

Sign Regulations of the City of Youngstown



Ordinance 09-165

June 29, 2009

Chapter 1105

Sign Regulations of the City of Youngstown

1105.01 Purpose and Objectives.

General Purpose.

The purpose of the City of Youngstown Sign Regulations is to regulate non-commercial, commercial and event signage with a comprehensive system of reasonable, effective, consistent and nondiscriminatory sign standards and requirements. These Sign Regulations will identify guidelines that detail specifics for signs identifying non-commercial and commercial establishments, events and statements, while maintaining public safety and overall community welfare. Commercial signs shall be designed and constructed in accordance with the current edition of the Ohio Building Code. Additional guidelines for signs located in the geographic area of the city designated as the Design Review District are provided for in Chapters 1101 & 1102 of the Codified Ordinances of the City of Youngstown.

Objectives.

With these purposes in mind, City Council hereby declares that the enactment of these comprehensive Sign Regulations is necessary to achieve the above stated purposes and to accomplish the following objectives:

- A.** Accommodate the advertising needs of businesses and improve the image of business areas by creating an aesthetically attractive environment that promotes business and is inviting to the public.
- B.** Enhance the aesthetic quality of the City by encouraging signage that is compatible and appropriate with surrounding buildings, landscaping and other site features.
- C.** Establish sign standards that will enable the public to locate goods, services, and facilities in Youngstown easily.
- D.** Recognize that signs constitute a uniquely public form of communication that has effects on the public that more selective media do not.
- E.** Reduce the confusion and visual clutter caused by proliferation, improper placement, illumination, animation, and excessive height and area of all signs that also compete for the attention of pedestrian and vehicular traffic.
- F.** Protect the public from the dangers of unsafe signs and require signs to be located, constructed, installed and maintained in a safe and satisfactory manner.
- G.** Establish sign size in relation to the scale of the lot and building frontage along which the sign is to be placed.
- H.** The intent of these regulations is not to limit the message content of signs but to regulate the time, place, and manner of their display; to balance the free speech of individuals with the collective rights of the community.

1105.02 Definitions and Terms.

The following words or phrases are sign-specific terms and shall have their meaning given when interpreting Chapter 1105, Sign Regulations of the City of Youngstown, and any sections related to the implementation of the standards in Chapter 1105.

Air-Activated Sign: A sign all or any part of which is designed to be moved by action of the air to attract attention, including signs with moveable colored disks but excluding flags, banners, or festoons.

Attention-Getting Display: A visual display such as festoons that is not a sign but that is designed and/or used to attract attention to a premise or a sign.

Awning: An awning with advertisement lettering/message placed on canvas, or other approved flexible material, with a structural metal frame that is attached to a building.

Back-to-Back Sign: A sign consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.

Banner Sign: A sign displayed on flexible lightweight material, enclosed or not enclosed in a rigid frame.

Balloon Sign: An inflated object that constitutes a sign, the largest dimension of which exceeds 3 feet. Balloon signs do not include aircraft like hot air balloons or dirigibles displaying messages.

Billboard: See Separate Use Sign.

Changeable Copy Area: A sign or part thereof designed for frequent and easy changes of message copy, other than changing copy areas, such as message boards with removable letters or frames designed for changes of placards but not including surfaces to which bills or posters are attached.

Changing Copy Area: A message copy or other display on a sign that is capable of being periodically changed electronically or electrically, such as a time and temperature sign or electronic message center.

Directional Sign: A sign erected for the convenience of the public, such as for directing traffic movement, parking, or identifying restrooms, public telephones, walkways and other similar features or facilities, and bearing no advertising message.

Digital Sign: See Electronic Message Center.

Double Faced Sign: An off-premise sign with two adjacent faces oriented in the same direction and not more than ten (10) feet apart at the nearest point between the two faces.

Electronic Message Center (or Digital Sign): A message copy or other sign display made up of small internally illuminated components that change the display periodically. See also Flashing Sign.

Event Sign: A sign displayed for a continuous period of no more than 30 days no more than once in any calendar year.

Festoons: A string of light bulbs not shaded or hooded to prevent their being visible at the boundary of the lot or building site or of ribbons, tinsel, streamers, pinwheels, pennants, or similar devices that is hung in the open.

Flashing Sign: A sign that displays intermittent or flashing light, whether from internal or external light sources. Signs that produce moving or animated messages or images by use of intermittent light are not considered Flashing Signs.

Freestanding Sign: A sign erected on framework not connected to any structure supported and affixed by one or more uprights or braces in or upon the ground.

Government/Utility Sign: A sign maintained by a government body or a utility for legal, regulatory, public safety, historical or wayfinding purposes, including traffic control devices or pavement markings; legal

notices; warnings of hazards; historical markers; veterans memorials; directional signs to places of public interest; or

Any sign or exterior display a private party is required to display by government order or regulation with a size or other characteristic regulated herein that do not exceed those required for compliance with such order or regulation. Such Government/Utility Signs include construction signs for government-assisted projects and signs required by legislation on access for the disabled, or

The official flag or seal of any nation or unit of government or any reproduction thereof displayed by the owner or occupant of a property unaccompanied by other graphic matter, words, or symbols not otherwise qualifying under this definition.

