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## CHAPTER XIX SIGNS IN ALL DISTRICTS

**Section 19.1 Definitions.** The following words and phrases shall have the meanings set forth in this section when they are used in this section:

**Accessory Sign.** A sign which pertains to the principal use of the premises upon which such sign is located.

**Appendage Sign.** A sign that is intended to draw attention to one or more of various services, items for sale, contests, etc., and is attached as an appendage to an accessory sign, sign support or any part of a sign structure. Appendage signs are prohibited throughout Caledonia Charter Township.

**Architectural Features/Artwork.** Decorative features of buildings or works of art (e.g., murals) so long as such features or works do not contain letters, trademarks, moving parts, or lights.

**Banner Sign.** A sign on paper, cloth, fabric or other combustible material of any kind, either with or without frames.

**Billboard or Off Premises Advertising Sign.** A sign which contains a message or advertises an establishment, product, service, space or activity not available on the lot on which the sign is located. New billboard or off premises signs shall be expressly prohibited.

**Building Frontage.** The length of the portion of a building facing a street abutting to the premises on which a business is located.

**Bulletin Board.** A sign with temporary or replaceable letters or characters, used to announce dates of functions or activities.

**Canopy.** A suspended covering, often movable, placed above a door, window, or other entranceway. Canopies can be constructed of cloth, metal, wood, or other materials.

**Construction Sign.** A sign advertising a project under development, erected for the period of construction, identifying its developers, contractors, engineers, brokers and architects.

**Directional Sign.** A sign, the primary purpose of which is to expedite the flow of vehicular and/or pedestrian traffic to, from and within a site.

**Electronic Message Board.** A sign that uses lights to display messages, such as, but not limited to, the current time, temperature, and/or date of the immediate environment.

**Flag.** A banner of distinctive design used as a symbol of a nation, state or other governmental entity or a nonprofit organization.

**Flashing Sign.** A sign that is intermittently illuminated or reflects light intermittently from either an artificial source or from the sun.

**Freestanding Sign.** A sign supported by one or more uprights, poles, pylons or braces placed in or upon the ground and not attached to any building or other structure.

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**Grade.** The average elevation of an area within a radius (of the sign base) equal to two times the height of the sign.

**Handicapped Sign.** A sign limited to indicating that off street parking is reserved for the physically handicapped, or a sign which is limited to indicating facilities for the physically handicapped.

**Illuminated Sign.** A sign which has characters, letters, figures, or designs which are illuminated either internally or with external shielded lights.

**Institutional Sign.** A sign containing a surface area upon which is displayed the name of a religious institution, school, library, community center, or similar institutions, and the announcement of its services or activities.

**Interior Sign.** A sign which is visible from any public street, sidewalk, alley, park or public property and located within a building.

**Marquee Sign.** A sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building.

**Maximum Sign Height.** Shall be measured from grade or sidewalk to the highest edge of the sign surface or its projecting structure.

**Minimum Sign Height.** Shall be measured from grade or sidewalk to the lowest edge of the sign surface or its projecting structure.

**Moving Sign.** A sign that has motion either constantly or at intervals or that gives the impression of movement through intermittent, flashing, twinkling, or varying intensities of illumination.

**Non Accessory Sign.** A sign which does not pertain to the principal use of the premises on which such sign is located.

**Occupational Sign.** A sign denoting only the name and profession of an occupant in a commercial building or public institutional building.

**Off Premises Directional Sign.** A sign intended to provide directions to a business located within the Township, consisting of the business name and a directional arrow. No graphics, pictures or other text is permitted.

**Portable Sign.** A sign, sign board, or banner which is not permanently anchored or secured to either a building, structure or the ground; or any sign attached to a trailer or other vehicle not accessory to the vehicle or its use, but used with the express intent of advertising. Portable signs shall be expressly prohibited in Caledonia Township.

**Premises.** A lot or group of lots with one or more buildings which functions as a single use, is under the same ownership or control and is not divided by a public street. Multiple tenants of a single premises may share common entranceway and off street parking. Examples of premises include a shopping center, a multiple family apartment complex, and a educational or medical campus.

**Projecting Sign.** A sign so constructed and erected as to be attached at one end to a building, metal pole or other structure, and projecting therefrom.

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**Roof Sign.** A sign which is erected, constructed and maintained on or above the roof of a building or any portion thereof. Roof signs are prohibited in Caledonia Township.

**Sign.** Any visual or graphic device designed through use of words, numbers, characters, or symbols to inform or attract attention and which is designated to be visible from outside any building or structure in which, upon which, or attached to which it may be located.

**Sign Area.** The entire area within a circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material, graphic or color forming an integral part of the display or message, or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed, if no advertising matter is placed thereon.

