



Memorandum on Sign Ordinance Updates

TO: Grosse Pointe Woods Committee of the Whole; City Administration
FROM: Brigitte Smith Wolf, AICP
SUBJECT: Summary of Amendments to the Sign Ordinance
DATE: December 21, 2023

This memorandum is to provide a summary of all the changes made to the Sign Ordinance from the previous couple of months and to review restriction in lighting of signs. Overall, Chapter 32 of the Ordinance has been modernized and updates to comply with legal standing – that signs are not regulated based on content (invalid content regulation not permitted by the court of law). Additional revisions include:

1. **Section 32-1 Update Purpose Statement:** Update the purpose statement to include avoiding fraudulent, misleading messaging; promote vehicle and pedestrian safety by reducing sign distractions.
2. **Sec. 32-3 Update/Revise Definitions**
 - a) Replace the term Gasoline Price Sign with Fluid Price Sign
 - b) Add definitions of traffic direction sign and utility warning sign
 - c) Update the definition of Mansard Façade to avoid confusion as to what constitutes a mansard
 - d) Remove the regulation (and definition) of political signs as this violates the limitations on municipalities ability to regulate based on content.
3. **Sec. 32-4 Permit Requirements Revised**
 - a) Signs exempt from permit includes those less than 6 sq ft in area; Directory Signs; Traffic Direction Signs; Utility Warning Signs; Window Signs;
 - b) Signs no longer listed as exempt because it was based on content (political sign, garage sale, estate sale, real estate signage).
4. **Sec. 32-7 Illuminated signs:** Update wattage of 150 incandescent lighting to also include 24 watts for LED Lighting. Add that lighting must be shielded downward.
5. **Sec. 32-9 Logos Counted Toward Cumulative Signage Area Allowed:** Allow logos and count the size as part of the cumulative maximum area allowed for signage.
6. **Sec. 32-10(1) Signs Exempt from Quantity Restrictions Updated:** Reduce and revise signs exempt, such as signs of religious institutions, schools, libraries, etc; Continue to exempt informational and safety related signage from quantity restrictions.
7. **Sec. 32-10(2) Prohibited Signs:** Add language prohibited by Federal Communications Commission and public nudity.
8. **Sec. 32-11 Add Specifications to Prevent Ground Signs from Obstructing views:** They cannot block drivers' clear vision triangles.
9. **Sec. 32-11 Temporary Signs Generally:** Clarify time restriction for commercial and residential temporary signs. State for residential temp signs it is 30 days twice per year starting from the date that complaint has been received and confirmed by the building department for residential temporary signs. Add size restriction for residential temporary signs to be 6 square feet in area.
10. **Sec. 32-11** Remove language on wall signs; addressed in Section 32-13
11. **Sec. 32-13 Wall Sign Clarification:** Clarify murals as a form of painted wall sign not currently allowed (Murals to be addressed separately by future Mural Ordinance)



12. **Sec. 32-20 on Real Estate Signs Removed:** Remove language on real estate sign as this regulates signs based on content, which is not permitted by the court of law.
13. **Sec. 32-22 on Political Signs Removed:** Remove language on political signs as this regulates signs based on content, which is not permitted by the court of law.
14. **Sec. 32-24 Portable Signs Approval Process Updated Change:** Approval process for portable signs from Planning Commission to the Building Official
15. **Sec. 32-28 Removed section on temporary garage, yard, estate sale signs**
16. **Sec. 32-29 Design Standards Updated:** Remove design and lettering stipulations dependent on being of the American Colonial Architectural Area
17. **Sec. 32-29 Design of Lettering:** Remove requirements of lettering, no longer regulated by a list of pre-approved and prohibited lettering styles that is approved by the planning commission. Added clarification that registered logo/trademark is exempt from font & color restrictions.
18. **Sec. 32-30 Modify Flag and Flagpole Regulations to Location and Quantity rather than by Content:** Remove flag content restrictions in commercial districts and instead regulate by where flags can be placed and regulate the number of flagpoles based on store frontage and the size of flags.
19. **Sec. 32-31 Awning Modification:** Remove striped awnings/canopies restrictions.
20. **Sec. 32-32 Revise Appeal Process for Denied Permit:** If sign permit denied by the Building Official, Planning Commission may provide recommendation to Council within 45 days and Council must review within 60 days. Sign content may not be considered.
21. **Sec. 32-35 Minor Revision to Blade Sign Purpose Statement**

Chapter 32 - SIGNS

Sec. 32-1. - Purpose and Objectives.

The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of signage in the city to facilitate communication between people and their environment and to avoid the visual clutter that is potentially harmful to community appearance, traffic and pedestrian safety, property values and business opportunities. To achieve this purpose, this chapter has the following objectives:

- (1) Protect the aesthetic quality of the city.
- (2) Protect the general public from damage and injury caused by the distractions, hazards and obstructions caused by excessive signage.
- (3) Protect the general public from damage and injury caused by the distractions, hazards and obstructions caused by excessive signage.
- (4) Preserve the value of property by ensuring the compatibility of signage with surrounding land uses.
- (5) Keep signs within a reasonable scale with respect to the buildings to which they relate.
- (6) Prevent off-premises signs from conflicting with surrounding land uses.
- (7) Prevent the placement of signs in a manner, which will conceal or obscure other signs or adjacent businesses.
- (8) Keep the number of signs and sign messages at the level reasonably necessary to identify a property use.
- (9) Prevent hazards due to collapse, fire, collision, decay or abandonment of signage.
- (10) Provide signage that will harmonize with the building upon which it is placed and the adjoining properties.
- (11) Avoiding fraudulent and misleading messaging.
- (12) Safely directing persons and property to allow for safe ingress and egress and delivery of emergency services.
- (13) Reducing time required to read and understand a sign to reduce the distraction of pedestrians and motorists.

Sec. 32-2. – Scope of chapter.

- (1) It shall be unlawful for any person to erect, construct or alter any sign in the city without complying with the provisions of this chapter.
- (2) Any sign already established on the effective date of the ordinance from which this chapter is derived, and which is rendered nonconforming by the provisions in this chapter, and any sign which is rendered nonconforming as a result of subsequent amendments to this chapter, shall be subject to the regulations concerning nonconforming structures and uses set forth in this chapter.

Sec. 32-3. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign which, by reason of neglect, damage or deterioration, requires repair and the owner thereof fails, neglects or refuses to initiate refurbishment or repair to the sign within ten days after having received written notice so to do from the city or fails to complete such repair or refurbishment within 60 days from the receipt of such notice from the city.

Animated sign means a sign depicting the actual or apparent movement of any portion of a sign, and shall include replicas or statues of persons, animals and cartoon style characters, whether such statues contain or appear to contain moving parts or not.

Application means the paperwork necessary for the processing of the applicant's request, including all requested information, photographs, drawings or renderings as detailed on the application form requested by the city and as amended by the city from time to time.

Area means the entire area within a rectangle, circle, triangle or parallelogram enclosing the extreme limits of writing or pictorial representation, emblem or any figure of similar character together with any frame or other material or other color forming an integral part of the display or used to differentiate it from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces or graphics, the area of all faces or graphics shall be included in determining the area of the sign.

Awning means a structure made of cloth, metal or other material affixed to a building in

such a manner that the structure may be raised or retracted to a position against the building or retracted so as to be within a container or device for storage.

Back-to-back means any sign containing two or more surfaces containing words, numbers, figures, devices, designs or trademarks visible to the general public and designed to inform or attract the attention of persons, which signs are constructed or installed with the back of each sign facing the back of the second sign so that such messages as contained on the sign face are visible to persons viewing such signs from two or more directions.

Balloon means any device capable of being inflated with air, helium or other gas and mounted, tied or tethered in such a manner as to hold such balloon from being carried away by the wind.

Banner sign means any sign produced on cloth, paper, fabric or any other combustible material, either with or without a supporting framework.

Billboard means any display sign that contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Blade sign means a sign supported by a mounting attached directly to a building that is perpendicular to a building wall.

Building line means the term as defined in chapter 50.

Building official means the person designated as the director of the division of safety inspection for the city.

Canopy means a structure or frame covered with canvas, cloth or other soft material usually extending from the wall of a building and designed to provide shelter from sunlight and the elements.

Changeable copy sign means any sign designed or constructed so that the lettering or message contained thereon is capable of being changed by rearranging or installing new letters or messages without removing and replacing or resurfacing the face of such sign.

Closed-face sign means a sign having a projected area exposed to wind loads consisting of 70 percent or more of the gross area as determined by the overall dimensions.

Combination sign means any sign that combines the characteristics of two or more signs.

Curbline means the line at the face of the curb nearest the street or roadway. In the absence of a curb, the curbline shall be established by the city engineer.

Dilapidated sign means any sign, which, by reason of damage, exposure to the elements or other causes, has deteriorated so that the intended message is no longer clearly discernible from a public or private street abutting property where the sign is located.

Directory sign means any sign not exceeding eight square feet listing the name and address of the occupant, the address of the premises, and/or locations of various uses within a building or multitenant building that are not for the purpose of bringing same to the attention of vehicular traffic. Directory signs cannot exceed eight square feet.

Display surface means the area made available by the sign structure for the purpose of displaying an advertising message.

Double-faced sign means any sign containing two or more surfaces containing display areas.

Electrical sign means any sign which has characters, letters, figures, designs, faces, logos, backgrounds or outlines illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper, such light sources being either external or internal.

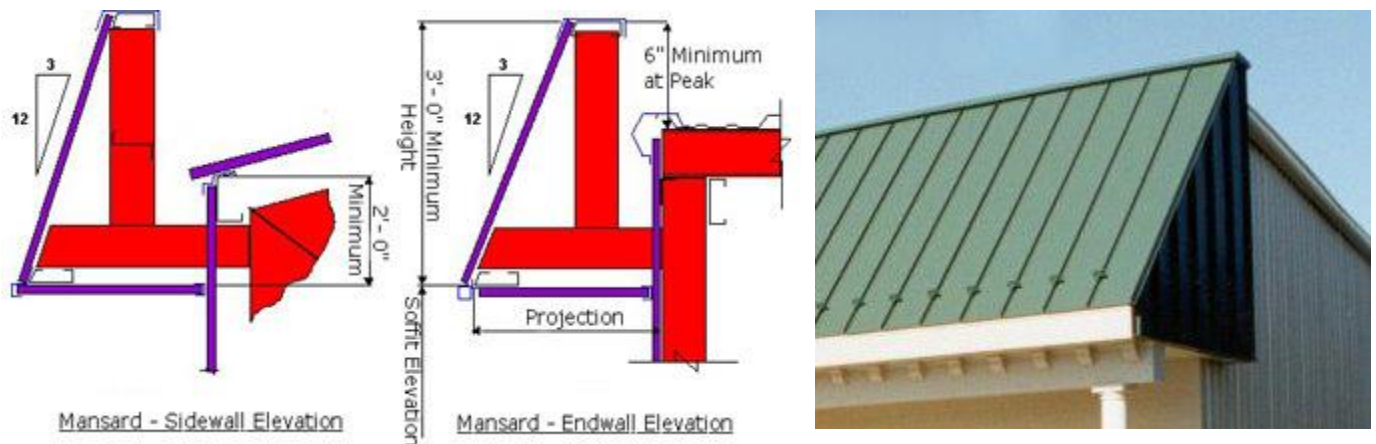
Existing sign means any sign that is displayed on and before the effective date of the ordinance from which this chapter is derived.

Festoon sign means a sign consisting of a wreath or garland of flowers, leaves, paper or other materials hanging in a loop or curve.

Fluid price sign means any sign that is used to advertise the dispensing of fluid at that location. A fluid price sign shall not exceed 20 square feet for any single location. Where fluid is dispensed from locations within 25 feet of each other, signage shall not exceed 20 square feet collectively for all such dispensing locations on the premises.

Ground sign means a sign supported by one or more poles, columns, uprights or braces or a solid base in or upon the ground, which are not part of a building.

Mansard facade means decorative trim or panel projecting from the top of the wall; the triangular portion at the top of a building as shown in the diagram below.
Example Diagram (left) and Image (right):



Marquee sign means a sign that is attached to a marquee.

Message units means a word, an abbreviation, a number containing up to ten digits, a symbol, a geometric shape or a person's or firm's initials containing up to 11 letters. Punctuation marks are not counted in computing the number of message units.

Michigan Building Code means the Michigan Building Code as published by the state as adopted and amended from time to time.

Moving message board means an electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

Multi-tenant building means a building with multiple tenants or uses, which share a common entrance.

Noncombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit during an exposure of five minutes and which will not continue to burn or glow at such temperature.

