

## **THE CHARTER TOWNSHIP OF MUNDY**

### **ORDINANCE NO. 72-10**

AN ORDINANCE TO REPEAL ORDINANCE NO. 72, RELATING TO SIGNS WITHIN THE CHARTER TOWNSHIP OF MUNDY, TO ADD THE PROVISIONS OF THIS ORDINANCE TO THE CODIFIED ZONING ORDINANCE, SPECIFICALLY TO ADD SECTION 34, REGULATING SIGNS OF ALL TYPE WITHIN THE CHARTER TOWNSHIP OF MUNDY, GENESEE COUNTY, MICHIGAN, AS MORE FULLY SET FORTH IN THE PROVISIONS HEREINAFTER RELATED TO INTENT.

### **THE CHARTER TOWNSHIP OF MUNDY ORDAINS:**

#### **SECTION 34.00**

##### **SIGNS INTENT AND APPLICABILITY**

The intent of this Ordinance is to regulate signs and outdoor advertising within the Township so as to protect public safety, health, and welfare; minimize abundance, intensity (as it relates to the use of light, movement, reflection, and color), and size of signs to reduce visual clutter, motorist distraction, and loss of sight distances; promote public convenience; preserve property values; support and complement land use objectives as set forth in the Township of Mundy Master Plan and this Ordinance; and enhance the aesthetic appearance and quality of life within the Township. The standards contained herein are intended to be content neutral.

These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the Township so as to:

- A. Recognize that the proliferation of signs is unduly distracting to motorists and pedestrians, reduces the effectiveness of signs directing and informing the public, creates confusion, reduces optimum uniform traffic flow, and creates potential for traffic incidents.
- B. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- C. Reduce physical and visual obstructions due to a proliferation of signs which would diminish the Township's character, property values, and quality of life.

- D. Serve the public interest of and satisfy the principal intent of commercial signs which is to identify establishments on the premises, and not advertise special events, branding, or off-premises activity.
- E. Enable the public to locate goods, services, and facilities without excessive difficulty and confusion by regulating the number and placement of signs.
- F. Regulate placement of signs so as not to obstruct or conceal signs of adjacent uses or important visual objects, such as public safety signals or hazards.
- G. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, and other types of information protected by the First Amendment of the US Constitution.
- H. Maintain and improve the character or image of the Township and its neighborhoods by encouraging signs of consistent size and composition which are compatible with and complementary to related structures and uses, and harmonious with their surroundings.
- I. Discourage portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
- J. Enhance the character of the Township's commercial, residential, and mixed use districts.
- K. Recognize the collective public benefit of individuals' need to erect temporary on-premises signs to sell real estate, hold garage sales, identify development projects, and express political or other speech while balancing this need with the public good by regulating the number, manner, and duration of such placement to promote less collective clutter and visual obstruction.
- L. Recognize that the Township of Mundy is in the unique position to hold, sponsor, or sanction educational, public, or community events that require identification, notice, or posting of temporary signs. Such events include but are not limited to public hearings, public notices, workshops, or promotional community events.

## SECTION 34.01

### DEFINITIONS

Definitions not contained herein shall be defined by virtue of dictionary definitions or reference to other Ordinances of the Township if applicable. For the purpose of this Ordinance, the following definitions shall apply in addition to the definitions as set forth in Section 34.03 of this Ordinance.



Awning Sign

- A. Abandoned Sign: See Obsolete Sign
- B. Alteration: Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.
- C. Animated Sign: A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
- D. Awning or Canopy: A retractable, foldable, collapsible or fixed shelter constructed of non-rigid or rigid materials on a supporting framework that project from the exterior wall of a building.
- E. Awning or Canopy Sign: A sign attached directly to, or painted or otherwise inscribed upon an awning or canopy.
- F. Banner Sign: A fabric, plastic, or other temporary sign made of non-rigid material without an enclosing structural framework.
- G. Billboard: See off-premise sign. A structure for the permanent display of off-premises advertising. Off-premises advertising is any commercial message referring or relating to an enterprise or business that is not conducted on the premises where the sign is located.
- H. Building Identification Sign: A non-electric sign that serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.



Banner Sign



Billboard Sign

I. **Business Center:** Any group of three (3) or more commercial establishments which: a) are under one (1) common ownership or management; or b) have a common arrangement for the maintenance of the grounds and are connected by party walls, partitions, covered canopies or other structural members to form one (1) continuous structure; or c) share a common parking area; or d) otherwise present the appearance of one (1) continuous commercial area.

J. **Community Special Event Sign:** On-premise signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or informing the public of community events, church, municipal, or school activities.



K. **Construction Sign:** A temporary sign which identifies the owners, financiers, contractors, architects, and engineers of a project under construction.

Construction Sign

L. **Corner Parcel:** See “Lot” in Section 34.03, Definitions.

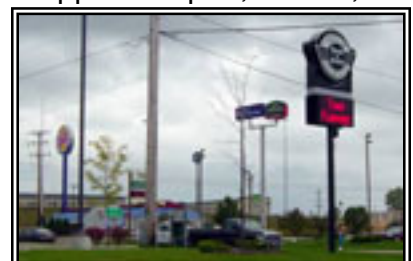
M. **Day:** For the purpose of this Ordinance, a calendar day rather than a business day.