**Sign Erector.** Any person engaged in the business of erecting, constructing, altering, or removing signs on a contractual or hourly basis.

**Subdivision/Development Sign.** A sign or entranceway structure, listing the names and addresses only of the establishments occupying a development, subdivision or condominium. The erection of such identification signs is so intended to assist the public in locating establishments within its immediate area and shall be placed upon property within the development or subdivision.

**Temporary Sign.** A sign intended to be displayed for a limited period of time, including decorative displays for holidays, special events, political signs, real estate signs, or public demonstrations.

**Wall Sign.** A sign attached to, painted on, inscribed, or otherwise set upon the exterior wall or surface of any building. A mural is considered a wall sign. A sign painted or inscribed on a canopy shall also be considered a wall sign.

## **Section 19.2 General Sign Provisions.**

- (a) **Installation.** Signs shall be placed, constructed and erected in accordance with good construction practices and shall be maintained in good condition and repair.
- (b) **Permit Required.** No permanent signs except those exempt from the provisions of this chapter, shall be placed, constructed or erected unless a permit therefor has been issued by the Zoning Administrator.
- (c) **Non-Interference.** No sign or sign structure shall be placed, constructed or erected in any location or manner where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No rotating light or flashing illumination shall be used on or in connection with any sign.
- (d) **Illumination.** Signs may be illuminated only in accordance with this chapter. Any externally illuminated sign shall be shielded in such a manner as to direct the light toward the sign. Any internally illuminated sign shall not be of such intensity as to illuminate any adjacent residential property. Illuminated signs shall be constructed and operated in compliance with the electrical code adopted by the Township as administered by the electrical inspector.
- (e) **Double-Side Signs.** A sign which has lettering or other material on both sides of the same surface shall nevertheless be deemed to be a single sign for all purposes in this chapter.

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(f) **Location.** Signs shall be placed only on private property except for lawful signs of governmental purposes or events shall be allowed provided such displays receive a permit from the Zoning Administrator and are placed for no longer than the length of the event or 30 days, whichever shall be less. Displays shall not be placed or erected in any manner such as to create or tend to create a traffic hazard or public nuisance.

(g) **External and Internal Illumination.** It is the intent of this section to ensure that illuminated signs do not create glare or unduly illuminate the surrounding area. The following provisions shall apply:

(1) **Externally Illuminated Signs.**

(i) Lighting fixtures shall be carefully located, aimed and shielded so that light is directed only onto the sign facade. Lighting fixtures shall not be aimed at adjacent streets, roads or properties.

(ii) Light fixtures shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads or properties.

The average of the illumination on the vertical surface of the sign shall not exceed 3.0 foot-candles and the uniformity ratio (the ratio of the maximum to the minimum illumination) shall not exceed 2:1.

(2) **Internally Illuminated Signs.**

(i) The light source shall be fluorescent tubes, spaced at least eight inches on center, mounted at least 3.5 inches from the translucent material.

(ii) The light source (bulb) of internal illumination shall be sufficiently shielded or obscured that the light source does not shine directly onto adjacent streets or other lands.

(3) No sign, whether externally or internally illuminated, shall be illuminated by other than approved devices. No open spark or flame shall be used for display purposes. All illuminated signs shall be so constructed, arranged and shielded so as not to interfere with the vision of persons travelling on adjacent streets. Light from an illuminated sign shall not shine onto adjacent property which is used for residential or other purposes.

(h) No sign (or any pole or support cable of any nature) except those established and maintained by the Township, county, state, or federal governments, shall be located in, project into, or overhang a public right-of-way or dedicated public easement, unless otherwise authorized in this Ordinance.

(i) No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such manner as to interfere with, mislead, confuse or create a visual impediment or safety hazard to pedestrian or vehicular traffic.

(j) No sign above a height of 36 inches shall be located within, project into, or overhang the triangular area formed at the intersection of any two street right-of-way lines (existing or

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proposed) by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection, unless visual under clearance can be assured on the plans.

- (k) **Proximity to Electrical Conductors.** No sign shall be erected so that any part including cables, guys, etc., will be within ten feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.
- (l) **Fire Escapes.** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- (m) **Wall Signs.** No wall sign shall project beyond or overhang the wall, or any permanent architectural feature and shall not project above or beyond the highest point of the roof or parapet.
- (n) **Freestanding Signs.** Freestanding signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the natural environment.
- (o) **Sign Owner Insurance Requirements.** If the vertical distance of a sign above the street is greater than its horizontal distance from the sign to the street right-of-way or is so located as to be able to fall or be pushed onto public property in any manner, then the owner of such sign shall obtain and maintain in full force and effect comprehensive general liability insurance in an amount not less than \$1,000,000 for injuries to one person and not less than \$3,000,000 for injury to more than one person, and in an amount not less than \$25,000 for damage to any property, resulting in any way from such sign. The Township shall be named as an additional insured in all applicable policies. All insurance policies shall provide that they shall not be canceled or modified unless ten days prior written notice is given to the Township.

