

procedure prescribed in Chapter 1111. The Enforcement Officer, who may be a Hilliard police officer, shall notify the property owner and/or the owner of the sign, of the time and date of the public hearing. Service of the notice shall be made by delivering the same personally to such person, by leaving such notice at his usual place of residence or by sending the same by certified mail, return receipt requested, addressed to his usual place of residence or to the address listed in the Franklin County tax records. If the certified mail envelope containing the notice is returned with an endorsement showing it was unclaimed or refused, the notice shall be sent to that person by ordinary mail. The Enforcement Officer shall keep a record of the fact that notice was sent by ordinary mail and the service of notice by ordinary mail shall be deemed complete upon mailing. If the address of the owner is unknown, it shall be sufficient to publish the notice as prescribed in Chapter 1111.

- (d) Upon determination by the Board of Zoning Appeals that the sign is abandoned, the right to maintain and use such sign shall terminate immediately and the Enforcement Officer shall issue an order for the sign to be removed within fourteen (14) days by the property owner and/or sign owner. Any abandoned sign standing fourteen (14) days following an order for removal may be removed by the Enforcement Officer direction at the sign and/or property owner's expense. If the sign or property owner refuses to pay for removal of the sign, the cost of such removal shall be certified by the City as due and owing and added to the sign and/or property owner's county property tax records as a lien.

1191.28

SIGN ERECTOR REQUIREMENTS.

No person shall undertake or perform work or construction, installation, addition or repair of any sign or sign equipment required by this Chapter; represent or advertise himself, either publicly or privately as having the ability to perform such work; or undertake such work within the City without having first Registered with the City and procured a permit duly issued by the Enforcement Officer as a Permitted Sign Erector.

- (a) Sign Erector's Registration. The Enforcement Officer shall issue a Sign Erector's Permit to an individual who has satisfactorily provided all documentation required in the Registration Application or who can provide the City with adequate proof that the applicant has qualified for and been issued a current Sign Erector's license or permit from another Ohio municipality.
- (b) Sign Erector's Fee. An individual or company who is issued a Sign Erector's Permit by the Enforcement Officer shall also pay a fee, as established by the Director of Public Service to the City for each

calendar year, payable on January 1st of each year. If an individual or company has previously had a sign Erector's Permit revoked for any reason, or has contracted and performed as a Permitted Sign Erector without first obtaining a Sign Erector's Permit by the City, the individual or company shall pay an additional fee to the City as established by the Director of Public Service

- (c) Liability Insurance. Before a Sign Erector's Permit may be issued, the individual or company shall submit for filing with the Enforcement Officer a valid Certificate of Insurance for general liability insurance in the amount of Three Hundred Thousand Dollars (\$300,000). If at any time the liability insurance of any Permitted Sign Erector is permitted to lapse, his permit shall automatically be revoked by the City.
- (d) Notification of Change. It shall be the responsibility of the Permitted Sign Erector to notify the Enforcement Officer of any change in address, and if a company, any change in ownership or management if other than that indicated on the Certificate of Insurance.
- (e) Transfer of Permit Prohibited. No Permitted Sign Erector shall transfer his Sign Erector's Permit, or permit any individual or company to construct, install, alter or repair a sign or sign structure under the authority of his permit, except if he is the direct employee of the Permitted Sign Erector or a qualified subcontractor of the Permitted Sign Erector.
- (f) Suspension or Revocation of Sign Erector's Permit. The Enforcement Officer may suspend or revoke the permit of a Permitted Sign Erector who is found to be in violation of this Chapter.

1191.29

REQUIREMENTS TO OBTAIN A SIGN PERMIT AND APPLICATION REVIEW PROCESS.

- (a) It shall be unlawful for any person to erect, alter, relocate, repair or replace a sign within the City without first obtaining the required permit from the City, unless otherwise exempted from this Chapter.
- (b) Any person contemplating the erection of a sign shall first schedule a pre-application meeting with the Enforcement Officer. The purpose of the pre-application meeting is to ensure that the applicant understands the City's sign regulations and the application requirements.
- (c) Application Requirements. All signage applications shall include the following information
 - (1) Location of building, structure or lot to which the sign is to be attached or erected upon.
 - (2) Detailed colored renderings or drawings to illustrate the dimensions, design, structure and location of each sign.