Nonconforming sign means any sign existing on and after the effective date of the ordinance from which this chapter is derived, which sign does not comply with one or more of the requirements for signs as contained in this chapter.

Open-face sign means a sign having a projected area exposed to wind loads consisting of less than 70 percent of the gross area of the sign as determined by the overall dimensions.

Parapet and **parapet wall** mean the part of any wall entirely above the roof.

Parapet panel sign means a closed-face sign mounted upon the parapet wall of a

building.

Parapet skeleton sign means an open-face sign composed of individual letters, which are mounted upon the parapet wall of a building.

Plastic materials means those materials made wholly or principally from standardized plastics.

Pole sign means any sign placed on a pole (whether round, square or rectangular); which pole is placed into the ground.

Portable sign means any sign or display board, searchlights, lighting panel or similar device mounted upon a trailer or upon its own frame and wheels and not being a ground sign as defined in this chapter. Portable signs include any so-called "sandwich boards" or signs placed on easels.

Projecting encroaching sign means a projecting sign that projects beyond a private property line into and over public property.

Projecting sign means a sign, other than a wall sign, suspended from or supported by a building or structure, or masonry or wooden posts or steel columns, and projecting therefrom.

Pylon sign means any sign placed on a stake or mast-like pole.

Roof sign means a sign erected over or on the roof of any building and wholly or partially dependent upon the roof of the building for support, or attached to the roof in any way.

Rotating sign means any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

Sign means any device or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others that is located on or attached to any premises, real property or structure on real property, or upon any vehicle.

Sign structure means a supporting structure erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied; provided, however, this definition shall not include a building, fence, wall or earthen berm.

Temporary sign means a sign, banner or other advertising device constructed of cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display including decorative displays for holidays or public demonstrations.

Traffic direction sign means a sign advising of a route for pedestrian or vehicular travel to reach a destination upon the property where the sign is situated such as a sign advising of entrances, exits and parking locations.

Trailer sign means a sign with a display surface supported on a mobile chassis, other than a motor vehicle.

Utility warning sign means a sign advising of the location of a public or private utility, by way of illustration: gas, sewer, water, telecommunication lines, and other similar lines.

Valance means a loose nonstructural edging located around the bottom of an awning not exceeding 12 inches in height. This provision shall only apply to valances to which sign copy is applied.

Wall sign means a sign which is attached to, affixed to, placed upon or painted upon any exterior wall or surface of any building, building structure or part thereof, provided that no part of any such sign extends more than eight inches from the face of the exterior wall.

Window area means that portion of a transparent material (glass or other see-through material) on each elevation of a building. Window area includes doors of glass or see-through doors.

Window signage means any sign or message, including lighted signs, plastic, paper, cardboard or cloth signs or signs of similar material placed or installed on any window surface. Advertising messages visible through a window display the objective of which is to communicate with pedestrian or vehicular traffic will be considered a window sign for purposes of this chapter. The term "window signage" includes, but is not limited to, hours of operation, directory signs, community signs and temporary signs.

Yard sale sign, basement sale sign, garage sale sign and rummage sale sign mean posters, signs and notices advertising a sale of personal property by private individuals conducted at residential premises.

Sec. 32-4. - Administration and enforcement.

- (1) **Enforcement authority.** Subject to applicable provisions of law and consistent with

the delegation of power found in the Charter and applicable ordinances, the building official or the building official's duly authorized representative is hereby authorized and directed to enforce this chapter.

(2) **Right of entry.** Upon presentation of proper credentials, the building official or the building official's duly authorized representative may at reasonable times enter any building, structure or premises in the city to perform any duty imposed upon such person by this chapter

(3) **Interpretation.** Subject to applicable provisions of law and consistent with the delegation of power found in the Charter and applicable ordinances, the building official and the planning commission, to the extent a matter is brought before the planning commission pursuant to this chapter, is hereby authorized to interpret the provisions of this chapter.

(4) **Establishment of permit fees.** Fees for permits required by this chapter shall be established by resolution of council.

(5) **Permit generally; alteration or relocation of signs.**

(a) **Permit required; issuance.** No person shall erect, construct, alter, relocate or refurbish, or cause or permit to be erected, constructed, altered, relocated or refurbished, any sign in the city without first obtaining a permit from the division of safety inspection. A separate permit shall be required for each sign. Electrical signs shall also require an electrical permit. If an application for a sign permit indicates that the proposed sign conforms in all respects to the provisions of this Code, a permit shall be issued by the building official. The building official must act either to approve or deny an application within 90 days of presentation of a complete application to the building official, unless the building official and the applicant agree in writing to extend this time period.

(b) **Enlargement, alteration or relocation of signs.** No person shall enlarge or relocate a sign except in conformity with the provisions of this chapter relating to new signs. The changing of movable parts of an approved sign that is designed for such changes, or the repainting with approved colors or reposting of display matter, shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this chapter are not violated.

(c)

(c) **Exceptions to permit requirement.** Signs 6sq ft or less, and with no more than a total of four (4) freestanding and window signs in number on a property, including a contractor's sign while working at the property only, do not require a permit but shall otherwise fully comply with the provisions of this ordinance and other applicable codes of the City, and are further subject to inspection. Additionally, the following signs do not require permits:

1. Directory signs.
2. Traffic direction signs.
3. Utility warning signs.
4. Window signs.
- 5.

(6) **Permit and inspection fees.**

- (a) All fees under this chapter, except as otherwise provided in this chapter, shall be set by resolution of council and paid in advance. Copies of the resolution setting the sign permit fees shall be filed in the office of the city clerk.
- (b) The permit fees for all signs shall be in addition to any fees required for electrical inspections when electric lighting is used.
- (c) If work for which a permit is required by this chapter is commenced or continued before such permit is issued, the permit fees established by resolution for any sign erection so commenced or continued shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work, or from any prescribed penalty.

(7) **Inspection of work covered by permit.** No person conducting or performing work covered by a permit required by this chapter shall fail to notify the building official when such work has been commenced and completed. No person shall conceal any portion of such work until it has been inspected and approved by the director or the director's designated representative. If the work is found to be properly performed and safe, a certificate of inspection shall, if requested, be issued. The

director or the director's designated representative shall have the authority to order any corrections of work the director or the director's representative may find necessary to comply with this chapter.

- (8) ***Suspension or revocation of permit.*** The building official or the building official's designated representative shall give notice, in writing, to the holder of a permit issued under this chapter of the reasons for any proposed suspension or revocation of such permit, which notice shall be served upon such holder at least five days before the time set for the hearing before the planning commission. Upon such hearing, the licensee or permittee may appear in person or together with counsel and contest such suspension or revocation. For good cause shown at such hearing, the commission may suspend or revoke any such permit.
- (9) ***Correction or removal of unsafe or unlawful signs.*** When any sign becomes insecure or in danger of falling, or when any sign is unlawfully installed, erected or maintained in violation of any of the provisions of this chapter, the owners thereof or the person maintaining the sign shall, upon written notice of the building official or the building official's designated representative, forthwith in the case of immediate danger and in any case within not more than ten days, make such sign safe and in conformity with this chapter or remove the sign.
- (10) ***Maintenance and annual inspection.***
- (a) All signs for which a permit is required under this chapter, together with their supports, braces, guys and anchors, shall be kept in good repair in accordance with this chapter and, when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion or on a regular basis or as may be required for safety purposes and to maintain aesthetic values.
- (b) All classes of signs shall be inspected by the building official upon request as to the safety, and if found to be well supported, painted to prevent corrosion and so secured to the building as to safely support the weight of the sign as well as resist wind pressure in accordance with the general structural requirements for new sign installation, a certificate of inspection shall be issued.
- (11) ***Existing signs.*** No sign heretofore approved and erected sign shall be altered or relocated either on the same premises or to other premises. Except as provided in subsection 32-12(b)(6), no sign, or any substantial part thereof, which is blown down or destroyed shall be re-erected, reconstructed, rebuilt or relocated unless the sign is made to comply with all applicable requirements of this chapter.

- (12) **Engineering design and materials.** Signs and sign structures shall be designed and constructed to resist wind forces as specified in the state building code.
- (13) **Approval of design and structural details.** Designs and structural details of all signs shall be submitted to the division of safety inspection before a permit is issued under this chapter. The building official shall determine whether or not any proposed sign installation is compatible with the exterior appearance of the building in accordance with the standards set forth in this chapter.

Sec. 32-5. - Illumination generally.

- (1) **Wiring installation; open spark or flame prohibited.** No sign shall be illuminated by other than electrical devices. Wiring shall be installed in accordance with the requirements of the National Electrical Code and the rules and regulations of the division of safety inspection. In no case shall any open spark or flame be used for display purposes.
- (2) **Electrical inspection.** No electrically operated or illuminated sign shall be erected before the chief electrical inspector's seal or stamp has been affixed to such sign.
- (3) **Location; prohibited lights.** No person shall place, maintain or display a blinking, oscillating or rotating light. Lights that may be mistaken for the distinguishing lights authorized by law for emergency vehicles and safety devices, because of similarities in color and design, shall not be permitted along roadways.
- (4) **Exception.** No transformer in excess of 30 milliamperes (MA) with 120 volt primary service shall be permitted, except as may specifically be approved by the building official.

Sec. 32-6. - Internally illuminated signs.

All internally illuminated signs shall be constructed so as to produce or emit a subdued lighting effect. Backlighted individual letters are permitted. Interior illuminated signs shall be constructed so that the background face of such sign is opaque or nearly opaque so as to allow the illumination of only letters, numbers, or logos on the display surface so that minimal light passes through the background.

Sec. 32-7. - Illuminated signs.

Awnings and canopies shall not be illuminated. The display surface of signs permitted under the provisions of this chapter facing Mack Avenue and Harper Avenue may be illuminated by externally mounted incandescent lights directed to shine upon the display

surface and shielded downward or from shining at other than the display surface. Such lighting shall not exceed 150 watts for incandescent lights or 24 watts for LED lights for every 20 square feet of display surface illuminated. Applications for illuminated signs shall be referred to the building official for approval. Such application shall be accompanied by a drawing or photograph of the building facade showing the area where the proposed sign is intended to be installed and the wording, lettering and appearance of the proposed sign on the building, including the dimensions thereof. The drawings or photographs submitted by the applicant must include photographs of the buildings on either side of the applicant's building.

Sec. 32-8. - Window signage.

Window signage, as defined in section 32-3, shall not exceed 20 percent of the elevation's (frontal view) window area. There shall be no limitation on the number of message units.

Sec. 32-9. - Logos.

Logos, defined as a symbol, picture, or graphic element arranged in a specific way to represent an entity using the property, shall be permitted. The area covered by the logo and additional lettering, if any, shall be considered together when calculating the maximum allowable area for signage.

Sec. 32-10. - Maximum number of message units; prohibited signs.

(1) ***Maximum number of message units.***

- (a) ***Quantity restriction.*** The total of all signs on a property shall not contain in excess of a total of ten message units, except as otherwise provided in this chapter.
- (b) ***Exceptions.*** The following signs shall be exempt from the message unit limitation contained in this section, but shall be subject to the other regulations of this chapter:
 - 1. Fluid dispensing sign.
 - .
 - 3. Property use name sign which identifies the name of the user of the property, if the name exceeds ten message units up to the number of units to complete the full name.

4. Up to 6 square feet of signage may be provided on devices which dispense materials which indicate the materials dispensed from such device; provided such devices are situated within 10 feet of a building. Examples are: vending machines and automated tellers.
5. Safety related and directive signs, such as: designation of restrooms, telephone location, smoking restrictions, exits, traffic control, and parking.
6. Memorial signs on tablets, names of buildings and date of erection, when cut into the masonry surface of a building or when constructed of bronze or other incombustible material affixed to a building.
- ~~7.~~
7. Historical plaques not exceeding two square feet designating a building as a historical structure as permitted and provided by State law.
8. Signs not exceeding 2 square feet per sign face providing information on the use and affiliations with the use. Examples are service club affiliations, such as Chamber of Commerce, and credit card logos.
- 9.
9. Signs authorized by the U.S. Government, the state, or any of its agencies or political subdivisions, as may be approved by the planning commission.
10. Street addresses and telephone numbers, fax machine numbers, e-mail addresses and/or websites.
11. Sandwich board or sign placed on easel, not to exceed 42" in width, and not greater than 65" in height.
12. Blade Signs.

(2) **Prohibited signs.** The following signs are prohibited, notwithstanding anything to the contrary in this chapter:

- (a) Animated signs.
- (b) Banner signs, except as authorized by the planning commission.

