



# HAMILTON TOWNSHIP

## HAMILTON TOWNSHIP ADMINISTRATION

Darryl Cordrey – *Trustee, Chair*  
Joe Rozzi – *Trustee*  
Mark Sousa – *Trustee*  
Kurt Weber - *Fiscal Officer*

7780 South State Route 48  
Maineville, Ohio 45039  
Phone: (513) 683-8520

### Township Administrator

Brent Centers  
(513) 239-2372

### Police Department

Scott Hughes – Police Chief  
Phone: (513) 683-0538

### Fire and Emergency Services

Brian Reese – Fire Chief  
7684 South State Route 48  
Maineville, Ohio 45039  
Phone: (513) 683-1622

### Public Works

Kenny Hickey – Director  
Phone: (513) 683-5360

### Assist. Fiscal Officer

Ellen Horman  
Phone: (513) 239-2379

### Human Resources

Kellie Krieger  
Phone: (513) 239-2384

### Economic Development and Zoning

Alex Kraemer  
Phone: (513) 239-2376

### Community Development Coordinator

Nicole Earley  
(513) 683-5320

## TRUSTEE MEETING AGENDA 9/15/2021

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and accept the tapes as the Official Minutes of the September 1, 2021 Township Trustee Meeting
- Approve of the Clerk's Journal and accept the tapes as the Official Minutes of the September 8, 2021 Special Township Trustee meeting
- Bills before the Board

### Public Comments

### Human Resources

### Public Hearing

- Resolution 21-0915: Zoning Code Chapter 9 and 11 text Amendment

### New Business

- Motion: Create and post Planning and Zoning Administrator position
- Motion: Create and post Economic Development Director position
- Resolution 21-0915A: Increase in appropriations (Road and Bridge)
- Resolution 21-0915B: Create and appropriate for ARPA Fund
- Resolution 21-0915C: Accept Funds from Warren County

### Administrator's Report

### Fiscal Officer's Report

### Trustee Comments

### Executive Session

### Adjournment

*The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.*

*The following guidelines protect your rights as well as those of others:*

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

## Hamilton Township Trustee Meeting

September 1, 2021

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 p.m. Mr. Cordrey, Mr. Rozzi and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the August 18, 2021, Trustee Meeting.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the bills as presented to the Board.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

Mr. Cordrey expressed his condolences to the family of Emerie Schandorf-Woode for their loss. He spoke on how everyone put their differences aside for one purpose and rallied together during the search.

Mr. Sousa emotionally echoed the same sentiments. It was impactful to see the support that was given by the community that day even though the outcome was tragic. He expressed how heartwarming it is to live in this community.

Mr. Rozzi also stated that he was impressed by the actions of all staff involved and the community that stepped up regardless of knowing the family or not. He passed his condolences to the family.

Mr. Cordrey called a five minute recess.

### **Public Comments**

Mr. Cordrey called the meeting back to order and opened the floor to public comments at 6:47pm.

No comments were made; therefore Mr. Cordrey closed the floor to public comments at 6:47pm.

**Public Hearing**

-Resolution 21-0901A: Approving PUD Stage 2 & 3 plans for Village on the Green, Area J.

Mr. Cordrey made a motion to open the public hearing at 6:47pm, followed by a second from Mr. Rozzi.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Law Director, Mr. Ben Yoder swore in all persons wishing to give testimony for cases included within this public hearing this evening.

Mr. Kraemer began his presentation stating the legal notice was published in the August 22nd publication of *The Pulse Journal of Warren County*. The owner of the property is Village on the Green LTD; the applicant is McGill Smith Punshon (MSP). The spokesperson tonight is Jim Watson with MSP. The applicant is proposing a plan for the final phase of Village on the Green Area J/section 14. This was previously shown as future development with standards approved at PUD Stage 1 for this area. The Warren County Regional Planning Commission (WCRPC) recommended approval, with conditions, to the Hamilton Township Zoning Commission at their July 22<sup>nd</sup> meeting and Zoning Commission unanimously passed this, with conditions, on August 9, 2021. The property is located on the southeast corner of the current Village on the Green development. The surrounding properties are zoned R-3 Multi-family PUD, R-1 Rural Residential and R-1 Single family Residential. There was a conference call between the applicant, staff and WCRPC on May 25<sup>th</sup>; pursuant to that call, the applicant revised their Stage 2 plan to address issues raised. Lot widths have increased from 50 ft. to 60 ft. and front yard setbacks have increased from 30 ft. to 40 ft. These changes do appear to bring the plan into full compliance with the conditions set forth in the 1995 Hamilton Township Trustees Resolution 95-1026. The plan illustrates 27 single-family homes set on 10.88 acres, resulting in 2.78 units per acre (gross density). The site will be accessed through the current Eagle's Pointe Subdivision via Eagle Boulevard, which is presently under construction. Water, sanitary sewer, gas, electric and all other utilities will extend from the Eagle's Pointe Subdivision. Street lighting is proposed, assuming the availability of a lighting district. Sidewalks are proposed along both sides of all streets. One tree per lot is planned. A landscaped open space strip at the entrance will include an entry monument, a central mailbox facility with parking and a gazebo (owned by the HOA). Given the topographical separation from the existing Village on the Green project, section 14 will have a separate HOA. At present, a homebuilder is not under contract so they cannot offer

representative elevation or floor plans. Mr. Kraemer highlighted the PUD Final Site Plan Criteria found in our Hamilton Township Zoning Code Chapter 5.5.6.D.

Zoning Commission recommendation was approval subject to the following conditions: compliance with the Hamilton Township Zoning Code, and compliance with the 10 recommendations from WCRPC and any other additional comments from Warren County Partner Organizations. The WCRPC provided recommendations are: all plans and proposals of the applicant shall be made conditions of approval unless modified by one of the following conditions; Compliance with the Warren County Subdivision regulations, Hamilton Township Zoning Code , PUD Standards and the PUD Stage 1 approval conditions; The road right-of-way design shall receive approval from the Warren County Engineer's Office prior to the preliminary plan submission; sidewalks shall be on both sides of the street in accordance with section 416; street lighting shall comply with section 417; review and approval of the storm water management plan by the WC Engineer's Office; submission of a traffic impact analysis if deemed necessary by the WC Engineer's Office. Any road improvements deemed necessary shall be installed by the developer; compliance with the requirements of the Warren County Soil and Water Conservation District, an earth disturbing permit shall be submitted before construction; Final plat approval is contingent upon the platting and completion of Eagle Boulevard to the property line of the Village on the Green site; and a Homeowner's Association shall be established to maintain the open space, landscaping, cluster mailbox unit and entry way signs. The Warren County Soil and Water Conservation District states special consideration to sediment and erosion control items should be taken along the north perimeter of the site adjacent to Salt Run. Salt Run is an important natural resource that we will work hard to protect, the design basin inlet and outlet location should consider the recommendation of separation located in the rainwater and Land Development Manual; and an Earth Disturbing permit will be required before earth disturbance.

Mr. Cordrey questioned the access. Mr. Kraemer answered that the only access is through Eagle Boulevard in the Eagle's Pointe Subdivision.

Mr. Sousa asked if there is a chance that this section could become part of the Eagle's Pointe HOA?

Mr. Kraemer does not believe that there is a plan to work with either HOA right now.

Mr. Cordrey invited the applicant to speak.

Jim Watson with MSP stated that this will be a standalone HOA due to the topographical nature that keeps it separate from the existing Village on the Green development. Salt Run is a rather deep valley and it is not practical to construct a road or bridge there. With the original plotting, the developer had to wait to build on this property until they had access and that is what is happening this year with Eagle Boulevard. There will be a stub street that can potentially create a

second access to Mounts Road. The original approved plans were discussed; the new proposal is a smaller footprint of homes which is more appealing.

Mr. Cordrey invited those wishing to speak in favor or opposition of this development to speak.

No one approached the podium therefore Mr. Cordrey closed the floor to public comments at 7:04pm to begin public deliberations.

Mr. Rozzi mentioned that the naming is confusing with the lack of connection.

Mr. Watson clarified that the name of this development is dependent on whoever buys the lots.

Mr. Sousa commented on the development name in hopes that whoever builds this out will have some synergy with joining one of the existing HOA's.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 21-0901A.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

Mr. Cordrey closed the public hearing at 7:07pm.

**New Business**

**-Resolution 21-0901: Increase in Appropriations (EMS Billing Fund)**

Mr. Centers explained that this is a \$12,000 increase to our overall EMS Billing Fund for training services. This line covers all EMS training and also includes our medical scholarship where we take part time Fire Fighters and send them to Medic School and upon completion of that program with a certain GPA and they graduated, they sign three years with us with the goal to promote them to fulltime. When we budgeted, there was another Fire Fighter that went into this training that will start this fall; we think the first bill will hit in October so we want to be prepared for that.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 21-0901.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

**-Motion: Adopting a Hamilton Township Parking Code**

Mr. Yoder stated that the Board had several work sessions to discuss the concept of parking, primarily in residential subdivisions. Based on direction from the Board, some examples and working with Chief Hughes, his staff was able to put together a parking policy. This is its own policy and not an amendment to the Zoning Code. It outlines a 72 hour limit, not near mailboxes, construction trailers, and snow emergencies. Language included in this policy are things that are not already enforceable per the Ohio Revised Code.

Mr. Cordrey likes the language that this will be complaint based and won't have our Police Officers out looking for violations.

Mr. Sousa asked both Chief's if this will generate any issues with the Police or Fire Departments?

Chief Hughes stated that it does not create issues for their department but gives more teeth for enforcement so it's good.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve the Hamilton Township Parking Code as presented to the Board this evening.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

### **Administrator's Report**

Mr. Centers reiterated all sentiments in reference to Emerie's passing.

We received our first round of ARPA funds which was a little over \$1.2 million. We will receive the second round when they release those and we will then bring proposals before the Board for those funds.

Our police cruisers that were budgeted to switch out the six Ford Explorers are still not manufactured. We have been contacting Chevrolet and Ford and ultimately found Chevy's version of a cruiser in Cleveland; it will cost \$106 more per cruiser so we will be taking advantage of that. If we do not get these, we will roll into 2022 and this will cost approximately \$1000 more per cruiser then.

Touch-A-Truck will be held Saturday, September 18<sup>th</sup> from 10:00am to 2:00pm at Fellowship Baptist Church. We will have around 35 vendors in attendance.

Mercy Health had their successful ribbon cutting over in the Shoppes of Grandin.

Finally, Mr. Centers reminded that the Community/HOA meeting will be held one week from tonight on September 8<sup>th</sup>, 2021 at 6:30pm. We will give general department updates and answer any questions that may arise.

**Fiscal Officer’s Report**

Mr. Weber did not have anything financial to share this evening however he echoed condolences to the family of Emerie. He is very happy to be a part of the Township.

**Trustee Comments**

Mr. Sousa commented on the ribbon cutting that he was able to attend for Mercy Health. We desperately need more healthcare services in the community; this is a nice quality add that he believes will be well supported. He also apologized for any negative comments that he expressed towards Ohio Power Baseball Organization.

Mr. Rozzi mentioned how valuable social media is this day and age for word and news getting out. He wants everyone to enjoy the last weekend of summer!

Mr. Cordrey also mentioned the HOA meeting on September 8<sup>th</sup>; this will be less formal than normal meetings. He also mentioned Touch-A-Truck on the 18<sup>th</sup>. The Fort Ancient Restored Machinery Show is being held at Oeder’s Lake.

**Executive Session**

Mr. Cordrey made a motion with a second from Mr. Rozzi to enter into Executive session at 7:26pm in reference to O.R.C. 121.22 (G)(1): to consider the appointment, employment, dismissal, discipline, promotion, or compensation of a public employee.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

Mr. Cordrey made a motion with a second from Mr. Rozzi to come out of Executive Session at 8:26pm.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

**Adjournment**

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 8:10 pm.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

DRAFT



## Hamilton Township Special HOA Trustee Meeting

September 8, 2021

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30p.m. Mr. Cordrey, Mr. Rozzi and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Mr. Cordrey stated that this is a Special HOA/Community meeting where general updates for each department will be given and there will be a chance for the Trustees and the Department Heads to answer any questions that anyone may have.

### **Department Updates**

Assistant Administrator, Kenny Hickey started by giving a description of the duties of our Administrative Staff. Brent Centers is our Township Administrator; he has been here for a little over three years and oversees the day-to-day operations. Ellen Horman is our Assistant Fiscal Officer; she has been with us for 14 years and maintains the day-to-day operations of the Fiscal Office and maintains 55 lighting districts throughout the Township as well. Kellie is our Human Resources Manager; she has been with us for 5 years and handles all employee relations along with being our Cemetery Sexton and Public Records Custodian. Lindsey Gehring is our Administrative Assistant and has been here for 2.5 years; she supports the Administrative staff and performs a variety of tasks daily. Alex Kraemer is our Director of Economic Development and zoning; he has been here for 2 years and maintains all Economic Development and Zoning relations for the Township and also the Village of Maineville. Nicole Earley has been with us for a little over a year and is our Community Events Coordinator as well as our Public Works Administrative Assistant; she organizes all of our Community Events as well as supports the Public Works Department by completing a variety of tasks.

The Public Works Department consists of 10 Full time employees and 1 seasonal employee. We do anything from snow removal to mowing grass, cemetery maintenance, tree removal, paving the roads, removal of culvert pipes, installation of guard rails, road closures, maintain 600 acres of passive and active park land, we are nearing the completion of our storybook stroll in Testerman Park which is about a half mile stroll that families of all ages can enjoy. We completed our 2021 road resurfacing and infrastructure projects thanks to our residents for passing our levy in 2018 so that we can do these projects annually. He also updated on the turn lane at 22/3 and Zoar Road, which is an ODOT project and is expected to be completed by October 31<sup>st</sup>.

Concerns were mentioned from the audience about Willow Pond Boulevard and the speeders. He asked if flashing speed signs could be installed?

Chief Hughes stated that he could address it during his update.

An audience member asked about a pile up of rocks at Lakeshore Drive. Mr. Hickey replied that he will check into it and see what is going on.

A gentlemen asked if there is a list of streets that will be paved. Mr. Hickey explained that we will start doing our road ratings in November and then we will post on our website for viewing.

Next, Chief Brian Reese updated on the Fire Department. He has been with us for 6.5 years. Our current call volume has increased significantly. We are almost 200 calls over this time last year. 82% of all of our calls are actually being transported to facilities. Captain Goodpastor oversees the EMS side of the department making sure that all of our medics are trained, reports are done, billing is updated and that we have the best equipment that we can get. He started a new program where we offer extra services to our at-risk residents. This is open to anyone that calls for themselves or if they know another individual that would benefit. Next, he touched on their physical fitness program; this is trainer-led to make sure exercise is done correctly. Our new Assistant Chief is also a CrossFit trainer so he is helping. Through a grant, we were able to update all of our exercise equipment as well. We have a new fire engine that was just put into service this year. We have a new ambulance coming as well as some new staff cars. Everyone has been anticipating an open house for the new Fire Station 76, the current plan is to do the Tree Lighting service over at the station. We also updated some living quarters and the kitchen area down at Station 77 this year. Overall the Fire Department is doing well.

A resident asked if the fire department comes in to change out smoke detectors or batteries.

Chief Reese stated that they will always find a way to help out with those items.

A question was asked about a parent not being able to ride in the rear of the ambulance during a transport.

Chief Reese stated that it would depend on the circumstances of that run, but typically they allow family members to ride up front.

Another question came about as to where the primary transportation goes to.

Chief Reese stated that typically Bethesda North is the primary. They do transport to Arrow Springs for minor instances but they do transport all over.

Chief Scott Hughes updated on the Police Department next. He discussed the uptick in law enforcement calls. Those consisted of domestic violence, alcohol issues, substance abuse, child abuse reports, etc. This increase was actually nationwide. Hopefully we are coming out of that. He discussed the fatal incident in May on Adams Road as well as the tragic outcome with Emerie; the community support has been phenomenal. There were a few new hires last year due to the levy passage. National Night Out was very successful at Oeder's Lake. Hamilton Township has continued to be ranked one of the safest communities in Ohio by Safewise. The Citizen's Police Academy has continued to go well. We should be holding another this fall or next January. The Village of Maineville dissolved their police department and is now contracting with us to provide 24 hour police protection. Essentially they fund one police officer with our department. This summer we ran our first Junior Police Academy; it was an awesome program that we will definitely host again. We continue to collaborate with our County partners and State agencies. He also reminded that we do vacation house checks; just notify us, we record some data and then our officers will check the home until you return. He addressed the speed sign question previously asked; Regency Park actually purchased their own speed sign and we have an agreement with them that we operate it and move it multiple times throughout the year. Willow Pond is a tricky street so we try to hit the spots at rush hour. They do capture data and if we see a pattern at a certain time, we place an officer at that problem spot at the time we noticed the issue. The biggest complaint that we have in the Township is traffic.

