

ORDINANCE NO. 2018 - 11

**AN ORDINANCE AMENDING CHAPTER 1149 OF THE
CODE OF ORDINANCES REGULATING SIGNS**

WHEREAS, the United States Supreme Court in 2015 did decide *Reed v Town of Gilbert, Arizona*, 135 S.Ct. 2218 (2015), which greatly restricted the ability of local communities to regulate signs within the community, particularly temporary signs; and

WHEREAS, to comply with the mandates from the Supreme Court, but to balance the interests of the Village of Golf Manor to appropriately regulate signage, the Administrative staff with Planning Commission has worked carefully to update the Golf Manor Sign Code; and

WHEREAS, with notice and an opportunity for testimony as prescribed by law, the Planning Commission has held a series of public hearings on proposed text amendments to Chapter 1149, and on May 7, 2018 the Planning Commission by unanimous vote recommended approval of the attached text amendments to update Golf Manor Sign Code; and

WHEREAS, upon the Planning Commission's recommendation with notice and an opportunity for testimony as prescribed by law, Council did hold a public hearing on the proposed text amendments on July 9, 2018, and after weighing the information compiled by the Planning Commission, Council did unanimously accept such recommendation and authorized proposed legislation to be added to the Council's Agenda for consideration.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

SECTION I. The revised Chapter 1149 of the Golf Manor Code of Ordinances, *Sign Regulations*, as attached hereto and incorporated herein by reference, is hereby adopted in its entirety and shall be made a part of the codified Ordinances of the Village of Golf Manor.

SECTION II. (A) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Ordinance, except as limited by subsection (B) of this Section.


(B) Without diminishing or limiting in any way the declaration of severability set forth above in subsection (A) of this Ordinance or elsewhere in this Chapter 1149 or in the Planning and Zoning Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter is declared unconstitutional, such declaration shall not affect any other part,

section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise additional standards.

(C) Without diminishing or limiting in any way the declaration of severability set forth above in subsection (A) of this Section, or elsewhere in this Chapter 1149 or in the Planning and Zoning Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter is, or any other laws are, declared unconstitutional by valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under this Chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter or of any part of the Planning and Zoning Code is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter, except as expressly provided in subsection (B) of this Section.

SECTION III. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED this 13th day of August, 2018.



Mayor Greg Schwartzberg

ATTEST:



Anna Gedeon, Assistant Clerk

APPROVED AS TO FORM:



Terrence M. Donnellon, Solicitor

SUBSTITUTE CHAPTER 1149 SIGN REGULATIONS
CODE OF ORDINANCES

SECTION 1. PURPOSE

In the interest of promoting the general health, safety and welfare of the residents of the Village of Golf Manor ("Village"), as more fully set forth in the following purposes, these regulations are herein established to provide for the use, location, size, height and design of signs, in order to ensure that all signs are appropriate to, and compatible with, the character of the associated uses and of the surrounding area.

In establishing these purposes, the Village has determined that no sign shall be permitted, erected or maintained as a main or accessory use except in accordance with the provisions of this Zoning Ordinance, unless such sign is exempted from the provisions of this Chapter.

In establishing these purposes, the Village has determined that, without adequate regulation and design standards, signs may become a nuisance. The number of signs in the Village is excessive and is unduly distracting to motorists and pedestrians, creates a traffic hazard, and in some places reduces the effectiveness of signs required to protect the public. As the appearance of the Village is marred by the excessive number, oversized and poorly-designed signs, both residential and business property values are adversely affected. Therefore, the number of such distracting signs ought to be reduced and signs permitted should comply with the standards of this chapter in order to reduce the aforementioned effects.

In view of the foregoing, any sign that does not conform to the regulations of this Chapter 1149 ("Chapter"), or any subsequent amendment thereto, shall therefore be deemed a public nuisance, and as such, must be abated as provided herein. It is further declared that the regulations contained in this chapter are the minimum regulations necessary to abate the nuisance and to achieve the purposes of this chapter.

More specifically, the purposes of these regulations are to:

- (a) Enhance and protect the physical appearance of the community.
- (b) Promote and maintain attractive, high value residential, business, retail, commercial and industrial districts, and preserve the scenic and natural beauty of designated areas.
- (c) Provide necessary, yet reasonable and appropriate, signage for all residential, institutional and business uses in the community.
- (d) Ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment, and to avoid confusion or hazardous conflict between traffic control signs and devices, and any other permitted sign.
- (e) Enhance traffic and pedestrian safety.
- (f) Provide the public with a safe and effective means of locating businesses, services and points of interest within the Village.
- (g) Protect the rights of property owners and occupants to display messages protected by the First Amendment to the United States Constitution. Therefore, the purpose of these regulations include the intention to remove any doubt that it is the public's right to receive and display messages

protected by the First Amendment, including but not limited to, religious, political, economic, social, and philosophical messages subject, however, to reasonable regulations to assure safety and minimize visual blight. It is the further purpose of these regulations to affirm that an expedient appeal process exists that addresses these First Amendment concerns.

(h) Provide review procedures that enable and ensure the comprehensive evaluation of a sign's appropriateness to the site, building and surroundings, adherence to these purposes, and consistent enforcement of this Chapter's regulations.

(i) Establish and enforce a reasonable procedure for the eventual removal of legally non-conforming signs.

(j) Prohibit all signs not expressly permitted by this Chapter.

SECTION 2. DEFINITIONS

A-FRAME SIGN: A portable sign containing two (2) sign faces and whose framing is hinged at the apex at an angle less than ninety (90) degrees. Also known as a "Sandwich Board."

ABANDONED SIGN: (A) Any sign or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one (1) year or more (for a sign or its supporting sign structure which conforms to this chapter at the time of adoption); (B) A sign which advertises or promotes a business, service, owner, product, or activity which no longer operates at that location; (C) A Commercial sign which pertains to a time, event or purpose which no longer applies; or (D) A sign that is Deteriorated (as defined in herein), or is not adequately maintained, repaired, or removed within the specified time as ordered by this Chapter.