Internally Illuminated Sign: A sign illuminated by an enclosed lighting source, the light from which does not extend beyond the face or message area of the sign, except indirectly through the face or surface thereof. Cabinet signs are considered internally illuminated but backlit characters mounted on wall surfaces are not.

Landmark Sign: An older sign designated by City Council that, by virtue of exhibiting special design qualities characteristic of an earlier era, merits special regulatory treatment because of its current rarity or unusual significance.

Moving Sign: A sign other than multi-prism sign that has one or more visible parts designed to move for the purpose of attracting attention.

Multi-Prism Sign: A sign, the message of which is periodically changed by multiple rotating panels each containing part of alternate messages.

ODOT-Regulated Sign: A sign regulated by the Ohio Department of Transportation under Chapter 5516 of the Ohio Revised Code, Chapter 5501:2-2 of the Ohio Administrative Code, both as amended, and/or any other statutes or regulations.

Permanent Sign: A sign that is not a Temporary Sign, as defined herein.

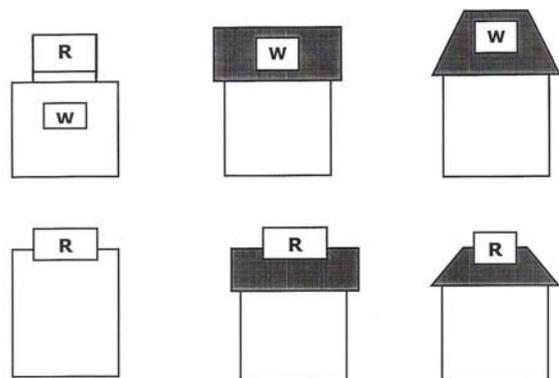
Portable Sign: Any Sign that is moveable and not permanently attached to the ground or to a structure or another sign permanently attached to the ground. Portable signs include trailer signs, as defined herein.

Projecting Sign: A sign displayed on or from a wall of a building or a projection there from, other than a canopy or awning, where the sign or the building projection extends more than twelve (12) inches from the face of the wall.

Roof Sign: Any sign that projects above the parapet or the highest point of the roof, whichever is higher, of that portion of a building on which it is mounted. Signs mounted upon vertical roof surfaces, such as mansard roofs, and signs displayed on pitched roofs, that do not extend higher than the peak, are not considered roof signs.

Separate Use Sign or Billboard: A sign, including the supporting sign structure, which is visible from a street or highway and conveys a message not associated with the premises and/or property upon which the sign is located.

ROOF & WALL SIGNS



R = Roof Sign W = Wall Sign

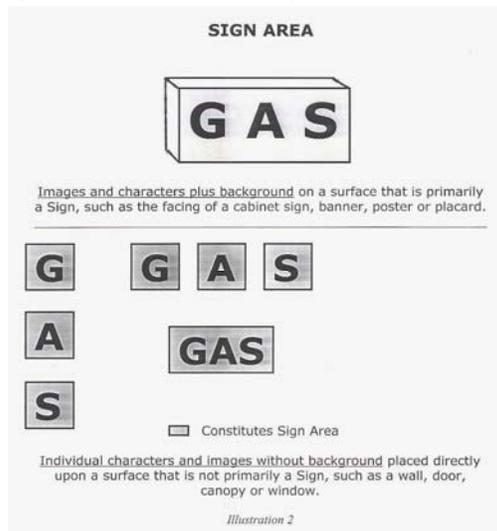
Illustration 1

Sign: Any visual or graphic device that is designed and/or used to communicate – usually with words, numbers, characters and/or proprietary symbols, as defined herein – a verbal and/or visual message that is at least partially visible from ground level beyond the lot or building site in which the sign is displayed.

Such a device shall be considered a sign whether or not a message is currently displayed thereupon. Sign shells, embellishments and support structures shall be considered part of the sign. Signs shall, irrespective of message content, be considered Accessory Uses to Principal Uses on their sites.

Sign Area: The total exposed surface on the largest single sign face normally visible at any one time, including sign background but excluding purely decorative embellishments and any support structure not part of the sign proper.

Only a single side of a two-sided sign is counted as sign area. The area of an internally illuminated sign is the area within the cabinet.



The area of a sign consisting solely of individual letters or symbols with no added background or decoration against a building wall or other surface that does not serve solely or principally as a sign, such as an awning or canopy, shall be the sum of the areas within envelopes completely enclosing each separate letter or symbol, excluding punctuation, or enclosing each attached group thereof.