N. **Directional Sign:** A sign which gives directions, instructions, or facility information for the use on the lot on which the sign is located, such as parking or exit and entrance signs.

O. **Election Sign:** Designed, used or intended to induce voters to vote for either the passage or defeat of a measure appearing on the ballot of any election, or for either the election or defeat of a candidate for nomination or election to any public office in any election

P. **Electronic Reader Board (ERB), Electronic Message Center (EMC) or Changeable Message Sign (CMS):** The portion of a sign on which copy is changed manually or electronically. Electronic reader boards are defined as a changeable message sign and further include dynamic message signs (DMS), electronic billboards (EBB), light emitting diode (LED) displays, and other similar signs.

Q. **Entranceway Sign:** A sign used to identify an approved plat, condo, or Planned Development project that is located on private property or within the right-of-way as permitted in the site plan review process and in accordance with this Ordinance.



Freestanding Sign

R. Flashing Sign: Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such is in use. Any moving, illuminated sign shall be considered a “flashing sign.”

S. Footcandle: A unit of incident light quantity measured with a luminance meter.

T. Freestanding/Pole/Pylon Sign: A sign which is erected upon or supported by the ground on one (1) or more poles, uprights or braces which do not have the appearance of a solid base.



U. Government Sign: Any sign erected by or for the United States or any subdivision or agency thereof, or the State of Michigan or any political subdivision or agency thereof.

V. Ground or Monument Sign: A three-dimensional, self-supporting, base-mounted freestanding sign, consisting of two (2) or more sides extending up from the base, and upon which a message, business, group of businesses or center name is affixed.

Ground Sign

W. Historic or Landmark Sign: A sign constructed to identify and in accordance with a designation by the National Register of Historic Places or a government sign identifying an officially designated landmark.

X. Illegal Sign: A sign erected without a permit or complying with all regulations in effect at the time of its construction or use; an obsolete sign; a sign with an expired amortization period; a sign that is unsafe or is a danger to the public.

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

Z. Logo: A graphical element, symbol, emblem, icon, or other device that, with or without its logotype form a trademark or commercial brand.

- AA. Institutional Sign: A sign, which by symbol or name identifies an institutional use permitted within a residential zoning district and may also provide the announcement of services or activities to be held therein.
- BB. Marquee: A permanent structure constructed of rigid materials that projects from the exterior wall of a building.
- CC. Marquee Sign: A sign attached directly to, or painted or otherwise inscribed upon a marquee.
- DD. Master Sign Plan: A plan, theme, and/or set of sign standards that are applied to a development of large scale, such as an outdoor mall with multiple tenants and/or land uses. Such signage may include directional signage, pylon signs, ground signs, wall signs, and other signs that do not necessarily conform to the ordinance but may be approved by the ZBA to meet the intent of this ordinance.
- EE. Mural: A design or representation painted or drawn on a wall which does not advertise an establishment, product, service, or activity.
- FF. Obsolete Sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.
- GG. Off-Premise Sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located (e.g. billboards, garage sale signs, residential open house signs, business or institutional signs that are not located on the premises of the identified function).
- HH. Non-conforming Sign: A sign or other identification or advertising structure which was lawfully erected and maintained prior to the adoption of this Ordinance, and which subsequently does not comply completely with the Zoning Ordinance.
- II. Political Sign: A temporary sign used in connection with an expression of a political opinion or message or an official Mundy Township, school district, county, state, or federal election or referendum sign.
- JJ. Portable Sign: A sign designed to be moved easily and not permanently attached to the ground, a structure, or a building, including signs with wheels, A-frame signs, signs mounted on vehicles, air and gas filled balloons, pennants, streamers, ribbons, pinwheels, non-governmental flags and searchlights.



Portable Sign

KK. Poster Panel Signs: A portable advertising or business ground sign constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.



LL. Projecting Sign: A sign that protrudes from the top of the ground floor over the sidewalk, required setback, right-of-way, or promenade.

Poster Panel Sign

MM. Real Estate Sign: A temporary sign advertising the real estate upon which the sign is located as being for sale, rent, or lease.



NN. Roof Line: The top edge of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.

Roof Sign

OO. Roof Sign: A sign erected above the roof line of a building.

PP. Sign: A device, structure, fixture, display or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, or activity.

QQ. Sign Face: See ‘Sign Area’ in Section 34.04.

RR. Special Event Sign: Temporary and portable signs containing public messages concerning special events sponsored by governmental agencies or nonprofit organizations.

SS. Supergraphic: A large-scale painted or applied advertising or identification sign, similar to a billboard, typically in geometric or typographic designs, used over walls, facades, or other private and public area and used to create an illusion of expanded, interactive, or altered space.

TT. Temporary Sign: A non-commercial sign constructed of cloth, canvas, fabric, wood, plastic or other light temporary material, with or without a structural frame that is intended for a specific short-term use; not including decorative display for holidays or public demonstration. Such signs include but are not limited to on-site real estate signs used for the purpose of advertising the premise for sale, rent or lease; on-site garage sale signs; political signs; seasonal signs; non-commercial signs which contain non-commercial information or directional messages; and construction signs.