The gentlemen asked the cost of the speed sign and how they purchase it.

Chief Hughes commented that it is approximately \$3200 and they can get with Chief Hughes to purchase.

Next, Mr. Kraemer stepped forward to speak about Economic Development and Zoning. Not only does he handle Hamilton Township but works with the Village of Maineville as well. The Comprehensive Plan was passed this year and ultimately that set up the Future Land Use map focusing on the State Route 48 and Routes 22/3 commercial corridors. It also reinforced the boundaries for the Urban Service area. Inside the boundaries are properties that have sewer and water connections, outside the boundaries they will be maintaining the rural aspect. In 2022, we will begin a full re-write of the Zoning Code. We have 60+ subdivisions in the Township. We are seeing a few of those finishing out now. We held an open house on the expansion of State Route 48. That project is slated to start at the end of 2023. We have some additional development in the Grandin Road area. AntennaGear LLC will be constructed on Enterprise Dr. Directly across is going to be TruckBase, LLC on the old Sumco site. We will continue to push more industrial development in this location. Mercy Health ribbon cuttings recently took place and we are excited for their presence here in our community. In Maineville, Victory Pints is set to open on Saturday, September 18<sup>th</sup>. This is a business that has several games old and new for adults and kids alike. He highlighted the issue that we have had with temporary signs in the right-of-way, and shared that we are in the process of getting official legislation and amendments to our Zoning Code to be able to enforce citations.

Mr. Weber who is not only our Fiscal Officer but works with the Warren County Engineer's office, spoke about the King Avenue and bridge construction. The new bridge construction will begin in 2022. Traffic will be maintained on the existing bridge for as long as possible. A roundabout will be installed in front of the King mansion to attempt to move traffic better from that side. Deerfield Township is working with the Engineer's office to get turn lanes in front of Kings Elementary as well. It will feel like these roads are closed for a very long time but the positive is that this will be a nice and welcome change once it is done. Local bridge replacement State and Federal funds were able to provide approximately \$11 million for this project. The new bridge will be elevated 12 feet so the bike path traffic will pass underneath the bridge. Another roundabout will be installed at the Peter's Cartridge factory. A bigger parking lot will be put in on the ODNR property opposite of the factory.

A question was asked if signage posted will make it clear if busses and trucks can or cannot use the new road and bridge.

They will try to make it as clear as possible. Busses and trucks will both be able to use to new roadway. Signs and additional supplements will be posted; it will be up to the drivers to pay attention.

It was asked why a roundabout is needed at the Cartridge factory. Mr. Weber explained that the additional residential and bike path traffic will be eased with a roundabout.

A question was asked if the new Zoning Code will be less business restrictive.

Mr. Kraemer stated that he and the Zoning Boards are open for suggestions. The Trustees also agree that several changes need to be made and they are absolutely open to making this a more business friendly code.

Concerns were addressed about changes to setbacks in the Villages of Hopewell Valley subdivision. A resident asked the Board for future reference to consider the underlying reasons into why a developer is asking for a modification on setbacks that had already been established.

Another resident asked about the status of 52 Stephens Road. The owner still has intent to do something but there is not an active application at this moment.

Questions also came about with the old Irwin Farm on Grandin Road. That was annexed into South Lebanon. They had plans to construct new residential homes there but speculation is that something came up so they are not actively doing anything right now.

Lengthy discussion took place about our zoning code and what we want to see with future commercial development.

Additionally, traffic concerns about the school traffic and the entrance of Hopewell Valley were brought up. Students and parents are leaving the school and instead of waiting at the traffic light, they are coming to Hopewell Valley which neighbors the school and are doing U-turns at the landscaping islands to turn back around to head the opposite direction. This is causing a significant traffic jam. Is there anything at all that can be done about this?

Chief Hughes stated that an email was sent out from the school Superintendent just before this meeting so he will contact him to figure out a way to make this work. Essentially that is a concern with ODOT as well so we will try to work something out.

Lastly, Ms. Nicole Earley gave an update on our Community Events. We are excited to have all of our events back after last year. The Freedom parade was a great event that took place the day after Independence Day. It was a joint event held with The Village of Maineville. Touch-a-Truck was initially cancelled but we were able to reschedule this for Saturday, September 18<sup>th</sup> from 10:00am to 2:00pm. There will be displays for everything from Emergency Services to helicopter landings, trash trucks, etc. We are also going to bring back Trunk-or-Treat. This will be paired with a Pet Masquerade on Saturday, October 23<sup>rd</sup> from 1:00-3:00pm. Kids can trunk hop for treats and we will have pup cups for the dogs. It'll be a fun event to dress the whole family up and get some photo opportunities. Trick-or-treat is always held on October 31<sup>st</sup> from 6:00-8:00pm, rain or shine. Lastly, we will host the Tree Lighting Celebration at Station 76 where kids can get pictures with Santa, view performances from the High School Band and Choir, we will have cookies and hot chocolate and get to enjoy a performance from a Santa Band. We advertise everything on our website and Facebook. We appreciate everyone sharing our posts and spreading the word for those that maybe do not have social media. We also publish a digital quarterly newsletter. We have an emailing list that residents can sign up for through our website. We reach out to those that we have contact information for; we do our best to send this to our property management companies and ask them to push this out as well.

### **Elected Official Comments**

Mr. Weber thanked everyone for the interactions and questions tonight. Financially the Township is doing very well. He will give the official August financial report at the next meeting on September 15, 2021.

Mr. Rozzi is glad to see in person attendance again! He encouraged everyone to keep attending meetings and asking questions.

Mr. Sousa thanked everyone for coming to this meeting. He can tell that everyone in attendance are very passionate community members.

Mr. Cordrey highlighted some passionate areas that this Board has been a part of. He stated that it has been an honor to serve with these members.

**Adjournment**

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 8:16pm.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

DRAFT

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 15, 2021

**Effective Date:** Next available date

**Agenda Item:** **Resolution 21-0915**  
Resolution initiating text amendments to Chapters 9 and 11 of the Hamilton Township Zoning Code

**Submitted By:** Alec Kraemer

**Scope / Description:** This text amendment regards the requested amendments from the Board of Trustees pertaining to the regulations of signage in Hamilton Township and penalties for violations of the Zoning Code.  
  
Text amendments can be found within Exhibit A of the Resolution.

**Budget Impact:** \$0

**Vote Required for Passage:** 2 of 3

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 15, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey – Trustee, *Board Chair*  
Joseph Rozzi – Trustee  
Mark Sousa - Trustee

Mr. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 21-0915**

**RESOLUTION INITIATING TEXT AMENDMENTS TO  
CHAPTERS 9 AND 11 OF THE HAMILTON TOWNSHIP ZONING CODE**

**WHEREAS**, Ohio Revised Code 519.02 confers authority on the Hamilton Township Board of Trustees to regulate the zoning and land use of real property located within the unincorporated area of the Township in order to promote the public convenience, comfort, prosperity and general welfare of Township residents;

**WHEREAS**, pursuant to the authority conferred on the Township by the Ohio Revised Code, the Hamilton Township Board of Trustees adopted, and enforces within the Township, the Hamilton Township Zoning Code (the “Zoning Code”);

**WHEREAS**, on August 9, 2021 the Hamilton Township Zoning Commission resolved to consider certain text amendments to Chapters 9 and Chapter 11 of the Zoning Code, pertaining to the regulation of signage in the Township and penalties for violations of the Zoning Code,

**WHEREAS**, in accordance with Section 3.7.2 of the Zoning Code, the Township transmitted a copy of the proposed amendments to the Warren County Regional Planning Commission (the “RPC”) for review and comment;

**WHEREAS**, the RPC recommended approval of the proposed amendments, subject to certain modifications and comments;

**WHEREAS**, the Hamilton Township Zoning Commission recommended approval, with conditions, text amendments to Chapters 9 and 11 of the Hamilton Township Zoning Code pertaining to regulations of signage in the Township and penalties for violations of the Zoning Code;

**WHEREAS**, the Board of Trustees incorporated the RPC’s comments into the proposed amendments and now intends to formally initiate a text amendment to the Zoning Code.



**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Hamilton Township, Warren County, Ohio:

**SECTION 1.** Proposed text amendments to Chapters 9 and 11 of the Zoning Code, as set forth in Exhibit A to this Resolution, are hereby initiated.

**SECTION 2.** The Hamilton Township Zoning Commission is hereby instructed to set a date for a public hearing on the proposed text amendments in accordance with Ohio Revised Code 519.12.

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 15th day of September, 2021.

Attest:

\_\_\_\_\_  
Kurt Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Township Trustees of Hamilton Township, County of Warren, Ohio, at its regular meeting on September 15, 2021.

Date: \_\_\_\_\_

**EXHIBIT A**  
**to Resolution 21-0915**

# Hamilton Township Trustees

## Text Amendments

### *Hamilton Township Zoning Code: Chapters 9 & 11 related to Signage*

**September 15, 2021 at 6:30 PM**

- Owner:** Hamilton Township
- Applicant:** Hamilton Township Trustees
- Spokesperson:** Alex Kraemer, Economic Development & Zoning Director
- Location:** 7780 S. State Route 48, Maineville, OH 45039
- Zoning:** *Hamilton Township Zoning Code Chapters 9 & 11*
- Request:** Initiate the Process for Text Amendments to *HTZC Ch. 9 Signs & Ch. 11 Enforcement and Penalties* via Motion.
- History:** Since the Hamilton Township Trustees did not officially initiate these text amendments, Zoning Commission is the appropriate entity to initiate the text amendment process per HTZC 3.7.1. Amendment Initiation. The next step in the process will be to receive any feedback from the Warren County Regional Planning Commission and then the Zoning Commission, at its next meeting, will review and provide a recommendation to the Township Trustees.
- Due to increasing amounts of temporary signs being placed in the right-of-way in Hamilton Township, especially along the commercial corridors, the Hamilton Township Trustees initiated amendments to the zoning code to increase enforcement capabilities for the zoning department.
- In order to achieve this goal, changes to both Chapter 9: Signs and Chapter 11: Enforcement & Penalties are necessary. These text amendments are meant to provide better clarity and conformity with current law for the Hamilton Township Zoning Code as it relates to temporary signage in the right-of-way (Ch. 9) and then update and enhance penalties and enforcement procedures (Ch. 11).
- To ensure that the proper process was followed, the Hamilton Township Trustees kicked this issue to the Zoning Commission which formally initiated the proposed amendments at its August 9, 2021 meeting. Warren County Regional Planning Commission did NOT have any additional comments to its previous recommendations.
- Project Summary:** Hamilton Township Trustees seek approval for these text amendments to Chapters 9 & 11 of the *Hamilton Township Zoning Code*.

**RPC Recommendation – APPROVAL with the following conditions:**

1. Delete the definition of “Sign, Outdoor Advertising” and include a specific and clear definition for billboards that distinguishes billboards from other off-premises signs. Several other updates recommended to the sign section of Chapter 12-Definitions.
2. Update the sign section of Chapter 12-Definitions.
3. Consider adding off-premises subdivision signs to the exempt signs in Section 9.5.9.
4. Consider adding gateway and historic markers as allowable signs in the road right-of-way.
5. Clarify what types of portable signs are prohibited.
6. Clarify that the code allows statues to be utilized as signs except on public property.
7. The code still includes a few areas that would still maintain regulation over some content, those areas include:
  - Development construction signs
  - Residential subdivision signs
  - Special event signs
  - Signs for public and institutional uses
  - Properties for lease or sale signs

**Staff Recommendation –APPROVAL of the Text Amendments subject to the following conditions:**

1. Compliance with the Warren County Regional Planning Commission conditions

# Hamilton Township Trustees

## Text Amendments

### *Hamilton Township Zoning Code: Chapters 9 & 11*

**September 15, 2021 at 6:30 PM**

**Owner:** Hamilton Township

**Applicant:** Hamilton Township Trustees

**Spokesperson:** Alex Kraemer, Economic Development & Zoning Director

**Location:** 7780 S. State Route 48, Maineville, OH 45039

**Zoning:** *Hamilton Township Zoning Code Chapters 9 & 11*

**Request:** Enact Amendments to the *HTZC Ch. 9 Signs & Ch. 11 Enforcement and Penalties*

**History:** Since the Hamilton Township Trustees did not officially initiate these text amendments, Zoning Commission is the appropriate entity to initiate the text amendment process per *HTZC 3.7.1. Amendment Initiation*. Zoning Commission recommended approval, with conditions, on September 13, 2021 and this item is now ready for final review and decision from the Hamilton Township Trustees.

Due to increasing amounts of temporary signs being placed in the right-of-way in Hamilton Township, especially along the commercial corridors, the Hamilton Township Trustees initiated amendments to the zoning code to increase enforcement capabilities for the zoning department.

In order to achieve this goal, changes to both *Chapter 9: Signs and Chapter 11: Enforcement & Penalties* are necessary. These text amendments are meant to provide better clarity and conformity with current law for the Hamilton Township Zoning Code as it relates to temporary signage in the right-of-way (Ch. 9) and then update and enhance penalties and enforcement procedures (Ch. 11).

To ensure that the proper process was followed, the Hamilton Township Trustees kicked this issue to the Zoning Commission which formally initiated the proposed amendments at its August 9, 2021 meeting. Warren County Regional Planning Commission did NOT have any additional comments to its previous recommendations.

**Project Summary:** Hamilton Township Trustees seek approval for these text amendments to Chapters 9 & 11 of the *Hamilton Township Zoning Code*.

**Zoning Commission Recommendation – APPROVAL of the Text Amendments to *Chapters 9 & 11* of the *Hamilton Township Zoning Code*, subject to the following conditions:**

1. **Accept the Red and Blue Line version of the text amendment changes to Hamilton Township Zoning Code, Chapters 9 & 11.**
2. **For Chapter 11, clarify the level of misdemeanor offense issued and escalation of criminal charges.**
3. **In Chapter 11 text amendment, under *11.4 Penalties*, the sentence “*Violations of any regulation, provision, amendment or supplement to this code shall be deemed a criminal misdemeanor offense*” shall be moved to the last sentence.**

## **CHAPTER 9. SIGNS**

### **9.1. PURPOSE**

The purpose of this chapter is to permit the use of signs as a means of communication in the township; to maintain and enhance the township's natural and manmade environment; to encourage an attractive and healthy economic environment; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

**9.1.1.** The purpose as stated above is based on the following findings concerning signs:

- A. That excessive signs create dangerous traffic conditions, intrude on motorist and pedestrian enjoyment of the natural and manmade beauty of the township, and as such are detrimental to the public health, safety and general welfare of the township.
- B. That business enterprises and other institutions located along public and private streets have a need to identify themselves and their activities to motorists and pedestrians by means of signs.

**9.1.2.** More specifically, this chapter is intended to:

- A. Promote and protect public health, safety and welfare by regulating existing and proposed outdoor signage and associated illumination in a manner that will provide for the minimal amount demonstrated absolutely necessary for identification, informational and directional purposes in order to sufficiently serve the public and private concerns.
- B. Protect property values from detrimental visual impacts that could otherwise result from an over proliferation of unrestricted signage.
- C. Create an attractive and effective business environment by providing design specifications and restrictions as to the types, sizes and locations of outdoor signage permitted, inclusive of lighting and landscaping, as applicable.
- D. Enhance and protect the developed appearance of Hamilton Township, by causing signage to be well organized, helpful and informative in directing the viewing public and identifying signage dependent uses, without being visually distracting, overwhelming and unsafe in doing so.
- E. Preserve and promote the scenic beauty of natural and developing areas in Hamilton Township by preventing or restricting the size, type, number and location of signage and lighting devices in and around them.
- F. Minimize signage and related lighting to prevent visual distractions and sight obstructions which would pose an accident hazard to viewing pedestrians and/or motorists.
- G. Reduce hazards which might be caused by signs hanging over, projecting into or abutting public rights-of-way and/or erected in a structurally overwhelming or visually intrusive or obstructive manner.
- H. Enhance community development and prevent visual deterioration of its natural environment and open space by regulating against objectionable types, sizes, numbers and locations of signage and lighting.

- I. Protect first amendment rights to allow freedom of speech and expression.