ADVERTISING SIGN: Any off-premises sign which directs attention to any business, profession, product, activity, commodity, or service that is offered, sold, or manufactured on property or premises other than that upon which the sign is located. A billboard is a type of advertising sign.

ANIMATED SIGN: Any sign having a conspicuous and intermittent variation in the physical position of any part of the sign.

ATTENTION-ATTRACTING DEVICE: Any device, such as balloons, searchlights, twirling signs, inflatable objects, etc., intended to attract the attention of the public to an establishment, location, product or service.

AWNING: A roof-like cover, often of fabric, metal, plastic, fiberglass or glass, designed and intended for protection from the weather or as a decorative embellishment, and which is supported by and projects from a wall or roof of a structure over a window, walk, door, or the like.

AWNING SIGN: A sign or graphic printed on or in some fashion attached directly to the awning material.

BANNER: Any temporary sign of light-weight fabric or similar material either enclosed or not enclosed in a rigid frame, and secured or mounted to a pole or a building at one (1) or more edges to allow motion caused by the atmosphere. Flags, as defined herein, shall not be considered

banners.

CAMPUS SIGN: Signs permitted for multiple story buildings developed within a campus setting or environment.

CANOPY: A roof-like cover, often of fabric, metal, plastic, fiberglass or glass, on a support which is supported in total or in part from the ground, providing shelter over, for example, a doorway, outside walk or parking area.

CANOPY SIGN. Any sign that is part of or attached to a canopy, made of fabric, plastic, or structural protective cover over a door, entrance, or window.

CHANGEABLE COPY SIGN: A portion of a sign designed to periodically accommodate message changes. Changeable copy signs include the following:

- (1) Electronically controlled signs (see Electronic Message Center Sign).
- (2) Manually controlled signs.

COMMERCIAL MESSAGE: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

COMMERCIAL SIGN: A sign that contains a commercial message.

CONTRACTOR SIGN: A sign advertising or identifying a contractor which is not a sign advertising a business or profession located on the property or premises where the advertised business is located, but which identifies the contractor performing work on such property or premises.

CORPORATE LIMIT SIGN: Signs established by the Village, located on municipal property, to designate its boundaries to persons traveling into the community. Corporate limit signs may include the signs of nonprofit organizations.

DETERIORATED SIGN: Showing signs of weathering, rust, corrosion, exposed wiring, chipped paint or faces, cracked, broken, torn, or missing faces, or loose materials, or other evidence of disrepair.

DIRECTORY SIGN: Signs to direct pedestrian traffic within retail, office, industrial and institutional developments that have at least five businesses, tenants or structures.

ELECTRONIC MESSAGE CENTER SIGN: A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means, not including animated graphics and/or video.

ENTRANCEWAY SIGN. A type of ground sign located at the entrance or entrances of residential, commercial or industrial subdivisions that incorporate high quality building materials and landscaping to create a uniquely identifiable landmark for the subdivision.

FLAG: Any fabric or similar light-weight material attached at one (1) end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices used to represent a government, political subdivision, and/or any organization, whether for-profit or not-for-profit, but not including a commercial message.

FLASHING SIGN: Any sign having a conspicuous and intermittent variation in the illumination of the sign.

FREE-STANDING SIGN: A non-movable sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

GOVERNMENT SIGN. Signs designed for control of, or to provide information to, traffic and other regulatory functions, and signs of public utilities and/or common carriers indicating danger and/or location of facilities and/or components, and aids for service or safety which are erected by the order of a public officer in the performance of his/her public duty (see also Public Sign).

GROUND SIGN: A freestanding sign supported by one or more uprights, braces or pylons located in or upon the ground, or something requiring location on the ground..

HAND-HELD SIGN: A sign containing a commercial message that is held, carried, worn, balanced by or otherwise mounted on a person. A hand-held sign shall include a human or animal used as an advertising device for commercial establishments, typically by holding or wearing of insignia, masks, or costumes associated with the commercial establishment.

IDENTIFICATION SIGN: A sign located at or near the entrance to an industrial, business or residential development, which is necessary for the safety or convenience of motorists and which is therefore erected primarily in the public interest.

ILLUMINATED SIGN: Any sign illuminated by electricity, gas or other artificial light, including reflecting or phosphorescent light.

A. Indirect illumination - A light source not seen directly.

B. Internal illumination - A light source concealed or contained within the sign, and which becomes visible in darkness through a translucent surface.

INTERIOR SIGN: Signs located within a structure not intended to be legible from the exterior. Signs affixed to a window or the walls enclosing the display area behind a window, which are obviously intended to be legible from the exterior, shall be considered exterior signs.

LIGHT DEVICE: Any light, string of lights or group of lights located or arranged so as to cast illumination on a sign.

MARQUEE: Any permanent roof-like structure projecting beyond a building or extending

along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

MARQUEE SIGN: Any building sign painted, mounted, constructed or attached in any manner on a marquee.

NAMEPLATE: A permanent sign no larger than one square foot placed on the front of a residential structure, or mounted in the front lawn of a residential property. A nameplate will be included in the calculation of the maximum signage area allotted to a parcel.

NON-COMMERCIAL MESSAGE: A message intended to direct attention to a political candidate, election issue, political, social, religious, community or public service issue or idea, aim, viewpoint, aspiration or purpose and not intended to produce any commercial benefit or tend to encourage a commercial transaction.

NON-COMMERCIAL SIGN: A sign containing a non-commercial message. Any sign that may be displayed under the provisions of this Chapter may contain a non-commercial message.

OBSCENE SIGN: A sign which contains words or pictures in which the dominant theme, taken as a whole, appeals to the prurient interest in sex or is patently offensive because it affronts the contemporary community standard relating to the description or representation of sexual material which is without redeeming social value.

OFF-PREMISE ADVERTISING SIGN: A sign which contains a commercial message unrelated to a business, profession, commodity, service, activity, sold or offered upon the premises where such sign is located.

