

ARTICLE 17 - SPECIAL PROVISIONS

I. Signs

A. Purpose

The purpose of this Ordinance shall be to coordinate the type, placement and physical dimensions of signs within the different land-use zones; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zone. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this Ordinance.

B. Scope

This Ordinance shall not relate to building design. Nor shall the Ordinance regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government, or noncommercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

C. Philosophy of Sign Guidelines

(1) To insure that the Village of Hartville is provided with a means of developing qualitative and effective outdoor signs for the purposes of information and identity.

(2) To provide that every business and organization has not only the right, but an obligation to identify itself well.

(3) To provide the businesses in the Village of Hartville with equitable sign standards, based on the values of fair competition and aesthetic standards acceptable to the community.

(4) To provide the motoring public with a safe and effective means of easily reaching and identifying businesses, services, areas and points of interest in the Village of Hartville.

D. Definitions

Certain terms are defined for the purpose of this Ordinance as follows:

(1) ABANDONED SIGN. A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity and/or for which no legal owner can be found.

(2) ANIMATED SIGN. Any sign which uses movement or change of lighting to depict action or to create a special effect or scene (compare "Flashing Sign").

(3) AREA. (See "Sign, Area of")

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- (4) **AWNING.** A shelter projecting from and supported by the exterior wall of a building constructed of non rigid materials on a supporting framework (compare "Marquee").
- (5) **BANNER SIGN.** A sign made of fabric of any non rigid material with no enclosing framework.
- (6) **BILLBOARD.** (See "Off-Premise Sign").
- (7) **BUILDING.** (As defined in Hartville Village Zoning Ordinance.
- (8) **CHANGEABLE COPY SIGN (AUTOMATIC).** A sign on which the copy changes automatically on a lampbank or through mechanical means, e.g., electrical or electronic time and temperature units.
- (9) **CHANGEABLE COPY SIGN (MANUAL).** A sign on which copy is changed manually in the field, e. g. readerboards with changeable letters.
- (10) **CLEARANCE (OF A SIGN).** The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.
- (11) **CONSTRUCTION SIGN.** A temporary sign identifying an architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located, which sign may be erected sixty (60) days prior to the start of construction and shall be removed at the completion of construction and in no event shall such sign be erected for more than one (1) year.
- (12) **COPY.** The wording on a sign surface in either permanent or removable letter form.
- (13) **DIRECTIONAL/INFORMATION SIGN.** An on-premises sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.
- (14) **DOUBLE-FACED SIGN.** A sign with two faces.
- (15) **ELECTRICAL SIGN.** A sign structure in which electrical wiring, connections or fixtures are used.
- (16) **ELECTRONIC MESSAGE CENTER.** (See "Changeable Copy Sign, Automatic").
- (17) **FACADE.** The entire building front including the parapet.
- (18) **FACE ON SIGN.** The area of a sign on which the copy is placed.
- (19) **FESTOONS.** A string of ribbons, tinsel, small flags or pinwheels.
- (20) **FLASHING SIGN.** A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, animated signs which, through reflection or other means, create an illusion of flashing of intermittent light (compare "Animated Sign," "Changeable Copy Sign").
- (21) **FLORAL SIGNS.** A sign which is comprised in part or totally by flowers or shrubbery and said flowers or shrubbery are included in copy of the sign.
- (22) **FREESTANDING SIGN.** A sign supported upon the ground by poles or braces and not attached to any building.