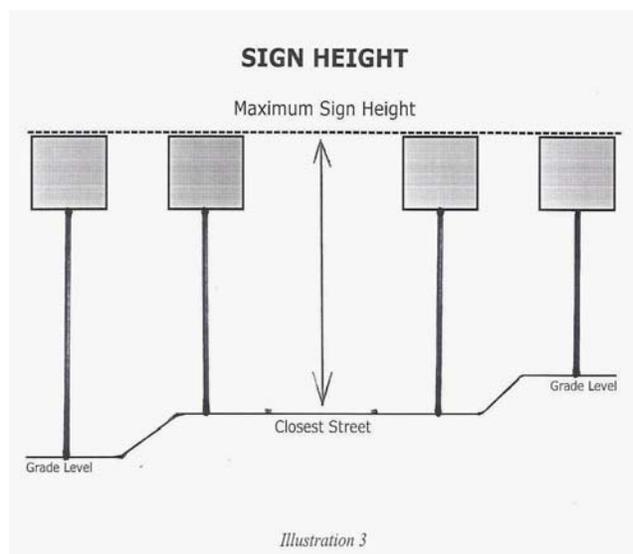
The sign area of a sign that displays more around the sign (such as a spherical sign or balloon) shall include only such sign area as may be visible at any one time from a point on the ground in an adjacent street within 200 feet of the sign. The Building Inspector may require a sign user to submit information that in his or her judgment establishes the part of the sign that is so visible.

Sign Clearance: The smallest vertical distance to grade (or to the surface of the roof in the case of a sign mounted upon or over a roof) from the lowest edge of a sign extending over that grade or surface, including embellishments but excluding any pole or support structure attached to the ground or roof.

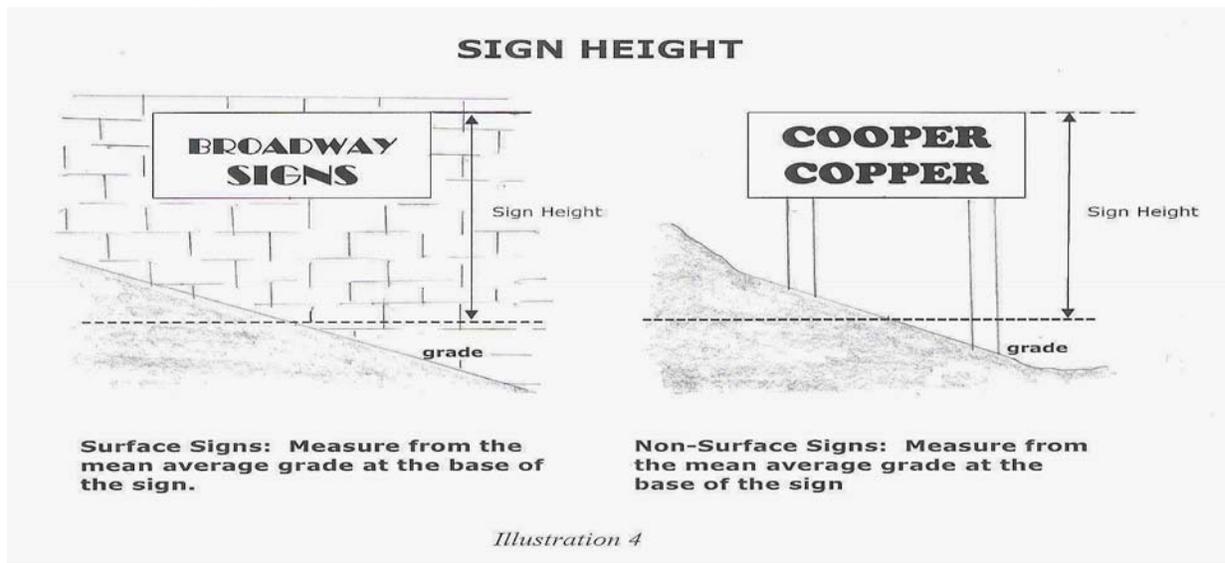
Sign Content: The advertising, informational, or other message directly conveyed by the characters and symbols used on a sign. Messages conveyed indirectly by the dimensions, media, colors, design, materials, sign form, lighting, positioning, movement or similar characteristics of a sign – such as emotional messages or psychological effects – are not considered content.

Sign Face: The surface of a sign upon, against or through which the message is displayed.

Sign Height: The vertical distance from the highest part of a sign, including support structures and embellishments, to the mean average grade of the land – or, for roof signs, the level of the roof – abutting the base of or directly below the sign.



Except where the curb level of the street from which the sign is intended to be viewed is higher than the specified grade of the land, the difference between the two shall not be counted in determining sign height. In the case of a sign intended to be viewed from more than one street, the mean average curb levels of the applicable streets shall be used.



Sign Panel: A display surface of a sign that is visually distinct from every other sign surface in its vicinity by virtue of appearing on a separate substrate or being separated from such other surfaces by open space. Sides of a two sided sign shall not be considered as separate panels so long as both are of identical shape, dimensions, and positioning and their backs are separated by 10 feet or less. Separate cabinets shall be considered separate panels.

Surface Signs: A Surface Sign is a sign mounted, applied, or otherwise displayed on, and generally following the contours of, the surface of a structure or object or part or projection thereof, the function of which is not primarily that of a sign. Surface Signs are commonly displayed on walls, windows, awnings, doors, vending machines, and canopies.

Temporary Sign: A sign that is not a permanent sign as permitted in Section 1105.10.A.

Trailer Sign: A portable sign mounted on a trailer or on a similar moveable support with or without wheels.

