

ARTICLE V

SUPPLEMENT REGULATIONS

SECTION 5.1 – PURPOSE

It is the purpose of this article of this ordinance to provide regulations and requirements that supplement the provisions contained under the respective district regulations in Article IV, and may or may not apply in all zoning districts.

SECTION 5.2 - SIGN REGULATIONS (Adopted 12/05/94)

5.2.1 Purpose

The purpose of this Section is to regulate on-site and outdoor advertising to protect the public health, safety and general welfare, to protect property values, and to protect the character of the various neighborhoods in the Charter Township of Blackman.

The principal features are the restriction of advertising to the use of the premises on which the sign is located and the restriction of the total sign area permissible per site. Any sign placed on land or on a building for the purpose of identification or for advertising a use conducted on the premises shall be deemed an accessory use. It is intended that the display of signs will be appropriate to the land, building, or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. With respect to signs advertising business uses, it is specifically intended, among other things, to avoid excessive competition and clutter among sign displays. Outdoor advertising signs (billboards), which advertise products or businesses not connected with the site or building on which they are located, are deemed to constitute a principal use of a lot.

5.2.2 Definitions

a. Abandoned Sign:

A sign which no longer advertises or identifies a business, lessor, owner or activity conducted upon or product available on the premises where such sign is displayed.

b. Billboard:
See "Outdoor Advertising Sign"

c. Business Center:

A group of two or more stores, offices, research or manufacturing facilities which collectively have a name different than the name of any of the individual establishments and which have common off-street parking and entrance facilities.

d. **Business Flag:** A marketing device used as a symbol or emblem attachable by one edge to a pole. Business flags shall bear the name or logo of the business.

e. Canopy or Marquee Sign:

Any sign attached to or constructed within or on a canopy or marquee.

f. District:

Zoning District as established by the Charter Township of Blackman Zoning Ordinance.

g. Free Standing Sign:

A sign supported by a structure independent of any other structure.

h. Height of Sign:

The vertical distance to the top edge of the copy area or structure, whichever is higher, as measured from the adjacent street grade.

i. Identification Sign:

A sign which carries only the name of the firm, the major enterprise, or the principal product or service offered for sale on the premises or a combination of these things only to identify location of said premises and not to advertise. Such signs shall be located only on the premises on which the firm or major enterprise is situated, or on which the principal product is offered for sale.

j. Off-Site Sign: (Off-Premises Sign)

A sign other than an on-site sign.

k. On-Site Sign: (On-Premises Sign)

A sign which advertises or identifies only goods, services, facilities, events, or attractions on the premises where located.

l. Outdoor Advertising Sign:

A sign, including billboards, on which the written or pictorial information is intended to advertise a use, product, service, goods, event or facility located on other premises, and which is intended primarily for advertising purposes.

m. Sign:

Any structure or part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, code mark or other representation used as, or in the nature of an announcement, advertisement, direction, or designation, commodity, service, business, profession, or industry, which is located on any land or in any building, in such manner as to attract attention from outside the premises, except signs not exceeding one (1) square foot in area bearing only property numbers, post office numbers, or names of occupants of premises.

n. Temporary Sign:

A sign that is intended to be displayed for a limited period of time, as specified in Section 5.2.10 herein.

o. Wall Sign:

A sign attached to, or erected against, the wall of a building with the face in a plane parallel to the plane of the building wall.

p. Window Sign:

A sign installed on, or in, a window for the purposes of viewing from outside the premises. This term does not include merchandise located in a window.

q. Portable Sign:

Any sign not permanently attached to the ground or a building.

