

**ADOPTED AMENDMENTS  
CHAPTER 1476, SIGNS**

**CODE OF ORDINANCES  
CITY OF LINCOLN PARK, MICHIGAN**

**March 16, 2010**

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Amend Chapter 1476, Signs, as follows, to incorporate changes to the Code which are necessary to remain consistent with developing sign technology and to ensure that the City is able to limit visual clutter and minimize drive distraction for the health, safety and welfare of its citizens and guests:

**CHAPTER 1476  
Signs**

<b>1476.01</b>	<b>Purpose and Intent</b>	<b>1476.11</b>	<b>Wall Signs</b>
<b>1476.02</b>	<b>Conflict of Laws</b>	<b>1476.12</b>	<b>Marquee Signs</b>
<b>1476.03</b>	<b>Definitions</b>	<b>1476.13</b>	<b>Blade Signs</b>
<b>1476.04</b>	<b>Permit Application and Administration and Appeals</b>	<b>1476.14</b>	<b>Awning and Canopy Signs</b>
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<b>1476.06</b>	<b>Unsafe and Unlawful Signs</b>	<b>1476.16</b>	<b>Illumination</b>
<b>1476.07</b>	<b>Existing Signs</b>	<b>1476.17</b>	<b>Political Signs</b>
<b>1476.08</b>	<b>Maintenance; Periodic Inspections</b>	<b>1476.18</b>	<b>Billboard Signs</b>
<b>1476.09</b>	<b>Sign Design Standards</b>	<b>1476.19</b>	<b>Electronic Display Signs</b>
<b>1476.10</b>	<b>Ground Signs</b>	<b>1476.20</b>	<b>Special Provisions for Signs in the Central Business District</b>

**CROSS REFERENCES**

Defacing on Private Property: see MCLA Sec. 750.385; Posting Without Permission: see MCLA Sec. 752.821 et seq.; Signs in Municipal Parking Lots: see Traffic 494.09; Handbills: see General Offenses Chapter 632; Garage, Yard, Basement and Rummage Sale Signs: see B.R.& T. 830.06; Destruction of Signs: see S.U.P.S. 1020.02; Signs on Sidewalks: see S.U.P.S. 1020.05; Nonconforming Signs: see Planning and Zoning 1290.14; Zoning Provisions: see Planning and Zoning 1294.27; Sign Permit Fees: see Buildings and Housing 1428.08.

**1476.01      PURPOSE AND INTENT.**

The purpose and intent of this Sign Code is to create the legal framework for a comprehensive and balanced system of regulating signs and outdoor advertising. Such regulations are concerned with communication along streets and highways, and deal with symbols and letters as they appear on signs, billboards, banners, store fronts, marquees, canopies, and all other stationary visual media whether located on or off the premises of the activity to which the message pertains.

It is the further purpose and intent of this chapter to: facilitate an easy and pleasant communication between people and their environment; avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community aesthetics and appearance; protect the general public from damage and injury caused by the distractions, hazards, and obstructions caused by signs; minimize the abundance and size of signs to reduce motorist distraction and the loss of safe sight distance; preserve the value of property by assuring the compatibility of signs with surrounding land uses; promote public convenience; support and complement land use objectives as set forth in the City's Comprehensive Development Plan and Zoning Code; enhance the aesthetic appearance and quality of life within the City; and protect the public safety, health and welfare.

It is recognized that the primary function of signs is to index the environment - that is, to tell people where they can find what. "Selling" or "advertising" are subordinate purposes to be tolerated, but remain auxiliary to indexing. The amount, type, size, height, location, and illumination of signs need only be the minimum necessary to allow motorists to see them, recognize the activity they represent, and safely slow their vehicle in time to access the establishment, and/or to allow pedestrians to recognize the activity they represent.

It is also recognized that there are generally accepted and empirically derived standards for the type, size, spacing, area, and setback of signs based upon the speed limits and number of vehicular traffic lanes on the street which they front. These standards are generally intended to allow signs that can be recognized at a given distance by a motorist, allowing them to safely slow down, turn into and access the site for which the sign advertises. However, these standards do not account for the peculiar characteristics of the City's business corridors. These characteristics include, but are not limited to, the following: unusually narrow widths and shallow depths of commercial properties fronting on the City's major thoroughfares, caused by progressive road widening; the proximity of existing buildings to each other and to property and right-of-way lines; traffic flows and congestion levels; and the goals and objectives of the City's Comprehensive Development Plan and Zoning Code.

The City of Lincoln Park has thus determined that these characteristics warrant modifications to these generally accepted though empirically derived sign standards. The regulations and standards of this chapter represent these modifications and are considered the minimum amount of regulation necessary to achieve a substantial government interest for public safety, aesthetics, and protection of property values. The regulations and standards contained herein are intended to be content neutral while achieving the following objectives:

1. Authorize the use of signs which are compatible with their surroundings, appropriate to the activity that displays them, expressive of the identity of individual activities and the community as a whole, and legible in the circumstances in which they are seen.
2. Recognize the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for vehicular accidents.

3. Prevent signs that are potentially dangerous to the public due to structural deficiencies, disrepair or distraction to motorists.
4. Reduce visual pollution and physical obstructions caused by a proliferation of signs that could diminish the City's image, property values and quality of life.
5. Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premise activities; alternative channels of communication and media area available for advertising which do not create visual blight and compromise safety of the motoring public.
6. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
7. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
8. Protect the public right to receive messages, especially non-commercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
9. Prevent off-premise signs from conflicting with land uses.
10. Maintain and improve the image of the City by encouraging signs which are compatible with conforming existing signs, have good viewing qualities with passing motorists, and are compatible with buildings and streets, through the establishment of specific standards for various areas in the City.
11. Prohibit the use of portable commercial signs in recognition of their collective significant negative impact on traffic safety and aesthetics.
12. Preserve and enhance the image of the City's Central Business District (CBD) and other zoning districts.

**1476.02 CONFLICT OF LAWS.**

Where more restrictive with respect to sign location, use, size or height, the limitations of the Zoning Code affecting light and ventilation requirements and the use of land shall take precedence over this chapter.

In any case where a provision of this chapter is found to be in conflict with a provision of the City's Code of Ordinances or Zoning Code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of the City's Code of Ordinances or Zoning Code is found to be in conflict with the provisions of this chapter and contain a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall prevail, and such other standards are hereby repealed to the extent that they may be found in conflict with this chapter.

**1476.03 DEFINITIONS.**

As used in this chapter:

“**Abandoned sign**” means a sign which no longer correctly identifies the occupant of a premises, or no longer correctly relates solely to the use, business, establishment, or profession conducted, or to a principal product, commodity, service, or entertainment sold, offered, provided, produced, or manufactured upon the premises.

“**Accessory sign**” means a sign which pertains to the use of the premises on which it is located.

“**Advertising sign**” means a sign which relates to a business use, or service conducted on the premises upon which the sign is placed.

“**Area of sign**” means the height multiplied by the width of a single, continuous rectangular perimeter enclosing the extreme limits of the sign including all component projections in that measurement. The sign area calculations shall not include the necessary supports of uprights on which the sign is placed, unless such items contain advertising copy or as otherwise specified herein.

“**Awning Sign**” means a sign made of non rigid material such as heavy canvas that is supported by a framework, which is attached to a building's substrate. An awning sign extends outward from the building and so provides shaded cover and protection from weather for customers and pedestrians. An awning sign may have lettering and/or graphics painted or screen printed on its exterior surface.

“**Awning Valance**” means that portion of a awning sign that consists of short strips or bands of material hung at the lower edge of the awning.

“**Balloon Sign**” means a temporary sign which is an inflatable device, regardless of size, that is designed for use as an advertizing device for any business or commercial promotional event. Unlike inflatable signs, balloon signs retain their shape due to the insertion of helium or other lightweight gas, which allows the device to be suspended in midair, independent of any structure other than that which keeps the device from floating away.

“**Banner Sign**” means a sign made of fabric, cloth, paper, or other non-rigid material that is typically not enclosed in a frame.

“**Bench sign**” means a sign attached to or painted on any bench or other structure designed for seating in any right-of-way or is in view from any right-of-way.

“**Billboard**” means a sign used for outdoor advertising purposes directing attention to a use, activity, message, product, or service which is usually not conducted on or related to the premises upon which the sign is located. This type of sign may also be known by the term “off-premise sign.”

“**Blade Sign**” means a type of building mounted pedestrian sign that contains two faces and which is perpendicular to the building on which it is mounted.

“**Building**” or “**structure**” means a building or structure as defined by the Code of Ordinances and Zoning Code for the City of Lincoln Park.

“**Building Official**” means the Building and Engineering Manager for the City of Lincoln Park.

“**Bulletin board**” or “**announcement**” means a type of "manual changeable copy" sign which is displayed the name of an institution, school, library, community center, fraternal lodge, golf course, country club, park or other recreational facility, and which displays announcements of its services or activities.

“**Canopy Sign**” means a sign made of non-rigid material such as heavy canvas supported by a framework that at one end is attached to a building's substrate and at the other end supported by one or more poles. A canopy sign extends outward from the building and acts as a roof over the area it covers, providing weather protection for customers, pedestrians and possibly even vehicles. A canopy sign may have lettering and/or graphics painted or screen printed on its exterior surface.

