

## ARTICLE XIX

### SIGNS

#### **Sec. 19.01 Purpose:**

The purpose of this Article is to provide a framework in which the identification and informational needs of all land uses can be harmonized with community interests in public health, safety and welfare, including the preservation of the Township's overall character and that of its business and residential areas. It is intended through the provisions contained herein to give recognition to the legitimate needs of business, industry and other activities, in attaining their identification and informational objectives, while recognizing that unrestricted or unregulated signage does not support the desired character of the Township nor benefit either private enterprise or the community-at-large as it creates traffic safety hazards, visual clutter, confusion for vehicle drivers, visual blight, and decreased property values, and undermines economic development initiatives.

#### **Sec. 19.02 Definitions:**

In addition to the definitions set forth in ARTICLE III, the following words shall have the meanings hereinafter set forth.

- A. Electronic Message Center (EMC) Signs: A free-standing or wall sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
- B. Free-Standing Signs: A sign supported by one (1) or more uprights, poles or braces placed in or upon the ground surface and not attached to any building, and including signs generally having a low profile where the base of the sign structure is on or close to the ground and commonly referred to as a monument or ground sign.
- C. Off-Premises Advertising Sign: A sign which identifies goods, services, facilities, events, or attractions which are available or provided at a location other than the lot or parcel upon which such sign is located and commonly referred to as a "billboard".
  - (1) Class 1 Off-Premises Sign/Billboard: An off-premises advertising sign intended for viewing by highway travelers and typically providing information about a business, use or activity outside of the municipality in which the sign is located, and which is located in a public right-of-way pursuant to the Highway Advertising Act, P.A. 106 of 1972, as amended .
  - (2) Class 2 Off-Premises Sign/Billboard: An off-premises advertising sign intended to assist vehicle occupants find a local business, use or other facility. A Class 2 off-premises sign is located outside of a road right-of-way unless expressly authorized otherwise by the agency having jurisdiction over such road right-of-way.
- D. Projecting Signs: A sign which projects from and is supported by a wall of a building above a sidewalk or the ground level.
- E. Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, banner, flag, pennant, trade names or marks, or other representation, or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity or product, an activity, a person, or an idea, which is located upon any land or structure on or in any building, in such manner as to inform or attract attention from outside or off the premises.
- F. Temporary Sign: A sign designed to be moved periodically. Examples of temporary signs include banners, signs mounted on wheeled trailers, and hot-air and gas filled balloons and devices.

- G. Wall Sign: A sign which is attached directly to or painted upon a building wall and which does not extend more than twelve (12) inches there from or above the roof line, with the exposed face of the sign in a plane parallel to the building wall. "Wall sign" shall include signs attached to a marquee, canopy or awning projecting from and supported by the building and which may extend more than twelve (12) inches from such building wall, which shall be construed as a wall sign. "Wall sign" shall not include a sign mounted on the roof of a building or structures, laying either flat or upright at an angle to the roof pitch.
- H. Window Sign: Signs affixed to, in contact with, or within twelve (12) inches of a window; installed for purposes of viewing from outside the premises. "Window sign" shall not include merchandise located in a window.

### **Section 19.03 General Standards and Regulations**

- A. Type/Applicability:

Except where expressly provided otherwise by this Ordinance, no type of sign shall be erected except as expressly authorized by this Article and such sign shall apply and pertain solely to an authorized and approved use, activity or business on the lot or parcel on which the sign is located. Off-premises advertising signs are prohibited except as regulated by Section 19.07.
- B. Measurements
  - (1) **Sign Area**: The area of a sign shall be computed by calculating the square footage of a sign face as measured by enclosing the most protruding points or edges of all sign faces of the sign within a parallelogram, rectangle, triangle, or circle, or combination thereof, including any framing. Where a sign has two (2) or more similarly shaped faces placed back-to-back, parallel to one another and less than eighteen (18) inches apart from one another, the area of the sign shall be the area of one (1) face. Where a sign has two (2) faces placed back-to-back, parallel to one another and less than eighteen (18) inches apart from one another, but the signs are of differing sizes, the sign area shall be that of the larger sign. In the case of a sign with three or more faces, the area of the sign shall be the area of all faces combined.
  - (2) **Sign Setbacks**: All setbacks shall be measured from the lot line horizontally to the nearest edge of the sign. The "nearest edge of the sign" shall be the leading edge of the sign closest to such lot line as viewed from above in plan or bird's eye view.
  - (3) **Sign Height**: The height of a ground sign shall be measured from the highest point of the sign, including all frame and structural members of the sign, to the adjacent street or average ground elevation within ten (10) feet of the sign base, whichever is less.
- C. Materials, Construction and Maintenance:
  - (1) All signs shall be constructed and maintained in a manner consistent with building code provisions and maintained in good structural condition at all times, free of hazards to the general public. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.
  - (2) All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports. Signs shall be maintained free of peeling paint or paper, fading, rust, or other conditions reflective of a state of disrepair.
  - (3) No light pole, utility pole, or other supporting member shall be used for the placement of a sign unless specifically designed and approved for such use.
  - (4) No free-standing sign shall have a dimension that exceeds five times that of its opposite dimension, such as in the case of a sign's width and length.

D. Lighting:

- (1) Signs may be internally or externally illuminated. The source of illumination shall be shielded from traffic and adjacent properties and shall not be visible beyond the property line of the lot or parcel on which the sign is located. No sign shall include flashing, blinking, moving or variable intensity illumination, excluding EMC signs as regulated by subsection (2) below.
- (2) EMC Signs: EMC signs shall comply with the following standards:
  - a. An image on an EMC sign, and any portion of an image on an EMC sign, shall stay constant for a minimum of ten (10) seconds without any change in movement, light intensity or color. Message scrolling and similar moving messages are prohibited.
  - b. Any change or transition in display on an EMC sign shall not exceed one (1) second in duration.
  - c. No EMC sign shall have any message changes during hours that the business or use is not open to the public.
  - d. An EMC sign shall be equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
  - e. No EMC sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter at a distance determined by the square root of the sign's square foot area multiplied by 100. An example of such a determination in the case of a 12 sq. ft. sign is:

$$\sqrt{(12 \times 100)} = 34.6 \text{ feet} = \text{measuring distance}$$

E. Prohibition of Moving Parts: Any sign which revolves or has any visible moving parts, visible revolving parts or visible mechanical movement of any type, or other apparent visible movement irrespective of the cause of the movement, is prohibited. Banners, pennants, festoons, spinners and streamers, and similar devices, which move due to wind or mechanical devices, are considered moving signs and are prohibited except in association with a temporary sign as regulated by this Article.

F. Traffic Interference: No sign, by location, design, color, or lighting, shall undermine public safety in association with vehicles or pedestrians passing, entering or exiting a lot including the obstruction of free and clear vision of approaching, intersecting or merging traffic, or encouraging confusion among drivers due to unauthorized traffic signs, signals or devices, or signs that make use of the words "stop", "look", "danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead or confuse drivers or pedestrians.

G. Permits/Review

- (1) Required Permit/Review: All signs shall require a Zoning Permit prior to placement, erection, replacement or alteration unless exempted by subsection (2) below. If site plan review is required for a proposed project that a proposed sign shall be part of, the proposed sign shall be reviewed as part of the site plan review procedure for the entire project, pursuant to Article XXI. If the proposed sign is to be part of an existing development for which site plan approval has already been granted or was not necessary, the Zoning Administrator shall review the sign application to ensure all applicable ordinance standards have been met prior to issuing a permit for the sign. The Zoning Administrator may defer action on a proposed sign to the site plan approving body.
- (2) Signs Exempt from Permit/Review: The following signs are exempt from the provisions of subsection (G)(1) above but shall conform to all other regulations and standards of this Article.
  - (a) Signs erected by a governmental entity.
  - (b) Indoor signs affixed to or covering windows.
  - (c) Real estate signs, special purpose signs, and other signs of a temporary nature as authorized by Section 19.04.
  - (d) Signs less than ten (10) square feet in area not otherwise listed above.