**HAMILTON TOWNSHIP ZONING CODE**

**SEPTEMBER 2014**





## 9.2. APPLICABILITY

- 9.2.1. The regulations contained within this chapter shall apply to all signs and to all zoning districts.
- 9.2.2. No sign shall be erected, established, modified, created, or maintained in Hamilton Township without the issuance of a zoning certificate and the payment of fees in accordance with [Section 3.5 Zoning Certificate](#), unless otherwise exempted in this chapter.
- 9.2.3. No zoning certificate is required for the maintenance of a sign or for a change of copy on painted signs.
- 9.2.4. Changes of sign panels or letters require a zoning certificate.
- 9.2.5. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electrical code in effect.
- 9.2.6. No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of building or fire code of Warren County or the State of Ohio.

## 9.3. GENERAL REQUIREMENTS FOR ALL SIGNS

The following shall apply to all signs in Hamilton Township:

- 9.3.1. No business shall use, place or erect temporary or non-permanent signs except as provided elsewhere in this chapter.
- 9.3.2. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided herein.

## CHAPTER 9: Signs

### Section 9.3. General Requirements for All Signs

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- 9.3.3.** No wall sign shall be erected or maintained from the front or face of a building a distance of more than 18 inches, including those projecting from the face of any theater, hotel, or motel marquee.
- 9.3.4.** No sign shall be placed on the roof of any building, except those integral roof signs whose supporting structure is concealed in such a manner that the sign appears to be a continuation of the face of the building.
- 9.3.5.** Window signs are allowed in all zones and for each ground floor occupancy of a building, but no more than two permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase, or other similar facility.
- A. Said signs shall be in addition to those signs permitted under the provisions in this chapter.
- B. The total area of window signs shall not exceed more than 50 percent of the window surface.
- 9.3.6.** All permanent signs hung or erected and all temporary signs required to obtain zoning certificates shall bear the zoning certificate number and date installed.
- 9.3.7.** No sign shall be placed at any location where by reason of its position, shape or color it may interfere with or be confused with any authorized traffic sign, signal, or device, or which make use of a word, symbol, phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.
- 9.3.8.** No sign shall be permitted at the intersection of any street or driveway in such a manner as to obstruct free and clear vision by motor vehicle operators. For corner lots or at points of intersection of ingress/egress drives with a street, signs shall be located in such a way to allow clear visibility areas as defined in accordance with [Section 6.7 Clear Visibility Triangle](#).

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#### 9.3.9. Sign Illumination and Electronic Signs

- A.** Any illuminated sign or lighting device shall employ only light emitting a constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
- B.** In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination to be directed or beamed upon a public right-of-way or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- C.** All light emitting from a sign shall be shielded by a translucent covering.
- D. Electronic Message Signs**
- (1) Electronic message signs, as defined in [Section 12.2 Definitions](#), are permitted on ground and pole signs for public and institutional uses under [Section 9.8.1 Signs for Public and Institutional Uses in Any District](#) and nonresidential signs under [Section 9.8.3 Signs in Nonresidential Zoning Districts](#).
- (2) In no case are electronic message signs permitted on wall, projecting or plaque signs.
- (3) The dynamic portion of an electronic message sign may not exceed more than 40 percent of the permitted sign area as noted in [Section 9.8.1 Signs for Public and Institutional Uses in Any District](#) and [Section 9.8.3 Signs in Nonresidential Zoning Districts](#).
- (4) Only one electronic sign is permitted per parcel.
- (5) No electronic sign shall:
- (a) Contain or display animated, moving video, or scrolling advertising;



**CHAPTER 9: Signs**  
**Section 9.4. Sign Computations**

- (b) Display an image, symbol, or combination thereof for a period of time less than 60 minutes, and a change in image, symbol, or combination shall be accomplished within two seconds and occur simultaneously. Once changed, the symbol or image shall remain static until the next change; and
  - (c) No electronic signs shall appear within or attached to an off-site advertising sign.
- (6) An electronic sign must:
- (a) Contain a default mechanism that freezes the sign in one position if a malfunction occurs;
  - (b) Automatically adjust the intensity of its display according to natural ambient light conditions; and
  - (c) Contain a minimum character size for a display based on viewing distance and the speed at which the audience may be traveling in accordance with [Table 9-1: Minimum](#)

CHARACTER SIZE		MAXIMUM VIEWING DISTANCE	FONT SIZE PERMITTED						
INCHES	MM		FEET	METERS	5 MPH	15 MPH	25 MPH	35 MPH	45 MPH

Electronic Sign Character Size below:

**TABLE 9-1: MINIMUM ELECTRONIC SIGN CHARACTER SIZE**

CHARACTER SIZE (INCHES)	CHARACTER SIZE (MM)	VIEWING DISTANCE (FEET)	VIEWING DISTANCE (METERS)	5 MPH	15 MPH	25 MPH	35 MPH	45 MPH	55 MPH
2	51	5-100	30	Yes	No	No	No	No	No
6	152	300	91	Yes	Yes	No	No	No	No
9	229	450	137	Yes	Yes	Yes	No	No	No
13	330	650	198	Yes	Yes	Yes	Yes	No	No
18	457	900	274	Yes	Yes	Yes	Yes	Yes	No
24	610	1200	366	Yes	Yes	Yes	Yes	Yes	Yes
36	914	1800	549	Yes	Yes	Yes	Yes	Yes	Yes
48	1219	2400	732	Yes	Yes	Yes	Yes	Yes	Yes

**9.4. SIGN COMPUTATIONS**

The following principles shall control the computations of sign area and sign height.

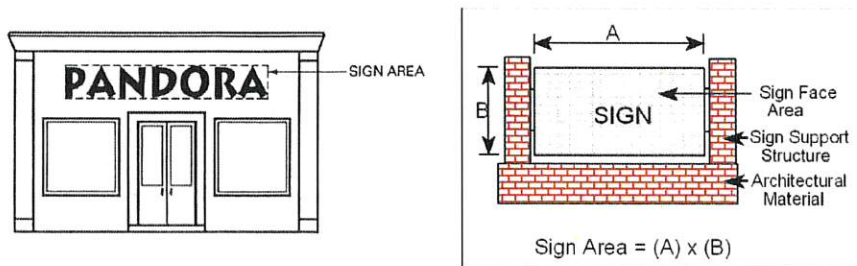
**9.4.1. Sign Face or Area**

- A. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that shall encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from backdrop or structure against which it is placed.
- B. The calculation for the sign face area does not include any supporting framework, bracing, or decorative fence or wall unless such structural support is determined by the zoning inspector to constitute an integral part of the sign design or is determined to be designed to attract attention. See [Figure 9-1](#).



**CHAPTER 9: Signs**  
Section 9.4. Sign Computations

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**Figure 9-1: Illustration of sign area calculations for a wall sign (left) and a freestanding sign (right).**

- C. In the case of irregularly shaped three dimensional signs, the area of the display surface shall be measured on the plane of the largest vertical cross section.
- D. The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces visible from any one point.
- E. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.
- F. No more than two display faces shall be permitted for freestanding and projecting signs.
- G. When calculating sign area, fractional amounts are not required to be rounded.

**9.4.2. Street and Building Frontage**

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- A. When calculating street frontage, only the street frontage that lies in the unincorporated area of Hamilton Township shall be used in the calculation.
- B. For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
- C. The building frontage is the length of an outside building wall on a public or private street.
- D. In the case of a building on a corner lot, either building frontage may be used in determining maximum sign area.

**9.4.3. Window Area**

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Where the sign area is based on the total window area, the window area shall be calculated as the total area of glass windows on the building frontage.

**9.4.4. Sign Height**

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- A. The height of a sign shall be computed as the distance from the average grade at the base of the sign or support structure to the top of the highest attached component of the sign.



**CHAPTER 9: Signs**  
**Section 9.5. Prohibited Signs**

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- B. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the average grade, where the sign is to be located.
- C. The height of a wall sign shall be measured from the finished grade at the building base below the sign. The top of the sign shall be no higher than the maximum permitted building height nor shall it be more than three feet higher than the highest roof elevation of the building, excluding antennas, towers, satellite dishes, non-structural poles or other projections.

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**9.4.5. Sign Setbacks**

- A. The required setbacks for a sign shall apply to all elements of the sign including its frame and base.
- B. The setback of a freestanding sign shall be measured horizontally from the edge of the sign frame to the street right-of-way line or lot line, as applicable.

**9.5. PROHIBITED SIGNS**

The following signs are specifically prohibited in Hamilton Township:

- 9.5.1.** Signs in the public right-of way, with the exception of governmental traffic control signs and devices.
- 9.5.2.** Pennants, banners (except under [Section 9.9 Temporary Signs](#)), streamers and similar type devices intended to grab the attention of drivers or pedestrians.
- 9.5.3.** Roof signs and signs that extend above or beyond the building façade, except as otherwise specifically permitted in this chapter.
- 9.5.4.** Signs emitting sounds.

Commented [A1]: I removed references to signs in the public right-of-way except for traffic control devices.

**Commented [A2]:** I removed most references to commercial/advertising versus noncommercial speech throughout and tried to replace it with language that still furthers what I perceived to be the Township's purpose for each provision.

**Commented [A3]:** This type of restriction would be difficult to police if it's a vehicle that is actually used for transportation purposes. If the Township runs into an issue involving a vehicle permanently parked on a lot for advertising purposes, the vehicle would be subject to the temporary sign regulations set forth in Section 9.9.



**CHAPTER 9:** Signs  
Section 9.5. Prohibited Signs



**Figure 9-2:** Examples of prohibited sign types.

- 9.5.7.** Beacons and searchlights, except for emergency purposes.
- 9.5.8.** Aerial signs are not permitted.
- 9.5.9.** Off-premises signs unless permitted as a billboard in accordance with [Section 9.10 Off-Premise Billboards](#).
- 9.5.10.** Flashing, moving, blinking, racer type, intermittent, rotating, or revolving signs, whirligig devices, inflatable signs and tethered balloons, ribbons, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, and other similar types of attention-getting devices.
- 9.5.11.** Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention-getting, identification or advertising purposes.
- 9.5.12.** Signs which are painted on or attached to any tree, telephone pole, public bench, streetlight, curb, post, electrolier, hydrant, bridge, public easement or other surface located on public property or over or across any street or public thoroughfare, except as authorized in this chapter.
- 9.5.13.** Abandoned signs or any signs which advertise a business or product no longer existing or sold on the premises.
- 9.5.14.** A-frame and other portable-type signs.
- 9.5.15.** Statues, real or simulated, on public property.

**Commented [A4]:** The Sixth Circuit struck down a local government's prohibition on off-site billboards (unaffixed to the ground) in a case earlier this year. The Court held the sign code provision was an unconstitutional content-based restriction on speech because it distinguished between messages concerning on-site activities and those concerning off-site activities.

If we want to track closely with this recent case law, I'd suggest removing this provision. However, it wouldn't surprise me if this holding is overturned at some point (whether on appeal to the Supreme Court or in a later Sixth Circuit decision). Regulation of off-premises versus on-premises speech doesn't seem to me to be true content-based regulation of speech.



## 9.6. SIGNS NOT REQUIRING A ZONING CERTIFICATE

The following signs and messages do not require a zoning certificate and shall be allowed in all districts, unless otherwise noted in this chapter:

- 9.6.1. Temporary signs located on private property.
- 9.6.2. Signs installed by employees or officials of a township, city, county, state or federal agency in the course of their governmental duties.
- 9.6.3. Other signs conforming to the Manual of Uniform Traffic Control Devices.
- 9.6.4. Reflectors and safety signs or devices used exclusively to mark driveways, towers and potentially dangerous structures or situations provided such signs and devices.
- 9.6.5. Signs required by a state or federal statute.
- 9.6.6. Signs required by an order of a court of competent jurisdiction.
- 9.6.7. Signs installed by public utilities in their rights-of-way or on their facilities for the sole purpose of carrying out their official public utility duties.
- 9.6.8. Signs installed by a transit company with a franchise or other right to operate in Warren County, where such signs are installed along its routes and relate to schedules or other information about the transit route.
- 9.6.9. Flags, emblems and insignias of national, state or local political subdivisions.
  - A. A zoning certificate shall be required for a flag pole that will exceed the maximum building height permitted in the district by five feet or more, however, no fee shall be required.
- 9.6.10. Commemorative plaques placed on a structure by recognized historical agencies. Such signs shall not exceed six square feet in area and shall not be illuminated.
- 9.6.11. Name and/or address descriptions mounted to the front wall of a building or to a lamppost in the front yard not to exceed two square feet in sign area (e.g., street numbers).
- 9.6.12. Interior signs within a stadium, open-air theater, shopping center, arena or other use of which signs can be viewed only by persons within such stadium, open-air theater, shopping center, arena or other use.
- 9.6.13. Directional ground-mounted monument signs, used exclusively to indicate entrance and exit locations located a minimum of 10 feet from the right-of-way with a maximum permitted sign area of four square feet and a maximum height of four feet.
- 9.6.14. Any work of art, provided that the work of art meets all other applicable standards of this code.
- 9.6.15. Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. Architectural features include any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms that enhance the site in general.

**Commented [A5]:** Different size restrictions for certain types of signs over others can be problematic if challenged by a sign owner. That said, these types of provisions are more defensible than a more general provision (e.g. one which allows noncommercial signs but prohibits commercial signs, or allows noncommercial signs to be larger than commercial sizes).

**9.6.16.** Routine maintenance of any sign, not involving structural changes to the sign.

**9.6.17.** Changes of message, either manually or electronically, on a message board or reader board, subject to limitations in this chapter.

**Commented [A6]:** Section 9.5.10 prohibits blinking, flashing, or moving signs. It would be difficult to craft a reasonable argument that blinking, flashing, and moving signs are generally detrimental to the public, but holiday decorations of this nature are not.

## 9.7. GENERAL SIGN CONSTRUCTION STANDARDS

**9.7.1.** Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.

**9.7.2.** Permanent signs shall be constructed and erected to withstand wind pressures and shall be fastened, suspended or supported so that they will not be a menace to persons or property.

**9.7.3.** Temporary signs shall be durable and weather-resistant.

**9.7.4.** No sign shall be erected so as to project over and obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.

## 9.8. SIGNS REQUIRING A ZONING CERTIFICATE

The following are provisions for permitted, permanent signs that require a zoning certificate.

### 9.8.1. Signs for Public and Institutional Uses in Any District

**A.** One ground sign or one wall sign is permitted for any public or institutional use per street frontage.

**B.** The maximum sign area shall be 25 square feet per side (two sides maximum).

**C.** The maximum height of the ground sign shall be 5 feet.

**D.** Signs shall be set back a minimum of 10 feet from the street right-of-way line.

#### **E. Changeable Copy**

(1) Ground or wall signs may include a changeable copy sign. See [Figure 9-3](#).

(2) The changeable copy sign may be manually changed or may be an electronic message sign.

(a) An electronic messaging area shall not comprise more than 40 percent of the total sign area; and

(b) Shall comply with the standards in [Section 9.3.9](#).

**F.** Ground signs shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.

**G.** Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.



Figure 9-3: Illustration of a sign for an institutional use on a brick base with foundation plantings.

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### 9.8.2. Entrance Monuments For Residential Subdivisions or Developments

Signs which identify the entrance to a residential subdivision or development shall be permitted as follows:

- A. One ground-mounted sign, or up to two signs attached to a fence or wall, are permitted at each development entrance.
- B. The sign shall be set back 10 feet from the public right-of-way line.
- C. The maximum sign area shall be 25 square feet per side (two sides maximum).
- D. The maximum height of the ground sign shall be five feet.
- E. The zoning certificate shall include information suitable to identify an established mechanism to ensure the ongoing maintenance of the entire entrance structure and associated landscaping.
- F. The sign shall not include any changeable copy.
- G. The sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.
- H. No sign shall bear any message other than to identify the applicable residential subdivision or development. Builder or developer name is allowed.
- I. Illuminated signs shall only use external lighting sources.

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### 9.8.3. Signs in Nonresidential Zoning Districts

The following regulations apply to permanent signs in nonresidential districts that require a zoning certificate.

- A.** Two options are available in a nonresidential district as outlined below. Other specific sign provisions are provided in this section for single buildings larger than 10,000 square feet and multiple occupancy buildings (see [Section 9.8.3.B](#)), signs for large floor area structures (see [Section 9.8.3.C](#)), and for fuel sales establishments (see [Section 9.8.3.D](#)).

