File #: O-379-26, **Version:** 1

TMC Amendments re: Part 11 - Planning and Zoning Code
Plan Commission
L.Cottrell (x2342)

Amending Toledo Municipal Code Part Eleven - Planning and Zoning Code by repealing three sections of Chapter 1113 - Sign Code, and enacting amended versions of those three sections; and declaring an emergency.

SUMMARY & BACKGROUND:
This ordinance is to amend the language in the Sign Code with respect to legal nonconforming signs. Plan Commission staff recommended these changes to lessen the burden and potential costs on business owners to comply with the Sign Code in certain circumstances. The proposed changes to the text are shown at Exhibit A. The proposed text amendments are consistent with the Forward Toledo Plan's Business Creation and Building Preservation goals and the stated purpose of the Zoning Code.

NOW THEREFORE Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code, Part Eleven, §1113.0702 which states as follows:

1113.0702 Requirements for Legal Nonconforming Signs.

A legal nonconforming sign is permitted to remain in operation, subject to the following requirements:

A. No legal nonconforming sign or part of a nonconforming sign shall be structurally altered, constructed, converted from non-EMC to EMC or vice versa, re-erected, additionally illuminated, changed in size, or moved unless the entire sign and structure are brought into conformity with this Sign Code or removed by the owner of the premises. Poster panel replacements, cabinet re-faces, copy changes, same-size EMC replacements, and complete demolitions are permitted. Structural changes including changes to the pole, foundation, sign frame, or building materials on existing nonconforming signs are not permitted unless the sign is brought fully into compliance with this Chapter.

B. If the premises on which the sign is located undergoes Plan Commission review, including but not limited to a Site Plan Review or Special Use Permit, any nonconforming signage on the premises shall be brought fully into compliance with this Sign Code as a part of the review and approval process.

C. Prior to receipt of a sign permit to install a new Electronic Message Center (EMC), all legal nonconforming signage on the subject premises shall be brought fully into compliance with this Sign Code. This does not include the replacement of an existing EMC.

Is repealed.

SECTION 2. That Toledo Municipal Code §1113.0702 is enacted to state as follows:
1113.0702 Requirements for Legal Nonconforming Signs.

A legal nonconforming sign is permitted to remain in operation, subject to the following requirements:

A. No legal nonconforming sign or part of a nonconforming sign shall be structurally altered, constructed, converted from non-EMC to EMC, re-erected, additionally illuminated, changed in size, or moved unless the entire sign and structure are brought into conformity with this Sign Code or removed by the owner of the premises. Poster panel replacements, cabinet re-faces, copy changes, same-size EMC replacements, conversions from EMC to non-EMC provided the non-EMC sign is no more non-conforming in size, height, location, design, or illumination than the original EMC, and complete demolitions are permitted. Structural changes including changes to the pole, foundation, sign frame, or building materials on existing nonconforming signs are not permitted unless the sign is brought fully into compliance with this Chapter.

B. If a principal building on the premises on which the sign is located is demolished, removed, or expanded by more than 50% of its total square footage any nonconforming signage on the premises shall be brought fully into compliance with this Sign Code.

C. Prior to receipt of a sign permit to install a new Electronic Message Center (EMC), all legal nonconforming signage on the subject premises shall be brought fully into compliance with this Sign Code. This does not include the replacement of an existing EMC.

SECTION 3. That Toledo Municipal Code, Part Eleven, §1113.0703 which states as follows:

1113.0703 Loss of Nonconforming Status.

A. A sign loses its legal nonconforming status if the site that the sign advertises is vacant for more than 6 months. The subject site must be in operation for a minimum of 30 consecutive days during the 6 month period to maintain legal nonconforming status.

B. At the point that a sign loses its legal nonconforming status, the sign shall be considered an Unlawful Sign and shall be immediately improved to meet the requirements of this Sign Code or removed by the owner of the premises.

Is repealed.

SECTION 4. That Toledo Municipal Code §1113.0703 is enacted to state as follows:

1113.0703 Loss of Nonconforming Status.

A. A sign loses its legal nonconforming status if the site that the sign advertises is vacant for more than one year. The subject site must be in operation for a minimum of 30 consecutive days during the one-year period to maintain legal nonconforming status.

B. At the point that a sign loses its legal nonconforming status, the sign shall be considered an Unlawful Sign and shall be immediately improved to meet the requirements of this Sign Code or removed by the owner of the premises.

SECTION 5. That Toledo Municipal Code, Part Eleven, §1113.0802 which states as follows:

1113.0802 Abandoned Sign.

Except as otherwise provided in this Chapter, any sign which is located on property that becomes vacant and unoccupied for a period of 6 months or more, or any sign which fails to meet the requirements of Sec. 1113.0109 Maintenance for a period of 6 months or more; or any sign which pertains to a time, event, or purpose which no longer applies; or any sign which no longer contains copy or advertises goods, products,

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services, or facilities, shall be deemed an abandoned sign. The following requirements apply to abandoned signs:

A. Any sign which is deemed an abandoned sign and fully conforms with all requirements of this chapter may remain as a conforming sign, but shall have any copy removed. Any area which housed copy shall be refaced with a blank white face. The owner of the property may also use this area to advertise that the property is for lease, for rent, or for sale, if he or she desires, via a permitted sign type.

B. Any sign which is deemed an abandoned sign and does not fully conform with all requirements of this chapter shall be considered an Unlawful Sign and shall be removed by the owner or operator of the premises and/or the owner of the sign, or brought fully into compliance with this Chapter. Failure by the owner or operator of the premises to remove the abandoned sign may result in removal of the sign by the City of Toledo as described in Sec. 1113.0805 Disposal of Signs; Fees and Sec. 1113.0806 Assessment Procedures as well as penalties as described in Sec. 1113.0906 Penalty.

Is repealed.

SECTION 6. That Toledo Municipal Code §1113.0802 is enacted to state as follows:

1113.0802 Abandoned Sign.

Except as otherwise provided in this Chapter, any sign which is located on property that becomes vacant and unoccupied for a period of one year or more, or any sign which fails to meet the requirements of Sec. 1113.0109 Maintenance for a period of one year or more; or any sign which pertains to a time, event, or purpose which no longer applies; or any sign which no longer contains copy or advertises goods, products, services, or facilities, shall be deemed an abandoned sign. The following requirements apply to abandoned signs:

A. Any sign which is deemed an abandoned sign and fully conforms with all requirements of this Chapter may remain as a conforming sign, but shall have any copy removed. Any area which housed copy shall be refaced with a blank white face. The owner of the property may also use this area to advertise that the property is for lease, for rent, or for sale, if he or she desires, via a permitted sign type.

B. Any sign which is deemed an abandoned sign and does not fully conform with all requirements of this Chapter shall be considered an Unlawful Sign and shall be removed by the owner or operator of the premises and/or the owner of the sign, or brought fully into compliance with this Chapter. Failure by the owner or operator of the premises to remove the abandoned sign may result in removal of the sign by the City of Toledo as described in Sec. 1113.0805 Disposal of Signs; Fees and Sec. 1113.0806 Assessment Procedures as well as penalties as described in Sec. 1113.0906 Penalty.

SECTION 7. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and that this Ordinance must be immediately effective in order to provide accurate and complete standards for use by property owners.

Vote on emergency clause: yeas 11 nays 0.

Passed: August 25, 2026, as an emergency measure: yeas 11, nays 0.

Attest:

Julie A. Gibbons	Vanice S. Williams
Clerk of Council	President of Council

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Approved: August 25, 2026
Wade Kapszukiewicz
Mayor