

ARTICLE I. IN GENERAL

1.

Sec. 21-1. Statement of purpose.

The purpose of this chapter is to permit such signs as will not, by reason of their size, location, construction or manner of display endanger life and limb, confuse or mislead traffic, obstruct vision necessary for traffic safety or otherwise endanger the public morals, health or safety; and further, to regulate such permitted signs in such a way as to create land use patterns compatible with other major land use objectives and to prevent such signs from causing annoyance or disturbance to the residents of the city.

(Code 1962, § 6-501; Ord. No. 234, § 1, 10-7-74)

Sec. 21-2. Definitions.

As used in this article the following terms shall have the meaning ascribed to them unless the context otherwise requires.

Ground pole or freestanding sign: A display sign supported by uprights or braces permanently implanted in the ground or permanently attached to the ground surface.

Marquee sign: An identification sign attached to a marquee, canopy or awning projecting from and supported by the building.

Portable sign: Any sign not otherwise described in this section.

Projecting sign: A display sign which is affixed to any building or parts thereof that project or overhang the building line or property line more than twelve (12) inches.

Roof sign: Any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

Wall or flat sign: A sign which is attached directly to or painted upon a building wall or dropped roof and which does not extend more than twelve (12) inches therefrom nor more than three (3) feet above the roof line, with the exposed face of the sign in a plane parallel to the building wall.

(Code 1962, § 6-502; Ord. No. 234, § 1, 10-7-74; Ord. No. 335, § 1, 5-16-83)

Sec. 21-3. Enlargement or relocation.

No sign shall be enlarged or relocated except in conformity with the provisions of this chapter.

(Code 1962, § 6-512; Ord. No. 234, § 1, 10-7-74)

Sec. 21-4. Portable signs.

Except as provided in Sections 21-8 through 21-10, no portable sign shall be permitted in any part of the city.

(Code 1962, § 6-502(10); Ord. No. 234, § 1, 10-7-74; Ord. No. 335, § 2, 5-16-83)

Sec. 21-5. Schedule of regulations; type of sign function and structure permitted by district.

TABLE INSET:

District	Permitted Sign Structure Type
R1	See Section 21-10
R2 a	1, 2
C1	1, 2, 3, 4, 5
RS1	1 b , 2 c
O1	1, 2, 3, 4
RO1	2, 3, 4
M1	1, 2, 3, 4

Key: Sign Structure Type:

1. Ground pole or free-standing sign
2. Wall or flat sign
3. Projecting sign
4. Marquee sign
5. Roof sign

a Single family and two-family dwellings, however, shall be subject to the sign regulations of the R1 District.

b One non-rotating ground pole sign shall be permitted per street frontage of peripheral character.

c One wall or flat sign shall be permitted per exit or entrance for each commercial establishment in the RS1 District.

(Code 1962, § 6-503; Ord. No. 234, § 1, 10-7-74)

Sec. 21-6. Area, height and placement regulations.

TABLE INSET:

Type of Sign Structure	Area	Height	Placement
Ground-pole or free-standing	Maximum area 200 sq. ft.	Maximum of 1 ft. of height for each 3 ft. of setback, but height shall not exceed maximum permitted by zoning ordinance or 22 ft.	Zoning ordinance minimum required setback line or not less than 25 ft. front e
Wall or flat	2 sq. ft. total signing per length or width of ground floor business. Maximum 100 sq. ft.	The average height of the letters or components shall not exceed 36 inches	Length of sign shall not exceed 1/2 of the length of the wall upon which the sign is placed, up to a maximum of 30 ft. Extension from face of building shall not exceed 12 inches
Projecting	Maximum area shall not exceed 35 sq. ft. for a building with front elevation or face of 25 ft. Maximum area shall not exceed 50 sq. ft. for a building with a front elevation or face of 40 ft. or more	Maximum of 25 ft., however, not to exceed 3 ft. above roof line	Same as ground-pole sign. No projecting sign shall overhang any public right-of-way
Marquee	35 sq. ft.	Height shall not exceed top of face or valance of the marquee, awning or canopy on which the sign is located	Shall be attached to and contain within the perimeter of the face or valance of a marquee, awning or canopy. Shall not exceed an 8 ft. extension from the face of the building wall, nor be closer than 3 ft. to the curbline

