

CHAPTER 1276

Signs

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CROSS REFERENCES

Municipal zoning - see Ohio R.C. 713.06 et seq.

Power to regulate advertising - see Ohio R.C. 715.65

Advertising on State highways - see Ohio R.C. Ch.

5516

Traffic control signs - see TRAF. 414.07

Signs on windshields - see TRAF. 438.23

Bicycle control signs - see TRAF. 444.07

Liquor age warning signs - see GEN. OFF. 612.06

1276.01 PURPOSE AND SCOPE.

(a) This chapter is enacted pursuant to the authority granted by Ohio R.C. 713.06 to promote the health, safety, convenience, prosperity and general welfare of the residents of Yellow Springs, to acknowledge and accommodate the legitimate needs of business, to provide every businessperson with equal opportunity to present such business visually, to protect the community from unsightly visual clutter and abuse and to retain and increase the aesthetic value of the community. It is further intended to reduce sign distractions and sight obstructions that may create or contribute to traffic hazards.

(b) The primary intent of this chapter shall be to regulate signs of a commercial nature intended to be viewed from any public right of way.

(Ord. 91-12. Passed 12-2-91.)

(c) This chapter shall not regulate official traffic or governmental signs, the copy and message of any sign, flags of any nation or government, religious symbols, the display of street numbers, or any display or construction not defined herein as a sign.

(Ord. 98-2. Passed 5-4-98.)

(d) This chapter shall not be construed to relieve or lessen the liability or responsibility of any person owning, operating, controlling or installing any sign or constructing or erecting any sign, for damage to persons or property caused by any defect in such sign, nor shall the Village be held to assume any such liability by reason of the provisions of, or inspection authorized by, this chapter.

(Ord. 91-12. Passed 12-2-91.)

1276.02 COMPLIANCE WITH AND INTERPRETATION OF CHAPTER; SIGN CONSTRUCTION AND MAINTENANCE; ELECTRICAL AND TEMPORARY SIGNS.

(a) No person shall erect, place or maintain a sign in the Village of Yellow Springs except in accordance with the provisions of this chapter.

(b) In interpreting and applying the provisions of this chapter, such provisions shall be held to be the minimum requirements. Where this chapter imposes a greater restriction or limitation on the number, height, area or location of signs than is imposed or required by other laws or ordinances, the provisions of this chapter shall control.

(c) All signs, including those that are exempt from the requirement of a permit, as set forth in Section 1276.04, shall be properly maintained. A sign shall be constructed in a safe, presentable manner with sound structural material. This requirement includes the replacement of all defective parts, painting, repainting, cleaning and other acts involved in general maintenance. If a sign is not made to comply with adequate safety standards, the Zoning Administrator shall require its removal in accordance with this section.

(d) Every sign requiring electric current shall meet the requirements of the National Electrical Code, as adopted in Chapter 1424 of the Building and Housing Code and shall be approved by the Electrical Inspector.

(Ord. 91-12. Passed 12-2-91; Ord. 98-2. Passed 5-4-98.)

(e) A temporary sign announcing the future development of the property where such sign is posted shall be reviewed and approved by the Board of Appeals prior to posting. Such sign shall not be posted more than eight months prior to the initiation of construction on the project advertised. The proposed sign shall comply with the size limitations in the appropriate zoning district.

(Ord. 94-9. Passed 6-6-94.)

1276.03 SIGNS PROHIBITED IN ALL ZONING DISTRICTS.

(a) The following types of signs are prohibited in all districts:

- (1) Action signs, except public service signs and signs used for standard sized barber poles without any worded message;
- (2) Billboard signs;
- (3) Roof signs; and
- (4) Any sign illuminated by direct lighting.

(b) No sign shall be so designed and erected, so illuminated, or operated in such a way or in such a location, that it conflicts with or detracts from the effectiveness or visibility of an official traffic light or sign or constitutes a menace to traffic safety or radio communication.

(c) No sign shall be placed in such a manner as to obstruct any fire escape, any required exit, door or window or any ventilation system or other operational necessities of a building.

(d) No sign shall be affixed to any tree, fence, utility pole, street light or other similar structures.