**(1) Option 1 – One Sign**

Each parcel in a nonresidential district shall be permitted one of the following:

**HAMILTON TOWNSHIP ZONING CODE**  
**SEPTEMBER 2014**

**9.10**

## CHAPTER 9: Signs

### Section 9.8. Signs Requiring a Zoning Certificate

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- (a) One wall sign with an area not to exceed 1.5 feet per lineal foot of building frontage width. No sign shall exceed a maximum of 120 square feet.
    - (i) The sign shall not project more than 1.5 feet from the building wall to which it is attached.
    - (ii) The sign shall be mounted no lower than three feet or higher than 15 feet above the surface abutting the foundation of the structure.
    - (iii) A building located at the intersection of two or more streets that are in the township, county, state or federal highway system shall be permitted one wall sign on each surface of the building facing such streets. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 120 square feet.
    - (iv) If more than one building is located on the parcel, each building shall be permitted one wall sign. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 120 square feet. This option does not apply to accessory buildings or structures.
  - (b) One projecting sign with a maximum area of six square feet per side.
    - (i) The sign shall be attached to and project from a building wall at an angle of 90 degrees for a distance not more than four feet.
    - (ii) The sign shall be mounted at least eight feet if over a public sidewalk, and at least 15 feet if over any drive aisle.
  - (c) One ground sign with an area not to exceed 45 square feet per side.
    - (i) The sign height shall not exceed eight feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
    - (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.
  - (d) One pole sign with an area not to exceed 32 square feet per side.
    - (i) The sign height shall not exceed 15 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (2) Option 2 – Two Signs**
- Each parcel in a nonresidential district shall be permitted each of the following:
- (a) One wall sign with an area not to exceed 1.5 square feet per lineal foot of building frontage width. No sign shall exceed a maximum of 60 square feet.
    - (i) The sign shall not project more than 1.5 feet from the building wall to which it is attached.





**CHAPTER 9: Signs**  
**Section 9.8. Signs Requiring a Zoning Certificate**

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- (ii) The sign shall be mounted no lower than three feet or higher than 15 feet above the surface abutting the foundation of the structure.
  - (iii) A building located at the intersection of two or more streets that are in the township, county, state or federal highway system shall be permitted one wall sign on each surface of the building facing such streets. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 60 square feet.
  - (iv) If more than one building is located on the parcel, each building shall be permitted one wall sign. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 60 square feet. This option does not apply to accessory buildings or structures.
- (b) One ground sign with an area not to exceed 40 square feet per side.
- (i) The sign height shall not exceed eight feet.
  - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
  - (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.
- (3) Where a business enterprise requires secondary entrances to rear or side parking areas, a second wall sign having an area up to 33 percent of the first authorized sign is allowed for the rear or side of the building.

**B. Multiple Occupancy Buildings**

Single buildings that are larger than 10,000 square feet and contain more than one commercial, office or industrial venture are considered multiple occupancy buildings and shall be permitted the following signs:

- (1) Occupants with their own public entrance shall be permitted one wall sign an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet; or
- (2) Occupants with their own public entrance shall be permitted one projecting sign an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet; or
- (3) Upper level occupants or street level tenants with no contiguous exterior wall and having no street frontage shall be allowed one identifying plaque with an area not to exceed three square feet.
  - (a) The width of the plaque may not exceed the width of surface of attachment.
  - (b) All plaques shall be placed adjacent to building entrance.
  - (c) Where more than one plaque is placed at an entrance, the total group is to be related in an orderly and integrated manner in one or more vertical columns with common vertical centerlines. The horizontal centerline of each group must be five feet above the average grade level.



**CHAPTER 9: Signs**  
Section 9.8. Signs Requiring a Zoning Certificate

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- (4) In addition, each multi-occupancy building meeting the criteria set forth above may be permitted one ground sign or one pole sign in accordance with the guidelines below:
- (a) One ground sign with an area not to exceed 120 square feet per side.
    - (i) The sign height shall not exceed 10 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
    - (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.
  - (b) One pole sign with an area not to exceed 80 square feet per side.
    - (i) The sign height shall not exceed 15 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.

**C. Signs for Large Floor Area Structures**

Any building containing five or more separate uses (i.e. shopping center) or other nonresidential developments with a minimum enclosed area of 50,000 square feet for retail sales shall be permitted the following signs:

**(1) Ground or Pole Sign**

- (a) One ground or pole sign with an area not to exceed 150 square feet per side.
- (b) The sign shall have a maximum of two sides.
- (c) The sign height shall not exceed 30 feet.
- (d) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (e) In addition to the ground or pole sign, one directional sign may be permitted for occupants located within a courtyard or recessed area within a shopping center.
  - (i) One sign is allowed per drive or walk.
  - (ii) The sign area shall not exceed four square feet per side.
  - (iii) The sign height shall not exceed four feet.
  - (iv) The sign may be permitted for occupants located within a courtyard or recessed area within a shopping center.

**(2) Wall Signs**

- (a) Each building occupant shall be permitted one wall sign with an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet.
- (b) Where an occupant requires secondary entrances to rear or side parking areas, a second wall sign having an area up to 33 percent of the first wall sign is allowed for the rear or side of the building.



## CHAPTER 9: Signs

### Section 9.8. Signs Requiring a Zoning Certificate

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- (c) All signs within a shopping center or large floor area development shall be of the same type of construction and materials, in order to achieve a uniform and coordinated character compatible with the form and details of the structures.

#### D. Signs for Fuel Sales Establishments

Due to the special nature and needs fuel sales establishments share, they shall be permitted the following signs:

- (1) Wall signs shall be permitted in accordance with [Section 9.8.3.A](#) above.
- (2) Signs shall be permitted on the fuel dispensers. No zoning certificate shall be required for these signs.
- (3) One ground sign or one pole sign in accordance with the guidelines below:
  - (a) One ground sign with an area not to exceed 45 square feet per side.
    - (i) The sign height shall not exceed 10 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
  - (b) One pole sign with an area not to exceed 32 square feet per side.
    - (i) The sign height shall not exceed 15 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (4) One sign on the fascia of the canopy with an area not to exceed 40 percent of the total area of the canopy fascia.
  - (a) The sign shall not project above or below the canopy fascia.
  - (b) For the purpose of this chapter, unlighted striping containing no advertising verbiage or graphic advertising will not be considered part of the design.
- (5) In addition, pricing information may be included on the pole sign, ground sign or canopy sign.
  - (a) The area encompassing the pricing information shall not be included in the total amount of signage allowed in Subsections (a) and (b), above.
  - (b) The area shall not exceed 24 square feet per side.
  - (c) Pricing signs may be digital and are not subject to the standards in [Section 9.3.9](#).

#### E. Menu Boards

Menu boards are permitted in accordance with [Section 4.9.5.F Drive-Through Facility](#).

#### 9.8.4. Signs Permitted in PUD Planned Unit Development

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- A. Signs in a PUD shall comply with the regulations in this chapter for the underlying zoning district, unless the board of township trustees approves modifications to the standards of this chapter during the PUD plan approval.
- B. Signs in a PUD approved prior to the adoption of this regulation shall continue to be regulated by the PUD regulations applicable to the property.



## 9.9. TEMPORARY SIGNS

### 9.9.1. General Definitions Related to Temporary Signs

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- A. Temporary signs shall be as defined in Section 12.2 Definitions in this code and include signs conveying commercial or noncommercial speech.

### 9.9.2. Standards that Apply to All Temporary Signs

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- A. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected.
- B. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roof of a structure.
- C. No temporary sign shall be illuminated by anything other than non-reflected daylight, unless otherwise permitted in this section, or by variance issued by the BZA.
- D. No temporary sign shall be located in a right-of-way.
- E. A zoning certificate shall be required for temporary signs unless specified otherwise in this section.

**Commented [A7]:** Most of the items in this Section will already apply to temporary signs by virtue of another, more defensible provision elsewhere in the Sign Code. Otherwise, the temporary sign regulations throughout Section 9.9 will apply to both commercial and noncommercial signage.

### **9.9.3. Temporary Signs for Development/Construction**

- A. One temporary, on-premises sign may be posted on the site where a development project or subdivision is under construction.
- B. The sign may be posted 60 days prior to, and throughout the duration of, construction.
- C. Such sign shall not exceed 64 square feet in area per side (two sides maximum).
- D. The maximum height of the sign shall be 10 feet.
- E. The sign shall be set back a minimum of 15 feet from the right-of-way or other property line.

**Commented [A8]:** Setting different regulations for different types of temporary signs based on their content can be problematic if challenged by a sign owner as content-based regulation of speech.

One option to make these provisions a bit more defensible is to make the size and time limit restrictions for all temporary signs uniform (at least uniform by zoning district – i.e. uniform for all temporary signs in nonresidential zoning districts and uniform for all temporary signs in residential zoning districts).

### **9.9.4. Temporary Off-premises Subdivision Signs**

- A.** Up to four temporary, off-premises subdivision signs may be posted per development for a subdivision in Hamilton Township.
  - (1) No more than one off-premises sign is permitted on a property at any time unless the sign is located 300 feet from any other off-premises sign. This does not include temporary development/construction signs or subdivision entrance signs.
  - (2) An off-premises subdivision sign may not be placed within 100 feet of a residential district unless a signed statement from the neighboring property owners within 100 feet is provided to the zoning inspector with the zoning certificate application.
- B.** The signs may be posted for a period up to one year.
  - (1) The zoning inspector may renew a zoning certificate for additional periods of up to one year for each zoning certificate upon written application at least 30 days prior to its expiration.
  - (2) Renewals may be issued until 75 percent of the dwellings in the final phase of the development have been issued zoning compliance inspection approvals.
- C.** Such sign shall not exceed 32 square feet in area per side (two sides maximum).
- D.** The maximum height of the sign shall be eight feet in a residential district and 10 feet in a nonresidential district.
- E.** The sign shall be set back a minimum of 15 feet from the right-of-way or other property line.
- F.** No such sign shall be permitted in one development for the purpose of advertising the sale of lots or structures in another development.

### **9.9.5. Temporary Signs for Special Events**

- A. One temporary, on-premises sign may be used announcing special events on-site and may be erected 60 days prior to the event and must be removed one week after the event with the occurrence of no more than twice a year or as approved by the zoning inspector.
- B. Such signs shall not exceed 32 square feet in area per side (two sides maximum).
- C. The maximum height of the sign shall be eight feet.
- D. The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.





### **9.9.6. Temporary Signs on Properties for Lease or Sale**

#### **A. Temporary Signs on Properties for Lease or Sale in Residential Districts**

- (1) Up to two temporary signs may be permitted on an individual lot for the purpose of identifying the premises as for lease or for sale (without a zoning certificate). Such signs shall be limited to six square feet or less in sign area and five feet in height.
- (2) In addition to the above two temporary signs, a larger temporary sign is allowed for a subdivision under development provided it complies with the following requirements:
  - (a) The owner of the property, or authorized agent, where the sign will be located shall obtain a zoning certificate for the sign;
  - (b) There shall be a limit of one sign per street frontage, provided not more than two signs may be permitted for any single development;
  - (c) The sign shall not exceed 32 square feet per side with a maximum of two sides;
  - (d) The maximum height shall be 10 feet;
  - (e) The sign shall be set back a minimum of 15 feet from the right-of-way or other property line; and
  - (f) The applicant must submit a request to renew the applicable zoning certificate every 12 months.

#### **B. Temporary Signs on Properties for Lease or Sale in Nonresidential Districts**

- (1) Up to two temporary signs may be permitted on an individual lot for the purpose of identifying the premises as for lease or for sale (without a zoning permit). Such signs shall be limited to six square feet or less in sign area and five feet in height.
- (2) In addition to the above two temporary signs, a larger temporary sign is allowed in a nonresidential district provided it complies with the following requirements:
  - (a) The owner of the property where the sign will be located shall apply for and receive a zoning certificate for the sign;
  - (b) There shall be a limit of one sign per street frontage, provided not more than two signs may be permitted for any single development;
  - (c) The sign shall not exceed 32 square feet per side with a maximum of two sides;
  - (d) The maximum height shall be 10 feet;
  - (e) The sign shall be set back a minimum of 15 feet from the right-of-way or other property line; and
  - (f) The applicant must submit a request to renew the applicable zoning certificate every 12 months.



## 9.10. OFF-PREMISES BILLBOARDS

### 9.10.1. Placement

Billboards are permitted in all nonresidential districts and on lots that are used for agricultural purposes. Billboards are prohibited along a national or state scenic byway, as identified by the Ohio Department of Transportation and all non-interstate roads.

### 9.10.2. Sign Area

No billboard shall exceed 300 square feet in area per side and no more than two sides.

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### 9.10.3. Sign Height

No billboard shall exceed 25 feet in height.

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### 9.10.4. Sign Location and Setbacks

All billboards shall comply with the following setbacks:

- A. The minimum roadway distance between two or more billboards is 2,000 feet.
- B. All billboards shall be located at least 100 feet from any property line.
- C. All billboards shall be located at least 500 feet from uses such as residential dwellings, parks, natural preserves, scenic roadways, educational institutions, cemeteries, historic sites or areas, hospitals, institutional housing, or public or government buildings.
- D. All billboards along interstate highways shall conform to the regulations established in ORC Chapter 5516.
- E. All billboards shall meet the minimum setback requirements of the zoning district and all properties where such signs are located shall meet the applicable minimum lot area.

Commented [A9]: "Billboards" are subject to the same R.C. Ch. 5516 regulations as "outdoor signs."

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### 9.10.5. Proof of Other Regulations Compliance

Billboards shall comply with all regulations set forth in this chapter and this zoning code. Outdoor advertising signs shall comply with all other local, state and federal permitting procedures.

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### 9.10.6. Landscaping

- A. Billboards shall be erected in a landscaped setting that has a minimum size equal to, or exceeding, twice the sign face area.
- B. The landscaped area shall include one tree and two shrubs per 20 square feet of sign area.

## CHAPTER 9: Signs

### Section 9.11. Nonconforming Signs

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- (1) Trees shall be a minimum of eight feet high and two inches in caliper at installation.
- (2) Shrubs shall be a minimum of three gallon pot size with a minimum of 18 inches in height and spread at installation.

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#### 9.10.7. Illumination

- A. Billboards located within 1,000 feet of a residential district shall not be illuminated.
- B. Billboards located in a nonresidential district may be externally illuminated through cutoff fixtures located external to the sign face and no internal light sources or light producing elements in the sign face or message media shall be permitted.
- C. Illumination shall be concentrated upon the area of the sign face so as to prevent glare upon the roadway or adjacent properties.
- D. A photometric plan shall be provided and light shall not trespass beyond the site to exceed 0.2 footcandles when adjacent to residential property or 1.0 footcandles when adjacent to a nonresidential property.
- E. Flashing or intermittent lighting is prohibited.

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#### 9.10.9. Changeable Messages

An electronic changeable message is not permitted on a billboard.

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### 9.11. NONCONFORMING SIGNS

Notwithstanding any provision of this subsection to the contrary, all signs erected following the effective date of these regulations shall comply with all the provisions of this chapter. All signs that are in existence on the effective date of these regulations, that do not conform with the standards of this chapter, shall be considered nonconforming uses and shall be subject to the following provisions:

- 9.11.1. Changes in words, symbols, or messages shall not be made on nonconforming signs unless the sign is specifically designed for periodic change of message.
- 9.11.2. Nonconforming signs shall not be structurally altered so as to change the shape, size, type or design of the sign, nor shall any nonconforming sign be relocated without complying with the standards of this chapter, except that the BZA may grant a change that will result in a decrease in the nonconformity of the sign.
- 9.11.3. Nonconforming signs shall be subject to the provisions of [Section 10.5 Nonconforming Structures or Sites](#).
- 9.11.4. Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs, and neon tubing repair shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this chapter.

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### 9.12. MAINTENANCE

- 9.12.1. The owner of a sign shall be held responsible for the maintenance, repair and upkeep of their sign.



**CHAPTER 9: Signs**  
Section 9.12. Maintenance

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- 9.12.2.** Any sign reaching a state of disrepair and deemed unsafe by the zoning inspector shall be condemned and an order shall be issued for the immediate removal of the sign at the expense of the sign owner or building owner.
- 9.12.3.** The sign owner shall be held responsible for the removal and dismissal of all abandoned signs, including the complete removal of painted wall signs.
- 9.12.4.** Signs which are no longer functional and do not serve the purpose for which they were intended shall be removed or relocated within 30 days following such malfunction or non-function. In the event the sign owner cannot be determined, located or legally held responsible, the building owner, or land owner where no building exists, shall be held responsible.