ON-PREMISES SIGN: Any sign containing a commercial message related to a business or profession conducted, or a commodity or service sold or offered, upon the premises where such sign is located.

PENNANT: Any sign of light-weight plastic, fabric, or other similar material, whether or not containing a message of any kind, which is suspended from a rope, wire, or string, usually in a series, and which is designed to move in the wind. Flags of any government or political subdivision shall not be considered pennants.

POLE SIGN. Any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level.

PORTABLE SIGN. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported from place to place, including, but not limited to, signs transported by means of wheels; A-Frame signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operation of the business.

PUBLIC SIGN. Any sign required or specifically authorized for a public purpose by any law,

statute, or ordinance which may be of any type, number, area, height above grade, location, illumination or animation, required by the law, statute, or ordinance under which the signs are erected (see also Government Sign).

PROJECTING SIGN: A type of wall sign affixed to any building or part thereof, or structure, extending beyond the building wall or parts thereof, or structure, by more than 12 inches.

REAL ESTATE SIGN: A temporary sign posted on property that is actively marketed for sale or lease.

ROOF SIGN: A sign erected upon or above a roof or parapet wall of a building or structure.

SANDWICH BOARD: See "A-Frame Sign."

SEASONAL OR HOLIDAY DISPLAY. Any temporary display, such as Christmas decorations, used for a holiday and installed for a short, limited period of time.

SIGN: Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. For clarification, examples of items which typically do not satisfy the necessary elements of this definition include, but are not limited to: works of art; architectural elements incorporated into the style or function of a building; and, flags of any nation, state, political subdivision, other geopolitical entity not related to a commercial business, product or service, and/or any organization, whether for-profit or not-for-profit, but not including a commercial message. For purposes of this definition, a work of art is any item expressing creative skill or imagination in a visual form, such as a painting or sculpture, which is intended to beautify or provide an aesthetic influence to a public area or area which is visible from the public realm and which in no way identifies or specifically relates to a commercial business, product or service.

SIGN AREA: The entire area within a single continuous perimeter enclosing the extreme limits of writing or a representation, emblem or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The necessary supports or uprights on which such sign is placed, not being advertising matter, shall not be included in computation of surface area. The area of a sign having more than one display surface shall be computed as the total of the exposed exterior display surface area.

SIGN FACE: The surface or the sign upon, against or through which the message of the sign is exhibited.

SIGN HEIGHT: The vertical distance from the uppermost point used in measuring the area of the sign to the crown of the road on which the property fronts.

SIGN STRUCTURE: The supports, uprights, bracing or framework for signs.

SIGN WALKER: An individual carrying a portable sign intended to convey a commercial message to vehicular traffic.

SITE SIGN: A sign located on any parcel for which a building permit has been issued but on which construction related to such building permit is incomplete.

SNIPE SIGN: Any sign that is posted on trees, landscaping, utility poles or structures, streetlights, fences, fire hydrants, bridges, curbs, sidewalks, park benches parkways, streets, right-of-ways, or other locations on public property.

TEMPORARY SIGN: Any sign or advertising display constructed of cloth, canvas, light fabric, paper, cardboard, or other light materials, which is displayed for a limited time only. Residential yard signs and signs painted on window surfaces which are readily removed by washing shall also be considered temporary signs. Temporary signs are not, nor are intended to be, permanently attached to a building, structure or the ground.

WALL SIGN: Any sign painted on, attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall and extending not more than fifteen inches from the face of the wall.

WINDOW-PERMANENT SIGN: A sign containing a commercial message, legible from the exterior of a building or structure, which is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed on, taped on or hung immediately behind the window or displayed from a window for the specific purpose of directing attention to a business, profession, service, product or activity sold or offered upon the premises where such sign is located.

WINDOW-TEMPORARY SIGN: A sign containing a commercial message, legible from the exterior of a building or structure, which is painted on a window; depicted upon a card, paper or other material; placed on, taped on or hung immediately behind the window; or displayed from a window for the specific purpose of attracting the attention of a passerby to a sale, promotional items or other products or services.

YARD SIGN: A temporary sign, which is mounted on a stake or a frame structure (often made from wire) that includes one (1) or more stakes.

SECTION 3. APPLICATION OF CHAPTER.

(a) The provisions of this Chapter shall apply to and govern signs in all districts. No sign shall be erected or maintained unless it is in compliance with the regulations governing location and bulk of structures for the district in which it is located, unless such sign is otherwise specifically regulated by special use provisions relating to variances.

(b) Any sign already established on the effective date of this revised Chapter, which sign is rendered nonconforming by the provisions of this revised Chapter, and any sign which, as a result of subsequent amendments of this Chapter, shall be rendered nonconforming, shall be subject to

the provisions of Section 19.

(c) Wherever a commercial sign is allowed or permitted under this Chapter, an owner may place a non-commercial sign, subject to the time, place and manner provisions of this Chapter, without applying for a permit and/or paying a fee that otherwise would be required for the placement of a commercial sign on the lot; provided, that the sign structure or mounting device is legal without consideration of message content. This provision prevails over any provision to the contrary in this ordinance. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a lot or parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

(d) All non-commercial speech is considered on-premise signage and is entitled to the privileges that on-premise signs receive under this section.

(e) Notwithstanding any other provision herein, signs that display a non-commercial message are entitled to the maximum square footage allowed any sign within the same zoning district, or if there are multiple non-commercial signs, the cumulative total of the square footage of all such signs may not exceed the maximum square footage allowed for any sign within the district.

(f) Notwithstanding any other provision herein, signs that display a non-commercial message are not subject to the temporal limitations otherwise set forth in this Chapter; however, such signs remain subject to all other provisions of this Chapter governing Temporary Signs.

SECTION 4. EXEMPTIONS.

The provisions of this Chapter shall not apply to the following:

(a) Signs not-legible beyond the boundaries of the lot or parcel upon which they are situated, or from any public thoroughfare or right-of-way.