(e) Signs that no longer advertise a bona fide operation, business or product sold are not permitted. They shall be removed when the business ceases or the product is no longer available and at the expense of the owner of the building, structure or property to which the sign is connected.

(f) No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention.

(Ord. 91-12. Passed 12-2-91.)

1276.04 EXEMPTIONS.

The following signs are allowed in all districts without a permit:

(a) Construction signs being nonilluminated signs posted by persons or firms connected with work on buildings under actual construction or alteration, provided that no such sign is more than twelve square feet in area; that information thereon is limited to the name, address and telephone number of the contractor; that such signs, when not attached flat against a building, are set back at least six feet from all vehicular rights of way; and that such signs are maintained in good condition. When more than one contractor is participating in a construction project, one shared sign of no more than fifteen square feet in area can be posted. These signs shall be posted from the time a building permit is issued through ten days after issuance of a final occupancy permit.

(b) Municipal signs, being traffic or other Municipal signs, legal notices, railroad crossing signs and danger signs.

(c) Temporary signs pertaining to charitable or nonprofit institutions, provided that no such sign is greater than twenty-four by thirty inches in size, that such signs are erected either within a building or are set back from all vehicular rights of way at least six feet and that such signs are maintained in good condition.

(d) Temporary signs pertaining to charitable or nonprofit institutions and signs dealing with matters other than the advertisement of established business when such signs are limited to thirty square feet and are erected in any location designated by Council for such posting.

(e) Plaques, being memorial tables, commemorative plaques and plaques containing the name of a building, the date of erection or the use of such building, provided that any such tablet, sign or plaque is limited to two square feet in area.

(f) Political signs, provided that such signs are no larger than six square feet in a residential district and sixteen square feet in any other district and that there are no more than two sides; that such signs are erected no earlier than thirty days prior to an election; and that such signs are in place no longer than seven days after an election. A political sign shall not be attached to any structure providing essential services or located in any manner destructive to public or private property.

Political signs shall not be permitted within any right of way of public streets, as such placement creates a hazard to public safety by obstructing vision both from the traveled roadway as well as from points of ingress to and egress from the traveled roadway. Any sign placed in the public right of way shall be considered a safety hazard and nuisance per se. Such sign shall be immediately removed by the Zoning Administrator, and the responsible person shall then be notified of such action, if possible. It shall be the responsibility of the candidates for office or, in the case of an issue, the chairperson or treasurer of the campaign committee, to assure compliance with these regulations. All political signs shall comply with State law.

(g) Public service signs, when such signs contain no other sign message than a public service display and when such signs have been approved by Village Council.

(h) Nonilluminated real estate signs, provided that no such sign is more than twelve square feet in area; that such sign advertises the sale, lease or rental of only the building or premises whereon such sign appears; that such sign is limited to one for each building so posted; that such sign, when not attached flat against a building, is set back at least six feet from all vehicular rights of way; and that such sign is maintained in good condition.

(i) Temporary window signs, in all districts excluding the Central Business District, when no more than twenty-five percent of the window is covered by the sign.

(j) Garage sale signs, provided that no such sign is larger than three square feet in sign area; that only two such signs exist in locations other than the seller's property; that such signs are kept on display forty-eight hours or less; and that no property so advertises more than twice a year.

(Ord. 91-12. Passed 12-2-91; Ord. 92-16. Passed 11-2-92; Ord. 98-2. Passed 5-4-98.)

1276.05 SIGNS IN RESIDENCE DISTRICTS.

(a) Signs directing attention to uses which are principally permitted in districts other than residential districts may be allowed on-site in Residence Districts, subject to the most restrictive requirements for that particular type of sign as listed elsewhere in this chapter, and provided that the signs adhere to a sign message area size restriction that is fifty percent of the message area allowed for the same type of sign in nonresidential districts.

(b) Nonconforming business or industrial uses are permitted to have exterior advertising signs aggregating no more than twelve square feet, and such signs shall otherwise be restricted to the standards established in the district where they are principally permitted.

(c) Nonilluminated announcement or home occupation, free-standing, projecting or wall signs are permitted, provided that such signs are limited to one per business establishment and that such signs are not more than two square feet in area.

(Ord. 98-2. Passed 5-4-98.)

(d) Window signs erected within a structure are allowed with a maximum of twenty-five percent or less of the area of the window being obscured by such a sign.