UU. Vehicle Sign: A sign that is attached to, painted on, or otherwise displayed on a vehicle that is parked on or adjacent to any property, the principal purpose which is to attract attention to a product sold or business located on the property.



Wall Sign (Parallel)

VV. Wall Sign (Parallel): A sign painted or attached directly to and parallel to the exterior wall of a building.

WW. Wall Sign (Perpendicular): A permanent sign attached directly to and perpendicular to the exterior wall of a building.



Wall Sign (Perpendicular)

XX. Window Sign: A temporary sign installed on or inside a window or inside a building and intended to be viewed from the exterior of the building.

## SECTION 34.02

### EXEMPT SIGNS

Subject to the conditions and requirements set forth in this Section, the following signs shall be exempt from approval and permit requirements:

A. Address numbers with a numeral height no greater than six (6) inches for residences and eighteen (18) inches for businesses. A limit of two address sign per lot shall be permitted per residence or business. Address numbers on mailboxes are excluded from these requirements.



- B. Building identification signs identifying the occupants of the building, not to exceed two (2) square feet. A limit of one sign shall be permitted per residence or business.
- C. Historical signs, memorial signs or tablets, names of buildings and date of erection, monumental citations, commemorative tablets carved into stone, concrete or similar material or made of bronze, aluminum or other non-combustible material and made an integral part of the structure and not exceeding twenty-five (25) square feet.
- D. Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business.
- E. Regulatory, directional and street signs erected by a public agency in compliance with Michigan Manual of Uniform Traffic Control Devices, and the Uniform Federal Accessibility Standards and Michigan Barrier-free Manual.
- F. Flags of the United States, the State of Michigan, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Other flags bearing the official design of an educational, institutional, or non-profit organization are also permitted. Any flag not meeting these conditions shall NOT be exempt and must follow the regulations of this Ordinance.
- G. Plaques or signs designating a building as a historic structure.
- H. Incidental signs, provided that total of all such signs shall not exceed ten (10) square feet per business.
- I. Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
- J. Permanent signs on vending machines, gas pumps, or ice containers indicating only the contents of such devices, provided that the sign area shall not exceed six (6) square feet per device.
- K. Menu and order boards for drive-through facilities provided such signs shall be located on the interior of the lot and not legible from adjacent properties. The placement, size, content, manner of illumination and sound level of such signs shall not constitute a traffic or pedestrian hazard and shall not be located in a front yard. Such signs shall be limited to four per establishment.

- L. Stadium signs and athletic scoreboards up to 200 square feet in total.
- M. Portable, temporary real estate "open house" signs with an area no greater than four (4) square feet provided they are located on the parcel of the event.
- N. "Help wanted" signs soliciting employees for the place of business, where posted, provided that the maximum area for all such signs shall be six (6) square feet.
- O. Any sign which is located completely within an enclosed building and not visible from outside the building.
- P. Placards, not to exceed two (2) square feet in area, located on top of gas station pumps.
- Q. Placards, not to exceed two (2) square feet in area which provide notices of a public nature such as "No Trespassing," "No Hunting," "Beware of Dog" and "No Dumping" signs. Such signs shall be posted a minimum of thirty (30) feet apart, as measured across the property line, and not include any additional further identification, advertisement, or unrelated content.
- R. Any sign that the Township erects in the public right-of-way or on public property for a public purpose approved by the Township Board.

### **SECTION 34.03**

#### PROHIBITED SIGNS

The following signs are prohibited in all districts:

- A. Any sign not expressly permitted.
- B. Abandoned or obsolete signs.
- C. Signs which incorporate flashing or moving lights.
- D. Banners, balloons, pennants, festoons, inflatable figures, spinners, and streamers, unless specifically permitted in this Ordinance.
- E. String lights used for commercial purposes (thereby exempting holiday expression). Such holiday decorations are admissible only forty-five (45) days per calendar year per holiday.

- F. Moving signs, including any sign which has visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current.
- G. Any sign or sign structure which:
  - 1. Is structurally unsafe;
  - 2. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;
  - 3. Constitutes a hazard to safety or health by reason of blocking views;
  - 4. Is capable of causing electric shock to a person making contact with it;
  - 5. Is unlawfully installed, erected, or maintained;
  - 6. Is located in public street or utility right-of-way, except where expressly permitted herein; or
  - 7. Is not kept in good repair, such that it has broken parts, missing letters, or non-operational lights.
- H. Any sign erected on a tree or utility pole, except government or utility signs of a government or utility erected for a safety, emergency, or necessary identification purpose.
- I. Any sign erected within 10 feet of a fire hydrant.
- J. Portable signs, except where expressly permitted in this Ordinance.
- K. Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes, rather than for transportation purposes, and parked in a location that is selected for that purpose (e.g. a vehicle parked close to a street in a large commercial parking lot).
- L. Any sign which obstructs vision or free access to or egress from a required door, window, fire escape, or other required exit from a building or structure.
- M. Any sign which makes use of the words "Stop," "Look," or "Danger," or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.

