

## S U M M A R Y

This proposed ordinance amends Chapter 4 of the 2019 Detroit City Code, *Advertising*, by renaming the chapter to *Advertising and Signs* and amending the chapter to consist of Article I, *Generally*, consisting of Section 4-4-1, *Definitions*, Section 4-1-2, *Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof*, Section 4-1-3, *Enforcement*, Section 4-1-4, *Posting of advertising materials on public or private property*, Section 4-1-5, *Carrying or placing advertising materials on freeway overpass where visible from freeway prohibited*, Section 4-1-6, *Publication of false, misleading advertising prohibited*, Section 4-1-7, *Presumptions concerning identity of violator*; Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, consisting of Section 4-2-1, *Misdemeanor violation; continuing violation; penalties for convictions thereof*, Section 4-2-2 *Enforcement*, Section 4-2-3, *Interfering with or impeding pedestrian or vehicular traffic; prohibited*, Section 4-2-4, *Solicitation at posted residential premises prohibited*; Article III, *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor and Tobacco Products*, consisting of Section 4-3-1, *Purpose*, Section 4-3-2, *Misdemeanor violation; continuing violation; penalties for conviction thereof*, Section 4-3-3, *Enforcement*, Section 4-3-4, *Advertisement of alcoholic liquor and any tobacco product prohibited within a 1,000-foot radius of certain locations*, Section 4-3-5, *Exceptions to prohibitions*, Section 4-3-6, *Method for measurement*, Section 4-3-7, *Phase-out period*; Article IV, *Regulation of Business and Advertising Signs*, consisting of Division 1, *Generally*, consisting of Section 4-4-1, *Purpose*, Section 4-4-2, *Blight violation*, Section 4-4-3, *Enforcement*, Section 4-4-4, *Noncommercial messages*, Section 4-4-5, *Computing sign area, height, and clearance*, Section 4-4-6, *Computing the measurement of spacing*, Section 4-4-7, *Prohibited signs*, Section 4-4-8, *Exemptions from chapter requirements*, Section 4-4-9, *Maintenance required*, Section 4-4-10, *Obsolete signs to be removed*, Section 4-4-11, *Signs on vacant buildings to be removed*, Section 4-4-12, *Unused sign supports to be removed*, Section 4-4-13, *Right of entry by City to abate nuisance; obstruction of City officers and agents prohibited*, Section 4-4-14, *Costs of abatement; collection of costs for City abatement of public nuisances*, Section 4-4-15, *Signs subject to additional governmental jurisdiction; submission of approvals as part of sign application*, Section 4-4-16, *Signs located near freeways; Department of Public Works approval required*, Section 4-4-17, *Sign erection or alteration to require new permit; length of permit*, Section 4-4-18, *Relation to other regulations*, Section 4-4-19, *Amortization*, Section 4-4-20, *Waivers and adjustments to sign standards*, Section 4-4-21, *Appeals of administrative decisions under this chapter*, Section 4-4-22, *Comprehensive sign plans*, Section 4-4-23, *Sign guidebook*; Division 2, *General Sign Standards*, consisting of Section 4-4-31, *In General*, Section 4-4-32, *Arcade signs*, Section 4-4-33, *Awning signs*, Section 4-4-34, *Double-face signs*, Section 4-4-35, *Dynamic signs*, Section 4-4-36, *Illuminated signs*, Section 4-4-37, *Marquee signs*, Section 4-4-38, *Mechanical signs*, Section 4-4-39, *Monument signs*, Section 4-4-40, *Pole signs*, Section 4-4-41, *Portable signs*, Section 4-4-42, *Projecting signs*, Section 4-4-43, *Raceway signs*, Section 4-4-44, *Roof signs*, Section 4-4-45, *Wall signs*, Section 4-4-46, *Window signs*; Division 3, *Regulation of Business Signs*, consisting of Subdivision A, *Generally*, consisting of Section 4-4-61, *Applicability*, Section 4-4-62, *Limitation on maximum aggregate business sign area*, Section 4-4-63, *Additional aggregate business sign area allowances*, Section 4-4-64, *Business signs on multi-tenant buildings and multi-building campuses*, Section 4-4-65, *Restrictions on location of business signs on specified premises*, Section 4-4-66, *Dynamic business signs*; Subdivision B, *Entertainment District*, consisting of Section 4-4-81, *Purpose*, Section 4-4-82, *Entertainment District; boundaries and zones*, Section 4-4-83, *Entertainment core; purpose and sign regulations*, Section 4-4-84, *Theater district; purpose and*

*sign regulations, Section 4-4-85, Woodward north corridor; purpose and sign regulations, Section 4-4-86, Entertainment buffer; purpose and sign regulations; Division 4, Regulation of Advertising Signs Located Outside the Central Business District, consisting of Section 4-4-101, In general, Section 4-4-102, Permit for new or altered advertising signs, Section 4-4-103, Spacing requirements, Section 4-4-104, Setbacks, Section 4-4-105, Height and clearance, Section 4-4-106, Area, Section 4-4-107, Landscaping, Section 4-4-108, Department of Public Works adjustment, Section 4-4-109, Adjustment or Waiver prohibited; limited; Division 5, Regulation of Advertising Signs Located in the Central Business District, consisting of Section 4-4-121, Purpose, Section 4-4-122, Advertising permit required, Section 4-4-123, Term and reapplication; renewal prohibited, Section 4-4-124, Application; information required, Section 4-4-125, Establishment, approval, publication, and payment of fee, Section 4-4-126, Inspection and certification of approval; land use, construction, maintenance, fire protection and safety, Section 4-4-127, Investigation by Office of Chief Financial Officer required to confirm no City tax or assessment arrearage, Section 4-4-128, Buildings, Safety Engineering, and Environmental Department issuance of advertising permits, Section 4-4-129, Transfer of advertising permit, Section 4-4-130, Alteration prohibited, Section 4-4-131, Sign standards, Section 4-4-132, Mitigation of harmful visual aesthetics created by super advertising signs through promotion of public art, Section 4-4-133, Adjustment or waiver prohibited; Division 6, Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section 4-4-162, Department of Public Works approval required, Section 4-4-163, Business signs located in the right-of-way, Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-165, Advertising signs located in the right-of-way; Division 7, Temporary Signs, consisting of Section 4-4-181, In general, Section 4-4-182, Limitations on number, area, and term, Section 4-4-183, Additional temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-4-185, General temporary sign standards, Section 4-4-186, Removal of temporary signs; Article V, Development Notification Signs, consisting of Section 4-5-1, Definitions, Section 4-5-2, Misdemeanor violation; continuing violation; penalty for conviction thereof, Section 4-5-3, Posting of development notification sign required, Section 4-5-4, Development notification sign specifications; content; maintenance, Section 4-5-5, Placement of development notification sign, Section 4-5-6, Duration of posting, and Section 4-5-7, Complaints, to provide for regulation of business and advertising signs throughout the City of Detroit.*

1 **BY COUNCIL MEMBER \_\_\_\_\_** :

2 **AN ORDINANCE** to amend Chapter 4 of the 2019 Detroit City Code, *Advertising*, by  
3 renaming the chapter to *Advertising and Signs* and amending the chapter to consist of Article I,  
4 *Generally*, consisting of Section 4-4-1, *Definitions*, Section 4-1-2, *Misdemeanor violation; aiding*  
5 *and abetting violation; continuing violation; penalties for conviction thereof*, Section 4-1-3,  
6 *Enforcement*, Section 4-1-4, *Posting of advertising materials on public or private property*,  
7 Section 4-1-5, *Carrying or placing advertising materials on freeway overpass where visible from*  
8 *freeway prohibited*, Section 4-1-6, *Publication of false, misleading advertising prohibited*, Section  
9 4-1-7, *Presumptions concerning identity of violator*; Article II, *Distribution of Handbills,*  
10 *Circulars, and Advertising Cards*, consisting of Section 4-2-1, *Misdemeanor violation; continuing*  
11 *violation; penalties for convictions thereof*, Section 4-2-2 *Enforcement*, Section 4-2-3, *Interfering*  
12 *with or impeding pedestrian or vehicular traffic; prohibited*, Section 4-2-4, *Solicitation at posted*  
13 *residential premises prohibited*; Article III, *Protection of Minors Against Advertisement and*  
14 *Promotion of Alcoholic Liquor and Tobacco Products*, consisting of Section 4-3-1, *Purpose*,  
15 Section 4-3-2, *Misdemeanor violation; continuing violation; penalties for conviction thereof*,  
16 Section 4-3-3, *Enforcement*, Section 4-3-4, *Advertisement of alcoholic liquor and any tobacco*  
17 *product prohibited within a 1,000-foot radius of certain locations*, Section 4-3-5, *Exceptions to*  
18 *prohibitions*, Section 4-3-6, *Method for measurement*, Section 4-3-7, *Phase-out period*; Article IV,  
19 *Regulation of Business and Advertising Signs* consisting of Division 1, *Generally*, consisting of  
20 Section 4-4-1, *Purpose*, Section 4-4-2, *Blight violation*, Section 4-4-3, *Enforcement*, Section 4-4-  
21 4, *Noncommercial messages*, Section 4-4-5, *Computing sign area, height, and clearance*, Section  
22 4-4-6, *Computing the measurement of spacing*, Section 4-4-7, *Prohibited signs*, Section 4-4-8,  
23 *Exemptions from chapter requirements*, Section 4-4-9, *Maintenance required*, Section 4-4-10,

1 *Obsolete signs to be removed, Section 4-4-11, Signs on vacant buildings to be removed, Section*  
2 *4-4-12, Unused sign supports to be removed, Section 4-4-13, Right of entry by City to abate*  
3 *nuisance; obstruction of City officers and agents prohibited, Section 4-4-14, Costs of abatement;*  
4 *collection of costs for City abatement of public nuisances, Section 4-4-15, Signs subject to*  
5 *additional governmental jurisdiction; submission of approvals as part of sign application, Section*  
6 *4-4-16, Signs located near freeways; Department of Public Works approval required, Section 4-*  
7 *4-17, Sign erection or alteration to require new permit; length of permit, Section 4-4-18, Relation*  
8 *to other regulations, Section 4-4-19, Amortization, Section 4-4-20, Waivers and adjustments to*  
9 *sign standards, Section 4-4-21, Appeals of administrative decisions under this chapter, Section 4-*  
10 *4-22, Comprehensive sign plans, Section 4-4-23, Sign guidebook; Division 2, General Sign*  
11 *Standards, consisting of Section 4-4-31, In General, Section 4-4-32, Arcade signs, Section 4-4-*  
12 *33, Awning signs, Section 4-4-34, Double-face signs, Section 4-4-35, Dynamic signs, Section 4-4-*  
13 *36, Illuminated signs, Section 4-4-37, Marquee signs, Section 4-4-38, Mechanical signs, Section*  
14 *4-4-39, Monument signs, Section 4-4-40, Pole signs, Section 4-4-41, Portable signs, Section 4-4-*  
15 *42, Projecting signs, Section 4-4-43, Raceway signs, Section 4-4-44, Roof signs, Section 4-4-45,*  
16 *Wall signs, Section 4-4-46, Window signs; Division 3, Regulation of Business Signs, consisting of*  
17 *Subdivision A, Generally, consisting of Section 4-4-61, Applicability, Section 4-4-62, Limitation*  
18 *on maximum aggregate business sign area, Section 4-4-63, Additional aggregate business sign*  
19 *area allowances, Section 4-4-64, Business signs on multi-tenant buildings and multi-building*  
20 *campuses, Section 4-4-65, Restrictions on location of business signs on specified premises, Section*  
21 *4-4-66, Dynamic business signs; Subdivision B, Entertainment District, consisting of Section 4-4-*  
22 *81, Purpose, Section 4-4-82, Entertainment District; boundaries and zones, Section 4-4-83,*  
23 *Entertainment core; purpose and sign regulations, Section 4-4-84, Theater district; purpose and*

1 *sign regulations, Section 4-4-85, Woodward north corridor; purpose and sign regulations, Section*  
2 *4-4-86, Entertainment buffer; purpose and sign regulations; Division 4, Regulation of Advertising*  
3 *Signs Located Outside the Central Business District, consisting of Section 4-4-101, In general,*  
4 *Section 4-4-102, Permit for new or altered advertising signs, Section 4-4-103, Spacing*  
5 *requirements, Section 4-4-104, Setbacks, Section 4-4-105, Height and clearance, Section 4-4-106,*  
6 *Area, Section 4-4-107, Landscaping, Section 4-4-108, Department of Public Works adjustment,*  
7 *Section 4-4-109, Adjustment or Waiver prohibited; limited; Division 5, Regulation of Advertising*  
8 *Signs Located in the Central Business District, consisting of Section 4-4-121, Purpose, Section 4-*  
9 *4-122, Advertising permit required, Section 4-4-123, Term and reapplication; renewal prohibited,*  
10 *Section 4-4-124, Application; information required, Section 4-4-125, Establishment, approval,*  
11 *publication, and payment of fee, Section 4-4-126, Inspection and certification of approval; land*  
12 *use, construction, maintenance, fire protection and safety, Section 4-4-127, Investigation by Office*  
13 *of Chief Financial Officer required to confirm no City tax or assessment arrearage, Section 4-4-*  
14 *128, Buildings, Safety Engineering, and Environmental Department issuance of advertising*  
15 *permits, Section 4-4-129, Transfer of advertising permit, Section 4-4-130, Alteration prohibited,*  
16 *Section 4-4-131, Sign standards, Section 4-4-132, Mitigation of harmful visual aesthetics created*  
17 *by super advertising signs through promotion of public art, Section 4-4-133, Adjustment or waiver*  
18 *prohibited; Division 6, Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section*  
19 *4-4-162, Department of Public Works approval required, Section 4-4-163, Business signs located*  
20 *in the right-of-way, Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-*  
21 *165, Advertising signs located in the right-of-way; Division 7, Temporary Signs, consisting of*  
22 *Section 4-4-181, In general, Section 4-4-182, Limitations on number, area, and term, Section 4-*  
23 *4-183, Additional temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-*

1 4-185, *General temporary sign standards*, Section 4-4-186, *Removal of temporary signs*; Article  
2 V, *Development Notification Signs*, consisting of Section 4-5-1, *Definitions*, Section 4-5-2,  
3 *Misdemeanor violation; continuing violation; penalty for conviction thereof*, Section 4-5-3,  
4 *Posting of development notification sign required*, Section 4-5-4, *Development notification sign*  
5 *specifications; content; maintenance*, Section 4-5-5, *Placement of development notification sign*,  
6 Section 4-5-6, *Duration of posting*, and Section 4-5-7, *Complaints*, to provide for regulation of  
7 business and advertising signs throughout the City of Detroit.

8 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**  
9 **THAT:**

10 **Section 1.** Chapter 4 of the 2019 Detroit City Code, *Advertising*, be renamed to *Advertising and Signs*,  
11 and be amended to read as follows:

12 **CHAPTER 4. ADVERTISING AND SIGNS**

13 **ARTICLE I. GENERALLY**

14 **Sec. 4-1-1. Definitions.**

15 For the purposes of this chapter, the following words and phrases shall have the meanings  
16 respectively ascribed to them by this section:

17 *Advertising sign* means a sign containing a commercial message that is intended to direct  
18 attention to a business, profession, commodity, service, or entertainment, that is conducted, sold,  
19 or offered elsewhere than on the premises where the sign is located or that is only incidentally  
20 conducted, sold, or offered on the premises where the sign is located.

21 *Advertisement-sensitive property* means a premises that is occupied by or used as any of  
22 the following:

23 (1) A child-care home and center, which has the meaning as likewise defined in Section  
24 50-16-152 of this Code;

1       (2) A child-caring institution, which has the meaning as likewise defined in Section  
2             50-16-152 of this Code;

3       (3) A juvenile detention or correctional facility, which means a county facility or  
4             institution operated as an agency of the county or the juvenile division of the  
5             probate court, or a state institution or agency described in the Michigan Youth  
6             Rehabilitation Services Act, being MCL 803.301 et seq., to which a minor has been  
7             committed or in which a minor is detained;

8       (4) A library, which means any designated public depository of books, periodicals,  
9             public and/or historical records, or other reference materials within the City that is  
10            created pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution, and  
11            is operated pursuant to Section 12 of the Michigan District Library establishment  
12            Act, being MCL 397.182;

13       (5) A park, which means land that is improved or intended to be improved for active  
14            or passive recreational uses, or is preserved as open space, and is under the  
15            jurisdiction and control of the City, Wayne County, or the State of Michigan;

16       (6) A parklot, which means landscaped triangles, street entrances, or remnant parcels  
17            that have been landscaped for ornamental purposes, are generally dedicated for  
18            these purposes in subdivision plats, are so designated, and are under the jurisdiction  
19            and control of the City, Wayne County, or the State of Michigan;

20       (7) A parkway, which means a broad roadway bordered and often divided with  
21            landscaped areas consisting of trees, plants, bushes, or grass, is so designated, and  
22            is under the jurisdiction and control of the City, Wayne County, or the State of  
23            Michigan;

1       (8) A playfield, which means land that is designed for major field sports, such as  
2           baseball, football, soccer, tennis, or softball, and which requires more area than is  
3           available on a playground, is so designated, and is under the jurisdiction and control  
4           of the City, Wayne County, or the State of Michigan;

5       (9) A playground, which means land that is designed and maintained primarily for the  
6           recreational use of children aged up to 14 years, and is under the jurisdiction and  
7           control of the City, Wayne County, or the State of Michigan;

8       (10) A playlot, which means land that is designed and maintained primarily for the  
9           recreational use of small children aged up to eight years and is under the jurisdiction  
10          and control of the City, Wayne County, or the State of Michigan;

11       (11) A recreation center, which means a facility that is created primarily to benefit  
12          minors through the use of organized educational, social, or recreational activities  
13          and is under the jurisdiction and control of the City, Wayne County, or the State of  
14          Michigan;

15       (12) A school, which means the buildings, grounds, and other facilities of any public,  
16          charter, parochial, or private educational institution that has as its primary purpose  
17          the education and instruction of children at the elementary, middle, junior, and  
18          senior high school levels; and

19       (13) A youth activity center, which has the meaning as likewise defined in Section 50-  
20          16-462 of this Code.

21       Alcoholic liquor means any spirituous, vinous, malt, or fermented liquor, liquids, or  
22       compounds, whether or not medicated, proprietary, patented, or any other designation, that contain  
23       one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and are defined



1 and classified by the Michigan Liquor Control Commission according to alcoholic content as being  
2 beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed spirit drink.

3 *Animated sign* means a type of dynamic sign in which the copy of the sign depicts motion  
4 or automatically changes copy more frequently than once every eight seconds.

5 *Arcade sign* means a sign that is suspended underneath an awning, canopy, marquee,  
6 overhang, or other element of a building or structure that forms a covered passageway for vehicles  
7 or pedestrians.

8 *Architectural feature* means a part, portion, or projection, other than a sign, of a building  
9 or structure that contributes to its beauty, elegance, or architectural style, including, but not limited  
10 to; arches, architectural grillwork, balconies, brackets, columns, corbels, cornices, dentils, doors,  
11 jamb, lintels, masonry relief, medallions, moldings, pediments, pilasters, quoins, sills, window  
12 rails, and windows, including glazings and surrounds.

13 *Art mural* means any image that is painted, projected, drawn, tiled, or similarly applied to  
14 a building exterior, or to a material that will be mounted to the building exterior, for artistic  
15 purposes, and does not contain any other type of commercial message. An art mural does not  
16 constitute either an advertising sign or a business sign.

17 *Awning sign* means a sign that is affixed to an awning or canopy. For purposes of this  
18 definition, an awning or canopy is a structure consisting of cloth, plastic, sheet metal or similar  
19 lightweight covering over a structural framework that is affixed to a building and projects  
20 therefrom, whether cantilevered from such building or supported by columns at additional points,  
21 but is not a marquee.

22 *Building frontage* means the portion of the building's façade that is visible as  
23 perpendicularly projected along any public street or private street that is publicly accessible.

1 Business sign means a sign containing a commercial message that is intended to direct  
2 attention to a principal business or principal commodity, service, or entertainment that is  
3 conducted, sold, or offered on the premises on which the sign is located, or if the sign is located in  
4 the right-of-way then on the premises adjacent to the location of the sign, at a scale and intensity  
5 that is reasonably proportional to the degree of physical presence or economic activity of the  
6 business, commodity, service, or entertainment at such premises. Identification signs and  
7 sponsorship signs are types of business signs.

8 Central Business District means the portion of the City within the area bounded by the  
9 Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth  
10 Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher  
11 Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte Street,  
12 Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue,  
13 Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.

14 Copy means the graphic or textual content or message displayed by a sign.

15 Commercial message means speech that, wholly or in part, is intended to propose a  
16 commercial transaction regarding a business, profession, commodity, service, or entertainment  
17 that is conducted, sold, or offered in any location, whether on the same premises as where the  
18 message is offered or elsewhere.

19 Department means the Buildings, Safety Engineering, and Environmental Department of  
20 the City of Detroit, unless otherwise expressly stated in this chapter.

21 Directional sign means a sign that is intended to identify points of ingress or egress on the  
22 premises, orient pedestrians and vehicles within the premises, direct the flow of pedestrian or  
23 vehicular traffic throughout and around the premises, or identify particular neighborhoods,

1 communities, or other identifiable areas of the City constitutes directional sign is not an advertising  
2 sign.

3 *Double-face sign* means a sign with two sign faces, both of which are used as signs, for  
4 which the least angle of intersection between the sign faces does not exceed 45 degrees.

5 *Dynamic sign* means any sign that features the ability, whether through digital or other  
6 technological means, to automatically change the sign copy, at any frequency, without the need to  
7 manually remove and replace the sign face or its copy. An animated sign is a type of dynamic  
8 sign.

9 *Established grade of a sign* means the elevation of the grade of the premises, measured  
10 underneath, at the base of, or in the immediate vicinity of, the sign, as established by the City.

11 *Externally illuminated sign* means a type of illuminated sign that is illuminated by  
12 reflection from a source of artificial light that is not contained within the sign itself.

13 *Freeway* means as defined in Section 2 of the Michigan Highway Advertising Act of 1972,  
14 being MCL 252.302(n).

15 *Freeway-adjacent area* means the area measured from the edge of the right-of-way of a  
16 freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way  
17 line.

18 *Freeway advertising sign* means an advertising sign located in a freeway-adjacent area, the  
19 sign face of which is oriented toward and visible from the freeway.

20 *Graffiti* means unauthorized drawings, lettering, illustrations, or other graphic markings on  
21 the exterior of a building, premises, or structure that are intended to deface or mark the appearance  
22 of the building, premises, or structure.

1 Ground sign means a sign that is freestanding and is supported by one or more structural  
2 uprights, poles, braces, frames, or solid foundations that rest in or upon the ground. Monument  
3 signs and pole signs are types of ground signs.

4 Heritage sign means an unilluminated painted sign that is either an advertising sign or  
5 business sign, has been obsolete for a period of at least 50 years, and is registered with the  
6 Department as such.

7 High-density commercial/industrial sign district means the portions of the City that are  
8 designated in the Master Plan of Policies as major commercial (CM), special commercial (CS),  
9 light industrial (IL), general industrial (IG), distribution/port industrial (IDP), or airport (AP); as  
10 well as the entire portion of the City located within the Central Business District regardless of  
11 Master Plan of Policies designation therein.

12 High-density residential/mixed use sign district means the portions of the City that are  
13 located outside of the Central Business District, and are designated in the Master Plan of Policies  
14 as medium-density residential (RM), high-density residential (RH), neighborhood commercial  
15 (CN), or mixed residential-commercial (MRC).

16 Identification sign means a type of business sign that is intended solely to identify either a  
17 principal business or profession that is conducted on and physically occupies the premises where  
18 the sign is located, or the name and street number of a building or structure on the premises.

19 Illuminated sign means a sign for which an artificial source of light is used in order to make  
20 readable the sign's copy. Illuminated signs are either internally illuminated or externally  
21 illuminated.

22 Internally illuminated sign means a type of illuminated sign that is illuminated by direct  
23 emission from a source of artificial light that is contained within the sign itself, including signs

1 that emit light through a transparent or translucent material component of the sign or any sign for  
2 which the sign face is substantially composed of luminescent material.

3 *Low-density commercial/institutional sign district* means the portions of the City that are  
4 located outside the Central Business District and are designated in the Master Plan of Policies as  
5 mixed-town centers (MTC), institutional (INST), thoroughfare commercial (CT), retail centers  
6 (CRC), or mixed residential-industrial (MRI).

7 *Low-density residential sign district* means the portions of the City that are located outside  
8 of the Central Business District and are designated in the Master Plan of Policies as low-density  
9 residential (RL) or low/medium-density residential (RLM).

10 *Marquee sign* means a sign that is affixed to and supported by a marquee. For the purposes  
11 of this definition, a marquee is a permanent roof-like shelter that is constructed of wood, steel,  
12 glass, or other durable materials, is supported by and extends from a building façade, and is  
13 cantilevered without support at additional points over a point of ingress and egress to the building.  
14 Marquee signs are distinct from awning signs, projecting signs, and wall signs.

15 *Master Plan of Policies* means the current version of the Master Plan of Policies for the  
16 City as adopted under authority of the Michigan Planning Enabling Act, MCL 125.3801 *et seq.*,  
17 and Section 8-101 of the Charter.

18 *Mechanical sign* means a sign that features automated mechanical rotation, revolution,  
19 waving, flapping, or other physical movement of the sign or any of its components without causing  
20 a change to the sign's copy.

21 *Minor* means an individual under 18 years of age.

1 Monument sign means a type of ground sign that is supported primarily by an internal  
2 structural framework concealed in an opaque covering or solid structural foundation, with no air  
3 space between the ground and the sign face.

