

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-31**

AN ORDINANCE PROHIBITING SIGNAGE ON CITY PROPERTY.

WHEREAS, the City of South Lebanon, Ohio ("the City") does not currently have a regulation, Ordinance, or other legislation that specifically addresses the posting of signage on property owned by the City; and

WHEREAS, the Council of the City ("City Council") has expressed a desire to provide specific legislation addressing the posting of signage on City property; and

WHEREAS, City Council has thoroughly considered all aspects associated with the posting of signage on City property and believes it is in the City's best interest for any signage to not be posted on City property; and

WHEREAS, pursuant to Federal and Ohio law, a municipality may enact ordinances prohibiting the posting of signage on City property and permitting recovery of the cost of removal of such signage because it is within a municipality's police powers to do so and it is within the municipality's constitutional power to attempt to improve its appearance and esthetics; and

WHEREAS, City Council has determined that this Ordinance is necessary to advance significant and legitimate state interests, including, but not limited to, protecting the health, safety, and well-being of City residents and, further, that alternative channels of communicating messages are available in the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Lebanon, a majority of members elected thereto concurring:

Section 1. No person shall post any type of signage on City property.

Section 2. For purposes of this Ordinance, "City property" shall mean property owned by the City, including, but not limited to, all property titled to the City or Village of South Lebanon and any and all adjoining right-of-way to said properties. Other than the previous exception, "City property" shall not include right-of-way areas within City limits.

Section 3. Public employees shall be permitted to remove signage posted on City property in violation of this Ordinance; however, a representative of the City shall place any such signage in storage, inform the owner (if determinable) of such removal as soon as possible so the owner may retrieve his or her property, and make the signage available for the person to retrieve. The City shall have the right to recover any costs associated with such removal and storage in any fashion permitted by law.

Section 4. The City shall not be responsible in any way for the activities of any person who chooses to enter City property and post signage on City property, nor shall the City be responsible for damage, destruction, permanent removal, or any other similar action related to the signage.

Section 5. The recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 6. It is found and determined that all formal actions of City Council concerning and relating to passing this Ordinance were adopted in an open meeting of City Council in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

Section 7. This Ordinance shall go into effect and be in force after the earliest period allowed by law.

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Adopted on October 19, 2023.

Attest: 
Petrina Williams, Director of Finance/Clerk


James D. Smith, Mayor

Rules Suspended: / /2023 (if applicable)

Effective Date – / /2023

Vote - ____ Yeas

____ Nays

First Reading – 10 / 5 /2023

Effective Date – 11 / 19 /2023

Second Reading – 10 / 19 /2023

Vote - 4 Yeas

2 Nays

Prepared by and approved as to form:

ANDREW P. MEIER
LAW DIRECTOR
CITY OF SOUTH LEBANON, OHIO

By: 

Date: 10 / 19 / 2023