(b) Government Signs.

(c) Public Signs.

(d) Seasonal or holiday displays that contain no commercial message.

(e) Signs on a truck, bus, trailer or other vehicle while such vehicle is operated in the normal course of a business which is not primarily the display of such signs.

(f) Flags and pennants that contain no commercial message.

(g) Tablets, grave markers, headstones, statuary or remembrances of persons or events that contain no commercial message.

(h) Works of art not containing a commercial message.

(i) Cornerstones containing no advertising message incorporated into the building design as an architectural feature.

(j) Corporate Limit Signs.

SECTION 5. PROHIBITED SIGNS.

The following signs and sign components are prohibited:

(a) Abandoned signs.

(b) All blinking, flashing, or intermittent lighting.

- (c) Attention-attracting devices.
- (d) Deteriorated signs.
- (e) Signs attached or otherwise applied to trees, bus shelters, benches, trash receptacles, newspaper vending machines or other unapproved supporting structures, or otherwise placed in the public right-of-way, except as otherwise permitted herein.
- (f) Roof signs.
- (g) Signs with bare bulb illumination.
- (h) Flame as a source of light.
- (i) Portable signs.
- (j) Portable signs carried by sign walkers.
- (k) Snipe signs.
- (l) Obscene signs.
- (m) Any sign requiring a permit in accordance with this Chapter and not having said permit.

SECTION 6. SIGNS PARTIALLY EXEMPT FROM CHAPTER

The following signs may be erected or constructed without a permit, but may be subject to additional regulations under this section. Where a sign is erected pursuant to a federal or state statute or a court order, the sign may exceed the size standards of this ordinance or otherwise deviate from the standards set forth in this ordinance to the extent that the statute or court order expressly requires the larger size or other deviation. In all other respects, such signs shall conform to the standards of this ordinance:

- (a) Signs installed by employees or officials of a state or federal agency in the course of their governmental duties and bearing no commercial message;
- (b) Signs required by an order of a court of competent jurisdiction;
- (c) Signs installed by a transit company with a franchise or other right to operate in the Village where such signs are installed along its routes and bear no commercial message.
- (d) Yard signs bearing no commercial message.

SECTION 7. SIGNS ALLOWED IN THE RIGHT-OF-WAY AND ON PUBLIC PROPERTY.

The following signs, and only the following signs, shall be allowed in the public right-of-way in the Village or in parks or on other public property controlled by the Village:

- (a) Government signs;
- (b) Public signs;
- (c) Signs installed by employees or officials of a state or federal agency in the course of their governmental duties and bearing no commercial message;
- (d) Signs required by an order of a court of competent jurisdiction; and
- (e) Signs installed by a transit company with a franchise or other right to operate in the Village, where such signs are installed along its routes and bear no commercial message.
- (f) Signs installed and maintained by the Village that may contain either commercial or non-commercial messages as part of a logo sign/directional sign program, through which space is made available to users on a nondiscriminatory basis in accordance with separately published criteria and with payment of a fee.

(g) Corporate limit signs.

(h) Additional signs in parks that relate to the use of one or more facilities (including temporary uses by particular entities or individuals), provided that such signs shall not be legible from any public right-of-way outside the park.

(i) Signs for concessionaires and event sponsors inside stadiums, arenas or ball fields or other such facilities. Signs located inside an outdoor facility, if such facility is located 400 feet or more from the nearest right-of-way, shall be deemed not to be legible from such right-of-way even if they may be legible from some locations outside the facility.

(j) Street banners as permitted by the Village's Banner Policy.

SECTION 8. TEMPORARY SIGNS.

(a) Temporary signs shall be permitted as specified in this section.

(b) Temporary signs bearing a commercial message shall be located on the premises to which they refer.

(c) Temporary signs shall not be illuminated.

(d) Temporary signs are prohibited in any right-of-way.

(e) Temporary signs shall comply with Section 14.

(f) Temporary signs shall be securely fastened or attached to a stationary structure or ground in such a manner as to prevent swinging or other significantly noticeable movement.

(g) Any temporary sign violating the requirements of this section is declared a public nuisance and the Code Official is authorized to remove the same or cause it to be removed.

(h) Temporary signs displaying a commercial message are permitted only as specified in the Temporary Sign Standards table.

(i) Temporary signs shall not be posted on any traffic control device, utility pole, railroad sign or signal.

(j) Contractor Signs, as a temporary sign, may be placed on the property or premises advertising or promoting a contractor performing work on the property or premises for the longer of seven (7) days from installation of the sign or the length of time the Contractor is actively working on the site. Contractor signs must adhere to all other regulations of the Chapter applicable to Temporary Signs.

SECTION 9. TRAFFIC HAZARDS.

(a) Except as may be required by law, no sign shall be erected within 25 feet of the intersection of any streets in such a manner as to obstruct free and clear vision, or at any location where, by reason of position, shape or color, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal or device.

(b) Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrian or vehicular traffic.

(c) Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.

(d) No rotation beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display, nor shall any illuminated device designed to attract the attention of users of the street be permitted unless it is an integral part of the sign as herein

defined.

SECTION 10. DESIGN STANDARDS BY SPECIFIC TYPE OF SIGN.

Signs shall be designed so as to be similar in character, with regard to materials, color and size, to conforming signs designed or located on the same building and on adjoining buildings in order to equalize the attention they are meant to attract, and to produce an overall unified effect, all in accordance with the other requirements of this Chapter.

(a) **Electronic Message Center.** Electronic Message Center signs are permitted only within the Business and Industrial Districts. The following provisions apply to electronically controlled changeable copy signs, signs referred to as electronic message center signs in this Chapter.

(1) A default message shall be programmed to automatically freeze in one static position, or shall be turned off, once a malfunction occurs.

(2) Electronic message centers shall not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from a sign face at maximum brightness. The applicant shall provide a certificate of maximum illumination before a sign permit application is officially approved.