4 Motion means the depiction of movement or change of position of copy and includes, but  
5 is not limited to, dissolving or fading text or images; travelling or running text or images;  
6 sequential text; graphic bursts; lighting that resembles zooming, twinkling or sparkling; changes  
7 in light or color; transitory bursts of light intensity; moving patterns or bands of light; expanding  
8 or contracting shapes; or any similar visual effects.

9 Multi-building campus means a premises that contains multiple buildings, structures, or  
10 other facilities that are interconnected by a series of private roads, pathways, open spaces, or other  
11 internal networks, all of which are utilized for a single common purpose, such as multi-building  
12 universities, hospitals, or cultural institutions.

13 Multiple-face sign means a sign with three or more sign faces.

14 Obsolete sign means a sign that is intended to direct attention to a business, profession,  
15 commodity, service, or entertainment that is no longer conducted, sold, offered, or otherwise  
16 available for purchase or patronage.

17 Orientation means, for any sign face, wall, façade, or other two-dimensional vertical  
18 surface, the direction of a horizontal projection of the line that is perpendicular to such surface.

19 Owner of the premises means with respect to a premises, building, or structure, any  
20 individual or entity that has legal or equitable title or other interest, whether in whole or in part, to  
21 the premises, building, or structure, respectively, but does not include such individual's or entities'  
22 affiliates, subsidiaries, members, partners, or shareholders. Any premises, building, or structure  
23 can have one or multiple owners.

1 Painted sign means a sign that is painted upon a wall or other exterior surface of a building  
2 or structure and is not an art mural.

3 Permit means a permit issued by the Department for the construction or erection of a new  
4 sign, or the alteration of an existing sign, under the authority provided in Chapter 8 of this Code,  
5 Building Construction and Property Maintenance, unless otherwise expressly stated in this  
6 chapter.

7 Pole sign means a type of ground sign that is supported by one or more exposed uprights,  
8 poles, or braces that rest in or upon the ground, with air space between the ground and the sign  
9 face.

10 Portable sign means a sign that is designed to be moved easily and that rests upon, but is  
11 not permanently affixed to, the ground.

12 Premises means a parcel, or collection of parcels, and adjoining property that are generally  
13 under common ownership, whether publicly or privately owned, constituting a single building,  
14 structure, or development, including private streets, pathways, and other open spaces, but  
15 excluding public rights-of-way.

16 Premises frontage means the sum of the length of all lot lines of the premises abutting any  
17 public street or private street that is publicly accessible.

18 Projecting sign means a sign that is affixed to and supported by any exterior wall or parapet  
19 of a building or structure and projects outward from such wall or parapet with the orientation of  
20 the sign face or faces being in a direction that is approximately perpendicular to the orientation of  
21 the façade of the wall or parapet. Projecting signs are distinct from marquee signs.

1 Public art means an outdoor art mural, sculpture, or other permanent or semi-permanent  
2 installation that is constructed and maintained for artistic purposes and intended to be visible to or  
3 accessible by the general public, and does not contain any type of commercial message.

4 Raceway sign means a type of wall sign in which individual letters, graphics, and other  
5 copy elements are separate structural components that are connected by a common component,  
6 referred to as a raceway, that provides structural support for, and electrical or mechanical operation  
7 of, the sign.

8 Recreation/open space sign district means the portions of the City that are located outside  
9 of the Central Business District and are designated in the Master Plan of Policies as regional parks  
10 (PR), recreation (PRC), private marinas (PMR), or cemetery (CEM).

11 Roof line means the uppermost line of the roof of a building or, in the case of an extended  
12 façade or parapet, the uppermost point of said façade or parapet.

13 Roof sign means a sign that is affixed to and supported by the roof of a building or structure,  
14 the height of which extends above the highest point of the roofline of the building or structure.

15 Sign means any structure containing a visual display, or painted or projected image, that is  
16 oriented toward and visible from any public or private right-of-way or public property and is  
17 intended to announce, identify, inform, or direct attention. A sign can be located on the exterior  
18 of a building or other structure, or in the interior of a building if within three feet of the building's  
19 perimeter and visible from the building's exterior.

20 Sign alteration means a change of the size, shape, area, height, location, illumination,  
21 dynamic operation, construction, fabrication, material, or any other operational, construction-  
22 related, or dimensional parameter of an existing sign. Neither the maintenance of a sign within



1 its existing operational, construction-related, and dimensional parameters, nor a change or  
2 replacement of the sign's copy, without any other change to the sign, constitutes a sign alteration.

3 \_\_\_\_\_ *Sign area* means the area of the sign face of a sign, expressed in terms of square feet.

4 \_\_\_\_\_ *Sign clearance* means the elevation of the lowest point of the sign above the established  
5 grade of the sign.

6 \_\_\_\_\_ *Sign face* means the surface of a sign upon which the copy of the sign is displayed.

7 \_\_\_\_\_ *Sign height* means the elevation of the highest point of the sign, including its frame and  
8 support structure, above the established grade of the sign.

9 \_\_\_\_\_ *Sponsor* means an individual or entity that has pledged its long-term support, whether  
10 financial or in-kind, in a written agreement for a term of not less than 24 consecutive months to:

11 (1) \_\_\_\_\_ The premises on which the sign is located;

12 (2) \_\_\_\_\_ A defined portion of the premises on which the sign is located; or

13 (3) \_\_\_\_\_ A principal commodity, service, activity, or entertainment sold or offered at the  
14 premises on which the sign is located.

15 Whether or not such individual or entity conducts, sells, or offers its business, profession,  
16 commodity, service, or entertainment on the premises where the sign is located.

17 \_\_\_\_\_ *Sponsorship sign* means a type of business sign that is intended to identify a sponsor of the  
18 premises, defined portion of the premises, or principal commodity, activity, or entertainment sold  
19 or offered at the premises, where the sign is located.

20 \_\_\_\_\_ *Temporary sign* means a type of business sign that is intended to be displayed for a limited  
21 period of time.

22 \_\_\_\_\_ *Tobacco product* means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless  
23 tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Acts, being MCL 205.422.

1 Wall sign means a sign that is affixed to and supported by, or painted or projected upon,  
2 the exterior wall or parapet of a building or structure, with the orientation of the sign face oriented  
3 in a direction that is approximately parallel to the orientation of the façade of the wall or parapet.  
4 Painted signs and raceway signs are types of wall signs. Wall signs are distinct from marquee  
5 signs.

6 Window sign means a sign that is:

7 (1) Affixed to, or painted on, the surface of an exterior window of a building or  
8 structure, and that does not completely cover or conceal the window; or

9 (2) Located in the interior of a building or structure within three feet of its perimeter,  
10 and is oriented toward, and is visible from, the exterior of the building or structure.

11 **Sec. 4-1-2. Misdemeanor violation; aiding and abetting violation; continuing violation;**  
12 **penalties for conviction thereof.**

13 (a) It shall be unlawful for any person to violate any provision of this article or to aid  
14 and abet another to violate such provision.

15 (b) Any person who violates this article, or aids and abets another to violate such  
16 provision, may be issued a misdemeanor violation for each day that the violation continues.

17 (c) Any person who is found guilty of violating any provision of this chapter, or aids  
18 and abets another to violate such provision, shall be convicted of a misdemeanor for each violation  
19 that is issued and, in the discretion of the court, may be fined up to \$500.00 and sentenced up to  
20 90 days in jail, or both, for each misdemeanor violation that is issued.

21 **Sec. 4-1-3. Enforcement.**

22 This article shall be enforced by the Police Department.

1 **Sec 4-1-4. Posting of advertisements, notices, posters, or signs advertising materials on**  
2 **public or private property.**

3 ~~————(a)——~~ Except a public officer or employee in the performance of a public duty or a private  
4 ~~person in giving a legal notice,~~ It shall be unlawful for any person to ~~paste~~ affix, fasten, post,  
5 ~~paint, print, nail, glue, attach,~~ or otherwise ~~fasten~~ place any sign, poster, advertisement advertising  
6 sign, advertising material, or other commercial message ~~or notice of any of any kind~~ upon any  
7 public or private property, or cause or authorize the same to be done, without the ~~consent,~~  
8 authorization ~~or ratification in writing~~ of the owner holder, occupant, lessee, agent or trustee  
9 thereof, or its agent, provided that this section shall not apply to the ~~distribution of handbills,~~  
10 ~~advertisements or other printed matter that is not affixed to the premises~~ a public officer or  
11 employee in the performance of a public duty or a private person giving a legal notice.

12 (b) ~~————~~ It shall be unlawful for any political candidate running for any elected office within  
13 the City who has ~~pasted, posted, painted, marked, glued, attached or otherwise fastened any~~  
14 ~~political sign, poster, advertisement or notice upon any public property, or who has caused or~~  
15 ~~authorized any agent so to do, to display such signs, posters, advertisements or notices for more~~  
16 ~~than 15 days after written notice is given by the Department of Public Works to such candidate of~~  
17 ~~the location of such displays. For purposes of this section, written notice shall be by first class mail~~  
18 ~~that is sent through the United States Postal Service to the address listed by the candidate as the~~  
19 ~~home address on the candidate's registration for candidacy.~~

20 ~~————(c)——~~ For purposes of this section, a candidate running for any elected office whose name  
21 ~~appears on such signs, posters, advertisements or notices is presumed to have caused or given~~  
22 ~~authority for the erection or placement of such displays, provided, that such presumption is~~  
23 ~~rebuttable upon evidence brought forth by such candidate.~~

1 **Sec. 4-1-5. Carrying or placing signs, placards, banners or posters advertising materials on**  
2 **freeway overpass where visible from freeway prohibited.**

3 It shall be unlawful for any person to carry or place ~~any sign, placard, banner or poster~~ on  
4 any freeway overpass any advertising sign, advertising material, or other commercial message that  
5 would be oriented toward and visible to the occupants of vehicles on any on such freeway.

6 ~~Secs. 4-1-6 — 4-1-30. Reserved.~~ REPEALED.

7 **Sec. 4-1-6. Publication of false, misleading advertising prohibited.**

8 (a) It shall be unlawful for any person, with intent to solicit, promote, sell, lease, loan,  
9 or otherwise dispose of any event, commodity, service, security, real or personal property, or any  
10 other thing of value, to circulate, disseminate, publish, or broadcast, or otherwise place or  
11 distribute, or to cause the same, any advertising sign, advertising material, or other commercial  
12 message, whether printed or otherwise recorded, concerning such thing of value that contains any  
13 assertion, representation, claim, offer, or statement of fact that is knowingly false, deceptive,  
14 misleading, or otherwise calculated to cause injury or other disadvantage to its audience or any  
15 member thereof.

16 (b) Subsection (a) of this section does not apply to any owner, publisher, printer, agent,  
17 or employee of a newspaper, periodical, circular, radio or television station, or website who, in  
18 good faith and without knowledge of the false, deceptive, or misleading character thereof,  
19 publishes, causes to be published, or takes part in the publication of, such advertising material.

20 **Sec. 4-1-7. Presumptions concerning identity of violator.**

21 With respect to the placement or distribution of any advertisement, sign, handbill, circular,  
22 or advertising card advertising sign, advertising material, or other commercial message that  
23 violates any provision of this ~~article~~ chapter, a rebuttable presumption exists that the

1 advertisement, sign, circular, or advertising card was erected or displayed or distributed by, or with  
2 the consent of, the promoter of the event, offer, or service that is the subject of the advertisement,  
3 sign, circular, or advertising card. placement or distribution of such material is made with the  
4 consent of the promoter of the business, profession, commodity, service, or event that is the subject  
5 of the promotion by the material, regardless of its form.

6 **Secs. 4-1-8 – 4-1-30. Reserved.**

7 **ARTICLE II. DISTRIBUTION OF HANDBILLS, CIRCULARS,**  
8 **AND ADVERTISING CARDS**

9 **Sec. 4-2-1. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

10 (a) It shall be unlawful for any person to violate any provision of this article or to aid  
11 and abet another to violate such provision.

12 (b) Any person who violates this article, or aids and abets another to violate such  
13 provision, may be issued a misdemeanor violation for each day that the violation continues.

14 (c) Any person who is found guilty of violating any provision of this article shall be  
15 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,  
16 may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor  
17 violation that is issued.

18 **Sec. 4-2-2. Enforcement.**

19 This article shall be enforced by the Police Department.

20 **Sec. 4-2-3. Interfering with or impeding pedestrian or vehicular traffic, prohibited.**

21 ~~No person shall~~ It shall be unlawful for any person to place or distribute, circulate, give  
22 away or to cause the same of, to be circulated, distributed or given away any paper handbill, card,  
23 book, pamphlet or printed matter advertising sign, advertising material or other commercial  
24 message soliciting trade, customers or patrons any event, commodity, service, or other thing of

1 ~~value on any public highway, street, alley or sidewalk in any public right-of-way, so as to interfere~~  
2 ~~with or impede any pedestrian, bicycle, or vehicular traffic upon such public highway, street, alley,~~  
3 ~~or sidewalk along or within such right-of-way.~~

4 **Sec. 4-2-4. ~~Prohibited Solicitation at posted residential premises prohibited.~~**

5 ~~No person shall~~ It shall be unlawful for any person to solicit, deliver, circulate, distribute,  
6 or disseminate, or to cause to be distributed, the same of, any advertising sign, advertising material,  
7 or other commercial message to any residential premises upon which is conspicuously posted at  
8 or near the front entrance of the residence a notice that states “No Trespassing,” “No Handbills,”  
9 “Post No Bills,” or any similar language. ~~Such a notice shall be posted in a conspicuous place~~  
10 ~~near the front entrance of the residence.~~

11 **Secs. 4-2-5 – 4-2-30. Reserved.**

12 **ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND**  
13 **PROMOTION OF ALCOHOLIC LIQUOR AND TOBACCO PRODUCTS**

14 **Sec. 4-3-1. Purpose.**

15 (a) The primary purpose of this article is to promote the welfare and temperance of  
16 minors who are exposed to certain ~~publically~~ publicly visible advertisements of alcoholic liquor  
17 or tobacco products as defined in Section ~~4-3-2~~ 4-1-1 of this Code, ~~and tobacco products~~ within  
18 the City, and to promote compliance with state ~~laws~~ law and this Code, which prohibit the use and  
19 consumption of alcoholic liquor and tobacco products by minors ~~within the City.~~

20 (b) The findings to support this article have been delineated in a resolution adopted by  
21 the City Council on July 7, 1989, and placed in the Journal of the City Council on Pages 1959  
22 through 1963.

23

1 **Sec. 4-3-2. Definitions.**

2 ——— For the purposes of this article, the following words and phrases shall have the meanings  
3 respectively ascribed to them by this section:

4 ——— *Advertising sign* means, as likewise defined in Section 50-6-3 of this Code, a sign, whether  
5 billboard or painted wall graphic, which directs attention to a business, commodity, service or  
6 entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is  
7 affixed, located or painted, or only incidentally sold or offered on said premises. Any sign, display,  
8 or device allowed under this article may contain, in lieu of any other message, any otherwise lawful  
9 non-commercial message that does not direct attention to a business operated for profit, or to a  
10 commodity or service for sale, and that complies with the zoning district, height, lighting, setback,  
11 and spacing requirements outlined in the Chapter 50 of this Code, *Zoning*.

12 ——— *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids and  
13 compounds, whether or not medicated, proprietary, patented or any other designation, which  
14 contain one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and  
15 are defined and classified by the Michigan Liquor Control Commission according to alcoholic  
16 content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed  
17 spirit drink.

18 ——— *Billboard* means, as likewise defined in Section 50-6-6 of this Code, a large outdoor board  
19 for advertisements, which most commonly serve as advertising signs, as defined in this section,  
20 except when identifying the business or profession conducted on the same zoning lot where the  
21 billboard is located, in which case the billboard serves as a business sign, as defined in this section.

22 ——— *Business sign* means, as likewise defined in Section 50-6-7 of this Code, a sign, not less  
23 than 75 percent of the area of which is devoted to directing attention to the principal business or

1 ~~profession conducted, or to the principal type of commodity, service, or entertainment sold or~~  
2 ~~offered on the premises where the sign is affixed, located, or painted.~~

3 ~~——— *Child care center* means, as likewise defined in Section 50-16-152 of this Code, a facility~~  
4 ~~licensed by the Michigan Department of Human Services, other than a private residence for home,~~  
5 ~~receiving one or more preschool or school age children for care for periods of less than 24 hours a~~  
6 ~~day, and where the parents or guardians are not immediately available to the child. The term “child~~  
7 ~~care center” or “day care center” includes a facility that provides care for not less than two~~  
8 ~~consecutive weeks, regardless of the number of hours of care per day. The facility is generally~~  
9 ~~described as a child care center, day care center, “Head Start” program, day nursery, nursery~~  
10 ~~school, parent cooperative, preschool, play group, or drop in center. The term “child care center”~~  
11 ~~or “day care center” does not include any of the following:~~

12 (1) ~~—— A Sunday school, a vacation bible school, or a religious instructional class that is~~  
13 ~~conducted by a religious organization where children are in attendance for not~~  
14 ~~longer than three hours per day for an indefinite period, or for not longer than eight~~  
15 ~~hours per day for a period not to exceed four weeks during a twelve 12 month~~  
16 ~~period;~~

17 (2) ~~—— A facility operated by a religious organization where children are cared for not~~  
18 ~~longer than three hours while persons who are responsible for the children are~~  
19 ~~attending religious services; and~~

20 (3) ~~—— Family day care home, group day care home, foster family home, foster family~~  
21 ~~group home.~~

22 ~~——— *Child caring institution* means, as likewise defined in Section 50-16-152 of this Code, a~~  
23 ~~child care facility licensed by the Michigan Department of Human Services, other than a juvenile~~



1 ~~correctional facility, that is organized for the purpose of receiving minor children for care,~~  
2 ~~maintenance, and supervision, usually on a 24 hour basis, in buildings maintained by the~~  
3 ~~institution for that purpose, and operates throughout the year. An educational program may be~~  
4 ~~provided, but the educational program shall not be the primary purpose of the facility. The term~~  
5 ~~“child caring institution” includes a maternity home for the care of unmarried mothers who are~~  
6 ~~minors and an agency group home that is described as a small child caring institution owned,~~  
7 ~~leased, or rented by a licensed agency providing care for more than four but less than 13 minor~~  
8 ~~children. The term “child caring institution” also includes institutions for mentally retarded or~~  
9 ~~emotionally disturbed minor children. The term “child caring institution” does not include a~~  
10 ~~hospital, nursing home, home for the aged, boarding school, adult foster care family home, adult~~  
11 ~~foster care small group home, family day care home, group day care home, foster family home, or~~  
12 ~~foster family group home.~~

13 ~~——— *Family day care home* means, as likewise defined in Section 50-16-201 of this Code, a~~  
14 ~~licensed day care center as an accessory use in a residential dwelling unit where at least one but~~  
15 ~~fewer than seven minor children are received for care and supervision for periods of less than 24~~  
16 ~~hours a day, unattended by a parent or legal guardian, except children related to an adult member~~  
17 ~~of the family by blood, marriage, or adoption. The term “family day care home” includes a home~~  
18 ~~that gives care to an unrelated minor child for more than four weeks during a calendar year. For~~  
19 ~~the purpose of this definition, the term “private home” means a private residence where the licensee~~  
20 ~~or registrant permanently resides as a member of the household, which residency shall not be~~  
21 ~~contingent upon caring for children. Notwithstanding its status as an accessory use, a family day~~  
22 ~~care home requires a permit. A family day care home may not operate unless also licensed by the~~  
23 ~~Michigan Department of Human Services.~~

1 ~~———— *Foster family group home* means a private home where more than four, but fewer than~~  
2 ~~seven, minor children, who are not related to an adult member of the household by blood or~~  
3 ~~marriage, or who are not placed in the household pursuant to the Michigan Adoption Code, being~~  
4 ~~MCL 710.21 *et seq.*, are provided care for 24 hours a day, for four or more days a week, for two~~  
5 ~~or more consecutive weeks, unattended by a parent or legal guardian.~~

6 ~~———— *Foster family home* means a private home where at least one but not more than four minor~~  
7 ~~children, who are not related to an adult member of the household by blood or marriage, or who~~  
8 ~~are not placed in the household pursuant to the Michigan Adoption Code, being MCL 710.21 *et*~~  
9 ~~*seq.*, are given care and supervision for 24 hours a day, for four or more days a week, for two or~~  
10 ~~more consecutive weeks, unattended by a parent or legal guardian.~~

11 ~~———— *Freeway* means a divided highway which is two or more lanes in each direction and which~~  
12 ~~owners or occupants of abutting property or the public do not have a right of ingress or egress to,~~  
13 ~~from or across, except at points determined or as otherwise provided by the authorities who are~~  
14 ~~responsible therefor.~~

15 ~~———— *Group day care home* means, as likewise defined in Section 50-16-222 of this Code, an~~  
16 ~~accessory use to a private home, licensed by the Michigan Department of Human Services, where~~  
17 ~~more than six but not more than 12 minor children are given care and supervision for periods of~~  
18 ~~less than 24 hours a day unattended by a parent or legal guardian, except children related to an~~  
19 ~~adult member of the family by blood, marriage, or adoption. Group day care home includes a~~  
20 ~~home that gives care to an unrelated minor child for more than four weeks during a calendar year.~~  
21 ~~Notwithstanding its status as an accessory use, a group day care home requires a permit.~~

1 ~~——— *Interstate highway* means a highway that is officially designated as a part of the National~~  
2 ~~System of Interstate and Defense Highways by the Michigan Department of Transportation and~~  
3 ~~that is approved by the appropriate authority of the federal government.~~

4 ~~——— *Juvenile detention or correctional facility* means a county facility or institution operated as~~  
5 ~~an agency of the county or the juvenile division of the probate court, or a state institution or agency~~  
6 ~~described in the Michigan Youth Rehabilitation Services Act, being MCL 803.301 *et seq.*, to which~~  
7 ~~a minor has been committed or in which a minor is detained.~~

8 ~~——— *Library* means any designated public depository of books, periodicals, public and/or~~  
9 ~~historical records, and other reference materials within the City that is created pursuant to Article~~  
10 ~~VIII, Section 9, of the 1963 Michigan Constitution, and is operated pursuant to Section 12 of the~~  
11 ~~Michigan District Library establishment Act, being MCL 397.182.~~

12 ~~——— *Major park* means a large open area which preserves the natural scenic beauty of a~~  
13 ~~woodland, meadow, river valley or lake front, is so designated, and is under the control of the~~  
14 ~~Recreation Department.~~

15 ~~——— *Minor or Minors* means:~~

16 ~~(a) —— A person or persons who have not passed their 18th birthday, are prohibited from~~  
17 ~~purchasing tobacco pursuant to Section 1 of the Michigan Youth Tobacco Act,~~  
18 ~~being MCL 722.641, and are prohibited from possessing or smoking cigarettes or~~  
19 ~~eigars, possessing, chewing, sucking or inhaling chewing tobacco or tobacco snuff,~~  
20 ~~or possessing or using tobacco in any other form on a public highway, street, alley,~~  
21 ~~park or other land used for public purposes, pursuant to Section 2 of the Michigan~~  
22 ~~Youth Tobacco Act, being MCL 722.642; and~~

1           ~~(b) — Persons who have not passed their twenty first (21st) birthday and are prohibited~~  
2           ~~from purchasing alcoholic liquor pursuant to Section 703 of the Michigan Liquor~~  
3           ~~Control Code of 1998, being MCL 436.1703.~~

4           ~~—— *Nonprofit neighborhood center* means, as likewise defined in Section 50-16-321 of this~~  
5           ~~Code, a center that is recognized by the United States Internal Revenue Service as holding a non-~~  
6           ~~profit tax exempt status, and whose primary purpose is to provide recreation amenities, craft areas,~~  
7           ~~meeting space, community kitchen facilities, cultural, and/or leisure activities, other similar space,~~  
8           ~~and related administrative offices for the use of the residents of the immediate neighborhood and~~  
9           ~~their guests. Examples include facilities such as senior citizen centers, youth activity centers, and~~  
10           ~~community centers.~~

11           ~~—— *Painted wall graphic* means, as likewise defined in Section 50-6-17 of this Code, a sign~~  
12           ~~that is painted on a wall and exceeds 10 square feet in area.~~

13           ~~—— *Park* means land that is improved for, or intended to be improved for, passive or~~  
14           ~~recreational uses, or to be preserved as open spaces, including, but not limited to, major parks and~~  
15           ~~small (neighborhood) parks, is so designated, and under the jurisdiction and control of the~~  
16           ~~Recreation Department.~~

17           ~~—— *Parklot* means landscaped triangles, street entrances or remnant parcels which have been~~  
18           ~~landscaped for ornamental purposes, are generally dedicated for these purposes in subdivision~~  
19           ~~plats, are so designated, and are under the jurisdiction and control of the Recreation Department.~~

20           ~~—— *Parkway* means a broad roadway bordered and often divided with landscaped areas~~  
21           ~~consisting of tree plants, bushes, and/or grass, is so designated, and is under the jurisdiction and~~  
22           ~~control of the Recreation Department.~~

1 ~~——— *Playfield* means land that is designed for major field sports (for example, baseball, football,~~  
2  ~~soccer, tennis, and softball) which requires more area than is available on a playground, is so~~  
3  ~~designated, and is under the jurisdiction and control of the Recreation Department.~~

4 ~~——— *Playground* means land that is designed and maintained primarily for the recreational use~~  
5  ~~of children aged five to 14 years including, but not limited to, central and junior playgrounds, is~~  
6  ~~so designated, and is under the jurisdiction and control of the Recreation Department.~~

7 ~~——— *Playlot* means land that is designed and maintained primarily for the recreational use of~~  
8  ~~small children aged one to eight years, is so designated, and is under the jurisdiction and control~~  
9  ~~of the Recreation Department.~~

10 ~~——— *Recreation center* means a facility under the jurisdiction and control of the Recreation~~  
11  ~~Department that is created primarily to benefit minors through the use of organized educational,~~  
12  ~~social, and/or recreational activities.~~

13 ~~——— *School* means the buildings, grounds or facilities of any public or private educational~~  
14  ~~institution that has as its primary purpose the education and instruction of children, including~~  
15  ~~elementary, middle, junior, and senior high schools.~~

16 ~~——— *Small (or neighborhood) park* means a heavily landscaped area intended for ornamental~~  
17  ~~rather than active recreation or picnic use.~~

18 ~~——— *Tobacco product* means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless~~  
19  ~~tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Act, being MCL 205.422.~~

20 ~~——— *Youth activity center* means a type of nonprofit neighborhood center whose primary~~  
21  ~~purpose is to provide education, recreational, cultural, or leisure activities for minors, but excludes:~~

22 (a) ~~——— An arcade, as defined in Section 50-16-113 of this Code;~~

23 (b) ~~——— A health club, as defined in Section 50-16-241 of this Code;~~

- 1           (e) ~~— A medical facility;~~
- 2           (d) ~~— A public dance hall, as defined in Section 50-16-171 of this Code;~~
- 3           (e) ~~— A rehabilitation facility;~~
- 4           (f) ~~— A rental hall, as defined in section 50-16-362 of this Code;~~
- 5           (g) ~~— A restaurant, as defined in section 50-16-362 of this Code; and~~
- 6           (h) ~~— A school; and~~
- 7           (i) ~~— A state licensed residential facility as defined in Section 50-16-385 of this Code.~~

8                           REPEALED.

9   **Sec. 4-3-2. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

10           (a)     It shall be unlawful for any person to violate any provision of this article.