# **CHAPTER 11. ENFORCEMENT AND PENALTIES**

## **11.1. ENFORCING OFFICER**

The zoning inspector is hereby designated as the enforcing officer of this code. The enforcing officer is hereby authorized to enforce, issue orders to prevent and stop violations, and administer the provisions of this code. The zoning inspector may be assisted by other personnel as the board of township trustees may authorize.

## **11.2. REMEDIES**

If any building or land is used, altered, constructed, enlarged or any such action proposed in violation of the provisions of this code or any amendment or supplement thereto, the Hamilton Township law director, the zoning inspector, any person or any property owner damaged by or subject to damage by such violation in addition to remedies provided by law is hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alterations, enlargement, change, maintenance or use.

## **11.3. NOTICE OF VIOLATION**

The notice of any violation of the zoning code shall be as follows:

**11.3.1.** Whenever the zoning inspector determines that there is a violation of any provision of this zoning code, a notice of such violation shall be issued. Such notice shall:

- A.** Be in writing;
- B.** Identify the violation;
- C.** Include a statement of the reason or reasons why it is being issued and refer to the section of this zoning code being violated;
- D.** Provide a copy of the necessary forms to file an appeal; and
- E.** State the time by which the violation shall be corrected.

**11.3.2.** Service of notice of the violation shall be as follows:

- A.** By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of 16 years or older; or
- B.** By certified mail, and first class simultaneously, addressed to the person or persons responsible at a last known address. Service shall be deemed complete when a certified mail receipt is received or first class mail is not returned after 10 days of mailing; or
- C.** By posting a copy of the notice form in a conspicuous place on the premises found in violation.

## **11.4. PENALTIES**

- A.** Any person, firm or corporation violating any regulation, provision, amendment or supplement to this code, or failing to obey any lawful order of the zoning inspector issued pursuant thereto, shall be fined not more than \$500.00 or the maximum amount allowed by the Ohio Revised Code per

offense. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense. Violations of any regulation, provision, amendment or supplement to this code shall be deemed a criminal misdemeanor offense.

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## **CHAPTER 11: Enforcement and Penalties**

### **Section 11.5. Affected Parties**

- B.** Any person, firm or corporation violating any prohibition set forth in this zoning code on the placement of signage on, in or around public property or the public rights-of-way shall be subject to the following graduated fines per each such violation:
1. For the first offense, a fine of \$50.00;
  2. For the second offense, a fine of \$100;
  3. For the third offense, a fine of \$250; and
  4. For any subsequent offense, a fine of \$500.

The Township shall be entitled to immediately remove and discard any sign unlawfully placed on, in or around public property or the public rights-of-way in violation of this zoning code.

### **11.5. AFFECTED PARTIES**

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

### **11.6. OTHER ACTION**

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation including issuing a misdemeanor citation for a continuing zoning code violation.



# WARREN COUNTY REGIONAL PLANNING COMMISSION

**DATE:** June 24, 2021  
**TO:** Warren County Regional Planning Commission Executive Committee  
**FROM:** Riley McLaren, Planning Intern – Hadil Lababidi, Planner I  
**SUBJECT:** **Hamilton Township Zoning Code Text Amendments**

## BACKGROUND

The Hamilton Township Board of Trustees initiated amendments to the official Hamilton Township Zoning Resolution on May 19, 2021. The Board of Township Trustees has established amendments for **Ch.9 Signs & Ch.11 Enforcement and Penalties**. The amendments are meant to provide better clarity and conformity with current law for the Hamilton Township Zoning Code as it relates to temporary signage in the right-of-way. Additionally, Ch. 11 amendment proposal includes updates to penalties and enforcement procedures.

### ZONING CODE SECTION:

The text amendments for **Ch.9. Signs** include:

1. Removal of Section 9.2.7. Noncommercial Sign and Message Substitution.
2. Modifications for Section 9.5. Prohibited Signs.
3. Modifications for Section 9.6. Signs Not Requiring A Zoning Certificate.
4. Modifications for Section 9.8.2. Entrance Monuments for Residential Subdivisions or Developments.
5. Modifications for Section 9.9.1. General Definitions Related to Temporary Signs.
6. Removal of Section 9.9.3. Temporary Noncommercial Speech Signs.
7. Modifications for Section 9.9.7. Temporary signs on Properties for Lease or sale.
8. Modifications for Section 9.10. Off-Premises Outdoor Signs and changing outdoor signs to billboards.

The text amendments for **Ch.11. Enforcement and Penalties** include:

1. Modifications for Section 11.4. Penalties.

**JUSTIFICATION:** These text amendments are the result of the Township being proactive to the Sixth Circuit Court ruling that struck down a local government's prohibition on off-site billboards in a case earlier this year. The Court held that the sign code provision was an unconstitutional content-based restriction on speech because it distinguished between messages concerning on-site activities and those concerning off-site activities. The Township proposes text amendments that would regulate signs in a more content neutral manner.

## RECOMMENDATION

Recommend approval of the proposed amendment with the following suggestions:

1. Delete the definition of "Sign, Outdoor Advertising" and include a specific and clear definition for billboards that distinguishes billboards from other off-premises signs. Several other updates recommended to the sign section of Chapter 12-Definitions.
2. Consider adding off-premises subdivision signs to the exempt signs in Section 9.5.9.
3. Consider adding gateway and historic markers as allowable signs in the road right-of-way.

4. Clarify what types of portable signs are prohibited.
5. Clarify that the code allows statues to be utilized as signs except on public property.

## STAFF ANALYSIS

The primary reason for the rewrite was the Sixth Circuit Court ruling, these text amendments reflect a complete review and reorganization of Chapter 9. Signs. Most references to commercial/advertising versus noncommercial speech have been replaced with language that still furthers the Township's purpose for each provision. The revised code still includes a few areas that would still maintain regulation over some content, those areas include development construction signs; residential subdivision signs; special event signs; signs for public and institutional uses; and properties for lease or sale signs. These areas of content regulation have not been revised and should be reconsidered by the Township. In addition to removing content-based material, the use of the term "Outdoor Advertising Sign" has been removed. The new Chapter 9 is reorganized for clarity and includes the following amendments:

1. **Amendment:** The Ohio Revised Code uses the term "Outdoor Advertising Signs". Hamilton Township changes the use of this term to "Billboards" in Chapter 9—Signs. However, the Township's definition of Billboards in Chapter 12 – Definitions, refers to Outdoor Advertising Signs. The code also includes the term "Off-Premises Sign".

**BILLBOARD**—See definition for "sign, outdoor advertising".

**SIGN, OUTDOOR ADVERTISING**—Any sign that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

**SIGN, OFF-PREMISES**—Any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

2. **Amendment:** Prohibits Off-Premises signs except Billboards (Section 9.5.9). However, allows Off-Premises signs for subdivisions.

**9.5.9.** Off-premises signs unless permitted as a billboard in accordance with Section 9.10 Off-Premise Billboards.

**9.9.4. Temporary Off-Premises Subdivision Signs**— Up to four temporary, off-premises subdivision signs may be posted per development for a subdivision in Hamilton Township.

3. **Amendment:** Allows traffic control signs in the road rights-of-way. Currently, Township gateway signs and historic markers are placed within the road right-of-way.
4. **Amendment:** Removes flags from the list of prohibited signs.
5. **Amendment:** Removes all "Portable Advertising Signs" from the prohibited list but "A-Frame & other portable type signs" are still prohibited.
6. **Amendment:** Allows statues to be utilized as signs except on public property.

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Stan Williams, AICP  
Executive Director

## Exhibit (1): Proposed Amendments

### CHAPTER 9: Signs Section 9.1. Purpose

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## CHAPTER 9. SIGNS

### 9.1. PURPOSE

The purpose of this chapter is to permit the use of signs as a means of communication in the township; to maintain and enhance the township's natural and manmade environment; to encourage an attractive and healthy economic environment; to minimize the possible adverse effects of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

**9.1.1.** The purpose as stated above is based on the following findings concerning signs:

- A. That excessive signs create dangerous traffic conditions, intrude on motorist and pedestrian enjoyment of the natural and manmade beauty of the township, and as such are detrimental to the public health, safety and general welfare of the township.
- B. That business enterprises and other institutions located along public and private streets have a need to identify themselves and their activities to motorists and pedestrians by means of signs.

**9.1.2.** More specifically, this chapter is intended to:

- A. Promote and protect public health, safety and welfare by regulating existing and proposed outdoor signage and associated illumination in a manner that will provide for the minimal amount demonstrated absolutely necessary for identification, informational and directional purposes in order to sufficiently serve the public and private concerns.
- B. Protect property values from detrimental visual impacts that could otherwise result from an over proliferation of unrestricted signage.
- C. Create an attractive and effective business environment by providing design specifications and restrictions as to the types, sizes and locations of outdoor signage permitted, inclusive of lighting and landscaping, as applicable.
- D. Enhance and protect the developed appearance of Hamilton Township, by causing signage to be well organized, helpful and informative in directing the viewing public and identifying signage dependent uses, without being visually distracting, overwhelming and unsafe in doing so.
- E. Preserve and promote the scenic beauty of natural and developing areas in Hamilton Township by preventing or restricting the size, type, number and location of signage and lighting devices in and around them.
- F. Minimize signage and related lighting to prevent visual distractions and sight obstructions which would pose an accident hazard to viewing pedestrians and/or motorists.
- G. Reduce hazards which might be caused by signs hanging over, projecting into or abutting public rights-of-way and/or erected in a structurally overwhelming or visually intrusive or obstructive manner.
- H. Enhance community development and prevent visual deterioration of its natural environment and open space by regulating against objectionable types, sizes, numbers and locations of signage and lighting.
- I. Protect first amendment rights to allow freedom of speech and expression.

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## 9.2. APPLICABILITY

- 9.2.1. The regulations contained within this chapter shall apply to all signs and to all zoning districts.
- 9.2.2. No sign shall be erected, established, modified, created, or maintained in Hamilton Township without the issuance of a zoning certificate and the payment of fees in accordance with Section 3.5 Zoning Certificate, unless otherwise exempted in this chapter.
- 9.2.3. No zoning certificate is required for the maintenance of a sign or for a change of copy on painted signs.
- 9.2.4. Changes of sign panels or letters require a zoning certificate.
- 9.2.5. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electrical code in effect.
- 9.2.6. No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of building or fire code of Warren County or the State of Ohio.

### 9.2.7. ~~Noncommercial Sign and Message Substitution~~

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- ~~A. Wherever a commercial sign is allowed or permitted under this chapter, an owner may place a noncommercial 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.~~
- ~~B. The owner of any sign which is otherwise allowed by this chapter may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary.~~
- ~~C. Message substitution under this section does not:~~
- ~~(1) Create a right to increase the total amount of signage on a parcel, lot or land use;~~
  - ~~(2) Affect the requirement that a sign structure or mounting device be properly permitted under this chapter;~~
  - ~~(3) Allow a change in the physical structure of a sign or its mounting device; or~~
  - ~~(4) Authorize the substitution of an off site commercial message in place of an on site commercial message or in place of a non-commercial message.~~

## 9.3. GENERAL REQUIREMENTS FOR ALL SIGNS

The following shall apply to all signs in Hamilton Township:

- 9.3.1. No business shall use, place or erect temporary or non-permanent signs except as provided elsewhere in this chapter.
- 9.3.2. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided herein.

## CHAPTER 9: Signs

### Section 9.3. General Requirements for All Signs

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- 9.3.3.** No wall sign shall be erected or maintained from the front or face of a building a distance of more than 18 inches, including those projecting from the face of any theater, hotel, or motel marquee.
- 9.3.4.** No sign shall be placed on the roof of any building, except those integral roof signs whose supporting structure is concealed in such a manner that the sign appears to be a continuation of the face of the building.
- 9.3.5.** Window signs are allowed in all zones and for each ground floor occupancy of a building, but no more than two permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase, or other similar facility.
- A. Said signs shall be in addition to those signs permitted under the provisions in this chapter.
  - B. The total area of window signs shall not exceed more than 50 percent of the window surface.
- 9.3.6.** All permanent signs hung or erected and all temporary signs required to obtain zoning certificates shall bear the zoning certificate number and date installed.
- 9.3.7.** No sign shall be placed at any location where by reason of its position, shape or color it may interfere with or be confused with any authorized traffic sign, signal, or device, or which make use of a word, symbol, phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.
- 9.3.8.** No sign shall be permitted at the intersection of any street or driveway in such a manner as to obstruct free and clear vision by motor vehicle operators. For corner lots or at points of intersection of ingress/egress drives with a street, signs shall be located in such a way to allow clear visibility areas as defined in accordance with Section 6.7 Clear Visibility Triangle.

#### **9.3.9. Sign Illumination and Electronic Signs**

- ~~A. Any illuminated sign or lighting device shall employ only light emitting a constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.~~
  - B. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination to be directed or beamed upon a public right-of-way or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
  - C. All light emitting from a sign shall be shielded by a translucent covering.
- D. Electronic Message Signs**
- (1) Electronic message signs, as defined in Section 12.2 Definitions, are permitted on ground and pole signs for public and institutional uses under Section 9.8.1 Signs for Public and Institutional Uses in Any District and nonresidential signs under Section 9.8.3 Signs in Nonresidential Zoning Districts.
  - (2) In no case are electronic message signs permitted on wall, projecting or plaque signs.
  - (3) The dynamic portion of an electronic message sign may not exceed more than 40 percent of the permitted sign area as noted in Section 9.8.1 Signs for Public and Institutional Uses in Any District and Section 9.8.3 Signs in Nonresidential Zoning Districts.
  - (4) Only one electronic sign is permitted per parcel.
  - (5) No electronic sign shall:
    - (a) Contain or display animated, moving video, or scrolling advertising

**CHAPTER 9: Signs**  
**Section 9.4. Sign Computations**

- (b) Display an image, symbol, or combination thereof for a period of time less than 60 minutes, and a change in image, symbol, or combination shall be accomplished within two seconds and occur simultaneously. Once changed, the symbol or image shall remain static until the next change; and
  - (c) No electronic signs shall appear within or attached to an off-site advertising sign.
- (6) An electronic sign must:**
- (a) Contain a default mechanism that freezes the sign in one position if a malfunction occurs;
  - (b) Automatically adjust the intensity of its display according to natural ambient light conditions; and
  - (c) Contain a minimum character size for a display based on viewing distance and the speed at which the audience may be traveling in accordance with Table 9-1: Minimum Electronic Sign Character Size below:

CHARACTER SIZE		MAXIMUM VIEWING DISTANCE	FONT SIZE PERMITTED							
INCHES	MM		FEET	METERS	5 MPH		15 MPH	25 MPH	35 MPH	45 MPH

**TABLE 9-1: MINIMUM ELECTRONIC SIGN CHARACTER SIZE**

2	51	5-100	30	Yes	No	No	No	No	No
6	152	300	91	Yes	Yes	No	No	No	No
9	229	450	137	Yes	Yes	Yes	No	No	No
13	330	650	198	Yes	Yes	Yes	Yes	No	No
18	457	900	274	Yes	Yes	Yes	Yes	Yes	No
24	610	1200	366	Yes	Yes	Yes	Yes	Yes	Yes
36	914	1800	549	Yes	Yes	Yes	Yes	Yes	Yes
48	1219	2400	732	Yes	Yes	Yes	Yes	Yes	Yes

**9.4. SIGN COMPUTATIONS**

The following principles shall control the computations of sign area and sign height.

**9.4.1. Sign Face or Area**

- A. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that shall encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from backdrop or structure against which it is placed.
- B. The calculation for the sign face area does not include any supporting framework, bracing, or decorative fence or wall unless such structural support is determined by the zoning inspector to constitute an integral part of the sign design or is determined to be designed to attract attention. See Figure 9-1.



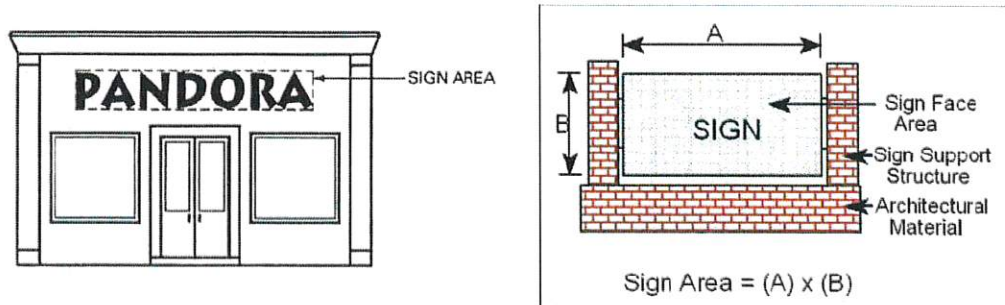


Figure 9-1: Illustration of sign area calculations for a wall sign (left) and a freestanding sign (right).