Vehicle Sign: A sign on or within a motor vehicle, boat, aircraft, recreational vehicle, or similar vehicle that appears to have been parked for the primary purpose of displaying the sign. Vehicle signs do not include:

1. Trailer signs, as defined herein
2. Lettering permanently painted on or attached to on aircraft, boats, or commercial vehicles, that are operating or parked during the normal course of business
3. Signs on buses or taxicabs that are operating or parked during the normal course of business
4. Bumper stickers
5. Placards of 3 square feet or less placed in window of vehicles

Wall Signs: See Surface Signs

1105.03 Exempt Signs.

While conforming to all the requirements contained in this Sign Code, the following signs shall be exempt from all permit requirements.

- A. Artistic murals and displays. Any displays constituting signs that are officially designated by the Design Review Committee as works of art, such as statuary, murals, or sculpture.
- B. Construction signs not exceeding thirty two (32) square feet in size. Such signs shall be removed prior to issuance of a Certificate of Occupancy. Also ground or sidewalk markings made for utility or construction purposes.
- C. Flags. Which are limited to no more that two (2) per parcel.
- D. Displays that are not signs, as defined herein, other than festoons, as defined herein.
- E. A clock, thermometer, or any measuring instrument that is not in any other respect a sign.
- F. Signs on motor vehicles, boats, aircraft, or other moving vehicles, whether moving or stationary, except vehicle signs, as defined herein.
- G. Signs of less than 1 square foot each in sign area.
- H. Labeling placed by a manufacturer or distributor on merchandise or its packaging displayed in outdoor sales displays, or signs displayed by retailers totaling 10 square feet or less per display or 10 square feet or less per street frontage occupied by the display.
- I. Government/Utility Signs that relate to public safety and welfare.
- J. Bulletin boards and bulletin board signs.
- K. Political Yard Signs. The regulations dealing with political yard signs are found in Section 541 of the Codified Ordinances of the City of Youngstown.
- L. Picket signs carried by striking workers, political protestors, or other aggrieved parties.
- M. Cornerstone inscriptions or other signs that are part of masonry facades of buildings.
- N. Landmark signs, as defined by the state or local historical societies or the Design Review Committee of the City of Youngstown.
- O. Displays in the interior of roofless buildings intended to be seen only from the inside, such as athletic scoreboards or advertising signs along interior walls of an open stadium. Scoreboard panels designed to be viewed from outside the stadium are not exempt.
- P. Seasonal displays relating to a holiday period, seasonal festival, or the like that do not constitute a sign, as defined herein.
- Q. Event signs, as defined herein, for temporary uses.

Displays that are, in the judgment of the Building Inspector, only incidental displays exempted herein and are primarily non-exempt signs shall be subject to the provisions of this Chapter. A sign, for example, that also contains a time and temperature display does not there-by become exempt under Subsection E.

1105.04 Prohibited Signs.

The following signs are prohibited as permanent signs within the City of Youngstown:

- A. Banner signs.
- B. Search and beacon lights.

- C. Balloon signs.
- D. Festoons
- E. Trailer signs consisting solely or largely of changeable copy areas.
- F. Portable signs consisting solely or largely of changeable copy areas.
- G. Pennants and streamers.

The following signs and attention-getting displays shall be prohibited as permanent, temporary or event signs:

- A. Air activated signs.
- B. Flashing signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations. This section does not prohibit electronic message centers.
- C. Markings on street pavements, curbs, or sidewalks, except Government/Utility Signs or temporary markings related to utility service, construction, or children's play.
- D. Moving signs.
- E. Projected image signs.
- F. Roof signs.
- G. Seat bench signs.
- H. Signs containing strobe lights visible beyond the property line.
- I. Signs on trash containers, public phones, parking meters, bus shelters, and the like. Signs on vending machines, ATMs, coin-operated devices and gasoline pumps inherent to such machine's design, inherent to its operation or required by law shall be allowed.
- J. Signs on rocks, trees, and natural objects.
- K. Signs on or attached to utility poles.
- L. Vehicle signs.
- M. Signs on fences or decorative walls. Businesses that are required to erect a fence or screening device such as a junk yard in an IH (Heavy Industrial) zone may place an identifying sign on their fence.
- N. Offsite signs, unless otherwise permitted under a specific provision in the Sign Regulations.
- O. Signs in the public right-of-way, except authorized traffic control devices.
- P. Signs obstructing traffic visibility.

1105.05 Administrative Procedures.

A. License required.

- (1) No person, firm or corporation shall erect, construct, maintain or repair any permanent, on premises, commercial signs as defined in any of the provisions of these regulations until a duly authorized representative of such person, firm or corporation has been granted a license as hereinafter provided. Such license is not transferable.
- (2) Application for a license to engage in the business of sign advertising shall be made to the Building Inspector of the City of Youngstown, in writing. The applicant shall furnish the

Building Inspector such information as that official may deem necessary for the proper enforcement and application of this code.

- (3) If the application for a license for the person, firm or corporation desiring to engage in the business of sign advertising is approved, a fee of one hundred dollars (\$100.00) is required for the license and each annual renewal shall be fifty dollars (\$50.00). All licenses expire at midnight on December 31 of each year. All registration and license fees collected under these regulations shall be paid to the City of Youngstown.