11           (b)     Any person who violates this article may be issued a misdemeanor violation for  
12 each day that the violation continues.

13           (c)     Any person who is found guilty of violating any provision of this article shall be  
14 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,  
15 may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor  
16 violation that is issued.

17   **Sec. 4-3-3. ~~Buildings, Safety Engineering, and Environmental Department to be responsible~~**  
18 **for E ~~enforcement.~~**

19           This article shall be enforced by the Buildings, Safety Engineering, and Environmental  
20 Department.

21

1 **Sec. 4-3-4. Advertisement of alcoholic liquor ~~and or any tobacco products~~ product**  
2 **prohibited within a 1,000-foot radius of certain locations.**

3 (a) ~~No person shall~~ It shall be unlawful to advertise any alcoholic liquor on an  
4 advertising sign within a 1,000-foot radius of any ~~child-care center, child-caring institution,~~  
5 ~~juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground,~~  
6 ~~playlot, recreation center, school, or youth activity center~~ advertisement-sensitive property.

7 (b) ~~No person shall~~ It shall be unlawful to advertise any tobacco product on an  
8 advertising sign within a 1,000-foot radius of any ~~child-care center, child-caring institution,~~  
9 ~~juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground,~~  
10 ~~playlot, recreation center, school, or youth activity center~~ advertisement-sensitive property.

11 **Sec. 4-3-5. Exceptions to prohibitions.**

12 The provisions of Section ~~4-6-5~~ 4-3-4 of this Code shall not apply to:

13 (1) ~~The placement of any advertising sign:~~

14 a. ~~Inside or outside of a licensed premises where alcoholic liquor is lawfully~~  
15 ~~sold or distributed under the authority of a license conferred by the~~  
16 ~~Michigan Liquor Control Commission under the Michigan Liquor Control~~  
17 ~~Code of 1998, being MCL 436.1101 et seq.;~~

18 b. ~~Inside of a licensed premise where tobacco products are lawfully sold or~~  
19 ~~distributed under the authority of a license conferred by the Michigan~~  
20 ~~Tobacco Products Tax Act, being MCL 205.421 et seq.; or~~

21 c. ~~On licensed commercial vehicles used to transport alcoholic liquor or~~  
22 ~~tobacco products.~~

1           (2) ~~Any billboard that serves as a business sign, is for the purpose of identifying the~~  
2           ~~premises, and contains:~~

3           a. ~~The name or slogan of the premises where alcoholic liquor or tobacco~~  
4           ~~products are lawfully sold or distributed; or~~

5           b. ~~A generic description of alcoholic liquor or tobacco products.~~

6           (1) Any advertising sign that is adjacent to an interstate highway, freeway, or primary  
7           highway system within the City, and is regulated by the Michigan Highway  
8           Advertising Act of 1972, being MCL 252.301 *et seq.*

9           (2) Any advertising sign ~~which~~ that advertises alcoholic liquor ~~inside of or outside~~ and  
10           is located on the premises of a convention facility, sports arena, or stadium.

11   **Sec. 4-3-6. Method for measurement.**

12           The spacing between an advertising sign ~~which~~ that advertises alcoholic liquor or a tobacco  
13   ~~products~~ product and ~~the locations delineated within Section 4-3-5 of this Code~~ an advertisement-  
14   sensitive property shall be measured radially as the shortest distance between the outermost point  
15   of the advertising sign that is nearest to the advertisement-sensitive property and the nearest ~~lot~~  
16   ~~line of the zoning lot where the child care center, child caring institution, juvenile detention or~~  
17   ~~correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation~~  
18   ~~center, school, or youth activity center is located~~ point on the perimeter of the premises containing  
19   the advertisement-sensitive property.

20   **Sec. 4-3-7. Phase-out period.**

21           In the event a new ~~child care center, child caring institution, juvenile detention or~~  
22   ~~correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation~~  
23   ~~center, school, or youth activity center~~ advertisement-sensitive property is established; subsequent



1 to the effective date of the ordinance from which this article is derived, and is located within a  
2 1,000-foot radius of an advertising sign lawfully advertising ~~aleohol~~ alcoholic liquor or a tobacco  
3 ~~products~~ product, said advertising shall not be ordered removed until 60 days after the  
4 ~~establishment of said land use~~ date of such establishment.

5 **Sec. 4-3-8– 4-3-30. Reserved.**

6 **ARTICLE IV. REGULATION OF BUSINESS AND ADVERTISING SIGNS**

7 **DIVISION 1. GENERALLY**

8 **Sec. 4-4-1. Purpose.**

9 (a) The sign regulations of this article are set forth in lieu of those regulations contained  
10 in Appendix H of the 2015 Michigan Building Code, under authority of Section H101.1.1.

11 (b) The sign regulations of this article are intended to balance public and private  
12 interests. The purpose of this article is to ~~promote~~ provide for a safe, well-maintained, vibrant, and  
13 attractive City, while accommodating the protected rights of individuals and entities ~~need for signs~~  
14 to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate  
15 information through signs, among multiple alternative channels for communication. The  
16 regulations contained in this article are narrowly tailored to serve multiple significant  
17 governmental interests, including those listed in this section. In furtherance of these significant  
18 governmental interests, this article regulates various structural and dimensional standards of signs,  
19 including their construction, material, area, height, projection, illumination, location, and spacing,  
20 as well as their use and operation in specified locations, but does not regulate the message, content,  
21 or communicative aspect of signs, or distinguish between commercial and noncommercial speech.  
22 ~~While these regulations allow for a variety of sign types and sizes, they do not necessarily ensure~~  
23 ~~every property owner or business owner's desired level of visibility. It is not the intent or purpose~~

1 of this chapter to regulate the message displayed on any sign or the content. The objectives of this  
2 article are:

3 (1) *General protection of public welfare*: To ensure that signs are located, designed,  
4 constructed, installed, ~~and~~ maintained, ~~in a way that~~ and operated so as to protect  
5 ~~protects life, and preserve the public peace, health, morals, safety, and property and~~  
6 ~~the public welfare of the people of the City~~;

7 (2) *Public safety*: To protect public health and safety by prohibiting signs that are  
8 structurally unsafe or poorly maintained, or that cause unsafe traffic conditions  
9 ~~through distraction of motorists confusion with traffic signs, or hindrance of vision;~~  
10 ~~and that impede safe movement of pedestrians or safe ingress and egress from~~  
11 ~~buildings or sites~~ for nearby pedestrians, motorists, and properties. Signs that are  
12 poorly maintained or are otherwise structurally unsound pose physical dangers to  
13 the surrounding area and its occupants. Signs, through excessive number, size,  
14 illumination, or dynamic operation can create unsafe distractions. Signs can be  
15 confused with traffic signals, create unwarranted distractions, impede clear  
16 roadway sightlines, or otherwise create unsafe conditions for motorists, bicyclists,  
17 pedestrians, and others traveling along the public right-of-way. Signs that overly  
18 impact or encroach into public spaces through inappropriate sizing, projection,  
19 elevation, or illumination, among other aspects of their construction or operation,  
20 can impede the safe circulation of pedestrians, including their safe ingress and  
21 egress from buildings and other structures;

22 (3) ~~Protect aesthetic quality of neighborhoods~~ *Neighborhood aesthetics and*  
23 *environment*: To ~~Prevent blight and protect aesthetic qualities by preventing visual~~

1 ~~clutter and protecting views and preventing intrusion of commercial messages into~~  
2 ~~noncommercial areas~~ protect aesthetic values of the City's neighborhoods and  
3 natural environments. The City's neighborhoods are characterized by their unique  
4 residential, commercial, and industrial uses, their architectural themes, and their  
5 historic legacies. Signs that do not comport with such unique characteristics can  
6 significantly impair the surrounding neighborhood's aesthetic value. Moreover,  
7 many of the City's neighborhoods contain outdoor public recreational spaces and  
8 natural environments. Signs that overly encroach upon such spaces through their  
9 construction or operation can significantly impede access to public outdoor  
10 recreation opportunities and undermine protection of the natural environment;

11 (4) ~~Free speech~~ Facilitation of protected speech: To ensure that the constitutionally  
12 guaranteed right of free speech is protected and to allow signs as a means of  
13 communication facilitate the conveyance of constitutionally protected speech  
14 through the use of signs as a means of communication;

15 (5) ~~Reduce conflict~~ Reduction of conflict: To reduce conflict among signs and light and  
16 between public and private information systems reduce the potential for conflict  
17 among signs, buildings, and other structures that seek to occupy, utilize, or access  
18 limited light, air, and open space resources. Signs that are excessive in size, scale,  
19 or intensity can interfere with other signs, thereby impairing their communicative  
20 value. Such signs can also interfere with neighboring buildings' access to air and  
21 natural light, and can interfere with their safe operation and the activities of their  
22 occupants; and

1           (6) *Business identification and promotion of local commerce*: To ~~allow for adequate~~  
2           and effective signage for business identification and other commercial speech, non-  
3           commercial speech, and dissemination of public information, including but not  
4           limited to, public safety information and notification as may be required by law  
5           facilitate the identification of businesses and to promote local commerce at such  
6           places of business. Signs that effectively identify the presence of local businesses  
7           and that generally promote the products and services provided by such businesses  
8           can facilitate commercial activity and stimulate economic development.  
9           Additionally, wayfinding and other directional signage can facilitate the efficient  
10           flow of vehicular, bicycle, and pedestrian traffic. Conversely, signs that are  
11           excessive in size, scale, or intensity, or that conflict with each other or their  
12           surroundings, can impede such business identification and hinder local economic  
13           activity.

14 **Sec. 4-4-2. Definitions.**

15           For purposes of this article, the following words and phrases shall have the meanings  
16 ascribed to them by this section:

17           ~~———— *Advertising sign* means a sign, whether a billboard or a painted wall graphic sign, which~~  
18           ~~directs attention to a business, commodity, service, or entertainment, that is conducted, sold, or~~  
19           ~~offered elsewhere than on the premises where the sign is affixed, located or painted, or only~~  
20           ~~incidentally sold or offered on the premises.~~

21           ~~———— *Animated sign* means any business sign, which uses movement or change of lighting to~~  
22           ~~depict action or to create a special effect or scene, including signs displaying moving images or~~  
23           ~~videos, and, for regulatory purposes, is a flashing sign as defined in this section.~~

1       ~~——— *Art mural* means any mosaic, painting or graphic art, which is applied to a building, and~~  
2       ~~does not contain any brand name, product name, letters of the alphabet that spell or abbreviate the~~  
3       ~~name of any product, company, profession or business, or any logo, trademark, trade name, or any~~  
4       ~~other type of commercial message.~~

5       ~~——— *Awning sign* means a business sign that is a section of, or attached to, an awning, canopy,~~  
6       ~~or other fabric, plastic, or structural protective cover over a door, entrance, window or outdoor~~  
7       ~~service area of a building, but does not mean a marquee.~~

8       ~~——— *Building frontage* means the portion of a building's facade that is visible as projected along~~  
9       ~~the building's public or private street frontage.~~

10       ~~——— *Business sign* means a sign, not less than 75 percent of the area of which is devoted to~~  
11       ~~directing attention to the principal business or profession conducted, or to the principal type of~~  
12       ~~commodity, service, or entertainment sold or offered on the premises where the sign is affixed,~~  
13       ~~located or painted.~~

14       ~~——— *Double face sign* means a business sign of which both sides are visible and used as signs~~  
15       ~~including a "v" type sign, provided, that the least angle of intersection does not exceed 90 degrees.~~

16       ~~——— *Electronic message board* means any business sign that uses changing lights to form a sign~~  
17       ~~message or messages wherein the sequence of messages and the rate of change is electronically~~  
18       ~~programmed and can be modified by electronic processes, and, for regulatory purposes, is a~~  
19       ~~flashing sign as defined in this section.~~

20       ~~——— *Flashing sign* means an illuminated sign on which artificial light is not maintained~~  
21       ~~stationary, or constant in intensity or color, at all times when in use and, under this article, includes~~  
22       ~~an animated sign and an electronic message board sign.~~

1 ~~————~~ *Ground sign* means a business sign, including a ground-mounted billboard that is supported  
2 by one or more uprights, poles, or braces in or upon the ground.

3 ~~————~~ *Identification sign* means a business sign, not less than 75 percent of the area of which  
4 identifies the name of the individual, profession, occupation, organization, hotel, or motel  
5 occupying the premises, or the name or street number of the building, which may include  
6 information directly related to principal or accessory uses of the property, provided, that not more  
7 than 25 percent of the area of the sign is devoted to such information, but does not mean an  
8 advertising sign, as defined in this section.

9 ~~————~~ *Individual letter sign* means a type of wall sign, as defined in this section, consisting of  
10 individual letters, incised letters, script or symbols with no background material other than the  
11 surface to which the letters, script or symbols are affixed.

12 ~~————~~ *Multiple face sign* means a business sign with more than two display areas, all of which  
13 are visible and used as business signs.

14 ~~————~~ *Painted wall graphic sign* means any business sign that is painted upon a wall and exceeds  
15 ten square feet in area.

16 ~~————~~ *Roof sign* means a business sign that is erected upon a roof or parapet of a building or  
17 structure.

18 ~~————~~ *Sign* means any letter, figure, character, mark, plane, point, marquee sign, design, poster,  
19 pictorial, picture, stroke, stripe, line trademark, reading matter, or illuminated service that is  
20 constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, so that  
21 the same is used for the attraction of the public to any place, subject, person, firm, corporation,  
22 public performance, article, machine, or merchandise, that is displayed in any manner outdoors, or  
23 a window sign as defined in this section, but does not mean any display of official court or public

1 agency notices, or the flag, emblem, or insignia of a nation, political unit, school or religious group,  
2 or any non-illuminated, non-commercial, painted art mural.

3 ~~\_\_\_\_\_ *Wall sign* means any business sign attached to, or erected against, the wall of a building or~~  
4 ~~structure with the exposed face of the sign in a plane parallel to the plane of said wall.~~

5 ~~\_\_\_\_\_ *Window sign* means any sign which is painted on, applied to or attached to a window or~~  
6 ~~door, or located within three feet of the interior of the window or door, and is visible from the~~  
7 ~~exterior of the building, including pictures, drawings, paintings, or other such representations of a~~  
8 ~~product once they are not the actual item to be sold or consumed. REPEALED.~~

9 **Sec. 4-4-2. Blight violation.**

10 (a) In accordance with Section 41(4) of the Michigan Home Rule City Act, being MCL  
11 117.41(4), and Sections 1-1-9(a)(3) and 3-2-1 of this Code, a violation of this article is deemed to  
12 be a blight violation.

13 (b) Any person who violates any section of this article may be issued a blight violation  
14 notice pursuant to Chapter 3 of this Code, *Administrative Hearings and Enforcement, and*  
15 *Administrative Appeals*, for each day that the violation continues.

16 (c) In accordance with Chapter 3 of this Code, *Administrative Hearings and*  
17 *Enforcement, and Administrative Appeals*, any person who admits responsibility or is found to be  
18 responsible, through a blight violation determination, for a violation of this article shall be subject  
19 to a civil fine.

20 (d) Civil fines for any violation of this article shall be as follows:

21 (1) Business signs:

22 a. For any first offense: \$400

23 b. For any second offense: \$800

1                   c. For any offense subsequent to a second offense: \$2000

2           (2) Advertising signs:

3                   a. For any first offense: \$600

4                   b. For any second offense: \$1200

5                   c. For any offense subsequent to a second offense: \$3000

6 **Sec. 4-4-3. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

7 ~~—— (a) —— It shall be unlawful for any person to violate any provision of this article.~~

8 ~~—— (b) —— Any person who violates this article may be issued a misdemeanor violation for~~  
9 ~~each day that the violation continues.~~

10 ~~—— (c) —— Any person who is found guilty of violating any provision of this article shall be~~  
11 ~~convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,~~  
12 ~~may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor~~  
13 ~~violation that is issued. REPEALED.~~

14 **Sec. 4-4-3. Enforcement.**

15           This article shall be enforced by the Buildings, Safety Engineering, and Environmental  
16 Department.

17 **Sec. 4-4-4. Noncommercial messages.**

18 In order to prevent any inadvertent favoring of commercial speech over noncommercial  
19 speech, or favoring of any particular noncommercial message over any other noncommercial  
20 message, any sign that is allowed under this Article may contain, in lieu of any other message, any  
21 otherwise lawful noncommercial message that does not contain a commercial message and that  
22 does not direct attention to a business, profession, commodity, service, or entertainment.



1 **Sec. 4-4-5. Requirements for business and identification signs.**

2 ~~—— (a) —— It shall be unlawful to erect or maintain a business sign, including identification~~  
3 ~~signs, except in accordance with the following requirements:~~

4 ~~(1) —— Every sign shall be classified and conform to the requirements of such classification~~  
5 ~~as set forth in this Code.~~

6 ~~(2) —— A business sign, including an identification sign, shall not cover or conceal~~  
7 ~~architectural features of a building including, but not limited to, windows, arches,~~  
8 ~~sills, moldings, cornices, and transoms;~~

9 ~~(3) —— Except for signs within developments that require City Council approval of plans,~~  
10 ~~animated sign space or electronic message board sign space within any business or~~  
11 ~~identification sign shall not comprise more than 25 percent of the total sign area;~~

12 ~~(4) —— In the case of an animated sign, as defined in Section 50-6-4 of this Code, located~~  
13 ~~on the premises of a City-owned convention or exhibit building on land requiring~~  
14 ~~City Council approval of plans, not less than 75 percent of the display time in any~~  
15 ~~calendar month shall be devoted to events or activities on the premises.~~

16 ~~(5) —— Inflatable advertising, balloons, and similar devices shall be allowed for the~~  
17 ~~promotion of a special event only after application for and issuance of a temporary~~  
18 ~~sign permit by the Buildings, Safety Engineering and Environmental Department~~  
19 ~~as provided for in Section 50-12-562 of this Code provided, that, they are shaped~~  
20 ~~or formed like a product, have commercial copy, and meet the following~~  
21 ~~restrictions:~~

22 ~~a. —— Be limited in placement to 15 days;~~



1 ~~\_\_\_\_\_ (c) The tubing in neon signs may be encased for protection from weather and breakage,~~  
2 ~~and the enclosure, such as tinted glass or plastic, shall be designed to render the tubing invisible~~  
3 ~~when not illuminated. REPEALED.~~

4 **Sec. 4-4-5. Computing sign area, height, and clearance.**

5 \_\_\_\_\_ (a) The area of a sign is computed as follows:

6 (1) In general, the area of a sign is the entire area of a square, rectangle, or other regular  
7 geometric figure that reasonably contains the entire sign face and all of the sign's  
8 copy. Blank spaces between individual figures, letters, words, graphics, and other  
9 elements of a sign's copy are included in the computation of the sign's area. If a  
10 sign is enclosed in a frame or case, the area of the sign includes the area of the  
11 frame or case.

12 (2) The area of a double-face sign is the area of the largest of the sign's two faces.

13 (3) The area of a multiple-face sign is the sum of the areas of each sign face of the sign.

14 (4) The area of a painted sign includes the area of any background colors that are  
15 different from the color of the façade on which the sign is painted, if any.

16 \_\_\_\_\_ (b) The height of a sign is computed as the difference in vertical elevation between the  
17 highest point of the sign, including its frame and support structure, and the established grade of  
18 the sign.

19 \_\_\_\_\_ (c) The clearance of a sign is computed as follows:

20 (1) In general, the clearance of a sign is computed as the difference in vertical elevation  
21 between the lowest point of the sign, including its frame and support structure, if  
22 any, and the established grade of the sign.

1           (2) The clearance of a ground sign is computed as the difference in vertical elevation  
2           between the lowest point of the sign face, including its frame, but excluding its  
3           pole, monument, or other support structure, and the established grade of the sign.

4           (3) The clearance of a sign under which vehicular or pedestrian passage is possible,  
5           such as arcade signs and projecting signs, is computed as the difference in vertical  
6           elevation between the lowest point of the sign face, including its frame and support  
7           structure, if any, under which clear passage is possible, and the established grade  
8           underneath the sign.

9           (4) The clearance of a sign that is affixed to and supported by a building or other  
10           structure, such as wall signs and projecting signs, is computed as the difference in  
11           vertical elevation between the lowest point of the sign face, including its frame and  
12           support structure, if any, but excluding the building or structure to which the sign  
13           is affixed and supported, and the established grade of the sign.

14 **Sec. 4-4-6. ~~Computing the area of business signs.~~**

15           ~~(a) The area of a business sign shall be computed as the entire area circumscribed by a~~  
16           ~~parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes~~  
17           ~~all of the display area, any window sign, as defined in section 4-4-2 of this Code, and any building~~  
18           ~~number that is larger than ten inches in height. Because they are integral to understanding the~~  
19           ~~message of display of a business sign, the blank areas between letters, words, illustrations,~~  
20           ~~graphics, and the like shall be included in the computation of the area of a sign or the area of a~~  
21           ~~message, letter, word, or graphic that is part of a business sign.~~

22           ~~(b) Where the sign faces of a double face sign are parallel, or the interior angle formed~~  
23           ~~by the faces is 45 degrees or less, only one display face shall be counted in computing sign area.~~

1 Where the two faces of a double-face sign are of unequal area, the area of the sign shall be the area  
2 of the larger sign face. In all other cases, the areas of all faces of a multiple-face sign shall be added  
3 together to compute the area of the sign.

4 (e) — The height of a business sign shall be the distance between the highest part of the  
5 sign and the grade of the nearest sidewalk. REPEALED.

6 **Sec. 4-4-6. Computing the measurement of spacing.**

7 Unless expressly specified otherwise, for the purposes of this article, spacing is computed  
8 either radially or linearly.

9 (1) Radial spacing between two points is computed as the length of the shortest straight  
10 line connecting the perimeters of the premises at which each point is respectively  
11 located, drawn without regard to any property lines, rights-of-way, or other  
12 features, whether natural or constructed, that such line may cross.

13 (2) Linear spacing between two points is computed as the length of the shortest line  
14 connecting the perimeters of each premises at which each point is respectively  
15 located, following the centerline of the right-of-way connecting each premises,  
16 without regard, unless expressly stated, to the side of the right-of-way on which  
17 each such premises may be located.

18 **~~Sec. 4-4-7. General restrictions on maximum business sign area.~~**

19 ~~— (a) — Except for businesses regulated under sections 4-4-8(e) and (f) of this Code, each~~  
20 ~~business is entitled to a minimum of 32 square feet of business sign area, regardless of the business'~~  
21 ~~building frontage elevation or street frontage. Except for businesses within developments that~~  
22 ~~require City Council approval of plans, the maximum total area of all business signs for each~~  
23 ~~business shall be the greater of 20 percent of a business' building frontage elevation or one square~~  
24 ~~foot per each linear foot of business street frontage, not to exceed a total of 500 square feet.~~

1 ~~Buildings or businesses shall be allowed one professionally prepared window sign not exceeding~~  
2 ~~ten square feet in size and adhered to the inside of the window for every 30 feet of building or~~  
3 ~~storefront width, provided that any such sign shall not require a permit and shall not count toward~~  
4 ~~the maximum allowed sign area. For the purposes of this article, the building frontage elevation is~~  
5 ~~calculated by multiplying the length of the front facade of the building of which the signage is to~~  
6 ~~serve by 13 feet. There can be only one building frontage for each street faced by a building.~~  
7 ~~Portions of facades visible from more than one street, such as those containing curves cylindrical~~  
8 ~~shapes, or angles, shall only be measured once when determining building frontage.~~

9 ~~—— (b) —— Except as specified in section 4-4-10 of this Code, there is no restriction on the~~  
10 ~~number of signs allowed, and all types of business signs are allowed, including ground signs, wall~~  
11 ~~signs, awning signs, painted wall graphic signs, and projecting signs as long as the aggregate total~~  
12 ~~area of the sign or signs does not exceed the maximum business sign area allowed. Roof signs that~~  
13 ~~serve as business signs, and are not otherwise prohibited in section 50-6-52 of this Code, are~~  
14 ~~allowed, provided that the height of the uppermost element of the sign does not exceed the~~  
15 ~~applicable height limitation for the building.~~

16 ~~—— (c) —— On corner lots, the allowable sign area for each street frontage shall be calculated~~  
17 ~~separately. The total square footage allowed is obtained by adding the allowable sign area for each~~  
18 ~~street frontage.~~

19 ~~—— (d) —— For multiple tenant, multiple story buildings where tenants do not have clearly~~  
20 ~~separate building frontage of their own, the 20 percent of building frontage calculation shall be~~  
21 ~~based upon the portion of the building occupied by the respective business.~~

22 ~~—— (e) —— Where multiple buildings are occupied by the same institutional use, as on the~~  
23 ~~campus of a hospital or educational institution, the permitted business sign area for each building~~

1 shall be calculated as if a separate business, provided that the permitted business sign area is not  
2 transferable from one building to another. REPEALED.