(3) The use of streaming video or full-motion video on any electronic message center sign is prohibited.

(4) The electronic display color, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic shall not change at intervals less than five seconds.

(5) Except for permitted transition from one static frame to another static frame, electronic message center signs shall not change color, blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance; contain visual effects such as fading dissolves; or use any frame entrance, exit or hold effects or background animation.

(6) Electronic message center signs located within 150 feet of any residential zoning district shall not exceed 32 square feet in area, or 30 percent of the total sign area, whichever is less.

(b) **Directory Signs.**

(1) One directory sign may be located at each entrance provided that the directory sign is not legible from a road right-of-way.

(2) One additional directory sign may be located near each principal entrance to a parking lot or at principal intersection within a development for every ten additional businesses, tenants or structures.

(3) Directory sign letters shall not be more than four inches in height.

(4) Such sign may not exceed 12 square feet in area and six feet in height.

(c) **Entranceway Sign.**

(1) One entranceway sign is permitted located at each primary entrance leading into a residential, office or industrial subdivision and multi-family development.

(2) A landscaping area equal to the sign area shall be provided around the sign base. The landscape area shall include living plants aesthetically located and maintained.

(3) Any illumination of entranceway signs shall be from an external illumination source. Internally illuminated signs are not permitted.

(4) Entranceway signs shall match or surpass the construction materials and architectural style of the housing units or buildings located within the subdivision.

(5) Residential entranceway signs shall not exceed 12 feet in height or 150 square feet in area.

(6) Non-residential entranceway signs shall not exceed 15 feet in height or 200 square feet in area.

(d) Free-standing Signs.

(1) Any establishment may display one free-standing sign of the area and height indicated within the respective district sign standards, provided that:

A. The establishment is accessible by automobile and has off street parking on the premises; and

B. The edge of the building or structure in which the establishment is located is set back at least fifteen feet from the edge of the adjacent street or highway right-of-way. The height of a freestanding sign shall be measured from the grade at the edge of the right-of-way.

(2) A free-standing sign which is ten square feet or more in area may be displayed only on a frontage of 100 feet or more, and may not be closer than forty feet to any adjacent property.

(3) Free-standing signs for industrial establishments are subject to the following special area and height requirements, provided that the industrial establishment has a frontage of at least 200 feet and a setback of at least fifty feet:

A. The area of the free-standing sign may be no larger than the signable area of the building;

B. The maximum height of the free-standing sign shall be five feet when the sign is located within 500 feet of institutional or residential uses and ten feet otherwise.

(4) One oversized free-standing sign may be displayed by any industrial, commercial or institutional establishment, provided that:

A. The establishment has a minimum frontage of 1,000 feet on the street or highway to which the sign is displayed; and

B. The oversized sign is located in a well landscaped area free of any building or structure for a minimum of 150 feet in all directions.

(5) Oversized free-standing signs are subject to the following restrictions:

A. The area of the sign shall not exceed 400 square feet.

B. The maximum height limit is twelve feet in industrial or commercial areas.

C. Oversized signs must be at least 500 feet apart.

D. Oversized signs must be set back at least seventy-five feet from the property line.

(6) Advertising signs are permitted only within Industrial Zone, subject to the following restrictions:

A. One sign per premises in industrial ownership.

B. Structure may be wall or free-standing.

C. The face of the sign shall be not greater than eighteen feet in vertical

dimension nor greater than fifty-five feet in horizontal dimension and contain no more than one advertising sign.

(e) Identification Signs.

Identification signs shall be permitted at the main entrance of a multi-tenant building, subject to the following additional regulations:

- (1) No more than one identification sign shall be permitted
- (2) Individual letters and/rows of text shall not exceed two inches in height.
- (3) The total directory sign area shall not exceed 6 square feet.
- (4) The sign material shall have a professional appearance and be made of cast metal or other approved durable material.
- (5) No signs shall project higher than one story or fifteen feet above curb level, whichever is lower.

(f) Nameplates.

Nameplates shall subject to the following standards:

- (1) Single-Family Residential. There shall be not more than one nameplate, not exceeding two square foot in area, for each dwelling unit. On a corner lot, two such nameplates for each dwelling unit, one facing each street, shall be permitted.
- (2) Multi-Family Residential. For multi-family buildings, a single identification sign, not exceeding 24 square feet in area may be displayed. On a corner lot, two such signs, one facing each street, shall be permitted.

(g) Signs Associated With Nonconforming Uses.

In the case of legal, nonconforming land uses (such as a business located in a residentially zoned district), the total sign area of all signs associated with such land use shall be no greater than that which would be allowed if the nonconforming use was located in the most restrictive zoning district allowing such land use. Further, no new signs associated with nonconforming land uses may be erected, except replacements which are the same or smaller in size than the sign being replaced. In the event that a sign associated with a nonconforming land use is moved, its new location must conform to the setback requirements of the district in which it is located as if it were a building.

(h) Signs Over a Pedestrian Walkway.

No sign projecting or hanging over a public or private pedestrian walkway may, at its lowest point, be less than ten feet above the sidewalk or ground level.

(i) Wall Signs.

- (1) Wall signs shall be limited in area to one square foot of area for each horizontal linear foot of building wall upon which the sign or signs are to be located.
- (2) Such signs shall not extend above the top of the wall or extend beyond the ends of the wall or extend more than twelve inches from the surface to which they are attached.
- (3) Such signs shall not cover any window or part of a window.
- (4) Such signs shall be limited in number as follows: One sign for each street frontage of the lot on which the primary permitted use is located, except that where a complex of buildings is so constructed and maintained that said complex of buildings is an attached shopping

complex or an attached group of buildings, only one such sign shall be permitted for each individual separate business building. A separate business building shall be construed to mean space allotted to the operation of one firm, company or corporation having a separate rental or lease. A professional office building within such a complex, if permitted within the district under consideration, shall not be considered as containing separate businesses for this purpose, but shall have only one such sign regardless of how many firms, companies or corporations have separate ownership, rental or lease within said office building.

