk and 15 feet above any driveway or vehicular use area.
- F.** Projecting signs shall be separated from other projecting signs by a minimum of 30 feet.
- G.** Projecting signs shall not be internally illuminated.
- H.** Projecting signs must be suspended from brackets approved by the Building Department and contain no exposed guy wires or turnbuckles.

(d) Freestanding Signs

- (1)** Freestanding signs shall either be a pole sign or ground-mounted sign. A sign that is placed on two posts, which are no more than two feet in height to the base of the sign cabinet or sign face, shall be considered a ground-mounted sign for the purposes of this chapter.
- (2)** [Table 1220-2](#) establishes the maximum sign area and sign height allowed for freestanding signs in nonresidential zoning districts.
- (3)** One freestanding sign of a size and height permitted in [Table 1220-2](#) shall be permitted on each street frontage.
- (4)** All freestanding signs shall be set back a minimum of 10 feet from all rights-of-way and from adjacent lot lines and 50 feet from any adjacent lot in a residential zoning district or used solely for residential uses.
- (5)** Pole signs must have a minimum height of 10 feet from the ground to the bottom of the sign face.
- (6) Landscaping Permanent Freestanding Signs (New)**
 - A.** All permanent freestanding signs shall be located in a landscaped area equal to or larger than the total sign area of the applicable sign. Such landscaped area may be an area that fulfills any landscaping requirements of this code.
 - B.** The landscaped area shall include all points where sign structural supports attach to the ground.

- C. Exposed sign foundations shall be constructed with a finished material such as brick, stone, or wood, or be screened with evergreens to the top of the anchor bolts.

TABLE 1220-2: MAXIMUM SIGN AREAS AND HEIGHT FOR FREESTANDING SIGNS

ZONING DISTRICTS AND SUBDISTRICTS	LOT FRONTAGE WIDTH					
	0 TO 150 FEET		151 TO 300 FEET		301 OR MORE FEET	
	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT [1]
O-1, B-1, and BC-H [2]	40	6	60	8	80	10/20
O-2, B-2, B-3, BC-I, BC-O, BC-R, BC-F, UC-C, UC-S, and PI [2][3]	50	8	80	10	150	20/30
I-1 and I-2	50	8	80	10	100	15/30

NOTES:
 The maximum sign area is in square feet and the maximum sign height is in feet.
 [1] The lower number is the maximum height for ground-mounted signs and the larger number is the maximum height for pole signs.
 [2] Pole signs are prohibited in the BC-H, BC-I, BC-O, BC-R, and BC-F Subdistricts.
 [3] A ground-mounted sign with a maximum sign area of 400 square feet is allowed in the O-2 District if the sign is located within 850 feet of the I-75 right-of-way, west of I-75.

(e) Driveway Signs

Permanent signs shall be permitted near driveway entrances to a street and at intersections of internal drives under the following provisions:

- (1) The signs shall be set back at least five feet from all lot lines but in no case shall the sign be set back more than 25 feet from the driveway entrance or intersection of internal drives;
- (2) One sign may be permitted per individual driveway or internal intersection;
- (3) The sign may not exceed five square feet in area and 30 inches in height.
- (4) In cases where a single development has 150,000 square feet or more of gross floor area, the maximum sign area shall be 16 square feet with a maximum height of six feet. In such cases, the sign shall be located in a manner that complies with the intersection visibility requirements of Section 1208.05.

(f) Entrance Signs

For subdivisions in an O-2, B-3, BC, I-1, or I-2 District that are designed for nonresidential uses and contain five or more individual lots, such subdivision or park may incorporate a freestanding ground-mounted sign within 150 feet of an entrance point into the subdivision in accordance with the following:

- (1) The entrance sign shall be subject to the same standards as Section 1220.07(b), with the following exceptions:

- A. The maximum sign area shall be 50 square feet.
 - B. The maximum height of a ground-mounted sign shall be 10 feet.
 - C. The sign shall be set back a minimum of 75 feet from any residential lot line.
 - D. Such sign may be located on a lot with another freestanding sign as allowed in Section [1220.08\(d\)](#).
 - E. If this sign is utilized, no other freestanding pole or ground-mounted sign shall be located within 50 feet of the entrance sign on the same street or road on which the park has access.
- (2) Provided the subdivision is recorded and the zoning is for a nonresidential zoning district, the sign may be placed even if no construction has taken place on any of the lots.