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- (23) **FRONTAGE.** The length of the property line of any one premises along a public right-of-way on which it borders.
- (24) **FRONTAGE, BUILDING.** The length of an outside building wall on a public right-of-way.
- (25) **GOVERNMENT SIGN.** Any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic directions or for designation of or direction to any school, hospital, historical site, or public service, property or facility.
- (26) **HEIGHT (OF A SIGN).** The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "Clearance").
- (27) **IDENTIFICATION SIGN.** A sign whose copy is limited to the name and address of a building, institution or person and/or to the activity or occupation being identified.
- (28) **ILLEGAL SIGN.** A sign which does not meet the requirements of this code and which has not received legal nonconforming status.
- (29) **ILLUMINATED SIGN.** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- (30) **INCIDENTAL SIGN.** A small sign, emblem or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.
- (31) **LOT.** A parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record of survey map.
- (32) **MAINTENANCE.** For the purposes of this Ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.
- (33) **MANSARD.** A sloped roof or roof-like facade architecturally comparable to a building wall.
- (34) **MARQUEE.** A permanent roof-like structure or canopy of rigid materials supported by an extending from the facade of a building (compare "Awning").
- (35) **MARQUEE SIGN.** Any sign attached to or supported by a marquee structure.
- (36) **NAMEPLATE.** A non-electric on-premise identification sign giving only the name, address and/or occupation of an occupancy or group of occupants.
- (37) **NONCONFORMING SIGN (1).** A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.  
(2) A sign which does not conform to the sign code requirements but for which a special permit has been issued.
- (38) **OCCUPANCY.** The portion of a building or premises, owned, leased, rented or otherwise occupied for a given use.
- (39) **OFF-PREMISE SIGN.** A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising".

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- (40) ON-PREMISE SIGN. A sign which pertains to the use of the premises on which it is located.
- (41) OWNER. A person recorded as such on official records. For the purposes of this Ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Superintendent of Permits and Inspection, e.g., a sign leased from a sign company.
- (42) PAINTED WALL SIGN. Any sign which is applied with paint or similar substance on the face of a wall.
- (43) PARAPET. The extension of a false front or wall above a roofline.
- (44) PERSON. For the purposes of this Ordinance, any individual, corporation, association, firm, partnership, or similarly defined interest.
- (45) POINT OF PURCHASE DISPLAY. Advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.
- (46) POLE COVER. Covers enclosing or decorating poles or other structural supports of a sign.
- (47) POLITICAL SIGN. For the purposes of this Ordinance, a temporary sign used in connection with a local, state or national election or referendum.
- (48) PORTABLE SIGN. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
- (49) PREMISES. A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.
- (50) PROJECTING SIGN. A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (51) REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.
- (52) ROOFLINE. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.
- (53) ROOF SIGN. Any sign erected over or on the roof of a building (compare "Mansard", "Wall Signs").
- (54) ROTATING SIGN. A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.
- (55) SIGN. Any device, structure, fixture or placard using graphics, symbols and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods or services (compare Sec. 1.02).
- (56) SIGN, AREA OF
- (1). Projecting and Freestanding: The area of a freestanding or projecting sign shall have only one face (the largest one) of any double-or-multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two individual cabinets:

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(a) The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy of such embellishments.

(b) If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurements if they do not bear advertising copy.

(2) Wall Signs: The area shall be within a single, continuous perimeter composed of any straight line geometric figure which enclosed the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measure the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

- (57) SNIPER SIGN A temporary sign posted or affixed to a tree, fence, etc.
- (58) SUBDIVISION IDENTIFICATION SIGN. A freestanding or wall sign identifying a recognized subdivision, condominium complex or residential development.
- (59) TEMPORARY SIGN. A sign announcing a special event which sign shall not be erected for a period of more than twenty-one (21) days provided however, that specific temporary signs may be erected for the period provided herein.
- (60) UNDER CANOPY SIGN. A sign suspended beneath a canopy, ceiling, roof or marquee.
- (61) USE. The purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained.
- (62) VILLAGE. Unless the contest clearly discloses a contrary intent, the word "Village" shall mean the Village of Hartville.
- (63) WALL SIGN. A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letter and cabinet signs and signs on a mansard.
- (64) WINDOW SIGN. A sign installed inside a window and intended to be viewed from the outside. A window sign shall not cover more than 50% of the window surface upon which it is installed.

**E. GENERAL PROVISIONS**

It shall hereafter be unlawful for any person to erect, place or maintain a sign in the Village of Hartville except in accordance with the provisions of this Ordinance.

**(1) SIGNS PROHIBITED.**

The following types of signs are prohibited in all districts:

- (a) Abandoned signs.
- (b) Banners, pennants, festoons, searchlights (except as allowed in Sec. F(1) and F(4)).

