

PROPOSED SOLON SIGN ORDINANCE

(Ordinance No. 2021-xxxxxx)

Replacing Zoning Code Chapter 1288.04(3), which is hereby repealed:

[NEW SECTIONS ARE UNDERLINED]

[SUB-SECTIONS HAVE BEEN RE-LETTERED AND PLACED IN DIFFERENT ORDER THAN THE CURRENT ORDINANCE]

Zoning Code Chapter 1288.04(3)

3. SIGNS NOT REQUIRING A ZONING PERMIT - The following signs do not require a zoning permit, but are otherwise subject to the provisions of this Section as specified below:

a. GOVERNMENTAL SIGNS - No permit shall be required for signs erected or maintained in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

b. SIGNS DENOTING THE NAME AND ADDRESS OF THE OCCUPANTS OF A RESIDENCE - No permit shall be required to erect a sign denoting the name and address of the occupants of a residence on the premises. Such signs shall not exceed two (2) square feet in area and shall be located on the front wall of the structure, and shall not be a free standing sign. One such sign per dwelling is permitted.

c. DIRECTIONAL SIGNS - No permit shall be required for signs directing traffic and/or parking on multi-family or non-residential properties. However, such signs shall comply with the requirements of this Section, and shall be subject to review and approval by the Director of Planning and Community Development as further specified within this code. Directional sign(s) shall not exceed six (6) square feet in area nor shall such sign(s) exceed four (4) feet in height above the surrounding grade, nor shall such signs be located closer than five (5) feet to any street right of way line.

d. OFF PREMISES SIGNS PROHIBITED - Off premises signs are prohibited in all zoning districts. Signs may only be located on the building and/or premises containing the activity that is being advertised, as further specified within this ordinance.

e. TEMPORARY SIGNS IN RESIDENTIAL AREAS:

1) Temporary signs may be placed in windows or on the lawn of any residence, with the permission of the owner of the property. Window signs shall be no greater than six (6) square feet in area. The combined total surface area of all temporary window signs shall be no greater than twelve (12) square feet.

2) Lawn signs shall not exceed eight (8) square feet in area per sign, and shall not exceed four (4) feet in height. Such signs shall not be placed in the City's right-of-way or in obstruction of sidewalk or street line-of-sight for pedestrians or motorists passing by the property. All signs shall be maintained in good condition.

3) Signs may not be illuminated.

4) Signs must be placed at least five (5) feet away from the resident's property line and at least ten (10) feet from any street right of way line.

5) Signs may not be located in places that interfere with regular City services, such as garbage pick-up, snow removal or leaf pick-up.

6) Signs subject to this sub-section may not be posted until thirty (30) days prior to the event or occurrence to which the sign is intended to call attention. For elections, signs may be posted beginning thirty (30) days prior to the beginning of mail-in voting, if applicable. All signs subject to this sub-section must be removed no later than forty-eight (48) hours after the closing or completion of the event or occurrence to which the sign is intended to call attention.

7) No sign may be located in any public right of way or easement and may not pose a general public safety hazard as determined by the Solon Police Department, Solon Fire Department or Solon Building Department, which determination can only be made after an in-person inspection by said City department and after warning and notice to the resident that the sign(s) in question are alleged to pose a general safety hazard, the procedure for which is described below. Such safety hazards include but are not limited to signs that block or obstruct the view or vision of motorists or pedestrians passing by the property. In the event of an alleged public safety hazard violation, the City official making the allegation must consult with the resident on whose property the allegedly offending sign(s) is/are located, explain why the sign(s) present(s) a possible public safety hazard and give the resident an opportunity to move or remove the sign(s) prior to the City taking any official action. Such allegations of safety hazard violations can be made by any City official or resident.

8) In the event that any person believes that a resident has violated this ordinance, any person may contact the City Building Department to file a Complaint. The Complaint must be in writing (including e-mail), signed by the person making the Complaint and the Complaint must identify the location and the nature of the Complaint.

9) Upon receipt of a written complaint by the Building Department, an official or employee of the Building Department must conduct an investigation, which includes a visual inspection of the property that is the subject of the Complaint, to make an initial determination as to whether there is probable cause for the City to believe the sign(s) constitute(s) a violation of this ordinance and if so, the nature of the violation (safety hazard, violation of size, violation of location, violation of duration, etc.). If it is determined that there is not probable cause for the City to believe a violation has occurred, the Building Department shall note this conclusion in

writing on the Complaint form and inform the person making the Complaint of the result. If it is determined that probable cause exists for the City to believe a violation has occurred, the Building Department official who makes the determination shall consult with the resident whose property is the subject of the Complaint, inform the resident of the possible violation and give the resident an opportunity to cure the alleged violation (by, for example, asking the resident to move or remove any signs that violate this ordinance).

10) In the event that after the Building Department conducts its investigation and finds probable cause and gives the resident an opportunity to cure the violation, the resident refuses to cure the violation, the Building Department may initiate proceedings against the resident.

11) These proceedings, which shall be deemed civil in nature, shall take the following form and procedure:

A) The Building Department must issue a written warning to the resident that a violation has occurred, and the warning must inform the resident of what steps must be taken to comply with the ordinance and the possible consequences for failure to comply, and the warning must give the resident a time limit of forty-eight (48) hours to comply.

B) If, after the warning and the forty-eight (48) hour compliance period, the resident has not come into compliance, the Building Department may issue a citation and levy a civil fine of no more than \$100 for violation of the ordinance. The Building Department must notify the resident of the citation and must inform the resident that the resident must either come into compliance within another forty-eight (48) hours or must pay the fine.

C) If the resident still does not comply, the Building Department may move any signs that are not in compliance into areas on the resident's property that would result in the signs being in compliance, or remove any signs that violate the size limitations and place any such signs in a secure area of the resident's property.

D) Any fines levied shall be enforceable as would be any other violation of the Building Code.

E) Any resident fined as a result of violation of this ordinance will have the same rights and procedures of appeal as they would for violation of any other ordinance within the Building Code.

F) All written notices given to a resident, including warnings, must be personally delivered to the resident or affixed to the resident's front door.

G) A second or any subsequent violation of this ordinance may result in civil fines as high as \$100 per offense, after all previous warning and compliance procedures outlined above are taken for each alleged offense.