

## CHAPTER 17

# Signage Regulations

### Section 17.1 Intent

This Chapter is intended to regulate the type, number, physical dimensions, erection, placement and maintenance of signs in Gaines Charter Township. Its purpose is to:

- A. Promote the public peace, health, and safety of residents and visitors;
- B. Eliminate distractions that are hazardous to motorists and pedestrians;
- C. Protect the public's ability to identify establishments and premises;
- D. Protect the natural beauty and distinctive character of Gaines Charter Township;
- E. Protect commercial, business, office and industrial districts and areas from visual chaos and clutter;
- F. Provide an environment that fosters the reasonable growth and development of business and commerce;
- G. Protect and enhance property values; and,
- H. Balance the individual rights of property owners to communicate their message with the public's right to be free of unreasonable distractions and aesthetic intrusions.

### Section 17.2 Scope

Except as otherwise expressly provided, this Chapter does not regulate the following:

- A. The content of signs.
- B. Scoreboards at public schools or institutional athletic fields.
- C. Gravestones or cemetery markers.
- D. Religious symbols.
- E. Noncommercial holiday decorations.

### Section 17.3 Definitions

For the purpose of this Chapter and where applicable elsewhere in this Ordinance the following words or phrases are defined as follows:

**Ambient Light Meter** – An electronic device which measures the amount of light within the immediately adjacent surroundings to control the brightness of a digital sign.

**Abandoned Sign** - A sign which no longer identifies or advertises a currently operating business, lessee, service, owner, product, or activity, and/or for which no legal owner can be found.

**Animated Sign** - A sign depicting action, motion, light or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes graphics and artistic display.

**Awning, Canopy or Marquee** - A permanent retractable or fixed shelter constructed of non-rigid materials on a supporting framework that projects from the exterior wall of a building.

**Awning, Canopy or Marquee Sign** - Letters, numerals or other drawings painted on, printed on, or attached to the surface of an awning, canopy or marquee.

**Banner Sign** - A temporary sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind.

**Beacon** - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

**Billboard** - See Off-Premise Sign.

**Commercial Message** - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a for-profit or non-profit business, organization, product, process, location, service, or other commercial activity.

**Construction Sign** - A sign which displays the name or names of principal contractors, architects, lending institutions, and/or others responsible for the construction on the site where the sign is placed.

**Copy** - The wording on a sign surface in either permanent form, manual changeable form, or electronic changeable form.

**Copy, Manual Changeable** - The wording on a sign that contains letters, symbols, figures, depictions, and/or numbers that can be manually removed and replaced.

**Copy, Electronic Changeable** - The wording on a sign that contains letters, symbols, figures, and/or numbers that can be electronically or digitally changed or that do change electronically or digitally. Such signs can utilize digital, L.E.D., or electronic technology.

**Copy, Permanent** - The wording on a sign that contains letter, depictions and/or numbers that is permanent in nature.

**Development/Building Identification Sign** - A sign that identifies a development or building by its recognized name, not including a product or service.

**Digital Sign or Billboard** - A digital sign or billboard usually consists of (or has a portion comprised of) a computer or playback device connected to a large, bright digital screen such as an L.C.D., L.E.D, computer, plasma, or similar display. Such signs can utilize electronic changeable copy.

**Directional Sign** - A sign that 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. A directional sign shall not contain advertising display copy and shall be located on the property where the development is located.

**Directional Sign, Industrial** - A sign that gives directions, instructions, or facility information for the use on the same lot on which the sign is located, such as parking, exit and entrance signs, loading areas, shipping docks or similar traffic control signs. A directional sign shall not contain advertising display copy and shall be located on the same property where the development is located.

**Directory Sign** - A sign that displays only the names and locations of occupants or the uses of a building, but without advertising display copy.

**Electronic Message Center (EMC)** – A Sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**Facade** - The entire building front including the parapet.

**Face of Sign** - The area of a sign on which the copy or display is placed.

**Farm Business Sign** - A sign advertising the location of a farm or a business associated with that farm, such as a farmer's market, road-side stand or the actual name of the farm itself.