The sign erector shall, prior to the issuance of a permit, provide the Township with a certificate of insurance evidencing such coverage and shall maintain a current certificate on file with the Township. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus lines carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus lines carriers shall be rated A+ or better by A.M. Best Company. In lieu of an insurance policy as required herein, an owner may present satisfactory proof to the Township Attorney that said owner is financially capable of self-insurance in the above amounts.

**Section 19.3 Computation Of Sign Area.** For the purposes of this Ordinance, the total area of a sign shall be expressed in square feet and shall be computed as follows:

- (a) **Single Face Sign.** The total area of a single face sign shall be computed as the number of square feet within any single or combination of geometric shapes – such as a square, rectangle, triangle or circle – encompassing the extreme limits of an individual letter(s), word(s), message(s), representation, emblem or any similar figure, including open space(s), together with any frame or other material forming an integral part of display used to differentiate such sign from the background against which it is placed.

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- (b) **Double Face Signs.** For double-face signs having two faces of equal size arranged and/or positioned back to back, parallel to each other, with no more than a two-foot space between the two faces; the area of the sign shall be computed as one-half the total area of the two faces. When the faces of such a sign are not of equal area, then the area of the sign shall be computed as the total area of the largest face.
  - (c) **Three Dimensional Signs.** For signs which are designed as a three dimensional geometric form such as a sphere, cone, cylinder, or cube; the area shall be computed as one-half the total surface of the geometric form.

#### **Section 19.4 Permit Required For Signs.**

- (a) **Sign Erection Permit.** It shall be unlawful for any person to construct, erect, re erect, move, alter, enlarge, or illuminate, any sign unless a permit shall have been first obtained from the Zoning Administrator. Any sign that makes use of electricity shall, in addition to a sign permit, require an electrical permit, regardless of size.
- (b) **Sign Maintenance or Change of Message.** No permit shall be required for ordinary servicing, repainting of existing sign message, or cleaning of a sign. No permit is required for change of message of a sign designed for periodic message change without change of structure, including a bulletin board or billboard.
- (c) **Planning Commission Approval.** All subdivision/development signs, time/date/or temperature signs, or any type of sign not explicitly defined in this chapter must be approved by the Planning Commission before a permit shall be issued.
- (d) **Sign Erector Requirements.** Permits for the erection of signs shall only be issued to persons qualified to carry on such work under the provisions of this chapter.
- (e) **Permit Applications.** Applications for sign permits shall be made upon forms provided by the Township for this purpose and shall contain the following information:
  - (1) Name, address and phone number of applicant.
  - (2) Location of the building, structure, or lot on which the sign is to be attached or erected.
  - (3) Position of the sign on the building, structure or lot on which the sign is to be attached or erected.
  - (4) Position of the sign in relation to nearby buildings, structures, signs, property lines, and rights-of-way, existing or proposed.
  - (5) Zoning district in which the sign is to be located.
  - (6) Two copies of the sign plans and specifications for method of construction and attachment to the building or in the ground. The sign plans shall include all pertinent data including highest point, low point clearance, face outline and total face area with method of calculation. When public safety so requires the specifications shall include the certificate or seal of a registered structural or civil engineer as a condition to the issuance of a permit.

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- (7) Name and address of the sign erector.
  - (8) Insurance policy as required herein.
  - (9) Such other information as the Township may require to show full compliance with this and all other applicable laws of the Township, Kent County and the State of Michigan.
- (f) **Sign Erection Permit Expiration.** A sign permit shall become null and void if the work for which the permit was issued is not completed within 90 days of the date of issue.

**Section 19.5 Sign Erector Requirements.**

- (a) **Sign Erector Insurance Requirements.** A permit for a sign over 12 square feet shall not be issued to a sign erector unless the sign erector obtains and maintains in full force and effect comprehensive general liability insurance in an amount not less than \$1,000,000 for injuries to one person and not less than \$3,000,000 for injury to more than one person, and in an amount not less than \$25,000 for damage to any property, resulting in any way from the erection of such a sign by the sign erector, or its agents, employees, contractors and/or subcontractors. The Township shall be named as an additional insured in all applicable policies. All insurance policies shall provide that they shall not be canceled or modified unless ten days prior written notice is given to the Township.