- (c) Roof signs.
- (d) Rotating signs.
- (e) Signs with flashing, blinking or moving lights, including moving message boards.
- (f) Signs with exposed incandescent lights.
- (g) Pennants, streamers, spinners or flags of any type used for advertising purposes.
- (h) Balloons, with the exception of 12-inch size balloons, if:
 1. No more than 12 are displayed during business hours for no more than 12 hours for one day only.
 2. The balloons are attached by string/ribbon not exceeding 30 inches in length.
 3. The balloons do not obstruct the sidewalk or public right-of-way.
 4. Any one business is limited to displaying balloons to five times per year for special occasions.
 5. Balloon displays must be approved by the building official.
- (i) Any sign that is structurally unsafe or is capable of causing electrical shock as determined by the building official which determination is subject to appeal.
- (j) Any sign that obstructs a window, door or other opening, used for a fire escape.
- (k) Any sign which makes use of the word "stop," "look" or "danger" or any other words or phrases that would tend to mislead or confuse vehicle operators.
- (l) Any sign containing language which would be prohibited from use by the Federal Communications Commission, or which would be found to be obscene, indecent or profane if broadcast by the Federal Communications Commission. Any display of the human body which would be considered public nudity if such display involved a person pursuant to the City ordinance

prohibiting public nudity.

- (m) Any sign unlawfully installed or erected.
- (n) Any sign which no longer advertises a bona fide business or product.
- (o) Any sign attached to a standpipe, gutter drain or fire escape, or any sign designed or erected so as to impair access to a roof.
- (p)
- (q) Any sign that would project above the parapet line of any roof or the peak of any roof.
- (q) Any sign that would project into any public right-of-way or other accessway.
- (r) Any sign which is attached to a tree, fence or utility pole.
- (s) Festoon signs.
- (t) Portable or temporary signs, unless specifically permitted by this chapter.
- (u) Painted wall signs.
- (v) Any other sign not specifically permitted by this chapter.
- (w) Painted or pasted sidewalk signs.
- (x) Projecting signs over public property except as permitted by section 32-35.
- (y) Parapet panel signs.
- (z) Marquee signs.

Sec. 32-11. - Miscellaneous provisions.

(1) ***Ground signs.***

- (a) ***Maintaining Site Distance and Avoiding Obstruction.*** No ground sign shall be erected so as to obstruct free access to or egress from any building. A site distance triangle shall be maintained so that signage is not placed obstructing the vision of drivers of vehicles entering or exiting drives or driveways with

respect to pedestrian traffic on sidewalks, walkways, and vehicular traffic in roads and streets.

(b) **Setback.**

1. **Location.** Except as otherwise provided in this section, no ground sign shall be located nearer to a street property line than the established building line. No ground sign shall be located within 15 feet of a side or rear yard property line.

2. **Exceptions.**

a. Pylon-type ground signs which contain an area of 32 square feet or less, in which only noncombustible materials or approved plastics are used, and which do not exceed a height of seven feet above the ground, may be located not less than two feet from a street property line. For the purpose of determining the allowable area of such signs, a double-faced sign shall be considered a single-faced sign. When a masonry or concrete foundation or planter which extends above the ground level is used as part of such pylon-type sign, the area of such foundation or planter shall not be considered a part of the area of the sign. However, the height of such foundation or planter shall be included in determining the maximum height of the sign.

b. Pole-type ground signs which are erected so that the bottom thereof is at least ten feet above the ground level, which are constructed of noncombustible materials or approved plastics, and which contain an area of 32 square feet or less, may project to street property lines.

(c) **Height and dimensions; number of signs.** Ground signs may be erected to a height of not more than 20 feet above the ground or to the peak of the roof of the property where the sign is installed, whichever is the least, when in compliance with the restrictions of subsection (2) of this section. No ground sign shall exceed 32 square feet of area or the maximum height and width limitation, whichever is the least. Only one ground sign or freestanding sign shall be permitted per street frontage, except at a shopping center with 200 feet or more of street frontage, in which case two ground or freestanding signs are permitted.

(d) **Maintenance.** Every ground sign and the immediate surrounding premises shall be maintained by the owner of such sign in a clean, sanitary and inoffensive condition and free and clear of all obnoxious substances, rubbish

and weeds.

- (e) **Variations.** The city council may grant variances in the height, area and setback requirements of this subsection in cases where there are unusual practical difficulties or unnecessary hardships because of topographical or other conditions, provided that such variations will not seriously affect any adjoining property, aesthetic quality or the general welfare, health or safety.

(2)

(3) **Temporary sign generally.**

- (a) **Duration of permit.** Permits for commercial temporary signs may be issued by the building department provided such temporary sign meets the requirements of this chapter. Such permits for commercial temporary signs shall authorize the erection of such signs and their maintenance for a period not exceeding 30 days twice per year. Temporary signs in residential districts may not exceed 30 days twice per year, measured starting from the date that complaint has been received and confirmed by the building department.
- (c) **Size.** Commercial temporary signs shall not exceed 32 square feet in area, temporary signs in residential districts may not exceed 6 square feet in area
- (d) **Location.** No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window, fire escape or ventilating equipment. No sign shall be attached to any standpipe or fire escape. No temporary sign shall extend over or into any street, alley or sidewalk a distance greater than four inches from the wall upon which it is erected. No such sign shall be placed or project over any wall opening.

- (5) **Maximum time period for use of trailer signs.** No permits shall be issued for the installation or use of any trailer signs for a period of longer than 14 days in any calendar year.

Sec. 32-12. - Nonconforming signs.

- (1) Signs erected, constructed or installed prior to the effective date of the ordinance from which this chapter is derived and which do not conform to the regulations and restrictions contained in this chapter shall be deemed to be nonconforming signs.

- (2) Nonconforming signs shall not:
 - (a) Be changed to another nonconforming sign.
 - (b) Have any changes made in the words or symbols used or the message displayed unless the sign is specifically designed for periodic change of message.
 - (d) Be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type or design of the sign.
 - (e) Have the face changed unless such sign is of a type of construction to permit such a complete change of the face.
 - (f) Be repaired or replaced after being damaged if the repair or replacement would cost more than 50 percent of the cost of an identical new sign except as provided in subsection (c) of this section.
- (3) Any sign or awning having been destroyed or rendered unusable by unintended damage may be replaced by an identical sign or awning, but must be approved by the building official.

Sec. 32-13. - Wall signs.

- (1) Where wall signs are placed so as to cover transom windows, the glass in such transoms must be removed and a steel frame in the form of steel studs covered on both sides with metal lath and cement plaster must be provided before the wall sign is erected. In filing applications for the erection of such signs over transoms, it will be necessary that complete detailed sketches be included showing compliance with all these requirements before a permit can be granted. All wall signs to be placed on mansard facades are to be constructed of individual characters, on a raceway or applied directly to the facade.
- (2) All applications for the erection of a wall sign shall show the location of the sign, details of the building to which the sign is to be attached, the size, color and appearance of the sign and all necessary details for fabrication and erection of such sign and any other requirements as detailed on the application.
- (3) Wall signs upon building fronts containing up to 40 feet of building frontage shall

not exceed three feet in height or a maximum of 30 square feet in size.

- (4) Wall signs upon building fronts containing 41 feet to 60 feet of frontage shall not exceed three feet in height or a maximum of 42 square feet in size.
- (5) Wall signs upon building fronts containing 61 feet and over of frontage shall not exceed three feet in height or a maximum of 48 square feet in size.
- (6) Wall signs upon the sides of buildings shall not exceed three feet in height or 12 square feet in size.
- (7) Wall signs upon the rear of buildings shall not exceed three feet in height or nine square feet in size.

(8) **Material.** Wall signs shall be constructed of noncombustible material, except that approved combustible materials or approved combustible plastics may be used as provided in this Code, and wood may be used for moldings and purely ornamental features.

(9) **Projection beyond building line.** Wall signs shall not project beyond an established building line or a street property line. Wall signs shall not project into alleys.

Prohibited locations. No wall sign shall be attached to a building in such manner so as to obstruct any door, window, fire escape or ventilating system.

(8) **Extension over or beyond wall.** Wall signs shall not be erected to extend above the top of a wall or beyond the ends of the wall to which they are attached.

(9) **Thickness.** No wall sign shall be more than eight inches thick.

(10) **Attachment to parapet wall.** No wall signs shall be attached to any parapet wall.

(11) **Painted wall signs.** No wall sign, including murals, may be painted onto any building wall.

(12)

Sec. 32-14. - Projecting or overhanging signs.

Permits shall be required for all projecting or overhanging signs and such signs shall be subject to the following restrictions

- (1) No such sign attached to any building shall be erected so as to overhang public property, except in the case of flat signs attached to a building face, which may

project eight inches from the building face.

- (2) The area of such signs shall not exceed a maximum of 32 square feet.
- (3) All such signs, including letters, shall be constructed entirely of metal, porcelain or other durable incombustible material. All projecting signs shall be supported by strong steel brackets attached to walls of buildings with through bolts, expansion bolts or other equally secure method, and shall be braced and held firmly in place with soft iron or steel cables of adequate strength. No swinging signs shall be constructed larger than 16 square feet in area. Cables shall be attached to walls of buildings with expansion bolts or equivalent method. Projecting signs which are permitted to extend over parapet walls may be attached to brackets fastened to roofs by means of through bolts but shall not be attached to any part of a wall above the point of bearing of the roof joists or rafters.
- (4) The thickness of a sign, exclusive of structural attachments, shall not exceed eight inches, but a sign may be made in two portions joined at one point similar to a letter "V," provided the least angle of intersection does not exceed ten feet.
- (5) In cases where a street is widened, causing signs to project over the curb, such signs shall be made to conform to the provisions of this chapter.
- (6) No sign shall be erected so that any part of it, including cables, guys, etc., will be within four feet of any electric light pole, streetlamp, or other public utility pole or standard.
- (7) Nothing in this section prohibits blade signs conforming to section 32-35.

Sec. 32-15. - Cloth and banner signs.

- (1) A permit shall be required for all cloth and banner signs.
- (2) No such sign shall be suspended across or project into any public street or highway.
- (3) No such sign shall exceed 32 square feet in area, and not more than one such sign shall be placed upon any building for each story in height. When two or more signs are erected on any building, they shall be separated vertically by the height of one story less the width of the sign, or horizontally by a distance of at least nine feet.
- (4) All such signs shall be strongly constructed and securely attached.
- (5) Such signs shall not obstruct any door, window or fire escape.

- (6) Such signs shall be removed as soon as torn or damaged, and, in any case, 30 days after erection. It shall be deemed a violation of the provisions of this chapter to fail to notify the division of safety inspection of the erection of such signs or to fail to remove them after 30 days.

Sec. 32-16. - Roof signs.

The installation of open roof signs and solid roof signs, as defined in this chapter, shall not be permitted. Any part of a building, such as a wall, pylon or projection, higher than the parapet of the building face or front elevation and serving to carry a sign shall be considered a roof sign and shall not be permitted. This restriction shall be applicable to a gable, hip or mansard type of roof and no sign shall be mounted on the face of such type of roof. All roof signs in existence within the city shall be considered as not conforming to this Code and the reconstruction or replacement of such signs shall not be permitted. For the purpose of this chapter, signs installed on those mansard facades, which are incorporated into the construction of the building front and not into the roof structure of the building, shall not be deemed roof signs, but wall signs. A mansard facade that extends more than four feet above the roof of the building shall not be deemed to be a mansard facade for the purposes of this section.

Sec. 32-17. - Combination of signs.

- (1) A building shall be limited to a maximum of two signs from the following classifications:
 - (a) Wall sign.
 - (b) Ground and pole sign.
 - (c) Pylon sign.
- (2) For a combination of smaller signs, see section 32-10(a). No sign or combination of signs shall contain more than ten message units on any one building except as provided in section 32-8 and section 32-10(1)(b).

Sec. 32-18. - Alteration or relocation of signs.

In case any sign is altered in appearance or dimension in any manner or moved to any new location, such sign shall be subject to all restrictions applying to a new sign.

Sec. 32-19. - Blinking and animated signs prohibited.

The use of a blinking or animated sign is prohibited. The term "blinking," as used in this

section, shall mean the apparent or actual oscillation, cycling or flashing of any sign or portion thereof, whether such apparent or actual oscillation, cycling or flashing is made, created or occasioned by mechanical, optical or electrical means. The term "animated," as used in this section, shall mean the actual or apparent movement of any portion of a sign and shall include replicas or statues of persons, animals and cartoon style characters, whether such replicas or statues contain or appear to contain moving parts or not.

(Invalid content regulation.)

Sec. 32-21. - Compliance with zoning regulations.

Notwithstanding anything in this chapter to the contrary, the provisions of the zoning chapter shall be strictly complied with.

(Invalid content regulation.)

Sec. 32-24. -Portable Signs.

