

§ 153.181 PROHIBITED SIGNS.

(A) Signs are prohibited in all zoning districts unless:

- (1) Constructed pursuant to a valid building permit when required by this code; and
- (2) Authorized under this code.

(B) Prohibition of fees. A property owner may not accept a fee for posting or maintaining a sign allowed under division (C) of this section and any sign that is posted or maintained in violation of this provision is prohibited.

(C) Commercial signs in residential zones. Commercial signs are prohibited in exclusively single family residential zones or on property used for non-transient residential uses, except for those properties on which a home occupation or a transient residential use has been approved by the city.

(D) Prohibited signs. The following signs shall be prohibited in the city:

- (1) Billboards and digital billboards;
- (2) Highway signs;
- (3) Signs with fluctuating illumination, including any sign that flashes, blinks, fluctuates in light intensity or is animated;
- (4) Signs which revolve, rotate or move in whole or in part;
- (5) Windblown signs, except flags as described in § 153.182(A)(5) as provided herein;
- (6) Signs that constitute a traffic hazard are prohibited, and no sign or other advertising shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision;
- (7) Off-site signs;
- (8) Roof signs;
- (9) Search lights;
- (10) Signs on or affixed to trees or utility poles, except that signs may be placed on utility poles for utility identification purposes by the proper utility;
- (11) Reflective or mirrored signs; and
- (12) Signs placed or affixed within public right-of-ways or encroach upon a public right- of-way, except for government signs and wall signs, awning signs, canopy signs, projecting signs, shingle signs and sandwich board signs may encroach as provided herein;

Commented [LA1]: Need legal review in light of SC decision (Reed v. Gilbert) on commercial messaging. Add a prohibition for non-content neutral.

(13) Handwritten signs in nonresidential districts.

(E) Vehicles. It shall be unlawful to use a vehicle or trailer as a sign in circumvention or violation of any part of this code.

(Ord. 2018-05-786, passed 5-1-18)

Commented [LA2]: Check for content neutrality clause within overall sign ord

Bentonville: "*Message neutrality policy*. It is the policy of the City to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content. "