The sign erector shall, prior to the issuance of a permit, provide the Township with a certificate of insurance evidencing such coverage and shall maintain a current certificate on file with the Township. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus lines carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus lines carriers shall be rated A+ or better by A.M. Best Company. The sign erector shall require that each of its contractors and their subcontractors carry such insurance in the same type and amount as the sign erector is required to obtain under this provision.

- (b) **Lapsing of Insurance.** If at any time, the insurance of any sign erector is permitted to lapse, his right to obtain permits shall automatically be revoked.
- (c) **Notification of Change.** A sign erector shall notify the Zoning Administrator of any change in address, and if a firm or corporation, any change in ownership or management if other than that indicated on the Insurance Certificates.

**Section 19.6 Certificate Of Compliance.**

- (a) **Compliance Certification.** All signs shall be inspected at original installation and if found to be in full compliance with the provisions of this chapter, may be issued a certificate of compliance. The Township may cause existing signs to be inspected if deemed necessary to determine continuation of compliance with the provisions of this chapter.
- (b) **Responsibility of Compliance.** The owner of any property on which a sign is placed and the person maintaining said sign are declared to be equally responsible for the erection, safety and condition of the sign and the area in the vicinity thereof subject to provisions of this chapter.

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**Section 19.7 Signs Exempt from Permit Requirements.** No sign permit is required for signs listed below. Such exemptions, however, shall not be construed to relieve the owner for its proper location, erection, and maintenance.

- (a) **Government Signs.** Signs erected by or on behalf of or pursuant to the authorization of a government body, including legal notices, informational signs, directional, or regulatory signs.
- (b) **Flags.** Flags, pennants or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as a mean of advertising.
- (c) **Address Signs.** Signs not exceeding two square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- (d) **Street Signs.** Signs erected by private developers or county, state, or federal governments for street names, traffic control, or direction and information.
- (e) **Private Traffic Signs.** Signs directing and guiding traffic and parking on private property that do not exceed six square feet each and bear no advertising matter.
- (f) **Handicapped Signs.** Not exceeding four square feet each and bearing no advertising matter.
- (g) **Architectural Features/Artwork.** Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, copyrighted material, products or services offered for sale on the premises, moving parts, or lights.
- (h) **Small Accessory Signs.** Any accessory sign erected on a premise which is no more than two square feet in area. The total area of all small accessory signs on one premise shall not exceed eight square feet, except in residential districts in which the total area of all small accessory signs on one premise shall not exceed six square feet.
- (i) **Temporary Signs, Banners, Flags.** Temporary Signs, not specifically regulated in any other section of this chapter, including but not limited to: political or campaign signs, real estate signs, signs for special events or activities, banners, flags, and the like shall be permitted subject to the following conditions:
  - (1) No temporary sign or devices shall be located in the public right-of-way, attached to any utility pole, or located within five feet from any public sidewalk or street right-of way.
  - (2) All temporary signs must be removed within seven days of the conclusion of the event, activity, election, sale, etc. for which the temporary sign is displayed.
  - (3) The total area and height of temporary signage shall not exceed the following standards:
    - (i) In residential districts, temporary signage shall be limited to six square feet in area and six feet in height.



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- (ii) In all commercial and industrial districts, temporary signage shall not exceed 32 square feet of total sign area per side or a height of eight feet.
  - (j) **Political Signs.**
    - (1) Political signs are permitted in all districts and do not require a permit.
    - (2) The maximum sign area in residential districts is six square feet for each sign. The maximum number of signs shall be limited to one per contested or open office or ballot issue and shall be placed in the required front yard.
    - (3) The maximum total sign area shall be one square foot of total sign area for every two lineal feet of parcel frontage but the total sign area shall not exceed 64 square feet.
    - (4) Any political campaign sign shall not be erected more than 90 days prior to the election to which it relates and shall be removed within seven days following that election.
  - (k) Essential services signs denoting utility lines, railroads, hazards and the like.
  - (l) Signs in the A Agricultural District which only identify the name of a farm or farm owner or crops or livestock on a farm.
  - (m) Signs identifying buildings or sites designated as historic landmarks or centennial farms by state or federal agencies.
  - (n) Signs or placards posted to control or prohibit hunting or trespassing.
  - (o) Memorial signs, tablets or markers.

**Section 19.8 Signs Prohibited Throughout the Township.** The following signs are prohibited throughout the Township, notwithstanding anything to the contrary in this chapter, except as stated in this section.