- (1) No portable sign shall be displayed upon any land within the city without prior approval for such display having been obtained from the Building Official.
- (2) Notwithstanding subsection (1) of this section, an application for a sandwich board or sign placed on an easel may be submitted to the building official for approval prior to its proposed installation. Approval by the building official may only be granted under all of the following conditions:
 - (a) The sign may only be placed on the property occupied by the applicant, and the location will not interfere with pedestrian traffic or visibility.
 - (b) The sign may only be displayed during the hours of business of the applicant.
 - (c) The sign must be constructed of either wood or metal or a combination of wood or metal, or other material approved by the building official.
 - (d) The size of the sign must not exceed 42 inches in width, 48 inches in height, and its overall height shall not be greater than 65 inches.
 - (e) The colors displayed on the sign must be in accordance with this chapter.
 - (f) The sign must be structurally sound, stable and adequately maintained.
 - (g) The message on the sign must be related to the business affected.

- (h) Only one sandwich board or easel sign per address.

In the event the building official approves the sandwich board or easel sign, no approval of the planning commission is necessary.

Sec. 32-25. - Standards for approval of portable signs.

The planning commission shall not signify its approval for the display of a portable sign unless the following requirements have been met:

- (1) Such proposed display shall be for definite consecutive dates not to exceed seven days.
- (2) The building official or the building official's designated representative shall certify to the division of safety inspection that the proposed location of the portable sign will not cause traffic congestion, impede traffic, block access to off-street parking spaces, conflict with traffic signalization or signage, or otherwise interfere with orderly traffic movement.
- (3) The proposed location of the portable sign shall not be on any public right-of-way.
- (4) The proposed portable sign shall not consist of or utilize flashing lights, beacons or searchlights, banners, balloons, flags, etc.
- (5) The proposed location for the placement of the portable sign shall not be closer than ten feet to any driveway, road, street, alley, sidewalk or other public property, and the sign shall not be placed upon any property other than where the business or product advertised is located or sold. Nonprofit organizations may advertise fundraising events and similar occasions on other than their own property if written permission of the owner of the proposed location accompanies the application.
- (6) Each application for a permit for a portable sign shall include a description or sketch showing how such sign will be affixed to the ground or some stationary structure which will prevent the sign from rolling, tumbling, blowing or being pushed onto any driveway, street, alley or other public property.
- (7) Not more than one portable sign shall be permitted to be displayed on any premises for more than a seven-day period within a calendar year. For the purposes of this subsection, a shopping center shall be considered one premises.
- (8) No portable sign shall exceed 32 square feet in area.

Sec. 32-26. - Review of application for installation of portable sign.

Application for a portable sign installation shall be submitted to the division of safety inspection. The application shall be reviewed by the division, and if found to be complete and in compliance with the provisions of this chapter, such compliance shall be noted upon the application. The application shall then be referred to the director of public safety, or the director's designated representative, who shall review the application and shall note thereon that the application complies with the traffic safety requirements. Upon completion of such review, the application shall be referred to the planning commission for its consideration.

Sec. 32-27. - Variances for portable signs.

Should any party wish to display a portable sign that fails to meet the requirements of section 32-26, an appeal to the city council may be made in accordance with the provisions of section 32-32.

(3)

Sec. 32-29. - Design of Lettering and Sign Faces.

The following rules, regulations and guidelines shall be applicable to all permanent signs installed or erected within the city:

- (1) **Lettering.** Signs shall be comprised of not more than two styles of lettering. There shall be no more than three sizes of lettering per sign.
- (2) **Colors.** A maximum of three complimentary, muted colors or shades of colors may be used for a sign. A list of approved colors will be maintained by the building official as approved by the planning commission resolution.

Registered logo/trademark is exempt from lettering and color restrictions.

Sec. 32-30. - Flags and flagpoles.

Flagpoles shall not be erected between the sidewalk and curblineline of Mack Avenue nor within 20 feet of any property line if freestanding. Flags of any nature or design in excess of 120 square feet in size shall not be flown within the city. *(Invalid content regulation. It is suggested that the number of flagpoles and/or flags be limited based on property size. This would result in limiting flagpoles for example to one flagpole in all residential areas while still allowing for more flagpoles on larger sites which are subject to our regulations such as private schools and other larger sites.)* No flagpole shall be erected closer to the joining street than 10 feet from the front building setback line, and in no event shall a flagpole or flag be permitted to extend into any

public right-of-way. For each parcel or combination of parcels under common ownership, one flagpole shall be permitted if frontage abutting a street is 100 feet or less. If frontage is between 100 and 300 feet, two flagpoles shall be permitted, and for frontage exceeding 300 feet, up to three flagpoles are permitted. No more than two flags whose combined square footage, if 20 square feet or less, shall be permitted on each flagpole. Flagpoles shall be configured so that flags do not touch each other.

Sec. 32-31. - Awnings and canopies.

- (1) Awnings and canopies shall be made with cloth, canvas or vinyl, and may not be covered with metal or hard plastic materials.
- (2) Awnings and canopies shall be of city approved colors. Such colors shall be approved by resolution of the planning commission and samples shall be maintained by the building official and made available to all applicants seeking a permit to install an awning or canopy free of charge.
- (4) No advertising message or logo shall be permitted on the face of any awning or canopy.
- (5) No awning or canopy shall be backlighted with artificial lighting.
- (6) Advertising material may be contained on the valance of an awning or canopy. Such message shall not exceed the message unit limitations for such property. Letters or numbers on the valance shall be limited in height to eight inches.
- (7) All applications for a permit to install a new awning or canopy or to install exact replacement awnings or canopies shall be authorized by the building official, provided that such proposed installation meets the provisions of this chapter.

Sec. 32-32. - Appeal of denial of permit.

If the building official denies a sign permit, or if a variance is requested, upon filing an application in writing, the appeal or variance request will first be reviewed by the planning commission with a determination made within 45 days, which will provide a recommendation to the city council. Any party who has been refused a sign permit after review by the building official or planning commission for a proposed installation or has been notified by the city to remove an existing sign may file a claim of appeal with the city clerk by completing a written application stating "appeal". Such claim of appeal shall be accompanied by an appeal fee as currently established or as hereafter adopted by resolution of the city council from time to time or a fee structure designated by the administration and approved by the city council by

resolution, payable to the general fund of the city. The City Council must act upon such appeal within 60 days, and may deny such appeal, grant such an appeal, or grant such appeal with reasonable conditions, upon a finding that such exception would be in the best interest of the City and not against the spirit and intent of this chapter. . Neither the Planning Commission, nor the City Council may consider the content of any sign as a factor in any determination made pursuant to this section.

Sec. 32-33. - Electronic changeable copy signs.

- (1) **Definition.** An "electronic changeable copy sign" is defined as a sign upon which the copy changes automatically on a lamp bank and which sign meets the definition of a ground sign as contained in this chapter. Scoreboards used to keep track of scores during athletic events are exempt from this definition.
- (2) **Standards.** The following rules and regulations shall be applicable to electronic changeable copy signs notwithstanding any other rules or regulations contained in this chapter:
 - (a) Such sign shall not produce blinking or animated messages.
 - (b) The changeable copy or message delivered by the sign shall not be changed more often than once in any eight-hour time period.
 - (c) Such sign shall be permitted to be installed only within a community facilities zoning district of the city, once application is made to the building official and subsequent review and approval by the planning commission.
 - (d) Such sign may be of a size of up to 32 square feet and a height of six feet above the ground.
 - (e) Such sign may be installed within ten feet inside of the property line; provided, however, that such location proposed for the installation receives prior approval from the division of safety inspection as to traffic hazards and pedestrian hazards.
 - (f) All messages shall not exceed four lines of characters.
 - (g) Such sign shall be limited to 50 footcandles power output.

Sec. 32-34. – Multitenant buildings.

Generally, multitenant buildings will be exempted from the maximum number of sign

restrictions providing a "master"/overall building plan is applied for and approved by the planning commission.

Sec. 32-35. - Blade signs.

- (1) **Purpose.** The purpose of a blade sign is to identify and promote the use for pedestrians and serve as a graphic design enhancement to certain zoning districts. Blade signs are only permitted in the C, C-2, and R-O1 Districts. Blade signs are permitted subject to the following requirements.
- (2) **Procedure.**
 - (a) All blade signs shall be subject to review and approval by the building department and department of public services. Blade signs are not exempt from the permit requirements or other regulations of this chapter.
 - (b) Blade signs complying with this chapter shall not count against the number of signs permitted, area allowed, or message unit requirements.
 - (c) A permit for a blade sign is required before any part of the sign is affixed to a building.
- (3) **Requirements.** Blade signs shall adhere to the following requirements:
Only one blade sign is permitted per storefront or business.
 - (a) The total sign area for any blade sign shall not exceed four-and-one-half square feet per side.
 - (b) The lowest point of the sign shall be at least nine feet above a public way. The highest point of the sign shall not exceed the highest point of the building. Signs above private property shall be at least eight feet above grade. Signs shall not project from the building more than three feet. Brackets are included as part of the sign when determining these measurements.
 - (c) Internal or external illumination is prohibited.
 - (d) Any blade sign shall be at least ten feet from another blade sign, and five feet from the entrance of any other adjacent property.
 - (e) Blade signs shall be located as close as practical to the storefront entrance.
 - (f) Blade signs shall not obstruct vehicular traffic or city operations in any

- sidewalk, passageway, public way, alleyway or designated loading/unloading area.
- (g) No portion of a blade sign shall project above the top of an eave or parapet.
 - (h) All blade signs shall be maintained in good condition.
 - (i) Blade signs shall be designed as to be compatible with the architectural facade where they are placed. The design, including materials and color, shall comply with the requirements of this chapter.
 - (j) The bracket of the blade sign shall be made of a durable material and attached directly to the building wall and meet building code requirements. Decorative frames and brackets are encouraged. Installation onto mansard roofs is prohibited.
 - (k) Blade signs shall be no more than four inches thick. Brackets and decorative mounting features may exceed the thickness requirements as reasonably necessary to create an attractive graphic or design element.
 - (l) Blade signs shall be limited to two sign faces.
 - (m) Blade signs shall not obstruct the view of traffic control devices or interfere with the vision of pedestrian or vehicle traffic as determined by the city's traffic safety officer.
 - (n) Symbols or logos used to identify the business are encouraged.

Chapter 32 - SIGNS

Sec. 32-1. - Purpose and Objectives.

The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of signage in the city to facilitate communication between people and their environment and to avoid the visual clutter that is potentially harmful to community appearance, traffic and pedestrian safety, property values and business opportunities. To achieve this purpose, this chapter has the following objectives:

- (1) Protect the aesthetic quality of the city.
- ~~(2) Promote within a certain geographical area which has early American colonial architectural features sign design and lettering consistent with early American colonial architectural features. the appearance of an early American colonial motif within the commercial business district of the city.~~
- (3) Protect the general public from damage and injury caused by the distractions, hazards and obstructions caused by excessive signage.
- (4) Preserve the value of property by ensuring the compatibility of signage with surrounding land uses.
- (5) Keep signs within a reasonable scale with respect to the buildings to which they relate.
- (6) Prevent off-premises signs from conflicting with ~~business, residential and public land uses~~ surrounding land uses.
- (7) Prevent the placement of signs in a manner, which will conceal or obscure other signs or adjacent businesses.
- (8) Keep the number of signs and sign messages at the level reasonably necessary to identify ~~a business and its products~~ a property use.
- (9) Prevent hazards due to collapse, fire, collision, decay or abandonment of signage.
- (10) Provide signage that will harmonize with the building upon which it is placed and the adjoining properties.
- (11) Avoiding fraudulent and misleading messaging.

(12) Safely directing persons and property to allow for safe ingress and egress and delivery of emergency services.

(13) Reducing time required to read and understand a sign to reduce the distraction of pedestrians and motorists.

Sec. 32-2. – Scope of chapter.

- (1) It shall be unlawful for any person to erect, construct or alter any sign in the city without complying with the provisions of this chapter.
- (2) Any sign already established on the effective date of the ordinance from which this chapter is derived, and which is rendered nonconforming by the provisions in this chapter, and any sign which is rendered nonconforming as a result of subsequent amendments to this chapter, shall be subject to the regulations concerning nonconforming structures and uses set forth in this chapter.

Sec. 32-3. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means any sign which, by reason of neglect, damage or deterioration, requires repair and the owner thereof fails, neglects or refuses to initiate refurbishment or repair to the sign within ten days after having received written notice so to do from the city or fails to complete such repair or refurbishment within 60 days from the receipt of such notice from the city.