- (3) Photographs of the property upon which the sign is to be erected.
 - (4) Building elevations, which illustrate the position of the sign in relation to nearby buildings, structures, property lines and right-of-way boundaries as established by a survey prepared by a licensed surveyor or a detailed site plan that accurately represents the dimensions of the property.
 - (5) Drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
 - (6) Name and address of the Sign Erector.
 - (7) Any electrical permit required and issued for such sign.
 - (8) A copy of the Certificate of Insurance as required by this Chapter, if a current certificate is not already on file with the City as required under Section 1191.28(c).
 - (9) Such other information as the Enforcement Officer may require to ensure full compliance with this and all other applicable laws of the City and State.
- (d) Approval. The Enforcement Officer shall make a decision on an application within fourteen (14) days of submission. The Enforcement Officer shall approve the application if it is determined that the application fully complies with the requirements of this Chapter, and shall issue a sign permit to the applicant. If the application does not so comply, the Enforcement Officer shall inform the applicant that it may proceed in one of three ways:
- (1) The applicant can complete an application to be scheduled before the Commission for hearing, review and consideration as a variance; or
 - (2) Modify and resubmit the application to the City for a second review, consistent with the City's recommendations as to compliance requirements; or
 - (3) The applicant can complete an application to be scheduled before the Board of Zoning Appeals to be heard as an appeal.

1191.30

ENFORCEMENT.

The Enforcement Officer, who may be a Hilliard police officer, will monitor signs permitted under this Chapter. Enforcement action may be taken where the requirements of this Chapter are not met. See also Section 1191.99 for concurrent jurisdiction of the Department of Public Safety. For all purposes under this Section 1191.30, the Enforcement Officer may also be a Hilliard police officer.

- (a) If it is found that any sign is unsafe or insecure, the Enforcement Officer shall give written notice thereof to the owner, permittee or person maintaining the premises. The owner, permittee or person

- maintaining the premises shall, upon the receipt of written notice from the Enforcement Officer, proceed at once to put such a sign in a safe and secure condition or remove the same.
- (b) If the Enforcement Officer finds any sign has been installed, erected, constructed or maintained in violation of any of the terms of this chapter, the Enforcement Officer shall notify in writing the owner, permittee or person maintaining the premises to alter such sign so as to comply with the provisions of this Chapter.
 - (c) If the owner, permittee, or the person maintaining the sign or premises fails to comply with such notice by the date of reinspection, or cannot be found or his whereabouts cannot be ascertained with reasonable diligence, in addition to the penalties provided in Section 1191.99, the sign may be removed or altered to comply with the order at the expense of the permittee, owner or person maintaining the premises. If the permittee, owner or person maintaining the premises fails to pay the City for the expenses of such removal or alteration, the full amount of costs shall be forwarded to the County Auditor and added to the property tax duplicate of the permittee, owner or person maintaining the premises.
 - (e) If a violation of a provision of this Chapter is repeated within sixty (60) days of a previous violation of the same provision of this Chapter by the owner or use subject of the previous violation on the same property as the previous violation, such sign may be seized immediately and a charge assessed for removal without additional notification.
 - (f) Fees for removal shall be immediately due and payable to the Municipality. Notice of such assessment shall be given to the property owner or sign owner by mailing such notice to the address utilized by the County Treasurer for tax billing purposes and by posting a Notice of Assessment at the subject premises where the sign owner and property owner are the same. All assessments not paid within ten (10) days after such mailing and posting, shall be certified by the Finance Director to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.
 - (g) The City may also collect such costs together with interest through a civil action in the appropriate court of law having jurisdiction thereof and seek such additional orders from a court of competent jurisdiction as may be necessary from time to time in order to enforce the provisions of this section.
 - (h) Every owner or occupant of real estate in the Municipality impliedly grants a license to the Enforcement Officer and municipal employees to enter upon real property in the City without the consent of the owner or user for the purposes of fulfilling the provisions of this section.

The Commission shall hear and decide applications for signs in the B-6 Zoning District, commonly referred to as Old Hilliard. All commercial signs must apply for and receive a sign permit from the Enforcement Officer prior to the erection of a sign. All signs receiving a permit must conform to the following standards. Applicants seeking a variance from these standards must apply to the Commission for a variance.

- (a) Prohibited Signs in Old Hilliard.
 - 1. Marquee signs.
 - 2. Neon signs, except as provided in Section 1191.07(d).
 - 3. Digital signs.
 - 4. Plastic signs.
 - 5. Colonial sign forms.
 - 6. Off-premise graphics.
 - 7. Mobile or portable signs.
 - 8. Interior-illuminated signs.
 - 9. Billboards or outdoor advertising panels.
 - 10. Blinding, moving, flashing or rotating signs.
 - 11. Signs mounted on the top of a building or on the roof.
 - 12. Signs that advertise a national product or co-op signage.
 - 13. Signs extending above the wall of any structure to which they are attached.
- (b) PERMITTED SIGNS. Up to two (2) signs shall be permitted for business identification signage for each ground floor business. Such signage shall be a combination of the following:
 - (1) Lettering mounted on the building.
 - (2) Signs painted on the building.
 - (3) Symbol signs such as barber poles.
 - (4) Wall-mounted wood or metal signboards.
 - (5) Lettering, symbols or designs painted or sewn on the face of an awning.
 - (6) Painted lettering located on the interior of a glass storefront.
 - (7) Projecting wood or metal signs hanging from the face of the building.
 - (8) Awning signs. See Section 1191.20
- (c) Hanging or projecting signs. These signs shall be double-faced, a minimum of eight (8) feet above the walk grade and project out from the face of the building no more than three feet. Projecting signs shall not be permitted for business identification for residential structures converted to a commercial use. Only one projecting sign shall be permitted per each commercial building or per each business. All hanging or projecting signs shall be located on the front or front corner façade.