3 **Sec. 4-4-7. Prohibited signs.**

4 The following signs are prohibited City-wide, unless expressly allowed in this chapter:

5 (1) Signs that substantially cover or conceal any architectural feature of a building;

6 (2) Advertising signs that wrap two or more facades of a building or structure;

7 (3) Signs that are illuminated by or otherwise equipped with a strobe or flashing light,  
8 whether internal or external to the sign;

9 (4) Signs that are affixed to, painted on, or otherwise supported by any rock, tree, or  
10 other natural feature;

11 (5) Signs that are affixed to, painted on, or otherwise supported by a fence or screening  
12 wall;

13 (6) Any dynamic sign that is located on or otherwise affixed to a currently registered  
14 motor vehicle; or

15 (7) Signs that produce sound; that cause interference with radio, telephone, television,  
16 or other communication transmissions; that produce or reflect motion pictures,  
17 except where authorized as animated signs; or that emit visible smoke, vapors,  
18 particles, or odors.

19 **Sec. 4-4-8. Restrictions on business signs in specified locations.**

20 ~~— (a) Buildings other than corner buildings, buildings that have double frontage lots, or~~  
21 ~~buildings located on through lots.~~

22 ~~(1) Where the building has front and rear customer entrances, 100 percent of the front~~  
23 ~~street wall area is allowed, plus 25 percent of the rear, or secondary street wall area.~~

1           ~~(2) — Where the building has front and rear customer entrances and rear display windows,~~  
2                     ~~100 percent of the front street wall is allowed, plus 50 percent of the rear, or~~  
3                     ~~secondary street wall area.~~

4           ~~(3) — The additional allowable business sign area shall be used at the rear customer~~  
5                     ~~entrance, but not to enlarge the primary sign.~~

6           ~~—— (b) — *Multiple story buildings.* Business signs placed on the wall of a multiple story~~  
7           ~~building shall be permitted only in the following locations:~~

8           ~~(1) — On the building frieze or on the roof of a building, provided, that the sign is not~~  
9                     ~~otherwise prohibited by section 50-6-52 of this Code and that the height of the~~  
10                    ~~uppermost element of the roof sign does not exceed the applicable height limitation~~  
11                    ~~for the building;~~

12           ~~(2) — On an awning;~~

13           ~~(3) — On a first story wall; and~~

14           ~~(4) — In the area between the first floor and the windowsill of the second story window,~~  
15                     ~~provided, that where a building does not have second story windows, a sign may~~  
16                     ~~be placed within the first four feet of the second story level.~~

17           ~~—— (c) — *Commercial parking lots.*~~

18           ~~(1) — Only one business sign shall be permitted at each point of ingress and egress to a~~  
19                     ~~parking lot to indicate the name of the operator, address of the location, hours of~~  
20                     ~~operation, parking rates, and directions of movement, provided, that the sign shall~~  
21                     ~~not exceed 50 square feet in area and shall not be less than six feet six inches in~~  
22                     ~~height above grade and shall be located entirely on the parking lot property.~~



1           ~~(2) Business signs on commercial parking lots shall comply with Section 32-1-20 of~~  
2           ~~this Code.~~

3           ~~(d) *Parking structures.*~~

4           ~~(1) Except for parking structures within developments that require City Council~~  
5           ~~approval of plans, the maximum total business sign area permitted on parking~~  
6           ~~structures is 200 square feet.~~

7           ~~(2) Signs denoting hours and rates that are required by section 32-1-20 of this Code for~~  
8           ~~parking structures licensed as open parking stations shall not be counted against the~~  
9           ~~total business sign area allowance.~~

10          ~~(3) Directional signs designating entrances and exits of a parking structure shall not be~~  
11          ~~included in the total business sign area allowance.~~

12          ~~(e) *Multiple tenant shopping center having four or more separate businesses.*~~

13          ~~(1) One ground sign is allowed, not to exceed a maximum sign area of 150 square feet.~~

14           ~~Where a development site has a minimum of 200 feet of frontage on each of two~~  
15           ~~major or secondary thoroughfares, as identified in the Detroit Master Plan of~~  
16           ~~Policies, a second freestanding sign shall be permitted with the same size~~  
17           ~~limitations as the first permitted sign, provided, that the distance between the two~~  
18           ~~signs is not less than 300 feet measured along the road frontage.~~

19          ~~(2) Each separate business within a multiple tenant shopping center may display as~~  
20          ~~much as 24 square feet of business wall signage, provided that more than 24 square~~  
21          ~~feet of business wall signage is allowed where the total area of all business signage~~  
22          ~~for the business does not exceed one square foot of area for each one lineal foot of~~  
23          ~~storefront width occupied by each separate business. Where a shopping center has~~

1 exposure along two streets, the allowable sign area for the corner or end unit shall  
2 be calculated separately for each street frontage. The total area of all business wall  
3 signs for the corner or end business shall not exceed one square foot of area for  
4 each one lineal foot of street frontage. In no instance shall the total business signage  
5 for any one business in a multiple tenant shopping center exceed 500 square feet.  
6 Wall signs that are composed of either individual freestanding letters or boxed signs  
7 with frames shall be consistent in shape and height, such as rectangular, triangular,  
8 or circular, with every other such sign permitted on the premises of the shopping  
9 center.

10 ~~(f) Multiple tenant office, business, and industrial buildings.~~

11 ~~(1) Any ground sign shall be designed primarily for identification purposes and shall~~  
12 ~~display only the development name and/or address. The ground sign may display~~  
13 ~~the names of each tenant.~~

14 ~~(2) Where individual tenants have their own front wall surface, the individual business~~  
15 ~~signs shall be wall signs.~~

16 ~~(3) Directory signs, located at common entrances to tenant spaces, shall be included in~~  
17 ~~the calculation of total sign area unless they are six square feet or less and not visible~~  
18 ~~from the front lot line.~~

19 ~~(4) There shall be only one ground sign for each street frontage of the property, not to~~  
20 ~~exceed 100 square feet, or one square foot of sign area for each two linear feet of~~  
21 ~~street frontage of the property, whichever is less. For corner buildings, a second~~  
22 ~~sign containing up to one half of the allowable business sign area of the first is~~  
23 ~~permitted.~~

1           ~~(5) — Each separate business in the complex is entitled at least 24 square feet of business~~  
2           ~~wall signage, provided, that:~~

3           ~~a. — More than 24 square feet of business wall signage is allowed where the total~~  
4           ~~area of all business signage for the business does not exceed one square foot~~  
5           ~~of area for each one lineal foot of building frontage, as defined in section 4-~~  
6           ~~4-2 of this Code, of the portion of the building occupied by each separate~~  
7           ~~business; and~~

8           ~~b. — In no instance shall the total business signage for any one business in a~~  
9           ~~multiple tenant office, business, or industrial building exceed 500 square~~  
10           ~~feet.~~

11           ~~(6) — Business signs that are composed of either individual freestanding letters or boxed~~  
12           ~~signs with frames shall generally be consistent in shape, such as rectangular,~~  
13           ~~triangular, or circular, and height with other such signs permitted on the premises~~  
14           ~~of the complex.~~

15           ~~(g) — *Buildings with two or three businesses and separate ground floor entrances for*~~  
16           ~~*each business.*~~

17           ~~(1) — Each separate business is entitled to display a minimum of 32 square feet of~~  
18           ~~business signage, provided, that more than 32 square feet of business signage may~~  
19           ~~be allowed where the total area of all business signage for the business does not~~  
20           ~~exceed one square foot of area for each one lineal foot of frontage of the portion of~~  
21           ~~the building occupied by each separate business.~~

22           ~~(2) — In no instance shall the total business signage for any business in a building with~~  
23           ~~two or three businesses exceed 500 square feet.~~

1  ~~(h) Buildings with two or three businesses sharing a common entrance, and not having~~  
2  ~~a clearly discernible ground floor frontage.~~

3  ~~(1) A building's maximum sign area shall be computed as if occupied by a single~~  
4  ~~business.~~

5  ~~(2) The maximum total area of all business signs for a building shall be one square foot~~  
6  ~~per each linear foot of the building street frontage, not to exceed a total of 500~~  
7  ~~square feet.~~

8  ~~(3) The total sign area allowed will be allocated among the two or three separate~~  
9  ~~businesses in proportion to the square footage occupied by the separate businesses.~~

10  ~~(4) In all instances each business is entitled to at least 32 square feet of sign area.~~

11 REPEALED

12 **Sec. 4-4-8. Exemptions from chapter requirements.**

13 Notwithstanding the permit for installation required pursuant to Section 8-2-5 of this Code,  
14 the following are not subject to the requirements of this article:

15 (1) Any display that is painted on or otherwise affixed to a currently registered motor  
16 vehicle that is used for transportation purposes in the normal course of operation of  
17 a business or other establishment;

18 (2) Window displays of actual merchandise for sale;

19 (3) Displays that are carried on or by a person;

20 (4) Any notice alerting the public of the presence of an alarm, security, or surveillance  
21 system;

22 (5) Any notice warning against trespassing, soliciting, or other interference with the  
23 property owner's enjoyment of such owner's property;

1           (6) Alerts, announcements, warning, or other notices as may be required by applicable  
2           federal, state or local law for protection of the public peace, health, safety, and  
3           welfare;

4           (7) Building numbers that are not more than 12 inches in height and are displayed in  
5           accordance with Section 43-2-12 of this Code;

6           (8) Public service announcements promoting the protection of the public peace, health,  
7           safety, and welfare;

8           (9) Displays of official governmental, court, or public agency orders or notices;

9           (10) Displays of the flags, emblems, or official insignia of a national, state, or local  
10           political unit or any of its departments or agencies;

11           (11) Art murals;

12           (12) Heritage signs;

13           (13) Architectural and other lighting that is operated in accordance with the lighting  
14           standards set forth in this Code; and

15           (14) Any sign erected by a federal, state, or local governmental agency or authority.

16 **~~Sec. 4-4-9. Elimination of business signs not in compliance with this article required.~~**

17           ~~—— (a) — Existing business signs that were erected without a permit and which, although~~  
18           ~~legally permissible at the time they were erected, become noncompliant due to the provisions of~~  
19           ~~this article, shall be brought into compliance with the provisions of this article within six months~~  
20           ~~of the effective date of the ordinance from which this article is derived, which is August 20, 2003.~~

21           ~~—— (b) — Existing business signs for which a sign permit was issued pursuant to the previous~~  
22           ~~provisions of this Code, and which become noncompliant due to the provisions of this article, shall~~  
23           ~~be brought into compliance within one year of the effective date of the ordinance from which this~~

1 ~~article is derived, which is August 20, 2003, provided, that during the one year period~~  
2 ~~noncompliant signs shall be maintained in good condition and no such sign shall be:~~

3 ~~(1) Structurally changed to another noncompliant sign, although its message may be~~  
4 ~~changed;~~

5 ~~(2) Structurally altered in order to prolong the life of the sign, except to meet safety~~  
6 ~~requirements;~~

7 ~~(3) Altered so as to increase the degree of noncompliance of the sign;~~

8 ~~(4) Enlarged;~~

9 ~~(5) Continued in use where a change of use occurs as defined in Chapter 50 of this~~  
10 ~~Code, *Zoning*;~~

11 ~~(6) Re-established after the activity, business, or use to which it was related has been~~  
12 ~~discontinued for 90 days or longer;~~

13 ~~(7) Re-established after damage or destruction where the estimated cost or~~  
14 ~~reconstruction exceeds 50 percent of the appraised replacement cost; or~~

15 ~~(8) Changed to any extent, including changing the faces when the noncompliant sign~~  
16 ~~is of a type of construction that permits a complete change of face, or any changes~~  
17 ~~made in the colors, words, or symbols used, or in the message displayed on the sign~~  
18 ~~unless the sign is designed for periodic changes of message. REPEALED~~

19 **Sec. 4-4-9. Maintenance required.**

20 All signs must be maintained in good repair and clear of debris. Any sign that is not  
21 maintained in good repair shall be adequately repaired, replaced, or removed, along with its frame  
22 and supporting structure. A sign shall be considered to be not in good repair if the sign is:

23 (1) Weathered or faded;

- 1           (2) Ripped, torn, cut, cracked, tattered, or similarly damaged;
- 2           (3) Defaced or otherwise marked with graffiti;
- 3           (4) Insecurely or inadequately affixed or anchored to the wall, parapet, roof, marquee,  
4           awning, or ground to which it is attached or placed;
- 5           (5) Supported by one or more poles, pylons, bracings, rods, supporting frameworks,  
6           foundations, anchorages, or other supports, that are broken, damaged, or otherwise  
7           unsound or of inadequate capacity;
- 8           (6) Cracked or peeled, if painted; or
- 9           (7) Inoperative, broken, or otherwise damaged, if illuminated, dynamic, mechanical,  
10           or otherwise electrified.

11 **~~Sec. 4-4-10. Painted wall graphics serving as business signs.~~**

12 ~~—— (a) — Painted wall graphics serving as business signs that were in existence prior to the~~  
13 ~~effective date of the ordinance from which this article was derived, which is August 20, 2003, shall~~  
14 ~~not be permitted except as follows:~~

- 15 ~~(1) — The name and address of the owner of the property where the business sign is~~  
16 ~~located and the address of the property have been placed on record with the~~  
17 ~~Buildings, Safety Engineering, and Environmental Department within six months~~  
18 ~~of the effective date of the ordinance from which this article is derived, which is~~  
19 ~~August 20, 2003;~~
- 20 ~~(2) — A sign license is issued for the sign; and~~
- 21 ~~(3) — The total area of painted wall graphics serving as business signs is included in the~~  
22 ~~computation of existing business signs as compared to the maximum business sign~~  
23 ~~area for each business.~~

1 ~~—— (b) — Businesses wishing to use painted wall graphics as business signs on or after the~~  
2 ~~effective date of the ordinance from which this article is derived, which is August 20, 2003, may~~  
3 ~~do so only where the area of the painted wall graphic, along with other business signs, does not~~  
4 ~~exceed the maximum business sign area allowable under section 4-4-7 or section 4-4-8 of this~~  
5 ~~Code, as applicable, and a sign license is obtained for the painted wall graphic. REPEALED.~~

6 **Sec. 4-4-10. Obsolete signs to be removed.**

7 (a) Any sign that constitutes an obsolete sign for at least 30 consecutive days, or any  
8 temporary sign that constitutes an obsolete sign for at least seven consecutive days, may be  
9 presumed by the City to have been abandoned, and shall, along with its framework and supporting  
10 structure, be removed by the owner of the premises on which the sign is located, or its agent, upon  
11 issuance by the Department of a correction notice to remove such sign. The presumption of  
12 abandonment may be overcome upon showing that the sign does not in fact constitute an obsolete  
13 sign and proof that the owner of the premises does not intend for the sign to constitute an obsolete  
14 sign.

15 (b) An obsolete painted sign may be considered to be removed if it is removed so as to  
16 expose the underlying unpainted surface or is completely painted over.

17 **~~Sec. 4-4-11. Exemptions from business sign area restriction under this article.~~**

18 ~~—— The following are exempt from the regulation of this article:~~

19 ~~(1) — Signs indicating "welcome," "open," "closed," and "hours of operation", provided,~~  
20 ~~that they are not displayed as part of an advertising sign or a business sign;~~

21 ~~(2) — Building numbers as required by section 43-2-12 of this Code, provided, that they~~  
22 ~~are no more than ten inches in height;~~



1           ~~(3) Actual size menus displayed to be visible to passers by that are posted at the~~  
2           ~~entrance of restaurants for passers by to read; and~~

3           ~~(4) Anything that is not a sign, as defined in section 4-4-2 of this Code, including:~~

4           ~~a. Displays of official court or public agency notices;~~

5           ~~b. The flag, emblem, or insignia of a nation, political unit, school, or religious~~  
6           ~~group;~~

7           ~~c. Non illuminated, non-commercial, art murals; and~~

8           ~~d. Window displays of actual merchandise, such as pyramids of food cans in~~  
9           ~~a grocery store window or fashions on a mannequin which are located~~  
10           ~~within three feet of the interior of a window or door and are visible from the~~  
11           ~~exterior of the building. REPEALED.~~

12    **Sec. 4-4-11. Signs on vacant buildings to be removed.**

13    ~~(a) Any sign, along with its frame and supporting structure, located on a premises that~~  
14    ~~contains a building or structure that constitutes a vacant building, as defined in Section 8-15-9 of~~  
15    ~~this Code, shall be removed by the owner of the premises on which the sign is located, or its agent,~~  
16    ~~within 30 days upon issuance by the Department of a correction notice to remove such sign.~~  
17    ~~Enforcement of this section shall be in accordance with the authority granted under Section 8-15-~~  
18    ~~45 of this Code.~~

19    ~~(b) The Department shall issue a blight violation under any of the following~~  
20    ~~circumstances:~~

21    ~~(1) If the owner fails to cure the violation within the applicable cure period after service~~  
22    ~~of a correction notice; or~~

23    ~~(2) When the owner disputes a violation identified on a correction notice; and~~

1           (3) When, in the Department’s exercise of judgment and discretion pursuant to rules  
2                     adopted by the Department, the violation is of such a nature as to be substantially  
3                     serious, chronic, or willful.

4           (c) To the extent that a building, structure, or tenant space within a building or structure  
5 that is unoccupied, secured, legally permitted, and actively being marketed for occupancy does not  
6 constitute a vacant building and is not subject to Subsection (a) of this section.

7 ~~Secs. 4-4-12 -- 4-4-40. Reserved.~~ REPEALED.

8 **Sec. 4-4-12. Unused sign supports to be removed.**

9           (a) All poles, pylons, bracing, rods, supporting frameworks, foundations, anchorages,  
10 or other supports, including all associated electrical wiring, that does not actually support a legal  
11 sign face, shall be removed by the owner of the premises, or its agent, within 30 days of issuance  
12 by the Department of a correction notice to remove such supports.

13           (b) The Department shall issue a blight violation under the following circumstances:

14           (1) If the owner fails to cure the violation within the applicable cure period after service  
15 of a correction notice; or

16           (2) When the owner disputes a violation identified on a correction notice; and

17           (3) When, in the Department’s exercise of judgment and discretion pursuant to rules  
18 adopted by the Department, the violation is of such a nature as to be substantially  
19 serious, chronic, or willful.

20 **Sec. 4-4-13. Right of entry by City to abate nuisance; obstruction of City officers and agents**  
21 **prohibited.**

22           (a) If the owner has not cured the violations within the cure period stated in a correction  
23 notice, then, in addition to powers granted elsewhere in this Code, including but not limited to

1 Sections 8-15-40 and 8-15-42, the City may, through its authorized employees, agents, or  
2 contracted parties, enter upon the premises and abate the nuisance by means determined by the  
3 City, unless the owner or operator has disputed the correction notice.

4 (1) A recipient of a correction notice may dispute such notice by contacting the  
5 Department in the manner specified in the correction notice, which shall be  
6 established by rule adopted by the Department. If notice of a dispute is allowed by  
7 telephone, the department shall establish a method to verify and track receipt of  
8 telephoned dispute notices.

9 (2) If a correction notice is disputed, the City's right of entry under this section shall  
10 be suspended until a blight violation proceeding has determined that a blight  
11 violation exists or a court has determined that a violation exists.

12 (3) If the recipient of the correction notice does not dispute it within the cure period,  
13 the opportunity to object to the City's entry to cure the violation and abate the  
14 nuisance is deemed waived.

15 (b) Upon a blight violation determination that the owner is responsible for a blight  
16 violation, the City, through its authorized employees, agents, or contracted parties, may enter upon  
17 the premises and abate the nuisance by means determined by the City.

18 (c) The authorized officers and agents of the City shall be granted free access to and  
19 from the property for the work necessary to accomplish the abatement of any violation of this  
20 article found to exist. No person shall obstruct or prevent such work.

21 **Sec. 4-4-14. Costs of abatement; collection of costs for city abatement of public nuisances.**

22 The full cost of abatement actions taken or caused to be taken pursuant to this article shall  
23 be paid by the owner. The City's costs, including administrative fees, labor, and materials, to

1 secure compliance with a blight violation order or to abate a public nuisance under this article may  
2 be included in a blight violation determination. In accordance with Section 8-15-12 of this Code,  
3 the City may use all available remedies to secure compliance and payment, except where limited  
4 or prohibited by law.

5 **Sec. 4-4-15. Signs subject to additional governmental jurisdiction; submission of approvals**  
6 **as part of sign application**

7 \_\_\_\_\_ If, in addition to the jurisdiction of the Department, a sign is subject to the jurisdiction of  
8 any other federal, state, or local governmental agency or authority, the applicant for erection of the  
9 sign shall, as part of the application, provide copies of all other governmental approvals that may  
10 be required. If such other approvals are subject to any conditions of approval, or other standards,  
11 then such standards shall be incorporated by reference into the permit. Those standards that are  
12 comparable and more restrictive than the standards set forth in this chapter shall supersede and  
13 shall be considered controlling under the permit. No standards imposed by other governmental  
14 agencies that are less restrictive than the standards set forth in this chapter may relieve any  
15 obligation to adhere to the standards set forth herein. Other governmental agencies with  
16 jurisdiction over signs include, without limitation:

17 (1) Signs located within a historic district as identified in Chapter 21, of this Code,  
18 History, are subject to approval by the Historic District Commission and subject to  
19 its existing procedures as set forth therein.

20 (2) Signs located in any freeway-adjacent area adjacent to a freeway within the  
21 jurisdiction of the State of Michigan are subject to approval by the Michigan  
22 Department of Transportation.

1           (3) Signs located within a City-controlled public right-of-way are subject to approval  
2                           by the City's Department of Public Works.

3 **Sec. 4-4-16. Signs located near freeways; Department of Public Works approval required.**

4           (a) Approval by the Department of Public Works Traffic Engineering Division shall  
5 be required for the following:

6           (1) Any sign that is located within 125 feet of the edge of the traveled roadway of any  
7                           freeway, or interchange ramps between freeways, used by traffic facing the display  
8                           side of such sign or structure; and

9           (2) Any that is located sign within 25 feet of the right-of-way line of any freeway and  
10                           is oriented toward and is visible from vehicles traveling on the freeway or  
11                           interchange ramp.

12           (b) For each such sign, the Department of Public Works Traffic Engineering Division  
13 shall not approve the sign if it determines that the sign would create a visual distraction or other  
14 hazard to vehicular traffic traveling on the freeway or interchange ramp.

15 **Sec. 4-4-17. Sign erection or alteration to require new permit, length of license.**

16           (a) It shall be unlawful to post, construct, erect, or otherwise display a sign without  
17 having first been issued a permit for such sign.

18           (b) It shall be unlawful to perform any sign alteration without having first been issued  
19 a permit for such sign. Any sign alteration of an existing permitted sign shall require a new permit.

20           (c) The term of any such license shall not exceed two years. The Department may  
21 require that a sign shall be subject to inspection as a precondition to issuance of any such license.

22           (d) A permit or license may be applied for under this section by submission of a form  
23 acceptable to the Department.

1           (e) In accordance with Section 6-503(13) of the Charter, the Department shall establish  
2 a fee, subject to approval by the City Council by adoption of a resolution, and collect such fee  
3 based upon the cost of issuance and administration of considering applications for permits. A fee  
4 shall be charged for each sign for which an application for permit is requested. Such fee shall be  
5 non-refundable. After adoption of a resolution by the City Council and approval of the resolution  
6 by the Mayor, the fees that are provided for in this subsection shall be:

7           (1) Published in a daily newspaper of general circulation and in the Journal of the City  
8           Council;

9           (2) Made available at the Department and at the Office of the City Clerk; and

10          (3) Reviewed by the Director of the Department at least once every two years.

11          (e) Notwithstanding Subsections (a) through (d) of this section, the following signs, if  
12 in compliance with applicable dimensional and operations standards of this article, are not subject  
13 to the requirements of this section:

14          (1) Portable temporary signs that are erected and displayed in accordance with Section  
15          4-4-183(a)(3) of this Code.

16          **Sec. 4-4-18. Relation to other regulations.**

17          In the event that the regulations set forth in this chapter are in conflict with, or otherwise  
18 differ from, comparable regulations set forth in any other chapter of this Code, the provisions of  
19 this chapter shall control, with the exception of regulations set forth in Chapter 50 of this Code,  
20 Zoning, pertaining to signs located in a Planned Development District or in a Traditional Main  
21 Street Overlays, in which case the more restrictive provision shall control.

1 **Sec. 4-4-19. Amortization.**

2 Any sign for which a permit, grant, or other approval has been issued under the authority  
3 of Chapter 50 of this Code, Zoning, that is in compliance with all terms and conditions of such  
4 approval, and that is a nonconforming use, as defined in Section 50-16-322 of this Code, shall not  
5 be subject to this chapter until January 1, 2030. Upon such date, each such sign shall be subject  
6 to this chapter, notwithstanding any permit, grant, or other approval that has been issued under the  
7 authority of Chapter 50 of this Code, Zoning, or any provision allowing the persistence of any  
8 nonconforming use set forth in this Code.