**Section 19.04 Signs Permitted in All Districts**

- A.** The following signs are permitted in all Districts, subject to the standards and limitations prescribed including the provisions of Section 19.03, but in no case shall such a sign be an EMC sign:
- (1) **Dwelling and Home Occupation Signs:** No more than one (1) sign shall be erected for the purpose of identifying a dwelling unit, a home occupation, or family home day care facility. Such sign shall not exceed two (2) square feet in sign area except that a home occupation sign shall not exceed four (4) square feet in area. These limitations shall not prohibit the display of an additional address identification sign posted along the abutting road for postal and emergency identification purposes where such sign complies with the most current guidelines published by the U.S. Postal Service. Home occupation signs shall be affixed to the dwelling.
  - (2) **Residential Development Identification:** A residential development consisting of a platted subdivision, condominium subdivision, multiple family development, manufactured housing community, or other unified residential development consisting of at least five (5) dwelling units shall be permitted one (1) sign per vehicle entrance, no closer than fifteen (15) feet to the road right-of-way, and having a sign area not exceeding twenty-four (24) square feet and a height not exceeding five (5) feet.
  - (3) **Real Estate/Dwelling Unit/Personal Property Availability Signs:**
    - (a) One (1) sign advertising the sale or lease of the lot or residence on which the sign is located shall be permitted, provided it is removed within thirty (30) days of the completion of the sale/lease, no more than one (1) sign for each three-hundred (300) feet of frontage of such lot and no sign shall exceed an area of six (6) square feet.
    - (b) A platted subdivision, site condominium, multiple family development, manufactured housing community, or other unified residential or non-residential development consisting of at least five (5) dwelling units, or three (3) acres of land in the case of a non-residential development, is permitted one sign advertising the sale or lease of a lot or residence no closer than fifteen (15) feet to the right-of-way of a street, and having a sign area not exceeding eighteen (18) square feet and a height not exceeding five (5) feet. Such sign shall be removed within six (6) months after the sale of ninety percent (90%) of all lots, units, or buildings within said development.
    - (c) In addition to (a) and (b) above, a maximum of two (2) additional signs, not to exceed an area of four (4) square feet each, may be erected in a development of multiple dwellings or units for the purpose of directing the public to a model home or unit, or rental office, in such development.
    - (d) One (1) sign advertising the sale of personal property on the lot on which the sign is located shall be permitted provided no more than one (1) sign shall be erected for each three-hundred (300) feet of frontage or portion thereof of the lot, and no sign shall exceed an area of four (4) square feet.
  - (4) **Construction Signs:** Signs which identify the owners, financiers, contractors, architects and engineers of a project under construction for which a Zoning Permit and Building Permit have been granted, provided such a sign is a maximum height of six (6) feet and a maximum size of thirty-two (32) square feet, is set back from all property lines a minimum distance of ten (10) feet, and provided only one (1) such sign per lot. Such sign shall be removed upon the issuance of a Certificate for Occupancy or the passing of eighteen (18) months, whichever occurs first.
  - (5) **Bulletin Board:** A single bulletin board sign shall be permitted on a lot in any district that is used for a religious institution, school, museum, library, or other similar institution. Such sign shall have a maximum height of six (6) feet, shall not exceed twenty-five (25) square feet, and shall not be included in permissible maximum sign area calculations. Such sign shall be setback a minimum of ten (10) feet from all lot lines.