- N. Any sign which contains obscene, indecent, or immoral matter.
- O. Roof signs.
- P. Signs on street furniture, such as benches and trash receptacles, except for plaques of recognition.
- Q. Temporary signs no longer valid due to the sale, rental, or lease of the property; termination of identified event; or disrepair.
- R. Business logos on directional signs or mailboxes. Included light fixtures, benches, and other public or private structures.
- S. Off-Premise signs, unless expressly permitted in this ordinance.
- T. Signs placed or erected without the permission of the property owner.

**SECTION 34.04**

GENERAL REGULATIONS

A. Sign Location. No sign, except those established by the Township of Mundy, Genesee County, or state or federal governments shall be located in, project or overhang into any public right-of-way or dedicated easement unless explicitly permitted herein.

B. Sign Area

1. Sign area shall be measured as the square footage of the sign face and any frame or other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed.

2. When a sign consists solely of lettering or other sign elements printed, painted or mounted on a wall of a building without any distinguishing border, panel or background, the calculation for sign area shall be measured by enclosing the most protruding edges of the sign elements within a parallelogram or rectangle.



Use of Rectangles to Calculate Area

3. When a sign is composed of separate elements organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms (rectangle, circle, trapezoid, triangle, etc.) which comprises all of the display areas, including the space between different elements.

4. The area of a double-faced freestanding sign shall be computed using only one (1) face of the sign provided that: a) the outline and dimensions of both faces are identical, and b) the faces are parallel, back to back (within 20") so that only one face is visible at any given time.

### C. Design and Construction

1. Signs shall be designed to be compatible with the building materials and landscaping used on the property to promote an overall unified and aesthetic effect in accordance with the standards set forth herein.
2. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.
3. Signs shall not have light reflecting backgrounds but may use light reflecting lettering.
4. All ground signs must be landscaped with a combination of low maintenance low shrubbery and perennial/annual plantings that are drought resistant.
5. The maximum distance between parallel sign faces on a double-faced sign shall be twenty (20) inches.
6. The background of a multiple tenant commercial or shopping center signs, including individual sign panels within the sign, shall be one color. However, individual businesses may have different colored lettering or advertising.
7. Every sign shall be constructed and maintained in a manner consistent with the applicable building code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood, plastic, and other parts and supports.
8. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they meet applicable building code provisions, including the provision of concrete footings or foundations.

9. All portable and temporary signs shall be constructed and maintained by the owner in such a manner and of such materials so that they withstand environmental conditions.
10. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.

#### D. Sign Height

1. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.
2. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

#### E. Illumination

1. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign or internal to it.
2. Use of glaring undiffused lights or bulbs shall be prohibited.
3. Lights shall be shaded so as not to project onto adjoining properties or thoroughfares.
4. Underground wiring shall be required for all illuminated signs not attached to a building.
5. Accent lighting must conform with the lighting provisions of the Zoning Ordinance.



Front Lit Wall Sign  
Gooseneck lights

## SECTION 34.05

### SPECIFIC SIGN TYPE REQUIREMENTS

Many of the following regulations are summarized in Table 1.

#### A. Wall Signs

1. Number of Signs: One (1) wall sign shall be permitted per street or highway frontage on each parcel, excluding window signs. Buildings adjacent to a limited access highway shall be permitted one (1) additional wall sign facing said limited access highway. In the case of a multi-tenant building or shopping center, one (1) wall sign shall be permitted for each tenant having an individual means of public access into the building. Tenants occupying a corner space in a multi-tenant structure shall be permitted to have one (1) sign on each side of the building.
2. Parallel wall signs shall extend no greater than twelve (12) inches from the exterior face of the wall to which it is attached.
3. Perpendicular wall signs shall not extend more than two (2) feet into an established right-of-way for buildings with a zero foot front setback or six (6) feet, whichever is less. In no case can a sign be constructed so as to be closer than two (2) feet of an established curb line.
4. Wall signs must be a minimum of eight (8) feet above the ground level or the sidewalk, whichever is greater.
5. The height of wall signs shall not exceed the maximum building height specified for the district it is located in or the height the building on which the sign is located, whichever is less.

#### B. Window Signs

1. Window signs are not to cover more than fifty percent (50%) of a window.
2. One (1) window sign is permitted per window in addition to any incidental signs.
3. The area of the window sign counts towards permitted wall sign area.

### C. Awning and Canopy Signs

1. Awnings or canopies may project a maximum of six (6) feet into the public right-of-way or up to three (3) feet from any street curb line on properties with a zero foot front setback from the right-of-way. Otherwise, the awning or canopy may project a maximum of eight (8) feet from the wall of the building.
2. A minimum clearance of eight (8) feet shall be maintained from ground or sidewalk level.
3. Any lettering or logos on the awning or canopy shall be included within the calculation of total permitted wall sign area.
4. Awnings and canopies may be front lit only on the sides of the building which contain a public entryway or those having a pedestrian sidewalk immediately adjacent to the building.