(e) One nonilluminated sign promoting a newly-developed subdivision shall be allowed for every development of at least ten dwelling units or more. This sign shall be a maximum of forty-five square feet per side, consisting of no more than two sides, and shall be in place no more than one year from the date the advertised subdivision was recorded. The sign shall not be artificially illuminated in any manner and shall be properly maintained.

(Ord. 91-12. Passed 12-2-91.)

1276.06 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS. (REPEALED)

(EDITOR'S NOTE: Section 1276.06 was repealed by Ordinance 98-2, passed May 4, 1998. See Section 1276.065.)

**1276.065 SIGNS IN CONSERVATION, AGRICULTURAL, EDUCATIONAL
INSTITUTION AND OFFICE/RESEARCH DISTRICTS.**

Signs located in Conservation, Agricultural, Educational Institution and Office/Research Districts must comply with the requirements set forth in Section 1276.05.

(Ord. 98-2. Passed 5-4-98.)

1276.07 SIGNS IN THE CENTRAL BUSINESS DISTRICT.

(a) In General.

- (1) A maximum of two types and three total signs per principal building are allowed on any one lot regardless of the number of tenants.
- (2) Advertising vehicles or any other accessory structures or uses supporting advertising are prohibited.
- (3) No sign shall cover architectural details such as, but not limited to, arches, sills, moldings, cornices and transom windows.
- (4) No sign shall remain illuminated between the hours of 11:00 p.m. and 7:00 a.m. of the following day unless the associated use is operating during those hours.
(Ord. 92-16. Passed 11-2-92.)
- (5) Internally illuminated plastic/acrylic/vinyl signs are permitted only if they are of a custom design.
- (6) Trademarks and nationally recognized logos may occupy a maximum of twenty percent of any sign.
(Ord. 93-5. Passed 5-3-93.)
- (7) If individual establishments located in a single building wish to share a common sign, a total sign area of 150 percent for the specific type of sign shall be permitted. This limitation applies to signs specifically mentioned below, as well as those that might be erected in accordance with Section 1276.04.
(Ord. 98-2. Passed 5-4-98.)

(b) Requirements by Type of Sign.

- (1) For free-standing signs, whenever the front of a building is ten feet or more from the front property line, one free-standing sign per property may be displayed, provided that:
 - A. The maximum area for each side of the sign is fourteen square feet;
 - B. The maximum height of the sign does not exceed fourteen feet with the upright supporting the sign at a maximum of sixteen feet;

- C. The sign is erected on private property and does not encroach on public rights of way;
- D. The horizontal dimension of the sign does not exceed seven feet;
- E. Such sign is of permanent construction and constructed according to the provisions of the Building Code;
- F. Such sign, if lighted, is illuminated internally or indirectly.

(2) Projecting signs. Projecting signs are permitted, provided that:

- A. The overall size of such sign does not exceed six square feet per face;
- B. The sign does not project more than three feet from the building and does not encroach on a public right of way more than twelve inches;
- C. The minimum clearance of the sign shall be at least eight feet above the ground;
- D. If two or more businesses inhabit a single building and elect to use projecting signs, the overall size of such signs shall not exceed eighteen square feet;
- E. No sign is within six feet of any alley.

(3) Wall signs. Wall signs are permitted, provided that:

- A. The depth of such sign shall not project from the building more than twelve inches;
- B. Such sign shall not extend beyond the building roof or side;
- C. The total sign area cannot exceed one square foot per linear foot of building face parallel to the street or ten percent of the wall area or twenty-five square feet, whichever is less;
- D. A single property may have two or more wall signs, but the total square footage of both shall not exceed the total allowable area;
- E. Canopy and/or awning signs count as wall signs and shall have a minimum height of eight feet above the existing grade;
- F. In the case of a building which fronts on two or more streets, a sign may appear on each wall facing a street. The total sign area of these signs shall be no greater than that allowable by front-foot computation of the larger wall.

(4) Window signs. Window signs are permitted, provided that:

- A. Permanent window signs are limited to twenty-five percent coverage of the window they are posted in;
- B. Such sign shall not be illuminated internally or indirectly;
- C. Temporary window signs may cover an additional twenty percent of any given window, but can only be posted for a maximum of thirty days during a given six-month period. An interval of twenty-one days shall elapse before another such temporary sign shall be posted. All temporary signs must be dated when they are posted.