- (6) Political Advertising Signs: Signs related to a candidate running for office, a proposition up for public vote, or a ideology or philosophy, shall not exceed six (6) square feet in area and six (6) feet in height, and no more than one (1) sign for each candidate, ideology or philosophy shall be posted on a lot within each three-hundred (300) feet of lot frontage. Such sign shall be setback a minimum distance of ten (10) feet from all lot lines. During the period within forty-five (45) days of a public vote, such signs shall not exceed sixteen (16) square feet.
- (7) Directional Signs: Signs that are used solely for the purpose of providing traffic directions or instructions in association with a lot on which they are located, such as “entrance,” “exit,” “in,” and “out”, are permitted in all districts on the lot on which they serve provided such signs shall not exceed three (3) square feet in area and four (4) feet in height, and located a minimum of five (5) feet from any lot line and driving lane edge. Information to be included on such signs shall be limited to the business’s name or logo and directional information and shall not count toward the permissible maximum sign area calculations.
- (8) Warning Signs: Warning signs such as no trespassing and warning of electrical current or animals, provided that such signs do not exceed two (2) square feet.
- (9) Building Signs: Signs carved into stone, concrete, or similar material, or made of bronze, aluminum, or other noncombustible material, which identify the name of a building, a building’s date of erection, or monumental citations, provided such signs do not exceed ten (10) square feet in area and are an integral part of the building structure.
- (10) Flags: Flags with the insignia of a public governmental entity including an agency or department of such governmental unit; community organization; institution; or organization. In the case of a flag with the insignia of a community organization, institution; or organization, the flag shall not exceed twenty-five (25) feet in height and twenty-four (24) square feet in area.
- (11) Stick-On Signs: Miscellaneous stick-on and painted signs affixed to vending machines, gas pumps, ice containers, and similar outdoor items provided each sign does not exceed two (2) square feet in area.
- (12) Historical Markers: Historical markers, plaques, or signs describing township, county state or national designation as an historic site or structure, not exceeding ten (10) square feet in area.
- (13) Public Notice Signs: Signs and notices of Bloomer Township, Montcalm County, the State of Michigan, or the United States of America, as may be deemed necessary and appropriate by the unit of government.
- (14) Agricultural Dealer Plot Signs: Signs on a farm that provide information about agricultural products used on such farm, provided each sign shall not exceed four (4) square feet.
- (15) Temporary sign, public event: Temporary signs containing public messages concerning special events sponsored by governmental agencies, nonprofit organizations, religious institutions, schools, museums, libraries, or other similar institutions, subject to the following restrictions:
  - a. The sign shall not be displayed for more than thirty (30) days.
  - b. No more than one (1) sign may be erected on the lot or parcel at any single time.
  - c. The sign shall not exceed twenty-four (24) square feet in area.
  - d. The sign shall be located no closer than ten (10) feet from all lot lines.
  - e. The lot or parcel on which the sign is located shall not have more than two (2) such signs erected within a calendar year, and there shall be a passing of a minimum of sixty (60) days between the display of such two (2) signs.
- (16) Temporary sign, grand opening: Signs intended to announce the opening of a public or private facility, including a business but excluding a home occupation, subject to the following restrictions:
  - a. The sign shall not be displayed for more than thirty (30) days.
  - b. No more than one (1) sign may be erected on the lot or parcel at any single time.

- c. The sign shall not exceed thirty-two (32) square feet in area.
  - d. The sign shall be located no closer than ten (10) feet from all lot lines.
  - e. Wind-blown devices, such as pennants, spinners and streamers may be used as part of or in association with such sign.
- (17) Temporary sign, special announcement: Temporary signs not exceeding eighteen (18) square feet in area and eight (8) feet in height may be displayed for special announcement purposes regarding a service, product or activity available on the lot on which the sign is erected, subject to the following restrictions:
- a. The sign shall not be displayed for more than (30) days in any calendar year.
  - b. No more than one (1) sign may be erected on the lot or parcel at any single time.
  - c. The sign shall not exceed twenty-four (24) square feet in area.
  - d. The sign shall be located no closer than ten (10) feet from all lot lines.
  - e. The lot or parcel on which the sign is located shall not have more than two (2) such signs erected within a calendar year, and there shall be a passing of a minimum of sixty (60) days between the display of such two (2) signs.

**Sec. 19.05 Signs for Residential Uses in All Districts:**

Signs permitted in association with residential uses including dwellings, platted subdivisions, condominium subdivisions, multiple family developments, and manufactured housing communities, and real estate signs, shall be as regulated by Section 19.04.