(g) Drive-Through Signs

- (1) One freestanding drive-through sign shall be allowed for each stacking lane in a drive-through facility provided it does not exceed 36 square feet in sign area. If the sign is completely screened from view from any right-of-way or adjacent residential uses, there shall be no maximum sign area.
- (2) Drive-through signs shall only be permitted in the rear yard.
- (3) Drive-through signage shall not be included in the total calculated allowed signage for a property under the remainder of this chapter. Any signs attached to a wall of building or the structure shall be calculated as part of the building signage allowance in Section [1220.08\(c\)](#).
- (4) No drive-through sign shall exceed six feet in height measured from the grade of the adjacent driving surface to the top of the sign.
- (5) Drive-through signs may be internally or externally illuminated.

1220.09 TEMPORARY SIGNS

The following temporary signs shall be permitted anywhere within the City provided they meet the established standards.

(a) Standards that Apply to all Temporary Signs

- (1) Temporary signs shall not be mounted, attached, affixed, installed, or otherwise secured in a manner that will make the sign a permanent sign.
- (2) No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roofline of a structure.
- (3) Unless otherwise specifically stated, temporary signs shall not be illuminated.
- (4) No temporary sign shall require a foundation, support, wiring, fittings, or elements that would traditionally require a building permit or electrical permit.

- (5) No streamers, spinning, flashing, or similarly moving devices shall be allowed as part of or attachments to temporary signs.
- (6) All temporary signs shall be secured in such a manner as to prevent swinging or other significantly noticeable movement resulting from the wind that could pose a danger to people, vehicles, or structures.
- (7) Mobile signs on wheels, runners, casters, parked trailers, parked vehicles, or other temporary or movable signs shall not be permitted unless otherwise specifically stated in this chapter.
- (8) Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.

(b) Temporary Signs without a Commercial Message

Temporary signs without a commercial message do not require a certificate of zoning compliance provided they comply with the following standards:

- (1) Temporary signs that do not contain a commercial message shall not be posted in any place or in any manner that is destructive to public property including, but not limited to, rights-of-way, utility poles, public trees, etc.
- (2) Temporary signs that do not contain a commercial message shall still be required to comply with the intersection visibility requirements of Section [1208.05](#).
- (3) The maximum height of temporary signs without commercial speech shall be six feet unless it is a banner sign mounted to a structure, in which case, the banner sign shall not be mounted above the roofline or the top of the structure.
- (4) Such signs shall be limited to yard signs or banner signs.
- (5) Such signs shall not require a certificate of zoning compliance.

(c) Temporary Signs on Properties for Sale or Lease

- (1) [Table 1220-3](#) establishes the maximum area and height of temporary signs allowed on properties that are for sale or lease.
- (2) One sign shall be permitted at any single time for each street frontage. For lots with street frontage longer than 200 lineal feet, one additional sign may be posted in accordance with the maximum size and height requirements of [Table 1220-3](#).
- (3) The signs are limited to yard signs or banner signs subject to the sign-specific standards in Section [1220.09\(g\)](#).
- (4) Such signs shall not require a certificate of zoning compliance.

TABLE 1220-3: TEMPORARY SIGNS ON PROPERTIES FOR SALE OR LEASE		
LOT SIZE	MAXIMUM SIGN AREA	MAXIMUM HEIGHT
Less than two acres	6 square feet	4 feet
Two acres to 10 acres	12 square feet	6 feet
Over 10 acres	24 square feet	6 feet

(d) Temporary Signs on Construction Sites

Temporary yard signs may be permitted on any nonresidential construction site or on a residential subdivision where there are active construction activities in accordance with the following:

- (1) There shall be no maximum number of signs but the total sign area of all temporary signs shall not exceed 36 square feet.
- (2) The signs shall have a maximum height of 10 feet.
- (3) The signs are limited to yard signs or banner signs subject to the sign-specific standards in Section 1220.09(g).
- (4) Such signs shall require a certificate of zoning compliance.
- (5) The signs shall be removed upon completion of the construction activities.