“**Canopy Valance**” means that portion of a canopy sign that consists of short strips or bands of material hung at the lower edge of the canopy.

“**Changeable Copy Sign (Manual)**” means a sign, which has a readerboard for the display of text information in which each alphanumeric character, graphic or symbol is changed manually. The following is an example of a manual changeable copy sign.

“**Community Special Event**” means a temporary event that has community wide interest, takes place within the borders of the City of Lincoln Park, and typically is for educational, charitable, cultural, or social consciousness purposes.

“**Community Special Event Sign**” means temporary signs and banners, including decorations and displays, which celebrate traditionally-accepted patriotic or religious holidays, or special municipal or school activities.

“**Construction sign**” means a temporary sign erected on the premises upon which construction approved by the City of Lincoln Park is taking place, during the period of such construction indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

“**Directional Sign**” means a sign which is intended to direct the flow of vehicular and pedestrian traffic to, from, and within a development site.

“**Electronic Display Signs**” means a sign that uses changing lights to form a sign message or messages in text or graphic or video display form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic process. As used in this Ordinance, the following definitions shall apply to electronic display signs:

1. “**Electronic Changeable Copy Sign**” means a sign on which the message changes automatically through the use of electronic display technology. Electronic

changeable copy signs may include official or time and temperature signs, a business bulletin board or other changeable copy sign. Electronic changeable copy signs do not include electronic graphic display signs (i.e. static pictures, with or without text) or video display signs (i.e. moving pictures, with or without text) or multi-vision signs. The following graphics are examples of electronic changeable copy signs.



2. **“Electronic Graphic Display Sign”** means a sign or any portion of a sign that displays static electronic images, including static graphics or pictures with or without alphanumeric characters or symbols (i.e. text), by using electronic display technology, in which the message change sequence is immediate or by means of fade, repixelization or dissolve modes. An electronic changeable copy sign may be combined with an electronic changeable copy sign. The following are examples of an electronic graphic display signs.

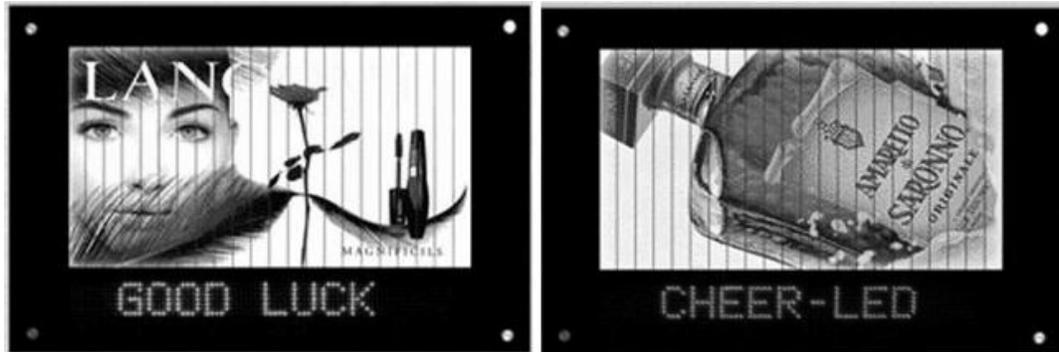


3. **“Video Display Sign”** means a sign that displays a message or background characterized by motion, movement or pictorial imagery to depict action or a special effect that imitates movement through the progression of frames which that give the illusion of motion. Video display sign may or may not include text, moving objects, moving patterns or bands of light or expanding or contracting shapes. Video display signs use electronic display technology and may be combined with an electronic changeable copy sign. The following are examples of a video display signs.



4. **“Multi-vision Sign”** means a sign composed of a series of vertical or horizontal slats or cylinders that are designed to rotate at intervals so that each rotation of the group

of slats or cylinders produces a different image or message and allows the display of one of two or more images on a single sign structure and at any given time. The following is an example of a multi-vision sign.



**“Electronic Display Technology”** means any portion of a sign that contains alphanumeric characters, graphics or symbols that are defined by a small number of matrix elements using different combinations of light emitting diodes (LED), fiber optics, light bulbs or other illuminating devices within the display area. Electronic display technology (EDT) is a computer programmable, microprocessor controlled devices that display and project images and messages onto the sign face.

**“Entrance sign”** means an identification sign which is located at the entrance to a development having a unique and distinguishable identity such as for subdivisions, apartment complexes, and mobile home parks.

**“Facing of sign surface”** means the area of this sign upon, against, or through which the message is displayed or illuminated.

**“Festoon”** means a string of ribbons, tinsel, small flags, pinwheels or lights, typically strung overhead in loops.

**“Flashing, animated or moving sign”** means a sign that has intermittently or sequentially reflecting lights, or signs which have movement of any illumination such as intermittent, flashing, scintillating, or varying intensity, or a sign that has any visible portions in motion, either constantly or at intervals, whether caused by artificial or natural sources. Electronic Display Signs, as defined herein, shall not constitute a flashing sign for the purpose of this ordinance.

**“Floodlight illumination”** means external lighting sources provided by a floodlight or a spotlight.

**“Frontage”** means the length of the property line of any one premise along a right-of-way on which it borders.

**“Gasoline Price Sign”** means a sign which is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign. Gasoline prices sign maybe electronic or manual changeable copy signs.

**“Ground sign” or “freestanding sign” or “monument sign”** means a sign in which the entire bottom is in contact with or is close to the ground, or supported by one (1) or more uprights or braces permanently mounted in or upon the ground surface, and in no way attached to a building or structure. A ground sign may also consist of a base-mounted cylindrical structure upon which a message is painted or posted.

**“Identification and nameplate sign”** means a wall sign of four (4) square feet in area or less stating the name of a person or firm.

**“Illegal Sign”** means a sign which does not meet the requirements of this chapter and which has not received legal nonconforming status, as defined herein, and has not received a sign variance as permitted herein this chapter.

**“Illuminance”** means the amount of light that is incident to the surface of an object. This is the method for describing ambient light levels or the amount of light that is projected onto a front-lit sign. This parameter is typically measured in lux (footcandles x meters). For the purposes of dimming, illuminance is the amount of ambient light that hits a photocell.

**“Illuminated Sign”** means any sign which contains a mechanism that emits artificial light internally or externally.

**“Incidental Sign”** means a small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

**“Indirect illumination”** means a light source concealed or contained within the sign and which becomes visible in darkness through a translucent surface.

**“Inflatable Sign”** means a temporary sign consisting of a flexible material of fabric that takes on a three-dimensional shape when filled with a sufficient amount of air or other gas. Inflatable signs are commonly used as a temporary sign for special events or promotions.

**“Integral sign”** means a sign containing the names of buildings, dates of erection, and other similar monumental citation, when carved into stone, concrete or similar material made of bronze, aluminum or other noncombustible material and made an integral part of a structure or building.

**“Item of information”** means a word, initial, logo or symbol, photograph or picture, emblem, company trademark, abbreviation, number of less than twelve (12) digits, or geometric shape.

**“Landmark sign”** means an older sign of artistic or historic merit, uniqueness, or extraordinary significance to the City of Lincoln Park, as determined by the Planning Commission.

**“Luminance”** means the amount of light that emanates from an internally illuminated sign. This parameter is measured in nits (candelas/square meter). The nit levels necessary for a sign to be legible varies with the ambient light conditions. For example, on a sunny day, the nit levels must be

very high, while at night, the nit levels must be very low to prevent the image from distorting and to prevent glare.

“**Mansard**” means a sloped roof or roof-like facade. Signs mounted on the face of a mansard roof shall be considered wall signs.

“**Marquee sign**” means a display sign attached to or hung from a marquee, with or without electronic display technology, canopy or other covered structure projecting from and supported by the building, and extending beyond the building wall, building line or right-of-way line.

“**Movement**” means physical movement or revolution up or down; around or sideways that completes a cycle of change at intervals of less than six (6) seconds.

“**Moving Sign**” means a sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" is a type of moving sign. Such motion does not refer to the method of changing the message on the sign.

“**Mural**” means a design or representation which is painted or drawn on the exterior surface of a structure and *which does not advertise a business, product, service, or activity*.

“**Nameplate**” means a no electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

“**Neon Sign**” See "Outline Tubing Sign."

“**Non-accessory sign**” means a sign which is not accessory to the principal use of the premises.

“**Non-commercial sign**” means a sign containing non-commercial messages, such as those designating the location of public telephones, restrooms, restrictions on smoking, restrictions on building entrances, and similar messages.

“**Nonconforming Sign**”

1. A sign which is prohibited under the terms of this Chapter but was erected lawfully and was in use on the date of enactment of this Chapter, or amendment thereto.
2. A sign which does not conform to the requirements of this Chapter, but for which a variance has been granted herein this Chapter.

“**Noncommercial Message Sign**” means a sign that is not related to or connected with trade and traffic or commerce in general and includes an election (political) sign or a sign expressing an opinion or other point of view.

“**Obsolete Sign**” means a sign that advertises a product that is no longer made or that advertises a business that has closed.