**Sec. 19.06 Signs for Non-Residential Uses in All Districts**

The following signs, pertaining to facilities, products, services, or activities available on the lot or parcel on which such signs are located, are permitted in all districts in association with non-residential uses, including commercial, industrial and institutional uses. Any sign not expressly permitted is prohibited.

**A. Free-Standing Signs:**

- (1) One (1) freestanding sign not exceeding thirty-two (32) square feet in sign area, and set back a minimum distance of fifteen (15) feet from all lot lines but shall not be located closer than fifty (50) feet to a side or rear lot line in the CO, FM, RR and UR Districts. The top of free-standing signs shall be no higher than five (5) feet from ground level, or, in the alternative, the top of the sign may be as high as twenty (20) feet with the bottom of the sign no lower than ten (10) feet above the ground level.
  - (a) In the case of a grouping of two or more buildings on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise developed as a unified group of businesses, including buildings housing multiple tenants, one (1) additional free-standing sign may be erected within the proximity of the respective building to which the sign pertains, provided such sign does not exceed twenty-four (24) square feet in area and six (6) feet in height.
- (2) At least fifty percent (50%) of the sign area shall be devoted to the facility name or the nature of the use.
- (3) No EMC sign shall occupy more than fifty percent (50%) of the total area of a free-standing sign.

**B. Wall Signs:**

- (1) One (1) wall sign, not exceed ten (10) percent of the building face to which such sign is attached. In the case of a grouping of two or more buildings on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise developed as a unified group of businesses, including buildings housing multiple tenants, and referred to as a business center for the purpose of this subsection, one (1) wall sign is permitted for the purpose of



identifying the business center and the business center shall be permitted one (1) additional wall sign for each business or tenant space having frontage along a public road or parking area. Such additional signs shall be attached to the façade of such business or tenant space. All of the area of all business center wall signs, including in the case of a corner lot and irrespective of whether used to identify the business center and/or individual businesses or tenants located within, shall not exceed ten (10) percent of the vertical surface area of the facade forming the building frontage generally oriented to the road frontage or parking area.

- (2) Wall signs shall be placed flat against the building or parallel to the building on a canopy and may only face public streets or parking areas which are part of the development.
- (3) Wall signs shall not project above the roof line or cornice.
- (4) No EMC sign shall occupy more than fifty percent (50%) of the total area of a wall sign.

C. Projection Signs:

- (1) One (1) projection sign per building, with a surface display area not exceeding one and one-half (1-1/2) square feet in area for each lineal foot of building frontage up to a maximum of fifty (50) square feet.
- (2) Projecting signs shall be attached directly to a building by means of building mounts or hung from a mast arm.
- (3) Projection signs shall project at a 90° angle to the building surface to which attached.
- (4) Projecting signs shall not extend beyond the minimum required setback line or into and over street right-of-way.
- (5) The minimum clearance of a projecting sign over a sidewalk shall be nine (9) feet.
- (6) No projecting sign, or portion of such sign, shall be an EMC sign.

D. Window Signs:

- (1) Window signs shall be limited in area to ten (10) percent of the total window surface of the window involved.
- (2) Window signs are permitted on first floor windows only.
- (3) The provisions stated above shall not restrict the reasonable application upon a window surface of lettering or decals giving the address, hours of business, entrance or exit information, professional or security information, credit cards which are accepted or other similar information, nor shall the surface area of such lettering or decals be included in the overall computation of allowable signage.
- (4) No window sign, or portion of such sign, shall be an EMC sign.

E. Off-Premises Advertising Signs: See Section 19.07

**Sec. 19.07 Off-Premises Advertising Signs**

- A. Authorization: Off-premises signs are prohibited except as authorized by this Section.
- B. Class 1 Off-Premises Signs: Class 1 off-premises signs are permitted in compliance with the Highway Advertising Act, P.A. 106 of 1972, as amended, and the following additional limitations:
  - (1) Class 1 off-premises signs are permitted only on lots abutting M-57 in the CS and MA Districts.
  - (2) Class 1 off-premises signs shall be setback a minimum of sixty (60) feet from all lot lines.
  - (3) There shall be a minimum of two thousand (2,000) feet between any two Class 1 off-premises signs along the same side of M-57. A double-face or V-type sign shall be construed as a single sign.
  - (4) A Class 1 off-premises sign's total sign area facing any single direction shall not exceed three hundred (300) sq. ft.

