



Community Services Department

Amendments to Section 1149.08– Temporary and Portable Signs

Ordinance A-2619, adopted by City Council on August 10, 2009, amended the regulations for temporary signs and banners. The amendments were considered in light of their impact on the purpose of the sign ordinance to protect the public health and safety and preserve land use and property value.

The amendments provide an increased time and size for temporary sign display, and also make clear the intent of the regulations and establish penalties for violations. The proposed regulations are more complex than the current regulations, but also clarify the requirements and provide enhanced enforcement.

1149.08 PORTABLE AND TEMPORARY SIGNS.

The intent of this section is to recognize the individual or entity who occasionally desires to display a temporary commercial message in conjunction with a permitted land use, and to provide the time, place, and manner limitations allowing certain sign types for these purposes. It is further intended to recognize the negative affect temporary signs can have on the attractiveness of a community, including the deterioration of the natural environment, the clutter temporary signs contribute to the landscape, the distractions and obstructions this sign type may cause to motorist, and the hazards that the aforementioned concerns may cause. Thus, this section is intended to establish regulations that allow portable and temporary signs without their becoming a nuisance to the community.

This section was added to describe the intent of the temporary sign regulations. Many business owners and operators are not aware that the purpose of limiting temporary signs and banners is to protect the public safety and protect and maintain the attractiveness and viability of the commercial district in which their business is located.

Portable and temporary signs shall be permitted as an accessory use to a lawfully established principal, conditional or nonconforming use conducted on the premise, subject to the limitations included in this code. All portable and/or temporary signs shall comply with Section 1149.05 and the following provisions:

- a) All electrical work and equipment involved with a portable or temporary sign shall conform to the National Electric Code (NEC).
- b) No sign portable or temporary by intent or design shall be used as a permanent sign.
- c) It shall be the applicant's or owner's responsibility to maintain a portable or temporary signs in good condition. Signs or banners that are torn, damaged, faded, or otherwise in a state of disrepair must be immediately replaced or removed.
- d) It shall be the applicant's or owner's responsibility to remove all portable and temporary signs when the time limit for the sign has expired.
- e) Location
 - 1) Portable and temporary signs shall be permitted on the building face or in the yard adjacent to any building elevation facing a street, parking lot, drive through lane, or service drive.
 - 2) Portable and temporary signs shall be permitted only on the same lot or parcel as the business or activity for which it is displaying information.
 - 3) No portable and temporary sign shall be placed in the right-of-way or attached to utility poles, or traffic control signs or devices

Section 1149.08(c) is amended to provide further description of how a temporary sign or banner shall be maintained. Deteriorated and damaged temporary signs contribute negatively to the overall perception of the commercial district.

Section 1149.08(e) is amended to group all provisions relating to the location of temporary signs within one section. These provisions further clarify that temporary signs can only be placed on the property at which the business or activity is taking place; that the signs may not be placed in the public right-of-way; and may not be attached to utility poles or other traffic control signs or devices.

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- f) Number
- 1) Not more than one portable or temporary sign shall be permitted for each street frontage.
 - 2) A sidewalk sign and a temporary sign shall not be displayed at the same time
- g) Period of display
- 1) Portable and temporary signs shall be displayed for no more than one-hundred and five (105) days in any calendar year.
 - 2) Portable and temporary signs shall be permitted for an additional period of thirty-five (35) days per calendar year only if the temporary sign is an attached sign per Section 1149.08 (h).
 - 3) Portable and temporary signs may be displayed for a period of time not to exceed 35 consecutive days. A lapse of seven days must occur before another temporary sign can be displayed
 - 4) Twenty days per calendar year will be subtracted as a penalty from a business activity's allotted number of temporary sign display days when that activity maintains a temporary sign past the expiration date for the permit, or displays a temporary sign without a permit. If the business activity has fewer than 20 allotted temporary sign days remaining for the calendar year in which the penalty is imposed, the balance of those penalty days will be subtracted from that activity's allotted temporary sign days in the following calendar year. This penalty is in addition to all other penalties as established in Section 1155.99.
- h) Attached temporary signs or banners are temporary / portable signs that are attached to a permanent building or structure. Attached temporary signs shall comply with the following provisions as well as Sections 1149.08(a) through (g).
- 1) The sign or banner shall be mounted flat against the façade of the building or structure so that no part of the sign or banner projects more than four inches from the façade. The banner or sign must be secured, at a minimum, at all four corners
 - 2) Attached sign or banner size is limited to 10% of the area of the façade of the building or structure on which it is mounted, with a maximum of 50 square feet.
 - 3) The mounting location of the banner shall not obstruct any ingress, egress, fire exits or ventilation openings
 - 4) Attached temporary signs or banners shall not be mounted on the roof, eaves, gutter, or overhang.
- i) Detached temporary signs or banners are temporary signs that are supported by poles, uprights, or braces extending from the ground or from an object on the ground, or any sign located on the ground, providing that no part of the sign is attached to any part of a building
- 1) The maximum height for a detached (freestanding) portable or temporary sign shall be six feet.
 - 2) The area of portable or temporary signs shall not exceed fifty square feet in area per face.

Section 1149.08(g) groups together the various regulations related to the period of display for temporary signs. Display time has been increased to 105 days per calendar year for all types of temporary signs. This equates to 15 weeks per year, an increase of 3 weeks. In addition, display is regulated by days rather than weeks.

An additional 35 days is allotted for attached temporary signs. Attached temporary signs are less intrusive on the landscape, so cause less distraction, confusion, visual obstruction, and clutter than detached signs may cause.

The next provision limits the consecutive number of days that a temporary sign can be displayed to no more than 35 days. A lapse of 7 days is required before another temporary sign can be displayed. The purpose of this regulation is to discourage the use of temporary signs for continual advertising. The City allows adequate types and sizes of permanent signage to provide continual advertising. Temporary signage is intended to inform the public about special events that are limited in duration.

The final regulation in this section provides a penalty for those businesses that display temporary signs past the expiration date or without a valid permit, including dates of display. The penalty would be subtraction of 20 days from the business or activity's annual allotment.

Section 1149.08(h) provides the definition of, and regulations specific to, attached temporary signs. These signs are mounted or attached directly on a building. The size of the sign is determined by the size of the façade on which the sign is displayed (10% of the sign area), with a maximum sign area of 50 sq ft. This section also regulates how the sign shall be displayed and where it may be mounted on the building.

Section 1149.08(i) provides the definition of and regulations specific to detached (yard) signs. The regulations for detached signs are the basic regulations for temporary signs currently in effect, with an increase in maximum sign size to 50 sq ft.