- (a) **Moving Signs.** Signs that revolve or are animated or that utilize movement to attract attention. No sign shall have blinking, flashing, or fluttering lights or other illuminated devices such as a changing light intensity, brightness or color. Electronic message boards or changeable copy signs in which the copy consists of an array of light, are permitted, provided that the frequency of message change is not less than two seconds. All lights in a display shall activate simultaneously, remain activated for not less than two seconds, and deactivate simultaneously. Beacon lights and search lights are not permitted.
- (b) **Flashing Signs.** Signs which are illuminated by or in any manner incorporates lights that flash, twinkle, move, or give the appearance of movements.
- (c) **Banners, Streamers.** Exterior banners, pennants, spinners, other than a banner or pennant used as a permitted sign under provisions of this section.
- (d) **String Lights.** Exterior string lights used in connection with a commercial premises, other than holiday decorations, which shall be removed within 15 days after the holiday.

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- (e) **Unsafe Signs.** Any sign which is structurally or electrically unsafe.
  - (f) **Utility Poles and Landscaping.** Any sign erected on a utility pole, directional sign post, or landscaping including trees. Prohibited signs shall not include street signs erected by the Township, county, state, or federal government or a public transit agency.
  - (g) **Nonanchored Signs.** Freestanding signs not permanently anchored or secured to either a building or the ground, except real estate “open house” signs.
  - (h) **Signs on Vehicles.** Signs displayed on any vehicle or trailer when the subject vehicle or trailer is parked in such a manner that the obvious intent is to attract attention to a business, service, or commodity on the premises.
  - (i) **Sign Structure Without Sign.** Any sign structure or frame no longer supporting or containing a sign. The owner of the property where the sign is located shall, within 180 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to prevent the changing of the message of a sign.
  - (j) **Roof Mounted Signs.** Roof-mounted signs are prohibited.
  - (k) **Appendage Signs.** Appendage signs are prohibited.
  - (l) **Portable Signs.** Portable signs are prohibited except as stated in this subsection.
    - (1) A portable sign may be installed on a parcel of land in a residential zoning district for a period not to exceed seven days in any six month period.
    - (2) Any such portable sign shall be located on private property only, and shall not encroach onto any public or private street right-of-way.
    - (3) A portable sign shall be installed and maintained only after a permit for the sign has been obtained from the Township, in accordance with the sign permit requirements of this chapter.
  - (m) **Air Filled or Gas Filled Balloon Signs.** Such signs are prohibited.
  - (n) **Billboards.** New billboards, being those proposed to be erected after the effective date of this Chapter XIX, are prohibited.
  - (o) **Other Signs Prohibited.** Other signs not expressly permitted by or that do not conform to the provisions of this chapter shall be prohibited.

**Section 19.9 Signs In The A, R-R, R-1, R-2, R-3 and F Districts.** Signs in the A Agricultural, the R-R Rural Residential, the R-1 Low Density Single Family, the R-2 Medium Density Single Family, the R-3 Medium Density Multiple Family and the F Flood Plain Districts shall be permitted only in accordance with this section and other applicable provisions of this Ordinance.

- (a) There may be one sign, not exceeding 12 square feet in area, on each lot or parcel of land, except as otherwise provided in this chapter.

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- (b) Signs may be attached flat against a building or may be freestanding. Except as stated in subsections (c) and (d), there shall be only one freestanding sign per lot or parcel of land. Any freestanding signs shall be located at a minimum setback of 25 feet from the nearest street right-of-way line.
  - (c) Signs for the purpose of identifying churches, schools, parks and playgrounds, governmental and community buildings, libraries, museums, residential and other subdivision, may have an area not exceeding 32 square feet for all of such signs located on a lot or parcel of land, unless a greater area is approved by the Planning Commission as a special land use under Chapter XVI. Such signs may be attached flat against a building or may be freestanding. Any freestanding sign shall be located at a minimum setback of 25 feet from the nearest street right-of-way line.
  - (d) In the R-3 District, signs identifying multiple family dwelling, retirement homes, nursing homes and similar group housing, state licensed mobile home parks and professional offices shall not exceed 32 square feet in total area for all of the signs on any lot or parcel of land, unless a greater area is approved by the Planning Commission as a special land use under Chapter XVI. Such signs may be attached flat against a building or may be freestanding. Any freestanding sign shall be located at a minimum setback of 25 feet from the nearest street right-of-way.
  - (e) Signs shall not exceed a height of ten feet above grade, except as provided elsewhere in this chapter.

**Section 19.10 Signs In The C-1, C-2 and HC Zoning Districts.** Except as provided in Section 19.4, signs in the C 1 Neighborhood Business District and the C 2 General Business District and HC Highway Commercial District shall be permitted only in accordance with this section and other applicable provisions of this Ordinance.