(5) A Class 1 off-premises sign shall not exceed a height of eighteen (18) feet.

C. Class 2 Off-Premises Signs: Class 2 off-premises signs are permitted subject to the following limitations:

(1) Class 2 off-premises signs are permitted in all Districts.

(2) Construction:

(a) A Class 2 off-premises sign shall be constructed of non-rusting metal.

(b) A Class 2 off-premises sign shall be comprised of no more than three panels located above one another. Each panel shall be one and one-half (1.5) feet in height and six (6) feet in length. The upper edge of the highest panel shall not be more than six (6) feet above the ground below.

(c) No portion of a Class 2 off-premises sign shall be an EMC sign.

(3) Information: No information shall be displayed on Class 2 off-premises sign except information pertaining to the establishment's name, symbol and/or logo, directions and/or a directional arrow, and the mileage to the establishment.

(4) Location:

(a) A Class 2 off-premises sign shall be located no greater than three hundred (300) feet from the centerline intersection between two (2) public roads classified by the Montcalm County Road Commission as "primary" roads according to Public Act 51 of 1951 as amended, and between the centerline intersection of M-57 and a public road classified by the Montcalm County Road Commission as a "primary" road according to Public Act 51 of 1951 as amended. There shall be a minimum of two hundred (200) feet between any two (2) Class 2 off-premises sign along the same side of the road unless an intersecting public road is located between such signs.

1) In addition to the locations specified in (a) above, a Class 2 off-premises sign may be erected on any other road under the jurisdiction of the Montcalm County Road Commission outside of a RR, UR, or CS District, and provided no such sign is erected within 5,000' of another such sign on the same side of the road.

(b) No Class 2 off-premises sign shall be located in a road right-of-way except where such location and sign is authorized by the road agency having jurisdiction along such road segment. Such location shall comply with the spacing limitations of this subsection (4).

#### **Sec. 19.08 Existing Nonconforming Signs:**

It is the intent of this Section to permit the continuance of a lawful use of any sign or outdoor advertising structure existing at the effective date of adoption of this S Ordinance or amendment thereto, although such sign may not conform to the provisions of this Ordinance or amendment thereto. It is the intent that nonconforming signs shall not be enlarged upon, expanded or extended. Further, it is the intent that nonconforming signs shall be gradually eliminated and terminated upon their natural deterioration or accidental destruction. Therefore the continuance of all nonconforming signs within Bloomer Township shall be subject to the conditions and requirements set forth herein.

A. Structural Changes: The faces, supports, or other parts of any nonconforming sign shall not be structurally changed, altered, substituted, or enlarged unless the resultant changed, altered, substituted, or enlarged sign or conforms to the provisions of this ARTICLE.

B. Repairs, Alterations and Improvements: Nothing herein shall prohibit the repair, reinforcement, alteration, improvement, or modernizing of a lawful nonconforming sign, provided such repair does not exceed an aggregate cost of thirty (30) percent of the appraised replacement cost as determined by the Building Inspector, unless the subject sign is changed by such repair, reinforcement, alteration, improvement, or modernizing to a conforming sign. Nothing in this Section shall prohibit the periodic change of message on any sign.



- C. Restoration of Damage: Any lawful nonconforming sign damaged by fire, explosion, or an act of God, or by other accidental causes, may be restored, rebuilt or repaired, provided that the estimated expense of reconstruction does not exceed fifty (50) percent of the appraised replacement cost as determined by the Building Inspector.
- D. Discontinuance or Abandonment: Whenever the activity, business or usage of a premises to which a sign is attached or related has been discontinued for a period of ninety (90) days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon legally the nonconforming sign attached or related thereto. At the end of this period of abandonment, the nonconforming sign shall either be removed or all display information shall be removed from such sign.

*(Article XIX amended/redrafted 6-16-14)*