Animated sign means a sign depicting the actual or apparent movement of any portion of a sign, and shall include replicas or statues of persons, animals and cartoon style characters, whether such statues contain or appear to contain moving parts or not.

Application means the paperwork necessary for the processing of the applicant's request, including all requested information, photographs, drawings or renderings as detailed on the application form requested by the city and as amended by the city from time to time.

Area means the entire area within a rectangle, circle, triangle or parallelogram enclosing the extreme limits of writing or pictorial representation, emblem or any figure of similar character together with any frame or other material or other color forming an integral part of the display or used to differentiate it from the background against which it is placed, excluding

the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces or graphics, the area of all faces or graphics shall be included in determining the area of the sign.

Awning means a structure made of cloth, metal or other material affixed to a building in such a manner that the structure may be raised or retracted to a position against the building or retracted so as to be within a container or device for storage.

Back-to-back means any sign containing two or more surfaces containing words, numbers, figures, devices, designs or trademarks visible to the general public and designed to inform or attract the attention of persons, which signs are constructed or installed with the back of each sign facing the back of the second sign so that such messages as contained on the sign face are visible to persons viewing such signs from two or more directions.

Balloon means any device capable of being inflated with air, helium or other gas and mounted, tied or tethered in such a manner as to hold such balloon from being carried away by the wind.

Banner sign means any sign produced on cloth, paper, fabric or any other combustible material, either with or without a supporting framework.

Billboard means any display sign that contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

Blade sign means a sign supported by a mounting attached directly to a building that is perpendicular to a building wall.

Building line means the term as defined in chapter 50.

Building official means the person designated as the director of the division of safety inspection for the city.

Canopy means a structure or frame covered with canvas, cloth or other soft material usually extending from the wall of a building and designed to provide shelter from sunlight and the elements.

Changeable copy sign means any sign designed or constructed so that the lettering or message contained thereon is capable of being changed by rearranging or installing new letters or messages without removing and replacing or resurfacing the face of such sign.

Closed-face sign means a sign having a projected area exposed to wind loads consisting of 70 percent or more of the gross area as determined by the overall dimensions.

Combination sign means any sign that combines the characteristics of two or more signs.

Curbline means the line at the face of the curb nearest the street or roadway. In the absence of a curb, the curbline shall be established by the city engineer.

Dilapidated sign means any sign, which, by reason of damage, exposure to the elements or other causes, has deteriorated so that the intended message is no longer clearly discernible from a public or private street abutting property where the sign is located.

Directory sign means any sign not exceeding eight square feet listing the name and address of the occupant, the address of the premises, and/or locations of various businesses or activities uses within a building or multitenant building that are not for the purpose of bringing same to the attention of vehicular traffic. Directory signs cannot exceed eight square feet.

Display surface means the area made available by the sign structure for the purpose of displaying an advertising message.

Double-faced sign means any sign containing two or more surfaces containing display areas.

Electrical sign means any sign which has characters, letters, figures, designs, faces, logos, backgrounds or outlines illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper, such light sources being either external or internal.

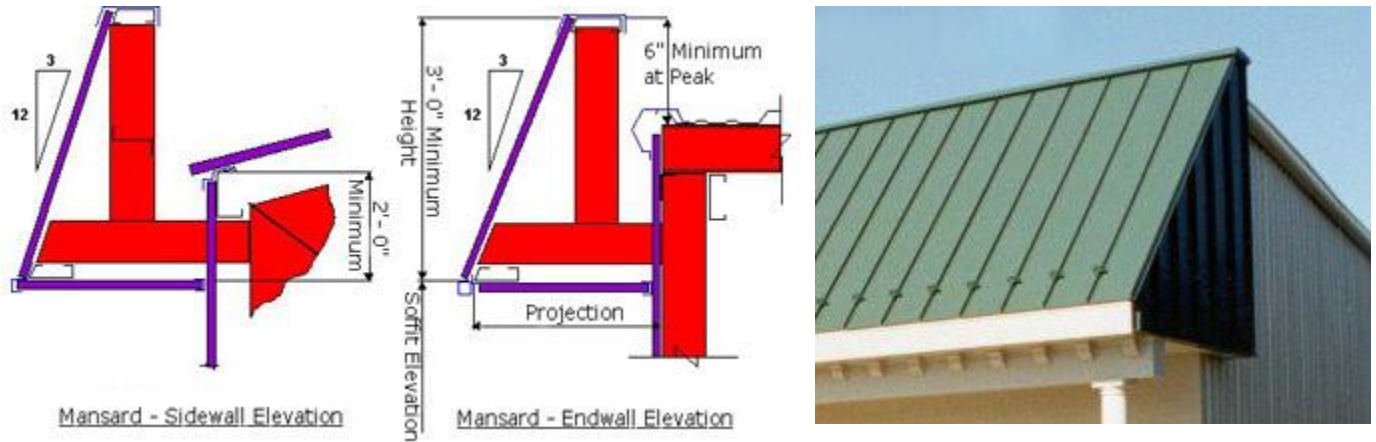
Existing sign means any sign that is displayed on and before the effective date of the ordinance from which this chapter is derived.

Festoon sign means a sign consisting of a wreath or garland of flowers, leaves, paper or other materials hanging in a loop or curve.

Gasoline Fluid price sign means any sign that is used to advertise the price of gasoline or other fuels the dispensing of fluid at that location. If brand identification material is used on or is a part of the sign advertising price, such shall be considered the gasoline price sign. A fluid price sign shall not exceed 20 square feet for any single location. Where fluid is dispensed from locations within 25 feet of each other, signage shall not exceed 20 square feet collectively for all such dispensing locations on the premises. or collection of locations situated within 25 feet of each other where fluid is available for dispensing.

Ground sign means a sign supported by one or more poles, columns, uprights or braces or a solid base in or upon the ground, which are not part of a building.

Mansard facade means decorative trim or panel projecting from the top of the wall; the triangular portion of a building as shown in the diagram below. that portion of a building as described in diagram 62-3A (the triangle portion).
Example Diagram (left) and Image (right):



Marquee sign means a sign that is attached to a marquee.

Message units means a word, an abbreviation, a number containing up to ten digits, a symbol, a geometric shape or a person's or firm's initials containing up to 11 letters. Punctuation marks are not counted in computing the number of message units.

Michigan Building Code means the Michigan Building Code as published by the state as adopted and amended from time to time.

Moving message board means an electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

Multi-tenant building means a building with multiple tenants or businesses uses, which share a common entrance.

Noncombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit during an exposure of five minutes and which will not continue to burn or glow at such temperature.

Nonconforming sign means any sign existing on and after the effective date of the ordinance from which this chapter is derived, which sign does not comply with one or more of the requirements for signs as contained in this chapter.

Open-face sign means a sign having a projected area exposed to wind loads consisting of less than 70 percent of the gross area of the sign as determined by the overall dimensions.

Parapet and **parapet wall** mean the part of any wall entirely above the roof.

Parapet panel sign means a closed-face sign mounted upon the parapet wall of a building.

Parapet skeleton sign means an open-face sign composed of individual letters, which are mounted upon the parapet wall of a building.

Plastic materials means those materials made wholly or principally from standardized plastics.

Pole sign means any sign placed on a pole (whether round, square or rectangular); which pole is placed into the ground.

~~**Political sign** means a sign announcing the candidacy of a person running for public office or issues to be voted upon at an election.~~

Portable sign means any sign or display board, searchlights, lighting panel or similar device mounted upon a trailer or upon its own frame and wheels and not being a ground sign as defined in this chapter. Portable signs include any so-called "sandwich boards" or signs placed on easels.

Projecting encroaching sign means a projecting sign that projects beyond a private property line into and over public property.

Projecting sign means a sign, other than a wall sign, suspended from or supported by a building or structure, or masonry or wooden posts or steel columns, and projecting therefrom.

Pylon sign means any sign placed on a stake or mast-like pole.

Roof sign means a sign erected over or on the roof of any building and wholly or partially dependent upon the roof of the building for support, or attached to the roof in any way.

Rotating sign means any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

Sign means any device or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others that is located on or attached to any premises, real property or structure on real property, or upon any vehicle.

Sign structure means a supporting structure erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied; provided, however, this definition shall not include a building, fence, wall or earthen berm.

Temporary sign means a sign, banner or other advertising device constructed of cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display including decorative displays for holidays or public demonstrations.

~~**Time and temperature sign** means any sign with numbers expressing the time and temperature and designed to reflect changes in such information.~~

Traffic direction sign means a sign advising of a route for pedestrian or vehicular travel to reach a destination upon the property where the sign is situated such as a sign advising of entrances, exits and parking locations.

Trailer sign means a sign with a display surface supported on a mobile chassis, other than a motor vehicle.

Utility warning sign means a sign advising of the location of a public or private utility, by way of illustration: gas, sewer, water, telecommunication lines, and other similar lines.

Valance means a loose nonstructural edging located around the bottom of an awning not exceeding 12 inches in height. This provision shall only apply to valances to which sign copy is applied.

Wall sign means a sign which is attached to, affixed to, placed upon or painted upon any exterior wall or surface of any building, building structure or part thereof, provided that no part of any such sign extends more than eight inches from the face of the exterior wall.

Window area means that portion of a transparent material (glass or other see-through material) on each elevation of a building. Window area includes doors of glass or see-through doors.

Window signage means any sign or message, including lighted signs, plastic, paper, cardboard or cloth signs or signs of similar material placed or installed on any window surface. Advertising messages visible through a window display the objective of which is to communicate with pedestrian or vehicular traffic will be considered a window sign for purposes of this chapter. The term "window signage" includes, but is not limited to, hours of operation, directory signs, community signs and temporary signs.

Yard sale sign, basement sale sign, garage sale sign and rummage sale sign mean

posters, signs and notices advertising a sale of personal property by private individuals conducted at residential premises.

Sec. 32-4. - Administration and enforcement.

- (1) **Enforcement authority.** Subject to applicable provisions of law and consistent with the delegation of power found in the Charter and applicable ordinances, the building official or the building official's duly authorized representative is hereby authorized and directed to enforce this chapter.
- (2) **Right of entry.** Upon presentation of proper credentials, the building official or the building official's duly authorized representative may at reasonable times enter any building, structure or premises in the city to perform any duty imposed upon such person by this chapter
- (3) **Interpretation.** Subject to applicable provisions of law and consistent with the delegation of power found in the Charter and applicable ordinances, the building official and the planning commission, to the extent a matter is brought before the planning commission pursuant to this chapter, is hereby authorized to interpret the provisions of this chapter.
- (4) **Establishment of permit fees.** Fees for permits required by this chapter shall be established by resolution of council.
- (5) **Permit generally; alteration or relocation of signs.**
 - (a) **Permit required; issuance.** No person shall erect, construct, alter, relocate or refurbish, or cause or permit to be erected, constructed, altered, relocated or refurbished, any sign in the city without first obtaining a permit from the division of safety inspection. A separate permit shall be required for each sign. Electrical signs shall also require an electrical permit. If an application for a sign permit indicates that the proposed sign conforms in all respects to the provisions of this Code, a permit shall be issued by the building official. The building official must act either to approve or deny an application within 90 days of presentation of a complete application to the building official, unless the building official and the applicant agree in writing to extend this time period.
 - (b) **Enlargement, alteration or relocation of signs.** No person shall enlarge or relocate a sign except in conformity with the provisions of this chapter relating to new signs. The changing of movable parts of an approved sign

that is designed for such changes, or the repainting with approved colors or reposting of display matter, shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this chapter are not violated.

~~(c) **Exceptions to permit requirement.** No permit shall be required for the following signs and outdoor display structures. Such exceptions, however, shall not be construed to relieve the owner of the following signs from responsibility for its erection and maintenance in a safe manner:~~

(c) **Exceptions to permit requirement.** Signs ~~6-10~~ sq ft or less, and with no more than a total of four (4) freestanding and window signs in number on a property, including a contractor's sign while working at the property only, - ~~do~~ not require a permit but shall otherwise fully comply with the provisions of this ordinance and other applicable codes of the City, and are further subject to inspection. -Additionally, the following signs do not require permits: -

1. Directory signs.
2. Traffic direction signs.
3. Utility warning signs.
4. Window signs.

~~1.5.~~

(6) **Permit and inspection fees.**

- (a) All fees under this chapter, except as otherwise provided in this chapter, shall be set by resolution of council and paid in advance. Copies of the resolution setting the sign permit fees shall be filed in the office of the city clerk.
- (b) The permit fees for all signs shall be in addition to any fees required for electrical inspections when electric lighting is used.
- (c) If work for which a permit is required by this chapter is commenced or continued before such permit is issued, the permit fees established by

resolution for any sign erection so commenced or continued shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work, or from any prescribed penalty.