- C. In the case of irregularly shaped three dimensional signs, the area of the display surface shall be measured on the plane of the largest vertical cross section.
- D. The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces visible from any one point.
- E. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.
- F. No more than two display faces shall be permitted for freestanding and projecting signs.
- G. When calculating sign area, fractional amounts are not required to be rounded.

#### 9.4.2. Street and Building Frontage

- A. When calculating street frontage, only the street frontage that lies in the unincorporated area of Hamilton Township shall be used in the calculation.
- B. For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
- C. The building frontage is the length of an outside building wall on a public or private street.
- D. In the case of a building on a corner lot, either building frontage may be used in determining maximum sign area.

#### 9.4.3. Window Area

Where the sign area is based on the total window area, the window area shall be calculated as the total area of glass windows on the building frontage.

#### 9.4.4. Sign Height

- A. The height of a sign shall be computed as the distance from the average grade at the base of the sign or support structure to the top of the highest attached component of the sign.

**CHAPTER 9: Signs**  
Section 9.5. Prohibited Signs

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- B. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the average grade, where the sign is to be located.
- C. The height of a wall sign shall be measured from the finished grade at the building base below the sign. The top of the sign shall be no higher than the maximum permitted building height nor shall it be more than three feet higher than the highest roof elevation of the building, excluding antennas, towers, satellite dishes, non-structural poles or other projections.

**9.4.5. Sign Setbacks**

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- A. The required setbacks for a sign shall apply to all elements of the sign including its frame and base.
- B. The setback of a freestanding sign shall be measured horizontally from the edge of the sign frame to the street right-of-way line or lot line, as applicable.

**9.5. PROHIBITED SIGNS**

The following signs are specifically prohibited in Hamilton Township:

- ~~9.5.1. Signs in the public right-of way, unless specifically permitted in this chapter with the exception of governmental traffic control signs and devices (see also Section 9.6 Signs Not Requiring a Zoning Certificate).~~
- 9.5.2. Pennants, banners (except under Section 9.9 Temporary Signs), streamers and similar type devices intended to grab the attention of drivers or pedestrians.
- 9.5.3. Roof signs and signs that extend above or beyond the building façade, except as otherwise specifically permitted in this chapter.
- ~~9.5.4. Flags intended for advertising or commercial purposes.~~
- 9.5.4.5. Signs emitting sounds.
- ~~9.5.6. All portable advertising signs (mobile signs on wheels, etc.) and signs mounted, attached, painted, etc. on trailers, boats or motor vehicles except those on licensed commercial delivery and service vehicles (see Figure 9-2).~~

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**Figure 9-2: Examples of prohibited sign types.**

- 9.5.7.** Beacons and searchlights, except for emergency purposes.
- 9.5.8.** Aerial signs are not permitted.
- 9.5.9.** Off-premises signs unless permitted as ~~an outdoor advertising sign~~ a billboard in accordance with Section 9.10 Off-Premise ~~Outdoor Advertising Signs~~ Billboards.
- 9.5.10.** Flashing, moving, blinking, racer type, intermittent, rotating, or revolving signs, whirligig devices, inflatable signs and tethered balloons, ribbons, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, and other similar types of attention-getting devices.
- 9.5.11.** Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention-getting, identification or advertising purposes.
- 9.5.12.** Signs which are painted on or attached to any tree, telephone pole, public bench, streetlight, curb, post, electrolier, hydrant, bridge, public easement or other surface located on public property or over or across any street or public thoroughfare, except as authorized in this chapter.
- 9.5.13.** Abandoned signs or any signs which advertise a business or product no longer existing or sold on the premises.
- 9.5.14.** A-frame and other portable-type signs.
- 9.5.15.** Statues, real or simulated, ~~utilized for advertising purposes~~ on public property.

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## 9.6. SIGNS NOT REQUIRING A ZONING CERTIFICATE

The following signs and messages do not require a zoning certificate and shall be allowed in all districts, unless otherwise noted in this chapter:

- 9.6.1. Temporary ~~noncommercial speech signs~~ signs located on private property.
- 9.6.2. Signs ~~bearing no commercial message and~~ installed by employees or officials of a township, city, county, state or federal agency in the course of their governmental duties.
- 9.6.3. Other signs conforming to the Manual of Uniform Traffic Control Devices ~~and bearing no commercial message.~~
- 9.6.4. Reflectors and safety signs or devices used **exclusively** to mark driveways, towers and potentially dangerous structures or situations provided such signs and devices ~~do not display commercial messages.~~
- 9.6.5. Signs required by a state or federal statute.
- 9.6.6. Signs required by an order of a court of competent jurisdiction.
- 9.6.7. Signs installed by public utilities in their rights-of-way or on their facilities ~~and bearing no commercial message other than such message necessary to identify the use~~ **for the sole purpose of carrying out their official public utility duties.**
- 9.6.8. Signs installed by a transit company with a franchise or other right to operate in Warren County, where such signs are installed along its routes and relate to schedules or other information about the transit route.
- 9.6.9. Flags, emblems and insignias of national, state or local political subdivisions.
  - A. A zoning certificate shall be required for a flag pole that will exceed the maximum building height permitted in the district by five feet or more, however, no fee shall be required.
- 9.6.10. Commemorative plaques placed on a structure by recognized historical agencies; ~~such a sign shall bear no commercial message unless it meets all of the standards for a sign bearing a commercial message at that location.~~ Such signs shall not exceed **six square feet in area** and shall not be illuminated.
- 9.6.11. Name and/or address descriptions mounted to the front wall of a building or to a lamppost in the front yard not to exceed two square feet in sign area (e.g., street numbers).
- 9.6.12. Interior signs within a stadium, open-air theater, shopping center, arena or other use of which signs can be viewed only by persons within such stadium, open-air theater, shopping center, arena or other use.
- 9.6.13. Directional ground-mounted monument signs, ~~with no commercial message used~~ **exclusively to indicating** entrance and exit locations located a minimum of 10 feet from the right-of-way with a maximum permitted sign area of four square feet and a maximum height of four feet.
- 9.6.14. Any work of art, ~~that does not display a commercial message~~ provided that the work of art meets all other applicable standards of this code.
- 9.6.15. Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. Architectural features include any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms that enhance the site in general.

## CHAPTER 9: Signs

### Section 9.7. General Sign Construction Standards

~~9.6.16. Holiday decorations for religious or national holidays. Such decorations may blink, flash, or move. No such holiday decorations shall interfere with traffic, present any hazard, or be detrimental to public health, safety, or morals.~~

9.6.17. Routine maintenance of any sign, not involving structural changes to the sign.

9.6.18. Changes of message, either manually or electronically, on a message board or reader board, subject to limitations in this chapter.

## 9.7. GENERAL SIGN CONSTRUCTION STANDARDS

9.7.1. Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.

9.7.2. Permanent signs shall be constructed and erected to withstand wind pressures and shall be fastened, suspended or supported so that they will not be a menace to persons or property.

9.7.3. Temporary signs shall be durable and weather-resistant.

9.7.4. No sign shall be erected so as to project over and obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.

## 9.8. SIGNS REQUIRING A ZONING CERTIFICATE

The following are provisions for permitted, permanent signs that require a zoning certificate.

### 9.8.1. Signs for Public and Institutional Uses in Any District

A. One ground sign or one wall sign is permitted for any public or institutional use per street frontage.

B. The maximum sign area shall be 25 square feet per side (two sides maximum).

C. The maximum height of the ground sign shall be 5 feet.

D. Signs shall be set back a minimum of 10 feet from the street right-of-way line.

**E. Changeable Copy**

(1) Ground or wall signs may include a changeable copy sign. See Figure 9-3.

(2) The changeable copy sign may be manually changed or may be an electronic message sign.

(a) An electronic messaging area shall not comprise more than 40 percent of the total sign area; and

(b) Shall comply with the standards in Section 9.3.9.

F. Ground signs shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.

G. Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.



Figure 9-3: Illustration of a sign for an institutional use on a brick base with foundation plantings.

### 9.8.2. Entrance Monuments For Residential Subdivisions or Developments

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Signs which identify the entrance to a residential subdivision or development shall be permitted as follows:

- A. One ground-mounted sign, or up to two signs attached to a fence or wall, are permitted at each development entrance.
- B. The sign shall be set back 10 feet from the public right-of-way line.
- C. The maximum sign area shall be 25 square feet per side (two sides maximum).
- D. The maximum height of the ground sign shall be five feet.
- E. The zoning certificate shall include information suitable to identify an established mechanism to ensure the ongoing maintenance of the entire entrance structure and associated landscaping.
- F. The sign shall not include any changeable copy.
- G. The sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.
- H. No sign shall bear any ~~commercial~~ message other than to identify the applicable residential subdivision or development. Builder or developer name is allowed.
- I. Illuminated signs shall only use external lighting sources.

### 9.8.3. Signs in Nonresidential Zoning Districts

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The following regulations apply to permanent signs in nonresidential districts that require a zoning certificate.

- A. Two options are available in a nonresidential district as outlined below. Other specific sign provisions are provided in this section for single buildings larger than 10,000 square feet and multiple occupancy buildings (see Section 9.8.3.B), signs for large floor area structures (see Section 9.8.3.C), and for fuel sales establishments (see Section 9.8.3.D).

#### (I) Option I – One Sign

Each parcel in a nonresidential district shall be permitted one of the following:

**CHAPTER 9: Signs**  
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- (a)** One wall sign with an area not to exceed 1.5 feet per lineal foot of building frontage width. No sign shall exceed a maximum of 120 square feet.
  - (i) The sign shall not project more than 1.5 feet from the building wall to which it is attached.
  - (ii) The sign shall be mounted no lower than three feet or higher than 15 feet above the surface abutting the foundation of the structure.
  - (iii) A building located at the intersection of two or more streets that are in the township, county, state or federal highway system shall be permitted one wall sign on each surface of the building facing such streets. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 120 square feet.
  - (iv) If more than one building is located on the parcel, each building shall be permitted one wall sign. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 120 square feet. This option does not apply to accessory buildings or structures.
- (b)** One projecting sign with a maximum area of six square feet per side.
  - (i) The sign shall be attached to and project from a building wall at an angle of 90 degrees for a distance not more than four feet.
  - (ii) The sign shall be mounted at least eight feet if over a public sidewalk, and at least 15 feet if over any drive aisle.
- (c)** One ground sign with an area not to exceed 45 square feet per side.
  - (i) The sign height shall not exceed eight feet.
  - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
  - (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.
- (d)** One pole sign with an area not to exceed 32 square feet per side.
  - (i) The sign height shall not exceed 15 feet.
  - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (2) Option 2 – Two Signs**

Each parcel in a nonresidential district shall be permitted each of the following:

  - (a)** One wall sign with an area not to exceed 1.5 square feet per lineal foot of building frontage width. No sign shall exceed a maximum of 60 square feet.
    - (i)** The sign shall not project more than 1.5 feet from the building wall to which it is attached.

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- (ii) The sign shall be mounted no lower than three feet or higher than 15 feet above the surface abutting the foundation of the structure.
- (iii) A building located at the intersection of two or more streets that are in the township, county, state or federal highway system shall be permitted one wall sign on each surface of the building facing such streets. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 60 square feet.
- (iv) If more than one building is located on the parcel, each building shall be permitted one wall sign. If this option is selected, the area of any sign shall not exceed one square foot per each lineal foot of building frontage width, and shall not exceed a maximum area of 60 square feet. This option does not apply to accessory buildings or structures.

**(b)** One ground sign with an area not to exceed 40 square feet per side.

- (i) The sign height shall not exceed eight feet.
- (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.

- (3)** Where a business enterprise requires secondary entrances to rear or side parking areas, a second wall sign having an area up to 33 percent of the first authorized sign is allowed for the rear or side of the building.

#### **B. Multiple Occupancy Buildings**

Single buildings that are larger than 10,000 square feet and contain more than one commercial, office or industrial venture are considered multiple occupancy buildings and shall be permitted the following signs:

- (1) Occupants with their own public entrance shall be permitted one wall sign an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet; or
- (2) Occupants with their own public entrance shall be permitted one projecting sign an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet; or
- (3) Upper level occupants or street level tenants with no contiguous exterior wall and having no street frontage shall be allowed one identifying plaque with an area not to exceed three square feet.
  - (a) The width of the plaque may not exceed the width of surface of attachment.
  - (b) All plaques shall be placed adjacent to building entrance.
  - (c) Where more than one plaque is placed at an entrance, the total group is to be related in an orderly and integrated manner in one or more vertical columns with common vertical centerlines. The horizontal centerline of each group must be five feet above the average grade level.



- (4) In addition, each multi-occupancy building meeting the criteria set forth above may be permitted one ground sign or one pole sign in accordance with the guidelines below:
- (a) One ground sign with an area not to exceed 120 square feet per side.
    - (i) The sign height shall not exceed 10 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
    - (iii) Ground signs shall be constructed of building materials similar to the primary material used on the buildings located on the same property as the sign.
  - (b) One pole sign with an area not to exceed 80 square feet per side.
    - (i) The sign height shall not exceed 15 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.

**C. Signs for Large Floor Area Structures**

Any building containing five or more separate uses (i.e. shopping center) or other nonresidential developments with a minimum enclosed area of 50,000 square feet for retail sales shall be permitted the following signs:

**(1) Ground or Pole Sign**

- (a) One ground or pole sign with an area not to exceed 150 square feet per side.
- (b) The sign shall have a maximum of two sides.
- (c) The sign height shall not exceed 30 feet.
- (d) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (e) In addition to the ground or pole sign, one directional sign may be permitted for occupants located within a courtyard or recessed area within a shopping center.
  - (i) One sign is allowed per drive or walk.
  - (ii) The sign area shall not exceed four square feet per side.
  - (iii) The sign height shall not exceed four feet.
  - (iv) The sign may be permitted for occupants located within a courtyard or recessed area within a shopping center.

**(2) Wall Signs**

- (a) Each building occupant shall be permitted one wall sign with an area not to exceed one square foot per lineal foot of continuous occupied building frontage width. No sign shall exceed a maximum of 60 square feet.
- (b) Where an occupant requires secondary entrances to rear or side parking areas, a second wall sign having an area up to 33 percent of the first wall sign is allowed for the rear or side of the building.

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- (c) All signs within a shopping center or large floor area development shall be of the same type of construction and materials, in order to achieve a uniform and coordinated character compatible with the form and details of the structures.

#### D. Signs for Fuel Sales Establishments

Due to the special nature and needs fuel sales establishments share, they shall be permitted the following signs:

- (1) Wall signs shall be permitted in accordance with Section 9.8.3.A above.
- (2) Signs shall be permitted on the fuel dispensers. No zoning certificate shall be required for these signs.
- (3) One ground sign or one pole sign in accordance with the guidelines below:
  - (a) One ground sign with an area not to exceed 45 square feet per side.
    - (i) The sign height shall not exceed 10 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
  - (b) One pole sign with an area not to exceed 32 square feet per side.
    - (i) The sign height shall not exceed 15 feet.
    - (ii) The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.
- (4) One sign on the fascia of the canopy with an area not to exceed 40 percent of the total area of the canopy fascia.
  - (a) The sign shall not project above or below the canopy fascia.
  - (b) For the purpose of this chapter, unlighted striping containing no advertising verbiage or graphic advertising will not be considered part of the design.
- (5) In addition, pricing information may be included on the pole sign, ground sign or canopy sign.
  - (a) The area encompassing the pricing information shall not be included in the total amount of signage allowed in Subsections (a) and (b), above.
  - (b) The area shall not exceed 24 square feet per side.
  - (c) Pricing signs may be digital and are not subject to the standards in Section 9.3.9.

#### E. Menu Boards

Menu boards are permitted in accordance with Section 4.9.5.F Drive-Through Facility.

#### 9.8.4. Signs Permitted in PUD Planned Unit Development

- ~~A. Signs in a PUD shall comply with the regulations in this chapter for the underlying zoning district, unless the board of township trustees approves modifications to the standards of this chapter during the PUD plan approval.~~
- B. Signs in a PUD approved prior to the adoption of this regulation shall continue to be regulated by the PUD regulations applicable to the property.