“**Off-Premise Advertising Sign**” means a sign which contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such sign is located.

**“On-Premise Advertising Sign”** means a sign which contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where the sign is located.

**“Outline Tubing Sign”** means a sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it.

**“Painted wall sign”** means a sign which is applied with paint or similar substance directly upon the face of a wall.

**“Planning Commission”** means the Planning Commission for the City of Lincoln Park.

**“Parapet”** means the extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

**“Political sign”** means a temporary sign relating to matters to be voted on in a local, state, or national election or referendum.

**“Portable sign”** means a freestanding sign not permanently anchored or secured to either the building or the ground. This also includes signs worn or carried by a person.

**“Portable Message Center Sign”** means a sign designed to be transported easily and not permanently affixed to the ground or to a structure. A portable message center sign may include a non-electronic display, a manual and electronic changeable copy sign, an electronic display sign, a video display sign or multi-vision/tri-vision sign that maybe displayed or affixed to a movable object such as but not limited to a car, truck, trailer or similar transportation device.

**“Poster panel”** means a board, panel or tablet used for the display of printed or painted advertising matter.

**“Projecting sign”** means a sign, other than a wall, marquee, awning, or canopy sign, which is attached directly and perpendicularly to the building wall, and is not on the same plane as the wall and is designed to attract the attention of drivers in addition to pedestrians. A projecting sign may be horizontal or vertical.

**“Pylon or pole sign”** means a sign mounted on a freestanding pole or other type of support which has its base anchored in the ground and with a specified clear space between the bottom of the face of the sign and the established grade of eight (8) feet or more.

**“Public Sign”** means a sign erected in the public interest by or upon orders from a local, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

**“Real estate development sign”** means a temporary sign placed on premises of a subdivision or other real estate developments to indicate a proposed start or to inform relative to availability.

**“Real estate sign”** means a temporary sign placed upon a property advertising that particular property for sale, rent, or lease on which the sign is placed.

**“Roof Line”** means the top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys or similar minor projections.

**“Roof sign”** means a display sign which is erected, constructed and maintained on or above the roof of the building or structure, or above the exterior wall of a building or structure, or which is attached to any exterior wall at a height above the horizontal plane of the roof abutting such wall.

**“Rotating Sign”** See "Moving Sign."

**“Sandwich Board Signs”** means an “A-frame” shaped sign that identifies or advertises a place of business and that consists of two sign boards that are hinged together at the top and on which the message has been factory-imprinted or handwritten or through the use of a manual changeable copy display. The following are examples of sandwich board signs.



**“Search lights”** means a sign that is intended to visually communicate or attract the public’s attention to a business or a business location for the purpose of promoting a specific sale and/or event. Search lights are for temporary use only and shall require a special event application. The following are examples of searchlights.

**“Sign”** means a device for visual communication that is used to bring the subject to the attention of the public, but does not include flags, or other insignia of any government, fraternal, or similar organization. A sign includes any device, structure, fixture, or placard, which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of “sign” includes interior and exterior signs, which are visible from any public street, sidewalk, alley, park, public property, but not signs, which are primarily directed at persons within the premises upon which the sign is located.

**“Sign Board of Appeals”** means the Zoning Board of Appeals for the City of Lincoln Park.

**“Sign variance”** means a nonuse variance granted to provide relief from a specific standard of this chapter which relates to an area, dimension, or construction requirement.

**“Shopping center”** means a grouping of two (2) or more commercial or office business establishments on one (1) or more parcels which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of establishments.

**“Snipe signs”** means a temporary sign or poster attached or affixed to a tree, fence, utility pole, street lamp, etc.

**“State Highway Advertising Act”** means Michigan Public Act 106 of 1972, as amended, known as the Highway Advertising Act (MCLA 252.301).

**“Subdivision identification sign”** means a freestanding or wall sign identifying a recognized subdivision, condominium complex, or similar residential development.

**“Temporary Promotional Event”** means a celebratory or promotional event to announce a sale, grand opening, expansion or other activity that is intended to promote a private business or commercial interest for a limited period of time.

**“Temporary Promotional Sign”** means a temporary sign located on site of the business use or activity, and is erected or placed for a prescribed period of time to promote, advertise, announce, designate, identify or otherwise indicate the name of the business, owner or occupant of the premises where the sign is located; or advertise the business conducted, the services available or rendered, or goods produced, sold or available for sale upon the premises where the sign is located. Temporary promotion signs include balloons, inflatables, banners and searchlights.

**“Temporary sign”** means a sign, banner or other advertising device with or without a structural frame, but which is not permanently fastened to any structure, including posts and footings, which is constructed, designed or intended for a limited display period. Examples of temporary signs include sign which announce a coming attraction, a new building under construction, a community or civic project, a grand opening, or other special events that occur for a limited period of time, including decorative displays for holidays or public demonstrations.

**“Three-Dimensional Sign”** means a sign that has depth or relief on its surface of greater than six inches. A three-dimensional sign permanently attached to a building or structure is known as a protruding sign.

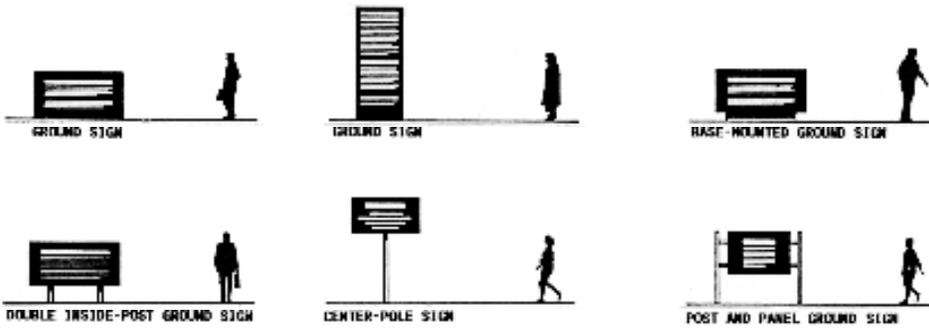
**“Time and Temperature Signs”** mean signs, which display the current time and/or temperature.

**“Vehicle business sign”** means a sign where the vehicle upon which the sign is painted or attached primarily for advertising purposes and not for the delivery of goods and services and is parked or placed upon any parcel or within any right-of-way within the City in a manner so as to be used for identification or advertising purposes.. Currently licensed commercial vehicles such as trucks, buses or cabs in general daily off-site use are not included in this definition.

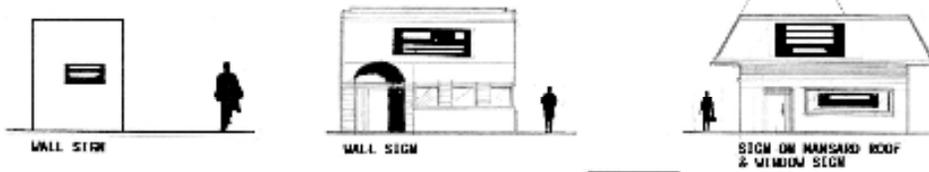
**“Wall sign”** means a sign which is attached parallel to and extending not more than fifteen (15) inches from the face of the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof shall be considered wall signs. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall also be considered wall signs.

**“Window Sign”** means a sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall be considered wall signs.

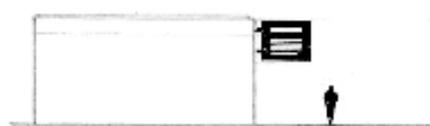
**VARIOUS TYPES OF FREESTANDING SIGNS**



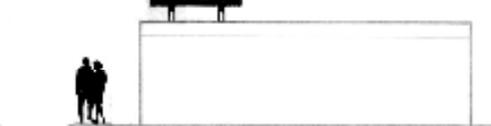
**VARIOUS TYPES OF WALL SIGNS**



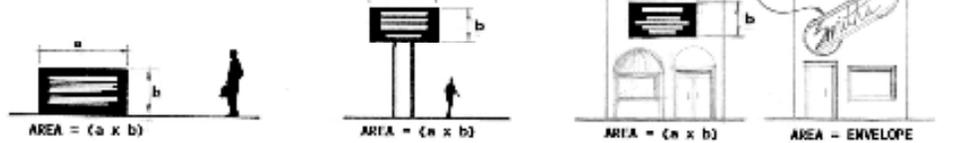
**PROJECTING SIGN**



**ROOF SIGN**



**SIGN MEASUREMENT**



**SIGN SETBACKS**



**1476.04 PERMIT APPLICATION AND ADMINISTRATION AND APPEALS**

- A. Permit Required. A sign permit must be obtained before erecting, relocating, or modifying any sign which is not otherwise exempted from the provisions of this chapter. Application for a permit shall be filed upon forms provided by the Building Official and shall contain the following information:
1. The name, address, and telephone number of the applicant.
  2. The location of the principal building, structure or lot to which the sign is to be attached or erected.

3. The position of the sign in relation to nearby buildings, structures, and property and right-of-way lines.
4. Side elevations of all sign faces.
5. Two (2) copies of the plans and specifications and method of construction and attachment to the building or in the ground showing the dimensions, materials and required details of construction, including loads, stresses, and anchorage.