**Festoons** - A string of ribbons, tinsel, flags, pennants or pinwheels.

**Flag** - Any fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government or political subdivision.

**Freestanding Sign** - A sign structurally separated from a building.

**Gas- or Air-Filled Balloon Sign** - A sign that is made of a nonporous bag of tough light material filled with gas or air used to convey advertising copy or announce a special event on a temporary basis.

**Government Sign** - A sign erected and maintained by Gaines Charter Township, Kent County, the state of Michigan, or the federal government.

**Ground or Monument Sign** - A freestanding sign supported by a base that rests directly on the ground. The width of the base shall be at least fifty (50) percent of the width of the sign in order to be a ground sign.

**Home Occupation Sign** - A sign that identified the name of a business that is operating from a residential property and is classified as a home occupation according to this Ordinance.

**Industrial Park Sign** - A freestanding sign that identifies the name of an industrial park or similar land use, but does not contain advertising copy of any business located within that industrial park.

**Illuminated Sign** - A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

**Incidental Sign** - A sign, emblem, or decal informing the public of the goods, facilities, or services available on the premises, whose purpose is secondary to the use of the lot involved. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Examples of incidental signs include credit card signs, signs indicating the hours of operation, no-smoking signs, signs used to designate bathrooms, and signs providing information on business affiliations.

**L.C.D.** - Liquid crystal display.

**L.E.D.** - Light-emitting diode.

**Mansard** - A sloped roof or roof-like facade architecturally comparable to a building wall.

**Municipal Sign** - A permanent sign erected and maintained by Gaines Charter Township identifying entrances into the community or a defined district.

**Mobile Home Park Identifying Sign** - A Ground or Monument Sign identifying or recognizing a platted subdivision, condominium complex, industrial or residential development.

**Nameplate** - A non-electric on-premise sign giving only the name, address, and/or occupation of an occupant or group of occupants, which does not contain graphics of any kind.

**Negative Space** - The open space surrounding words, numbers, or other text on a sign.

**Neon Sign** - An illuminated sign constructed from fluorescent lights in the form of bent glass tubes; the different colors being obtained by adding different noble gases to the neon.

**Nonconforming Sign** - A sign that was legally erected prior to this Ordinance but that does not conform to this Ordinance or other applicable Township ordinances. Also known as a lawful nonconforming sign.

**Noncommercial Message** – Any sign wording, logo, or other representation that is not a Commercial Message.

**Off-Premise Directional Sign** - A sign, not to exceed thirty-two (32) square feet in area, the sole purpose of which is to direct the public to a place of business located off the premises where the sign is located.

**Off-Premise Sign** - A sign which advertises or designates an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured or furnished upon the parcel or lot where the sign is located (e.g. billboards, off-premise direction signs).

**On-Premise Sign** - A sign which pertains to the use of the premises on which it is located.

**Parapet** - A wall-like barrier at the edge of a roof or structure.

**Pennant** - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**Permanent Sign** - A sign which is permanently affixed into the ground or a building and meets the requirements of a structure under the Michigan Building Code or its successor code.

**Point-of-Sale Sign** - A sign that carries only the name of the firm, major enterprise, or products offered for sale on the premises.

**Pole Cover** - A material that encloses or decorates a pole or other structural support of a sign.

**Pole or Pylon Sign** - A sign which is erected upon or supported by the ground on one (1) or more poles, uprights, or braces.

**Portable Freestanding Sign** - A reusable and movable sign not permanently affixed in the ground or to a structure or building, typically containing changeable copy. Except as otherwise expressly provided in this Chapter, such a sign shall only advertise, reference, identify, or promote a product, service, business or event occurring on the lot or zone lot where the sign is located.

**Political Sign** - A temporary sign used in connection with a noncommercial message or an official Gaines Charter Township, school district, county state or federal election or referendum.

**Projecting Sign** - A sign that is attached to and projects from a wall or other structure not specifically designed to support the sign.

**Real Estate Sign** - A sign advertising the real estate upon which the sign is located for the purpose of offering the property for sale, lease or rent.

**Roofline** - The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

**Roof Sign** - A sign erected or constructed wholly upon or above the roof of a building and supported on the roof structure.