B. Permits Required.

No permanent signs, except as exempted in Section 1105.03, shall be erected, re-erected, placed, moved, constructed, reconstructed, altered or displayed unless a sign permit has been issued. If the sign is free standing or projecting from an existing structure a zoning permit is also required. A sign permit shall not be issued for a sign unless the sign is in compliance with all applicable provisions of the Sign Regulations or such provisions have been waived or altered in accordance with procedures contained herein. Signs to be erected, constructed, maintained or repaired within the Design Review district of the City shall be approved or denied by the Design Review Committee in accordance with Chapter 1102 of the Youngstown Codified Ordinances before being considered for a sign permit. Temporary Signs are permitted as described in Section 1105.06.B.

C. Sign Permitting Process.

- (1) Procedures for permitting signs. Signs that are to be individually erected for existing developed properties or involve a change in sign structures or a change in business identification shall be processed in accordance with the following requirements:
 - (a) An application for a zoning (for free standing signs) and sign permit shall be submitted by the sign owner(s) or their agent and shall include the following information:
 - (i) Sign elevations (drawings, renderings or pictures) indicating height, overall dimensions, form and illumination specifications.
 - (ii) A site plan indicating the height, location and overall dimensions for all existing and proposed signs on the site.
 - (iii) Outline of building elevations showing all existing and proposed signs.
 - (iv) Foundation details for ground signs and/or attachment details for wall mounted signs.
 - (b) Review of the application shall be by the Building Inspector, Plans Examiner and/or Zoning Specialist, to ensure compliance with the provisions of the Sign Regulations. The Building Inspector shall:
 - (i) Approve and recommend the issuance of a sign permit; or
 - (ii) Approve the request subject to modification and recommend the issuance of a permit accordingly; or
 - (iii) Deny the request based on a failure to comply with provisions of this Sign Code citing the specific instances of noncompliance.
 - (iv) Compute permit fees as determined in Section 1105.10 of these regulations.
 - (c) A complaint or formal appeal of the above decision may be made under the provisions of Section 1105.11 of these regulations.
- (2) Issuance: The Building Inspector shall issue all sign permits upon completion of all required reviews and approvals described herein.

- (3) Inspection. The Building Inspector may inspect all permitted signs for continued compliance with the Sign Regulations. All violations or structural concerns shall be identified and written notice sent to the sign owner, complete with a description of required remedies and time constraints.

1105.06 Regulations and Standards.

A. Permanent Sign Standards.

The following standards apply to all permanent signs unless specifically exempted in other parts of the Sign Regulations or by a variance granted by the Board of Zoning Appeals. In many instances, the following standards are minimum requirements and the sign(s) may be subject to additional requirements elsewhere in the Sign Regulations. In all instances, signs shall be designed and constructed in accordance with the current regulations of the Ohio Building Code.

- (1) **Area.** The area of a sign shall be equivalent to the total exposed surface devoted to a sign message, including ornamentation, embellishment and symbols, but excluding supporting structures. Listed below are additional area definitions and specifications:
 - (a) **Aggregate Area.** The following rules shall apply in determining the aggregate area of all signage on a single parcel of land:
 - (i) The aggregate area shall not exceed one (1) square foot of signage per linear foot of lot frontage.
 - (ii) Parcels with dual frontage may calculate maximum allowable aggregate area as the total of two (2) contiguous frontages.
 - (b) **Maximum Area.** The maximum area of any one (1) sign shall be determined by the following formulas:
 - (i) Wall-mounted signs shall not exceed ten percent (10%) of the façade on which it is mounted, up to a maximum of one hundred fifty (150) square feet.
 - (ii) Projecting signs shall not exceed one-half (0.5) square foot per linear foot of building frontage to a maximum of thirty-two (32) square feet.
 - (iii) Freestanding (pole or monument) signs shall not exceed one hundred twenty (120) square feet in size, and shall not exceed one (1) freestanding sign per lot.
 - (c) **Single-Faced Signs.** The area of a sign with one (1) sign face shall be calculated as the total area of the face. In the case of cutout letters, displays, symbols, statuaries or logos, the area will be calculated as that area which can be enclosed within a rectangle, series of attached rectangles, or other geometric shapes.
 - (d) **Double-Faced Signs.** The area of a sign with two (2) sign faces shall be calculated as one (1) sign face only as long as the sign faces are identical and parallel.
 - (e) **Multi-faced (3 or more) Signs.** The sign area shall be computed as the sum of the area of all sign faces.
 - (f) **Multiple Signs.** Whenever more than one (1) sign is hung continuously or placed on a freestanding or projecting structure, the combination of signs shall be considered as one sign for the purpose of computing sign area and determining the number of signs on a parcel.