If, in the discretion of the Building Official, when the public safety requires, the plans and specifications required herein shall bear the certificate or seal and signature of a registered architect or engineer attesting to the correctness of the calculations and the structural integrity of the sign as a condition of permit issuance.

6. A copy of the stress sheets and calculations, if deemed necessary by the Building Official, showing the structure as designed for dead load and wind pressure in accordance with regulations adopted by the Building Official.
7. The name, address and telephone number of the person, firm, corporation or association erecting the sign.
8. A copy of the liability insurance certificate.

Such other information as the Building Official may deem necessary and require to show full compliance with this chapter and other applicable laws and ordinances of the City of Lincoln Park and State of Michigan.

- B. Owners Consent. An application to erect, relocated, or modify any sign shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.
- C. New Signs. A new sign shall not hereafter be erected, constructed, altered or maintained except as provided in this chapter and until after a permit has been issued by the Building Official. In addition, the replacement of a sign head, addition of an electronic changeable copy display, or conversion to an electronic display for graphic or video or conversion to a multi-vision display on any existing sign shall be classified as a major alteration or modification which shall require a sign permit as specified herein and approval from the Planning Commission.
- D. Identification. Every sign, for which a permit has been issued, hereafter erected, constructed or maintained, shall be plainly marked with the name of the person owning, erecting, maintaining or operating such sign. The method and location of this identification shall appear on the plans and within the specifications filed with the Building Official.
- E. Alterations. No person shall alter, enlarge, relocate, re-erect or illuminate any sign, except in conformity with the provisions of this chapter for new signs, nor until after a proper permit has been secured.

No permit shall be required for ordinary servicing, repainting of existing sign messages or cleaning of a sign, provided that conditions of the original approval and the requirements of this chapter are not violated. No permit is required for a change of the message of a sign designed for periodic message change without a change of structure, including a bulletin board or billboard, but not including a sign to which a new permanent face may be attached.

F. Performance Guarantees.

1. Where in this Chapter there is delegated to Council, the Sign Board of Appeals, or the Planning Commission the function of establishing certain improvements as a contingency to granting site plan approval, special approval, or variance, amendment, the Council, the Board, or the Commission may, to ensure strict compliance with any regulation contained or required as a condition of the issuance of a permit, require the permittee to furnish a performance guarantee in the form of a cash deposit, certified check, irrevocable bank letter of credit or surety bond, to be deposited with the City Clerk, in an amount determined by Council, the Board, or the Commission, to be reasonably necessary to ensure compliance under this Chapter and to assure the installation of those features or components of the approved activity or construction which are considered necessary to protect the health, safety, and welfare of the public.
2. The applicant shall submit an itemized estimate of the cost of the required improvements, the amount of which shall be one-hundred percent (100%) of the cost of installing the required improvements, plus the cost of necessary engineering and a reasonable amount for contingencies. The Building Official shall review this estimate before fixing the amount of the performance guarantee. However, in fixing the amount of such performance guarantee the Building Official shall take into account the size and scope of the proposed improvement project, the current prevailing cost of rehabilitating the premises upon default of the operator, estimated expenses to compel the operator to comply by court decree and such other factors and conditions as might be relevant in determining the sum reasonable in light of all facts and circumstances surrounding each application.
3. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The City may not require the deposit of the performance guarantee before the date on which the City is prepared to issue the permit. The City shall establish procedures under which a rebate of any cash deposit, in reasonable proportion to the ratio of work completed on the required improvements, will be made as work progresses. This section shall not be applicable to improvements for which a performance guarantee has been deposited pursuant to Act 288 of the Public Acts of 1967, as amended (MCLA 560.101 et seq.).

G. Sign Code Administration. This chapter shall be administered by the Building Official for the City of Lincoln Park.

H. Sign Board of Appeals. The Zoning Board of Appeals for the City of Lincoln Park shall serve as the Sign Board of Appeals pursuant to actions required by this chapter.

- I. Hearings. Any person aggrieved by a notice or order of the Building Official issued in connection with any alleged violation of the provisions of this chapter or any applicable rules and regulations pursuant thereto, may file with the Sign Board of Appeals a petition setting forth their reasons for contesting the notice or order. Such petition shall be filed ten (10) days after the notice or order is served on the petitioner.
- J. Time of Hearing and Notice. Within sixty (60) days after receipt of a valid petition, the Sign Board of Appeals shall conduct a hearing at their next available regular meeting. The Sign Board of Appeals shall set the time and place of said hearing, and at least ten (10) days prior to the hearing serve petitioner with notice thereof.
- K. Action of Sign Board of Appeals.
1. The Sign Board of Appeals shall have the power to modify or reverse, wholly or partly, the notice or order, and may grant an extension of time for the performance of any act required of not more than three (3) additional months, where the Board finds that there is practical difficulty connected with the performance of this chapter or by applicable rules or regulations issued pursuant thereto, and that such extension is in harmony with the general purpose of this chapter to secure the public health, safety and welfare.
  2. The Sign Board of Appeals shall return a decision upon each case within sixty (60) days after a request or appeal has been filed, unless a further time is agreed upon with the parties concerned. Notwithstanding the foregoing sentence, the Board may, in appropriate cases, be permitted an extension of time after hearing the case, in which to make its decision provided such extension shall not exceed thirty (30) days.
  3. The concurring vote of four (4) members of the Sign Board of Appeals shall be necessary to reverse, wholly or partly, or modify any order, requirement, decision, or determination of the Building Official, or to decide in favor of the applicant for any matter upon which they are required to pass or to effect any variation in this chapter.
  4. After a sign variance has been denied in whole or in part by the Sign Board of Appeals, then such application shall not be resubmitted for a period of one (1) year from the date of the last denial, provided however, that a denied variance maybe reconsidered by the Board when, in the opinion of the Building Official, or Board, newly discovered evidence or changed conditions warrant such reconsideration.
- L. Scope of Hearing. At the hearing, the petitioner shall be given an opportunity to show cause as to why the notice or order should be modified or withdrawn, or why the period of time permitted for compliance should be extended.
- M. Stay. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Official certifies to the Sign Board of Appeals, after the notice of appeal shall have been filed, that by reason of the facts stated in the certificate, an emergency exists, in which case the proceedings shall not be stayed, except by a restraining order or by a court of

competent jurisdiction, following timely notice of application therefore, to the Building Official.

N. Sign Variances. A sign variance to the strict letter of the requirements of this chapter governing area, setbacks, frontage, height, bulk, and density may be allowed by the Sign Board of Appeals only in cases involving practical difficulties when the evidence in the official record of the appeal supports all the following affirmative findings:

1. That the alleged practical difficulties are exceptional and peculiar to the property of the person requesting the sign variance, are not self-created, and result from conditions which do not exist generally throughout the City of Lincoln Park;
2. That the alleged practical difficulties, which will result from a failure to grant the sign variance, include substantially more than mere inconvenience, or mere inability to attain a higher financial return, and would prevent the applicant from using property in question for a permitted purpose, or would render conformity with the strict letter of this chapter unnecessarily burdensome; and
3. That allowing the sign variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Sign Board of Appeals to grant a sign variance, and the rights of others whose property would be affected by the allowance of the sign variance, will insure that the spirit of this chapter is observed, will not be contrary to the public purpose and general intent and purpose of this chapter, and will secure the public safety.

The above findings of fact shall be made by the Sign Board of Appeals, which is not empowered to grant a sign variance without an affirmative finding of fact in each of the categories above. Every finding of fact shall be supported in the record of proceedings of the Board.

If a sign variance to this chapter is requested, the applicant may be required to erect a three-dimensional mock up model on site or submit such a model to the Building Official that depicts the variance requested.

Nothing contained herein shall be construed to empower the Sign Board of Appeals to substantially change the terms of this chapter, or to significantly add to the types of signs permitted on any premises.

Sign variances granted by the Sign Board of Appeals shall be for dimensional standards only, i.e., standards for the height, area, setback, and spacing of signs. The Board shall not grant sign variances for the following: signs prohibited by this chapter; requirements for removing nonconforming signs; bonding and insurance standards; or the building code adopted by the City.

O. Appeal Procedures

1. Notice. The City shall provide written notice of the hearing of an appeal, variance, or interpretation in accordance with the provisions in Section 1262.07(F) of the Zoning Ordinance.
2. Persons shall be required to appear in person or to be represented by a duly authorized agent.
3. The Sign Board of Appeals shall prepare an official record for each appeal and shall base its decision on this record. The official record shall include:
  - a. The relevant administrative records and administrative orders issued herein relating to the appeal.
  - b. A notice of the appeal.
  - c. Such documents, exhibits, photographs, or written reports as may be submitted to the Sign Board of Appeals for its consideration.
4. The requisite written findings of fact, the conditions attached, the decision and orders by the Sign Board of Appeals in disposing of the appeal shall be signed by the Secretary of the Board.
5. An appeal of a Sign Board's decision shall be filed within 30 days after the Board certifies its decision in writing or approves the minutes of its decision, whichever comes first, and shall be made in the manner provided by Section 606 of Public Act 110 of 2006, as amended.