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- (c) Signs imitating or resembling official traffic or government signs or signals.
- (d) Snipe signs or signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way.
- (e) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign (This does not apply to allowed portable signs or to signs or lettering on buses, taxis, or vehicles operating during the normal course of business).
- (f) No billboards shall be erected or constructed in the Village of Hartville unless such billboard is erected on a minimum of three (3) acres of land with the closest structure of any kind on any side of the sign to be limited to three hundred (300) feet.
- (g) No flashing signs shall be erected, constructed or maintained in the Village of Hartville except time and temperature.
- (h)\* No portable or free-standing sign not permanently anchored, affixed or secured to either a building or the ground except as otherwise permitted by this Ordinance.
- (i) Floral signs.
- (j) Projecting signs.
- (k) Roof signs.

(2) PERMITS REQUIRED.

Unless otherwise provided by this Ordinance, all signs shall require permits and payment of fees as described in Section Seven of this Ordinance. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

(3) SIGNS NOT REQUIRING PERMITS.

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this Ordinance:

- (a) Temporary signs used by churches, synagogues, or civic organizations.
- (b) Temporary construction signs of sixteen (16) square feet or less.
- (c) Directional/Information signs of eight (8) square feet or less.
- (d) Holiday or special events decorations.
- (e) Nameplates of two (2) square feet or less.
- (f) Political signs.
- (g) Public signs or notices, or any sign relating to an emergency.
- (h) Real estate signs.
- (i) Window signs.
- (j) Incidental signs.

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**(4) MAINTENANCE.**

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Zoning Inspector shall have the right under Sec. 7.09 to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated, as defined in OHIO BASIC BUILDING CODE.

**(5) LIGHTING.**

Unless otherwise specified by this Ordinance, all signs may be illuminated. However, no sign regulated by this Ordinance may utilize:

(a) An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion.

(b) Any exposed incandescent lamp in excess of twenty-five (25) watts unless a screen is attached or unless the sign is placed over ten (10) feet above the ground.

(c) Any revolving beacon light.

**(6) CHANGEABLE COPY.**

Unless otherwise specified by this Ordinance, any sign herein allowed may use manual or automatic changeable copy.

**F. REGULATION OF ON-PREMISE SIGNS BY ZONE.**

**(1) SIGNS PERMITTED IN ALL ZONES.**

The following signs are allowed in all zones:

(a) All signs not requiring permits (Sec. E(3))

(b) One (1) construction sign for each street frontage of a construction project, not to exceed twenty-four (24) square feet in sign area in residential zones or forty-eight (48) square feet in sign area in all other zones. Such signs may be erected thirty (30) days prior to beginning of construction and shall be removed fifteen (15) days following completion of construction.

(c) One (1) nonilluminated real estate sign per lot or premises, not to exceed twenty-four (24) square feet in sign area. Such signs must be removed fifteen days following sale, rental, or lease.

(d) One (1) attached nameplate per occupancy, not to exceed two (2) square feet in sign area.

(e) Political signs shall not be erected more than forty-five (45) days prior to the election or referendum concerned and shall be removed seven (7) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

(f) One (1) directional/information sign per entrance or exit, not to exceed four (4) square feet in sign area or four (4) feet in height.

(g) Temporary special events for three (3) separate special events each year per business as allowed by the Zoning Inspector for special events, grand openings, or holidays. Such signs and decorations may be erected seven (7) days prior to a special event or holiday and shall be removed seven (7) days following the event or holiday. For grand openings such signs may be used for no more than ten (10) days.

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(2) SIGNS PERMITTED IN RESIDENTIAL ZONES

Signs are allowed in residential districts R-1, R-2, R-3, R-4 and A-1 Agricultural District.

(a) All signs as permitted in Sec. F(1).

(b) One (1) subdivision identification sign per entrance per neighborhood, subdivision, or development, not to exceed sixteen (16) square feet in sign area.

(c) One (1) identification sign per entrance per apartment or condominium complex, not to exceed sixteen (16) square feet in sign area.

(d) For permitted nonresidential uses, including churches and synagogues, one (1) freestanding sign, not to exceed thirty-two (32) square feet in sign area.