9 **Sec. 4-4-20. Waivers and adjustments to sign standards.**

10 (a) Any dimensional or operational standard or requirement set forth in this article may  
11 be subject to waiver or adjustment in accordance with the provisions of this section, except as  
12 expressly limited or prohibited. The Director of the Planning and Development Department, or  
13 the Director's Designee, is authorized to serve as the administrator for waivers and adjustments.

14 (b) In accordance with Section 2-111 of the Charter, the Director of the Planning and  
15 Development Department, or the Director's Designee, is authorized to promulgate rules for the  
16 administration of waivers and adjustments under this section.

17 (c) The owner of any premises may, upon petition to the Director of the Planning and  
18 Development Department, or the Director's Designee, request the waiver or adjustment of any  
19 dimensional or operational standard or requirement set forth in this article, except as expressly  
20 limited or prohibited, with which the proposed signage for such premises may not strictly comply.  
21 Such petition shall consist of a completed application in a form acceptable to the Director of the  
22 Planning and Development Department, or the Director's Designee, a comprehensive sign plan

1 satisfying the requirements of Section 4-4-22 of this Code, and an application fee. Every petition  
2 shall be subject to a public hearing in accordance with the procedures and standards of this section.

3 (d) The Director of the Planning and Development Department, or the Director's  
4 Designee, shall charge a fee for the processing of any petition for waiver and adjustment under  
5 this Section. In accordance with Section 9-507 of the Charter, the Director of the Planning and  
6 Development Department, or the Director's Designee, shall establish a fee, subject to approval by  
7 the City Council by adoption of a resolution, and collect such fee based upon the cost of issuance  
8 and administration of considering petitions for waivers and adjustments. A non-refundable fee  
9 shall be charged for each premises for which a petition for waiver or adjustment of certain  
10 standards is requested, regardless of the number of specific standards or requirements for which a  
11 waiver or adjustment may be requested. After adoption of a resolution by the City Council and  
12 approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:

13 (1) Published in a daily newspaper of general circulation and in the Journal of the City  
14 Council;

15 (2) Made available at the Planning and Development Department and at the Office of  
16 the City Clerk; and

17 (3) Reviewed by the Director of the Planning and Development Department at least  
18 once every two years.

19 (e) Not more than five business days following the date of the submission of a petition,  
20 the Director of the Planning and Development Department, or the Director's Designee, shall  
21 evaluate the petition, determine if it is complete or deficient, and inform the petitioner as to its  
22 status. If the petition is incomplete or otherwise deficient in any way, the Director of the Planning  
23 and Development Department, or the Director's Designee, shall inform the petitioner of such



1 deficiency and allow the petitioner to correct the deficiency within a specified period of time not  
2 to exceed 30 days. The Director of the Planning and Development Department, or the Director's  
3 Designee, shall dismiss any deficient petition that is not timely corrected. If the petition is  
4 complete and not deficient in any way, the Director of the Planning and Development Department,  
5 or the Director's Designee, shall assign a unique case number to the petition, and inform the  
6 petitioner of such case number and the date of the public hearing regarding the petition. The  
7 Director of the Planning and Development Department, or the Director's Designee, shall schedule  
8 each petition for the next available public hearing date, unless a later date is requested in writing  
9 by the petitioner, and shall schedule petitions for public hearing in the order in which they are  
10 deemed to be complete.

11 (f) Not less than 15 calendar days prior to the date of the public hearing for a petition,  
12 the Director of the Planning and Development Department, or the Director's Designee, shall issue  
13 public advisement of such hearing containing the following:

14 (1) Name of the petitioner;

15 (2) Address of the subject premises;

16 (3) Summary of the proposed signage at the subject premises for which a waiver or  
17 adjustment is sought, including a general description of the construction, area,  
18 height, and illumination of each such proposed sign;

19 (4) Citation to the specific provisions of this article for which a waiver or adjustment  
20 is petitioned and the strict standards and requirements set forth in such provisions  
21 as applicable to the proposed signage;

22 (5) Summary of the extent to which each proposed sign does not comply with the strict  
23 standards and requirements set forth in this article;

1           (6) The criteria by which a waiver or adjustment may be approved, as set forth in  
2                           Subsection (j) of this section;

3           (7) The date, time, and location of the public hearing for the petition; and

4           (8) Advisement of the opportunity to attend the public hearing and to submit written  
5                           comment regarding the petition, the name and contact information to which such  
6                           comments can be submitted, and the date by which such comments must be  
7                           received, including the location, mailing address, and email address to which such  
8                           comments can be submitted.

9           (g) The Director of the Planning and Development Department, or the Director's  
10           Designee, shall distribute any advisement required pursuant to Subsection (f) of this section by  
11           each of the following means:

12           (1) Publication in a newspaper of general circulation within the City;

13           (2) Publication on a page of the City's website associated with the Planning and  
14                           Development Department for a period to conclude no sooner than the date of the  
15                           public hearing;

16           (3) Mail or by personal service with proof of delivery to the owners and occupants of  
17                           all buildings or structures of which any portion is located within 300 feet, measured  
18                           radially, of the premises that is the subject of the petition. If a single building or  
19                           structure within that area contains four or more dwelling units or tenant spaces, then  
20                           notice may be sent to the owner of the building or structure with a request that such  
21                           notice be distributed to all occupants;

22           (4) Mail, email, or personal service to the Buildings, Safety Engineering, and  
23                           Environmental Department, the Department of Public Works, the City Planning

1 Commission, and any other City department or agency that has made such request;  
2 and

3 (5) Causing the applicant to erect a posting at the premises that is the subject of the  
4 petition, at a location along the frontage of such premises, in a manner that is clearly  
5 visible from the adjacent street and in a form that is acceptable to the Director of  
6 the Planning and Development Department, or the Director's Designee, for a period  
7 to conclude no sooner than the date of the public hearing.

8 (h) The Director of the Planning and Development Department, or the Director's  
9 Designee, shall accept any written comment, document, report, and other written information that  
10 pertains to the petition and is timely submitted to the Director of the Planning and Development  
11 Department, or the Director's Designee, prior to the conclusion of the public hearing from the City  
12 Planning Commission, any other City department or agency, or any other source, and shall make  
13 all timely submitted writings a part of the record regarding the petition.

14 (i) The Director of the Planning and Development Department, or the Director's  
15 Designee, shall conduct each public hearing regarding a petition for a waiver or adjustment at a  
16 public meeting in accordance with the Michigan Open Meetings Act, 1976 PA 267, being MCL  
17 15.261, et seq., as amended, as well as with its general rules and procedures.

18 (j) The Director of the Planning and Development Department, or the Director's  
19 Designee, may approve a petition for a waiver or adjustment only upon finding that such waiver  
20 or adjustment satisfies all of the following:

21 (1) That, without the requested waiver or adjustment, the sign would be subject to one  
22 or more practical difficulties that would substantially hinder the communicative  
23 potential of the sign;

1       (2) That the requested waiver or adjustment would effectively eliminate all practical  
2           difficulties referenced in Subsection (j)(1) of this section;

3       (3) That the requested waiver or adjustment is necessary to address all practical  
4           difficulties referenced in Subsection (j)(1) of this section, as no form of alternative  
5           signage in accordance with this chapter could effectively eliminate all such  
6           practical difficulties;

7       (4) That the requested waiver or adjustment will not have a detrimental effect on the  
8           privacy, light, or air of the premises or neighboring premises;

9       (5) That the requested waiver or adjustment will not substantially affect the use or  
10           development of the subject premises or neighboring premises;

11       (6) That the requested waiver or adjustment will not substantially impair, detract from,  
12           or otherwise affect the aesthetic value of the subject premises or neighboring  
13           premises;

14       (7) That the requested adjustment will not in any way increase the potential for  
15           distraction to, obstruct the flow of, or otherwise harm pedestrians or motor vehicles  
16           passing within view of the sign; and

17       (8) The comprehensive sign plan for the subject premises, submitted as part of the  
18           application for the waiver or adjustment, is in general accord with the spirit and  
19           intent of the regulations set forth in this chapter.

20   The Director of the Planning and Development Department, or the Director's Designee, may  
21   approve a petition with conditions if it determines that satisfaction of such conditions are necessary  
22   to enable it to make all of the above-listed findings. All such conditions must be reasonably related

1 to the scope of the petition and in proportion to the magnitude of the requested waiver or  
2 adjustment.

3 (k) Not more than 15 business days following the public hearing for a petition, the  
4 Director of the Planning and Development Department, or the Director's Designee, shall issue its  
5 written decision regarding such petition. Such written decision constitutes the final administrative  
6 decision of the Director of the Planning and Development Department, or the Director's Designee,  
7 on behalf of the Planning and Development Department regarding the petition. Each such written  
8 decision shall contain the following:

9 (1) All required contents of the public notice for the petition, as set forth in Subsection  
10 (f) of this section, except for the contents required under paragraph (f)(8).

11 (2) Summary of the record of the public hearing, including summaries of the testimony,  
12 written materials, and other information provided by the petitioner, summaries of  
13 the public comments, whether submitted in writing or in person, and other  
14 information pertinent to the administrative decision regarding the petition.

15 (3) The decision of the Director of the Planning and Development Department, or the  
16 Director's Designee, to approve, approve with conditions, or deny the petition.

17 (4) For any petition that is approved with conditions, all such conditions.

18 (5) Explanation of the basis for approval, approval with conditions, or denial, including  
19 discussion of the petition's satisfaction or failure to satisfy each of the specific  
20 findings listed in Subsection (j) of this section.

21 (6) For any petition that is approved with conditions or denied, notice of the  
22 opportunity to appeal the decision of the Director of the Planning and Development  
23 Department, or the Director's Designee, as authorized by Section 4-4-21 of this

1 Code, and the deadline by which such appeal must be made, as well as a certificate  
2 of the right to appeal in a form acceptable to the Department of Appeals and  
3 Hearings.

4 (l) Upon issuance of its decision regarding a petition, the Director of the Planning and  
5 Development Department, or the Director's Designee, shall distribute such decision to each of the  
6 following:

7 (1) By mail, email, or personal service with proof of delivery to the petitioner.

8 (2) By publication on a page of the website of the City associated with the Planning  
9 and Development Department.

10 (3) By any other means that the Director of the Planning and Development Department,  
11 or the Director's Designee, may determine to be feasible and effective.

12 (m) The Director of the Planning and Development Department, or the Director's  
13 Designee, shall cause a record of each petition to be kept in accordance with its general rules and  
14 procedures that shall include:

15 (1) The petition;

16 (2) Any public advisements issued regarding the public hearing for the petition;

17 (3) Any written comment, document, report, and other written information that is  
18 timely submitted prior to the public hearing regarding the petition;

19 (4) A transcript or other written or audio recording of the public hearing;

20 (5) The written decision of the Director of the Planning and Development Department,  
21 or the Director's Designee, regarding the appeal; and

1           (6) Any documents, materials, and other information regarding the petition that may  
2           have informed the decision of the Director of the Planning and Development  
3           Department, or the Director’s Designee, regarding the petition.

4           (n) The specific terms and conditions of any waiver or adjustment granted under this  
5           section shall be incorporated into the terms and conditions of the permit for the sign. Such waiver  
6           or adjustment shall be valid only as applied to the permitted sign, and shall be subject to  
7           suspension, revocation, or denial of renewal under the same circumstances as the permit itself.

8           (o) Not later than January 31<sup>st</sup> of each year, the Director of the Planning and  
9           Development Department, or the Director’s Designee, shall prepare and present to the City Council  
10          a report of the petitions submitted during the prior year. Each such report must identify the number  
11          of petitions submitted, the number of petitions that were approved, approved with conditions, and  
12          denied, and the locations of the premises for which petitions were submitted, summarize the  
13          provisions of this article for which waivers or adjustments were requested, and make  
14          recommendations for amendment of this Article, as well as provide any other information that may  
15          reasonably be requested by the City Council.

16          (p) Nothing in this section shall grant any individual a right to receive advisement of a  
17          petition for waiver or adjustment, to submit a comment regarding such petition, or to have any  
18          such comment admitted in the record for such petition. The failure or refusal of the Planning and  
19          Development Department to issue any advisement in any particular form, collect any comment,  
20          admit any comment in the record of an appeal, or take other action in strict accordance with  
21          Subsections (f) through (h) of this section shall not constitute deprivation of any right or duty  
22          owed.

1 **Sec. 4-4-21. Appeals of administrative decisions under this chapter.**

2 (a) In accordance with Chapter 3, of this Code, *Administrative Hearings and*  
3 *Enforcement, and Administrative Appeals*, Division IV, *Administrative Appeals*, as well as the  
4 rules of procedure promulgated thereunder, any appeal of an administrative decision made  
5 pursuant to Section 4-4-20 of this Code shall be made to the Department of Appeals and Hearings.

6 (b) Only the individual or entity that is subject to an administrative decision made  
7 pursuant to Section 4-4-20 of this Code has the right to appeal such administrative decision. Such  
8 individual or entity may, by a writing in a form satisfactory to the Department of Appeals and  
9 Hearings, appoint an agent to serve as its authorized representative at its appeal.

10 **Sec. 4-4-22. Comprehensive sign plans.**

11 In any circumstance in which a comprehensive sign plan for a particular premises is to be  
12 submitted to the Department, such plan shall contain all of the following elements:

13 (1) The name, address, telephone number, and email of the applicant;

14 (2) The name and address of the owner of the premises, if different from the petitioner;

15 (3) The address and parcel number of the premises;

16 (4) A site plan to scale showing the existing conditions of the premises, including:

17 a. North arrow, legend, if applicable, with graphic and written scale;

18 b. Location map, showing the location of the premises;

19 c. Locations and names of all public rights-of-way, private roads, and  
20 railroads, as well as all existing pedestrian pathways and driveways,  
21 whether adjacent or interior to the premises;

22 d. Locations and outer perimeter dimensions of all existing buildings and other  
23 structures on the premises;



- 1           e. Locations of all existing signs; and
- 2           f. Locations of all proposed signs;
- 3       (5) The elevations of all buildings and other structures, including signs, on the  
4       premises, including:
- 5           a. Identification of the location and general orientation of the elevation;
- 6           b. A general depiction of the façade of each existing building and any other  
7           structure;
- 8           c. A general depiction of all existing signs, including applicable dimensions  
9           of height, clearance, and area;
- 10          d. A general design concept for all proposed signs, including applicable  
11          dimensions of height, clearance, and area; and
- 12          e. Identification of the length in linear feet of the elevations of each building  
13          or structure.
- 14       (6) A summary of all existing and proposed signs, including for each such sign:
- 15           a. A description of the location of the sign, corresponding to the site plan  
16           identified in Subsection (4) of this section, including the setback from the  
17           closest right-of-way;
- 18           b. The operation of the sign for advertising or business signage purposes;
- 19           c. An indication of whether the sign is a new sign or an alteration of an existing  
20           sign;
- 21           d. The height, clearance, and area of the sign;
- 22           e. The type of construction of the sign;

- 1           f. The illumination of the sign, if any, including whether the illumination is
- 2                   internal or external and the type of illumination technology utilized;
- 3           g. The dynamic operation of the sign, if any; and
- 4           h. All applicable sign specifications and calculations.

5 The Department may approve any comprehensive sign plan that contains all of the elements listed  
6 in Subsections (1) through (6) of this section and either complies with all applicable requirements  
7 and standards of this article or, if prepared for purposes of a petition for waiver of adjustment under  
8 Section 4-4-20 of this Code, clearly depicts all non-compliant signage for which a waiver of  
9 adjustment is requested.

10 **Sec. 4-4-23. Sign guidebook.**

11 Not later than the effective date of this ordinance, the Department shall prepare a sign  
12 guidebook containing pictures, graphics, workflows, sample applications and forms, and other  
13 information that may be convenient for the understanding, implementation, and enforcement of  
14 this ordinance. The Department may revise the guidebook as necessary. The Department may  
15 consult with the Planning and Development Department, the City Planning Commission, the Law  
16 Department, and any other City department for the purpose of creating the sign guidebook or any  
17 revision thereto. The Department shall make the current version of the Sign Guidebook available  
18 for public inspection, both through the City’s website and at its principal offices without charge.

19 **Secs. 4-4-24—4-4-30. Reserved.**

1 **DIVISION 2. GENERAL SIGN STANDARDS**

2 **Sec. 4-4-31. In General.**

3 (a) This division sets forth standards for individual signs, including permissible  
4 location, number, area, height, projection, clearance, illumination, and dynamic operation, based  
5 on the type of construction, material, placement, and technological capability of the sign.

6 (b) Any sign may be subject to additional regulations set forth elsewhere in this article  
7 based on its intended use as a business sign, advertising sign, or temporary sign, its location on a  
8 premises or in a right-of-way, or other applicable parameters.

9 **Sec. 4-4-32. Arcade signs.**

10 (a) *Permissibility.* Arcade signs are permissible only in high-density residential/mixed  
11 use sign districts, low-density commercial/institutional sign districts, and high-density  
12 commercial/industrial sign districts.

13 (b) *Number.* Not more than one arcade sign is permissible at each point of ingress into  
14 or egress from a building or structure.

15 (c) *Area.* In high-density residential/mixed use sign districts, the area of any arcade  
16 sign must not exceed four square feet. In low-density commercial/institutional sign districts and  
17 high-density commercial/industrial sign districts, the area of any arcade sign must not exceed six  
18 square feet.

19 (d) *Clearance.* The clearance of any arcade sign must be not less than eight feet, six  
20 inches and such clearance must be unobstructed so as to allow the safe and efficient flow of  
21 pedestrian and vehicular traffic below the sign.

22 (e) *Illumination.* Any arcade sign may be illuminated, either internally or externally.

23 (e) *Dynamic operation.* No arcade sign may be dynamic.

1 **Sec. 4-4-33. Awning signs.**

2 (a) *Permissibility.* Awning signs are permissible only in high-density  
3 residential/mixed use sign districts, low-density commercial/institutional sign districts, high-  
4 density commercial/industrial sign districts, and recreation/open space sign districts.

5 (b) *Number.* Not more than one awning sign is permissible for any awning.

6 (c) *Area.* In high-density residential/mixed use sign districts and recreation/open space  
7 sign districts, the area of an awning sign must not exceed 40% of the area of the awning to which  
8 it is affixed. In low-density commercial/institutional sign districts and high-density  
9 commercial/industrial sign districts, the area of any awning sign must not exceed 60% of the area  
10 of the awning to which it is affixed.

11 (d) *Height.* The height of any awning sign must not exceed the height of the awning  
12 to which it is affixed.

13 (e) *Clearance.* The clearance of any awning sign must be not less than the clearance  
14 of the awning to which it is affixed.

15 (f) *Illumination.* Any awning sign may be illuminated, either internally or externally.

16 (g) *Dynamic operation.* No awning sign may be dynamic.

17 **Sec. 4-4-34. Double-face signs.**

18 (a) *Permissibility.* Double-face signs are permissible wherever a sign is permitted  
19 under this chapter.

20 (b) *Dimensional and operational parameters.* For all dimensional and operational  
21 parameters, including but not limited to number, area, height, clearance, illumination, and dynamic  
22 operation, each face of any double-face sign is subject to the standards set forth in this article that  
23 would apply as if the sign has only one face.

1 (c) Number. A double-face sign, including both sign faces, counts as one sign.

2 (d) Area. The area of a double-face sign is determined based on the area of the larger  
3 of the two faces of the sign.

4 (e) Height. The height of a double-face sign is determined based on the height of the  
5 higher of the two faces of the sign.

6 (f) Clearance. The clearance of a double-face sign is determined based on the  
7 clearance of the lower of the two faces of the sign.

8 (g) Illumination. A double-face sign is considered illuminated if either face of the sign  
9 is illuminated. A double-face sign is considered internally illuminated if either face of the sign is  
10 internally illuminated.

11 (h) Dynamic operation. A double-face sign is considered dynamic if either face of the  
12 sign is dynamic. A double-face sign is considered animated if either face of the sign is animated.

13 **Sec. 4-4-35. Dynamic signs.**

14 (a) Permissibility.

15 (1) Dynamic signs are permissible only in low-density commercial/institutional sign  
16 districts and high-density commercial/industrial sign districts. Dynamic signs may  
17 be animated only in the Central Business District.

18 (2) Dynamic business signs are subject to the additional regulations found in Section  
19 4-4-66 of this Code.

20 (b) Number. Not more than one dynamic sign is permissible per premises, with the  
21 following exceptions:

22 (1) On any premises containing a multi-tenant building or structure that does not  
23 contain any residential dwelling units, not more than one dynamic sign is  
24 permissible for each ground floor tenant space.

1           (2) On any multi-building campus, the total number of dynamic signs must be not more  
2           than the total number of buildings on the campus.

3           (3) On any premises for which a comprehensive sign plan has been submitted to and  
4           approved by the Department as part of a petition under Section 4-4-22 of this Code,  
5           dynamic signs are permissible in such number as is depicted in the approved plan.

6           (c) *Illumination.* Any dynamic sign may be illuminated, subject to the limits for  
7           illuminated signs set forth in Section 4-4-36 of this Code.

8           (d) *Computer Interface.* If a dynamic sign is operated by means of digital computer  
9           controls and associated software, the records of such controls, including records of the sign's  
10           illumination intensity, change cycle, display of animation, and hours of operation, must be  
11           available for inspection upon request by the Department. If such records are not made available  
12           within two business days following such request, the sign shall cease operation until such records  
13           are provided.

14           (e) *Hours of Operation.* Any dynamic sign that is located outside of the Central  
15           Business District must discontinue all dynamic operations between the hours of 2:00 am and 6:00  
16           am. During these hours, such signs may operate as static, internally illuminated signs.

17           (f) *No Undue Distraction.* Dynamic signs must not interfere with, obstruct, or  
18           otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause  
19           undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

20           **Sec. 4-4-36. Illuminated signs.**

21           (a) *Permissibility.* Illuminated signs are permissible in all sign districts. Illuminated  
22           signs in low-density residential sign districts may be externally illuminated only.

1 (b) *Luminance.* The luminance of any illuminated sign is subject to the following  
2 limits:

3 (1) For any illuminated sign located in a low-density residential sign district or a  
4 recreation/open space sign district, luminance must not exceed 2,500 nits during  
5 the hours between each sunrise and the subsequent sunset, and must not exceed 20  
6 nits during the hours between each sunset and the subsequent sunrise.

7 (2) For any illuminated sign located in a high-density residential/mixed use sign  
8 district, luminance must not exceed 3,500 nits during the hours between each  
9 sunrise and the subsequent sunset, and must not exceed 40 nits during the hours  
10 between each sunset and the subsequent sunrise.

11 (3) For any illuminated sign located in a low-density commercial/institutional sign  
12 district or a high-density commercial/industrial sign district, luminance must not  
13 exceed 3,500 nits during the hours between each sunrise and the subsequent sunset,  
14 and must not exceed 80 nits if outside the Central Business District or 160 nits if  
15 inside the Central Business District during the hours between each sunset and the  
16 subsequent sunrise.

17 (c) *Orientation.*

18 (1) Any internally illuminated sign that is within 150 feet of and visible from one or  
19 more residential dwelling units in a low-density residential sign district, a high-  
20 density residential/mixed use sign district, or a recreation/open space sign district  
21 must be oriented to direct light away from all such units.

22 (2) Any externally illuminated sign may be illuminated only by one or more steady,  
23 stationary, fully shielded light sources that are oriented solely toward the sign face.

1 (d) *No Undue Distraction.* Illuminated signs must not interfere with, obstruct, or  
2 otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause  
3 undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

4 **Sec. 4-4-37. Marquee signs.**

5 (a) *Permissibility.* Marquee signs are permissible only in low-density  
6 commercial/institutional sign districts and high-density commercial/industrial sign districts.

7 (b) *Number.* Not more than one marquee sign is permissible on any single façade of  
8 a marquee.

9 (c) *Area.* The area of any marquee sign must not exceed the area of the façade of the  
10 marquee to which the sign is affixed.

11 (d) *Height.* The height of any marquee sign must not exceed the sum of the height of  
12 the marquee to which it is affixed plus one-half of the vertical dimension of the marquee façade.

13 (e) *Clearance.* The clearance of any awning sign must be not less than the clearance  
14 of the marquee to which it is affixed.

15 (f) *Projection.* No marquee sign may project out from any façade of a marquee.

16 (g) *Illumination.* Any marquee sign may be illuminated, either externally or internally.

17 (h) *Dynamic operation.* In any low-density commercial/institutional sign district or  
18 high-density commercial/industrial sign district outside the Central Business District, any marquee  
19 sign may be dynamic, but not animated. In the Central Business District, any marquee sign may  
20 be animated.

21



1 **Sec. 4-4-38. Mechanical signs.**

2 (a) Permissibility. Mechanical signs are permissible only in low-density  
3 commercial/institutional sign districts and high-density commercial/industrial sign districts, and  
4 therein such districts only as temporary signs subject to Division 7 of this Article.

5 (b) Number. Not more than one mechanical sign is permissible on any premises at any  
6 given time.

7 (c) Area. The area of any mechanical sign must not exceed 12 square feet.

8 (d) Height. The height of any mechanical sign must not exceed 10 feet.

9 (e) Clearance. The clearance of any mechanical sign must be not less than two feet.

10 (f) Illumination. No mechanical sign may be illuminated, either internally or  
11 externally.

12 (g) Dynamic operation. No mechanical sign may be dynamic.