<p>1.5 sq. ft. per lineal foot of Roof ground floor business frontage. Maximum of 200 sq. ft.</p>	<p>Maximum height of sign shall not exceed 10 ft. nor extend more than 5 feet above roof line</p>	<p>Upon or over roof of building</p>
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d Area requirements are per sign face.

e For gasoline service stations located on a major thoroughfare, ground-pole signs having a maximum area of 64 sq. ft. per sign face may have a 5 ft. setback. For each additional 1 sq. ft. of area, the setback shall be increased by 1 ft. The face of said sign shall not be less than 12 ft. nor more than 22 ft. in height a measured from ground to bottom or top respectively. In no case shall any portion of the sign overhang any public right-of-way nor shall any ground-pole sign be of an oscillating or rotating character.

(Code 1962, § 6-504; Ord. No. 234, § 1, 10-7-74; Ord. No. 93-5, § 1, 2-2-93; Ord. No. 95-5, § 3, 5-1-95)

Sec. 21-7. Combination of signs.

The following combination of signs shall be permitted per establishment:

(1) Two (2) signs elected from the following categories but no two (2) signs may be selected from the same category as otherwise provided: Wall or flat sign, ground or free-standing sign, projecting signs, marquee sign, and/or roof sign; plus one side wall sign not to exceed the size of the permitted front sign.

(2) A wall or flat sign may consist of several individual parts but shall not exceed the vertical or horizontal widths as specified in Section 21-6.

(Code 1962, § 6-505; Ord. No. 234, § 1, 10-7-74)

Sec. 21-8. Temporary signs--Generally.

Unilluminated temporary sign may be erected in accordance with the use, area, height and placement regulations of Section 21-6 for a period of thirty (30) days or less. That time may be extended by applying for a permit and paying the permit fee established by resolution of the city council. A permit shall provide the maximum length of time such sign may be used, and the sign shall be immediately removed upon expiration of the permit. Where there is more than one street or vehicle entrance to any premises, one temporary sign may be permitted for each such established entranceway.

(Code 1962, § 6-506; Ord. No. 234, § 1, 10-7-74; Ord. No. 335, § 3, 5-16-83; Ord. No. 87-10, § 1, 7-20-87)

Sec. 21-9. Same--Use, area, height and placement regulations.

(a) One sign pertaining to the sale, lease or use of a lot or building but not exceeding six (6) square feet in area may be placed on such a lot or building but not elsewhere. Any such signs shall be removed within seven (7) days after an agreement with respect to sale, lease or use of the lot or building has been entered into. No sign indicating that the property has been sold shall remain longer than seven (7) days. No permit shall be required.

Any sign for the sale of residential real estate that makes a monetary reference to the monthly purchase cost for the property must include all estimated monthly costs including:

(1) Principle and interest on the mortgage.

(2) Property taxes.

(3) Homeowner's insurance.

(4) Utilities (Water, gas and electric).

(5) Property maintenance.

(b) A temporary construction sign which identifies the name of the project developers, contractors, engineers and architects on a site being developed shall be permitted in all districts. Such signs shall be free-standing and shall have a maximum area of thirty-two (32) square feet. The height of such a sign shall not exceed ten (10) feet and such a sign shall have a setback of at least twenty-five (25) feet. A permit for such a sign shall not be issued prior to the issuance of a building permit and shall be valid until the issuance of a certificate of occupancy for the project.

(c) Political signs may be permitted for a period of not more than five (5) days after an election. No permit shall be required. Political signs shall be allowed in all districts. The maximum size of such signs shall not exceed six (6) square feet.

(d) Garage and rummage sale signs shall be permitted as provided in Article IX of Chapter 12 of this Code.

(e) Signs advertising home improvements or repairs contracted for at the address where the sign is located shall be permitted when construction activity starts and may remain for no longer than the next fourteen (14) calendar days for any one project. One such sign is permitted at each address. The maximum size of any such sign is six (6) square feet. No permit is required.

(Code 1962, § 6-507; Ord. No. 234, § 1, 10-7-74; Ord. No. 87-10, § 2, 7-20-87; Ord. No. 92-7, § 1, 4-15-92; Ord. No. 92-8, § 1, 4-15-92; Ord. No. 95-5, § 1, 5-1-95)

Sec. 21-10. Signs permitted in all districts.