5.2.3 General Sign Regulations

The following regulations shall apply to all signs in the Charter Township of Blackman:

a. Illuminated Signs:

1. Residential Districts - Only indirectly illuminated signs shall be allowed in any residential district provided such sign is so shielded as to prevent direct light rays from being visible from a public right-of-way or any adjacent residential property.
2. Commercial, Wholesale-Warehouse, Office, Research Development and Industrial Districts - Indirectly or internally illuminated signs are permitted provided such signs are so shielded as to prevent direct light rays from being visible from a public right-of-way or any adjacent residential property.
3. No sign shall create an appearance of a traffic signal. Nothing contained in this Ordinance shall be construed as preventing use of lights or decorations related to religious and patriotic festivities. Beacon lights or search lights shall not be permitted as a sign for advertising purposes except as provided in Section 5.2.10, Temporary Signs. No sign described in this subsection shall be located closer than ten (10') feet of ground level.
4. All illuminated signs shall comply with the applicable Michigan Electrical Code provisions concerning signs and wiring.

b. Measurement of Sign Area:

The area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all of the display area of the sign and including all of the elements of the matter displayed as measured three (3") inches in from the outside border of said geometric form or combination of forms.

c. Height of Sign:

No free standing sign shall exceed a height of thirty-five (35) feet.

d. Setback Requirements for Signs:

All signs shall be set back from the adjacent road by a distance of not less than one-half (1/2) of the setback required for a structure on said parcel as provided for in the setback requirements of this Zoning Ordinance.

e. Business Flags:

Business flags shall be permitted in commercial, office, wholesale, and warehousing, research and development, and industrial zoning districts, subject to the following regulations

1. The flags shall be located on the same lot as the business building or use.
2. Notwithstanding any other provision of this Ordinance, business flags shall meet the yard requirements for signs and the height limits for structures in the zoning district in which located.
3. The area of each business flag shall not be included in the sign area that is permitted on a lot.
4. Not more than one business flag shall be permitted for each public road frontage of the lot on which located.
5. All business flags shall be set back from adjacent roads no less than one-half (1/2) of the minimum setback required for a structure on said parcel as provided for in this Zoning Ordinance.

5.2.4 Signs Permitted In All Districts

Subject to the other conditions of this Ordinance, the following signs shall be permitted anywhere within the Charter Township of Blackman.

- a. Off premise signs which bear names, information and emblems of service clubs, places of worship, civic organizations, and public uses shall be permitted. Each sign shall be not more than eight (8) square feet in area, shall not exceed a height of eight (8) feet, and shall be set back a minimum of ten (10) feet from the property line. All signs shall be consolidated within a single-frame, if more than one sign is placed at one location.
- b. Signs which direct traffic movement onto or within a property and which do not contain any advertising copy, and which do not exceed eight (8) square feet in area for each sign. Horizontal directional signs, on and flush with paved areas may exceed eight (8) square feet. .
- c. One church, civic organization, public building, or school announcement bulletin shall be permitted on any site that contains a church, civic organization, public building, or school regardless of the district in which it is located, provided said bulletin does not exceed thirty-two (32) square feet in area where the speed limit is forty-five (45) miles per hour or less and sixty (60) square feet in area where the speed limit is forty-six (46) miles per hour or more and a height of twenty-five (25) feet, and is set back from an adjacent

road a minimum of one-half (1/2) of the setback required for a structure on said parcel as provided in this Zoning Ordinance..

5.2.5 Prohibited Signs

a. Miscellaneous Signs and Posters:

Tacking, pasting, or otherwise affixing signs or posters that are visible from a public way, and located on the walls of buildings, barns, sheds, or on trees, poles, posts, or fences shall be prohibited. Warning signs, such as "no trespassing" and "no hunting" and other postings required by law shall be exempt from this provision.

b. Swinging Signs:

Signs that swing or otherwise noticeably move as a result of wind pressure because of the manner of suspension or attachment shall be prohibited.

c. Moving Signs:

Any sign or any portion thereof that moves, twirls or has any motion to its parts shall be prohibited. This section shall not be deemed to prohibit a message center with continuing animation or graphics.

d. Parking of Advertising Vehicles:

No person shall park any vehicle or trailer on a public right-of-way, public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the purpose of directing people to a business or activity. Currently licensed vehicles and trailers that have painted upon them in a permanent manner the name of the product which they deliver and/or the name and address of the owner shall be excluded from this provision.

e. Abandoned Signs:

Signs that advertise an activity, business, product or service no longer conducted or available on the premises on which the sign is located, shall be prohibited.

f. Signs Within Right of Way:

No sign may be erected within the right of way unless the placement of same is expressly approved by the Jackson County Department of Transportation.

g. Unclassified Signs:

The following signs are prohibited.