- (7) **Inspection of work covered by permit.** No person conducting or performing work covered by a permit required by this chapter shall fail to notify the building official when such work has been commenced and completed. No person shall conceal any portion of such work until it has been inspected and approved by the director or the director's designated representative. If the work is found to be properly performed and safe, a certificate of inspection shall, if requested, be issued. The director or the director's designated representative shall have the authority to order any corrections of work the director or the director's representative may find necessary to comply with this chapter.
- (8) **Suspension or revocation of permit.** The building official or the building official's designated representative shall give notice, in writing, to the holder of a permit issued under this chapter of the reasons for any proposed suspension or revocation of such permit, which notice shall be served upon such holder at least five days before the time set for the hearing before the planning commission. Upon such hearing, the licensee or permittee may appear in person or together with counsel and contest such suspension or revocation. For good cause shown at such hearing, the commission may suspend or revoke any such permit.
- (9) **Correction or removal of unsafe or unlawful signs.** When any sign becomes insecure or in danger of falling, or when any sign is unlawfully installed, erected or maintained in violation of any of the provisions of this chapter, the owners thereof or the person maintaining the sign shall, upon written notice of the building official or the building official's designated representative, forthwith in the case of immediate danger and in any case within not more than ten days, make such sign safe and in conformity with this chapter or remove the sign.
- (10) **Maintenance and annual inspection.**
 - (a) All signs for which a permit is required under this chapter, together with their supports, braces, guys and anchors, shall be kept in good repair in accordance with this chapter and, when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion or on a regular basis or as may be required for safety purposes and to maintain aesthetic values.
 - (b) All classes of signs shall be inspected by the building official ~~once a year~~ upon request as to the safety, and if found to be well supported, painted to

prevent corrosion and so secured to the building as to safely support the weight of the sign as well as resist wind pressure in accordance with the general structural requirements for new sign installation, a certificate of inspection shall be issued, ~~upon request.~~

- (11) **Existing signs.** No sign heretofore approved and erected sign shall be altered or relocated either on the same premises or to other premises. Except as provided in subsection 32-12(b)(6), no sign, or any substantial part thereof, which is blown down or destroyed shall be re-erected, reconstructed, rebuilt or relocated unless the sign is made to comply with all applicable requirements of this chapter.
- (12) **Engineering design and materials.** Signs and sign structures shall be designed and constructed to resist wind forces as specified in the state building code.
- (13) **Approval of design and structural details.** Designs and structural details of all signs shall be submitted to the division of safety inspection before a permit is issued under this chapter. The building official shall determine whether or not any proposed sign installation is compatible with the exterior appearance of the building in accordance with the standards set forth in this chapter.

Sec. 32-5. - Illumination generally.

- (1) **Wiring installation; open spark or flame prohibited.** No sign shall be illuminated by other than electrical devices. Wiring shall be installed in accordance with the requirements of the National Electrical Code and the rules and regulations of the division of safety inspection. In no case shall any open spark or flame be used for display purposes.
- (2) **Electrical inspection.** No electrically operated or illuminated sign shall be erected before the chief electrical inspector's seal or stamp has been affixed to such sign.
- (3) **Location; prohibited lights.** No person shall place, maintain or display a blinking, oscillating or rotating light. Lights that may be mistaken for the distinguishing lights authorized by law for emergency vehicles and safety devices, because of similarities in color and design, shall not be permitted along roadways.
- (4) **Exception.** No transformer in excess of 30 milliamperes (MA) with 120 volt primary service shall be permitted, except as may specifically be approved by the building official.

Sec. 32-6. - Internally illuminated signs.

All internally illuminated signs shall be constructed so as to produce or emit a subdued

lighting effect. Backlighting individual letters are permitted. Interior illuminated signs shall be constructed so that the background face of such sign is opaque or nearly opaque so as to allow the illumination of only letters, numbers, or logos on the display surface so that minimal light passes through the background.

Sec. 32-7. - Illuminated signs.

Awnings and canopies shall not be illuminated. The display surface of signs permitted under the provisions of this chapter facing Mack Avenue and Harper Avenue may be illuminated by externally mounted incandescent lights directed to shine upon the display surface ~~and shielded downward or~~ and shielded from shining at other than the display surface. Such ~~incandescent~~ lighting shall not exceed 150 watts for incandescent lights or 24 watts for LED lights for every 20 square feet of display surface illuminated. Applications for illuminated signs shall be referred to the building official for approval. Such application shall be accompanied by a drawing or photograph of the building facade showing the area where the proposed sign is intended to be installed and the wording, lettering and appearance of the proposed sign on the building, including the dimensions thereof. The drawings or photographs submitted by the applicant must include photographs of the buildings on either side of the applicant's building.

Sec. 32-8. - Window signage.

Window signage, as defined in section 32-3, shall not exceed 20 percent of the elevation's (frontal view) window area. There shall be no limitation on the number of message units.

Sec. 32-9. - ~~Design of business logos~~ Logos.

~~Logos covering no more than one-third of the surface area of a sign face shall be permitted provided that additional lettering or message units other than logos are allowed as long as the maximum allowable area requirements are met. Logos covering an entire sign face are permitted provided the entire sign face does not exceed one-third of the maximum allowable area of the sign face. For purposes of this section, a logo is defined as a symbol, picture or graphic elements arranged in a specific way to represent a business, corporation, trade or profession.~~

Logos, defined as a symbol, picture, or graphic element arranged in a specific way to represent an entity using the property, shall be permitted. ~~provided they cover no more than 1/3 of the surface area of the sign face.~~ The area covered by the logo and additional lettering, if any, shall be considered together when calculating the maximum allowable area for signage.

Sec. 32-10. - Maximum number of message units; prohibited signs.

(1) **Maximum number of message units.**

- (a) **Quantity restriction.** The total of all signs on a property shall not contain in excess of a total of ten message units, except as otherwise provided in this chapter.
- (b) **Exceptions.** The following signs shall be exempt from the message unit limitation contained in this section, but shall be subject to the other regulations of this chapter:

1. ~~Gasoline price signs. A gasoline service station shall be permitted signs on each pump island indicating the prices, the types of gasoline and the type of service. The area of such signs shall not exceed 20 square feet per pump island. Fluid dispensing sign. A use of property which has locations where fluids are dispenses shall be permitted. Signage at each such location where fluid is dispensed up to 20 square feet. Where fluid is dispensed from locations within 25 feet of each other, signage shall not exceed 20 square feet collectively for all such dispensing locations.~~
2. ~~Theater marquee~~ Marquee signs.
3. ~~Business name sign. If~~ Property use name sign which identifies the name of the user of the property, if the name of the business exceeds ten message units up to the number of units to complete the full name.
4. ~~Permanent signs on vending machines, gas pumps or ice containers indicating only the contents of such devices, provided such devices are located within ten feet of a building. The sign area of each device may not exceed six square feet. Up to 6 square feet of signage may be provided on devices which dispense materials which indicate the materials dispensed from such device; provided such devices are situated within 10 feet of a building. Examples are: vending machines and automated tellers.~~
5. ~~Signs not exceeding six square feet which contain noncommercial messages including designation of restrooms, telephone location, restrictions on smoking, or door openings, and private traffic control and parking signs. Safety related and directive signs, such as: designation of restrooms, telephone location, smoking restrictions, exits, traffic control, and parking.~~
6. Memorial signs on tablets, names of buildings and date of erection,

when cut into the masonry surface of a building or when constructed of bronze or other incombustible material affixed to a building.

- ~~7. Signs of a religious institution, school, museum, community recreation facility or library indicating the name, current displays or activities and having an area not greater than 25 square feet.-~~
7. Historical plaques not exceeding two square feet designating a building as a historical structure as permitted and provided by State law.
- ~~8. Business signs not exceeding two square feet per sign face containing information on credit cards or business affiliations. Signs not exceeding 2 square feet per sign face providing information on the use and affiliations with the use. Examples are service club affiliations, such as Chamber of Commerce, and credit card logos.~~
- ~~9. Political signs advocating or opposing a candidate for public office or a position on an issue to be determined at an election, provided that such signs are removed within seven days after such election.~~
9. Signs authorized by the U.S. Government, the state, or any of its agencies or political subdivisions, as may be approved by the planning commission.
10. Street addresses and telephone numbers, fax machine numbers, e-mail addresses and/or websites.
11. Sandwich board or sign placed on easel, not to exceed 42" in width, and not greater than 65" in height not to exceed in total on both sides square feet.

~~11.12.~~ Blade Signs.

- (2) **Prohibited signs.** The following signs are prohibited, notwithstanding anything to the contrary in this chapter:
- (a) Animated signs.
 - (b) Banner signs, except as authorized by the planning commission.
 - (c) Roof signs.
 - (d) Rotating signs.

- (e) Signs with flashing, blinking or moving lights, including moving message boards.
- (f) Signs with exposed incandescent lights.
- (g) Pennants, streamers, spinners or flags of any type used for advertising purposes.
- (h) Balloons, with the exception of 12-inch size balloons, if:
 1. No more than 12 are displayed during business hours for no more than 12 hours for one day only.
 2. The balloons are attached by string/ribbon not exceeding 30 inches in length.
 3. The balloons do not obstruct the sidewalk or public right-of-way.
 4. Any one business is limited to displaying balloons to five times per year for special occasions.
 5. Balloon displays must be approved by the building official.

~~Strings of lights, excepting holiday decorations.~~

- (i) Any sign that is structurally unsafe or is capable of causing electrical shock as determined by the building official which determination is subject to appeal.
- (j) Any sign that obstructs a window, door or other opening, used for a fire escape.
- (k) Any sign which makes use of the word "stop," "look" or "danger" or any other words or phrases that would tend to mislead or confuse vehicle operators.
- (l) Any sign containing obscene, indecent or immoral matter language which would be prohibited from use by the Federal Communications Commission, or which would be found to be obscene, indecent or profane if broadcast by the Federal Communications Commission. Any display of the human body which would be considered public nudity if such display involved a person pursuant to the City ordinance prohibiting public nudity.

- (m) Any sign unlawfully installed or erected.
- (n) Any sign which no longer advertises a bona fide business or product.
- (o) Any sign attached to a standpipe, gutter drain or fire escape, or any sign designed or erected so as to impair access to a roof.
- (p) ~~Any sign within 50 feet of a residential zoning district unless such sign is completely screened by a building, solid fence or evergreen planting so as not to be visible from the residential area.~~
- (q) Any sign that would project above the parapet line of any roof or the peak of any roof.
- (q) Any sign that would project into any public right-of-way or other accessway.
- (r) Any sign which is attached to a tree, fence or utility pole.
- (s) Festoon signs.
- (t) Portable or temporary signs, unless specifically permitted by this chapter.
- ~~(u)~~ Painted wall signs.-
- (u)
- (v) Any other sign not specifically permitted by this chapter.
- (w) Painted or pasted sidewalk signs.
- (x) Projecting signs over public property except as permitted by section 32-35.
- (y) Parapet panel signs.
- (z) Marquee signs.

Sec. 32-11. - Miscellaneous provisions.

(1) ***Ground signs.***

- (a) ~~***Obstruction of access***~~ ***Maintaining Site Distance and Avoiding Obstruction.***

No ground sign shall be erected so as to obstruct free access to or egress from any building. A site distance triangle shall be maintained so that signage is not placed obstructing the vision of drivers of vehicles entering or exiting drives or driveways with respect to pedestrian traffic on sidewalks, walkways, and vehicular traffic in roads and streets.

(b) **Setback.**

1. **Location.** Except as otherwise provided in this section, no ground sign shall be located nearer to a street property line than the established building line. No ground sign shall be located within 15 feet of a side or rear yard property line.

2. **Exceptions.**

a. Pylon-type ground signs which contain an area of 32 square feet or less, in which only noncombustible materials or approved plastics are used, and which do not exceed a height of seven feet above the ground, may be located not less than two feet from a street property line. For the purpose of determining the allowable area of such signs, a double-faced sign shall be considered a single-faced sign. When a masonry or concrete foundation or planter which extends above the ground level is used as part of such pylon-type sign, the area of such foundation or planter shall not be considered a part of the area of the sign. However, the height of such foundation or planter shall be included in determining the maximum height of the sign.

b. Pole-type ground signs which are erected so that the bottom thereof is at least ten feet above the ground level, which are constructed of noncombustible materials or approved plastics, and which contain an area of 32 square feet or less, may project to street property lines.

(c) **Height and dimensions; number of signs.** Ground signs may be erected to a height of not more than 20 feet above the ground or to the peak of the roof of the property where the sign is installed, whichever is the least, when in compliance with the restrictions of subsection (2) of this section. No ground sign shall exceed 32 square feet of area or the maximum height and width limitation, whichever is the least. Only one ground sign or freestanding sign shall be permitted per street frontage, except at a shopping center with 200 feet or more of street frontage, in which case two ground or freestanding signs are permitted.