D. Directional Signs: Directional signs used to direct vehicular or pedestrian traffic to driveways, parking areas, loading areas, or to certain buildings or locations on the site, shall not exceed four (4) square feet in area, and four (4) feet in height. Directional signs may be located in the front setback area, provided they are setback at least fifteen (15) feet from the existing or planned right-of-way line.

E. Electronic Reader Boards (ERB), Electronic Message Centers (EMC), and Changeable Message Signs (CMS).

1. Such signs are permitted only on ground signs in non-residential zoned areas.
2. ERB's, EMC's, and CMS's shall not exceed more than fifty percent 50% of the total sign area except for Billboards in section 34.05 (K).
3. No message occurrence shall be less than ten (10) seconds in duration.
4. Such signs shall not be programmed with any animated, scrolling, or flashing messages, symbols, logos, or other graphics. Only static text and static logos are permissible.
5. Gasoline price signs may be permitted as part of a ground sign, but the total area shall not exceed twenty (20) square feet.
6. Changeable marquee signs may be permitted for theaters but are not to exceed 100 square feet in area.



7. Reader boards and changeable message signs shall be maintained in good repair at all times. If any part of the message display is not functioning properly, the use of the reader board sign will be discontinued until sufficient repairs are made.
  8. EMC's, CMS's, & ERB's must comply within the following thresholds for luminance: Day 600 – 1000 cd/m<sup>2</sup>; Night 100 – 350/m<sup>2</sup>. The day/night transition shall occur within one-half hour of the official sunrise/sunset. All EMC's are required to have automatic dimming capability that adjust the brightness to the ambient light at all times of the day and night.
  9. ERB's & EMC's may only operate during normal business hours or from 6am to 11pm, whichever is greater.
- F. Poster Panel Signs (i.e. sandwich signs): Poster panel signs including sandwich signs and "A" frame signs shall be permitted in commercial business districts, subject to the following:
1. The area of the sign shall not exceed twelve (12) square feet per side.
  2. One (1) such sign shall be permitted per customer entrance or per on-site business, whichever is less.
  3. The sign shall be no greater than four (4) feet in height and three (3) feet in width.
  4. The sign shall not be illuminated in any manner.
  5. The sign shall be located a minimum of four (4) feet from the edge of any sidewalk and not be located in a manner as to interfere with vehicular or pedestrian traffic flow or visibility.
  6. The sign is permitted only during operating business hours or from the hours of 6:00am to 10:00pm, whichever is less, and must be stored inside when the establishment is not open to the general public.
  7. The sign must be constructed of weather-proof, durable material and kept in good repair.
- G. Temporary Signs:
1. Temporary signs shall be in accordance with Table 34.1.
  2. Temporary signs shall not be placed within a public right-of-way or within twenty feet (20ft) of the edge of any traveled portion of a roadway.

3. Temporary signs shall not be erected, situated, or constructed so as to create a hazard of any kind or so as to interfere with, obstruct, confuse, or mislead traffic.

H. Institutional Signs (Public Services, Churches, Schools, etc.):

Institutional signs in a non-residential district are subject to the same standards as other signs in the district in which the institution is located.

Institutions in residential districts may erect signs for the purpose of identifying a church, school, public building, church affiliated school, parsonage, or other facility; advertising the time or subject of programming; or presenting other related information. Such signs shall be subject to the following standards:

1. There shall be no more than one (1) sign per parcel, except on a corner parcel, where two (2) signs shall be permitted, with one (1) facing each street. One (1) additional sign shall be permitted for each school, parsonage, or other related facility provided such sign is used exclusively to identify the additional permitted use.
2. The maximum size of each sign shall be thirty-two (32) square feet.
3. Signs shall comply with the setback requirements for the district in which they are located.
4. The maximum height of such signs shall be six (6) feet.

I. Entranceway Signs:

1. Two (2) permanent entranceway sign faces, identifying the name of the subdivision or development, may be located at each entrance to the subdivision or development. Such faces may be located on opposite sides of the entrance provided the copy is identical.
2. The maximum size of any sign face shall be thirty-two (32) square feet.
3. The sign shall cover no more than fifty percent (50%) of the entranceway structure it is attached to, such structure not to exceed eight (8) feet in height, and be constructed of durable materials.
4. The sign shall only be illuminated by stationary, shielded light sources directed solely at the sign, or internal to it.

J. Pole or Pylon Signs:

1. Pole or Pylon signs are to be permitted only on properties that abut a limited access highway and are zoned and used for commercial purposes.
2. The sign must be located on the same lot as the commercial use that it advertises. Additional businesses on properties within 2500 feet of a limited access highway right-of-way may also be included on the sign.
3. The height of the sign shall not be more than hundred (100) feet higher than the elevation of a limited access highway directly opposite the lot on which the sign is located.
4. The sign shall not be less than one hundred (100) feet from any existing pole or pylon sign, and it shall not be more than fifty (50) feet from the right-of-way of a limited access highway, whichever is closest to the business.
5. The sign shall have a maximum area of 300 square feet. In the case of a two-sided sign, with parallel faces, each side may have an area of 100 square feet.