P. Appeals to Circuit Court

1. The decision of the Sign Board of Appeals shall be final. However, a person having an interest aggrieved by this Sign Code may appeal such decision to the Circuit Court. Upon appeal, the Court shall review the record and decision of the Board to ensure that the decision:
  - a. Complies with the Constitution and laws of the State;
  - b. Is based upon proper procedure;
  - c. Is supported by competent, material and substantial evidence on the record; and
  - d. Represents the reasonable exercise of discretion granted by law to the Board.
2. If the Court finds that the record of the Board is inadequate to make the review required by this section, or that there is additional evidence which is material and with good reason was not presented to the Board, the Court shall order further proceedings before the Board on conditions which the Court considers proper. The Board may modify its findings and decision as a result of the new proceedings or may

affirm its original decision. The supplementary record and decisions shall be filed with the Court.

3. As a result of the review required by this section, the Court may affirm, reverse or modify the decision of the Board.

#### **1476.05 EXCEPTIONS TO CHAPTER.**

- A. Generally. A permit shall not be required for the signs covered by this section. However, such exceptions shall not be construed to relieve the owner of the sign from responsibility for its erection and maintenance in a safe manner.
- B. Wall Signs. The following wall signs shall not require a permit:
  1. Identification Signs. Signs that show the name and business or profession of an occupant in a commercial or institutional building, and shall not measure more than four (4) square feet in area.
- C. Government Building Signs. Signs erected or placed on a Municipal, State or Federal building, which signs announce the name, nature, and/or information as to use of or admission to the premises shall not require a permit.
- D. Ground Signs. The following ground signs shall not require a permit:
  1. Real Estate Signs. Signs erected to announce the sale or rental of the property so designated, provided such signs are not more than twenty-five (25) square feet in a residential district; and
  2. Transit Directions. The erection or maintenance of a sign designating the location of a transit line, railroad station or other public carrier when not more than three (3) square feet in area.
- E. Traffic and Other Municipal Signs. Signs erected by the City or other public body for traffic direction, street identification or other public purpose shall not require a permit.
- F. Temporary Signs. The following temporary signs shall not require a permit:
  1. Construction Signs. Construction signs, engineers= and architects= signs and other similar signs which may be authorized by the Building Official, in connection with construction operations; and
  2. Special Displays. Special decorative displays used for holidays, public demonstrations or promotion of civic welfare or charitable purposes, when authorized by the Building Official on which there is no commercial advertising, provided the City is held harmless for any damage resulting therefrom.

- G. Bulletin Boards. Bulletin boards that are not over twenty (20) square feet in area and that are located on the premises of the institution shall not require a permit.
- H. Other Signs. Names of buildings, memorial plaques, designation of historical places and other similar non-advertising signs as approved by the Building Official shall not require a permit.

#### **1476.06 UNSAFE AND UNLAWFUL SIGNS.**

- A. Notice. When any sign becomes insecure, in danger of falling or otherwise unsafe, or if any sign is installed, erected or maintained in violation of any of the provisions of this chapter, the owner thereof or the person maintaining the same, upon written notice of the Building Official, forthwith in the case of immediate danger and in any case within not more than ten (10) days, shall make such sign conform to this chapter or remove it. If, within ten (10) days, the order is not complied with, the Building Official may remove such sign at the expense of the owner or lessee thereof, in accordance with the building code adopted by the City.
- B. Declaration of Nuisance; Removal. Signs listed in this section are hereby declared to be a public nuisance and shall not be permitted, notwithstanding anything to the contrary contained in this chapter. If such a sign is presently erected or maintained, it shall be removed or brought into compliance with this chapter within thirty (30) days after written notice of the Building Official. If, within ten (10) days, the order is not complied with, the Building Official may remove such sign at the expense of the owner and the cost thereof may be assessed as a lien against the property upon which the sign was located.
- C. Obstruction to Egress. A sign shall not be erected, constructed or maintained so as to obstruct any fire escape, means of egress or window or door opening used as an element of a means of egress, or so as to prevent free passage from one part of a roof to another part thereof or access thereto as required by the building code adopted by the City for the fire fighting forces having jurisdiction.
- D. Obstruction to Ventilation. A sign not be attached in any form, shape or manner which will interfere with any opening required for ventilation by the building code adopted by the City, except that such a sign may be erected in front of and may cover transom windows when not in violation of this chapter.
- E. Projecting Signs. A projecting sign erected on the wall of a building or structure outside of the building line, which sign extends above the roof cornice or parapet wall, or above the roof level when there is not a cornice or parapet wall, and which sign obstructs access to the roof, is hereby prohibited. Such signs shall be reconstructed or removed as herein required.
- F. Alley Signs. Signs shall not be permitted to project upon alley lot lines.
- G. Roof Signs. A sign which is erected on or above the roof of a building is hereby prohibited. Such signs shall be reconstructed or removed as herein required. However, the Planning Commission may consider the installation of a sign for commercial and industrial buildings

with a pitched roof (see graphic below), provided that the sign shall not extend above the peak of the roof. The permitted area of this type of roof sign shall be counted towards the allowable wall sign area for buildings.



- H. Vehicle Business Signs. All vehicle business signs are hereby prohibited. Such signs shall be removed as herein required.
- I. Painted-Wall Signs. Any wall sign which is painted directly onto a building wall is hereby prohibited. Such signs shall be covered or removed as herein required.
- J. Pole or Pylon Signs. Any pole or pylon sign, except as otherwise permitted herein, is hereby prohibited. Such signs shall be reconstructed or removed as herein required.
- K. Temporary Signs. All temporary signs, including inflatable caricatures, are hereby prohibited, unless otherwise permitted herein. Such signs shall be reconstructed or removed as herein required.
- L. Detriment to Traffic Safety. Any sign which, by reason of its size, location, coloring, content or manner of illumination (including, but not limited to, flashing or moving lights, signs bearing words such as Astop@, Alook@, Adanger@, etc.), constitutes a traffic hazard or a detriment to traffic safety by obstructing or distracting the vision of drivers or the visibility of any traffic sign or control device is prohibited.
- M. Obscene Signs. Any sign containing any obscene, indecent or immoral matter is prohibited.
- N. Unauthorized Posting, Painting or Erection. No placard, poster, circular, cards, leaflets or other advertising matter whatsoever shall be posted, painted or in any way attached to any fence, wall, post, tree, sidewalk pavement, platform, pole, tower, curbstone, surface or other property by any person without the written consent of the owner thereof, or in or upon any public property, provided that this prohibition shall not apply to any public officer or employee in the performance of a public duty or to a private person in giving a legal notice.
- O. Sign Structures without Signs. Any sign structure or frame no longer supporting or containing a sign is hereby declared to be a public nuisance. The owner of the property where the sign is located shall, within thirty (30) 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.

- P. Portable Signs and Portable Message Center Signs. Portable sign and portable message center sign are prohibited, except where expressly permitted herein. Portable signs worn by human may be permitted provided they do not negatively impact traffic safety.

**1476.07 EXISTING SIGNS.**

- A. Repair, Removal or Reconstruction. Any sign or any substantial part thereof which is blown down by storm or other accidental emergency, or destroyed or removed may be re-erected, reconstructed, rebuilt, relocated or repaired provided the sign complies with all applicable requirements of this chapter.
- B. Relocation. Any sign that is moved to another location on the same or other premises shall be considered a new sign, and a permit shall be secured for any work performed in connection therewith when required by this chapter. Any sign that is moved to another location on the same or other premises is subject to the provisions of this chapter.

**1476.08 MAINTENANCE; PERIODIC INSPECTIONS.**

- A. Removals. The Building Official may order the removal of any sign that is not maintained in accordance with this chapter. Required maintenance shall include: proper alignment of the sign by keeping it upright and level at all times; continued readability of the sign at all times; preservation of the structural frame of the sign with paint or another surface finishing material to keep it free of any visible rust and chipped or peeled paint at all times; and preservation of the surface area to keep it free of broken, chipped, or peeled surface material at all times.
- B. Repairs. All signs for which a permit is required, together with all supports, braces, guys and anchors, shall be kept in repair in accordance with this chapter and the building code adopted by the City. When not galvanized or constructed of approved corrosion-resistive, noncombustible materials, signs shall be painted when necessary to prevent corrosion.
- C. Maintenance of Premises. The owner or lessee of every sign shall maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.
- D. Inspections. Every sign shall be subject to periodic inspections and approval of the Building Official or his or her agent.