(5) Theater signs. Theater signs are permitted, provided that:

- A. Change panel signs shall be affixed to the building or marquee and may be illuminated internally or indirectly;
- B. The area of such sign is limited to one square foot per front-foot of building, with the maximum total area of all such signs not to exceed eighty square feet;
- C. No more than two temporary signs shall be permitted at any one time;
- D. Theater signs may not project above or beyond the building or marquee.

(6) Traffic-directing signs. Traffic-directing signs are permitted, provided that:

- A. The maximum area for each side of such sign is two and one-half square feet and there are not more than two such sides;
- B. There are no more than two traffic-directing signs per principal structure on a lot.

(7) Service station price signs. Gasoline (service) station price signs are permitted, provided that:

- A. The sign displayed is no larger than six square feet per side and there are no more than two such sides;
- B. The sign displayed meets all other applicable standards contained in this chapter, except that if a price sign is mounted on the same standard as another free-standing sign, the total display area for the aggregate of signs thus mounted on such standard shall not exceed twenty square feet on each of two sides, nor shall any part of the allowance for a price sign be added to the allowance for an identification sign in order to create a single larger sign;
- C. Such price sign may be a change-panel sign.

(Ord. 92-16. Passed 11-2-92.)

(8) Special purpose and shopping center signs. Special purpose and shopping center signs are permitted, provided that:

- A. Scale drawings and indications of the location of such signs on the sites to which they refer must be presented to and approved by the Board of Appeals, or a designated agent of the Board, before a permit may be issued;
- B. Fees for such signs shall be as if each tenant in such location were applying for an individual sign and shall be in addition to fees for other individual signs.

(Ord. 98-2. Passed 5-4-98.)

1276.08 SIGNS IN THE GENERAL BUSINESS DISTRICT.

(a) In General.

- (1) A maximum of two types and three total signs per principal building are allowed on any one lot regardless of the number of tenants.
- (2) The aggregate area for all signs for a single business address shall not exceed 100 square feet. This limitation applies to signs specifically mentioned below as well as those erected in accordance with Section 1276.04.
- (3) Advertising vehicles or any other accessory structures or uses supporting advertising are prohibited.
- (4) No sign shall remain illuminated between the hours of 11:00 p.m. and 7:00 a.m. of the following day unless the associated use is operating during those hours.
- (5) Internally illuminated plastic/acrylic/ signs are permitted only if they are of a custom design.
- (6) Trademarks and nationally recognized logos may occupy a maximum of twenty percent of any sign.
(Ord. 93-5. Passed 5-3-93.)
- (7) If individual businesses located on the same property wish to share a common sign, a total sign area of 150 percent for the specific type of sign used shall be permitted. This limitation applies to signs specifically mentioned below, as well as those that might be erected in accordance with Section 1276.04.
(Ord. 98-2. Passed 5-4-98.)

(b) Requirements by Type of Sign.

- (1) Free-standing signs. For free-standing signs, whenever the front of a building is thirty feet or more from the front property line, one free-standing sign per property may be displayed, provided that:
 - A. The maximum area for each side of the sign is sixteen square feet if the sign is located within ten feet of the property line facing a public street and the sign height does not exceed ten feet;
 - B. The maximum area for each side of the sign is twenty square feet if the sign is located between ten feet and twenty feet of the property line facing a public street and the sign height does not exceed fifteen feet;
 - C. The maximum area for each side of the sign is twenty-four square feet if the sign is more than twenty feet from the property line facing a public street and the sign height does not exceed twenty feet;
 - D. Such sign is erected on private property and does not encroach on public rights of way;
 - E. Such sign is not plastic, vinyl or any other similar material;
 - F. Such sign, if lighted, is illuminated internally or indirectly.