K. Billboards:

1. Billboards are to be permitted only on properties that abut a limited access highway and are zoned industrial.
2. Billboards must be located a minimum of two hundred (200) feet from adjacent residentially zoned property and one thousand six hundred (1600) feet from other billboards on the same side of the right-of-way.
3. Such signs shall have the same setbacks as other principal structures in the zone in which they are situated, providing the setback can be no less than the height of the sign at its tallest point.
4. Such signs shall not exceed three hundred (300) square feet in area and shall not exceed forty-five (45) feet in height.
5. The sign shall have a maximum area of 300 square feet. In the case of a two-sided sign, with parallel faces, each side may have an area of 100 square feet.

## **SECTION 34.06**

### **LEGAL NONCONFORMING SIGNS**

- A. Any legal sign existing at the time of adoption of this Ordinance, which does not comply with all provisions contained herein shall be considered a legal nonconforming sign and may be permitted to continue, subject to the limitations of Section 34.07 of this Ordinance, if the sign is properly maintained and not detrimental to the health, safety and welfare of the community.
- B. If a non-conforming sign structure and frame are in good condition and can be reused by a new occupant in a leased or rented building, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied. If the building is unoccupied for less than 30 days the previous business' sign information may be retained. If the building is unoccupied for more than 30 days, the previous business' sign information must be removed. In such cases, the sign must be maintained in good condition and any openings must be covered with appropriate panels.
- C. Legal nonconforming signs which are removed, blown down, destroyed, relocated, damaged or altered such that 50% of their replacement value is lost, shall be required to be replaced with signs that conform to this Ordinance.
- D. All illegal nonconforming signs that exist on the effective date of this Ordinance shall be removed immediately upon the enactment of this Ordinance and should be replaced by signs that conform to this Ordinance.
- E. Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign copy, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection, or relocation of the sign unless such changes conform to Section 34.04 and are previously approved by the Planning Commission or Building Official.

## **SECTION 34.07**

### **REMOVAL OF LEGAL NONCONFORMING SIGNS**

- A. A nonconforming sign shall be removed upon verification that the use for which such nonconforming sign refers has been abandoned for more than 180 consecutive days.

- B. The Township shall notify the sign owner and/or the owner of the land on which the non-conforming sign is located and such owner shall have thirty (30) days after such written notice within which to remove said sign.

## **SECTION 34.08**

### **ADMINISTRATION**

- A. Review and Approval: No sign, permanent or temporary, shall be erected, structurally altered, or relocated, except as otherwise provided in this Ordinance, without review and approval from the Township of Mundy Building Official.
- B. Application: The application, on a form provided by the Township of Mundy Building Department, shall contain the proposed location of the sign, the name and address of the sign owner and of the sign erector, the name and address of the owner of the business and of the property if different from that of the sign owner, drawings and/or sketches showing the design and location of the sign, the estimated cost of construction and any other information as the Building Official may require to ensure compliance with this Ordinance and with other ordinances of the Township.
- C. Staking of Sign's Proposed Location: The location of a proposed sign shall be staked by the property owner. The Building Department will use the staked location to determine compliance with required setbacks set out in this Ordinance before issuing a sign permit.
- D. Permit Required: Upon approval, a sign permit will be issued by the Township of Mundy Building Official. The Building Official shall issue a numbered permit for all approved signs. Such number shall be permanently displayed at a conspicuous place on the sign.
- E. Fees: All permit fees for signs shall be as established by resolution of the Township of Mundy Board of Trustees.
- F. Nullification: A sign permit shall become null and void if the work for which the permit was issued has not been completed within six (6) months after the date of the permit.

- G. Exceptions: The following shall not require a sign permit:
  - 1. Replacing Copy: The changing of the advertising copy or message on an approved painted or printed sign, on a theater marquee and on similar approved signs which are specifically designed for the use of replaceable copy; and
  - 2. Maintenance: Painting, repainting, cleaning or other normal maintenance or repair of a sign or a sign structure, unless a structural change is made.
- H. Certificate of Compliance: All signs shall require a final inspection and the issuance of a Certificate of Compliance from the Building Department. The property owner shall notify the Building Department immediately upon erecting the sign to request the final inspection.

## **SECTION 34.09**

### COMPLIANCE WITH OTHER LAWS

All signs shall comply with the pertinent requirements of the Township's adopted Building Code, as amended from time to time, except as modified in this Ordinance.

## **SECTION 34.10**

### INSPECTIONS, MAINTENANCE AND REMOVAL

- A. Inspections. Signs for which a permit is required may be inspected periodically by the Building Official, or his or her designee, for compliance with this Ordinance and with other ordinances of the Township.
- B. Maintenance. All signs and components thereof shall be kept in good repair and in a safe, neat, clean and attractive condition.
- C. Removal.
  - 1. The Building Official may order the removal of any permanent sign and its supporting structure erected or maintained in violation of this Ordinance. The Building Official shall give thirty (30) days notice in writing, to the owner of such sign and its supporting structure to bring it into compliance. Any sign erected of a temporary nature shall require written notice of only three days.