- (2) **Height.** The maximum height for any freestanding sign and supporting structure is not to exceed thirty (30) feet. Height is measured from the average grade at the base of the sign to the top of the highest point of the sign.
- (3) **Location.** The following rules and standards shall apply in establishing the location of signs:
- (a) No sign shall be placed so as to impede the visibility of motorists or pedestrians.
 - (b) Signage may be mounted on any side of a building.
 - (c) No signs or sign structures shall be built or placed on the sidewalk, curb or area between sidewalk and curb, or within any public right-of-way.
 - (d) Projecting signs located over sidewalks or public ways shall be placed not less than eight and one-half (8.5) feet from the travel way to the base of the sign. The projecting edge of the sign shall be at least two (2) feet back from any curb line.
 - (e) Freestanding signs shall be installed a minimum of six (6) feet from the street right-of-way and five (5) feet from the side lot line. No sign may cross the plane of the adjacent lot.
 - (f) On a corner lot, freestanding signs shall not be placed within a triangle formed by measuring twenty-five (25) feet along each right-of-way line and connected by a hypotenuse.
- (4) **Illumination.** The following rules and standards shall apply in establishing the type of illumination that may be used for signs:
- (a) The source of a sign's illumination (bulb or direct lamp image) shall not be visible from any street, sidewalk or adjacent property. This shall not preclude the use of neon sign elements.
 - (b) Internally illuminated single-sided signs larger than thirty-two (32) square feet shall have the copy in a darker color than the background. This includes changeable copy signs.
 - (c) The light from any illuminated sign shall be shaded, shielded or directed so that the light intensity or brightness will not be disruptive to residential property or create a distraction to a motorist.
 - (d) On premises digital signs shall adhere to the timing and brightness requirements for off premises digital signs as described in Section 1105.08 D (1) (a) through (d).
 - (e) Only indirect lighting may be used for signs visible from residential districts.
- (5) **Structural and Safety Considerations.**
- (a) All exterior signs shall be designed to withstand wind and snow loads as specified by the current Ohio Building Code. The Building Inspector may require structural signs to be designed by an Ohio licensed engineer with plans complete with required information and professional stamps.
 - (b) All electrical service for sign lighting shall be provided with underground or hidden devices. All such devices, as well as signage using electrical devices, must comply with the current edition of the National Electrical Code.
 - (c) Exposed reflective type bulbs, incandescent lamps or other illuminating devices that exceed forty (40) watts shall not be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.

- (d) All parts of any electric, illuminated or transparent sign shall be of metal or other materials that are not readily combustible.
- (e) Freestanding signs must be anchored in concrete unless the structure is sufficiently small to allow alternative means of anchoring.
- (f) Wall-mounted and projecting signs shall be directly secured by metal anchors, bolts, supports, stranded cable or braces, in such a manner as to assure that the sign remains securely attached.
- (g) All structural components shall be compatible with surrounding design and architectural features.

B. Temporary Sign Standards.

- (1) The area of a temporary sign shall not exceed thirty-two (32) square feet. No temporary sign shall exceed four (4) feet in vertical dimension.
- (2) Signs permitted in conjunction with a conditional use permit and issued for a temporary use shall not exceed ten (10) square feet unless otherwise reviewed and approved by the Building Inspector or Zoning Specialist.
- (3) The following types of temporary signs are allowed:
 - (a) Plastic signs (placards) less than ten (10) square feet in area shall be allowed, however there shall be no more than one sign of this type displayed per street frontage.
 - (b) All other signs that are not permanent or included in the permanent sign permitting process shall require a temporary sign permit as provided in Section 1105.10.

C. Maintenance Standards.

- (1) Maintenance Requirements.
 - (a) All damage must be promptly repaired.
 - (b) Sign faces must be maintained in a legible condition. Sign faces that are badly weathered, peeling, vandalized, or damaged must be considered as requiring maintenance.
- (2) Neglected Maintenance. If maintenance is neglected, the building department shall notify the sign owner, in writing, of the type of maintenance required. If the maintenance is not provided within sixty days, the Building Inspector may revoke the permit and confiscate the sign face.

D. Other Standards.

- (1) Existing Signs. No sign or billboard erected before this code was in effect shall be repaired or altered unless it be brought into compliance with the requirements of this code. This section shall not prevent repairing, or restoring to a safe condition, any part of the structural supports of any sign.
- (2) Sandwich Signs. Shall be permitted in commercial zones or in front of commercial uses. Such signs shall not exceed ten (10) square feet per side and shall be removed daily.
- (3) Resemblance to Traffic Devices. No sign shall by reason of shape, color, use of lighting, or other factor be similar in both size and appearance to any traffic signal or traffic sign or railroad sign or signal in a way that may, in the judgment of the Building Inspector or the Zoning Specialist, interfere with traffic movement or safety.
- (4) Vegetation Impairing Sign Visibility. For the purpose of enhancing sign visibility, a tree, shrub, or other vegetation may not be trimmed, removed, damaged, or destroyed if;

- (a) its removal is prohibited or its preservation in its current state is required by any section of the Codified Ordinances of the City of Youngstown or any other requirement or condition under any City permit, or
 - (b) the owner or management of the property on which the vegetation is located has not given express written permission for the work.
- (5) Informal Signs. The total of all casually hand-lettered or hand-drawn signs on a lot or building site that were not , or do not appear to have been, designed by a sign or a graphics professional shall not exceed twelve (12) square feet of sign area.

1105.07 Signs in Residential Zones.

A. Residential Uses. Signage in residentially zoned districts shall be limited to the following:

- (1) Permanent Signs. One permanent sign shall be permitted in the yard and it shall be limited to six (6) square feet in sign area and three (3) feet in height. A wall or surface sign, limited to two (2) square feet, may also be displayed.
- (3) Temporary Signs. Residential properties shall be limited to two (2) temporary signs. These signs shall be limited to four (4) feet in height and nine (9) square feet in sign face area and shall not be located in the public right-of-way.