- (d) Wall mounted signs. These signs shall be permitted above each storefront attached parallel to the face of a building. Such signs shall not project more than six (6) inches beyond the face of the building.
 - (1) Signs or lettering which is painted or attached directly on the building surface shall be permitted in accordance with the provisions for wall-mounted signs.
- (g) Non-illuminated secondary signs shall be permitted for the identification of commercial tenants occupying the upper floors of a building. Such signs shall not exceed one (1) square foot in area and shall not project beyond the building wall more than one inch.
- (h) Residence Converted to Commercial Use. Lettering applied to storefront windows or doors shall be no larger than one and one-half inches in height and the text shall be limited to the identification of the business only.
 - (1) Decals of a small area shall be affixed to a storefront window or entrance door if supplied by a national or local credit card company.
 - (2) Such signs shall be grouped together and carry no text or message other than the identification of such companies.
- (i) Free-standing ground signs. These signs are appropriate for buildings which are set back from the street. These signs are especially appropriate for residential structures converted to commercial structures. All signs shall be double-faced and sited perpendicular to the street. Such signs shall be no taller than seven (7) feet high with a sign panel no larger than six feet by four feet. Ground signs in Old Hilliard may be monument type or one-or two-post design.
 - (1) Free standing or ground-mounted signs shall be located a minimum of five feet behind the existing right of way.
 - (2) No signs shall be located within the street right-of-way.
 - (3) All signage shall be externally illuminated.
 - (4) Street numbers and names of occupants of single and two-family residential structures shall be permitted. Street numerals shall be a minimum of three inches high.
 - (5) Directional signage shall be confined to destination and direction only and shall be no larger than two square feet in area.
 - (6) An abandoned sign is prohibited and shall be removed pursuant to Section 1191.27 in this Chapter, including the removal of sign posts, frames, and all appurtenances to the sign.
 - (7) Sign colors shall be compatible to the building material colors, which shall be of an historic palette. Sign colors shall be kept to no more than three colors, with the lettering

to be in a color in sharp contrast to the background of the sign. Fluorescent colors are prohibited.

(j) Sandwich Board Signs in Old Hilliard.

- (1) Dimensions: The height of sandwich board signs shall be no more than thirty-six (36) inches from the ground on which the sign is to be placed, to the top of the sign frame. The width shall be no more than twenty-four (24) inches to the outside of the sign frame. The total area shall be no more than four (4) square feet per sign face, excluding the sign frame.
- (2) Color: Lettering on all sandwich board signs shall be no more than two colors on white background, with black frame.
- (3) Shape: Signs shall be rectangular in shape.
- (4) Lighting: Interior or exterior lighting of the sign is not permitted.
- (5) Style: Sign frame shall be "A-frame" type, professionally manufactured and sufficiently secured to prevent tipping, subject to the approval of the City Engineer or designee.
- (6) Location: Sandwich board signs shall not be located closer than five (5) feet from the right of way line of any street, highway or alley, except where the right of way and building line are the same. Signs are not permitted on parking lots of strip centers or shopping malls. Signs are not permitted on sidewalks unless the building is located immediately adjacent to the sidewalk in which case the sign may be located subject to the City Engineer's approval.
- (7) Hours of use: signs may be in place only during working hours of the business for which it is proposed. After the close of business hours, sandwich board signs shall be removed to an enclosed area of the business.

1191.99

PENALTY.

(a) Any person, firm, corporation, partnership or association violating any provision of this Chapter or failing to obey any lawful order issued pursuant to its terms shall be guilty of a misdemeanor of the first degree and punished as provided in Section 501.99. Each day, or portion thereof, during which the violation is committed, continued or permitted to continue shall constitute a separate offense. The Director of Public Safety shall have concurrent jurisdiction with the Enforcement Officer to enforce all violations under this Chapter and to delegate such enforcement to law enforcement officers pursuant to Section 765 of the Ohio Revised Code. Subsequent to issuance of a ticket and notice to comply, the law enforcement officer may cite the property owner, permittee or person

maintaining the sign into Mayor's court or to the Franklin County Environmental Court for violations under this Chapter.