- (a) Signs in the C-1 District shall not exceed 80 square feet in area per sign and shall not exceed 160 square feet in total area of all signs (not including exempt signs) per lot or parcel of land.
- (b) Signs in the C-2 District shall not exceed 100 square feet in area per sign and shall not exceed 200 square feet in total area of all signs (not including exempt signs) per lot or parcel of land.
- (c) Signs in the C-1 District shall not exceed a height of 12 feet. Signs in the C-2 District shall not exceed a height of 18 feet.
- (d) Wall signs shall not exceed 30 square feet in area.
- (e) Unless otherwise provided in the HC District regulations of this Ordinance, signs in the HC District shall be monument type signs only, and shall not exceed six feet in height and 60 square feet in size.
- (f) Signs may be attached flat against a building. One freestanding sign per lot or parcel of land shall be permitted unless a greater number is approved by the Planning Commission as a special land use under Chapter XVI. Any freestanding sign shall be located at minimum setback of 25 feet from the nearest street right-of-way line.

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**Section 19.11 Signs In The I-1 And I-2 Zoning Districts.** Signs in the I-1 Light Industrial District and the I-2 Heavy Industrial District shall be permitted only in accordance with this section and other applicable provisions of this Ordinance.

- (a) Such signs shall not exceed 60 square feet in area per sign and shall not exceed 120 square feet in total area of all signs (except exempt signs) per lot or parcel of land.
- (b) Such signs in the I-1 District shall not exceed a height of 12 feet, except that signs attached flat against a building may be placed at a height not exceeding; that of the roof line of the building. Such signs in the I-2 District shall not exceed a height of 18 feet, except for signs attached flat against a building.
- (c) Signs may be attached flat against a building. One freestanding sign per lot or parcel of land shall be permitted unless a greater number is approved by the Planning Commission as a special land use under Chapter XVI. Any freestanding sign shall be located a minimum setback of 25 feet from the nearest street right-of-way line.

**Section 19.12 Signs In The PUD Zoning District.** Signs in the Planned Unit Development District shall be permitted only in accordance with this section and other applicable provisions of this Ordinance.

- (a) Signs in a Residential Planned Unit Development District shall comply with all provisions of this chapter unless otherwise approved as part of the PUD, or by the Planning Commission and the Township Board as a special land use under Chapter XVI.
- (b) Signs in a Commercial Planned Unit Development District shall comply with all provisions of this chapter, unless otherwise approved by the PUD or by the Planning Commission and the Township Board as a special land use under Chapter XVI. For purposes of this subsection, an office planned unit development district shall be deemed a commercial planned unit development district.
- (c) Signs in an industrial planned unit development district shall comply with all provisions unless otherwise approved by the PUD or by the Planning Commission and the Township Board as a special land use under Chapter XVI.
- (d) Signs in a Planned Unit Development district which includes more than one type of land use shall be as determined by the Planning Commission and Township Board as part of the PUD review process, provided that the signs in and for each type of use shall comply with the sign provisions for such type of use as set forth in this chapter. Signs pertaining to more than one type of use or signs which cannot reasonably be differentiated as to type of use shall be as determined by the Planning Commission and Township Board. In considering approval of such signs, the Planning Commission and Township Board shall consider the nature, size, density, location and design of the PUD, including the design and other safety hazards, will be injurious to the use or enjoyment of nearby property or will result in visual blight or distraction.

**Section 19.13 Signs For Special Land Uses.**

- (a) Signs in and for special land uses shall be permitted only in accordance with the applicable sign provisions of the district in which the use is located as well as the provisions of Chapter XVI.

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- (b) For signs in or for special land uses specified for approval by the Planning Commission and for signs in or for special land uses specified for approval by both the Planning Commission and Township Board, the Planning Commission or both the Planning Commission and Township Board, respectively, may approve a modification of the other applicable requirements provided in this chapter regarding the maximum area of a sign, the maximum total area of signs per lot or parcel of land, the maximum total area of signs per lot or parcel of land, the maximum height of free standing signs and the placement of signs in relation to the street right-of-way, if the applicant demonstrates the following:
- (1) That the modification of such requirements is justified as a result of the nature, size, density, location or design of the special land use, including the design or placement of proposed signs.
  - (2) That the modification of such requirements will not result in traffic or other safety hazards, will not be injurious to the use or enjoyment of nearby property, will not result in visual blight or distraction and will not otherwise result in a detriment to the public health, safety or general welfare.

