

CITY OF ST. MARYS
Application for special permit to
OCCUPY CITY RIGHT-OF-WAY

Date: _____ Owner's Name: _____

Permit No.: _____ Address: _____

Fee: **\$30.00** _____

Location of proposed work, if different from above:

Address: _____ or Lot No.: _____

Subdivision: _____ Zone Designation: _____

Basement? Yes No No. of Stores: _____ Est. Cost \$ _____

Type of work to be done: _____

Provide sketch showing right-of-way to be occupied. Include dimensions, name of street, etc.
Attach drawing if necessary.

Signed: _____
(Applicant)

Address (if different from above) _____

ORDINANCE NO. 76-13 (Passed 4/12/76)
AMENDED BY ORDINANCE NO. 99-59 (Passed 10/25/99)

AN ORDINANCE AUTHORIZING THE DIRECTOR
OF PUBLIC SERVICE AND SAFETY TO ISSUE SPECIAL
PERMITS TO TENANTS AND PROPERTY OWNERS TO OCCUPY
CITY RIGHT-OF-WAY IN CERTAIN INSTANCES UPON PAYING A FEE

NOW, THEREFORE, BE IT ORDINANCED BY THE COUNCIL OF THE CITY OF
ST. MARYS, OHIO:

SECTION 1. That the Director of Public Service and Safety is hereby authorized, after taking into consideration the necessity for the issuance of such a permit to tenants and/or property owners abutting upon a City right-of-way and who are desirous of using said right-of-way; the Director of Public Service and Safety must take into consideration the purpose of the use on said right-of-way, whether the same be a sign, canopy or such other object that may be over or upon said right-of-way; said permit shall be cancelable by the City of St. Marys upon sixty days notice by the Director of Public Service and Safety or his agent.

SECTION 2. Before the Director of Public Service and Safety issues a special privilege permit, he shall publish in a local newspaper a notice of an application for such permit stating the time and place for a hearing to consider the effect of the permit. Said notice shall be given fifteen (15) days before the hearing and sent to each abutting property owner.

SECTION 3. No permit granted under this ordinance shall exempt the permittee from the provisions of Zoning Ordinance No. 1901 and revisions thereto except as it relates to yard requirements.

SECTION 4. A one time fee shall be paid upon the application for a special privilege permit. The fee to be paid shall be based upon the cost of advertising and granting the permit but shall not be less than \$30.00.

SECTION 5. The Director of Public Service and Safety or his agent shall periodically inspect the sign, canopy, or other object that has been placed upon the right-of-way to determine whether the same is safe; in the event it is determined by the Director of Public Service and Safety that the sign, canopy, or such other object is of an unsafe nature, it shall be incumbent upon the tenants and/or the property owners to forthwith remove and/or repair to the satisfaction of the Director of Public Service and Safety. Failure to make such repairs shall be cause for the Director to cancel the special privilege permit. When any permit is cancelled the sign, canopy or other object shall immediately be removed.

SECTION 6. An existing sign, canopy, or other object which now occupies City right-of-way shall be subject to this ordinance except that they shall be deemed to have a permit with no fee being charged. Any tenant and/or property owner shall obtain a special privilege permit to change, replace, or alter any existing sign, canopy, or other object which now occupies City right-of-way.

SECTION 7. This ordinance shall be in force and take effect at the earliest possible date provided by law.