- (d) **Maintenance.** Every ground sign and the immediate surrounding premises shall be maintained by the owner of such sign in a clean, sanitary and inoffensive condition and free and clear of all obnoxious substances, rubbish and weeds.
- (e) **Variances.** The city council may grant variances in the height, area and setback requirements of this subsection in cases where there are unusual practical difficulties or unnecessary hardships because of topographical or other conditions, provided that such variations will not seriously affect any adjoining property, aesthetic quality or the general welfare, health or safety.

(2) ~~Marquee signs.~~

(3) **Temporary sign generally.**

- (a) **Duration of permit.** Permits for commercial temporary signs may be issued by the building department provided such temporary sign meets the requirements of this chapter. Such Permits for commercial temporary signs shall authorize the erection of such signs and their maintenance for a period not exceeding 30 days twice per year. Temporary signs in residential districts may not exceed 30 days twice per year, measured starting from the date that complaint has been received and confirmed by the building department.
- (c) **Size.** Commercial Temporary signs shall not exceed 32 square feet in area, temporary signs in residential districts may not exceed 6 square feet in area.
- (d) **Location.** No temporary sign shall be erected so as to prevent free ingress to or egress from any door, window, fire escape or ventilating equipment. No sign shall be attached to any standpipe or fire escape. No temporary sign shall extend over or into any street, alley or sidewalk a distance greater than four inches from the wall upon which it is erected. No such sign shall be placed or project over any wall opening.

~~(4) Wall signs.~~

- ~~(a) **Material.** Wall signs shall be constructed of noncombustible material, except that approved combustible materials or approved combustible plastics may be used as provided in this Code, and wood may be used for moldings and purely ornamental features.~~

- ~~(c)(a) **Projection beyond building line.** Wall signs shall not project beyond an~~

~~established building line or a street property line. Wall signs shall not project into alleys.~~

~~(d)(a) **Prohibited locations.** No wall sign shall be attached to a building in such manner so as to obstruct any door, window, fire escape or ventilating system.~~

~~(e)(a) **Extension over or beyond wall.** Wall signs shall not be erected to extend above the top of a wall or beyond the ends of the wall to which they are attached.~~

~~(f)(a) **Thickness.** No wall sign shall be more than eight inches thick.~~

~~(g)(a) **Attachment to parapet wall.** No wall signs shall be attached to any parapet wall.~~

~~(h)(a) **Painted wall signs.** No wall sign may be painted onto any building wall.~~

- (5) **Maximum time period for use of trailer signs.** No permits shall be issued for the installation or use of any trailer signs for a period of longer than 14 days in any calendar year.

Sec. 32-12. - Nonconforming signs.

- (1) Signs erected, constructed or installed prior to the effective date of the ordinance from which this chapter is derived and which do not conform to the regulations and restrictions contained in this chapter shall be deemed to be nonconforming signs.
- (2) Nonconforming signs shall not:
- (a) Be changed to another nonconforming sign.
 - (b) Have any changes made in the words or symbols used or the message displayed unless the sign is specifically designed for periodic change of message.
- ~~(e)(d)~~ Be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type or design of the sign.

~~(d)~~(e) Have the face changed unless such sign is of a type of construction to permit such a complete change of the face.

~~(e)~~(f) Be repaired or replaced after being damaged if the repair or replacement would cost more than 50 percent of the cost of an identical new sign except as provided in subsection (c) of this section.

- (3) Any sign or awning having been destroyed or rendered unusable by unintended damage may be replaced by an identical sign or awning, but must be approved by the building official.

Sec. 32-13. - Wall signs.

- (1) Where wall signs are placed so as to cover transom windows, the glass in such transoms must be removed and a steel frame in the form of steel studs covered on both sides with metal lath and cement plaster must be provided before the wall sign is erected. In filing applications for the erection of such signs over transoms, it will be necessary that complete detailed sketches be included showing compliance with all these requirements before a permit can be granted. All wall signs to be placed on mansard facades are to be constructed of individual characters, on a raceway or applied directly to the facade.
- (2) All applications for the erection of a wall sign shall show the location of the sign, details of the building to which the sign is to be attached, the size, color and appearance of the sign and all necessary details for fabrication and erection of such sign and any other requirements as detailed on the application.
- (3) Wall signs upon building fronts containing up to 40 feet of building frontage shall not exceed three feet in height or a maximum of 30 square feet in size.
- (4) Wall signs upon building fronts containing 41 feet to 60 feet of frontage shall not exceed three feet in height or a maximum of 42 square feet in size.
- (5) Wall signs upon building fronts containing 61 feet and over of frontage shall not exceed three feet in height or a maximum of 48 square feet in size.
- (6) Wall signs upon the sides of buildings shall not exceed three feet in height or 12 square feet in size.

(7) Wall signs upon the rear of buildings shall not exceed three feet in height or nine

square feet in size.

~~(4) **Wall signs.**~~

~~(8a) **Material.** Wall signs shall be constructed of noncombustible material, except that approved combustible materials or approved combustible plastics may be used as provided in this Code, and wood may be used for moldings and purely ornamental features.~~

~~(9) **Projection beyond building line.** Wall signs shall not project beyond an established building line or a street property line. Wall signs shall not project into alleys.~~

~~**Prohibited locations.** No wall sign shall be attached to a building in such manner so as to obstruct any door, window, fire escape or ventilating system.~~

~~(8) **Extension over or beyond wall.** Wall signs shall not be erected to extend above the top of a wall or beyond the ends of the wall to which they are attached.~~

~~(9) **Thickness.** No wall sign shall be more than eight inches thick.~~

~~(10) **Attachment to parapet wall.** No wall signs shall be attached to any parapet wall.~~

~~(11) **Painted wall signs.** No wall sign, including murals, may be painted onto any building wall.~~

~~(7)(12)~~

Sec. 32-14. - Projecting or overhanging signs.

Permits shall be required for all projecting or overhanging signs and such signs shall be subject to the following restrictions:

- (1) No such sign attached to any building shall be erected so as to overhang public property, except in the case of flat signs attached to a building face, which may project eight inches from the building face.
- (2) The area of such signs shall not exceed a maximum of 32 square feet.
- (3) All such signs, including letters, shall be constructed entirely of metal, porcelain or other durable incombustible material. All projecting signs shall be supported by

strong steel brackets attached to walls of buildings with through bolts, expansion bolts or other equally secure method, and shall be braced and held firmly in place with soft iron or steel cables of adequate strength. No swinging signs shall be constructed larger than 16 square feet in area. Cables shall be attached to walls of buildings with expansion bolts or equivalent method. Projecting signs which are permitted to extend over parapet walls may be attached to brackets fastened to roofs by means of through bolts but shall not be attached to any part of a wall above the point of bearing of the roof joists or rafters.

- (4) The thickness of a sign, exclusive of structural attachments, shall not exceed eight inches, but a sign may be made in two portions joined at one point similar to a letter "V," provided the least angle of intersection does not exceed ten feet.
- (5) In cases where a street is widened, causing signs to project over the curb, such signs shall be made to conform to the provisions of this chapter.
- (6) No sign shall be erected so that any part of it, including cables, guys, etc., will be within four feet of any electric light pole, streetlamp, or other public utility pole or standard.
- (7) Nothing in this section prohibits blade signs conforming to section 32-35.

Sec. 32-15. - Cloth and banner signs.

- (1) A permit shall be required for all cloth and banner signs.
- (2) No such sign shall be suspended across or project into any public street or highway.
- (3) No such sign shall exceed ~~two feet in least dimension or~~ 32 square feet in area, and not more than one such sign shall be placed upon any building for each story in height. When two or more signs are erected on any building, they shall be separated vertically by the height of one story less the width of the sign, or horizontally by a distance of at least nine feet.
- (4) All such signs shall be strongly constructed and securely attached.
- (5) Such signs shall not obstruct any door, window or fire escape.
- (6) Such signs shall be removed as soon as torn or damaged, and, in any case, 30 days after erection. It shall be deemed a violation of the provisions of this chapter to fail to notify the division of safety inspection of the erection of such signs or to fail to remove them after 30 days.

Sec. 32-16. - Roof signs.

The installation of open roof signs and solid roof signs, as defined in this chapter, shall not be permitted. Any part of a building, such as a wall, pylon or projection, higher than the parapet of the building face or front elevation and serving to carry a sign shall be considered a roof sign and shall not be permitted. This restriction shall be applicable to a gable, hip or mansard type of roof and no sign shall be mounted on the face of such type of roof. All roof signs in existence within the city shall be considered as not conforming to this Code and the reconstruction or replacement of such signs shall not be permitted. For the purpose of this chapter, signs installed on those mansard facades, which are incorporated into the construction of the building front and not into the roof structure of the building, shall not be deemed roof signs, but wall signs. A mansard facade that extends more than four feet above the roof of the building shall not be deemed to be a mansard facade for the purposes of this section.

Sec. 32-17. - Combination of signs.

- (1) A building shall be limited to a maximum of two signs from the following classifications:
 - (a) Wall sign.
 - (b) Ground and pole sign.
 - (c) Pylon sign.
- (2) For a combination of smaller signs, see section 32-10(a). No sign or combination of signs shall contain more than ten message units on any one building except as provided in section 32-8 and section 32-10~~(1)(b)(a)(2)~~.

Sec. 32-18. - Alteration or relocation of signs.

In case any sign is altered in appearance or dimension in any manner or moved to any new location, such sign shall be subject to all restrictions applying to a new sign.

Sec. 32-19. - Blinking and animated signs prohibited.

The use of a blinking or animated sign is prohibited. The term "blinking," as used in this section, shall mean the apparent or actual oscillation, cycling or flashing of any sign or portion thereof, whether such apparent or actual oscillation, cycling or flashing is made, created or occasioned by mechanical, optical or electrical means. The term "animated," as used in this section, shall mean the actual or apparent movement of any portion of a sign and shall include replicas or statues of persons, animals and cartoon style characters, whether such replicas or

statues contain or appear to contain moving parts or not.

Sec. 32-20. ~~Temporary real estate signs.~~

~~—The provisions of this chapter relative to construction and the obtaining of a permit shall not apply to so-called temporary real estate signs advertising the sale or lease of the property upon which such signs are situated, provided:~~

- ~~(1) Signs of a size not exceeding 24 inches by 30 inches may be placed between the sidewalk and the curb upon the streets, highways and public places in this city advertising the location and the availability for purchase of houses being offered for sale in the city, provided such signs are so placed so as not to create a traffic hazard or a nuisance or inconvenience to the neighborhood, and providing such signs shall not exceed two in number and shall be placed only during the period the premises advertised are open for inspection, but under no circumstances shall such signs be placed prior to 10:00 a.m. and signs shall be removed by 9:00 p.m. No signs shall be placed in accordance with this section without the express-written approval for such placement being obtained from the owner or tenant in charge of the private property immediately adjacent to the area wherein such sign is to be located.~~
- ~~(2) Any sign so used and placed shall have affixed thereto an identification tag with the name and address of the owner thereof clearly indicated thereon.~~
- ~~(3) Upon proper application in writing to the city administrator and upon a good and sufficient showing of necessity, the city administrator may authorize the placing of additional signs upon such terms and conditions as the city administrator shall deem advisable. (Invalid content regulation.)~~

Sec. 32-21. - Compliance with zoning regulations.

Notwithstanding anything in this chapter to the contrary, the provisions of [the this](#) zoning chapter shall be strictly complied with.

Sec. 32-22. ~~Political signs.~~

~~—The provisions of this chapter relative to the construction, installation and obtaining of a permit shall not apply to temporary political signs advertising a political candidate, a forthcoming election or urging any vote on any topic; provided, however, that:~~

- ~~(1) Such signs shall not exceed a size of 36 inches by 36 inches and shall be so placed or installed so as not to obstruct the vision or view of any bicyclist or driver of any~~

~~motor vehicle upon the streets and alleyways of the city.~~

- ~~(2) Not more than one such sign shall be installed or placed upon any property advertising a particular candidate or proposition. However, this section shall not be construed as a prohibition against placing two or more signs upon such property when each sign urges a vote for a different candidate or proposition.~~
- ~~(3) The owner of the property where such signs have been installed or placed shall cause the signs to be removed within five days after the date of the election or vote upon the proposition to which the signs pertained. (Invalid content regulaton.)~~

~~Sec. 32-23. "Portable sign" defined.~~

~~For purposes of this chapter, the term "portable sign" means any sign or display board, searchlights, lighting panel or similar device mounted upon a trailer or upon its own frame and wheels and not being a ground sign or pole sign as defined in this chapter. Portable signs include any so-called "sandwich boards" or signs placed on easels.~~

~~Sec. 32-24. Approval of portable signs required~~Portable Signs.