(e) Temporary Signs in Residential Zoning Districts

The following temporary signs with a commercial message are allowed in addition to any other temporary sign allowed on any lot in a residential zoning district or in a residential PD:

- (1) Up to two temporary signs with a commercial message are permitted on each lot in a residential zoning district, including any lot in a residential PD. This shall include any commercial signage allowed pursuant to Section 1220.09(c).
- (2) The signs are limited to yard signs or banner signs subject to the sign-specific standards in Section 1220.09(g).
- (3) The maximum sign area for each sign shall be six square feet with a maximum height of four feet.
- (4) A certificate of zoning compliance shall not be required for these signs.
- (5) In lieu of the above regulations, any nonresidential use located in a residential zoning district shall be permitted the same amount of temporary commercial signs as allowed in the B-1 District pursuant to Section 1220.09(f).

(f) Temporary Signs in Nonresidential Zoning Districts

- (1)** Table 1220-4 establishes the total square footage, height, and allowances for temporary signs allowed on each individual lot, in the applicable nonresidential zoning district.
- (2)** Each sign type shall be subject to the standards established for each sign type in this section.
- (3)** There shall be no maximum number of signs provided the aggregate total square footage of sign does not exceed the amount established in Table 1220-4 unless limited by the sign type standard.
- (4)** A certificate of zoning compliance shall be required for any sign over 16 square feet in sign area unless otherwise stated in this section.

TABLE 1220-4: TEMPORARY SIGN ALLOWANCES

SIGN TYPE	DISTRICTS AND SUBDISTRICTS ALLOWED	MAXIMUM SIGN AREA (SQUARE FEET)	MAXIMUM SIGN HEIGHT (FEET)	TIME LIMITS
A-Frame or T-Frame Sidewalk Signs	All Districts and Subdistricts	8	4	See Section 1220.09(g)(1).
Balloon or Air Activated Graphics	All Districts and Subdistricts except UC-C and UC-S	50	12	14 consecutive days, one time per calendar year
Banner Signs	All Districts and Subdistricts	See Section 1220.09(g)(3).		
Blade Signs	All Districts and Subdistricts except UC-C and UC-S	24	8	14 consecutive days, four times per calendar year
Flag Banner Signs	All Districts and Subdistricts	20	None	14 consecutive days, four times per calendar year
Yard Signs	All Districts and Subdistricts	24	5	14 consecutive days, four times per calendar year

(g) Standards for Temporary Sign Types

(1) A-Frame or T-Frame Sidewalk Signs

A-Frame or T-Frame sidewalk signs are permitted in any nonresidential district in accordance with the following requirements;

- A.** A certificate of zoning compliance shall be required for the initial placement of the sign.
- B.** The sign may be located on a public or private sidewalk or walkway provided it is placed on pavement and not in any landscaped areas.
- C.** If the sign is placed on a sidewalk or walkway, the sign can only be placed where the paved sidewalk or walkway width, not including curb top, is at least seven feet wide.

- D. The sign must be free-standing and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure.
- E. The sign must not obstruct access to parking meters, bicycle racks and other features legally in the right-of-way. The sign must not interfere with the opening of car doors in legal spaces, or with the operation of wheelchair lifts and ramps, cab stands, loading zones or bus stops.
- F. The sign shall be internally weighted so that it is stable and windproof.
- G. The sign shall only be placed outside during the hours of the establishment's operation.
- H. The City of Middletown shall be held harmless from any liability resulting from accident or injury caused by erection and maintenance of such sign.