**1476.09 SIGN DESIGN STANDARDS**

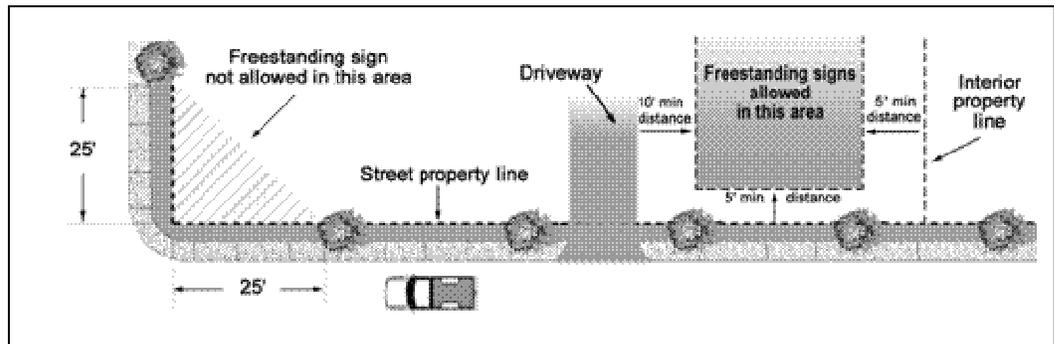
- A. General Requirements. All signs shall be designed and constructed in a safe and stable manner in accordance with the City's adopted building code and electrical codes. All electric wiring associated with a freestanding sign shall be installed underground.

- B. Building Code. All signs shall be designed to comply with minimum wind pressure and other requires set forth in the adopted building code of the City.
- C. Framework. All signs shall be designed so that the supporting framework, other than the supporting poles on a freestanding sign, is contained within or behind the face of the sign or within the building to which it is attached so as to be totally screened from view. Nothing in this provision shall prevent creativity such as that shown in the graphic for a roof sign on a pitched roof.
- D. Illumination. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign or internal to it. Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shielded so as not to project onto adjoining properties or thoroughfares.
- Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited. Illumination by bare bulbs or flames shall be prohibited, except that bare bulbs are permitted on electronic changeable copy and marquee signs.
- E. Use of Combustibles. Use of combustible material for signs shall be subject to the provisions of the adopted building code for the City.
- F. Ornamental Features. Wood or approved plastic or other materials or combustible characteristics similar to wood may be used for moldings, cappings, nailing blocks, letters and latticing in accordance with the adopted building code for the City, and shall not be used for other ornamental features of signs, unless approved.
- G. Measurements.
1. Sign Area. Sign area shall be computed as follows:
    - a. Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.
    - b. Where a sign consists of individual letters and logo affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.
    - c. The area of a double-faced freestanding sign shall be computed using only (1) face of the sign provide that : 1) the outline and dimensions of both faces are identical, and 2) the faces are back-to-back so that only one face is visible at any given time.
    - d. The area of a ground sign shall be computed by measuring the entire vertical surface of a face upon which the letters and logo are attached. In the case of a multi-faced ground sign, the area of the sign shall be computed using only one face of the sign.
    - e. The area of a cylindrical ground sign shall be computed by multiplying the diameter of the cylinder by it height.

2. Setback and Distance Measurements. The following guidelines shall be used to determine compliance with setback and distance measurements:
  - a. The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.
  - b. The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the outer edge of the parking lot or building.
  - c. The distance between a sign and a building or property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the building or property line.

H. Location.

1. No sign shall be located within, projected into, or overhang a public right-of-way, except as otherwise permitted herein.
2. All signs shall comply with the setback requirements for the district in which they are located.
3. Signs shall comply with the requirements for unobstructed motorist visibility in Section 1290.10.E of the Zoning Ordinance for the City, as illustrated in the following graphic:



**1476.10 GROUND SIGNS.**

Ground signs shall be permitted in the Central Business District subject to the provisions of Section 1476.20 of this Chapter. Ground signs shall be permitted in Neighborhood Business, Municipal Business, Regional Business, General Industrial and Light Industrial Districts, subject to the following regulations:

- A. Maximum Size and Height. The maximum total area of a ground sign shall not exceed eighty (80) square feet and may be erected to a height not to exceed eight (8) feet above the ground. Ground signs shall keep the first two feet (24 inches) of the sign closest to the ground free of sign copy for the purpose of landscaping and snow storage. This portion of the sign, and any base used to support the sign, shall not be counted toward the calculation of permissible sign

area. In multi-tenant buildings or shopping centers, the sign area may be allocated for use by individual tenants.

- B. Number of Ground Signs Permitted. One (1) ground sign shall be permitted per street or highway frontage on each parcel. Shopping center shall be permitted one (1) ground sign per street or highway frontage, provided such shopping center has a minimum of one hundred (100) feet of right-of-way frontage. A second ground sign shall be permitted along a right-of-way if the shopping center has a second two-way access drive along the right-of-way and there is of two hundred-fifty (250) feet between such drives (measured centerline to centerline).

Ground signs for shopping centers with four (4) or more establishments may have a maximum total area of one hundred-twenty (120) square feet, may be erected to a height not to exceed ten (10) feet.

- C. Obstructions. No ground sign shall be erected so as to obstruct free access to or egress from any building, access drive, or right-of-way.
- D. Setbacks. No ground sign shall be located within ten (10) feet of any right-of-way line, nor within the clear vision area required by Section 1290.10.E of the City's Zoning Ordinance
- E. Interstate Freeway Limitations. No person shall erect, within 100 feet of an interstate limited-access freeway right-of-way, a pole or pylon sign or part thereof which is visible from any point on the freeway road surface without the prior approval of the Planning Commission, subject to the following determinations:
1. The sign is erected to a height not exceeding thirty (30) feet above the highest elevation of the nearest section of the freeway, but in no event shall the maximum height of such sign exceed one-hundred (100) feet.
  2. The sign pertains to the principal use of the real estate or lot upon which the sign is located.
  3. The sign shall not use more than two (2) poles as a means of support, and no more than two (2) signs shall be permitted on any pole.
  4. No tree over six (6) inches in diameter shall be pruned or cut down to accommodate the location, siting or visibility of the sign.
  5. The sign is not visible from a residentially zoned area.
- F. Design and Construction. The design and construction of ground signs must be compatible with the principal building upon the lot for which the sign is intended, and the surrounding area in general. Whenever the same building materials for the principal building are not used for the base, frame, and support of the sign, a landscaped area in compliance with the Zoning Code must be installed at the base of the sign.

- G. Entranceway Sign. Permanent entranceway signs shall be permitted in accordance with Section 1296.03, sub-section L, and the following requirements:
1. The sign shall cover no more than fifty percent (50%) of the entranceway structure.
  2. Up to two (2) such signs, one on each side of the entranceway may be located at each entrance to a subdivision or development.
- H. Electronic Display Signs. Electronic changeable copy and electronic graphic display ground sign shall be permitted subject to the provisions of Section 1476.18 of this Chapter.

#### **1476.11 WALL SIGNS.**

Wall signs shall be permitted in the Central Business District, subject to the provisions of Section 1476.20 of this Chapter. Wall signs are permitted in all other business and industrial districts subject to the following regulations:

- A. Number. One (1) wall sign shall be permitted per street or highway frontage on each parcel. Also, buildings adjacent to I-75 shall be permitted on (1) wall sign facing I-75. In the case of a multi-tenant building or shopping center, one (1) wall sign shall be permitted for each tenant having an individual means of public access. Tenants who occupy a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each side of the building. Where several tenants share a common entrance in a multi-tenant structure, only one (1) wall sign shall be permitted, but the total sign area should be allocated on an equal basis to all tenants.
- B. Materials. Wall signs which have an area exceeding forty (40) square feet (3.72 meters squared) shall be constructed of metal or other approved noncombustible materials except for nailing rails and in accordance with Section 1290.10.E of the City's Zoning Ordinance.
- C. Extensions and Projections. The top of a wall sign shall not be higher than whichever is lowest:
1. The maximum heights specified for the district in which the sign is located.
  2. The top of the sills at the first level on windows above the first story.
  3. The height of the building facing the street on which the sign is located.
- D. Area. The total area of a wall sign shall not exceed three (3) square feet for each linear foot of building frontage, or one-hundred (100) square feet in the Neighborhood Business District (NBD), one hundred fifty (150) square feet in the Municipal Business District (MBD), and two hundred (200) square feet in the Regional Business District (RBD), whichever is less. The total area of a wall sign, in the Light Industrial District or General Industrial District shall not exceed three (3) square feet for each linear foot of building frontage, or 200 square feet whichever is less.
- E. Vertical Dimensions. The maximum vertical dimension of any wall sign shall not exceed one third (1/3) of the building height.

- F. Horizontal Dimensions. The maximum horizontal dimension of any wall-mounted sign shall not exceed three-fourths (3/4) of the width of the building.

#### **1476.12 MARQUEE SIGNS.**

- A. Permitted Uses. Marquee signs shall only be permitted for theaters, cinemas, athletic arenas, or similar places of public assembly in the Central Business District.
- B. Number. One (1) marquee sign shall be permitted per street frontage.
- C. Construction. Marquee signs shall consist of hard incombustible materials in accordance with Section 1290.10.E of the City's Zoning Ordinance. The message shall be affixed flat to the vertical face of the marquee.
- D. Projection. Limitations imposed by this Chapter concerning projections of signs from the face of a wall or building shall not apply to marquee signs, provided that marquee signs shall comply with the setback requirement for the district in which they are located.
- E. Vertical Clearance. A minimum vertical clearance of ten (10) feet shall be provided beneath any marquee.
- F. Size and Area. The total size of a marquee sign shall not exceed three and one half (3½) square feet per lineal foot of building frontage. The area of permanent lettering on a marquee sign shall be counted in determining compliance with the standards for total area of wall signs permitted on a parcel.
- G. Electronic Display Permitted. Electronic changeable copy, electronic graphic display and video display shall be permitted on marquee signs subject to the provisions set forth in Section 1476.19 of this Chapter.