## 9.9. TEMPORARY SIGNS

### 9.9.1. General Definitions Related to Temporary Signs

- A. Temporary signs shall be as defined in Section 12.2 Definitions in this code and ~~may include, but are not limited to, political signs, real estate signs, and special event signs~~ signs conveying commercial or noncommercial speech.
- B. ~~Temporary signs with a commercial message include, but are not limited to, real estate signs, signs that reference the sale of items or other business-related activities, or signs that include text classified as a commercial message.~~
- C. ~~Temporary signs that do not contain a commercial message, classified as noncommercial speech signs, include, but are not limited to, political signs and any other sign with text that is not classified as a commercial message.~~

### 9.9.2. Standards that Apply to All Temporary Signs

- A. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected.
- B. No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roof of a structure.
- C. No temporary sign shall be illuminated by anything other than non-reflected daylight, unless otherwise permitted in this section, or by variance issued by the BZA.
- D. No temporary sign shall be located in a right-of-way.
- E. A zoning certificate shall be required for temporary signs unless specified otherwise in this section.

### 9.9.3. Temporary Noncommercial Speech Signs

- A. ~~Temporary noncommercial speech signs shall not be posted in any place or in any manner that is destructive to public property upon posting or removal.~~
- B. ~~Temporary noncommercial speech signs shall be set back a minimum of five feet from the street right-of-way line.~~
- C. ~~The maximum height of temporary noncommercial speech signs shall be 10 feet in a residential district and 15 feet in a nonresidential district.~~
- D. ~~The maximum area of a temporary noncommercial speech sign shall be 50 square feet.~~
- E.A. A noncommercial speech sign, in keeping with the township's desire to promote the public right to receive religious, political, economic, social, philosophical and other First Amendment protected messages, may bear any noncommercial message deemed by the property owner or occupant to be of public interest, including, but not limited to, expressions of support for one or more political candidates or expressions of opinion on other election issues. If such sign relates to an election or other event, such sign shall be removed within 15 days after the occurrence of the election or other event to which it relates.

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**9.9.34. Temporary Signs for Development/Construction**

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- A. One temporary, on-premises sign may be posted on the site where a development project or subdivision is under construction.
- B. The sign may be posted 60 days prior to, and throughout the duration of, construction.
- C. Such sign shall not exceed 64 square feet in area per side (two sides maximum).
- D. The maximum height of the sign shall be 10 feet.
- E. The sign shall be set back a minimum of 15 feet from the right-of-way or other property line.

**9.9.45. Temporary Off-premises Subdivision Signs**

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- A. Up to four temporary, off-premises subdivision signs may be posted per development for a subdivision in Hamilton Township.
  - (1) No more than one off-premises sign is permitted on a property at any time unless the sign is located 300 feet from any other off-premises sign. This does not include temporary development/construction signs or subdivision entrance signs.
  - (2) An off-premises subdivision sign may not be placed within 100 feet of a residential district unless a signed statement from the neighboring property owners within 100 feet is provided to the zoning inspector with the zoning certificate application.
- B. The signs may be posted for a period up to one year.
  - (1) The zoning inspector may renew a zoning certificate for additional periods of up to one year for each zoning certificate upon written application at least 30 days prior to its expiration.
  - (2) Renewals may be issued until 75 percent of the dwellings in the final phase of the development have been issued zoning compliance inspection approvals.
- C. Such sign shall not exceed 32 square feet in area per side (two sides maximum).
- D. The maximum height of the sign shall be eight feet in a residential district and 10 feet in a nonresidential district.
- E. The sign shall be set back a minimum of 15 feet from the right-of-way or other property line.
- F. No such sign shall be permitted in one development for the purpose of advertising the sale of lots or structures in another development.

**9.9.56. Temporary Signs for Special Events**

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- A. One temporary, on-premises sign may be used announcing special events on-site and may be erected 60 days prior to the event and must be removed one week after the event with the occurrence of no more than twice a year or as approved by the zoning inspector.
- B. Such signs shall not exceed 32 square feet in area per side (two sides maximum).
- C. The maximum height of the sign shall be eight feet.
- D. The sign shall be set back a minimum of 10 feet from the right-of-way or other property line.

### **9.9.7. Temporary Signs on Properties for Lease or Sale**

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#### **A. Temporary Signs on Properties for Lease or Sale in Residential Districts**

- (1) Up to two temporary signs ~~that contain a commercial message~~ may be permitted on an individual lot ~~for the purpose of identifying the premises as for lease or for sale~~ (without a zoning certificate). Such signs shall be limited to six square feet or less in sign area and five feet in height.
- (2) In addition to the above two temporary signs, a larger temporary sign is allowed for a subdivision under development provided it complies with the following requirements:
  - (a) The owner of the property, or authorized agent, where the sign will be located shall obtain a zoning certificate for the sign;
  - (b) There shall be a limit of one sign per street frontage, provided not more than two signs may be permitted for any single development;
  - (c) The sign shall not exceed 32 square feet per side with a maximum of two sides;
  - (d) The maximum height shall be 10 feet;
  - (e) The sign shall be set back a minimum of 15 feet from the right-of-way or other property line; and
  - (f) The applicant must submit a request to renew the applicable zoning certificate every 12 months.

#### **B. Temporary Signs on Properties for Lease or Sale in Nonresidential Districts**

- (1) Up to two temporary signs ~~that contain a commercial message~~ may be permitted on an individual lot ~~for the purpose of identifying the premises as for lease or for sale~~ (without a zoning permit). Such signs shall be limited to six square feet or less in sign area and five feet in height.
- (2) In addition to the above two temporary signs, a larger temporary sign is allowed in a nonresidential district provided it complies with the following requirements:
  - (a) The owner of the property where the sign will be located shall apply for and receive a zoning certificate for the sign;
  - (b) There shall be a limit of one sign per street frontage, provided not more than two signs may be permitted for any single development;
  - (c) The sign shall not exceed 32 square feet per side with a maximum of two sides;
  - (d) The maximum height shall be 10 feet;
  - (e) The sign shall be set back a minimum of 15 feet from the right-of-way or other property line; and
  - (f) The applicant must submit a request to renew the applicable zoning certificate every 12 months.

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## 9.10. OFF-PREMISES ~~OUTDOOR ADVERTISING SIGNS~~ BILLBOARDS

### 9.10.1. ~~Outdoor Advertising Signs are a Business Use~~

~~Outdoor advertising signs are hereby classified as a business use and, in compliance with ORC Section 519.20, are permitted in all nonresidential districts and on lots that are used for agricultural purposes.~~

### 9.10.2. ~~Prohibited Locations~~ Placement

~~Outdoor advertising signs~~ Billboards are permitted in all nonresidential districts and on lots that are used for agricultural purposes. Billboards are prohibited along a national or state scenic byway, as identified by the Ohio Department of Transportation and all non-interstate roads.

### 9.10.2.3. Sign Area

No ~~outdoor advertising signs~~ billboard shall exceed 300 square feet in area per side and no more than two sides.

### 9.10.3.4. Sign Height

No ~~outdoor advertising sign structure~~ billboard shall exceed 25 feet in height.

### 9.10.4.5. Sign Location and Setbacks

All ~~outdoor advertising signs~~ billboards shall comply with the following setbacks:

- A. The minimum roadway distance between ~~outdoor advertising signs~~ two or more billboards is 2,000 feet.
- B. All ~~outdoor advertising signs~~ billboards shall be located at least 100 feet from any property line.
- C. All ~~outdoor advertising signs~~ billboards shall be located at least 500 feet from uses such as residential dwellings, parks, natural preserves, scenic roadways, educational institutions, cemeteries, historic sites or areas, hospitals, institutional housing, or public or government buildings.
- D. All ~~outdoor advertising signs~~ billboards along interstate highways shall conform to the regulations established in ORC Chapter 5516.
- E. All ~~outdoor advertising signs~~ billboards shall meet the minimum setback requirements of the zoning district and all properties where such signs are located shall meet the applicable minimum lot area.

### 9.10.5.6. Proof of Other Regulations Compliance

~~Outdoor advertising signs~~ Billboards shall comply with all regulations set forth in this chapter and this zoning code. Outdoor advertising signs shall comply with all other local, state and federal permitting procedures.

### 9.10.6.7. Landscaping

- A. ~~Outdoor advertising signs~~ Billboards shall be erected in a landscaped setting that has a minimum size equal to, or exceeding, twice the sign face area.
- B. The landscaped area shall include one tree and two shrubs per 20 square feet of sign area.

**CHAPTER 9: Signs**  
Section 9.11. Nonconforming Signs

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- (1) Trees shall be a minimum of eight feet high and two inches in caliper at installation.
- (2) Shrubs shall be a minimum of three gallon pot size with a minimum of 18 inches in height and spread at installation.

**9.10.78. Illumination**

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- A. ~~Outdoor advertising signs~~ Billboards located within 1,000 feet of a residential district shall not be illuminated.
- B. ~~Outdoor advertising signs~~ Billboards located in a nonresidential district may be externally illuminated through cutoff fixtures located external to the sign face and no internal light sources or light producing elements in the sign face or message media shall be permitted.
- C. Illumination shall be concentrated upon the area of the sign face so as to prevent glare upon the roadway or adjacent properties.
- D. A photometric plan shall be provided and light shall not trespass beyond the site to exceed 0.2 footcandles when adjacent to residential property or 1.0 footcandles when adjacent to a nonresidential property.
- E. Flashing or intermittent lighting is prohibited.

**9.10.9. Changeable Messages**

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An electronic changeable message is not permitted on ~~an off-site advertising sign~~ a billboard. See Section 9.3.1.

**9.11. NONCONFORMING SIGNS**

Notwithstanding any provision of this subsection to the contrary, all signs erected following the effective date of these regulations shall comply with all the provisions of this chapter. All signs that are in existence on the effective date of these regulations, that do not conform with the standards of this chapter, shall be considered nonconforming uses and shall be subject to the following provisions:

- 9.11.1. Changes in words, symbols, or messages shall not be made on nonconforming signs unless the sign is specifically designed for periodic change of message.
- 9.11.2. Nonconforming signs shall not be structurally altered so as to change the shape, size, type or design of the sign, nor shall any nonconforming sign be relocated without complying with the standards of this chapter, except that the BZA may grant a change that will result in a decrease in the nonconformity of the sign.
- 9.11.3. Nonconforming signs shall be subject to the provisions of Section 10.5 Nonconforming Structures or Sites.
- 9.11.4. Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs, and neon tubing repair shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this chapter.

**9.12. MAINTENANCE**

- 9.12.1. The owner of a sign shall be held responsible for the maintenance, repair and upkeep of their sign.

**CHAPTER 9: Signs**  
Section 9.12. Maintenance

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- 9.12.2.** Any sign reaching a state of disrepair and deemed unsafe by the zoning inspector shall be condemned and an order shall be issued for the immediate removal of the sign at the expense of the sign owner or building owner.
- 9.12.3.** The sign owner shall be held responsible for the removal and dismissal of all abandoned signs, including the complete removal of painted wall signs.
- 9.12.4.** Signs which are no longer functional and do not serve the purpose for which they were intended shall be removed or relocated within 30 days following such malfunction or non-function. In the event the sign owner cannot be determined, located or legally held responsible, the building owner, or land owner where no building exists, shall be held responsible.



# CHAPTER 11. ENFORCEMENT AND PENALTIES

## 11.1. ENFORCING OFFICER

The zoning inspector is hereby designated as the enforcing officer of this code. The enforcing officer is hereby authorized to enforce, issue orders to prevent and stop violations, and administer the provisions of this code. The zoning inspector may be assisted by other personnel as the board of township trustees may authorize.

## 11.2. REMEDIES

If any building or land is used, altered, constructed, enlarged or any such action proposed in violation of the provisions of this code or any amendment or supplement thereto, the Hamilton Township law director, the zoning inspector, any person or any property owner damaged by or subject to damage by such violation in addition to remedies provided by law is hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alterations, enlargement, change, maintenance or use.

## 11.3. NOTICE OF VIOLATION

The notice of any violation of the zoning code shall be as follows:

**11.3.1.** Whenever the zoning inspector determines that there is a violation of any provision of this zoning code, a notice of such violation shall be issued. Such notice shall:

- A. Be in writing;
- B. Identify the violation;
- C. Include a statement of the reason or reasons why it is being issued and refer to the section of this zoning code being violated;
- D. Provide a copy of the necessary forms to file an appeal; and
- E. State the time by which the violation shall be corrected.

**11.3.2.** Service of notice of the violation shall be as follows:

- A. By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of 16 years or older; or
- B. By certified mail, and first class simultaneously, addressed to the person or persons responsible at a last known address. Service shall be deemed complete when a certified mail receipt is received or first class mail is not returned after 10 days of mailing; or
- C. By posting a copy of the notice form in a conspicuous place on the premises found in violation.

## 11.4. PENALTIES

- A. Any person, firm or corporation violating any regulation, provision, amendment or supplement to this code, or failing to obey any lawful order of the zoning inspector issued pursuant thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500.00 or the maximum amount allowed by the Ohio Revised Code per offense. Violations of any regulation, provision, amendment or supplement to this code shall be deemed a criminal misdemeanor offense. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

## CHAPTER 11: Enforcement and Penalties

### Section 11.5. Affected Parties

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- B.** Any person, firm or corporation violating any prohibition set forth in this zoning code on the placement of signage on, in or around public property or the public rights-of-way shall be subject to the following graduated fines per each such violation:
1. For the first offense, a fine of \$50.00;
  2. For the second offense, a fine of \$100;
  3. For the third offense, a fine of \$250; and
  4. For any subsequent offense, a fine of \$500.

The Township shall be entitled to immediately remove and discard any sign unlawfully placed on, in or around public property or the public rights-of-way in violation of this zoning code.

### 11.5. AFFECTED PARTIES

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

### 11.6. OTHER ACTION

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation including issuing a misdemeanor citation for a continuing zoning code violation.

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 15, 2021

**Effective Date:** Next available date

**Agenda Item:** **Motion**  
To create and post for hire, the position of Planning and Zoning Administrator

**Submitted By:** Brent Centers

**Scope / Description:** This position will create a Planning and Zoning Administrator as currently held within the duties of the Director of Economic Development and Zoning.

**Budget Impact:** \$50,000+ DOQ

**Vote Required for Passage:** 2 of 3

**HAMILTON TOWNSHIP  
JOB POSITION DESCRIPTION**

Position Title: **Planning and Zoning Administrator**  
Department: Administration  
Immediate Supervisor: Township Administrator  
Pay Rate: \$50,000+ DOQ  
Hours: 8:00 am – 4:30 pm (plus evening meetings)  
Classification: Exempt

**JOB RESPONSIBILITIES:**

The Planning and Zoning Administrator is responsible for oversight and management of land use planning and zoning functions of the Township. The incumbent is responsible for the enforcement of the Township's Zoning Code and Resolutions. They will staff the Board of Zoning Appeals and the Zoning Commission. While serving as staff to these boards, the Zoning Administrator exercises independent judgment based on the interpretation of the land use plan, zoning codes and the needs and best interests of the Township. The incumbent will also serve as the Township's liaison to appropriate Warren County agencies, and other organizations as determined by the Township Administrator or Board of Trustees.

**QUALIFICATIONS:**

Bachelor's Degree in planning/related field experience, or equivalent work experience. Three to five years of experience in land use planning and zoning including zoning inspection and enforcement. Equivalent experience in a related field may also be considered at the discretion of the Township Administrator.

**RESPONSIBILITIES AND DUTIES:**

- Oversee and manage the planning and zoning functions of the Township.
- Recommends improvements in the Zoning Resolution and the Land Use Plan and investigates land use matters in the interest of Hamilton Township residents and business owners.
- Maintains updated maps of zoning districts.
- Coordinates the work of any parties (consultants or volunteers) retained for land use planning matters.
- Meets with and guides residents and others dealing with land use and zoning matters.
- Enforces the zoning resolution through the granting or denial of permits; field inspections (in conjunction with the Zoning Inspector); investigation of complaints by citizens and assists with civil and criminal court procedures when required.
- Processes zoning amendment requests and assists the Zoning Commission and the Board of Trustees as required in regard to written reports, recommendations, and Resolutions.
- Processes appeals for the Board of Zoning Appeals.
- Monitors compliance and enforces decisions of the Boards and Commissions.

- Attends all regular meetings of the Zoning Commission, Board of Zoning Appeals and all hearings relating to land use planning and zoning before the Board of Trustees and/or as required by that body.
- Maintains accurate records of the proceedings of the Zoning Commission and Board of Zoning Appeals, including the assurance of accurate meeting minutes, preparation of resolutions, etc.
- Works directly with Economic Development Director on land use and development.