(j) Window Signs.

(1) Permanent window signs.

A. Subject to the requirements of this section, any industrial, commercial or institutional establishment may display permanent window signs. Permanent window signs are not permitted in a residential area.

B. If an establishment displays no wall sign, then no window shall contain more than thirty percent or thirty square feet of permanent window signs, whichever is less.

C. If an establishment displays a wall sign, then no window shall contain more than twenty percent or twenty square feet of permanent window signs, whichever is less.

(2) Temporary window signs.

A. Subject to the requirements of this section, any commercial or industrial establishment may display temporary window signs. Temporary window signs are not permitted in an institutional or residential area.

B. No window shall contain more than twenty percent or ten square feet of temporary window signs, whichever is less.

SECTION 11. SCHEDULE OF MAXIMUM SIGN AREA - RESIDENTIAL

<i>Sign Type (a)</i>	<i>Single-Family and Multi-Family Districts</i>	
	Area	Height
(A) Nameplate	2 sq. ft.	NA
(B) Residential Development Identification Sign	25 sq. ft. (b), (c)	5 ft.
(C) Institution Identification Signs	25 sq. ft. (d)	5 ft.
(D) Directional Signs	4 sq. ft.	4 ft.
(E) Incidental Signs	1 sq. ft.	NA
(F) Temporary Signs		
(1) Project Construction/ Land Sales Signs	50 sq. ft.	10 ft.
(2) Garage Sale Signs	4 sq. ft. (c)	4 ft.
(3) Real Estate or Political Signs	8 sq. ft. (c), (f)	4 ft.

Notes to Section X:

sq. ft. = square feet NA = Not applicable ft. = feet

(a) No sign type listed in this section shall be permitted to be internally illuminated in any Residential District.

(b) In compliance with Section 13.

(c) Maximum of 2 faces per sign. Maximum sign area permitted per face.

(d) Only one sign permitted, may be either a ground mounted or wall sign, in compliance with Section 10.

**SECTION 12. SCHEDULE OF MAXIMUM SIGN AREA –
BUSINESS/INDUSTRIAL**

Sign Type	Business and Industrial Districts
(A) Name Plate	2 sq. ft.
(B) Building Marker	6 sq. ft.
(C) Residential Development Identification Signs	25 sq. ft. (a), (b)
(D) Institution Identification	(c)
(E) Business Identification Signs (d)	
(1) Attached to Buildings	(d)
(2) Ground Mounted or Yard Arm Signs	30 or 36 sq. ft. (b), (e)
(3) Permanent Window Signs	NP
(F) Plaques	3 sq. ft.
(G) Under-Canopy Signs	2 sq. ft.(b)
(H) Directional Signs	4 sq. ft.
(I) Incidental Signs	2 sq. ft. (h)
(J) Menu Boards	20 sq. ft.
(K) Temporary Signs	8 sq. ft.
(1) Project Construction/ Land Sales Signs	50 sq. ft.
(2) Special Event Signs	25 or 50 sq. ft. (f)

Notes to Section XI:

NP = Not permitted sq. ft. = square feet

(a) One per street entrance.

(b) Maximum of 2 faces per sign. Maximum sign area permitted per face.

- (c) Shall be permitted the allowable sign area for business identification signs for the district in which the use is located. See also Section 13.
- (d) In compliance with the maximum area requirements set forth in Section 12.
- (e) Maximum of 30 square feet per side if internally illuminated and 36 square feet per side if externally illuminated or not illuminated
- (f) Not more than 25 square feet per sign face with a maximum of 2 sides permitted for yard signs, or not more than 50 square feet per sign face with a maximum of 1 side permitted for banners.

SECTION 13. REGULATIONS FOR PERMANENT GROUND MOUNTED SIGNS.

Ground mounted signs shall be permitted in compliance with the following regulations and additional criteria in Section 10:

(A) *Ground Mounted Residential Development Identification Signs.* A ground mounted residential development identification sign shall be permitted for a residential development in compliance with the following requirements:

(1) *Maximum Number of Ground Mounted Signs.* A maximum of 2 signs shall be permitted per development, one per street entrance, part of a decorative wood, brick, stone, or masonry wall or of some similar design compatible with the character of the neighborhood.

(2) *Minimum Setback from Street.* Such signs shall be located no closer than 10 feet from any street right-of-way line except as otherwise permitted in division (A)(3) below, and shall be placed so as not to obstruct sight lines for vehicles or pedestrians.

(3) *Signs Located in the Right-of-Way.* A ground mounted sign may be placed in the right-of-way provided such sign shall be located on the center island of a boulevard entrance, placed no closer than 25 feet to the intersecting street's right-of-way.

(4) *Minimum Setback from Side Lot Lines.* Such signs shall be located no closer than 25 feet to a side lot line.

(5) *Illumination.* Such signs may be externally illuminated only.

(B) *Ground Mounted Institution Identification Signs in Residential Districts.* Ground mounted institution identification signs in residential districts shall comply with the setback requirements for residential development identification signs, as outlined in division (A) above.

(C) *Ground Mounted Business Identification Signs.* In addition to the requirements set forth in Section VIII, a ground mounted sign or yard arm sign in the Business and Industrial Districts shall comply with the following:

(1) *Maximum Number of Signs.* Not more than one ground mounted sign shall be permitted per project or development, except for facilities on corner lots or double frontage lots pursuant to Section 10.

(2) *Minimum Sign Setback from Street.* Ground mounted or yard arm signs shall be located no closer to a street curb or edge of pavement than 6 feet or 50% of the building setback, whichever is less, but shall not be placed within the public right-of-way.

(3) *Minimum Sign Setback from Side Lot Lines.* Ground mounted signs and yard arm signs shall be located no closer than 10 feet from any side property line, except that when a side lot coincides with a residential zoning district boundary line, the minimum setback shall be 25 feet.