1. Signs that imitate an official traffic sign or signal which contains the words "stop", "go slow", "caution", "danger", "warning", or similar words except as otherwise provided in this Section.
2. Signs that are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.
3. Signs that contain statements, words or pictures of an obscene, pornographic or immoral character.
4. Signs that are painted directly onto a wall or any other part of a building.
5. Signs that are painted on or attached to any fence or any wall that is not a structural part of a building except to identify a residence.
6. Signs that emit audible sound, odor, or visible matter.
7. Roof signs that extend above the peak of the roof.

5.2.6 Permitted Signs in Recreation-Conservation and Agricultural Districts

- a. One sign advertising the type of farm products grown on a farm premises. Such sign shall not exceed twenty-four (24) square feet in area.
- b. One identification sign shall be permitted for each public street frontage having a curb cut for a vehicle entrance, for a school, church building or other authorized use or lawful nonconforming use except a home occupation. Each sign shall not exceed thirty-two (32) square feet in area.
- c. One identification sign shall be permitted for a home occupation. The sign shall not exceed three (3) square feet in area and shall be attached flat against the front wall of the building.

5.2.7 Permitted Signs in Residential Districts

- a. One identification sign shall be permitted for each public street frontage of a subdivision, multiple-family building development, or a mobile home park. Each sign shall not exceed thirty-two (32) square feet in area. One additional sign advertising "For Rent" or "Vacancy" may be placed on each public street frontage of a rental residential development provided that such sign shall not exceed three (3) square feet in area and is incorporated into the identification sign. Each sign shall be set back not less than five (5) feet from the right of-way line of any public street, and shall not exceed four (4) feet in height.
- b. One identification sign shall be permitted for each public street frontage having a driveway for a school, church, public building, or other authorized use or lawful nonconforming use, except home occupations. Each sign shall not exceed thirty two (32) square feet in area and eight (8) feet in height.
- c. One identification sign shall be permitted for a home occupation. The sign shall not exceed three (3) square feet in area and shall be attached flat against the front wall of the building.

5.2.8 Permitted Signs in Commercial, Office and Industrial Districts

On-site canopy or marquee signs, wall signs, and free standing signs are permitted in all commercial, office, and industrial districts subject to the following conditions:

- a. Signs permitted for a single buildings on developed lots or groups of lots developed as one lot, not in a business center subject to Section 5.2.8 (b):
 1. Area - Each developed lot shall be permitted at least eighty (80) square feet of sign for all exterior on-site signs. The area of exterior on-site signs permitted for each lot shall be determined as two (2) square feet of sign area for each one (1) linear foot of building length which faces one public street.
 2. Number - Each developed lot shall be permitted three (3) exterior onsite signs. For every developed lot that has frontage on two collector or arterial streets, four (4) exterior on-site signs shall be permitted. Only one freestanding identification sign shall be permitted on any street frontage. All businesses without ground floor frontage shall be permitted one (1) combined exterior wall sign, in addition to the number of signs allocated to the developed lot. The total area of all exterior signs shall not exceed the total sign area permitted in Section 5.2.8 (a)(1).
- b. Signs permitted for a shopping center, office park, industrial park, or other integrated group of stores, commercial buildings, office buildings or industrial buildings, not subject to Section 5.2.8 (a):