#### **1476.13 BLADE SIGNS.**

- A. Permitted Districts. Blade signs shall only be permitted for buildings with no front yard setback (built to the front property line) within the Central Business District (CBD) and the Neighborhood Business District (NBD).
- B. Projections over Public Property. Every projecting sign shall have a minimum distance between the bottom of the sign and a public or private sidewalk or a public or private driveway, alley or other right-of-way of ten (10) feet. No projecting sign shall project a distance greater than four (4) feet six (6) inches beyond the property line and/or building wall plane and must be separated by at least six (6) inches from the building wall plane. Projecting signs shall project perpendicularly from a building wall plane only at an angle of ninety (90) degrees.
- C. Area and Spacing Limitations. All projecting signs shall be limited to a maximum area of 7.5 square feet for each side, 15 square feet total. Not more than one (1) projecting sign per business with an entrance at sidewalk level shall be permitted. No projecting sign may be

erected within forty (40) feet of any other projecting sign, however this provision shall not deny any place of business within permitted districts at least one (1) projecting sign.

- D. Mounting and Thickness Limitations. Projecting signs shall be mounted to the building wall by a single mounting bracket; support chains shall be prohibited. The distance measured between the principal faces of any projecting sign shall not exceed twelve (12) inches.
- E. Height Limitations. No projecting sign shall exceed a height above the roof line of the building to which it is attached, or extend vertically beyond the window sill of a second story if one exists. Projecting signs placed upon the corner of a building shall not extend vertically beyond the window sill of a second story, and shall not exceed a height above the roof line of the building to which it is attached.

#### 1476.14 AWNING AND CANOPY SIGNS

- A. Materials. Canopy or awning signs may be constructed of canvas, vinyl, metal or other suitable material.
- B. Construction. Canopy or awning signs shall be attached to an approved building in accordance with Section 1290.10.E of the City's Zoning Ordinance.
- C. Location. Canopy or awning signs may not project further than six (6) feet from the building wall plane or closer than two (2) feet from any curb line of a public street. A minimum clearance of ten (10) feet for canopy and awning signs from ground level shall be maintained. No awning or canopy sign shall extend above the roof or parapet of the building to which it is attached.
- D. Area Limitation and Lettering. The sign area of a canopy or awning sign shall not exceed three (3) square feet for each linear foot of building frontage to which it is attached, or one hundred (100) square feet, whichever is less. The area of an awning sign for a second story business shall not exceed four (4) square feet in area, and shall be limited to the valance of the awning. Awning signs are limited to two (2) such signs per business, on either the awning or valance, but not on both.

If acting as the main business sign, it shall not be in addition to a wall-mounted sign.

- E. Illumination. Canopy or awning signs may be internally illuminated only on those sides of the building to which they are attached which contain a public entrance or those having a pedestrian sidewalk (public or private) adjacent to the building.
- F. Building Entrance Canopies. A canopy used at a building entrance to protect pedestrians entering a building from inclement weather shall comply with the requirements for awning and canopy signs within this chapter, along with or except as provided for by the following:
1. A minimum clearance of ten (10) feet for a building entrance canopy from ground level shall be maintained;

2. A building entrance canopy may project from a building plane over a public sidewalk to within two (2) feet of the curb line of a public street; and

**1476.15 MISCELLANEOUS SIGNS.**

A. Banner and Cloth Signs.

1. Banner signs attached to or suspended from a building, constructed of cloth or other combustible material, shall be constructed in an approved manner and shall be securely attached to their supports. They shall be removed as soon as the same are torn or damaged and not later than sixty (60) days after their erection. Permits for temporary signs suspended from or attached to a canopy or marquee shall be limited to a period of ten (10) days.
2. Banner signs of combustible construction shall be not more than ten (10) feet (3.048 meters) in one (1) dimension nor more than two-hundred (200) metric equivalent square feet in area.
3. When more than one-hundred (100) square feet (9.3 meters squared) in area, banner signs shall be constructed and fastened in accordance with the building code adopted by the City.

B. Temporary Promotional Event Signs.

1. All temporary promotional event signs are subject to the following regulations:
  - a. A permit shall be required in accordance with the provisions of Section 1476.04.
  - b. Temporary promotional event signs shall be permitted in the office, commercial and non-residential planned unit development districts, but shall not be permitted in residential or industrial districts.
  - c. A temporary promotional sign shall be located no closer than 15 feet to the planned right-of-way line.
  - d. Not more than one temporary promotional event sign shall be permitted at any time for multi-tenant buildings or shopping centers and there shall be a distance of at least 500 feet maintained between temporary promotional event signs for stand alone operations.
  - e. Temporary promotional event signs shall be permitted for not more than 4 consecutive days in one week and for not more than two consecutive weeks, and for not more than 4 times per year. However, a temporary promotional event sign for a grand opening of a business shall be allowed for up to 60 days.

- f. Temporary promotional event signs shall be ground mounted or secured. Roof-top mounted devices are prohibited.
  2. Temporary promotion signs used for holidays, public demonstrations or promotions of civic welfare or charitable purposes, which signs extend across streets or other public spaces, shall require a permit, in accordance with Section 1476.04.
  3. Balloons.
    - a. The maximum height shall not exceed 35 feet.
    - b. Not more than one (1) bunch of six (6) balloons may be displayed at a business location and each balloon shall be no larger than twenty-four (24) inches in diameter. All balloons shall be attached to the building or placed within one (1) foot of the building for which the balloons are displayed. Balloons shall not be attached to structures, such as street furniture, utility poles or signs in the right-of-way. Hand held balloons are not subject to these provisions.
  4. Inflatable signs are prohibited.
- C. Sandwich Board Signs. Sandwich board signs shall be permitted in the Central Business District and Neighborhood Business District, subject to the following standards:
1. Number. One sandwich board (A-frame) sign shall be permitted for each business.
  2. Size. A sandwich board sign shall not exceed two (2) feet in width and three and one half (3 ½) feet in height. The area of the sign shall not exceed 6 square feet per side.
  3. Duration. A sandwich board sign shall be removed at the end of each business day.
  4. Location. A sandwich board sign shall not be located within the public right-of-way, including lawn boulevards. However, in the Central, Neighborhood and Municipal Business District where a public sidewalk is located within the right-of-way and directly abuts a building with a zero setback, a sandwich board may be allowed on the sidewalk, subject to the regulations herein. In the Central Business, Neighborhood Business Districts and Municipal Business Districts, a sandwich board sign shall be permitted in front of and within 12 feet of the main entrance to the establishment it advertises, provided that a minimum of 36 inches of unobstructed sidewalk clearance is maintained between the sign and the building or other obstruction.
  5. Stability. A sandwich board sign shall be internally weighted to ensure stability and prevent unintentional movement or conflict with pedestrians.
  6. Design. The design of a sandwich board sign, including color, lettering, style, symbols and material, shall compliment and be compatible with the design of the establishment's architectural design, primary sign(s), abutting property and the general streetscape in the immediate vicinity of the establishment it is advertising

regardless of whether the message is factory imprinted, handwritten or utilizes a manual changeable copy format.

7. Residential Sandwich Board Signs. A sandwich board sign may be used in residential districts to announce homeowner association meetings and shall be placed so as to not obscure the view of motorists or obstruct pedestrians and shall not be permitted within the road right-of-way.

#### **1476.16 ILLUMINATION.**

- A. General Requirements. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it. Temporary signs shall not be illuminated. Permanent signs may be internally or externally illuminated, except where prohibited in this Chapter.
- B. Non-Glare, Shielded Lighting. Use of glaring undiffused lights or bulbs shall be prohibited. The source of illumination shall not be visible, shall be fully shielded, and shall cause no glare hazardous to pedestrians, motorists or adjacent residential uses or districts.
- C. Bare Bulb Illumination. Illumination by bare bulbs or flames is prohibited, except that bare bulbs are permitted on electronic changeable copy signs and theatre marquees.

#### **1476.17 POLITICAL SIGNS.**

(a) Findings. The excessive proliferation of political campaign signs of large size tend to create sight, visual and aesthetic pollution, often presenting safety hazards, and whereas a municipality may reasonable regulate the size of political campaign signs on private property, provided that it does so in a manner that preserves the efficacy of the medium, and also provided that the sign is of sufficient dimension to enable a person traveling by vehicle or on foot to readily perceive the message. A municipality may not require that written permission from the owner of property be obtained as a condition precedent to the posting of political campaign on private property.

(b) No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted upon public property, or posted in or overhang a public right of way or on a utility pole. Political signs must comply with the locational requirements set forth in Section 1476.09, sub-section H of this Chapter. No political sign shall be posted more than sixty (60) days before an election. All candidates for public office, their campaign committees or other persons responsible for the posting on public property of campaign material shall remove the material within two (2) weeks following Election Day. A political sign in any residential district shall have a maximum surface area of four (4) square feet. A political sign in all other districts shall have a maximum surface area of thirty-two (32) square feet. No political sign shall be placed at a height greater than ten (10) feet.