(2) Projecting signs. Projecting signs are permitted, provided that:

A. The overall size of such sign does not exceed twenty square feet per face;

B. If two or more businesses inhabit a single building and elect to use projecting signs, the overall size of such signs shall not exceed thirty square feet;

C. No sign is within six feet of any alley.

(3) Wall signs. Wall signs are permitted, provided that:

A. The sign does not project from the building more than twelve inches;

B. Such sign shall not extend beyond the building roof or side;

C. The total sign area cannot exceed one square foot per linear foot of building face parallel to the street, or ten percent of the wall area or twenty-five square feet, whichever is less;

D. A single property may have two or more wall signs, but the total square footage of both shall not exceed the total allowable area;

E. Canopy and/or awning signs count as wall signs and shall have a minimum height of eight feet above the existing grade;

F. In the case of a building which fronts on two or more streets, a sign may appear on each wall facing a street. The total sign area of these signs shall be no greater than that allowable by front-foot computation of the larger wall.

(4) Window signs. Window signs are permitted, provided that:

A. Permanent window signs are limited to twenty-five percent coverage of the window they are posted in;

B. Such sign shall not be illuminated internally or indirectly;

C. Temporary window signs may cover an additional twenty percent of any given window, but can only be posted for a maximum of thirty days during a given six-month period. An interval of twenty-one days shall elapse before another temporary sign may be posted. All temporary signs must be dated when they are posted.

(5) Theater signs. Theater signs are permitted and shall comply with the provisions of Section 1276.07.

(6) Traffic-directing signs. Traffic-directing signs are permitted and shall comply with the provisions of Section 1276.07.

(7) Service station price signs. Gasoline (service) station price signs are permitted and shall comply with the provisions of Section 1276.07.

(Ord. 93-5. Passed 5-3-93.)

- (8) Special purpose and shopping center signs. Special purpose and shopping center signs are permitted, provided that:
- A. Scale drawings and indications of the location of such signs on the sites to which they refer must be presented to and approved by the Board of Appeals, or a designated agent of the Board, before a permit may be issued;
 - B. Fees for such signs shall be as if each tenant in such location were applying for an individual sign and shall be in addition to fees for other individual signs.
- (Ord. 98-2. Passed 5-4-98.)

1276.09 SIGNS IN THE LIGHT INDUSTRIAL DISTRICT.

(a) Sign Area. The aggregate area of all signs for a single business address shall not exceed 150 square feet. This limitation applies to signs specifically mentioned below as well as those that might be additionally erected in accordance with Section 1276.04.

(b) Trademarks. Trademarks or names of products shall not occupy more than thirty percent of the sign area unless products of only that one producer are the major item of sales made on the premises.

(c) Requirements by Type of Sign. Requirements by type of sign shall be as follows:

- (1) Free-standing signs. For free-standing signs, whenever the front of a building is thirty feet or more from the front property line, one free-standing sign may be displayed, provided that:
 - A. Such building is the principal structure on the lot and has been assigned a street address;
 - B. Such building does not house the same business as that announced by another free-standing sign;
 - C. The maximum area for each side of such sign is twenty-five square feet and there are no more than two such sides;
 - D. Such sign is internally or indirectly lit;
 - E. The vertical height of such sign is no greater than twenty-five feet above the grade, and the minimum clearance under such sign is twelve feet when over an area used by motor vehicles and bicycles and eight feet when over an area used by pedestrians, provided that no minimum clearance applies when neither of the foregoing restrictions applies;
 - F. The horizontal dimension of such sign is no greater than ten feet;
 - G. Such sign is erected on private property and does not encroach upon any public right of way.

(2) Projecting signs. Projecting signs are permitted, provided that:

- A. Such signs do not exceed ten square feet in area;
- B. The minimum clearance under such signs is twelve feet when over an area used by motor vehicles and bicycles and eight feet when over an area used by pedestrians, provided that no minimum applies when neither of the foregoing restrictions applies;
- C. No such sign is within six feet of an alley;
- D. There is no more than one projecting sign per business address.

(3) Traffic-directing signs. Traffic-directing signs are permitted, provided that:

- A. The maximum area for each side of such sign is three square feet and there are no more than two such sides;
- B. There are no more than two such signs per principal structure on a lot.

(4) Wall signs. Wall signs are permitted, provided that:

- A. No wall sign shall be larger than 150 square feet or two square feet per front foot of building, whichever is less;
- B. No part of any wall sign shall extend above the roof line of the building;
- C. Wall signs may not project from the wall more than twelve inches;
- D. When a building fronts on two or more streets, a sign may appear on each wall facing a street. However, the total sign area shall be no greater than that allowable by the front-foot computation of the larger wall.