**Sidewalk Sign** - A sign placed on a sidewalk adjacent to a business that advertises daily or weekly specials. Examples of sidewalk signs include A-frame signs and sandwich board signs.

**Sign** - A device, structure, painting, fixture, or placard using color, graphics, symbols, and/or written copy designed and/or utilized for the purpose of advertising or identifying any event, establishment, product, good, service or displaying or depicting other information.

**Sign Owner** - A person who owns a sign is the sign owner. The owner of the premises upon which a sign is located is presumed to be the owner of the sign, unless facts showing that someone else is the owner of the sign are submitted to the Zoning Administrator and the Zoning Administrator finds that the sign belongs to another owner.

**Sign Walker** – A person commissioned by a business to hold or wear a sign for the sole purpose of drawing attention to a specific commercial business, outside of the business’ structure or building.

**Snipe Sign** - Any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, secured, or otherwise attached to trees, poles, wire supports, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

**Street Banner Sign** - A sign that is stretched across and hung over a street or road right-of-way or easement.

**Subdivision or Site Condominium Advertising Sign** - A sign advertising available lots and/or units within a platted subdivision, condominium complex, industrial or residential development.

**Subdivision or Site Condominium Identification Sign** - A Ground or Monument Sign identifying or recognizing a platted subdivision, condominium complex, industrial or residential development.

**Tri-Vision Billboard** - A billboard which uses rotating panels, slats, blades, or the equivalent to change images at regular or irregular intervals.

**Under-Canopy Sign** - A sign suspended beneath a canopy, ceiling, roof, or marquee.

**Vehicle Sign** - A sign containing a commercial message that is painted on, incorporated in, or attached directly to any mode of transportation, including but not limited to automobiles, trucks, boats, trailers or airplanes. A sign painted on a vehicle identifying the business owning or using the vehicle, or a sign depicting the name of the owner of the vehicle, is not considered a vehicle sign.

**Wall or Building Sign** - A sign including painted, individual letter, and cabinet signs, and signs on a mansard that are attached parallel to and extending not more than fifteen (15) inches from the wall of a building.

**Wayfinding Sign** - Signs, maps, and other graphic or audible methods used to convey location and directions to travelers.

**Window Sign** - A sign placed inside or upon a window facing the outside which is intended to be seen from the street or road right-of- way or the outdoors.

**Yard Sign** - See Snipe Sign

**Zone lot** - A parcel or adjoining parcels of land in single or common ownership.

## **Section 17.4 Signs Permitted In All Zoning Districts**

The following signs are permitted in all zoning districts, except as otherwise provided, and do not require a zoning permit, but must conform to all other requirements of this Ordinance:

- A. One property address sign per lot that only identifies the address number and street. Such signs shall not exceed sixteen (16) square feet in Commercial and Industrial zones or five (5) square feet in residential zones.
- B. Nameplate signs, not to exceed two (2) square feet. A limit of one (1) nameplate sign per each side of a building facing a street or parking area shall be permitted per business.
- C. Memorial signs or tablets, names of buildings, and date of erection, monumental citations, commemorative tablets when 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.
- D. Signs on a bus, truck, trailer, or other vehicle while operated and use for transport in the normal course of a business.
- E. Regulatory, directional and street signs erected by a public agency in compliance with the Michigan Manual of Uniform Traffic Control Devices, the Uniform Federal Accessibility Standards and the Michigan Barrier-Free Manual.
- F. Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
- G. Flags bearing the official insignia of a nation, state, municipality, educational institution, or military branch and which do not constitute advertising.
- H. Plaques or signs designating a building or site as a historic in nature and installed by a federal, state or local historical agency or group.
- I. Permanent signs on vending, ice containers or similar devices indicating only the contents, provided that the sign area shall not exceed six (6) square feet per device, and are not legible from the adjacent street.
- J. Political signs shall be removed within ten (10) days after the election to which they apply. Political signs shall not be illuminated and may be placed only on private property and only with the permission of the property owner. Political signs shall not exceed 32 square feet per sign. The total aggregate of permitted signage shall be determined by the largest legally permitted sign in the Zoning District where the sign is displayed.
- K. Any sign that is located completely within an enclosed building and not visible from outside the building.