#### **Section 19.14 Construction And Maintenance Requirements.**

- (a) **Materials and Design.** All signs shall be designed, constructed and maintained in conformity with the provisions for materials, loads, and stresses of the latest adopted edition of the Township Building Code and requirements of this chapter.
- (b) **Erector's Imprint.** Signs which require a permit under this chapter must carry the identification and address of the sign erector, electrical voltage (when applicable), and date of installation in clearly legible letters whether for the initial erection or re-hanging of a sign. In case of re-hanging or re-erection of any sign, the new erector must place his identification, address and the date on the sign.
- (c) **Fastenings.** All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector and/or owner.
- (d) **Freestanding Signs.** Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces and cause injury to persons or property.
- (e) **Sanitation/Landscaping.** Property surrounding any freestanding sign shall be kept clean, sanitary and free from obnoxious and offensive substances, weeds, debris, rubbish, and flammable material. All plant materials and other landscaping surrounding a freestanding sign shall be maintained on a regular basis, including pruning, mowing, watering, fertilizing and replacement of dead and diseased materials.
- (f) **Maintenance.** All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair. Peeling or missing paint, holes, broken, cracked, bent, warped, rotted, discolored, sagging, out of plumb, worn, rusted or

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missing material parts shall be repaired within 15 days of written notification of the ownership.

**Section 19.15 Nonconforming Signs, Including Nonconforming Billboards.**

- (a) **Intent.** It is the intent of this chapter to encourage eventual elimination of signs that as a result of the adoption of this chapter become nonconforming, to administer this chapter to realize the eventual removal of illegal nonconforming signs, to avoid any unreasonable invasion of established private property rights and to adopt regulations on the limited alteration or provisional relocation of certain nonconforming signs, in particular circumstances. This section includes specific, detailed provisions regarding nonconforming signs, and accordingly, in the event of a conflict between the provisions of this section and Chapter XXI of this Ordinance, the provisions of this section shall control.
- (b) **Lawful Existing Signs.** A sign lawfully existing at the time of the adoption of these provisions which does not fully comply with the provisions of this chapter or other relevant provisions of this Ordinance shall be deemed a lawful nonconforming sign and may be permitted to remain if the sign is properly maintained and if it has no serious adverse effects on the public health, safety and general welfare, except as otherwise stated in this section.
- (c) **Continuance of Nonconforming Signs other than Billboards.** This subsection (c) regulates only nonconforming signs that are not billboards, and accordingly, references in this subsection to signs do not include billboards.
  - (1) A nonconforming sign shall not be enlarged or expanded in area, increased in height or changed to another nonconforming sign, in whole or in part.
  - (2) A nonconforming sign shall not be removed, in whole or in part, from its current location and then relocated, re-erected or re-installed at another location, whether on the same parcel of land or on another parcel of land.
  - (3) A nonconforming sign shall not be structurally rebuilt or reconstructed to such extent as will prolong the useful life of the sign; or so as to change the shape, size, type, placement or design of the structural elements of the sign; or in order to add illumination, whether by the addition of additional sources of light or by the increase in the intensity of existing light sources.
  - (4) A nonconforming sign shall not be repaired, re-erected or re-installed after being damaged as a result of casualty, if the repair, re-erection or re-installation of the sign, within any 12-month period, would cost more than 60 percent of the cost of an identical new sign. In evaluating evidence presented as to the cost of an identical new sign, the Township may require the submission of cost estimates from multiple suppliers or contractors or other reliable proof of such cost.
  - (5) A nonconforming sign shall not be altered or revised, except that the following actions with respect to a nonconforming sign shall be permitted: normal and usual maintenance; the changing of the sign surface area to a lesser or equal area; the replacement of landscaping below the base of the sign; or the changing of the sign's, background, letters, figures, graphics or other characters.

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- (d) **Continuance of Nonconforming Billboards.** This subsection (d) regulates only nonconforming billboards. Nonconforming signs that are not billboards are regulated by subsection (c) above.
- (1) A nonconforming billboard shall not be enlarged or expanded in area or increased in height, in whole or in part.
  - (2) A nonconforming billboard shall not be changed to another nonconforming billboard or another nonconforming sign, except as permitted under subsection (e).
  - (3) A nonconforming billboard shall not be removed, in whole or in part, from its current location and then relocated, re-erected or re-installed at another location, on the same parcel of land, except as permitted under subsection (e). A nonconforming billboard may not be relocated, re-erected or re-installed on a different parcel of land.
  - (4) A nonconforming billboard shall not be repaired, re-erected or re-installed after being damaged as a result of casualty, if the repair, re-erection or re-installation of the billboard, within any 12-month period, would cost more than 60 percent of the cost of an identical new billboard. In evaluating evidence presented as to the cost of an identical new billboard, the Township may require the submission of cost estimates from multiple suppliers or contractors or other reliable proof of such cost.
  - (5) A nonconforming billboard shall not be altered or revised, except as permitted under subsection (e) and except that the following actions with respect to a nonconforming billboard shall be permitted: normal and usual maintenance; the changing of the billboard surface-area to a lesser or equal area; the replacement of landscaping below the base of the billboard; or the changing of the billboard's background, letters, figures, graphics or other characters.
- (e) A nonconforming billboard may be (1) changed to another nonconforming billboard or another nonconforming sign, (2) removed from its current location and then relocated, re-erected or re-installed at another location on the same parcel of land, and (3) altered or revised, or any of them, only in accordance with this subsection (e).
- (1) The Planning Commission may approve as a special exception use, the following actions with respect to a nonconforming billboard:
    - (i) The changing of a nonconforming billboard to another nonconforming billboard or another nonconforming sign.
    - (ii) The removal of a nonconforming billboard from its current location and the relocation, re-erection or re-installation of the billboard at another location on the same parcel of land.
    - (iii) The alteration or revision of the nonconforming billboard.
  - (2) An applicant shall apply for the special exception use on a form provided by the Township, shall pay the application fee and shall pay any required zoning escrow deposit. With the application, the applicant shall submit an accurate site plan and