(c) The candidate for public office and /or the official campaign committee that has produced, printed or caused to place said sign contrary to the dictates of this section shall be responsible for the action and a citation shall be issued in the respective name.

**1476.18 BILLBOARDS.**

- A. Permitted Sites. Billboards shall only be permitted within the following zoning districts, as shown on the City=s official Zoning Map and as defined within the Zoning Code: Light Industrial Districts (LID); and General Industrial Districts (GID).
- B. Structural Frame. The structural frame of a billboard shall not be erected of combustible materials, and shall not use more than two (2) poles or other structures as a means of support.
- C. Maximum Size and Height. Billboards shall have a maximum surface area of seventy-two (72) square feet. Surface areas of billboards shall have a maximum height of six (6) feet and a maximum width of twelve (12) feet. No billboard shall be placed at a height greater than twenty (20) feet.
- D. Placement and Spacing. There shall be a minimum distance of five-hundred (500) feet between all billboard signs and any other billboard on either side of a right-of-way, whether it is a conforming or nonconforming billboard. A billboard may not be placed within nor overhang any right-of-way. If located within ten (10) feet of a right-of-way, there must be a minimum unobstructed distance of ten (10) feet from the bottom edge of the sign and the ground. No billboard shall be placed on or project from the side or roof of a building.
- E. Design and Construction. Billboards shall contain two (2) equally sized, finished surface areas placed back to back. Billboards shall not be permitted to be stacked either vertically or horizontally, and no more than one (1) surface area may face in any given direction. Billboards shall not have any movable parts.
- F. Illumination. Billboards may be illuminated as provided within this chapter, however such illumination shall be by external means only. Illumination for billboards shall be visible beyond the property lines of the parcel upon which it is located, and shall not create any glare to passing motorists or into any rights-of-way.
- G. Electronic Display Permitted. Electronic changeable copy, electronic graphic display and multi-vision signs shall be permitted for billboard signs outside the Central, Neighborhood and Municipal Business Districts, subject to the provisions set forth in Section 1476.19 of this Chapter. Electronic changeable copy, electronic graphic display and multi-vision signs are prohibited for billboards located within the Central, Neighborhood and Municipal Business District.

**1476.19      Electronic Display**

- A.     Findings. Studies show that there is a correlation between electronic displays on signs and the distraction of highway drivers. Distraction can lead to traffic accidents. Drivers can be distracted not only by a changing message, but also by knowing that the sign has a changing message. Drivers may watch a sign waiting for the next change to occur. Drivers are also distracted by messages that do not tell the full story in one look. People have a natural desire to see the end of the story and will continue to look at the sign in order to wait for the end. In addition, drivers are more distracted by special effects used to change the message, such as fade-ins and fade-outs. Finally, drivers are generally more distracted by messages that are too small to be clearly viewed or that contain more than a simple message. Time and temperature displays appear to be an exception to these concerns because the messages are shorter and are easily absorbed, and become inaccurate without frequent changes.

Despite these public safety concerns, there is merit to allowing new technologies to easily update messages. Except as prohibited by state or federal law, sign owners should have the opportunity to use the technologies with certain restrictions. The restrictions are intended to minimize potential driver distraction and proliferation in residential districts where signs can adversely impact the residential character.

- B.     Districts Permitted. Electronic display technology shall be permitted for ground signs located in the Neighborhood Business, Municipal Business, Regional Business, Central Business Districts, subject to the provisions herein this Chapter.
- C.     Regulations. Electronic changeable copy, graphic display and tri-vision display signs shall be permitted for ground signs in office, commercial and industrial districts subject to the following regulations:
1.     Frequency: Copy change shall no be more frequently than once per 5 seconds.
  2.     Color: Copy may be multi-color, as determined by the Planning Commission during site plan review or the Planner and Building Official during an administrative review.
  3.     Illumination: Glare shall be reduced and/or minimized in such a manner as to maintain an appropriate level of contrast during the day. To reduce driver distraction at night and light trespass into residential areas, an automatic dimmer shall be required to control brightness. A photometric plan which identifies the proposed illumination levels (in footcandles) shall be provided. Illumination levels shall not exceed 0.5 footcandles at the property line, measured five feet from the ground.
  4.     Area. An electronic changeable copy or electronic graphic display area shall not exceed more than 60% of the actual sign area of any ground sign face of which it is a part, with not more than two lines of text; except that 100% of the area of a billboard sign shall be permitted to be electronic graphic display.
  5.     Integration into Sign. The electronic changeable copy or electronic graphic display areas on ground signs shall be part of the same sign face as a ground sign without electronic display technology and shall be integrated into the face of such sign by use

of a border or similar design treatment that provides a visual linkage to the remainder of the sign.

6. Motion, Animation and Video: Video display, animation, scrolling text, flashing, whirling or fading signs, dissolving transitions, or any other type of motion associated with an electronic sign shall be prohibited, except that marquee signs in the Central Business District may incorporate video display technology.

## **1476.20 Special Provisions for Signs in the Central Business District**

### **A. Signs in the Central Business District.**

1. Wall-mounted signs. Wall-mounted signs may be permitted, subject to the following:
  - a. A wall sign cabinet shall be affixed to the front facade of the building, and shall project outward no more than nine (9) inches from the wall to which it is attached. A wall sign which is comprised of individual letters shall project outward not more than twelve (12) inches.
  - b. The area of a wall sign shall comply with the provisions of Section 1476.11, sub-section D.
  - c. The maximum permitted height is fifteen (15) feet above the front sidewalk elevation, and shall not extend above the base of the second floor window sill, parapet, and eave or building facade.
  - d. The sign shall be granted to commercial uses occupying buildings facing on public streets only and shall not be allocable to other uses. An identification sign shall be allowed on the rear elevation of a building.
  - f. Wall-mounted signs are limited to one (1) sign per business.
2. Painted window or door signs. Painted window or door signs are permitted, provided the following standards are met:
  - a. The sign shall not exceed ten percent (10%) of the window or door area, or four (4) square feet, whichever is less.
  - b. The sign shall be silk screened or hand-painted.
  - c. Painted window or door signs are limited to one (1) sign per business, painted on either the window or the door, but not on both.
  - d. Painted window or door signs may be in addition to a wall-mounted sign, a free-standing sign, or an awning or valance sign.

3. Awning/Canopy signs. Awning signs shall comply with the provisions of Section 1476.14.
4. Sandwich Board Signs. Sandwich board signs shall be permitted in accordance with the provisions of Section 1476.15.C of this Chapter.
5. Blade Signs. Blade signs shall be permitted in accordance with the provisions of Section 1476.13.
6. Marquee Signs. Marquee signs shall be permitted in the Central Business District, subject to the requirements of Section 1476.12.
7. Free-standing signs. One (1) free-standing sign may be provided, subject to the following conditions:
  - a. The building housing the business to which the sign refers shall be set back a minimum of ten (10) feet from the road right-of-way.
  - b. The area of the signboard shall not exceed eighty (80) square feet.
  - c. The height of the top of the signboard, or of any posts, brackets or other supporting elements, shall not exceed eight (8) feet from the ground.
  - e. The signboard may be constructed of wood, with wood or cast iron brackets, and shall be architecturally compatible with the style, composition, materials, colors and details of the building, as determined by the Planning Commission during site plan review or administratively by the Building Official.
7. Corner building signs. Businesses located in corner buildings are permitted one (1) sign for each street frontage.
8. Service entrance signs. Businesses with service entrances may identify these with one (1) sign not exceeding two (2) square feet.
9. Directional signs. One (1) directional sign, facing a rear parking lot, may be erected. This sign may be either wall-mounted on the rear facade, projecting or free-standing, but shall be limited to three (3) square feet in area.
10. Address signs. Each business shall identify the number of its address within the signboard. One (1) sign facing each street or parking lot may be permitted.
11. Design standards.
  - a. Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors and details of the

building, as well as with other signs used on the building or its vicinity, as determined by the Planning Commission.

- b. Signs shall fit within the existing facade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the facade where they are located. Signs shall be placed on a facade only in a manner historically appropriate to the style of the building.
- c. Whenever possible, signs located on buildings within the same blockface shall be placed at the same height, in order to create a unified sign band.
- d. Wood and painted metal may be used as materials for signs. Flat signs should be framed with raised edges. Signs using wood shall use only high-quality exterior grade wood with suitable grade finishes.
- e. Sign colors should be compatible with the colors of the building facade. A dull or matte finish is recommended, for it reduces glare and enhances legibility.
- f. Signs shall be either spot-lighted or back-lighted with a diffused light source. Spot-lighting shall require complete shielding of all light sources; light shall be contained within the sign frame and shall not significantly spill over to other portions of the building, or site. Back-lighting shall illuminate the letters, characters or graphics on the sign, but not its background. Fluorescent bulbs may be used to illuminate the interior of display cases. Neon signs placed inside the display case shall be of low intensity colors.
- g. Signs shall be mounted so that the method of installation is concealed. Signs applied to masonry surfaces should be mechanically fastened to mortar joints only and not directly into brick or stone. Drilling to provide electrical service should also follow the same rule.