(4) *Maximum Height of Ground Mounted Signs.* All permitted ground mounted signs or yard arm signs shall not exceed a height of 5 feet, except for directional signs which shall not exceed a height of 4 feet.

(5) *Multi-Tenant Facilities.* When a ground mounted sign or yard arm sign is erected on a site that has more than one tenant, it is the property owner's responsibility to determine the sign area devoted to identification of the development, building, anchor tenant, all tenants, or some combination thereof.

(6) *Additional Area for Corner Lots or Double Frontage Lots.* One additional ground mounted or yard arm sign shall be permitted for a corner lot or double frontage lot provided that:

(a) The total frontage of both streets is not less than 300 feet and there are at least 2 curb cuts providing access to the lot;

(b) The area of each ground mounted or yard arm sign complies with Section 12 and the total area of both signs shall not exceed 150% of the maximum area permitted for a single sign;

(c) The second ground mounted or yard arm sign is clearly located to provide identification along the secondary street; and

(d) The two signs may be aggregated into a single sign at the corner provided that the area of any sign face shall not exceed the area specified in Section 12.

(7) *Landscaping.* Ground mounted or yard arm signs shall be erected in a landscaped setting and shall not be permitted on sidewalks, drives or in parking lots.

(8) *Ground Mounted Institution Identification Signs.* Ground mounted institution identification signs located in business/industrial districts shall comply with the applicable supplemental regulations for ground mounted business identification signs, as outlined in divisions (C)(1) through (C)(7) above.

SECTION 14. GENERAL DEVELOPMENT STANDARDS.

(a) Location of Signs.

(1) All signs shall be erected in conformity with the respective zoning district requirements unless otherwise specified. No sign shall be erected so as to prevent free ingress to or egress from any door or window or any other exitway.

(2) No sign shall be attached to a standpipe, gutter drain or fire escape, nor shall any sign be erected so to impair access to a roof.

(b) Construction and Maintenance.

(1) The construction, installation, erection, anchorage and maintenance of all signs shall be subject to the regulations of the Uniform Building Code or any other standard applicable to the Village. All electrical wiring associated with free-standing signs shall be installed underground.

(2) Abandoned signs shall be completely removed from the premises within sixty (60) days after such abandonment is established, unless said sign is converted to another lawful and contemporary use within that sixty-day period. The supporting structure for abandoned signs shall be completely removed within a period of one (1) year after abandonment is established, unless a new and lawful sign is established thereon.

(3) No person shall fail to maintain a sign on such person's premises, including signs exempted by this Chapter from the permitting requirements, in good structural condition at all times. All signs, including all metal parts and supports thereof that are not galvanized or of rust-resistant metals, shall be kept neatly painted. The enforcement officer is authorized to inspect and may order the painting, repair, alteration, or removal of a sign that constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, dilapidation, abandonment, or obsolescence, under the procedures prescribed by Section 18 of this Chapter.

(4) Notwithstanding any other provision of this Chapter, any temporary sign that is constructed of lightweight wood and cardboard, or of wire frame and plastic, is deemed to have a lifespan of sixty (60) days, after which time, such temporary sign is deemed to be Dilapidated and shall be replaced or become subject to removal pursuant to Section 18.

(c) Mounting of Signs. All signs shall be mounted in one of the following ways:

(1) Flat against a building or wall.

(2) Back to back in pairs, so that the backs of signs will be screened from public view.

(3) In clusters in an arrangement which will screen the backs of the signs from public view.

(4) Otherwise so that the backs of all signs or sign structures showing to public view shall be painted and maintained a neutral color or a color that blends with the surrounding environment.

(d) Limitation on Number of Signs. In those districts within which a reduction in total sign area is applied as the number of signs increases, the following exemption is offered: If more than four establishments occupy a single zoning lot, the twenty percent reduction in total sign area shall not apply if all signs are grouped in a single location or are part of a common sign for the entire

zoning lot. In such instances, each establishment shall be permitted an additional wall-mounted sign not more than four inches from the face of the wall or structure of the building.

SECTION 15. SIGN PERMIT APPLICATION AND FEES.

(a) No sign regulated by this chapter may be erected, painted, installed or otherwise established in the Village without a permit first having been obtained therefor.

(b) No permit shall be required for yard signs bearing no commercial message.

(c) Any sign requiring a structural steel foundation and/or electricity shall obtain foundation and/or electric permits, as well as a sign permit.

(d) Except as otherwise provided in this Chapter, a temporary sign permit is required before the placement or erection of any temporary sign that is not allowed without a permit. Such a permit shall be issued administratively for a period not to exceed 60 total days in a calendar year, and not more than 30 consecutive days.

(e) Any language in this Chapter that includes other permit requirements and limitations on the duration of certain permits shall be considered supplemental to the requirements of this section and shall not be interpreted as waivers of application, fee or other requirements set forth in this section. In case of apparent conflict between any such language and the language of this section, the more specific language shall control.

(f) No provision of this Section controls over Section 3.

SECTION 16. SUBMITTAL REQUIREMENTS FOR SIGN PERMITS.

When applying for a sign permit, the following materials shall be submitted:

(a) A completed application for each requested sign.

(b) Scaled elevation drawing(s) of proposed sign(s).

(c) Foundation and anchoring drawing(s) of proposed sign(s) that have been reviewed and approved by the Hamilton County Building Department.

(d) A site plan showing the location of proposed sign(s) and adjacent buildings, other structures, and the lot including dimensions thereof. For wall signs, a building elevation drawn to scale showing the proposed wall sign and the dimension from established grade to the top of the sign, and;

(e) Where required by law, evidence that a permit and permit plate has been obtained from the Ohio Department of Transportation pursuant to Chapter 5516 of the Ohio Revised Code.

SECTION 17. ENFORCEMENT.

Enforcement of this Chapter shall be the responsibility of the Code Official and such other appropriate personnel as may be designated by the Village.

SECTION 18. REMOVAL OF UNLAWFUL SIGNS.

