



## Ohio Administrative Code

### Rule 5501:2-2-05 Permits.

Effective: April 30, 2023

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#### (A) Applications

- (1) An application for a permit shall be obtained from and returned to the ODOT advertising device control section.
- (2) An application for a permit shall be completed in its entirety. If an application is not completed, including all required signatures, the application and fees will be returned. All applications will be date and time-stamped and will be processed on a first come-first serve basis. If an application has to be returned for any reason, it will not retain its preference over any other application that may be submitted for the same location.
- (3) Each sign face requires a separate permit. Applicants shall complete one application for each sign face requested, however, an applicant shall only complete one application when requesting a permit for a multiple message or variable message sign face.

#### (B) Application fees

The application fees shall be as follows:

- (1) Two hundred twenty-five dollars per static sign face
- (2) Two hundred twenty-five dollars for each device or structure having only back to back advertising faces where each sign face is to be less than thirty-six square feet in area
- (3) Two hundred twenty-five dollars for each device or structure having only back to back advertising faces where each face is identical in size ie., high rise pylon signs lighted from within
- (4) Six hundred twenty-five dollars for multiple message or variable message sign face



(C) Local authorities

(1) If a local authority requires a permit applicant to obtain any type of permit to erect an advertising device, the permit applicant must state in the application that they have applied for such permit or the application will be returned unprocessed. If a permit applicant has received the required local permits prior to submitting their application to ODOT, copies of such required permits must be submitted with the application. Any permit applicant who has not yet received the required permit from the local authority must submit to the advertising device control section a copy of such permit within thirty days of its issuance by the local authority and prior to the erection of the proposed advertising device before ODOT will approve the final permit. If litigation results from the pursuit of a local permit, the time will toll until final disposition of the pending litigation.

(2) The cost of the application fee or the cost of an initial inspection required by a municipal corporation may, upon request, be credited against and shall reduce the cost of the permit issued by the director. If a municipal corporation credit is requested, proof of payment from the municipal corporation must be included with the permit application or submitted within thirty days of issuance of the local building permit or no such credit shall be granted.

(D) No application will be processed for a new permit when the applicant has any outstanding delinquent bills, including outstanding renewal fees for other permits, has modified a device prior to receiving approval from the advertising device control section, or has erected or is maintaining an illegal device.

(E) If ODOT discovers any advertising device displaying advertising copy that has been erected without the conditional approval of ODOT, ODOT will notify the sign owner and request that a permit application be submitted within thirty days from the receipt of the notice or the device will be subject to removal pursuant to section 5516.04 of the Revised Code. All application fees are doubled for applications submitted after the erection of an advertising device displaying advertising copy.

(F) Renewal, reinstatement, and late fees

(1) Each permit is subject to a biennial renewal fee of one hundred twenty-five dollars except that the



renewal fee for a multiple message or variable message permit shall be three hundred twenty-five dollars per permit. All permit holders must submit a renewal application from the advertising device control section before the expiration of the permit or within thirty days of the expiration of the permit.

(2) As part of the renewal application, the permit holder shall certify the condition of each advertising device including, but not limited to, whether the advertising device is in need of repair, has been removed, the permit plate is missing, has the wrong permit plate attached, the permit plate is illegible, the sign face is blank with no live copy, the advertisement on the device is illegible, only the structure is in place, or whether the device has been abandoned, discontinued or destroyed. If any of these conditions exist, they must be corrected within one year or the permit will be canceled.

(3) Each renewal application must be completed in its entirety and returned to ODOT, advertising device control section. If a renewal application is not completed, including all required signatures, the renewal application and fees will be returned. Renewal applications that contain false or misleading information regarding the condition of the advertising device shall result in the revocation of the permit holder's permit. The permit holder may request an administrative hearing pursuant to section 5516.12 of the Revised Code within the time allowed under section 119.09 of the Revised Code.

(4) All renewal fees shall be paid within thirty days of receipt of the renewal invoice. If the renewal fee remains unpaid after the thirty day grace period, it will be subject to a late fee of five per cent of the total amount of the renewal invoice and a notice of proposed cancellation will be sent to the permit holder notifying the permit holder that the permit will be canceled within thirty days unless the permit holder pays all renewal and late fees.

(5) Upon the expiration of the thirty day cancellation period, a notice of cancellation will be sent to the permit holder. The permit holder may request an administrative hearing pursuant to section 5516.12 of the Revised Code within the time allowed under section 119.09 of the Revised Code to show cause why the canceled permit should be reinstated. No permit shall be reinstated unless all outstanding fees have been paid.

(6) If a reinstatement hearing is not requested within the allowed time period and the advertising



device has not been removed after its permit cancellation, it will be considered an illegal advertising device subject to the removal provisions of section 5516.04 of the Revised Code. Any unpaid invoices and late fees will be certified to the office of the attorney general for collection.

(G) Cancellation, replacement or transfer of permits

(1) In order to cancel a permit, the permit holder must request cancellation of the permit by notifying the advertising device control section in writing. The permit holder must remove the advertising device and sign face upon notification or within thirty days of the notification. If the advertising device and sign face are not removed within thirty days, the device will be considered an illegal device subject to the removal provisions of section 5516.04 of the Revised Code.

(2) If a permit plate is lost or missing, a replacement plate may be obtained from the advertising device control section for a fee equal to the department's cost of issuing the replacement permit plate. The request must be submitted in writing. All permit plates must be oriented so that they are visible from the main, traveled way or the permit holder will be fined twenty-five dollars for each month the permit plate is lost, missing or not visible from the main, traveled way.

(3) A permit may be transferred to a new permit holder upon the submission of an application requesting such transfer. The application shall include the signatures of both the current and prospective permit holder. If both signatures are not contained on the application, the application will be returned unprocessed. A transfer fee of twenty-five dollars per permit shall be submitted with all transfer applications, with a maximum transfer fee of twenty thousand dollars per acquisition. All delinquent bills for any permit must be paid before a transfer will be approved.

(H) Conditional permits

(1) The issuance of a permit will be considered conditional until such time as the sign structure, advertising device, and sign face are erected at the location indicated on the application and the advertising device control section has verified that the sign owner complied with all the terms and conditions of the conditional permit and the statutes and rules included in this chapter.

(2) The applicant shall notify the advertising device control section in writing that an advertising



device has been erected within thirty days after completion of construction. Failure to notify the advertising device control section within this thirty day period may result in disapproval of the final permit. Conditional permits automatically expire two years from the date of issuance.

(3) A sign face for which a final permit can be issued, shall, when erected, be complete and intended to advertise a product or message. Where there are posts only, partial structure, company name markers or no structure at all, a final permit shall not be issued.

(4) A conditional permit may only be issued for a legal location. If a conditional permit is requested upon the condition that an already existing permit permit(s) will be canceled so that the requested location can become a legal location, the advertising device control section may hold the location for the applicant for no more than sixty days. At the expiration of the sixty day period, the existing permit(s) must be canceled and the existing advertising device(s) and sign face(s) must be completely removed. If the existing permit(s) are not canceled or their removal is not completed, a conditional permit will not be issued and applications for legal locations will be accepted from new applicants in the order that they are received.

(5) All proposed advertising device locations and conditional permits must be staked permanently at the proposed location or straight line mile marker (SLM) approved until the advertising device's structure is erected.