**REQUIRED KNOWLEDGE AND ABILITIES:**

- Knowledge of land use planning and zoning techniques.
- Knowledge of Economic Development tools and incentives.
- Ability to guide community growth and redevelopment through participatory planning.
- Ability to analyze land uses and re-zoning requests and prepare reports.
- Ability to speak effectively to the public in adverse situations.
- Ability to read a variety of maps and blueprints.
- Knowledge of typical zoning standards and appeal principles and an ability to gain compliance through a variety of pre-enforcement approaches.

*Secondary Abilities:*

- Read and interpret documents such as site plans, instructions, and procedure manuals.
- Write routine reports and correspondences.
- Apply concepts such as commissions, fractions, percentages, ratios, and proportions to practical situations.
- Define problems, collect data, establish facts, and draw valid conclusions.
- Interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.
- Assess, plan, organize, and execute essential job functions without a need for constant supervision.
- Cooperate with fellow employees and general public.
- Understand written and oral instructions.
- Distinguish and disseminate sensitive information with good moral character.
- Knowledgeable of geography of Township.

**ESSENTIAL FUNCTIONS:**

- Sit at a desk for potentially long periods of time.
- Conduct site visits and inspections under potentially severe weather conditions.
- Hold a valid driver's license in order to transport him/herself to inspection sites and/or meetings.
- Attend civil and criminal court proceedings, as needed.
- Knowledge and ability to operate basic office equipment, such as telephone, computer, fax machine, copier, etc.
- Computer literacy in Microsoft programs and GIS.

## **PHYSICAL DEMANDS**

Meets entry-level physical requirements pertaining to health as required by OSHA. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing job duties, the employee frequently is required to stand and reach. The employee is occasionally required to walk, sit, climb or balance, stoop, kneel, crouch, or crawl. The employee must regularly lift and/or move more than 15 pounds, frequently lift and/or move up to 25 pounds, and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

## **WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is occasionally exposed to wet and/or humid conditions; high, precarious places; risk of electrical shock; explosives; and risk of radiation.

## **SELECTION GUIDELINES**

Formal application, rating of education and experience; oral interview and reference check; polygraph; CVSA; physical; psychological profile; drug and alcohol test; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** September 15, 2021

**Effective Date:** Next available date

**Agenda Item:** **Motion**  
To create and post for hire, the position of Economic Development Director

**Submitted By:** Brent Centers

**Scope / Description:** This position will create an Economic Development Director as currently held within the duties of the Director of Economic Development and Zoning.

**Budget Impact:** \$65,000 - \$75,000

**Vote Required for Passage:** 2 of 3

**HAMILTON TOWNSHIP  
JOB POSITION DESCRIPTION**

Position Title: **Economic Development Director**  
Department: Administration  
Immediate Supervisor: Township Administrator  
Pay Rate: \$65,000 - \$75,000  
Hours: 8:00am – 4:30pm (plus evening meetings)  
Classification: Exempt

**JOB RESPONSIBILITIES:**

Under the Township Administrator's direction, the Economic Development Director will provide expert advice, support, and assistance in planning, is responsible for overseeing and co-leading the development and negotiation of agreements and contracts for projects undertaken by Planning and Zoning. Work involves the use of initiative and independent judgment within the framework of established policies and procedures. The incumbent will direct and coordinate the efforts of various economic development or redevelopment projects, workforce employment programs, and other professional and administrative support teams.

**QUALIFICATIONS:**

Three to five years of experience in coordinating and directing the implementation of development, redevelopment, and capital improvement projects, including two years in an administrative position supervising professional staff, a bachelor's degree in Economics, Business Administration, Public Administration, Urban Development, Urban Planning or a related field. Commercial Real Estate knowledge and background preferred. Other combinations of experience and education that meet the minimum requirements may be substituted. Experience working in a leadership capacity in a business organization or local government is highly desirable. The incumbent must possess demonstrated abilities in working with the public, elected officials, and business leaders.

***Required Knowledge, Skills and Abilities:***

*Knowledge of:*

- Principles and practices of public program planning, administration, public relations, negotiating, and supervision.
- Funding resources for project grants.
- Laws, ordinances, regulations, and policies of various government agencies as they affect business and community services.
- GIS computer program applications
- Leadership styles and skills.

*Ability to:*

- Written and oral negotiations with private and public agencies and with representatives of various citizen groups.
- Observe, compare, or monitor data to determine compliance with prescribed operating standards, program regulations, or contractual requirements.
- Effectively communicate by phone or in person in a one-to-one or group setting.
- Comprehend and make inferences from written material.
- Learn job-related material primarily through structured lecture and reading.
- Produce written documents with clearly organized thoughts using proper sentence construction, punctuation, and grammar.
- Work cooperatively with other Township employees and the general public.
- Work safely without presenting a direct threat to self or others.

**ESSENTIAL FUNCTIONS:**

The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. An example of acceptable qualifications for this position is:



*Primary Duty:*

- Seeks new industrial and commercial prospects through personal contacts, news media, business periodicals, consultants, contractors, real estate brokers, and other available sources.
- Works with existing and potential companies in meeting their need for market information, labor force characteristics, expansion opportunities, etc.
- Answers all inquires from either prospective industries or other businesses seeking information about Hamilton Township.
- Negotiates contracts between the Township, private developers, and/or other governmental entities associated with major, high profile redevelopment projects, such as commercial office development, public assembly facilities, retail centers, and sports training centers.
- Develops, implements, and monitors contracts for service.

*Secondary Duties:*

- Assists the Township Administrator in developing strategies.
- Briefs and advises Township Trustee Board and Township management regarding economic development projects in person and through written reports.
- Interprets the department's programs and works with citizen groups to develop and implement short-term and long-term economic development objectives and programs.
- Negotiates development and redevelopment contracts with private developers.
- Serves as ombudsman between private sector real estate, development, and building interests in the Township.
- Coordinate monthly reports to the Township Administrator / Community Development Director regarding economic development activities, as well as a variety of other reports as appropriate.
- Review site plans for conformance with the Township Zoning Code and prepare staff reports for the Board of Zoning Appeals, Hamilton Township Zoning Commission, and the Hamilton Township Trustee Board, as needed.
- Conduct site inspections; meet with property owners, developers, etc. regarding development.
- Review requests for new development plans, and legal issues with the Trustee Board, Township Law Director, and Township Appointing Authority.
- Attend Hamilton Township Trustee Board, Zoning Commission, Board of Zoning Appeals, and/or related meetings/events, as required.
- Other duties as assigned.

*Ability to:*

- Read and interpret documents such as site plans, instructions, and procedure manuals.
- Write routine reports and correspondence.
- Apply concepts such as commissions, fractions, percentages, ratios, and proportions to practical situations.
- Define problems, collect data, establish facts, and draw valid conclusions.
- Interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.
- Assess, plan, organize, and execute essential job functions without a need for constant supervision.
- Cooperate with fellow employees and general public.
- Understand written and oral instructions.
- Distinguish and disseminate sensitive information and be of good moral character.
- Knowledgeable of geography of Township

**REQUIRED CERTIFICATES, AND/OR LICENSE (OR ABILITY TO OBTAIN)**

- Valid Ohio Driver's License
- Bachelor's degree in Economics, Business Administration, Public Administration, Urban Development, Urban Planning or a related field.

**PHYSICAL DEMANDS**

Meets entry-level physical requirements pertaining to health as required by OSHA. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing job duties, the employee frequently is required to stand and reach. The employee is occasionally required to walk, sit, climb or balance, stoop, kneel, crouch, or crawl. The employee must regularly lift and/or move more than 15 pounds, frequently lift and/or move up to 25 pounds, and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is occasionally exposed to wet and/or humid conditions; high, precarious places; risk of electrical shock; explosives; and risk of radiation.

**SELECTION GUIDELINES**

Formal application, rating of education and experience; oral interview and reference check; polygraph; CVSA; physical; psychological profile; drug and alcohol test; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 15, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee, *Chair*  
Joe Rozzi – Trustee  
Mark Sousa – Trustee

Mr. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 21-0915A**

**A RESOLUTION AUTHORIZING AND APPROVING AN INCREASE IN TOWNSHIP  
APPROPRIATIONS IN THE ROAD & BRIDGE FUND TO RECONCILE BUDGETS  
FOR CALENDAR YEAR 2021**

**WHEREAS**, the Board of Township Trustees wishes to authorize and approve an increase in appropriations in order reconcile budgets and appropriations for calendar year 2021;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Hamilton Township, Warren County, Ohio:

- SECTION 1.** The Fiscal Officer is hereby authorized and directed to increase the appropriations for the Road & Bridge Fund Line Item 2031-330-740-0000, Machinery and Equipment in the amount of \$59,720.15 for a total amount of \$59,720.15.
- SECTION 2.** The Fiscal Officer is hereby authorized and directed to approve a Blanket Certificate in the amount listed in Section 1 of this Resolution.
- SECTION 3.** This Resolution shall take effect on the earliest date allowed by law.

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joe Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 15<sup>th</sup> day of September 2021.

Attest:

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber., Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on September 15, 2021.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 15, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee, *Board Chair*  
Joseph Rozzi – Trustee  
Mark Sousa – Trustee

Mr. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 21-0915B**

**A RESOLUTION AUTHORIZING AND APPROVING THE ESTABLISHMENT OF A  
NEW FUND: AMERICAN RESCUE PLAN ACT FUND**

**WHEREAS**, Hamilton Township (the Township), in accordance with applicable sections of the Ohio Revised Code and appropriate standards and practices, is establishing the following new fund of the Township for the following purpose;

**WHEREAS**, the corresponding fund is to be utilized to properly account for receipts and disbursements of the Township and to comply with applicable budgetary requirements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Board of Trustees does hereby ratify, affirm, and establish the following new fund of the Township: American Rescue Plan Act Fund, as set forth herein.

**SECTION 1.** This capital project fund is established to account for cash receipts and cash disbursements used for pandemic-related relief as described in the American Rescue Plan Act of 2021.

**SECTION 2.** The Fiscal Officer is hereby authorized and directed to increase the appropriations for the American Rescue Plan Act Fund Line Item 2273-930-930-0000, Contingency in the amount of \$1,243,552.20 for a total amount of \$1,243,552.20.

**SECTION 2.** The Fiscal Officer is hereby authorized and directed to approve a Blanket Certificate in the amount listed in Section 1 of this Resolution.

**SECTION 3.** This Resolution shall take effect on the earliest date allowed by law.

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey – Aye \_\_\_\_\_ Nay \_\_\_\_\_  
Joseph Rozzi – Aye \_\_\_\_\_ Nay \_\_\_\_\_  
Mark Sousa – Aye \_\_\_\_\_ Nay \_\_\_\_\_

Resolution adopted this 15<sup>th</sup> day of September 2021.

Attest:

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on September 15, 2021.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on September 15, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Darryl Cordrey - Trustee, *Board Chair*  
Joseph Rozzi – Trustee  
Mark Sousa - Trustee

Mr. \_\_\_\_\_ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO  
RESOLUTION NUMBER 21-0915C**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY  
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**WHEREAS**, the Board of Township Trustees of Hamilton Township, Warren County, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2022, and;

**WHEREAS**, The Budget Commission of Warren County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Hamilton Township, Warren County, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted;

And be it further **RESOLVED**, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Mr. \_\_\_\_\_ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Darryl Cordrey –	Aye _____	Nay _____
Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____

Resolution adopted this 15<sup>th</sup> day of September 2021.

Attest:

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*

Approved as to form:

\_\_\_\_\_  
Benjamin J. Yoder, *Law Director*

I, Kurt E. Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on September 15, 2021.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kurt E. Weber, *Fiscal Officer*





WARREN/COUNTY	ESTIMATED PROPERTY TAX INCOME FOR HAMILTON TOWNSHIP				ESTIMATED TAXES LEVIED	CERTIFICATION @ 97%	FISCAL YR 2022
2021 TENTATIVE TAX-YEAR VALUES							
AGRICULTURAL	15,936,941						
		ROAD LEVY	0.001088421	\$	23,404.93	22,702.78	
		ROAD & BRIDGE	0.001300000	\$	20,718.02	20,096.48	
		POLICE 2010	0.000803145	\$	17,350.18	16,829.66	
		POLICE 2003	0.002168250	\$	46,840.37	45,435.06	
		POLICE 2019	0.000995860	\$	21,513.36	20,867.96	
RESIDENTIAL	910,386,220						
		ROAD LEVY	0.001088421	\$	858,490.97	847,313.87	
		ROAD & BRIDGE	0.001300000	\$	1,183,502.09	1,147,997.02	
		POLICE 2010	0.000803145	\$	636,403.33	628,117.69	
		POLICE 2003	0.002168250	\$	1,718,097.62	1,695,728.89	
		POLICE 2019	0.000995860	\$	789,108.59	778,834.81	
COMMERCIAL/INDUSTRIAL	32,598,820						
		ROAD LEVY	0.001248846	\$	34,630.57	33,591.66	
		ROAD & BRIDGE	0.001300000	\$	42,508.47	41,233.21	
		POLICE 2010	0.000999077	\$	27,704.47	26,873.33	
		POLICE 2003	0.002749929	\$	76,255.70	73,968.03	
		POLICE 2019	0.000999077	\$	22,704.47	26,873.33	
PUBLIC UTILITY/PERSONAL	24,581,060						
		ROAD LEVY	0.001250000	\$	30,726.33	29,804.54	
		ROAD & BRIDGE	0.001300000	\$	31,955.38	30,996.72	
		POLICE 2010	0.001000000	\$	24,581.06	23,843.63	
		POLICE 2003	0.003000000	\$	73,743.18	71,590.88	
		POLICE 2019	0.001000000	\$	24,581.06	23,843.63	
GRAND TOTALS	983,603,041						
		ROAD LEVY		\$	947,252.80	918,835.21	
		ROAD & BRIDGE		\$	1,278,683.95	1,240,323.43	
		POLICE 2010		\$	706,099.03	684,857.86	
		POLICE 2003		\$	1,914,936.77	1,857,488.67	
		POLICE 2019		\$	862,907.48	850,419.73	
		TOTAL POLICE		\$	3,483,883.29	3,392,766.26	
		TOTALS		\$	5,709,820.04	4,701,505.18	

2021 TENTATIVE TAX YEAR VALUES	ESTIMATED PROPERTY TAX INCOME FOR HAMILTON TOWNSHIP		ESTIMATED TAXES LEVIED	CERTIFICATION @ 97%	FISCAL YR. 2022
FIRE DISTRICT		EFF. RATE			
AGRICULTURAL	16,554,538	FIRE 2001: 0.001255978 FIRE/EMS 2006: 0.001638860 FIRE 2019: 0.000995246 GENERAL FUND: 0.001000000	\$ 18,117.72 \$ 23,351.72 \$ 14,356.22 \$ 16,554.54	27,331.43 35,228.14 21,657.62 16,057.90	
RESIDENTIAL	1,069,295,350	FIRE 2001: 0.001255978 FIRE/EMS 2006: 0.001638860 FIRE 2019: 0.000995246 GENERAL FUND: 0.001000000	\$ 1,148,344.51 \$ 1,480,128.63 \$ 909,956.95 \$ 1,049,295.15	1,131,467.88 1,458,375.94 896,583.29 1,017,816.30	
COMMERCIAL/INDUSTRIAL	40,281,670	FIRE 2001: 0.001676154 FIRE/EMS 2006: 0.001979034 FIRE 2019: 0.000997005 GENERAL: 0.001000000	\$ 57,788.96 \$ 68,150.07 \$ 34,332.89 \$ 40,281.67	56,055.29 66,105.57 33,302.91 39,073.22	
PUBLIC UTILITY PERSONAL	25,176,660	FIRE 2001: 0.002000000 FIRE/EMS 2006: 0.002000000 FIRE 2019: 0.001000000 GENERAL: 0.001000000	\$ 50,353.32 \$ 50,353.32 \$ 25,176.66 \$ 25,176.66	48,842.72 48,842.72 24,421.36 24,421.36	
GRAND TOTALS:	1,131,308,018		\$ 1,274,604.02 \$ 1,621,983.75 \$ 983,822.72 \$ 3,880,409.98 \$ 1,131,308.02 \$ 5,011,718.00	\$ 1,236,365.90 \$ 1,573,324.23 \$ 954,307.56 \$ 3,763,997.68 \$ 1,097,368.78 \$ 4,861,366.46	