

ORDINANCE NO. 041-2023

AN ORDINANCE AMENDING MAUMEE CODIFIED ORDINANCE SECTION 1143.21 OF THE MAUMEE ZONING CODE TO CLARIFY THE REPLACEMENT AND REMOVAL OF NONCONFORMING SIGNS AND THEIR APPLICATION, AND DECLARING AN EMERGENCY

WHEREAS, Maumee Codified Ordinance Section 1143.21 deals with nonconforming signs and is part of the City of Maumee Zoning Code and certain changes are necessary as it relates to these signs;

WHEREAS, these changes will clarify the replacement and removal of nonconforming signs and their application in the Maumee Zoning Code, and the Planning Commission recommended these changes after a public hearing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Maumee, Ohio, that:

SECTION 1. Maumee Codified Ordinance Section 1143.21 is hereby amended in part as follows:

1143.21 NONCONFORMING SIGNS.

It is the intent of this section to recognize that the ~~eventual~~ elimination, as expeditiously as is reasonable, of existing signs that are not in conformity with the provisions of this chapter, is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this chapter. ~~It is also the intent of this section that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established private property rights.~~

No nonconforming sign **or sign structure:**

- (a) Shall be changed to another nonconforming sign;
- (b) Shall have any changes made in the words or symbols used or the message displayed on the sign unless the sign is designed for periodic change of message;
- (c) Shall be structurally altered so as to prolong the life of the sign, **or the structure or pole supporting the sign, or altered** so as to change the shape, size, type, or design of the sign;
- (d) Shall have the face or faces changed when such sign is of a type of construction to permit a ~~such a complete~~ change of face **or faces;** ~~{except for pole signs existing prior to October 2010}~~
- (e) Shall be reestablished after the activity, business, or usage to which it relates has been discontinued for ninety (90) calendar days or longer; or
- (f) Shall be reestablished after damage or destruction if the estimated expense of reconstruction exceeds **thirty (30)** ~~fifty (50)~~ percent of the appraised replacement **cost of the sign** as determined by the Director of Public Safety.

SECTION 2. Section 1143.21, Ordinance 131-2015 and any ordinances, parts of ordinances or the chapters of the Zoning Code in conflict herewith are hereby amended and repealed in part to reflect the foregoing changes;

SECTION 3. This ordinance is declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the City of Maumee, and more specifically to allow for the immediate update of the zoning code so as to eliminate any inconsistent provisions in the Maumee Zoning Code which will be a benefit for the citizens of Maumee, wherefore this ordinance will go into immediate effect upon its adoption by council.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of Council's committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements of the Charter of Maumee, Ohio.

Motion to declare an emergency: Barrow

Seconded: MacDonald

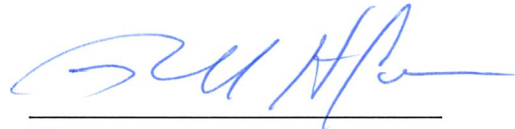
Yeas 6 Nays 0

Motion to Pass: Barrow

Seconded: MacDonald

Yeas 6 Nays 0

Passed: November 6, 2023




Mayor.

ATTEST:


Municipal Clerk.

Approved as to form by:


Law Director.

CERTIFICATE OF POSTING

I, Clerk of Council of the Municipality of Maumee, Ohio, do hereby certify that Ordinance/Resolution No. 041-2023 was duty posted on 11-7-2023 and remained posted for a period of fifteen days thereafter, in not less than five of the most public places in the municipality as determined by the Council of said Municipality.

Jessie Rouslet
Clerk of Council

Date: Nov. 22, 2023