B. Non-conforming Uses. The viability of land uses that are non-conforming in a residential zoning district can be jeopardized if they are not allowed signs appropriate to their actual use. Signage for legal non-conforming commercial, institutional, mixed and multi-unit residential uses in residential zones shall be regulated according to the general provisions herein.

1105.08 Billboards: Separate Use Signs. (In permitted zoning districts, see the City of Youngstown Zoning Ordinance 93-637)

A. Structure Placement.

- (1) No billboard structure shall be placed or erected closer than one thousand (1000) feet of any other billboard structure.
- (2) No outdoor advertising structure or billboard shall be erected within a residential district or within one hundred (100) feet of any residential district if visible from such district and designed to face therein.
- (3) No outdoor advertising sign or billboard shall be erected within one hundred fifty (150) feet of the nearest property line of any public park, playground, municipal, county, state or federal public or semi-public building, or within one hundred fifty (150) feet of any park-drive, or parkway, nor shall any property within such area be leased, rented or sold for such use.
- (4) No billboard or separate use sign shall be placed on the roof of any building.
- (5) On corner lots, no billboard shall be erected or project within the triangular area formed by the street right-of-way lines of such corner lot and a diagonal line joining said lines at a point thirty-five (35) feet from the point of intersection of such right-of-way lines.
- (6) Outdoor advertising signs shall be subject to the same yard area requirements established for the zoning district in which such sign is to be located.

C. Physical Dimensions, Illumination, and Maintenance of Separate Use Signs.

- (1) No outdoor advertising structure shall contain over one sign per facing or exceed the length of fifty-two (52) feet.

- (2) The maximum height of a billboard shall not exceed seventy-five (75) feet in the B-1 or B-2 districts or forty (40) feet in the B-3 district, as specified in the City of Youngstown Zoning Ordinance.
- (3) Illumination of billboards shall be installed so as to direct the light on the sign and to minimize glare upon a public street or adjoining property.
- (4) Landscaping is required to screen the base of the pole or foundation for the billboard, and lots are to be maintained with suitable ground cover, except where structures are located in a paved area.
- (5) All separate use signs must adhere to the structural requirements identified in the current Ohio Building Code.

D. Electronic message centers or Off-Premise Digital Signs.

- (1) Sign Operators installing, testing, or maintaining electronic message centers shall comply with the following requirements:
 - (a) The dwell time, defined as the interval of change between each individual message, shall be at least ten (10) seconds, and a change of message must be accomplished within one (1) second or less. The dwell time shall not include the one (1) second or less required to change a message.
 - (b) The electronic message center shall contain a default mechanism that will freeze the sign in one position if a malfunction occurs.
 - (c) The electronic message center may not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

1. Digital sign light intensity exceeding the following intensity levels (nits) constitutes “excessive intensity or brilliance”:

INTENSITY LEVELS (NITS)		
COLOR	DAYTIME	NIGHTTIME
Red Only	3,000	1,000
Green Only	6,000	2,000
Amber only	4,500	1,500
Full Color	7,000	2,500

2. Prior to the issuance of a permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS and that the intensity level is projected from end-user manipulation by password-protected software or other method as deemed appropriate by the Building Inspector or Zoning Specialist.

- (d) Digital signs shall not be configured to resemble a warning or danger signal or to cause a driver to mistake the advertisement for a warning or danger signal.
- (e) Size and location requirements for digital signs are the same as those for billboards as described in this section.
- (f) Due to the increased amount of distraction caused by electronic message centers, billboard operators shall be required to remove four (4) times the surface area of the proposed sign in existing static billboards prior to installing a new digital sign.

- (g) Only one (1) digital sign face shall be allowed per structure.

1105.09 Prohibited, Illegal, Nonconforming and Unused Signs.

A. General.

In order to achieve the general purpose and objectives of the Sign Regulations, it is necessary to remove all signs that are illegal, nonconforming, prohibited and unused. Each such classification of signs involves a varying level of impact upon the general purpose and objectives of the Sign Regulations. The following subsections identify circumstances under which such classifications occur and the method of correction and/or disposition required.

B. Removal.

- (1) **Determination of Violation.** Any sign and its supporting structure determined to be in violation of the Sign Regulations shall be removed within thirty (30) days from the date of notice of violation, unless the Building Inspector and/or Zoning Specialist has determined that such sign qualifies as a nonconforming sign. If such signs are not removed from the premises by the owner, tenant or operator following the thirty (30) days notice of violation, such signs shall be subject to removal by the Building Inspector or his/her designee in accordance with the provisions set forth below. The existence of any prohibited or illegal sign shall also be considered a violation of the provisions of the Sign Regulations and shall be subject to penalties as stated in Section 1105.10.
- (2) **Removal by Authorities.** The Building Inspector is hereby authorized to remove any sign determined to be in violation of the Sign Code. The Building Inspector shall mail to the sign permittee or owner by first-class, certified or registered mail a bill for the removal costs. Such costs shall be paid within thirty (30) days of receipt of the bill by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is located. If such costs have not been remitted to the City of Youngstown as directed, such unpaid charge shall constitute a lien upon the real estate. The City Law Director is hereby authorized to file a notice of lien in the office of the County Clerk to foreclose this lien, and to sue the owner of the real estate or sign permittee, or their agents, to recover the money due, plus all its costs, together with reasonable attorney's fees to be fixed by the court. Included in the expenses recoverable by the City shall be the costs, together with all office and legal expenses, incurred in connection with collection of the amount due hereunder. Any sign removed by the Building Inspector, pursuant to the provisions herein contained, shall become the property of the City and may be disposed of in any manner deemed appropriate by the City.