1. Free Standing Signs: Each business center shall be permitted one free standing identification sign for each frontage on a public street. Each sign shall state only the name of the business center and the tenants located therein. The maximum permitted sign area shall be determined as one (1) square foot for each one (1) linear foot of building which faces one public street. The maximum area for each free-standing sign shall be two hundred (200) square feet. Tenants of a business center shall not permit individual free-standing identification signs.
 2. Wall Signs: Each business in a business center with ground floor frontage shall be permitted one exterior wall sign. The sign area for such an exterior wall sign shall be computed as one (1) square foot for each one (1) linear foot of building frontage occupied by the business. All businesses without ground floor frontage shall be permitted one combined exterior wall sign not more than twenty-four (24) square feet in area.
 3. Park Signs: A free standing sign, identifying the primary tenants in an office park or an industrial park, may be installed at the entrance(s) to a park. Each parcel in a park will be allowed one (1) available space on a park sign. Each space shall be no larger than eight (8) inches by forty-eight (48) inches. Park signs shall be no higher than six (6) feet above the height of the public road at the point of the centerline most closely adjacent to the sign. No park sign shall be greater than eight (8) feet long. All park signs shall be located no closer to an adjacent road than one-half (1/2) of the minimum setback required for a structure on said parcel as provided in this Zoning Ordinance.
- c. A time and temperature sign shall be permitted in addition to the above permitted signs, provided that ownership identification or advertising copy does not exceed ten (10) percent of the total sign area and further provided that the total area of the sign does not exceed thirty (30) square feet.
 - d. No canopy or marquee sign shall extend into a public right-of-way except by variance granted by the Zoning Board of Appeals. In granting such a variance the Board of Appeals shall assure that the requirements of Section 7.3 of this Ordinance are complied with; that the minimum clearance of such sign is eight (8) feet measured from the sidewalk surface to the bottom edge of the sign; that the sign does not obstruct pedestrian or vehicular view; and that the sign does not create a hazard for pedestrian or vehicular traffic.
 - e. In addition to the provisions of Section 5.2.8 (a) and (b) preceding, an automobile service station may have one additional sign for each public street frontage having a driveway, for the purpose of advertising gasoline prices and other services provided on the premises. Said sign shall be mounted on a free-

standing structure or on the structure of another permitted sign, provided that clear views of street traffic by motorists or pedestrians are not obstructed. Said sign shall not exceed eight (8) square feet in area.

- f. Service Station Signs:- No signs shall be attached to light standards. Signs are permitted on fuel pump canopies in which case the maximum sign size shall be ten (10%) percent of the area of the canopy.

5.2.9 Outdoor Advertising Signs (Off-Site Signs)

Outdoor advertising signs shall be permitted only in accordance with the following regulations:

- a. Outdoor advertising signs shall be permitted only on undeveloped and unimproved lots in agricultural districts on state or federal highways, C-3, I-1, and I-2 districts, and shall be considered the principal use of such lots. Signs shall not be placed on a lot with any other building thereon, and no other structure shall be placed on a lot where such sign is located.
- b. Where two (2) or more outdoor advertising signs are located along the frontage of a street or highway, they shall be not less than one-thousand (1,000) feet apart. A double face (back to back) of a V-type structure shall be considered a single sign provided the interior angle of such signs does not exceed twenty (20) degrees.
- c. The total surface area, facing in the same direction, of any outdoor advertising sign, shall not exceed three hundred (300) square feet. Signs may be single or double-faced and shall contain no more than two (2) faces or panels.
- d. Outdoor advertising signs shall not exceed twenty (20) feet in height from ground level. The permitted height may be increased to forty (40) feet by the Zoning Administrator if it can be shown that excessive grades, buildings, bridges, and similar conditions obstruct views of the sign.
- e. Outdoor advertising signs shall not be erected on the roof of any building nor have one sign above another.
- f. Outdoor advertising signs shall be allowed to have their copy changed by electronic process provided that each message shall remain static for no less than six (6) seconds and that each change of copy is completed within six (6) seconds or less. Signs of this type may only be located adjacent to State or Federal highways or within C-3, I-1 and I-2 districts.

5.2.10 Temporary Signs

- a. In single-family and two-family districts one sign for each public street frontage advertising a recorded subdivision or development shall be permitted. Each sign shall not exceed sixty-four (64) square feet in area. Each sign shall be removed within four (4) years after it is erected or when eighty (80%) percent of all lots or units within the subdivision or development are sold, whichever occurs first.

- b. In multiple-family districts one sign, not to exceed sixty-four (64) square feet in area shall be permitted on each public street frontage of a new multiple-family development for the purpose of advertising new dwelling units for rent or sale. Each sign shall be removed within sixty (60) days of the initial rental or sale of seventy (70%) percent of the dwelling units within the development.