(Ord. 93-5. Passed 5-3-93.)

(5) Window signs. Window signs are permitted, provided that:

- A. Permanent window signs are limited to thirty percent coverage of the window they are posted in;
- B. Such sign shall not be illuminated internally or indirectly; and
- C. Temporary window signs may cover an additional twenty percent of any given window, but can only be posted for a maximum of thirty days during a given six-month period. An interval of twenty-one days shall elapse before another temporary sign may be posted. All temporary signs shall be dated when they are posted.

(Ord. 98-2. Passed 5-4-98.)

1276.10 LEGAL NONCONFORMITY.

(a) Any sign located within the Village limits on the date of adoption of this chapter or located in an area annexed to the Village thereafter, which does not conform to the provisions of this chapter, is eligible for characterization as a legal nonconforming sign and is permitted.

(b) Restrictions for legally nonconforming signs shall be as follows:

- (1) A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panels, painted boards or demountable materials on nonconforming signs shall be permitted within sixty months from the effective date of this chapter.
- (2) Minor repairs and maintenance of nonconforming signs, such as repainting, electrical repairs and neon tubing repair, shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except in conformance with this chapter.
- (3) If a nonconforming sign is damaged to more than one-half of its replacement value, then it shall be removed and shall not be repaired or replaced except in conformance with this chapter.
- (4) Any nonconforming sign which is altered, relocated or replaced shall comply with all provisions of this chapter as if it were a new sign.
- (5) Nonconforming signs made of paper, cloth or other nondurable material, and any signs that are not affixed to a building or the ground or are located within a public right of way, shall be removed within thirty days from the effective date of this section.
(Ord. 91-12. Passed 12-2-91.)

1276.11 PERMITS, FEES AND INSPECTIONS.

(a) Every sign hereafter erected in any zoning district of the Village shall require a permit therefor and the payment of a fee as hereinafter stipulated.

(b) All signs not specifically allowed by Section 1276.04 shall be erected only after issuance of a permit therefor by the Zoning Administrator.

(c) Permits for all signs shall be obtained from the office of the Village Manager in his or her capacity as Zoning Administrator.

(d) Every application for a sign permit shall be accompanied by the following information:

- (1) The name and address of the owner of the sign.
- (2) The street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- (3) The type of sign or sign structure as defined in this chapter.
- (4) A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing signs on the same premises.
- (5) Specifications and scale drawings showing the materials, design, dimensions, structural supports and any electrical components of the proposed sign.

(e) Appeals from the ruling of the Zoning Administrator shall be made to the Board of Appeals and shall be governed by the procedures established in Section 1242.06(b).

(f) Payment of a sign permit fee and the securing of a sign permit shall be required whenever:

- (1) A sign is erected where no sign existed before;
- (2) A business changes signs after a change in business ownership;
- (3) The location or square footage of a sign is changed for an existing business, or the square footage of a sign is increased;
- (4) Any alteration from the conditions specified in the original permit is made to the sign.

(g) Applications for sign permits shall be accompanied by a fee as established by Village Council. An additional ten dollar (\$10.00) fee shall be imposed for each sign for which a sign permit is granted, but which is erected before issuance of a sign permit.

(Ord. 91-12. Passed 12-2-91; Ord. 98-2. Passed 5-4-98.)

1276.12 VIOLATIONS; NOTICE.

If any sign is erected or maintained in violation of any of the provisions of this chapter, the Zoning Administrator shall provide the owner with a written notice of such violation. This notice shall include a brief statement of the particulars in which this chapter is violated and the manner in which such violation is to be remedied. This notice shall also state the specified time in which remediation should be made. The owner shall be required to notify the Zoning Administrator if the remediation cannot be completed within that time. If a sign has been registered with the Zoning Administrator, notice to the registered owner or to the person or firm receiving the permit shall be sufficient. If a sign has not been registered and the owner is not known, affixing of a copy of the notice to the sign, sign structure or building for a period of ten days shall constitute official notification of the violation.

(Ord. 91-12. Passed 12-2-91; Ord. 98-2. Passed 5-4-98.)