C. Nonconforming Signs.

- (1) In addition to the provisions in Subsection (3) below, no zoning or building permits will be issued for new signs if nonconforming signage exists on the property.
- (2) Any nonconforming sign may be brought into conformity with the Sign Regulations by independent action of the sign owner or user upon review and approval of an application for a permit by the Zoning Specialist. Zoning permit fees shall be waived for any nonconforming sign brought into conformity with the Sign Code. Building permit fees will not be waived.
- (3) If one of the following triggering events occurs and the property contains one (1) or more nonconforming signs, the nonconforming signs shall be brought into conformity with the Sign Regulations within two (2) years of the triggering event. Triggering events are:
 - (a) A building permit is sought or required for construction valued at fifty thousand dollars (\$50,000) or greater, or
 - (b) A change in business use or activity, or

(c) A nonconforming sign is altered, repaired or relocated, which results in a decrease in the sign's nonconforming features.

(4) An area and/or height variance of up to ten percent (10%) may be issued for an existing nonconforming sign. Only one (1) sign per property may be granted a variance.

D. Unused (Abandoned) Signs.

(1) All unused signs that are also nonconforming with the provisions of the Sign Code shall be removed from the premises upon which it is located within thirty (30) days from the date of notice of violation.

(2) All unused signs that otherwise conform to the provisions of the Sign Code and have a valid sign permit may remain on the premise for six (6) months following the conclusion or termination of the reason for the sign. The unused sign shall have the copy, text, icon or any other message delivering features removed within thirty (30) days from the date of notice of violation.

1105.10. Fees and Penalties.

A. Sign Permit Fee.

(1) **Permanent Sign.** Fee for the first fifty (50) square feet shall be twelve dollars (\$12.00) with an additional two dollars (\$2.00) for each additional twenty-five (25) square feet. The sign permit fee shall also include an inspection fee of fifteen dollars (\$15.00) and a three percent (3%) Ohio Board of Building Standards fee for commercial signs. If said sign is double faced the fee shall be calculated as if it were one side with double the area.

(2) **Temporary Sign.** A temporary banner may be permitted merely by applying to the Zoning Specialist for the period of no more than 60 days.

B. Penalties for Violation of the Sign Regulations

(1) Any person, firm or corporation which causes a sign to be displayed in conflict with these Sign Regulations or who owns, controls or occupies property on which a sign is displayed in a manner in conflict with these sign regulations, or who owns or controls the sign or the structure or equipment on which the sign is displayed in violation of the sign regulations is guilty of a Misdemeanor of the Third Degree. Every day in which the violation remains shall constitute a new offense. This provision is intended by the legislature to create a strict liability offense. A third degree misdemeanor carries potential penalties of up to \$500 and up to 60 days in jail.

1105.11 Review and Appeal Process.

A. Scope.

The regulations herein established shall govern and control the erection, remodeling, enlarging, moving, alteration, operation, mounting and maintenance of all signs within all zoning districts. It also provides for the elimination of certain signs, requiring conformance over a period of time, and providing penalties for violations of said Regulations. Nothing herein contained shall be deemed a waiver of the provisions of any other code or regulations applicable to signs.

B. Permit Approval.

The approval of sign permits shall follow procedures established for such permits. Said approval shall be granted only after appropriate reviews have occurred and all provisions of the Sign Regulations met.

C. Interpretation of Sign Regulations.

When an interpretation of any provision of the Sign Regulations is necessary, said interpretations shall be made by the Youngstown City Board of Zoning Appeals.

D. Variance to Sign Regulations.

When a sign owner seeks and applies for a variance from the standards contained in these Sign Regulations, said request shall be heard and acted upon by the Board of Zoning Appeals only after all other administrative procedures required for issuance of a zoning permit and building permit have been completed. The Board of Zoning Appeals is authorized to grant a variance when they find that unique situations require a deviation from the provisions and that the purpose and intent of the Sign Code, as stated in Section 1105.01, have not been violated.

E. Appeal.

An appeal of any action pertaining to the Sign Regulations shall be heard and acted upon pursuant to Section 103 of the City of Youngstown Zoning Ordinance. However, prior to filing an appeal, the applicant or aggrieved party must request an interpretation of the Sign Regulations by the Board of Zoning Appeals. The request for interpretation must be submitted to the Building Inspector and then acted upon by the Zoning Analyst. If, upon receiving the Board of Zoning Appeals interpretation, the applicant desires to proceed with an appeal, the applicant may do so consistent with the process set forth in Section 109 of the City of Youngstown Zoning Ordinance.