The following types of signs shall be permitted in all districts, unless noted otherwise, where the principal use to which they are related is permitted. Permits shall not be required for signs enumerated in subsections (1) through (9):

(1) House numbers and nameplates (fraternity, sorority, apartments and professional) identifying

the occupant or address of a parcel of land and not exceeding one square foot in area.

(2) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.

(3) Signs painted on or permanently attached to motor vehicles which are legally licensed and primarily used upon the highways for the transporting of persons, goods or equipment; provided, however, that no such vehicle displaying a sign for the purpose of advertising any product or service of any business may be parked within the required setback of that business.

(4) Traffic or other municipal signs, such as legal notices, danger and other emergency signs.

(5) Gasoline service stations may display the following special signs which are deemed customary and necessary to their business:

a. Custom lettering or other insignia on a gasoline pump consisting of the brand of gasoline sold, lead warning sign, and any other sign required by law and not exceeding a total of three (3) square feet on each pump.

b. A single nonilluminated double-faced sign, each face of which shall not exceed nine (9) square feet in area, may be used for each side of the street frontage but said sign shall not be placed in any public right-of-way.

(6) Vending machines and vending structures shall be permitted two (2) signs. The total area of said signs shall not exceed ten (10) per cent of the wall surface area of the side of the structures on which such signs are located, or in any case a maximum area of ten (10) square feet for all of such signs. All portions of such signs shall be located within the face of the structure.

(7) Signs not exceeding two (2) square feet which contain only noncommercial messages including designation of restrooms, telephone location and direction of door openings.

(8) Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices published in accord with Section 608 of Public Act 300 of 1949, as amended.

(9) Temporary and permanent window signs shall be permitted in commercial or office districts provided that the total combined area of such signs does not exceed twenty-five (25) percent of the total window area.

Lettering painted on the glass shall be considered "signage" for the purpose of this subsection. The area of painted-on signs shall be calculated by drawing the smallest rectangle that will completely enclose all words and symbols in reasonable proximity to one another, allowing a one inch border. Where there are large blank spaces, more than one rectangle shall be used. In cases of dispute, the judgment of the building inspector shall control.

Temporary or permanent window signs that are faded, yellowish, ripped or otherwise damaged shall be removed immediately.

All window signs shall be at least equal in quality and appearance to commercially prepared

signs. Hand-lettered or hand-painted signs are prohibited unless of commercial quality.

(10) Institutional bulletin boards, subject to the area, height and placement regulations for wall or flat signs.

(Code 1962, § 6-508; Ord. No. 234, § 1, 10-7-74; Ord. No. 93-11, § 1, 3-15-93)

Sec. 21-11. Signs not permitted in any district.

The following signs shall not be permitted, erected or maintained in any district:

(1) Signs which utilize in any manner any flashing or moving lights.

(2) String lights or banners, pennants, spinners and streamers used in connection with commercial premises for commercial purposes, other than for holiday decorations.

(3) Any sign or sign structure which:

(a) Is structurally unsafe, or

(b) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or

(c) Is not kept in good repair, or

(d) Is capable of causing electrical shocks to persons who come in contact with it.

(4) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required entrance or exit way.

(5) Signs which make use of words such as "Stop," "Look," "Danger" or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.

(6) Any sign or other advertising structure containing any obscene, indecent or immoral matter.

(7) Any sign unlawfully installed, erected or maintained.

(8) Any sign which no longer advertises a bona fide business conducted, or product sold.

(Code 1962, § 6-509; Ord. No. 234, § 1, 10-7-74)

Sec. 21-12. Illumination.

No sign shall be illuminated except in accordance with the following restrictions:

(1) No sign shall contain any moving, flashing or animated lights except such portions of a sign as consist solely of indicators of time and temperature.

(2) External lighting shall consist of not more than two (2) colors, including white. No external

red or green lights shall be used if, in the exercise of reasonable judgment by the chief of police, such colors would create a driving hazard. All interior lighting shall be white or yellow.

(3) Exposed gaseous tube-type signs shall not exceed ten (10) square feet in area. Signs illuminated by reflected or silhouette type lighting are not subject to this limitation.