(a) An obscene sign shall be immediately removed.

(b) Any sign which violates the provisions of this chapter is hereby declared to be a public

and private nuisance and shall be removed.

(c) Any temporary sign in a dilapidated state as set forth in Section 14 is hereby declared to be a public and private nuisance and shall be replaced or removed.

(d) Whenever the Code Official suspects the existence of a public nuisance, as defined in division (b) of this section, he or she shall promptly cause to be inspected the premises on which he or she suspects such public nuisance to exist.

(e) Should the Code Official find that a public nuisance does exist, he or she shall cause a written notice to be served on the owner of the land on which such unlawful sign is located stating the findings with respect to the existence of a public nuisance and stating that unless the owner or owners thereof shall cause the abatement of the public nuisance by removal of the sign, the Village, at the expense of said owner or owners, will abate the same. Such abatement shall start within 15 days after service of said notice and shall be complete within 45 days.

(f) The notice referred to in division (e) of this section shall be served either personally or by leaving a copy thereof at the usual place of residence of the owner, or by mailing a copy to such owner at his or her usual place of residence if such place of residence is outside Hamilton County, Ohio, by United States certified mail with return receipt requested. If service of the written notice is not perfected by any of the hereinbefore described methods, then the Code Official shall cause such notice to be published in a newspaper of general circulation in the Village, once each week for two consecutive weeks, and shall further cause a copy of the aforesaid notice to be left with the person, if any, in possession of the premises on which it is alleged such public nuisance exists. If there is no person in possession thereof, the Code Official shall cause a copy of the notice to be posted on the premises. The Code Official shall cause a return of service in the form of an affidavit that shall set forth the name and address of the person served, the manner of service and the date thereof.

(g) The said owner or owners may, within ten (10) days after completion of service of the notice, make a demand in writing to the Code Official for a hearing on the question of whether in fact a public nuisance, as defined in division (b) of this section, does exist. The hearing shall be held within fourteen (14) days following receipt of said written demand, and at least two (2) days' notice in writing of the said hearing shall be given to the said owner or owners. The said hearing shall be conducted by the Planning Commission. All members of the said hearing board shall concur that a public nuisance, as defined in division (b) of this section, exists, before enforcement of the abatement is carried out. A copy of the decision of said hearing board shall be promptly served upon the owner or owners in the manner provided in division (f) of this section.

(h) Should said nuisance not be abated at the expiration time stated in the notice issued by the Code Official or such additional time as the hearing board may grant, the Code Official shall be authorized at any time thereafter to enter upon said premises, and the owner shall permit him or her entry to abate the nuisance by removal of the sign or by taking any other action that may be required. In abating such nuisance, the Code Official may call upon any department of the Village for whatever assistance may be necessary, or may, by private contract, obtain the abatement thereof, and the cost of such private contract shall be paid for from Village funds specifically authorized by Council in order to abate such public nuisances. In abating such nuisance, the Code Official may take whatever action is necessary to complete the abatement of the same and the cost of the abatement action shall be recovered from the owner in the following procedures:

(1) The owner or owners shall be billed directly by certified mail for the cost of the abatement. The bill for the cost of the abatement shall be paid within sixty days after receipt of the bill.

(2) If costs are not so recovered, then the Village shall cause the cost of the abatement to be levied as an assessment and recovered in accordance with Ohio R.C. 715.261.

(i) This section shall not be deemed to be a limitation or restriction on the authority of any department, division, official or employee of the Village, but shall be deemed as an enlargement of any authority existing by virtue of the statutes of the State or any ordinance heretofore enacted by Council. Notice to the owner or lessee shall not be required prior to the removal of an unlawful sign which, in the opinion of the Code Official, creates an immediate or potential danger to persons or property due to structural deficiencies or inadequate maintenance, nor shall notice be required prior to removal of a sign which, in the opinion of the Village's Engineer, creates an immediate or potential danger to persons or property because of its location.

SECTION 19. NON-CONFORMITIES.

(a) Non-conforming Signs.

(1) Any signs erected prior to the enactment of this Chapter and not conforming to the provisions of this Chapter shall be deemed to be nonconforming. This shall not prohibit the posting or maintaining in a safe condition any sign which is nonconforming.

(2) Any nonconforming sign which is relocated or replaced shall comply with all provisions of this Chapter.

(3) Any nonconforming sign which has not been used for a continuous period of six months for any reason shall not be rebuilt, re-erected, relocated, or reused unless or until it is made to comply with the standards of this Chapter.

(4) Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than 50 percent of the sign's pre-catastrophe fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or repair or replacement of electrical wiring or electrical devices. A non-conforming sign shall not be structurally altered to prolong the life of the sign.

(b) Signs Advertising a Non-conforming Use.

(1) In the case of legal, nonconforming land uses (such as a business located in a residentially zoned district), the total sign area of all signs associated with such land use shall be no greater than that which would be allowed if the business were located in the most restrictive zoning district allowing such land use.

(2) No new signs associated with nonconforming land uses may be erected, except replacements which are the same or smaller in size than the sign being replaced. In the event that a sign associated with a nonconforming land use is moved, its new location shall conform to the setback requirements of the district in which it is located as if it were a building.

SECTION 20. SEVERABILITY.

(a) If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Chapter is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter, except as limited by subsection (b) of this Section.

(b) Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a) of this Section or elsewhere in this Chapter or this Planning and Zoning Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter is declared unconstitutional, such declaration shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise additional standards.

(c) Without diminishing or limiting in any way the declaration of severability set forth above in subsection (a) of this Section, or elsewhere in this Chapter or in this Planning and Zoning Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter is, or any other laws are, declared unconstitutional by valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under Section 5 of this Chapter. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter or of any part of the Planning and Zoning Code is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter, except as expressly provided in subsection (b) of this Section.

(d) If any part section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this Chapter and/or other provisions of this Chapter or other provisions of this Planning and Zoning Code are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the limitations on Advertising Signs as contained herein.