- c. In all Commercial and Industrial Districts, a sign designed as portable or mobile which is in compliance with Section 5.2.3 may be used on each street frontage. A valid Temporary Sign Permit shall be required for each sign in each location. Permits shall be issued for a maximum of thirty (30) days within a ninety (90) day period upon payment of a fee established by the Charter Township of Blackman. Each sign will further comply with the following:
 - 1. Signs may be illuminated provided, however, such signs shall not contain strobe lights or constitute a safety hazard. In no case shall an electrical cord be run across a parking lot to power such a sign.
 - 2. All signs shall be placed no closer than ten (10) feet to the street right-of-way line.
 - 3. Signs shall not exceed thirty two (32) square feet in area
 - 4. Signs shall not exceed six (6) feet in height measured from the surface of the ground
 - 5. The complete sign unit shall be firmly anchored.

- d. Banners:

Banners, pennants, search lights, sandwich board signs, sidewalk signs, shall be allowed for up to ninety (90) cumulative days within a calendar year and such items shall be prohibited thereafter.

- e. Balloons or Other Inflatable Figures:

Balloons or other inflatable figures not exceeding fifty (50) feet in height shall be allowed for up to ninety (90) cumulative days within a calendar year and such items shall be prohibited thereafter.

- f. One identification sign shall be permitted for all building contractors, one for all professional design firms and one for all lending institutions on sites under construction, each sign not to exceed six (6) square feet in area, with not more than a total of three (3) such signs permitted on one site. If all building contractors, professional design firms and lending institutions join together in one identification sign, such sign shall not exceed thirty-two (32) square feet in area, and not more than one sign shall be permitted on a site. Signs shall have a maximum height of ten (10) feet and shall be confined to the site of the construction, construction shed or construction trailer and shall be removed within fourteen (14) days after the issuance of a certificate of occupancy.
- g. Temporary signs announcing any annual or semi-annual public, charitable, educational or religious event or function, located entirely within the premises on which the event or function is to occur, shall be permitted. Maximum sign area shall not exceed thirty-two (32) square feet. Signs shall be allowed no more than fourteen (14) days in a calendar year. If building mounted, signs shall be flat wall signs and shall not project above the roof line. If ground mounted, signs shall not exceed six (6) feet in height. Signs shall be set back in accordance with Section 5.2.3 (d) of this Ordinance.
- h. Temporary real estate direction signs, not exceeding three (3) square feet in area and four (4) in number, showing a directional arrow and placed back of the property line, shall be permitted on approach routes to an open house for forty eight (48) hours in advance and on the day of the open house. Signs shall not exceed three (3) feet in height and may not be placed on any property without the permission of the owner.
- i. In residential districts one (1) temporary real estate "For Sale", "For Rent", or "For Lease" sign, located on the property and not exceeding six (6) square feet in area shall be permitted. In all other zoning districts one (1) sign of this type shall be permitted, provided it does not exceed thirty-two (32) square feet in area and is set back in accordance with Section 5.2.3 (d) of this Ordinance. If the lot has multiple frontages one additional sign not exceeding six (6) square feet in area in residential districts or thirty-two (32) square feet in area in all other districts shall be permitted. Under no circumstances shall more than two (2) such signs be permitted on a lot. Such signs shall be removed within seven (7) days following the sale, rent, or lease. In no case shall a sign advertising the sale, rent, or lease of a building that is not located on the property on which the sign is located, be permitted.

5.2.11 Exempted Signs

The following types of signs are exempted from all provisions of this Ordinance, except for construction and safety regulations and the following standards:

- a. Signs of a non-commercial nature and in the public interest, erected by, or on the order of a public officer, in the performance of a public duty, such as directional signs, regulatory signs, warning signs, and informational signs
- b. Political campaign signs shall be removed no later than five (5) days following the election or primary.
- c. Names of buildings, date of erection, monument citations, commemorative tablets, and the like, when carved into stone, concrete, or similar material or made of other permanent type construction and made an integral part of the structure.
- d. Garage sale, yard sale, or other temporary sale signs where less than six (6) square feet in area and displayed on the owner's premises or on other premises with permission for a period of not more than seventy-two (72) continuous hours.
- e. A violation of the Section shall result in summary removal of the signs by the Charter Township of Blackman in accordance with Section 5.2.15(a)

5.2.12 Nonconforming Signs

Every permanent sign which does not conform to the height, size, area, or location requirements of this section as of the date of the adoption of the Ordinance from which this Section is derived, is hereby deemed to be nonconforming.