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other written material describing in detail the proposed action(s) with respect to the nonconforming billboard.

- (i) The site plan shall comply with the site plan content requirements of Section 18.4(b) of this Ordinance, except that it need not include items or information deemed by the Planning Commission to be not necessary for consideration of the application or decision thereon.
  - (ii) The applicant shall include such other information with respect to the requested use as the Planning Commission may determine necessary or useful in considering the application.
- (3) The Township Planner shall determine whether the application and the other materials are complete. After such determination, the application, the site plan and other materials submitted by the applicant shall be forwarded to the Planning Commission.
- (4) The Planning Commission shall consider the application for the special exception use at a public meeting. A public hearing shall not be required. If, however, the Planning Commission determines to convene a public hearing, notice of the hearing shall be given in the same manner as required for consideration of a special land use under the terms of this Ordinance.
- (5) The special exception use may authorize the following:
  - (i) The change of a nonconforming billboard to another nonconforming billboard if the resulting billboard would have less sign surface area, or would be of lesser height, than the existing nonconforming billboard. In no event shall the relocated billboard have more than two sign faces, be larger than 380 square feet per sign face, or have a height greater than 35 feet. The billboard shall be a monopole design.
  - (ii) The removal of a nonconforming billboard from its current location, and its relocation, re-erection or re-installation at another location on the same parcel of land, if the billboard as relocated would have less sign surface area or would be of lesser height, and if the relocated, re-erected or re-installed billboard would be placed no closer to the nearest edge of the nearest public or private street right-of-way than was the case with the existing nonconforming billboard prior to its relocation. The relocated, re-erected or re-installed billboard shall also be placed no closer to the nearest public or private street right-of-way than the current applicable sign setback regulations permit.
  - (iii) The alteration or revision of a nonconforming billboard if the altered or revised billboard would be less distracting to motor vehicle drivers or would otherwise have less adverse effects than those of the existing nonconforming billboard, by reason of reduced sign area, reduced sign height, revised configuration, less illumination or other alteration beneficial to the public interest.



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- (6) The special exception use may include terms, conditions and limitations including, but not limited to, a limitation on the duration of an approved changed, relocated, altered or revised nonconforming billboard.
- (7) The special exception use may be approved in the sole discretion of the Planning Commission. In determining whether to approve a requested special exception use, the Planning Commission shall consider the following:
- (i) Whether the nonconforming billboard as changed, relocated, altered or revised would result in a billboard that would be less distracting to motor vehicle drivers, by reason of reduced size, reduced height, different configuration, less illumination, greater distance from the nearest street right-of-way or by reason of other improvements benefiting the public interest.
  - (ii) If the nonconforming billboard is proposed to be relocated, such relocation would make possible the development and operation of other land uses consistent with the zoning ordinance and in the public interest.
  - (iii) Whether the changed, relocated, altered or revised nonconforming billboard would eliminate, reduce or mitigate a vehicle traffic hazard resulting from the existing nonconforming billboard or other adverse effect resulting from the existing billboard.
  - (iv) Whether the resulting nonconforming billboard would otherwise advance the goals and purposes of the zoning ordinance.
- (8) The Zoning Board of Appeals shall not have jurisdiction to vary, modify, reverse or otherwise consider the approval or disapproval of the special exception use.
- (f) **Portable and Temporary Signs.** Portable and temporary signs that are nonconforming shall be altered to comply with the provisions of this chapter or removed within 90 days after the effective date of this chapter. *((Section 19.15 amended 06/04/08; eff. 06/28/04.))*

*(Chapter 19 adopted 03/19/03; eff. 04/01/03.)*