2. Upon failure to comply with this notice, the Building Department representative may remove the sign and its supporting structure. The Building Department representative may remove a sign and its supporting structure immediately and without notice if, in his or her opinion, the condition of the sign and its supporting structure presents an immediate threat to the safety of the public. The cost of such removal by the Township shall be assessed against the owner of such sign or the owner of the building, structure or premises.
  3. Any portable sign, except those expressly permitted in this Ordinance, shall be removed within six (6) months from the effective date of this Ordinance. The Building Department may extend the date for removal of such portable signs up to an additional twelve (12) months upon proving hardship to the Zoning Board of Appeals.
- D. Obsolete Signs.
1. An obsolete sign shall have its copy removed or concealed by the property owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises.
  2. The Building Department representative may remove a sign and its supporting structure immediately and without notice if, in his or her opinion, the condition of the sign and its supporting structure presents an immediate threat to the safety of the public. The cost of such removal by the Township shall be assessed against the owner of such sign or the owner of the building, structure or premises.
- E. Where a successor to an inactive business agrees, within thirty (30) days of the date of written notice by the Building Official, to maintain the sign as provided for in this Ordinance, the copy removal/concealment requirement shall not apply, provided that the existing sign and structure conforms to all current sign requirements.

## **SECTION 34.11**

### **CRITERIA FOR VARIANCE FROM THE SIGN REGULATIONS**

The Zoning Board of Appeals may hear requests for variances from the regulations set forth in this Ordinance. The Building Official may require the applicant to present photographs of similar signs, color renderings or to erect a temporary mock-up of the sign on the site prior to rendering a decision on a variance request. Requests for variance shall be reviewed for compliance with the following:

- A. Variances may be granted for any one of the following conditions:
1. The applicant has demonstrated a variance is needed due to a practical difficulty on the site, such as varied topography, horizontal or vertical road curvature, or presence of structures or desired trees that limit visibility of a sign on the premises compared to similar sites with conforming signs in the same zoning district; or
  2. A variance is warranted due to the relatively large size of the site, frontage or building in comparison to other establishments in the same zoning district; or
  3. A variance would significantly improve the conformity of an existing sign.
  4. A master-sign plan is proposed that is unique due to project scope and scale.
- B. To grant a variance for one of the conditions specified above, all of the following standards must also be met:
1. The inability to conform with the requirements of this Ordinance is due to a hardship or practical difficulty that includes more than mere inconvenience or mere inability to attain a supposed higher financial return; and
  2. That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person who requested the variance, and result from conditions which do not exist generally throughout the Township; and
  3. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Ordinance, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent of this Ordinance; and
  4. The variance granted is the minimum necessary to allow the applicant to enjoy the same rights as other establishments in the same zoning district, have a reasonable outlet for free speech and meet the intent of this Ordinance; and
  5. The variance will not adversely affect the health, safety and welfare of the public.



## **SECTION 34.12**

### **COSTS OF ENFORCEMENT**

Any costs or expenses incurred by the Township in enforcing this Ordinance shall be paid by the owner of the sign found to be in violation of this Ordinance; or upon default thereof, by the owner of the sign or the owner of the property to reimburse the Township for costs and expenses incurred in such enforcement. The owner of the property shall be billed for such cost and expenses in the same manner as other taxes.

## **SECTION 34.13**

### **PENALTIES**

Any violation of this Ordinance shall be a misdemeanor punishable as provided in the Code of Ordinances of the Township of Mundy.

## **SECTION 34.14**

### **CONFLICT WITH OTHER LAWS**

- A. In any case where a provision of this Ordinance is found to be in conflict with another provision of this Ordinance, or any building, housing, fire, safety, or health ordinance of the Township of Mundy existing on the effective date of this Ordinance, the provisions which establish the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of any other ordinance or Code of the Township of Mundy establishes a lower standard for the promotion of health and safety of the people, the provisions of this Ordinance shall prevail, and such other ordinances or Codes are hereby declared to be of no force and effect.
- B. This Ordinance specifically repeals Ordinance 72, relating to signs within the Charter Township of Mundy.

**SECTION 34.15**

SEVERABILITY

Each and every article, section and subsection, of this ordinance, and each provision of each Ordinance, section and subsection, is declared to be separable and severable, and a judicial determination that any Ordinance, section, subsection or provision of this ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other Ordinance, section, subsection or provision.

**SECTION 34.16**

EFFECTIVE DATE

This Ordinance is to take effect thirty (30) days after passage and publication hereof.

We, the undersigned Supervisor and Clerk of the Charter Township of Mundy, Genesee County, Michigan, do hereby certify that the above ordinance was passed by the Charter Township of Mundy Board on the 28<sup>th</sup> day of June, 2010.