(4) No illumination shall be permitted which cast glare upon any portion of any residential premises.

The provisions of this section shall apply not only to exterior signs, but also to interior signs which are designed or placed to show through windows or doors of buildings.

(Code 1962, § 6-510; Ord. No. 234, § 1, 10-7-74)

Sec. 21-13. Enforcement.

(a) Any sign which:

(1) Shall have been abandoned; (or)

(2) Reserved.

(3) Shall not have been repaired or properly maintained;

are hereby declared unlawful and shall be removed by the owner within sixty (60) days after notice of violation has been given by the building inspector.

(b) Signs which violate Sections 21-8 or paragraphs (a), (c) or (d) of Section 21-9 may be summarily impounded by the building inspector. The building inspector shall notify the owner, by ordinary mail or telephone, that the sign has been impounded. The owner may reclaim the sign, in person, by paying an impoundment fee in an amount set by resolution of the city council. Any sign not claimed within one week of the notice may be destroyed.

(c) The building inspector may give written notice to the owner or occupant of any premises where a sign that does not comply with the requirements of this article is located. The notice shall state the action required for compliance and shall set a reasonable time limit. If the requirements of the notice are not complied with, the building inspector may have the offending sign removed as a public nuisance. The expenses of removal shall become a lien upon the property and shall be collected as provided in Section 12.9 of the City Charter.

(d) Violation of any of the provisions of this article may be punished as a misdemeanor.

(e) The remedies provided in this section shall be cumulative. Use of one of the above subsections shall not prevent the city from enforcing this article under any of the other subsections, either simultaneously or consecutively.

(f) "Building inspector" shall include any employee of the city designated by the city manager or building inspector to perform any function under this section.

(Code 1962, § 6-516; Ord. No. 234, § 1, 10-7-74; Ord. No. 87-10, § 3, 7-20-87; Ord. No. 95-5, § 2, 5-1-95)

Sec. 21-14. Nonconforming signs.

Any nonconforming sign shall not be enlarged, reworded, redesigned or altered in any way unless it is brought into conformity with this chapter. Any such sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement value of the sign at the time of the destruction or damage shall not be repaired or rebuilt or altered unless in conformity with this chapter.

(Code 1962, § 6-516; Ord. No. 234, § 1, 10-7-74)

Sec. 21-15. Appeals and special permits.

(a) The board of zoning appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the building inspector under the provisions of this chapter. For purposes of appeals taken under the provisions of this chapter, the board of zoning appeals shall be known as the board of appeals. The provisions of Ordinance No. 165 as amended relating to the compensation of the board of zoning appeals, the term of its members, their removal and compensation, the officers, of the board and its meetings shall apply as well to the board of appeals established herein except as otherwise provided herein. An appeal may be taken by any party aggrieved. Such appeal shall be taken within such time as shall be prescribed by the board of appeals by general rule, by the filing in writing with the building inspector and with the board of appeals of a written notice of appeal which specifies the grounds therefor, and by the payment at that time of a fee of twenty dollars (\$20.00) to the city treasurer.

(b) The building inspector shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the building inspector certifies to the board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed except in the instance of a restraining order granted by a court of competent jurisdiction.

(c) The board shall fix a reasonable time for the hearing and give notice thereof to the parties by publication and by mailing and shall decide the matter within a reasonable time. Four (4) members of the board shall constitute a quorum for the conduct of its business. Upon the hearing, any party may appear in person, by agent or by attorney. By a concurring vote of three (3) members, the board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, subject to the conditions expressed hereinafter, and to that end shall possess all the powers of the building inspector from whose action the appeal is taken. The decision of the board shall be final after five (5) days insofar as it involves an exercise of discretion or the finding of facts.

(d) The board may grant a special permit for a sign which does not comply with the provisions of this chapter if it determines that:

(1) The particular sign will be in harmony with the general purpose and intent of this chapter;

(2) The sign will not be injurious to the immediate neighborhood or adjacent land use;

(3) The sign is sufficiently compatible with the architectural and design character of the immediate neighborhood;

(4) The sign will not be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.

In granting such special permit, the board shall specify the size, type and location of the sign and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.

(Code 1962, § 6-517; Ord. No. 234, § 1, 10-7-74)

Secs. 21-16--21-27. Reserved