- (1) No portable sign shall be displayed upon any land within the city without prior approval for such display having been obtained from the Building Official. ~~planning commission of the city.~~
- (2) Notwithstanding subsection (1) of this section, an application for a sandwich board or sign placed on an easel may be submitted to the building official for approval prior to its proposed installation. Approval by the building official may only be granted under all of the following conditions:
 - (a) The sign may only be placed on the property occupied by the applicant, and the location will not interfere with pedestrian traffic or visibility.
 - (b) The sign may only be displayed during the hours of business of the applicant.
 - (c) The sign must be constructed of either wood or metal or a combination of wood or metal, or other material approved by the building official.
 - (d) The size of the sign must not exceed 42 inches in width, 48 inches in height, and its overall height shall not be greater than 65 inches.
 - (e) The colors displayed on the sign must be in accordance with this chapter.

- (f) The sign must be structurally sound, stable and adequately maintained.
- (g) The message on the sign must be related to the business affected.
- (h) Only one sandwich board or easel sign per address.

In the event the building official approves the sandwich board or easel sign, no approval of the planning commission is necessary.

Sec. 32-25. - Standards for approval of portable signs.

The planning commission shall not signify its approval for the display of a portable sign unless the following requirements have been met:

- (1) Such proposed display shall be for definite consecutive dates not to exceed seven days.
- (2) The building official or the building official's designated representative shall certify to the division of safety inspection that the proposed location of the portable sign will not cause traffic congestion, impede traffic, block access to off-street parking spaces, conflict with traffic signalization or signage, or otherwise interfere with orderly traffic movement.
- (3) The proposed location of the portable sign shall not be on any public right-of-way.
- (4) The proposed portable sign shall not consist of or utilize flashing lights, beacons or searchlights, banners, balloons, flags, etc.
- (5) The proposed location for the placement of the portable sign shall not be closer than ten feet to any driveway, road, street, alley, sidewalk or other public property, and the sign shall not be placed upon any property other than where the business or product advertised is located or sold. Nonprofit organizations may

advertise fundraising events and similar occasions on other than their own property if written permission of the owner of the proposed location accompanies the application.

- (6) Each application for a permit for a portable sign shall include a description or sketch showing how such sign will be affixed to the ground or some stationary structure which will prevent the sign from rolling, tumbling, blowing or being pushed onto any driveway, street, alley or other public property.

- (7) Not more than one portable sign shall be permitted to be displayed on any premises for more than a seven-day period within a calendar year. For the purposes of this subsection, a shopping center shall be considered one premises.
- (8) No portable sign shall exceed 32 square feet in area.

Sec. 32-26. - Review of application for installation of portable sign.

Application for a portable sign installation shall be submitted to the division of safety inspection. The application shall be reviewed by the division, and if found to be complete and in compliance with the provisions of this chapter, such compliance shall be noted upon the application. The application shall then be referred to the director of public safety, or the director's designated representative, who shall review the application and shall note thereon that the application complies with the traffic safety requirements. Upon completion of such review, the application shall be referred to the planning commission for its consideration.

Sec. 32-27. - Variances for portable signs.

Should any party wish to display a portable sign that fails to meet the requirements of section 32-26, an appeal to the city council may be made in accordance with the provisions of section 32-32.

~~Sec. 32-28. - Temporary garage, yard, basement, estate and rummage sale signs.~~

- ~~(1) The provisions of this chapter relative to construction and obtaining of a permit shall not apply to temporary garage, yard, basement, estate and rummage sale signs advertising the sale of personal property in a residential zoning district of the city.~~
- ~~(2) Signs of a size not exceeding 24 inches by 30 inches may be placed only upon private property advertising a garage, yard, basement or rummage sale and only during the time that such sale is in progress. Such signs shall not be displayed between the hours of 7:00 p.m. and 7:00 a.m., local time.~~
- ~~(3) The installation or placement of temporary signs advertising a garage, yard, basement or rummage sale at locations within the city other than as authorized by subsection (2) of this section shall be a violation of this Code.~~
- ~~(4)~~(3) The owner, tenant or person in apparent control of the residential property where such sale is being conducted as advertised by signs posted in violation of the provisions of this section shall be deemed to be prima facie the person responsible for the installation or placement of any temporary sign advertising a garage, yard, basement or rummage sale held at such residential property within the city.

Sec. 32-29. - Design of Lettering and Sign Faces in the American Colonial Architectural Area.

~~Within the business area the American Colonial architectural area of the city generally situated *(insert description)*, and whose boundaries may be obtained through a document furnished by the City Clerk, t~~The following rules, regulations and guidelines shall be applicable to all permanent signs installed or erected within the city:

- (1) **Lettering.** ~~A list of approved and prohibited lettering styles will be maintained by the building official as approved by the planning commission resolution.~~ Signs shall be comprised of not more than two styles of lettering. There shall be no more than three sizes of lettering per sign.
- (2) **Colors.** A maximum of three complimentary, muted colors or shades of colors may be used for a sign. A list of approved colors will be maintained by the building official as approved by the planning commission resolution.

Registered logo/trademark is exempt from lettering and color restrictions.

Sec. 32-30. - Flags and flagpoles.

Flagpoles shall not be erected between the sidewalk and curblineline of Mack Avenue nor within 20 feet of any property line if freestanding. Flags of any nature or design in excess of 120 square feet in size shall not be flown within the city. ~~Flags of other than the United States of America, the state, county and city or Tree City USA shall not be flown within the city other than in residential zoning districts, unless a permit shall first have been obtained from the division of safety inspection. Permits may be obtained to fly flags of any nature for a period not to exceed 30 days. Not more than one such permit shall be issued to any business establishment within a 12 month period. *(Invalid content regulation. It is suggested that the number of flagpoles and/or flags be limited based on property size. This would result in limiting flagpoles for example to one flagpole in all residential areas while still allowing for more flagpoles on larger sites which are subject to our regulations such as private schools and other larger sites.)* No flagpole shall be erected closer to the joining street than 10 feet from the front building setback line, and in no event shall a flagpole or flag be permitted to extend into any public right-of-way. For each parcel or combination of parcels under common ownership, one flagpole shall be permitted if frontage abutting a street is 100 feet or less. If frontage is between 100 and 300 feet, two flagpoles shall be permitted, and for frontage exceeding 300 feet, up to three flagpoles are permitted. No more than two flags whose combined square footage, if 20 square feet or less, shall be permitted on each flagpole. Flagpoles shall be configured so that flags do not touch each other.~~

Sec. 32-31. - Awnings and canopies.

- (1) Awnings and canopies shall be made with cloth, canvas or vinyl, and may not be covered with metal or hard plastic materials.
- (2) Awnings and canopies shall be of city approved colors. Such colors shall be approved by resolution of the planning commission and samples shall be maintained by the building official and made available to all applicants seeking a permit to install an awning or canopy free of charge.
- ~~(3) Striped awnings or canopies shall not be permitted or installed.~~
- (4) No advertising message or logo shall be permitted on the face of any awning or canopy.
- (5) No awning or canopy shall be backlighted with artificial lighting.
- (6) Advertising material may be contained on the valance of an awning or canopy. Such message shall not exceed the message unit limitations for such property. Letters or numbers on the valance shall be limited in height to eight inches.
- (7) All applications for a permit to install a new awning or canopy or to install exact replacement awnings or canopies shall be authorized by the building official, provided that such proposed installation meets the provisions of this chapter.

Sec. 32-32. - Appeal of denial of permit.

If the building official denies a sign permit, or if a variance is requested, upon filing an application in writing, the appeal or variance request will first be reviewed by the planning commission with a determination made within 45 days, which will provide a recommendation to the city council. Any party who has been refused a sign permit after review by the building official or planning commission for a proposed installation or has been notified by the city to remove an existing sign may file a claim of appeal with the city clerk by completing a written application stating "appeal". Such claim of appeal shall be accompanied by an appeal fee as currently established or as hereafter adopted by resolution of the city council from time to time or a fee structure designated by the administration and approved by the city council by resolution, payable to the general fund of the city. The City Council must act upon ~~may grant~~ such appeal within 60 days, and may deny such appeal, grant such an appeal, or grant such appeal with reasonable conditions, upon a finding that such exception would be in the best interest of the City and not against the spirit and intent of this chapter. ~~and allow an exception to the provisions of this chapter upon a finding that such an exception would be in the best interests of the city and not against the spirit and intent of this chapter.~~ Neither the Planning Commission, nor the City Council may consider the content of any sign as a factor in any

determination made pursuant to this section. ~~If the building official denies a sign permit, or if a variance is requested, the appeal or variance request will first be reviewed by the planning commission, which will provide a recommendation to the city council.~~

Sec. 32-33. - Electronic changeable copy signs.

- (1) **Definition.** An "electronic changeable copy sign" is defined as a sign upon which the copy changes automatically on a lamp bank and which sign meets the definition of a ground sign as contained in this chapter. Scoreboards used to keep track of scores during athletic events are exempt from this definition.
- (2) **Standards.** The following rules and regulations shall be applicable to electronic changeable copy signs notwithstanding any other rules or regulations contained in this chapter:
 - (a) Such sign shall not produce blinking or animated messages.
 - (b) The changeable copy or message delivered by the sign shall not be changed more often than once in any eight-hour time period.
 - (c) Such sign shall be permitted to be installed only within a community facilities zoning district of the city, once application is made to the building official and subsequent review and approval by the planning commission.
 - (d) Such sign may be of a size of up to 32 square feet and a height of six feet above the ground.
 - (e) Such sign may be installed within ten feet inside of the property line; provided, however, that such location proposed for the installation receives prior approval from the division of safety inspection as to traffic hazards and pedestrian hazards.
 - (f) All messages shall not exceed four lines of characters.
 - ~~(f)~~(g) Such sign shall be limited to 50 footcandles power output.

Sec. 32-34. – Multitenant buildings.

Generally, multitenant buildings will be exempted from the maximum number of sign restrictions providing a "master"/overall building plan is applied for and approved by the planning commission.

Sec. 32-35. - Blade signs.

- (1) **Purpose.** The purpose of a blade sign is to identify and promote the business use for pedestrians and serve as a graphic design enhancement to ~~any commercially zoned district~~ certain zoning districts. Blade signs are only permitted in the C, C-2, and R-O1 Districts. Blade signs are permitted subject to the following requirements.
- (2) **Procedure.**
 - (a) All blade signs shall be subject to review and approval by the building department and department of public services. Blade signs are not exempt from the permit requirements or other regulations of this chapter.
 - (b) Blade signs complying with this chapter shall not count against the number of signs permitted, area allowed, or message unit requirements.
 - (c) A permit for a blade sign is required before any part of the sign is affixed to a building.
- (3) **Requirements.** Blade signs shall adhere to the following requirements:
Only one blade sign is permitted per storefront or business.
 - (a) The total sign area for any blade sign shall not exceed four-and-one-half square feet per side.
 - (b) The lowest point of the sign shall be at least nine feet above a public way. The highest point of the sign shall not exceed the highest point of the building. Signs above private property shall be at least eight feet above grade. Signs shall not project from the building more than three feet. Brackets are included as part of the sign when determining these measurements.
 - (c) Internal or external illumination is prohibited.
 - (d) Any blade sign shall be at least ten feet from another blade sign, and five feet from the entrance of any other adjacent property.
 - (e) Blade signs shall be located as close as practical to the storefront entrance.
 - (f) Blade signs shall not obstruct vehicular traffic or city operations in any sidewalk, passageway, public way, alleyway or designated loading/unloading area.

- (g) No portion of a blade sign shall project above the top of an eave or parapet.
- (h) All blade signs shall be maintained in good condition.
- (i) Blade signs shall be designed as to be compatible with the architectural facade where they are placed. The design, including materials and color, shall comply with the requirements of this chapter.
- (j) The bracket of the blade sign shall be made of a durable material and attached directly to the building wall and meet building code requirements. Decorative frames and brackets are encouraged. Installation onto mansard roofs is prohibited.
- (k) Blade signs shall be no more than four inches thick. Brackets and decorative mounting features may exceed the thickness requirements as reasonably necessary to create an attractive graphic or design element.
- (l) Blade signs shall be limited to two sign faces.
- (m) Blade signs shall not obstruct the view of traffic control devices or interfere with the vision of pedestrian or vehicle traffic as determined by the city's traffic safety officer.
- (n) Symbols or logos used to identify the business are encouraged.