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DAVID L. GUIGEAR, Supervisor

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TONYA KETZLER, Clerk

**Table 34.1: SCHEDULE OF TEMPORARY SIGN REGULATIONS.**

Sign Type	Temporary Signs						
	District Permitted	Type of Sign	Max Size per sign	Maximum Height	Maximum Number	Setback	Permitted Duration
Construction sign	All	Ground & Wall	64 sq ft.	12'	1 (b)	4'	Building permit date till issuance of a full certificate of occupancy
Poster Panel / "A" Frame	C-1, C-2, C-3, C-3a	Portable	6 sq. ft.	4'	1 (b,g)	2' (a)	Daily, during business hours
Real Estate: Single home or residential lot	Residential	Portable, Ground & Wall	6 sq. ft.	4'	1 (b)	5'	During active sale of property, to be removed 15 days after sale
Real Estate: Single business or lot	Non-residential	Ground & Wall	6 sq. ft.	4'	1 (b)	5'	During active sale of property, to be removed 15 days after sale
Real Estate: vacant land	All	Ground	64 sq ft	12'	1 (b)	10'	During active sale of property, to be removed 15 days after sale
Garage Sale sign	Residential (f)	Portable	4 sq. ft.	4'	1 (b)	2'	4 consecutive days, no more than 8 days in a month, no more than 30 days in a calendar year
Grand opening of new business	Commercial	Portable	18 sq ft.	12'	1 (b)	10'	30 days (d)
Community special event sign	All	(c)	6 sq. ft	4'	1 (b)	5'	Duration of the event, not to exceed 30 days (e)
Election sign	All	Portable, Ground, & Wall	4 sq ft.	4'	3 (b)	2'	30 days prior and 7 days after election

*Footnotes:*

(a) Poster panel signs may be placed within the right-of-way provided that the building for which said sign is used has a zero foot setback and such sign will not impede pedestrian traffic or otherwise create a hazard.

(b) On a corner parcel one additional sign shall be permitted provided this sign faces a different street.

- (c) Community special event signs may include ground or wall signs, banners, pennants, or similar displays; subject to building official approval.
- (d) Grand opening signs shall only be permitted during a change of business, not a change of ownership.
- (e) Such signs may be placed 15 days before an event occurs, providing the sign remains up no longer than 30 days.
- (f) Residential dwellings in all zones are permitted parcels.
- (g) One sign is allowed per business in multi-tenant retail establishment.

**Table 34.2: SCHEDULE OF PERMANENT SIGN REGULATIONS.**

Zoning Districts	Wall Signs (a)(b)(h)	Ground Signs (c)(d)(e)(f)(g)		
	Max. Sign Area (per linear ft. of building frontage)	Max. Area (per side)	Max. Height	Setback from ROW, private road easement or access drive/setback from property line
RA, RSA, RM-1, RM-2 and M-3 Districts (for permitted non-residential uses)	1 sq. ft. per linear ft. up to 90 sq. ft.	24 sq. ft.	6'	15'/15'
C-1 & C-2 Districts	1.5 sq. ft. per linear ft. up to 100 sq. ft.	24 sq. ft.	6'	15'/10'
C-3 District	2.0 sq. ft. per linear ft. up to 90 sq. ft.	40 sq. ft.	10'	15'/10'
C-4, C-5, & PRC Districts	2.0 sq. ft. per linear ft. up to 250 sq. ft.	90sq.ft.	14'	15'/10'
M-L, M-M, M-H Districts	1.5 sq. ft. per linear ft. up to 150 sq. ft.	90 sq. ft.	14'	15'/10'
PUD, Planned Unit Development District	In accordance with the underlying zoning district and PUD standards			

*Footnotes:*

- (a) One sign shall be permitted for each building for shopping centers and office buildings. In the case of a multi-tenant building or shopping center, one wall sign shall be permitted for each tenant having an individual means of public access into the building. Tenants occupying a corner space in a multi-tenant structure shall be permitted to have one sign on each side of the building. Where several tenants share a common entrance in a multi-tenant structure, only one wall sign shall be permitted, and the total sign area shall be allocated among the tenants.
- (b) Maximum allowable sign area may be increased as indicated in the table 34.3 below up to a maximum of 400 square feet, provided no single sign is larger than 250 square feet.

**Table 34.3: RIGHT OF WAY & SIGN AREA RELATIONSHIP.**

Distance of Sign From ROW Line	Allowable Increase in Sign Area
200-300 ft.	25%
301 - 400 ft.	30%
401 - 500 ft.	35%
501 + ft.	40%

- (c) One ground sign shall be permitted per parcel except as follows:
- (1) On corner lots, two ground signs, one on each street, shall be permitted. Signs shall be permitted along major public thoroughfares only.
  - (2) One ground sign per each 300 lineal feet of frontage along a major public thoroughfare shall be permitted.
- (d) For multiple tenant commercial or shopping center signs, a main identification sign with the name of the center only may be permitted not to exceed 40 square feet per sign face (80 square feet total area) and ten feet in height.
- (e) Individual businesses within a business center, including multiple tenant commercial or shopping centers and multiple tenant office buildings, are not allowed to have individual freestanding signs, but individual businesses may have other signs permitted by this Ordinance.
- (f) For multiple tenant office signs, the sign area shall not exceed 40 square feet per sign face.
- (g) All nonresidential signs shall be set back at least 50 feet from any residential district.
- (h) A minimum sign area of 20 sq. ft. shall be permitted, regardless of business frontage.