



Ohio Administrative Code

Rule 5501:2-2-02 General provisions for the erection and control of outdoor advertising.

Effective: December 27, 2018

(A) Restrictions on outdoor advertising adjacent to the interstate, federal aid primary, and national highway systems: all advertising devices erected or maintained within six hundred sixty feet of the nearest edge of the right-of-way and visible from the main traveled way shall conform to the following requirements:

(1) Zoning criteria: outdoor advertising must be located in areas zoned for commercial or industrial use or in areas which qualify for unzoned commercial or industrial use. Zoning action taken which is not part of a bona fide comprehensive zoning plan and is created primarily to permit outdoor advertising device structures shall not be recognized as zoning for the purpose of Chapter 5516. of the Revised Code or division 5501:2 of the Administrative Code. A zone in which limited commercial or industrial activities are permitted as an incident to other primary land uses is not considered to be a commercial or industrial zone for outdoor advertising control purposes. Strip and spot zoning are not permitted for advertising device control purposes. The definition of an unzoned commercial or industrial area as used in division (I) of section 5516.01 of the Revised Code shall apply within a political subdivision or area if:

- (a) A unit of government is not authorized to zone; or
- (b) A unit of government has not zoned in accordance with statutory authority.

(2) Sizing criteria:

(a) Area:

(i) The maximum area of a sign face shall be twelve hundred square feet, excluding decorative bases and supports. The minimum area for any such sign face for which a permit is required shall be eight square feet. Two sign faces may be permitted at a single location facing the same direction provided that they are immediately adjacent to each other. If there is a border or trim around a sign face, it



shall be deemed to be a separate sign face and the total combined area of both sign faces at a single location may not exceed twelve hundred square feet.

(ii) The area of a sign face shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign face, including border, trim, cutout and extension.

(b) Height:

Any advertising device structure exceeding one hundred fifty feet in height shall comply with the American association of state highway and transportation officials standards. The applicant shall submit all necessary plans and documentation to assist the department in the review and approval of the advertising device.

(3) Spacing criteria:

(a) Interstate highway systems: for any advertising device adjacent to an interstate highway system, the following spacing requirements shall apply:

(i) Advertising devices, whose sign faces are visible to approaching traffic, on either or same side of the main traveled way shall have a minimum spacing of five hundred feet between each advertising device.

(ii) Advertising devices, whether or not visible to the main-traveled way of the interstate system, shall not be located at or within five hundred feet of an interchange or proposed interchange.

(iii) No advertising device, outside a municipal corporation, shall be located within five hundred feet of any visible and publicly owned, controlled or maintained safety rest area, parkland, garden, forest preserve, picnic ground, playground, swimming beach, elementary or secondary school, cemetery, or scenic area, that is visible from or whose property boundaries front the main traveled way.

(b) Federal aid primary and national highway systems: for any advertising device adjacent to a route



on the federal aid primary or national highway systems, the following spacing requirements shall apply:

(i) Advertising devices whose sign faces are visible to approaching traffic on either or same sides of the main-traveled way shall have a minimum spacing of:

(a) Five hundred feet outside of a municipal corporation and on freeways within a municipal corporation.

(b) Two hundred fifty feet on other highways inside a municipal corporation;

(ii) Advertising devices, whether or not visible to the main-traveled way of the federal aid primary or national highway systems, shall not be located within five hundred feet of an interchange or proposed interchange.

(iii) No advertising device, outside a municipal corporation, shall be located within five hundred feet of any visible and publicly owned, controlled or maintained safety rest area, parkland, garden, forest preserve, picnic ground, playground, swimming beach, elementary or secondary school, cemetery, or scenic area, that is visible from or whose property boundaries front the main traveled way.

(iv) There is no spacing requirement between advertising devices, including multiple message and variable message, located within a business district provided the sign face of the advertising device is not visible to the main traveled way of a highway on the interstate system or a freeway portion of the federal aid primary or national highway systems.

(c) Measurements

(i) The distance from the edge of the right of way shall be measured horizontally along a line perpendicular to the centerline of the highway.

(ii) The distance between sign faces visible to approaching traffic shall be measured along the right edge of the main-traveled way of the highway in the direction of travel. Only advertising devices



included in division (D) of section 5516.02 and divisions (F) and (G) of section 5516.06 and division (D) of section 5516.061 of the Revised Code shall be considered in determining spacing requirements.

(iii) The distance from an interchange shall be measured at the nearest point of the beginning or ending of pavement widening of the exit or entrance roadway to the main-traveled way along the right edge of the main-traveled way.

(iv) The distance from safety rest areas on freeways shall be measured at the nearest point of the beginning or ending of pavement widening from the exit or entrance roadway to the main-traveled way along the right edge of the main-traveled way of the interstate system, federal aid primary system, or national highway system.