- a. Nonconforming signs shall not be altered, expanded, enlarged, or extended; provided, however, that nothing in this article shall prohibit the repair of a lawful nonconforming sign or outdoor advertising structure, provided that such repair does not exceed an aggregate cost of fifty (50%) percent of the appraised replacement cost thereof as determined by the Building Inspector. The repaired sign shall be no greater in size, height, or any panel dimension than the existing sign.
- b. Outdoor advertising signs that are non-conforming solely because of their proximity to other outdoor advertising signs shall be permitted to be repaired or replaced. The repaired or replaced sign shall be no greater in size, height, or any panel dimension than the existing sign.

- c. For purposes of this Section, a nonconforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing the privilege of nonconforming sign use.
- d. Any non-conforming sign which for a period of ninety (90) days or more no longer advertises a bona fide business conducted, service performed, or product sold, shall be removed by the owner of the building, structure, or property upon which such sign is located, within thirty (30) days of receipt of written notice by the Zoning Administrator

5.2.13 Permits and Fees

- a. A permit shall be required to erect or replace a sign that is regulated by Section 5.2.4 and 5.2.6 through 5.2.10 (c herein. The application shall be made by the owner of the property, or authorized agent thereof, to the Township Zoning Administrator, by submitting the required forms, fees, exhibits and information. Fees for sign permits shall be established by resolution of the Township Board.
- b. An application for a sign permit shall contain the following:
 - 1. The applicant's name and address in full, and a complete description of the relationship to the property owner.
 - 2. If the applicant is not the property owner, the signature of the property owner concurring in submittal of the application.
 - 3. The address of the property.
 - 4. An accurate scale drawing of the property showing location of all buildings and structures and their uses, and location of the proposed sign.
 - 5. A complete description and scale drawing of the sign, including all dimensions and the area in square feet.
- c. All signs shall be inspected by the Township Zoning Inspector for conformance to this Ordinance prior to placement on the site
- d. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit. Said sign permit may be extended for a period of thirty (30) days upon request by the applicant and approval of the Zoning Administrator.

- e. Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure, unless a structural or size change is made, shall not require a sign permit.
- f. Signs for which a permit is required shall be inspected periodically by the Building Inspector for the compliance with this Ordinance and other codes, requirements and laws of the Charter Township of Blackman, including but not limited to the Michigan Electrical Code, State Construction Code, and Michigan Mechanical Code.

5.2.14 Removal of Signs

- a. All signs erected as exempt signs under Section 5.2.11(d) shall be removed by the Charter Township of Blackman without notice should the sign remain displayed for more than seventy two (72) continuous hours.
- b. The Zoning Administrator shall order the removal of any sign erected or maintained in violation of this Ordinance except for legal nonconforming signs. Thirty (30) days notice in writing shall be given to the owner of such sign or of the building, structure, or premises on which said sign is located to remove the sign or to comply with this Ordinance. The Township may after thirty (30) days notice remove the sign. The Township shall also remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any cost of removal incurred by the Township shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge will be a lien on the property.
- c. A sign shall be removed by the owner or lessee of the premises upon which the sign is located within thirty (30) days after the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Township shall remove it in accordance with the provisions stated in Section 5.2.14 (b) preceding. These removal provisions shall not apply where a subsequent owner or lessee conducts the same type of business and agrees to maintain the signs to advertise the type of business being conducted on the premises and provided the signs comply with the other provisions of this Ordinance.

5.2.15 Effective Date

This Ordinance shall replace the existing Article V Supplemental Regulations Section 5.2 in its entirety and shall take effect thirty (30) days from the date of final adoption. All existing permits issued under the previous Ordinance are hereby declared valid until they expire.