Special regulations for residential zones are as follows:

(e) All allowed freestanding signs shall have a maximum height limit of eight (8) feet and shall have a setback of ten (10) feet from any public right-of-way.

(3) SIGNS PERMITTED IN NEIGHBORHOOD BUSINESS DISTRICT

Signs are allowed as follows in B-1 Neighborhood Business Districts.

(a) All signs as permitted in Sec. F(1) and F(2).

(b) One (1) freestanding sign per premises, not to exceed five tenths (.5) square feet in sign area for each linear foot of main street frontage up to a maximum of fifty square feet. Such signs may not exceed a height of twenty (20) feet.

(c) One (1) wall sign per occupancy, not to exceed five tenths (.5) square feet in sign area for each linear foot of that occupancy's building frontage.

(d) One (1) under-canopy sign per occupancy, not to exceed eight (8) square feet in sign area.

(e) Incidental signs square footage area to be deducted from maximum limit of sign to which it is attached.

Special regulations and allowances for Neighborhood Business Districts are as follows:

(f) Where an occupancy is on a corner or has more than one main street frontage, one (1) wall sign and one (1) additional freestanding sign will be allowed on the additional frontage, not to exceed the size of other allowed wall and freestanding signs.

(g) Freestanding and under-canopy signs shall have a setback of two (2) feet from any vehicular public right-of-way and a minimum clearance of fourteen (14) feet over any vehicular use area and eight and one-half (8 1/2) feet over any pedestrian use area.

(4) SIGNS PERMITTED IN GENERAL BUSINESS AND INDUSTRIAL DISTRICTS

Signs are allowed as follows in B-2 General Business and M-1 and M-2 Industrial Districts.

(a) All signs as permitted in Sec. F(1) and F(2).



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(b) One (1) freestanding sign per premises, not to exceed five tenths (.5) square feet in sign area for each linear foot of main street frontage up to a maximum of fifty (50) square feet. Such signs shall not exceed a height of thirty-five (35) feet.

(c) One (1) wall sign per occupancy, not to exceed five tenths (.5) square feet in sign area for each linear foot of that occupancy's building frontage, provided however, that a building occupancy of thirty (30) feet or less shall be permitted a sign of a maximum size of fifteen (15) square feet.

(d) One (1) banner sign per occupant, not to exceed five tenths (.5) square feet in sign area for each linear foot of that occupancy's building frontage with a maximum of thirty (30) square feet provided however, that a building occupancy of thirty (30) feet or less shall be permitted a sign of maximum size of fifteen (15) square feet. All such signs shall be firmly affixed to a wall of the building occupancy. At the applicant's option, the signage may be divided into two (2) signs and the total square footage of said signs shall not exceed the square footage herein provided.

(e) One (1) awning sign per occupancy not to exceed fifty (50) percent of the surface area of an awning, or one (1) marquee sign, not to exceed one (1) square foot in sign area for each linear foot of marquee front and side.

(f) One (1) under-canopy sign per occupancy, not to exceed eight (8) square feet in sign area.

(g) Incidental signs square footage area to be deducted from maximum limit of sign to which it is attached.

Special regulations and allowances for General Business and Industrial Districts are as follows:

(h) Where an occupancy has more than one main street frontage, one (1) additional wall sign and one (1) additional freestanding sign are allowed on the additional frontage, not to exceed the size limitations of other allowed wall and freestanding signs.

(i) All freestanding, awning, marquee, and under-canopy signs shall have a minimum setback of two (2) feet from any additional freestanding sign area allowed on the additional frontage, not to exceed the size limitations of the allowed wall and freestanding signs.

(j) All freestanding, awning, marquee and under-canopy signs shall have a minimum setback of two (2) feet from any vehicular public right-of-way, and a minimum clearance of fourteen (14) feet over any vehicular use area and eight and one-half (8 1/2) feet over any pedestrian use area.

**G. NONCONFORMING SIGNS AND ABANDONED SIGNS**

**(1) DETERMINATION OF LEGAL NONCONFORMITY.**

Existing signs which do not conform to the specific provisions of the Ordinance may be eligible for the designation "legal nonconforming" provided that both of the following requirements are met:

(a) The Zoning Inspector determines that such signs are properly maintained and do not in any way endanger the public.