13 **Sec. 4-4-39. Monument signs.**

14 (a) Permissibility. Monument signs are permissible only in high-density  
15 residential/mixed use sign districts, low density commercial/institutional sign districts, high  
16 density commercial/industrial sign districts, and recreation/open space sign districts.

17 (b) Number. Not more than one monument sign is permissible on any premises, with  
18 the following exceptions that apply only to a low-density commercial/institutional sign district or  
19 high-density commercial/industrial sign district:

20 (1) On any premises for which the premises frontage exceeds 200 linear feet, not more  
21 than one monument sign is permitted for each 200 feet of premises frontage,  
22 provided that no two monument signs on the same premises may be located within  
23 200 feet of each other.

1           (2) On any premises for which a comprehensive sign plan has been submitted to and  
2           approved by the Department as part of a petition under Section 4-4-22 of this Code,  
3           monument signs are permissible in such number as is depicted in the approved plan.

4           (c) Area. In any high-density residential/mixed use sign district or recreation/open  
5           space sign district, the area of each face of a monument sign must not exceed 12 square feet. In  
6           any low-density commercial/institutional sign district or high-density commercial/industrial sign  
7           district, the area of each face of a monument must not exceed 20 square feet, except that for any  
8           multi-tenant shopping center located in a portion of a low-density commercial/institutional sign  
9           district designated in the Master Plan of Policies as retail centers (CRC), the area of each face of  
10           one monument sign must not exceed 150 square feet.

11           (d) Height. In any high-density residential/mixed use sign district or recreation/open  
12           space sign district, the height of any monument sign must not exceed six feet. In any low-density  
13           commercial/institutional sign district or high-density commercial/industrial sign district, the height  
14           of any monument sign must not exceed ten feet, except that for any multi-tenant shopping center  
15           located in a portion of a low-density commercial institutional sign district designated by the Master  
16           Plan of Policies as retail centers (CRC), the height of a monument sign must not exceed 15 feet.

17           (e) Clearance. In any high-density residential/mixed use sign district or  
18           recreation/open space sign district, the clearance of any monument sign must be not more than two  
19           feet. In any low-density commercial/institutional sign district or high-density  
20           commercial/industrial sign district, the clearance of any monument sign must not be more than  
21           four feet.

22           (f) Illumination. Any monument sign may be illuminated, either internally or  
23           externally.

1 (g) Dynamic operation. In any high density residential/mixed use sign district or  
2 recreation/open space sign district, no monument sign may be dynamic. In any low-density  
3 commercial/institutional sign district or high-density commercial/industrial sign district outside  
4 the Central Business District, any monument sign may be dynamic, but not animated. In the  
5 Central Business District, any monument sign may be animated.

6 **Sec. 4-4-40. Pole signs.**

7 (a) Permissibility. Pole signs are permissible only in low-density  
8 commercial/institutional sign districts and high-density commercial/industrial sign districts  
9 outside of the Central Business District, except that pole signs are not permissible on any premises  
10 located within a “traditional main street overlay,” as designated in Chapter 50 of this Code, Zoning.

11 (b) Number. Not more than one pole sign is permissible on any premises, with the  
12 following exceptions:

13 (1) One pole sign is permitted for each 400 linear feet of premises frontage, provided  
14 that no two pole signs on the same premises may be located within 400 feet of each  
15 other.

16 (2) On any premises for which a comprehensive sign plan has been submitted to and  
17 approved by the Department as part of a petition under Section 4-4-22 of this Code,  
18 pole signs are permissible in such number as is depicted in the approved plan.

19 (c) Area.

20 (1) In any low-density commercial/institutional sign district, the area of any pole sign  
21 that is utilized as a business sign in accordance with Division 3 of this article must  
22 not exceed 12 square feet.

1           (2) In any high-density commercial/industrial sign district, the area of any pole sign  
2           that is utilized as a business sign in accordance with Division 3 of this article must  
3           not exceed 20 square feet.

4           (3) Any pole sign that is utilized as an advertising sign in accordance with Division 4  
5           or Division 5 of this article is subject to applicable area limitations set forth therein.

6           (d) *Height.*

7           (1) The height of any pole sign that is utilized as a business sign in accordance with  
8           Division 3 of this article and that is located along any frontage of a premises that  
9           abuts a right-of-way that is not more than 80 feet in width must not exceed 15 feet.

10          (2) The height of any pole sign that is utilized as a business sign in accordance with  
11          Division 3 of this article and that is located on any other premises must not exceed  
12          25 feet.

13          (3) Notwithstanding paragraphs (1) and (2) of this subsection, in no case may the height  
14          of a pole sign that is utilized as a business sign in accordance with Division 3 of  
15          this article exceed the height of the tallest building or structure located on the  
16          premises on which the sign is located.

17          (4) Any pole sign that is utilized as an advertising sign in accordance with Division 4  
18          or Division 5 of this article is subject to applicable height limitations set forth  
19          therein.

20          (d) *Setback.* Any pole sign that is utilized as a business sign in accordance with  
21          Division 3 of this article must be set back from the front of the premises on which it is located a  
22          distance equal to half of the height of the sign, measured from the outermost projection of any  
23          component of the sign.

1 (e) *Illumination.* A pole sign may be illuminated, either internally or externally.

2 (f) *Dynamic operation.* A pole sign may be dynamic, but not animated.

3 **Sec. 4-4-41. Portable signs.**

4 (a) *Permissibility.* Portable signs are permissible in all sign districts, except that  
5 portable signs in low-density residential sign districts are permissible only as temporary signs. The  
6 permissibility of portable signs located in a public right-of-way is further subject to approval by  
7 the Department of Public Works, or other public agency with jurisdiction over such right-of-way.

8 (b) *Location.* Any portable sign must be located so as to avoid obstruction of or  
9 interference with the safe and efficient flow of pedestrian or vehicular traffic, or with the  
10 accessibility into or out of any building or structure. Additionally:

11 (1) No portable sign may be located less than ten feet, measured linearly along the same  
12 side of the right-of-way, from a driveway, cross walk, or other curb cut.

13 (2) No portable sign may be located less than 20 feet, measured linearly along the same  
14 side of the right-of-way, from another portable sign.

15 (3) No portable sign may be located less than six feet, measured radially, from any  
16 point of ingress or egress from a building or structure.

17 (4) No portable sign may be located on a sidewalk or other pedestrian pathway that is  
18 less than six feet wide, or so as to restrict the width of any such pathway to less  
19 than six feet wide at any point.

20 (c) *Number.* Not more than one portable sign is permissible for any premises, with the  
21 following exceptions:

22 (1) On any premises containing a multi-tenant building, not more than one portable  
23 sign is permissible for each ground floor tenant space.

1           (2) On any multi-building campus, not more than one portable sign is permissible for  
2           each building within the campus.

3           (3) On any premises for which a comprehensive sign plan has been submitted to and  
4           approved by the Department as part of a petition under Section 4-4-22 of this Code,  
5           portable signs are permissible in such number as is depicted in the approved plan.

6           (d) Area. In any low-density residential sign district, high-density residential/mixed  
7           use sign district, or recreation/open space sign district, the area of any portable sign must not  
8           exceed six square feet. In any low-density commercial/institutional sign district or high-density  
9           commercial/industrial sign district, the area of a portable sign must not exceed ten square feet.

10           (e) Height. In any low-density residential sign district, high-density residential/mixed  
11           use sign district, or recreation/open space sign district, the height of a portable sign must not exceed  
12           three feet. In any low-density commercial/institutional sign district or high-density  
13           commercial/industrial sign district, the height of a portable sign must not exceed four feet.

14           (e) Material. Portable signs must be constructed of durable material and construction,  
15           and must be reasonably able to withstand deterioration, damage, or destruction due to inclement  
16           weather; the forces of wind, rain, and snow; pedestrian and vehicular traffic; and other impacts.

17           (f) Illumination. In any low-density residential sign district, high density  
18           residential/mixed use sign district, or recreation/open space sign district, no portable sign may be  
19           illuminated. In any low-density commercial/institutional sign district, or high-density  
20           commercial/industrial sign district, any portable sign may be illuminated, either internally or  
21           externally, but only if such illumination is powered by an internal battery power source that is self-  
22           contained within the sign structure.

1 (g) *Dynamic operation.* In any low-density residential sign district, high-density  
2 residential/mixed use sign district, or recreation/open space sign district, no portable sign may be  
3 dynamic. In any low-density commercial/institutional sign district, or high-density  
4 commercial/industrial sign district outside the Central Business District, any portable sign may be  
5 dynamic, but not animated. In the Central Business District, any portable sign may be animated.

6 **Sec. 4-4-42. Projecting signs.**

7 (a) *Permissibility.* Projecting signs are permissible only in high-density  
8 residential/mixed use sign districts, low-density commercial/institutional sign districts, high-  
9 density commercial/industrial sign districts, and recreation/open space sign districts.

10 (b) *Location.* Projecting signs must be located so as to be not less than 15 feet,  
11 measured linearly along the same side of the street, from any other projecting sign.

12 (c) *Number.* Not more than one projecting sign is permissible on any premises, with  
13 the following exceptions:

14 (1) On any premises containing a multi-tenant building or structure, not more than one  
15 projecting sign is permissible for each ground floor tenant space.

16 (2) On any multi-building campus, not more than one projecting sign is permissible for  
17 each building.

18 (3) On any premises for which a comprehensive sign plan has been submitted to and  
19 approved by the Department as part of a petition under Section 4-4-22 of this Code,  
20 projecting signs are permissible in such number as is depicted in the approved plan.

21 (d) *Area.* In any high-density residential/mixed use sign district or recreation/open  
22 space sign district, the area of a projecting sign must not exceed six square feet. In any low-density  
23 commercial/institutional sign district or high-density commercial/industrial sign district, the area  
24 of a projecting sign must not exceed 12 square feet.

1 (e) Projection. In any high-density residential/mixed use sign district or  
2 recreation/open space sign district, the projection of a projecting sign must not exceed three feet.

3 In any low-density commercial/institutional sign district or high density commercial/industrial  
4 sign district, the projection of a projecting sign must not exceed four feet.

5 (f) Height. The height of any projecting sign must not exceed the height of the roof  
6 line of the building or structure to which the sign is affixed.

7 (g) Clearance. The clearance of any projecting sign must be not less than eight feet  
8 and six inches, and such clearance must be unobstructed so as to allow the safe and efficient flow  
9 of pedestrian and vehicular traffic below the sign.

10 (h) Illumination. Any projecting sign may be illuminated, either internally or  
11 externally.

12 (i) Dynamic. In any high-density residential/mixed use sign district or recreation/open  
13 space sign district, no projecting sign may be dynamic. In any low-density  
14 commercial/institutional sign district or high-density commercial/industrial sign district outside  
15 the Central Business District, any projecting sign may be dynamic, but not animated. In the Central  
16 Business District, any projecting sign may be animated.

17 **Sec. 4-4-43. Raceway signs.**

18 (a) Permissibility. Raceway signs are permissible only in high-density  
19 residential/mixed use sign districts, low-density commercial/institutional sign districts, high-  
20 density commercial/industrial sign districts, and recreation/open space sign districts.

21 (b) Number. Not more than one raceway sign is permissible for any façade of the  
22 building or structure to which the sign is affixed, except for any multi-tenant building or structure,  
23 not more than one raceway sign is permissible for each ground floor tenant space.



1 (c) Area. The area of any raceway sign must not exceed one square foot per linear foot  
2 of building frontage along the façade of the building or structure to which the sign is affixed.

3 (d) Height. The height of a raceway sign must not exceed the height of the roof line or  
4 parapet of the building or structure to which it is affixed.

5 (e) Clearance. The clearance of a raceway sign must not be less than eight feet and  
6 six inches.

7 (f) Color. The raceway of any raceway sign must be painted or otherwise colored to  
8 match the color of the façade of the building or structure to which it is mounted.

9 (g) Illumination. A raceway sign may be illuminated, either internally or externally

10 (h) Dynamic operation. No raceway sign may be dynamic.

11 **Sec. 4-4-44. Roof signs.**

12 (a) Permissibility. Roof signs are permissible only on buildings or structures of at least  
13 ten stories located in low-density commercial/institutional sign districts and high-density  
14 commercial/industrial sign districts.

15 (b) Number. Not more than one roof sign is permissible on any premises.

16 (c) Area. If the clearance of the roof sign is greater than 100 feet and less than 200  
17 feet, the area of the sign must not exceed two square feet per linear foot of building width. If the  
18 clearance of the roof sign is less than 300 feet but not less than 200 feet, the area of the sign must  
19 not exceed three square feet per linear foot of building width. If the clearance of the roof sign is  
20 not less than 300 feet, the area of the sign must not exceed four square feet per linear foot of  
21 building width. For purposes of calculating the area of any roof sign in accordance with this  
22 subsection, building width must be measured at the roofline of the building.

23 (d) Height. The height of any roof sign must not exceed the lesser of (1) the maximum  
24 permissible height of a building or structure for the premises on which the sign is located, or (2)

1 15 feet above the height of the roofline or parapet of the building or structure to which the sign is  
2 affixed.

3 (e) Clearance. The clearance of any roof sign must be not less than the height of the  
4 roofline or parapet of the building or structure to which the sign is affixed.

5 (f) Illumination. Any roof sign may be illuminated, either internally or externally.

6 (g) Dynamic operation. A roof sign may be dynamic, but not animated.

7 **Sec. 4-4-45. Wall signs.**

8 (a) Permissibility. Wall signs are permissible in all districts.

9 (b) Number. In any low-density residential sign district, not more than one wall sign  
10 is permissible on any premises. In any high-density residential/mixed use sign district, low-density  
11 commercial/institutional sign district, high-density commercial/industrial sign district, or  
12 recreation/open space sign district, not more than one wall sign is permissible for any façade of a  
13 building or structure, with the following exceptions:

14 (1) On any premises containing a multi-tenant building or structure, not more than one  
15 wall sign is permissible for each ground floor tenant space.

16 (2) On any premises for which a comprehensive sign plan has been submitted to and  
17 approved by the Department as part of a petition under Section 4-4-22 of this Code,  
18 wall signs are permissible in such number as is depicted in the approved plan.

19 (c) Area.

20 (1) In any low-density residential sign district or recreation/open space sign district,  
21 the area of any wall sign must not exceed 10% of the area of the façade to which it  
22 is affixed.

1           (2) In any high-density residential/mixed use sign district, the area of any wall sign  
2                           must not exceed 40% of the area of the façade to which it is affixed.

3           (3) In any low-density commercial/institutional sign district or high-density  
4                           commercial/industrial sign district, the area of any wall sign must not exceed 60%  
5                           of the area of the façade to which it is affixed.

6           (d) Height. The height of any wall sign must not exceed the height of the roof line or  
7           parapet of the building or structure to which the sign is affixed.

8           (e) Illumination. In any low-density residential sign district or recreation/open space  
9           sign district, any wall sign may be illuminated externally only. In any high-density  
10           residential/mixed use sign district, low-density commercial/institutional sign district or high-  
11           density commercial/industrial sign district, any wall sign may be illuminated, either internally or  
12           externally.

13           (f) Dynamic operation. Any wall sign located outside the Central Business District  
14           may be dynamic, but not animated. Any wall sign located inside the Central Business District for  
15           which internally illumination is permissible may be dynamic and up to 25% of the area of any such  
16           wall sign may be animated.

17           **Sec. 4-4-46. Window signs.**

18           (a) Permissibility. Window signs are permissible in all sign districts.

19           (b) Number.

20           (1) In any low-density residential sign district or recreation/open space sign district,  
21                           not more than one window sign is permissible on any premises.

22           (2) In any high-density residential/mixed use sign district, low-density  
23                           commercial/institutional sign district, or high-density commercial/industrial sign

1 district, not more than one window sign is permissible for any window of a building  
2 or structure, with the exception that, for any building or structure the of which first  
3 floor façade is constructed with glass panels, the permissible number of window  
4 signs must not exceed one sign per six feet in linear width of such glass paneling.

5 (c) *Area.*

6 (1) In any low-density residential sign district or recreation/open space sign district,  
7 the area of any window sign must not exceed 25% of the area of the window in  
8 which the sign is affixed.

9 (2) In any high-density residential/mixed use sign district, low-density  
10 commercial/institutional sign district, or high-density commercial/industrial sign  
11 district, the area of any window sign must not exceed 25% of the area of the  
12 window, or 50% of the area of the window if the window sign is constructed of  
13 vinyl mesh or other semi-transparent material; and the cumulative area of all  
14 window signs located on the building or structure must not exceed 80 square feet.

15 (d) *Height.* In any low-density residential sign district or recreation/open space sign  
16 district, the height of any window sign must not exceed the second story of the building or structure  
17 to which it is affixed. In any high-density residential/mixed use sign district, low-density  
18 commercial/institutional sign district, or high-density commercial/industrial sign district, the  
19 height of any window sign must not exceed the fourth story of the building or structure to which  
20 it is affixed.

21 (e) *Illumination.* In any low-density residential sign district or recreation/open space  
22 sign district, no window sign may be illuminated. In any high density residential/mixed use sign

1 district, low-density commercial/institutional sign district, or high-density commercial/industrial  
2 sign district, any window sign may be illuminated, either internally or externally.

3 (f) *Dynamic operation.* In any high-density residential/mixed use sign district, low-  
4 density commercial/institutional sign district, or high density commercial/industrial sign district,  
5 a window sign may be dynamic only if located in the second, third, or fourth story. In no case  
6 may a window sign be animated.

7 **Sec. 4-4-47—4-4-60. Reserved.**

8 **DIVISION 3. REGULATION OF BUSINESS SIGNS**

9 **SUBDIVISION A. GENERALLY**

10 **Sec. 4-4-61. Applicability.**

11 The regulations set forth in this division shall apply to all business signs, regardless of  
12 location, within the City.

13 **Sec. 4-4-62. Limitation on maximum aggregate business sign area.**

14 (a) In general, the maximum permissible aggregate area for all business signs located  
15 on a single premises is:

16 (1) In any low-density residential sign district, six square feet.

17 (2) In any high-density residential/mixed use sign district, low-density  
18 commercial/institutional sign district, or recreation/open space sign district, the  
19 greater of:

20 a. 2.6 square feet per linear foot of building frontage; or

21 b. One square foot of premises frontage, not to exceed 500 square feet.

22 (3) In any high-density commercial/industrial sign district, three square feet per linear  
23 foot of building frontage, provided that the maximum permissible aggregate area

1 in such district located outside the Central Business District shall not exceed 500  
2 square feet.

3 (4) Notwithstanding other applicable limitations set forth in this section, on any casino  
4 premises, four square feet per linear foot of building frontage is permissible.

5 (b) For any corner premises that fronts onto a freeway, major thoroughfare, or  
6 secondary thoroughfare, the maximum permissible aggregate area as determined in Subsection (a)  
7 of this section shall be calculated, and shall apply, separately for each frontage of the premises.

8 For any corner premises that does not front onto a freeway, major thoroughfare, or secondary  
9 thoroughfare, the maximum permissible aggregate area for the entire premises as determined in  
10 Subsection (a) of this section shall be calculated based only on the longest frontage of the premises.

11 (c) Adjustment under Section 4-4-20 of this Code of the standards and requirements  
12 set forth in this section is limited to 25% of such standards.

13 **Sec. 4-4-63. Additional aggregate business sign area allowances.**

14 (a) Notwithstanding the aggregate business sign area limits set forth in Section 4-4-62  
15 of this Code, additional aggregate area for business signs is permissible in the following  
16 circumstances and subject to the following limits:

17 (1) *High-rise identification signs.* On any building or structure located within the  
18 Central Business District for which the height of the roofline or parapet exceeds  
19 100 feet, not more than three identification signs are permissible, subject to the  
20 following:

21 a. The minimum clearance of each sign must be 100 feet;

1            b. The maximum area of any sign is determined by its clearance and the linear  
2            width of the building façade to which the sign is affixed, measured at the  
3            height of the sign, as follows:

4            (i) For any sign with a clearance of at least 100 feet but less than 200  
5            feet, the area of the sign must not exceed two square feet per linear  
6            foot of building width;

7            (ii) For any sign with a clearance of at least 200 feet but less than 300  
8            feet, the area of the sign must not exceed three square feet per linear  
9            foot of building width; or

10           (iii) For any sign with a clearance of at least 300 feet, the area of the sign  
11           must not exceed four square feet per linear foot of building width;

12           c. Not more than one high-rise identification sign may be located on any  
13           façade of a building or structure;

14           d. Not more than two high-rise signs may be located on any premises; and

15           e. Any high-rise identification sign may be illuminated, either internally or  
16           externally, but may not be dynamic.

17           (2) *Painted side-wall signs.* On any building or structure that is not more than two  
18           stories and that is adjacent to a surface parking lot or other property that does not  
19           contain a permanent building or structure, such that the side façade of the building  
20           is exposed, not more than one sign is permissible on such side wall, subject to the  
21           following:

22           a. The sign must be a painted sign;

23           b. The sign may be illuminated externally;

1           c. The height of the sign must not exceed the height of the first story of the  
2                   building or structure; and

3           d. The area of the sign must not exceed 500 square feet, excluding the area of  
4                   any windows, doors, or other openings in the façade.

5       (3) Sponsorship signs associated with public art. On any premises that contains a work  
6           of public art that is located on the exterior of the property, such as an art mural or  
7           sculpture, the cost of which is sponsored, not more than one sponsorship sign  
8           recognizing such sponsorship is permissible, subject to the following:

9           a. The sign must be located proximate to the work of public art;

10          b. The sign must be constructed as a wall sign or monument sign;

11          c. The height of the sign must not exceed the lesser of: half the height of the  
12               work of public art or 15 feet;

13          d. The sign may not be illuminated; and

14          e. The area of the sign may not exceed 5% of the area of the associated work  
15               of public art, but in no case more than 300 square feet. The area of the work  
16               of public art consisting of a mural or other two-dimensional form should be  
17               computed as if it is a sign, in accordance with Section 4-4-5 of this Code.

18               The area of the work of public art consisting of a sculpture or other three-  
19               dimensional form should be computed as the product of its height and one-  
20               quarter of its perimeter at its base.

21       (4) Directional signs. On any premises not containing a single-family dwelling,  
22           additional directional signage is permissible, subject to the following:



1           a. On any premises in a low-density residential sign district, not more than two  
2                     additional square feet, which may not be illuminated, is permissible.

3           b. On any premises in a high-density residential/mixed use sign district or  
4                     recreation/open space sign district, not more than four square feet of  
5                     directional signage, which may be illuminated, but may not be dynamic in  
6                     operation, is permissible.

7           c. On any premises in a low-density commercial/institutional sign district or  
8                     high-density commercial/industrial sign district, not more than ten square  
9                     feet of directional signage, which may be illuminated and may be dynamic,  
10                    but not animated, in operation, is permissible.

11          d. Nothing in this subsection shall limit any premises from utilizing any  
12                     portion of its permissible aggregate business sign area, as determined in  
13                     accordance with Section 4-4-62 of this Code, for purposes of directional  
14                     signage.

15          (b) Adjustment or waiver under Section 4-4-20 of this Code of the standards and  
16          requirements set forth in this section is prohibited.

17          **Sec. 4-4-64. Business signs on multi-tenant buildings and multi-building campuses.**

18          (a) On any premises containing a multi-tenant building or structure, the maximum  
19          aggregate business sign area for the premises as set forth in Section 4-4-62 of this Code, and any  
20          additional aggregate business sign allowances as set forth in Section 4-4-63 of this Code, may be  
21          allocated among the various tenants as may be determined by the building owner, or its agent, and  
22          each tenant, provided that such allocation is reasonably proportional to the relative degree of each  
23          tenant's physical occupation and economic activity at the premises.

1 (b) On any multi-building campus, the maximum aggregate business sign area for the  
2 premises as set forth in Section 4-4-62 of this Code, and any additional aggregate business sign  
3 allowances as set forth in Section 4-4-63 of this Code, may be allocated among the various  
4 buildings and open spaces within the campus as may be determined by the owner of the campus  
5 or its agent.

6 **Sec. 4-4-65. Restrictions on location of business signs on specified premises.**

7 (a) In general, a business sign may be affixed, or otherwise placed at any location on a  
8 building, structure, or other portion of the premises, unless expressly restricted by this chapter.

9 (b) Notwithstanding Subsection (a) of this section, the location of any business sign is  
10 restricted to certain locations based on the type of premises, as follows:

11 (1) On any multiple-story building or structure located in a low-density residential sign  
12 district, the height of any business sign must not exceed the height of the first story  
13 of the building or structure. On any other multiple-story building or structure, the  
14 height of any business sign, other than a high-rise sign allowed under Section 4-4-  
15 63 of this Code or a roof sign, must not exceed 40 feet.

16 (2) On any premises that operates as a commercial parking lot as defined in Section  
17 32-1-1 of this Code, not less than one business sign must be located at each point  
18 of ingress into the lot for purposes of compliance with Section 32-1-20 of this Code.  
19 On any such premises located in the Central Business District, any ground sign  
20 must be constructed as a monument sign.

21 (3) Any ground sign must be located at a distance of not less than half of the height of  
22 the sign up to five feet, from any building or structure. Except where located  
23 adjacent to a point of ingress or egress for a building or structure, any ground sign

1 must be set back at least ten feet from any boundary of the premises and 15 feet  
2 from the corner formed by the intersection of any two boundaries of the premises  
3 on which it is located.

4 **Sec. 4-4-66. Dynamic business signs.**

5 (a) On any premises located outside of the Central Business District for which dynamic  
6 signs are permissible, not more than 25% of the maximum permissible aggregate area, as  
7 calculated in accordance with Section 4-4-62 of this Code, for the premises, may be dynamic.

8 (b) The maximum permissible aggregate area that may be dynamic is subject to  
9 adjustment under Section 4-4-20 of this Code, not to exceed 40%.