(v) The distance from any parkland, safety rest area, park, garden, forest preserve, playground, picnic ground, swimming beach, any elementary or secondary school, cemetery, or scenic area shall be measured from the nearest property boundary, and shall apply to both sides of the highway along which the area is located.

(4) Lighting criteria: lighting shall not be used in any way in connection with any advertising device or sign face unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way of any highway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.

(a) Off-premise advertising devices shall not contain or be illuminated by any animation or video, nor illuminated with any flashing, fading, intermittent, or moving light or lights.

(b) A multiple message or variable message sign face shall not include animations, video, or be illuminated with flashing, intermittent, or moving lights. No multiple message or variable message sign face may include any illumination which is flashing, intermittent, or moving when in a fixed position.

(5) When an advertising device is erected so that a sign face is visible from two or more highways,



the more stringent of applicable outdoor advertising control requirements for those routes shall apply.

(6) All advertising devices and sign faces must be clean and in good repair.

(7) Obsolete advertising devices and sign faces will not be permitted.

(8) Abandoned, discontinued and damaged advertising devices.

(a) When an advertising device is damaged by more than seventy per cent of its replacement value immediately prior to the damaging incident, the device will be considered destroyed. This does not apply to advertising devices damaged by vandalism, other criminal or torturous acts or weather-related causes, upon satisfactory evidence submitted to the Ohio department of transportation.

(b) An advertising device and structure which has depreciation of more than seventy percent of its replacement value due to lack of maintenance is considered to be abandoned or discontinued.

(c) An advertising device which ceases to display advertising matter or displays obsolete commercial advertising matter longer than one year is considered to be abandoned or discontinued.

(d) An "available for lease" or similar message that concerns the availability of the sign itself shall be treated as abandoned or discontinued after expiration of one year.

(e) A sign face whose message had been partially obliterated by the owner so as not to identify a particular product, service, or facility is considered to be abandoned or discontinued after expiration of one year.

(f) Advertising devices, whose sign faces have ceased to display or have never displayed advertising or other informative content, are subject to control and removal when advertising is added or affixed and becomes visible from the main traveled way.

(g) The re-erection of any abandoned, discontinued or appropriated advertising device requires the submission and approval of a new application for each sign face pursuant to rule 5501:2-2-05 of the



Administrative Code and must be erected in a conforming location.

(B) Multiple message and variable message sign faces: such sign faces may be permitted on the interstate system, federal aid primary system, or national highway system under the following conditions:

(1) Each message or copy shall remain fixed for at least eight seconds;

(2) When a message or advertising copy changes by remote control or electronic process, it shall be accomplished in three seconds or less;

(3) No such sign face, except as provided in paragraph (A)(3)(b)(iv) of this rule, shall be placed within one thousand feet of another multiple message or variable message sign face visible in the same direction of travel;

(4) Such sign faces shall contain a default design that will freeze the device in one position if a malfunction occurs;

(5) The maximum area for a multiple message or variable message sign face shall be twelve hundred square feet, excluding decorative bases and supports; and

(6) Only one multiple message or variable message sign face shall be permitted at a single location facing the same direction.

(C) Modifications.

(1) A conforming advertising device may be modified as follows:

(a) The addition of lights or other illumination to the advertising structure if such device did not previously have lighting for illumination; or

(b) Replacement of parts on the sign structure with materials other than the kind of materials with which the device was originally erected; or



(c) Reduce, enlarge or rebuild the advertising device or its structure; however, any enlargement of the sign face must meet the size criteria of paragraph (A)(2) of this rule; or

(d) Change any sign face to a multiple message or to include variable message components.

(e) The addition of a temporary extension to the outside dimensions of a sign face as incident to the copy may not exceed twenty percent of the permitted size and may be maintained for a temporary period up to twelve months. Thereafter, the temporary extension must be removed for at least sixty days or the permit holder's permit will be revoked.

(2) No advertising device or sign face may be modified unless the permit holder has completed a modification application and submitted it to the advertising device control section. No modifications may be made until such application has been approved by the advertising device control section. All modification applications will be processed on a first come-first serve basis and will be time and date stamped.

(3) A one hundred dollar processing fee per sign face shall accompany any modification application except that the processing fee to modify a sign face to a multiple message or variable message advertising device shall be four hundred dollars. If the processing fee is not submitted with the modification application, the application will be returned unprocessed.

(4) No modification application will be processed until the permit holder has paid all delinquent renewal fees for all currently held permits.

(5) If ODOT discovers any advertising device or sign face has been modified without the prior approval of ODOT, ODOT will notify the permit holder and request that a modification application and doubled processing fees be submitted within thirty days from the receipt of the notice or the permit will be subject to cancellation pursuant to paragraph (G) of rule 5501:2-2-05 of the Administrative Code.

(6) No modification application will be processed until the permit holder has removed all illegal advertising it controls.