(b) The sign was covered by a valid permit or variance or complied with all applicable laws on the date of adoption of this Ordinance.

(2) LOSS OF LEGAL NONCONFORMING STATUS.

A legal nonconforming sign may lose this designation if:

(a) The sign is relocated or replaced.

(b) The structure or size of the sign is altered in any way except towards compliance with this Ordinance. This does not refer to change of copy or normal maintenance.

(3) MAINTENANCE AND REPAIR OF NONCONFORMING SIGNS.

The legal nonconforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. However, if the sign suffers more than seventy-five (75) percent appraised damage or deterioration, it must be brought into conformance with this code or removed.

(4) DETERMINATION OF AND REMOVAL OF ABANDONED SIGNS.

Sign poles or sign frames which remain unused for a period of 12 months shall be removed. A sign pole or sign frame shall be deemed unused commencing on the date upon which the business or service conducted on the premises or advertised in said sign ceases, or the product, merchandise or commodity advertised on the sign ceases to be stocked or sold on the premises.

(5) PERSON OBLIGATED TO REMOVE ABANDONED SIGN.

The owner of the property on which the sign is located shall be presumed the owner of all signs thereon, and all removals shall be the responsibility of the owner. For the purposes of removal, the definition of a sign shall include all sign embellishments and structures designed specifically to support the sign.

H. CONSTRUCTION SPECIFICATIONS

(1) COMPLIANCE WITH BUILDING AND ELECTRICAL CODES.

All signs shall be constructed in accordance with the requirements of the Ohio Basic Building Code and the National Electrical Code.

(2) ANCHORING.

(a) No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind.

(b) All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.

(3) WIND LOADS.

(a) Solid signs, other than wall signs, shall be designed to withstand a wind load of thirty (30) pounds per square foot on any face, up to a sign height of thirty-five (35) feet.

(b) Skeleton signs, other than wall signs, shall be designed to withstand a wind load of thirty (30) pounds per square foot of the total face area of the letters and other sign surfaces, or thirty (30) pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign whichever is greater.

(4) ADDITIONAL CONSTRUCTION SPECIFICATIONS.

(a) No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

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(b) No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of any Fire Prevention Codes.

(c) Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than twelve (12) inches horizontally or vertically from any conductor or public utility guy wire.

**I. ADMINISTRATION AND ENFORCEMENT**

**(1) CODE ADMINISTRATION.**

The Zoning Inspector is authorized to process applications for permits and variances, hold public hearings as required, and enforce and carry out all provisions of this code, both in letter and in spirit. The Zoning Inspector is authorized to promulgate regulations and procedures consistent with this function.

The Zoning Inspector is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the Village for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

**(2) APPLICATION FOR PERMITS.**

Application for a permit for the erection, alteration, or relocation of a sign shall be made to the Zoning Inspector upon a form provided by the Zoning Inspector and shall include the following information:

- (a) Name and address of the owner of the sign.
- (b) 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.
- (c) The type of sign or sign structure as defined in this Ordinance.
- (d) 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.
- (e) Specifications and scale drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.

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**(3) PERMIT FEES. FEES BELOW NO LONGER GOOD - PLEASE SEE FEE SCHEDULE.**

Every applicant, before being granted a sign permit shall pay to the Zoning Inspector the following permit fee for each sign or other advertising structure regulated by this Ordinance, except those exempted by Section E(3). The fee schedule is as follows:

Market Value of Sign	Permit Fee
\$1,000 or less	\$10.00
\$1,001 to \$5,000	\$15.00
\$5,001 or more	\$25.00 plus \$1.50 per \$1,000 or fraction thereof above \$5,001

Table 12: Sign Permit Fee Schedule

**(4) ISSUANCE AND DENIAL.**

The Zoning Inspector shall issue a permit and permit sticker for the erection, alteration, or relocation of a sign within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the Village. Failure of the Zoning Inspector to respond to an application within ten (10) days shall be considered a rejection of such application. In all applications where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied by the Zoning Inspector, he shall give a written notice to the applicant along with a brief statement of the reasons for denial. The Zoning Inspector may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

**(5) PERMIT CONDITIONS, REFUNDS, AND PENALTIES.**

If a permit is denied, the permit fee will be refunded to the applicant.