10 **Secs. 4-4-67 – 4-4-80. Reserved.**

11 **SUBDIVISION B. ENTERTAINMENT DISTRICT**

12 **Sec. 4-4-81. Purpose.**

13 The purpose of the Entertainment District is to leverage the display of vivid and dynamic  
14 signage to foster a vibrant and exciting entertainment-based area within the City. Signage  
15 regulation in the Entertainment District is intended to be less restrictive than in surrounding areas  
16 in order to allow for signs that are larger, higher, more brightly illuminated, and more dynamic  
17 than what is permissible elsewhere. To achieve this purpose without negatively impacting the  
18 surrounding area, the Entertainment District is structured in multiple zones, such that the most  
19 intense signage is contained in the District’s core areas, which are most effectively screened from  
20 properties outside of the District. For zones in which signage is anticipated to be more visible  
21 from outside the District, signage regulations are relatively more restrictive.

22 **Sec. 4-4-82. Entertainment District; boundaries and zones.**

23 (a) The Entertainment District consists of the area within the boundary beginning at  
24 the intersection of the Southbound Fisher Freeway Service Drive and Woodward Avenue and

1 continuing to Sproat Street, then to Clifford Avenue, then to the Southbound Fisher Freeway  
2 Service Drive, then to Woodward Avenue, then to the Northbound Fisher Freeway Service Drive,  
3 then along the westerly line of the parcel known as 28 W. Montcalm Street, then along the westerly  
4 line of the parcel known as 2211 Woodward Avenue, then along the westerly line of the parcel  
5 known as 2125 Woodward Avenue, then along the westerly line of the parcel known as 54 W.  
6 Elizabeth Street then along the westerly line of the parcel known as 25 W. Elizabeth Street, then  
7 along the east-west alley parallel to and south of W. Elizabeth Street to the easterly line of  
8 Witherell Street, then to Broadway Street, then to Randolph Street, then to E. Lafayette Street,  
9 then to Southbound Chrysler Service Drive, then to Gratiot Avenue, then to Brush Street, then to  
10 Beacon Street, then to St. Antoine Street, then along the northern line of the parcel known as 1900  
11 St. Antoine Street, then along the easterly line of the parcel known as 2000 St. Antoine Street, then  
12 to Montcalm Street to the easterly line of the parcel known as 2354 Brush Street, then to the  
13 Northbound Fisher Freeway Service Drive, then to Woodward Avenue, excluding the church  
14 located at 50 E Fisher, and then to the point of beginning.

15 (b) The Entertainment District comprises four unique zones, each described as follows:

16 (1) *Zone 1: Entertainment Core.* The entertainment core consists of the premises, or  
17 frontages thereof, that abut Witherell Street between Adams Avenue and Montcalm  
18 Street, Montcalm Street between Witherell Street and Brush Street, Brush Street  
19 between Montcalm Street and Beacon Street, and Adams Avenue between  
20 Montcalm Street and Brush Street.

21 (2) *Zone 2: Theater District.* The theater district consists of the premises, or frontages  
22 thereof, that abut Montcalm Street, Columbia Street, and Elizabeth Street, each  
23 between the western boundary of the Entertainment District and Witherell Street,

1 Broadway Street between Witherell Street and John R Street; Madison Street  
2 between Witherell Street and Brush Street; Brush Street between Mechanic Street  
3 and Beacon Street; and Henry Street between Park Avenue and Clifford Avenue.

4 (3) Zone 3: Woodward North Corridor. The Woodward north corridor consists of  
5 Woodward Avenue between the North Fisher Freeway Service Drive and Sproat  
6 Street.

7 (4) Zone 4: Entertainment Buffer. The entertainment buffer consists of the premises,  
8 or frontages thereof, within the Entertainment District that are not included in the  
9 entertainment core, the theater district, or the Woodward north corridor. \

10 (c) Adjustment or waiver under Section 4-4-20 of this Code of the boundaries set forth  
11 in this section is prohibited.

12 **Sec. 4-4-83. Entertainment core; purpose and sign regulations.**

13 (a) The entertainment core is intended to provide a maximally vibrant and energetic  
14 and well contained space through high-intensity signage. Oversized, intense, and dynamic signs,  
15 including animated signs, are encouraged. All signage must be screened from the surrounding area  
16 by intervening buildings or structures to minimize light spillover.

17 (b) Notwithstanding regulations set forth in this chapter that may be more restrictive,  
18 signs located in the entertainment core are subject to the following:

19 (1) The maximum permissible aggregate area for all signs on any premises is 15 square  
20 feet per linear foot of building frontage.

21 (2) Dynamic signs are permissible without limitation as to their number or individual  
22 size. The minimum clearance of any dynamic sign must be not less than ten feet,  
23 and the maximum height of any dynamic sign must be not more than 40 feet.

1 Dynamic signs are permissible at any location where the sign is oriented toward,  
2 and reasonably screened by, a building or other opaque structure, the height of  
3 which is not less than the height of the sign. Dynamic signs may operate as such  
4 without time restrictions. The illuminance of any dynamic sign must not exceed  
5 2,500 nits.

6 (3) A sign may cover or conceal architectural features, provided that, if a sign covers a  
7 window, it must be constructed of vinyl mesh or other semi-transparent material.

8 **Sec. 4-4-84. Theater district; purpose and sign regulations.**

9 (a) The theater district is intended to accommodate and encourage large marquees,  
10 projecting signs, and other vibrant signage typical of signature live theater venues. Context-  
11 appropriate dynamic and illuminated signs are also encouraged.

12 (b) Notwithstanding regulations set forth in this chapter that may be more restrictive,  
13 signs located in the theater district are subject to the following:

14 (1) The maximum permissible aggregate area for all signs on any premises is six square  
15 feet per linear foot of building frontage.

16 (2) Dynamic signs, but not animated signs, are permissible without limitation as to their  
17 number or individual size. The minimum clearance of any such sign must be not  
18 less than ten feet, and the maximum height of any such sign must be not more than  
19 40 feet. Dynamic signs, but not animated signs, are permissible at any location  
20 where the sign is oriented toward, and reasonably screened by, a building or other  
21 opaque structure, the height of which is not less than the height of the sign. Any  
22 such sign may operate as such only during the hours between 6 am and the  
23 subsequent 2 am. During all other hours, the sign may only operate as a static sign.

1           (3) A sign may cover or conceal architectural features, provided that, if a sign covers a  
2           window, it must be constructed of vinyl mesh or other semi-transparent material.

3           (4) Roof signs are permissible in any number.

4           **Sec. 4-4-85. Woodward north corridor; purpose and sign regulations.**

5           (a) The Woodward north corridor is intended to allow large projecting and dynamic  
6           signs, with sensitivity to the residential premises located adjacent to the Entertainment District.  
7           Pedestrian-friendly signage and context-appropriate illumination are encouraged. Dynamic signs,  
8           but not animated signs, are permissible on a limited basis.

9           (b) Notwithstanding regulations set forth in this chapter that may be more restrictive,  
10          signs located in the Woodward north corridor are subject to the following:

11          (1) The maximum permissible aggregate area for all signs on any premises is three  
12          square feet per linear foot of building frontage.

13          (2) Dynamic signs, but not animated signs, are permissible without limitation as to their  
14          number or individual size. The minimum clearance of such sign must be not less  
15          than ten feet, and the maximum height of such sign must be not more than 25 feet.  
16          Any dynamic sign may operate as such only during the hours between 6 am and the  
17          subsequent 2 am. During all other hours, the sign may only operate as a static sign.

18          (3) A temporary sign may cover or conceal architectural features, provided that, if a  
19          sign covers a window, it must be constructed of vinyl mesh or other semi-  
20          transparent material.

21          **Sec. 4-4-86. Entertainment buffer; purpose and sign regulations.**

22          (a) The entertainment buffer is intended to be a vibrant, pedestrian-oriented retail,  
23          restaurant, and bar district that is sensitive to surrounding residential areas. Pedestrian-friendly

1 signage and context-appropriate illumination are encouraged. Dynamic signs, but not animated  
2 signs, are permissible on a limited basis. The entertainment buffer is also designed to screen the  
3 intense signage of the Entertainment Zone from, and minimize light spillover into, adjacent areas.

4 (b) Notwithstanding regulations set forth in this chapter that may be more restrictive,  
5 signs located in the entertainment buffer are subject to the following:

6 (1) The maximum permissible aggregate area for all signs on any premises is 4.5 square  
7 feet per linear foot of building frontage.

8 (2) Dynamic sign, but not animated signs, are permissible without limitation as to their  
9 number or size. The minimum clearance of any such sign must be not less than ten  
10 feet, and the maximum height of any such sign must be not more than 40 feet. Any  
11 dynamic sign may operate as such only during the hours between 6 am and the  
12 subsequent 2 am. During all other hours, the sign may operate only as a static sign.

13 **Sec. 4-4-87 -- 4-4-100. Reserved.**

14 **DIVISION 4. REGULATION OF ADVERTISING SIGNS LOCATED OUTSIDE THE**  
15 **CENTRAL BUSINESS DISTRICT**

16 **Sec. 4-4-101. In general.**

17 The regulations set forth in this division pertain to all advertising signs located within the  
18 boundaries of a premises outside of the Central Business District.

19 **Sec. 4-4-102. Permit for new or altered advertising signs.**

20 No permit may be issued by the Department for the construction and erection of a new  
21 advertising sign, or for the alteration of an existing advertising sign, except upon approval of a  
22 waiver of such prohibition in accordance with Section 4-4-20 of this Code, as well as satisfaction  
23 of each of the following:



- 1       (1) Finding by the Department of Public Works Traffic Engineering Division that the  
2           placement of the advertising sign on the premises will not impair the traffic safety  
3           of motorists and pedestrians, and if the sign is proposed to be operated as an  
4           animated or otherwise dynamic sign, such finding must specifically address the  
5           impact of the proposed operation of the sign;
- 6       (2) Finding by the Planning and Development Department that the placement of the  
7           advertising sign on the premises will not be detrimental to environmental aesthetics  
8           by obstructing views of significant architectural or natural features;
- 9       (3) Finding by the Chief Financial Officer that neither the applicant nor the owner of  
10           the premises to which the sign is sought to be placed, if different from the applicant,  
11           is in arrears to the City for taxes or assessments;
- 12       (4) Finding by the Department that neither the applicant nor the owner of the premises  
13           to which the sign is sought to be placed, if different from the applicant, is the subject  
14           of any outstanding violations of this Code, including, but not limited to, violations  
15           of any provision of Chapter 8, *Building Construction and Property Maintenance*,  
16           or Chapter 50, *Zoning*, of this Code;
- 17       (5) Finding by the Department that the sign, as proposed, will be in compliance with  
18           all spacing, setback, height, clearance, size, and other dimensional and operational  
19           standards set forth in this division; and
- 20       (6) Submission of copies of all permits and other approvals by any other federal, state,  
21           or local governmental agency that may be necessary for construction, erection, or  
22           operation of the sign, including, but not limited to, approval by the Michigan  
23           Department of Transportation or the Detroit Historic District Commission.

1 **Sec. 4-4-103. Spacing requirements.**

2 No advertising sign located outside of the Central Business District may be permitted if:

3 (1) The proposed advertising sign is neither dynamic nor internally illuminated, and  
4 1,000 feet or less, measured linearly, from another advertising sign that is also  
5 neither dynamic nor internally illuminated and is oriented in the same direction as  
6 the sign;

7 (2) The proposed advertising sign is neither dynamic nor internally illuminated, and  
8 1,750 feet or less, measured linearly, from another advertising sign that is either  
9 dynamic or internally illuminated and is oriented in the same direction as the sign;

10 (3) The proposed advertising sign is dynamic or internally illuminated, and 1,750 feet  
11 or less, measured linearly, from another advertising sign that is oriented in the same  
12 direction as the sign;

13 (4) 500 feet or less, measured linearly, from a premises that contains a school, park,  
14 playground, or other outdoor recreation facility as defined in Section 50-16-324 of  
15 this Code;

16 (5) 500 feet or less, measured radially, from a historic district identified in Chapter 21,  
17 *History*, of this Code;

18 (6) 125 feet or less, measured radially, from the edge of the traveled roadway of any  
19 freeway, or interchange ramp between freeways, used by traffic traveling in the  
20 direction opposite the orientation of the sign;

21 (7) 25 feet or less, measured radially, from the boundary line of any freeway, or  
22 interchange ramp between freeways, used by traffic traveling in the direction  
23 opposite the orientation of the sign;

1           (8) 80 feet or less, measured radially, from any premises that contains one or more  
2           residential dwelling units, whether or not such dwelling units are occupied; or

3           (9) Within any low-density residential sign district or recreation/open space sign  
4           district.

5    **Sec. 4-4-104. Setbacks.**

6    Advertising signs must be set back at least five feet, measured from the outermost  
7    projection of any component of the sign, from any boundary of the premises on which the sign is  
8    located.

9    **Sec. 4-4-105. Height and clearance.**

10   (a) The height of any advertising sign shall not exceed 35 feet, with the exception of  
11   any freeway advertising sign, the height of which shall not exceed 45 feet.

12   (b) The clearance of any advertising sign shall be at least 15 feet.

13   (c) The height and clearance requirements set forth in Subsections (a) and (b) of this  
14   section are subject to any general standards based on the type of construction of the sign, as set  
15   forth in Division 2 of this article, that are more restrictive.

16   **Sec. 4-4-106. Area.**

17   (a) The area of any advertising sign is subject to the following:

18   (1) If the sign is a freeway advertising sign and is oriented toward a freeway, the area  
19   of the sign must not exceed 672 square feet.

20   (2) If the sign is located on a premises that abuts one or more rights-of-way other than  
21   a freeway, each of which is not less than 80 feet in width, the area of the sign must  
22   not exceed 378 square feet.

1           (3) If the sign is located on a premises that abuts a right-of-way other than a freeway,  
2                   any one of which is less than 80 feet in width, the area of the sign must not exceed  
3                   250 square feet.

4           (b) The area requirements set forth in Subsection (a) of this section are subject to any  
5           general standards based on the type of construction of the sign, as set forth in Division 2 of this  
6           article, that are more restrictive.

7           **Sec. 4-4-107. Landscaping.**

8           On any premises on which an advertising sign is the only structure, the perimeter of the  
9           premises abutting a right-of-way, with the exception of points of ingress and egress to and from  
10           the premises, must be landscaped with shrubs, bushes, and other vegetation to provide a continuous  
11           screening of such premises, to a depth of five feet in from such perimeter, and to a height of not  
12           less than 30 inches. Such landscaping must be maintained in good health and quality, and any  
13           vegetation that cannot be so maintained must be replaced.

14           **Sec. 4-4-108. Department of Public Works adjustment.**

15           All spacing, setback, height, clearance, area, and other dimensional and operational  
16           standards set forth in this division are subject to additional restrictions, beyond the standards set  
17           forth in this chapter, by the Department of Public Works Traffic Engineering Division if it finds  
18           that more restrictive standards are necessary to mitigate any potential impairment to the traffic  
19           safety of motorists and pedestrians.

20           **Sec. 4-4-109. Adjustment or Waiver prohibited; limited.**

21           (a) Adjustment or waiver under Section 4-4-20 of this Code of the standards and  
22           requirements set forth in Section 4-4-102 of this Code is prohibited.

1 (b) Adjustment or waiver of the dimensional standards set forth in Sections 4-4-103  
2 through 4-4-107 of this Code is limited to 10% of such standards.

3 **Secs. 4-4-110 –4-4-120. Reserved.**

4 **DIVISION 5. REGULATION OF ADVERTISING SIGNS LOCATED IN THE**  
5 **CENTRAL BUSINESS DISTRICT**

6 **Sec. 4-4-121. Purpose.**

7 The Central Business District is characterized by a degree of density, height, scale, and  
8 diversity in the built environment, a concentration of historic and otherwise architecturally  
9 significant buildings and structures, and an intensity of vehicular and pedestrian traffic and activity  
10 that is unique within the City. The Central Business District also features continuous and extensive  
11 evolution in its built environment, through the development and redevelopment of new and  
12 existing buildings, structures, open spaces, and rights-of-way, such that the potential suitability of  
13 particular spaces for advertising signage over time is necessarily limited. As a result, in  
14 furtherance of the significant governmental interests set forth in Section 4-4-1 of this Code, the  
15 regulation of advertising signs in the Central Business District merits heightened standards and  
16 stricter requirements, as well as the ability to revise the implementation of such standards and  
17 requirements on a periodic basis, than might be necessary in other areas of the City. The purpose  
18 of this division is to set forth such standards and requirements for advertising in the Central  
19 Business District.

20 **Sec. 4-4-122. Advertising permit required.**

21 (a) It shall be unlawful for any person to construct, erect, attach, affix, post, place,  
22 display, maintain, or alter any advertising sign located on a premises within the Central Business

1 District without having first obtained an advertising permit from the Department, and maintaining  
2 such permit in good standing.

3 (b) During the amortization period set forth in Section 4-4-19 of this Code, Subsection  
4 (a) of this section shall not apply to any advertising sign located on a premises within the Central  
5 Business District that has, prior to the effective date of this ordinance, been issued a permit for  
6 such sign under Chapter 50, Zoning, of this Code, has not been abandoned or otherwise lost its  
7 nonconforming status, and is in full compliance with such permit.

8 **Sec. 4-4-123. Term and reapplication; renewal prohibited.**

9 (a) An advertising permit issued under this division is valid for a term not to exceed  
10 ten years, commencing on the date of issuance of the first advertising permit issued under  
11 Subsection 4-4-122(a) of this Code. Upon the conclusion of its term, an advertising permit shall  
12 automatically expire and become invalid, and the permittee or its agent shall immediately remove  
13 the advertising sign that is permissible under such permit, unless the permittee secures a new  
14 permit for the same sign for an immediately subsequent term.

15 (b) No advertising permit issued under this division may be renewed. However, any  
16 advertising permittee may apply for a new advertising permit under the procedures set forth in this  
17 Code.

18 **Sec. 4-4-124. Application; information required.**

19 (a) An application for an advertising permit under this division shall be made on a form  
20 that is provided by the Department. Each advertising sign shall require a separate application. The  
21 application shall be considered complete when the appropriate person has signed and dated the  
22 application in the presence of a notary public, has paid the required permit fee, and has provided  
23 the information that is required on the form, including:

- 1        (1) The name, address, and contact information of the applicant, in accordance with  
2                Subsection (b) of this section;
- 3        (2) The address and tax parcel identification number(s) of the premises for which the  
4                advertising permit is sought;
- 5        (3) Proof of the applicant’s current ownership of the premises for which the advertising  
6                permit is sought, as may be provided in the form of a deed, land contract, or other  
7                valid and duly recorded instrument;
- 8        (4) The name, address, and contact information of the advertising partner of the  
9                applicant, if any, in accordance with Subsection (b) of this section;
- 10       (5) The name, address, and contact information of the sign erection contractor that will  
11               erect the advertising sign for which the advertising permit is sought, in accordance  
12               with Subsection (b) of this section, as well as the number of such contractor’s valid  
13               license as issued by the Buildings, Safety Engineering, and Environmental  
14               Building, Safety Engineering, and Environmental Department Business License  
15               Center;
- 16       (6) Identification of the category of advertising sign, as described in Section 4-4-130  
17               of this Code, for which the advertising permit is being sought;
- 18       (7) Identification of the orientation of the façade of the building or structure to which  
19               the advertising sign is proposed to be posted;
- 20       (8) Complete dimensional information regarding the proposed advertising sign,  
21               including its area, horizontal and vertical dimensions, height, and clearance, all as  
22               depicted on plans and elevations of the building or structure that are in a form  
23               acceptable to the Department; and

1       (9) Copies of all permits and other approvals by any other federal, state, or local  
2       governmental agency that may be necessary for construction, erection, or operation  
3       of the sign, including, but not limited to, approvals by the Michigan Department of  
4       Transportation or the Detroit Historic District Commission, unless such other  
5       approvals have not been issued upon the date of application.

6       (b) Submission of the name, address, and contact information for any person as may  
7       be required under Subsection (a) of this section, shall be provided in accordance with the  
8       following:

9       (1) Where the person is an individual:

10       a. The person's full legal name, and any other name used by the person during  
11       the preceding five years;

12       b. The person's current mailing address and e-mail address; and

13       c. Written proof of age in the form of a either driver's license, a picture  
14       identification document that is issued by a governmental agency and  
15       contains containing the person's date of birth, or a copy of a birth certificate  
16       accompanied by a picture identification document that is issued by a  
17       governmental agency.

18       (2) Where the entity is a partnership:

19       a. The legal name, and any other name, used by the partners during the  
20       preceding five year; and

21       b. The current mailing address and e-mail address for the entity.

22       (3) Where the entity conducts business under a trade or assumed name:

23       a. The complete and full trade or assumed name;



1           b. The county where, and date that, the trade or assumed name was filed;

2           c. The name of the person or persons doing business under such trade or

3           assumed name, the manager, and other person or persons who are in charge;

4           and

5           d. The current mailing address and e-mail address for the entity.

6       (4) Where the entity is a corporation:

7           a. The full and accurate corporate name;

8           b. The state and date of incorporation;

9           c. The full names and addresses of officers, directors, managers, and other

10          persons with authority to bind the corporation; and

11          d. The current mailing address and e-mail address for the entity.

12       (5) The name, business address, and telephone number of the business.

13       (6) The name and business address of the statutory agent, or other agent, who is

14          authorized to receive service of process.

15       (c) Any information provided by the applicant in accordance with Subsection (b) of

16       this section shall be supplemented in a form acceptable to the Department within ten business days

17       of a change of circumstances that would render false or incomplete the information that was

18       previously submitted. The requirement to provide supplemental information shall be ongoing

19       during the pendency of the application and the term of the advertising permit, if issued.

20       **Sec. 4-4-125. Establishment, approval, publication, and payment of fee.**

21       (a) A non-refundable fee shall be charged for the processing and issuance of an

22       advertising permit under this division. In accordance with Section 6-503(13) of the Charter, the

23       Director of the Department shall establish a fee, subject to approval by the City Council by

1 adoption of a resolution, and collect such fee based upon the cost of issuance and administration  
2 of the licensing regulations.

3 (b) After adoption of a resolution by the City Council and approval of the resolution  
4 by the Mayor, the fees that are provided for in Subsection (a) of this section shall be:

5 (1) Published in a daily newspaper of general circulation and in the Journal of the City  
6 Council;

7 (2) Made available at the Department and at the Office of the City Clerk; and

8 (3) Reviewed by the Director of the Department at least once every two years.

9 (c) A fee shall be charged for each new advertising permit.

10 **Sec. 4-4-126. Inspection and certification of approval; land use, construction, maintenance,**  
11 **fire protection and safety.**

12 (a) Upon application and before any advertising permit that is required by this division  
13 shall be issued, it shall be the duty of the Department to review its records and, where a requisite  
14 inspection has not been done, to refer such application to the Director of the Department, the  
15 Director of the Department of Public Works, and the Fire Marshal, who shall cause an inspection  
16 to be made of the premises of such proposed or existing business.

17 (b) After completion of respective inspections, the Department, the Department of  
18 Public Works, and the Fire Department shall certify, in writing, to the Department, that the  
19 applicant is in full compliance with all pertinent state codes and regulations, and this Code,  
20 including, but not limited to, the following:

21 (1) Zoning. The premises on which the advertising sign is proposed to be located is in  
22 compliance with all zoning requirements, as set forth in Chapter 50, Zoning, of the  
23 Code, including verification that the specific land use for its intended location has

1 been established by the City in the respective zoning district, and, where the  
2 premises is governed by a zoning grant, has obtained a valid annual certification of  
3 maintenance of zoning grant conditions.

4 (2) *Construction and Property Maintenance.* The premises on which the advertising  
5 sign is proposed to be located is in compliance with all construction and property  
6 maintenance requirements, as set forth in Chapter 8, *Building Construction and*  
7 *Property Maintenance*, of this Code, including verification of a valid final  
8 certificate of occupancy and current certificate of compliance, and is not the subject  
9 of any outstanding fines or violations.

10 **Sec. 4-4-127. Investigation by Office of Chief Financial Officer required to confirm no City**  
11 **tax or assessment arrearage.**

12 (a) Upon application and before any advertising permit that is required by this division  
13 shall be issued, it shall be the duty of the Department to refer such application to the Office of the  
14 Chief Financial Officer, which shall cause an investigation to be completed in accordance with  
15 Section 2-113 of the Charter to determine whether any property tax, income tax, personal tax, or  
16 special assessments are unpaid, outstanding, or delinquent to the City.

17 (b) A permit shall not be issued by the Department until the Office of Chief Financial  
18 Officer has given written confirmation that the applicant is not in arrears to the City for taxes or  
19 assessments that are delineated in Subsection (a) of this section.

20 **Sec. 4-4-128. Buildings, Safety Engineering, and Environmental Department issuance of**  
21 **advertising permits.**

22 (a) Not more than 60 days after the effective date of this ordinance, the Director of the  
23 Department shall establish a transition period, the duration of which must not exceed two weeks,

1 to enable and facilitate the efficient and effective transition to the regulations contained in this  
2 chapter. During this transition period, the owner of any premises located in the Central Business  
3 District to which a permit has been validly issued under Chapter 50, *Zoning*, of this Code to display  
4 advertising on the premises may, in its sole discretion, voluntarily and intentionally abandon such  
5 permit, and, upon submission of a complete application as set forth in Section 4-4-124 of this  
6 Code, shall be issued an advertising permit for such premises.

7 (b) Not more than 60 days after the effective date of this ordinance, the Director of the  
8 Department shall establish a date, to occur not less than two weeks following the conclusion of the  
9 transition period established under Subsection (a) of this section, on which the Department will  
10 commence accepting applications for advertising permits.