(2) Balloon or Air-Activated Signs

- A. Only one balloon or air-activated sign is allowed on any lot at one time.
- B. The sign shall be securely anchored to the ground.
- C. The sign shall be setback from any right-of-way and any parking space a minimum distance equal to its height. Such setback shall include any wires, rope, or other materials used to securely fasten the sign to the ground.

(3) Banner Signs

- A. Banner signs may be attached to a building, fence, or other similar structure. Banners attached to posts and mounted in a yard or landscape area shall be regulated as a temporary yard sign.
- B. The maximum height standard for temporary signs shall not apply to a banner sign but such signs shall not be mounted in a manner that extends above the roofline of a building or the top of the structure on which it is mounted.
- C. The maximum sign area for banner signs shall be 24 square feet.
- D. Banner signs shall be permitted for up to 15 consecutive days, four times per calendar year with the exception of paragraph (E) below.
- E. For certificates of zoning compliance applications related to the establishment of a new use within an existing building where there is existing permanent signage, a banner sign may be approved for up to 45 consecutive days to cover the existing permanent signs. Such banner sign shall not exceed the sign area of the permanent sign and shall require a certificate of zoning compliance.

(4) Blade Signs

- A. There shall be a minimum separation distance of 50 feet as measured along the street frontage.

- B. The signs shall be securely anchored in the ground or within a portable base designed for such function.
- C. The sign shall be setback from any right-of-way and any parking space a minimum distance equal to its height.

(5) Flag Banner Signs

- A. Flag banner signs shall be mounted on the building wall either by bracket or by a pole.
- B. The bottom of the flag banner sign shall be no lower than nine feet measured from grade of the property line closest to the banner.
- C. Flag banner signs shall not extend beyond three feet over the sidewalk measured from their point of mounting on the storefront wall.
- D. Flag banner sign mounting devices shall have structural integrity as authorized by the Chief Building Official.

(6) Yard Signs

There shall be a maximum of two faces to the sign, mounted back-to-back.

1220.10 NONCONFORMING SIGNS

- (a) All signs that do not conform to the specific standards of this code may be considered legally nonconforming if the sign was erected in conformance with a valid certificate of zoning compliance and complied with all applicable laws at the time of the sign's installation or if the sign was part of a property that was annexed to the City.
- (b) A sign shall lose its legal nonconforming status and must be brought into compliance with the provisions of this chapter by an application for and issuance of a certificate of zoning compliance or by complete removal, if any of the following occurs:
 - (1) If such sign is damaged to an amount exceeding 50 percent of the sign's replacement value, as determined by at least two sign companies requested to provide a quote;
 - (2) The sign or its structure is altered in any form;
 - (3) The sign is relocated;
 - (4) The nonconforming sign and its structure (including support and frame and panel) are determined by the Development Code Administrator to be unsafe or in violation of this code or the building code, and are declared a nuisance.
- (c) Failure to bring a sign into compliance after loss of a legal nonconformity status as defined in (b) above shall cause the sign to be considered an illegal sign.
- (d) Minor repairs and maintenance of nonconforming signs, such as repainting, electrical repairs and neon tubing repair shall be permitted. Maintenance does not include making changes in the words, symbols, or design on the current sign unless the words and symbols are part of the changeable reader board or removable panels on a sign cabinet.

- (e) Sign face changes where there is no change to the nonconforming sign structure including change in sign face area, height, or alteration of the sign cabinet, if applicable, may be made without a certificate of zoning compliance and without losing the legal nonconforming status of the sign. These actions include, but is not limited to, replacement of a sign face, repainting of a sign face, etc.

1220.11 MAINTENANCE (NEW)

- (a) Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of a defective part, painting, cleaning, and other acts required for the maintenance of the sign.
- (b) Whenever a sign is to be removed pursuant to the requirements of this section, all parts of the sign and supporting structure (e.g., pole, monument, cabinet structure, etc.), excluding buildings for wall, projecting, or similar signage, shall be removed in its entirety. This section shall not require the removal of a raceway if mounted to such structure on a building.