If no inspections have been made and no work authorized by the permit has been performed, the permit fee, except for \$5.00 may be refunded to the applicant upon request, provided that the permit and permit sticker are returned to the Zoning Inspector within thirty (30) days of issuance.

A permit issued by the Zoning Inspector becomes null and void if work is not commenced within one hundred eighty (180) days of issuance. If work authorized by the permit is suspended or abandoned for one hundred eighty (180) days, the permit must be renewed with an additional payment of one-half of the original fee.

If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person of any other requirements or penalties prescribed in this Ordinance.

**(6) INSPECTION UPON COMPLETION.**

Any person installing, altering, or relocating a sign for which a permit

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has been issued shall notify the Zoning Inspector upon completion of the work. The Zoning Inspector may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

The Zoning Inspector may require in writing upon issuance of a permit that he be notified for inspection prior to the installation of certain signs.

(7) VARIANCES.

In obtaining a permit, the applicant may apply to the Zoning Inspector for a variance from certain requirements of this code. A variance may be granted by the Zoning Board of Appeals where the literal application of the code would create a particular hardship for the sign user and the following criteria are met:

(a) A literal application of the code would not allow the property to be used at its highest and best use as zoned.

(b) The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.

(c) Hardship caused the sign user under a literal interpretation of the code is due to conditions unique to that property and does not apply generally to the Village.

(d) The granting of the variance would not be contrary to the general objectives of this code.

In granting a variance, the Zoning Board of Appeals may attach additional requirements necessary to carry out the spirit and purpose of this Ordinance in the public interest.

(8) VIOLATIONS.

When, in the opinion of the Zoning Inspector, a violation of the code exists, the Zoning Inspector shall issue a written order to the alleged violator. The order shall specify those sections of the code of which the individual may be in violation and shall state that the individual has fifteen (15) days from the date of the order in which to correct the alleged violation or to appeal to the Zoning Board of Appeals.

If, upon inspection, the Zoning Inspector finds that a sign is abandoned or structurally, materially or electrically defective, or in any way endangers the public, the Zoning Inspector shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within thirty (30) days of the date of the order.

In cases of emergency, the Zoning Inspector may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the Ohio Basic Building Code or the Hartville Traffic Code.

(9) REMOVAL OF SIGNS BY THE ZONING INSPECTOR.

The Zoning Inspector may cause the removal of all illegal signs in cases of emergency, or for failure to comply with the written orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Zoning Inspector together with an additional ten (10) percent for inspection and incidental costs.

If the amount specified in the notice is not paid within thirty (30) days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against

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the property together with a ten (10) percent penalty for collection in the same manner as the real estate taxes.

The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Zoning Inspector, as in the case of a leased sign..

For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support the sign.

(10) PENALTIES.

Violations of the provisions of this Ordinance or failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25), nor more than five hundred dollars (\$500). Each day such violation continues shall be considered as a separate offense.

The owner or tenant of any building, structure, premises, or any part thereof, an architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(11) ORDER OF VIOLATION.

If the Zoning Inspector finds that any of the provisions of this Ordinance are being violated, he shall notify the person responsible for such violation, indicating the nature and extent of the violation. He shall order cessation of the violation or he shall take such action as authorized by the Ordinance to ensure that the use will comply with this Ordinance. After such an order is served and posted on the premises, no work, except to correct said violations and comply with this Ordinance, shall be permitted.

(12) APPEALS.

Any decision rendered by the Zoning Inspector in denying a permit or in alleging a violation of this Ordinance may be appealed to the Zoning Board of Appeals within ten (10) days of such denial or allegation.

The action being appealed shall be held in abeyance pending the decision of the Board.

J. CONFLICT, SEVERABILITY, AND EFFECTIVE DATE.

(1) If any portion of this code is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the Village code, the provision which establishes the higher standard shall prevail.

(2) SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provision to other persons or circumstances is in effect and shall remain in full force and effect.

ZONING  
INSPECTOR - RAY 330-418-9871