11 (1) The Department shall review and decide upon such applications in the order that  
12 they are received, until the applicable advertising permit cap identified in  
13 Subsection (d) of this section is satisfied.

14 (2) If an application is incomplete or otherwise deficient in any way, other than for a  
15 failure to provide copies of all permits and other approvals in accordance with  
16 Section 4-4-124(a)(9) of this Code, the Department shall notify the applicant of  
17 such deficiency and allow the applicant to correct such deficiency within a specified  
18 period of time, not to exceed 15 days. The Department shall deny any deficient  
19 petition that is not timely corrected.

20 (3) If an application is incomplete solely due to its failure to provide copies of all  
21 permits and other approvals in accordance with Section 4-4-124(a)(9) of this Code,  
22 the Department may conditionally approve the application, subject to the  
23 requirement that copies of all such approvals be submitted to the Department within

1           30 days following the date of such conditional approval. Upon the applicant's  
2           satisfaction of such requirement, the Department may approve the application and  
3           issue an advertising permit. Upon the applicant's failure of such requirement, the  
4           Department shall consider its conditional approval to have lapsed and shall deny  
5           such application. Nothing in this subsection shall be construed as obligating the  
6           Department to conditionally approve an application that it determines should  
7           otherwise be denied.

8           (4) The Department shall not approve any application that is submitted subsequent to  
9           the final application that, upon its approval, is permissible under the applicable  
10           advertising permit cap identified in Subsection (d) of this section. The Director of  
11           the Department may maintain a waitlist of such applications, and may consider such  
12           applications, in the order submitted, as additional advertising permits become  
13           available under the applicable cap for the remainder of the current term, as set forth  
14           in Section 4-4-122 of this Code. All applications placed on the waiting list shall be  
15           denied upon expiration of the current advertising permit term.

16           (c) Not more than nine years following the date established by the Director of the  
17           Department under Subsection (b) of this section, the Director shall establish a new application date  
18           for any subsequent advertising permit terms, and shall accept and review applications and issue  
19           permits for such term in the same manner as set forth in Subsection (b) of this section.

20           (d) The Department shall not allow more than 25 advertising permits for local  
21           advertising signs in compliance with Section 4-4-131(b) of this Code, and not more than 35  
22           advertising permits for super advertising signs in compliance with Section 4-4-131(c) of this Code,

1 as each category of advertising signs is described in Section 4-4-131 of this Code, to have been  
2 issued and remain valid at any one time.

3 **Sec. 4-4-129. Transfer of advertising permit.**

4 Any advertising permit issued under this division may be transferrable to a new owner of  
5 the premises or advertising partner, but shall not be transferable to another premises, or to another  
6 location on the same premises.

7 **Sec. 4-4-130. Alteration prohibited.**

8 (a) No sign that is permitted under this division may be altered in any way. Any  
9 advertising permit for an advertising sign that has been altered is subject to immediate revocation  
10 by the Department.

11 (b) Subsection (a) of this section does not prohibit the periodic changing of the copy  
12 of a permitted sign from time to time.

13 **Sec. 4-4-131. Sign standards.**

14 (a) Any advertising sign located on a premises in the Central Business District must  
15 comply with all applicable standards for either local advertising signs or super advertising signs,  
16 as set forth in this section, and shall be categorized as such.

17 (b) The standards applicable to any local advertising sign are as follows:

18 (1) *Construction:* Any local advertising sign must be constructed as either a wall sign  
19 or a painted sign.

20 (2) *Number:* Any premises may display not more than one local advertising sign,  
21 except for premises that display a super advertising sign, which may not display  
22 any local advertising sign.

23 (3) *Area:* The area of any local advertising sign must not exceed 80% of the area of  
24 the façade to which it is affixed, but in no case greater than 700 square feet if the

1 sign is constructed as a wall sign, or 875 square feet if the sign is constructed as a  
2 painted sign.

3 (4) *Height:* The height of any local advertising sign must not exceed 60 feet.

4 (5) *Clearance:* No local advertising sign is subject to any minimum clearance standard.

5 (6) *Illumination:* Any local advertising sign may be externally illuminated, but must  
6 not be internally illuminated, with the exception of advertising signs located in the  
7 Entertainment District, which may be illuminated in accordance with the standards  
8 set forth in Division 3, Subdivision B of this article.

9 (7) *Dynamic operation:* No local advertising sign may be dynamic, with the exception  
10 of advertising signs located in the Entertainment District, which may be dynamic  
11 in accordance with the standards set forth in Division 3, Subdivision B of this  
12 article.

13 (c) The standards applicable to any super advertising sign are as follows:

14 (1) *Construction:* Any super advertising sign must be constructed as either a wall sign  
15 or a painted sign.

16 (2) *Number:* Any premises may display not more than one super advertising sign,  
17 except for premises that display a local advertising sign, which may not display any  
18 super advertising sign.

19 (3) *Area:* The area of any super advertising sign must be greater than 700 square feet  
20 and must not exceed 80% of the area of the façade to which it is affixed, but in no  
21 case more than 5,000 square feet if the sign is constructed as a wall sign or 6,250  
22 square feet if the sign is constructed as a painted sign.





1       (2) Signs, by their very nature, wherever located and however constructed, can be  
2           perceived as an aesthetic harm through their imposition of negative visual  
3           aesthetics;

4       (3) Because of the Central Business District's role as the City's primary hub of activity,  
5           the aesthetic harm created by signs in the Central Business District is imposed on  
6           all businesses and individuals who may live, work, do business, recreate, or visit  
7           therein, or travel through the Central Business District, and compromises their  
8           overall aesthetic experience of the City on a citywide basis;

9       (4) The magnitude of any given sign's negative visual aesthetics can depend on various  
10           dimensional and operational parameters, such as its area, construction,  
11           illumination, and dynamic operation, that serve to increase its visibility;

12       (5) The negative visual aesthetics of a sign can, based on such dimensional and  
13           operational parameters, become so great as to outweigh any positive consequences  
14           that the sign might provide, including the facilitation of protected speech and the  
15           promotion of local commerce; and

16       (6) The City may, through the exercise of its legitimate police powers in furtherance of  
17           its significant governmental interests, mitigate the particularly negative visual  
18           aesthetics of the most visually impactful signs without compromising the positive  
19           consequences of such signs by promotion, construction, and maintenance of  
20           elements that serve to improve visual aesthetics to a proportionate degree, including  
21           the public display of art murals and other forms of public art;

22       the Department is authorized to evaluate each application for a permit for a super advertising sign  
23       and determine whether such proposed sign will, by its nature, impose negative visual aesthetics of

1 such magnitude that mitigation through the display of one or more art murals and other public art  
2 may reasonably be necessary.

3 (b) Upon its determination that mitigation of the negative visual aesthetics imposed by  
4 a proposed super advertising sign for which a permit is applied will be necessary, the Department  
5 may request payment of a monetary contribution by the applicant, in an amount to be determined  
6 by the Department in accordance with the limitations set forth in this section, as a prerequisite to  
7 issuance of a permit for such sign. Such contribution need not be submitted prior to the  
8 Department's evaluation of the application for a super advertising sign permit, but must be  
9 submitted prior to the Department's issuance of such permit.

10 (c) The Department may make any determination pursuant to its authority established  
11 in Subsections (a) and (b) of this section in consultation with the City's Director of Arts and  
12 Culture, and the director of any department or agency that it may desire, or any such director's  
13 designee.

14 (d) To ensure a reasonable nexus between the proposed super advertising sign's  
15 negative visual aesthetics and the City's mitigation thereof, the Office of the Chief Financial  
16 Officer shall establish a special purpose account for contributions made pursuant to Subsection (b)  
17 of this section. The Department shall deposit all such funds directly into such account promptly  
18 upon receipt. All funds must be disbursed from such account solely for purposes of the  
19 commission, construction, siting, display, and maintenance of art murals and other public art that  
20 is fairly anticipated to improve overall visual aesthetics in the City, and no funds in any amount  
21 may be disbursed from such account for any other purpose, except if reimbursement of such funds  
22 shall be made in accordance with Subsection (g) of this section.

1 (e) To ensure rough proportionality between the proposed super advertising sign's  
2 negative visual aesthetics and the City's mitigation thereof, the contribution associated with any  
3 sign shall not exceed an amount equal to the greater of:

4 (1) An amount, equal to two dollars if the super advertising sign is proposed to be  
5 internally illuminated, one dollar if the super advertising sign is proposed to be a  
6 wall sign, and 80 cents if the super advertising sign is proposed to be a wall sign,  
7 for each square foot of the proposed super advertising sign, for each year of the  
8 term of the permit for which application is made; or

9 (2) An amount equal to the expected cost, as the Department may reasonably  
10 determine, for the commission and installation of an art mural of an area equal to  
11 (i) 200% of the area of the proposed super advertising sign if such sign is proposed  
12 to be internally illuminated, (ii) the area of the proposed super advertising sign if  
13 such sign is proposed to be constructed as a wall sign, or (iii) 80% of the area of  
14 the proposed super advertising sign if such sign is proposed to be constructed as a  
15 painted sign, as well as the cost of the maintenance thereof for a period equal to the  
16 term of the super advertising permit for which application is made.

17 (f) The Department shall cause all contributions made pursuant to this section for the  
18 purpose of mitigating the aesthetic harm of any super advertising sign to be disbursed for a purpose  
19 allowed by this section no later than the termination date of the permit for such sign.

20 (g) If the Department denies an application for a super advertising sign permit for  
21 which a contribution has been made, the Department shall refund such contribution to the  
22 applicant. If a permit for a super advertising sign has been issued and a contribution for such sign

1 has been made, and such permit has been suspended or revoked in accordance with Section 4-4-  
2 131 of this Code prior to the completion of its term, no refund of such contribution may be made.

3 **Sec. 4-4-133. Adjustment or waiver prohibited.**

4 Adjustment or waiver under Section 4-4-20 of this Code of the dimensional standards set  
5 forth in this division is prohibited.

6 **Secs. 4-4-134 – 4-4-160. Reserved.**

7 **DIVISION 6. REGULATION OF SIGNS IN THE RIGHT-OF-WAY**

8 **Sec. 4-4-161. In general.**

9 The regulations of this division shall apply to any sign that is constructed, erected, posted,  
10 or otherwise placed in any location within the right-of-way that is subject to the jurisdiction and  
11 control of the City.

12 **Sec. 4-4-162. Department of Public Works approval required.**

13 No sign that is subject to the regulations of this division may be permitted unless authorized  
14 by the Department of Public Works as a legal encroachment in the right-of-way. A copy of the  
15 valid encroachment permit for the sign must be submitted as part of the application for construction  
16 or erection of the sign. All conditions of approval, dimensional or operational standards, and other  
17 standards set forth in the encroachment permit shall be incorporated by reference into the permit,  
18 and compliance with all such standards shall be a condition of approval for such permit. Any  
19 standards set forth in the encroachment permit that are more restrictive than comparable standards  
20 set forth in this chapter shall control.

21 **Sec. 4-4-163. Business signs located in the right-of-way.**

22 Any sign located in the right-of-way that is intended to direct attention to a principal  
23 business or principal commodity, service, or entertainment that is conducted, sold, or offered on

1 the premises adjacent to which the sign is located shall be considered to be a business sign  
2 associated with such premises and shall be subject to all applicable regulations of this article.

3 **Sec. 4-4-164. Directional signs located in the right-of-way.**

4 Any directional sign located in the right-of-way for the purpose of identifying particular  
5 neighborhoods, communities, or other identifiable areas of the City shall be subject to the  
6 following:

7 (1) Construction. Any directional sign located in the right-of-way must be constructed  
8 as a monument sign.

9 (2) Number. Not more than one directional sign, or one pair of identical directional  
10 signs, may be located at any point in a right-of-way or within any intersection of  
11 two or more rights-of-way.

12 (3) Area. The area of a directional sign, or aggregate area of a pair of identical  
13 directional signs, located in the right-of-way must not exceed 12 square feet.

14 (4) Height. The height of a directional sign located in the right-of-way must not exceed  
15 eight feet six inches.

16 (5) Clearance. The clearance of any directional sign located in a right-of-way must  
17 be not less than two feet.

18 (6) Illumination. Any directional sign located in the right-of-way may be externally  
19 illuminated.

20 **Sec. 4-4-165. Advertising signs located in the right-of-way.**

21 Any advertising sign located in a right-of-way is subject to the following:

22 (1) Permissibility. Advertising signs located in the right-of-way are not permissible in  
23 low-density residential sign districts or any portion of a right-of-way that is

1 immediately adjacent to, and is on the same side of the street as, a low-density  
2 residential sign district.

3 (2) Construction. Any advertising sign located in the right-of-way must be constructed  
4 as a component of a larger freestanding structure, such as a newsstand, bus or transit  
5 shelter, bench, or bicycle docking station, that provides a non-advertising purpose  
6 for the benefit of pedestrian or vehicular traffic utilizing the right-of-way, provided  
7 that the sign is constructed as an integral component of such structure and does not  
8 rest upon such structure's roof or project out from the façade of any such structure.

9 (3) Area. The area of an advertising sign located in the right-of-way shall not exceed  
10 18 square feet if illuminated, or 24 square feet if not illuminated.

11 (4) Height. The height of an advertising sign located in the right-of-way shall not  
12 exceed eight feet, six inches.

13 (5) Illumination. An advertising sign located in the right-of-way may be illuminated,  
14 either internally or externally. All sources of illumination for an externally  
15 illuminated sign must be fully contained in the frame or case that holds the sign.

16 (6) Dynamic operation. An advertising sign located in the right-of-way may be  
17 dynamic, but shall not be animated.

18 (7) Spacing. No advertising sign located in the right-of-way may be permitted to be  
19 placed 250 feet or less, measured linearly in the direction of the orientation of the  
20 sign, from any other advertising sign that is located in the same right-of-way and  
21 oriented in the same direction. Such spacing standards shall apply to signs on both  
22 sides of any right-of-way that allows for vehicular traffic to travel in one direction,

1 and shall apply to signs only on the same side of a right-of-way that allows for  
2 vehicular traffic to travel in two directions.

3 **Sec. 4-4-166 -- 4-4-180. Reserved.**

4 **DIVISION 7. TEMPORARY SIGNS**

5 **Sec. 4-4-181. In general.**

6 The regulations set forth in this division are applicable to any temporary sign that may be  
7 constructed, erected, posted, or otherwise placed in any location.

8 **Sec. 4-4-182. Limitations on number, area, and term.**

9 (a) Not more than one temporary sign may be permitted on any one premises at any  
10 one time, except that, for a multi-tenant building or structure, one, but not more than one,  
11 temporary sign may be permitted for any one ground floor tenant at any one time.

12 (b) No premises, or ground floor tenant space in a multi-tenant building or structure,  
13 may be issued more than two permits for a temporary sign within any calendar year.

14 (c) On properties in a low-density residential sign district, the area of any temporary  
15 sign shall not exceed six square feet. On properties in a high-density residential/mixed use sign  
16 district or a recreation/open space sign district, the area of a temporary sign shall not exceed 0.1  
17 square feet per linear foot of building frontage, but in no case less than 6 square feet. On properties  
18 in a low-density commercial/industrial sign district or a high-density commercial/industrial sign  
19 district, the area of any temporary sign shall not exceed 0.25 square feet per linear foot of building  
20 frontage, but in no case less than 12 square feet and no greater than 32 square feet.

21 (d) Any temporary sign may be permitted only until the conclusion of the occasion to  
22 which it is intended to direct attention, upon which date the permit shall expire. No temporary sign  
23 may be permitted for a period of time exceeding 90 days.

1 (e) Adjustment or waiver under Section 4-4-20 of this Code of the dimensional  
2 standards set forth in sections 4-4-103 through 4-4-107 of this Code is limited to 25% of such  
3 standards.

4 **Sec. 4-4-183. Additional temporary sign allowances.**

5 (a) Notwithstanding the limitations set forth in Section 4-4-182 of this Code, additional  
6 temporary signage may be permitted for any premises, or ground floor tenant space of a multi-  
7 tenant building, under each of the following circumstances:

8 (1) *Premises listed as being for sale or lease.* For any premises, or ground floor tenant  
9 space within a multi-tenant building, that is unoccupied and being actively  
10 marketed for sale or lease, one additional temporary sign for each building frontage  
11 is permissible. Any such sign may be permitted only for the period during which  
12 the premises is unoccupied and being actively marketed for sale or lease. On  
13 properties located in a low-density residential sign district or recreation/open space  
14 sign district, the area of any such sign must not exceed six square feet. On properties  
15 located in a high-density residential/mixed use sign district, low-density  
16 commercial/institutional sign district, or high-density commercial/industrial sign  
17 district, the area of any such sign must not exceed 32 square feet.

18 (2) *Premises with Open Building or Construction Permit.* For any premises, or ground  
19 floor tenant space within a multi-tenant building, that is unoccupied and is validly  
20 permitted under Chapter 8 of this Code, *Building Construction and Property*  
21 *Maintenance*, for construction of a new building or structure, or complete  
22 renovation or redevelopment of an existing building, structure, or ground floor  
23 tenant space, one additional temporary sign for each building frontage is



1 permissible. Any such sign may be permitted only for the period during which the  
2 permit for the construction, renovation, or redevelopment remains valid, and shall  
3 automatically expire upon issuance of a certificate of occupancy, whether  
4 temporary or final, for the premises or tenant space. The aggregate area of all such  
5 temporary signs on any premises must not exceed the maximum aggregate sign area  
6 for the premises, as determined under Section 4-4-62 of this Code. Any such  
7 signage may be placed on a screening fence that is erected to cordon off the  
8 construction, renovation, or redevelopment site, notwithstanding the prohibition set  
9 forth in Section 4-4-7(5) of this Code. Any such sign that is located on a ground  
10 floor tenant space may be placed in a window, notwithstanding the standard for  
11 window signs set forth in Section 4-4-46(c) of this Code.

12 (3) *Portable temporary signs.* For any premises located in a low-density residential  
13 sign district or high-density residential/mixed use sign district that is currently  
14 occupied, whether wholly or partially, for residential purposes, portable temporary  
15 signs, in any number but not exceeding six square feet in area for any single sign  
16 or 18 square feet in aggregate area for all signs, are permissible. Such signage is  
17 permissible only during the period commencing 30 days prior to the date of any  
18 federal, state, or local primary election and concluding seven days after the date of  
19 the subsequent general election. Any such sign must be set back from the front of  
20 the premises not less than five feet.

21 (b) Adjustments and waiver under Section 4-4-20 of this Code of the dimensional  
22 standards set forth in the section is prohibited.

1 **Sec. 4-4-184. Temporary sign copy.**

2 (a) No temporary sign may be permitted for changeable copy. The copy of any  
3 permitted temporary sign shall remain constant and shall not change at any time during the term  
4 of the permit.

5 (b) Nothing in Subsection (a) of this section may be construed as regulating the copy  
6 of a temporary sign in any way or as any other form of content-based regulation, but may be  
7 construed solely regulating the ability to change such copy during the term of the temporary sign  
8 permit.

9 (c) Nothing in Subsection (a) of this section may be construed as prohibiting any  
10 maintenance, repair, or replacement of a temporary sign, or any of its components, as may be  
11 necessary to keep such sign in good repair in accordance with Section 4-4-9 of this Code, including  
12 the replacement of a damaged sign face with a new sign face containing the same copy.

13 **Sec. 4-4-185. General temporary sign standards.**

14 Any temporary sign that is permissible under this division is subject to the following  
15 standards:

16 (1) *Placement.* Any temporary sign shall be located so as to avoid obstruction of or  
17 interference with the safe and efficient flow of pedestrian and vehicular traffic, or  
18 impact the accessibility of ingress or egress of any building or structure. A  
19 temporary sign located in the public right-of-way is further subject to approval by  
20 the Department of Public Works, or other public agency with jurisdiction over the  
21 right-of-way in which the sign is to be located.

22 (2) *Material.* Temporary signs shall be constructed of durable material and  
23 construction, and shall be adequately secured so as to be reasonably able to

1 withstand deterioration, damage, or destruction due to inclement weather, the  
2 forces of wind, rain, and snow, and other impacts.

3 (3) *Good repair.* Any temporary sign shall be maintained in good repair in accordance  
4 with Section 4-4-9 of this Code.

5 (4) *Illumination.* Any temporary sign may be externally illuminated, but shall not be  
6 internally illuminated.

7 (5) *Dynamic.* A temporary sign may be dynamic only where an identical permanent  
8 sign of the same construction, location, and other physical parameters may be  
9 dynamic, but under no circumstances may a temporary sign be animated.

10 (6) *Additional standards.* Any temporary sign is further subject to all general sign  
11 standards set forth in Division 2 of this article, based on the type of construction or  
12 operation of the temporary sign, unless comparable standards set forth in this  
13 division are more restrictive.

14 **Sec. 4-4-186. Removal of temporary signs.**

15 (a) Any temporary sign, along with its frame and supporting structure, shall be  
16 removed by the owner of the premises on which such sign is located, or its agent, within 24 hours  
17 after expiration of its permit.

18 (b) Any temporary sign, along with its frame and supporting structure, that is not  
19 maintained in good repair shall be removed by the owner of the premises on which such sign is  
20 located, or its agent, within 24 hours after receiving a correction notice to remove such sign, in  
21 accordance with Section 4-4-9 of this Code.

22 (c) Any temporary sign, along with its frame and supporting structure that becomes  
23 obsolete shall be removed by the owner of the premises on which such sign is located, or its agent,

1 within 24 hours after becoming obsolete, in accordance with Section 4-4-10 of this Code. A  
2 temporary sign becomes obsolete immediately upon the conclusion of the occasion to which such  
3 sign is intended to draw attention.

4 (d) The Department shall issue a blight violation under the following circumstances:

5 (1) If the owner fails to cure the violation within the applicable cure period after service  
6 of a correction notice.

7 (2) When the owner disputes a violation identified on a correction notice; and

8 (3) When, in the Department's exercise of judgment and discretion pursuant to rules  
9 adopted by the Department, the violation is of such a nature as to be substantially  
10 serious, chronic, and/or willful.

11 **Sec. 4-4-187 - 4-4-200. Reserved.**

## 12 **ARTICLE V. DEVELOPMENT NOTIFICATION SIGNS**

### 13 **Sec. 4-5-1. Definitions.**

14 For the purpose of this article, the following words and phrases shall have the meanings  
15 respectively ascribed to them by this section:

16 *Construction site* means any area where construction or renovation is set to take place, with  
17 the exception of residential construction or renovation involving four or fewer dwelling units.

18 *Development notification sign* means a posted temporary notice that informs the public of  
19 the type of development taking place on the premises, the expected completion date for  
20 construction, and the contact information of the developer.

### 21 **Sec. 4-5-2. Misdemeanor violation; continuing violation; penalty for conviction thereof.**

22 (a) It shall be unlawful for any person to violate any provision of this article.

1 (b) Any person who violates this article may be issued a misdemeanor violation for  
2 each day that the violation continues.

3 (c) Any person who is found guilty of violating any provision of this article shall be  
4 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,  
5 may be fined up to \$500.00 for each misdemeanor violation that is issued.

6 **Sec. 4-5-3. Posting of development notification sign required.**

7 A properly posted development notification sign is required for any construction site that is at  
8 least 10,000 square feet in area and that otherwise requires a building permit.

9 **Sec. 4-5-4. Development notification sign specifications; content; maintenance.**

10 (a) The dimensions for a development notification sign must be at least four feet in  
11 height and six feet in width, with letters of text that are a minimum of one inch in height ~~in~~ and of  
12 a legible font and color contrast.

13 (b) All development notification signs shall be made of durable, weatherproof, and  
14 flame retardant materials.

15 (c) A development notification sign shall display, at minimum, the following content:

16 (1) A rendering or site plan of the proposed development;

17 (2) A title stating “Work in Progress” and specifying the type of structure being built,  
18 for example, commercial, manufacturing, retail, office, hospital, or school;

19 (3) The expected project completion date;

20 (4) The name, address, and telephone number of the owner of the property, corporation,  
21 or registered agent; and

22 (5) The building permit number or a copy of the building permit.

23 (d) Development notification signs shall be maintained so that the sign remains legible,

1 securely attached, and free of sharp edges, protruding nails, or similar hazards.

2 **Sec. 4-5-5. Placement of development notification sign.**

3 A development notification sign shall be placed on the fence on each perimeter facing a public  
4 street or highway. If the development site is not fenced, then a development notification sign shall  
5 be fixed into the ground at each perimeter facing a public street or highway. All development  
6 notification signs shall be placed at a height of four feet from the ground, measured from the  
7 bottom edge of the development sign.

8 **Sec. 4-5-6. Duration of posting.**

9 (a) Development notification signs must be posted within 30 days of receipt of a  
10 building permit for the site, and must remain posted until a certificate of occupancy is issued.

11 (b) Development notification signs must be removed within 30 days of issuance of a  
12 certificate of occupancy.

13 **Sec. 4-5-7. Complaints.**

14 Complaints regarding a development property without a development notification sign posted  
15 may be made to the ~~Buildings, Safety Engineering, and Environmental~~ Department. The  
16 Department shall investigate complaints to determine compliance with this article.

17 **Secs. 4-5-8 – 4-5-20. Reserved.**

1           **Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health,  
2 safety, and welfare of the People of the City of Detroit.

3           **Section 3.** All ordinances or parts of ordinances that conflict with this ordinance are  
4 repealed.

5           **Section 4.** In accordance with Section 4-118(3) of the 2012 Detroit City Charter, this  
6 ordinance shall be published forthwith and become effective on July 1, 2020.

7 Approved as to form:

8

9

10 \_\_\_\_\_  
11 Lawrence T. García  
Corporation Counsel