- L. Incidental signs provided such signs do not occupy more than eight (8) square feet of advertising display area. Incidental signs are not permitted in residential or agricultural zoning districts.
- M. Product dispensers and point of sale displays provided they are not readable at a distance greater than three (3) feet off of the lot. Product dispensers and point of sale displays are not permitted in residential or agricultural zoning districts.
- N. On-premise directional signs up to four (4) square feet in sign area. Each zone lot or development shall not have more than two (2) directional signs per access point.
- O. Any sign providing a public notice or emergency information that is temporary in nature.
- P. Wayfinding signage installed by a government, government agency, or quasi-government agency. Examples of quasi-government agencies include Corridor Improvement Authorities and Downtown Development Authorities.
- Q. One construction sign for each street frontage of a construction project except developments involving one and two family dwellings. The construction sign cannot exceed sixty-four (64) square feet in area. Such signs may be erected thirty (30) days before the beginning of construction and must be removed within thirty (30) days following construction.
- R. One non-illuminated real-estate sign per lot not to exceed sixteen (16) square feet in area involving the sale or rental of the lot. Any such sign shall be located on the lot being advertised for sale or rent.
- S. Any noncommercial sign that is not legible from a distance of more than three (3) feet beyond the zone lot or parcel on which such sign is located.
- T. Any portable freestanding sign which is not legible from a public street. Examples of such locations include inside manufactured home parks or apartment complexes that are used for internal purposes only.
- U. Sidewalk signs located within ten (10) feet of the entrance to the business that it is advertising for.
- V. Any Subdivision or Site Condominium Advertising Sign, provided they are temporary, not illuminated, and do not exceed sixty-four (64) square feet in area. There may be no more than two (2) such signs per subdivision or site condominium development and the signs must be removed when seventy-five (75) percent of the lots/units have buildings located on them, or have been sold or leased to purchasers other than the developer.
- W. Banners, seasonal and decorative in nature and theme that do not advertise a product, service, or business and which pertain to holidays and/or community-wide or governmental events. Banners must be attached to light or utility poles and can be a maximum size of thirty-two (32) square feet..



- X. Banners, commercial in nature and theme, that are no larger than thirty-two (32) square feet in area. Such banners may only be displayed for forty-two (42) days out of any calendar year per business, entity or enterprise. No more than one (1) banner is allowed per lot or parcel, and such banners are allowed only in the C-1, C-2, O-S, I-1 and I-2 zoning districts.

### **Section 17.5 Prohibited Signs**

The following signs are prohibited in all zoning districts, unless expressly permitted in this Chapter:

- A. Any sign not expressly allowed by this Chapter.
- B. Abandoned signs, which shall be removed within thirty (30) days of the cessation of the business, use or activity.
- C. Gas or air-filled balloons intended to draw attention to a business or other commercial activity.
- D. A sign that contains an intermittent or sequential flashing light source used to attract attention to a business or other commercial activity. This does not include electronic changeable copy signs that are otherwise expressly permitted in this Chapter.
- E. A rotating or moving sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.
- F. Vehicle Signs not used during the normal course of a lawful business that are parked or located for the primary purpose of displaying the advertising copy.
- G. Festoons, pennants, nongovernmental flags, banners, inflatable figures, and streamers and except as expressly permitted in this Chapter.
- H. Snipe signs.
- I. Signs imitating or resembling official traffic or government signs or signals.
- J. Portable freestanding signs, except where expressly permitted in this Chapter.
- K. Any sign that obstructs free access to or egress from a required door, window, fire escape, or other required exit from a building or structure.
- L. Any sign which makes use of the words "Stop", "Look", or "Danger", or any other words, phrase, symbols, or characters, in such a manner as to interfere with, mislead, or confuse drivers.
- M. Roof Signs.

- N. Signs on street furniture, such as benches and trash receptacles, not including commemorative plaques or engravings which are not larger than one-half (1/2) square foot.
- O. Business logos or other advertisements on directional signs.
- P. Off-premise signs, unless expressly permitted in this Chapter.
- Q. Animated Signs.
- R. Stab Signs

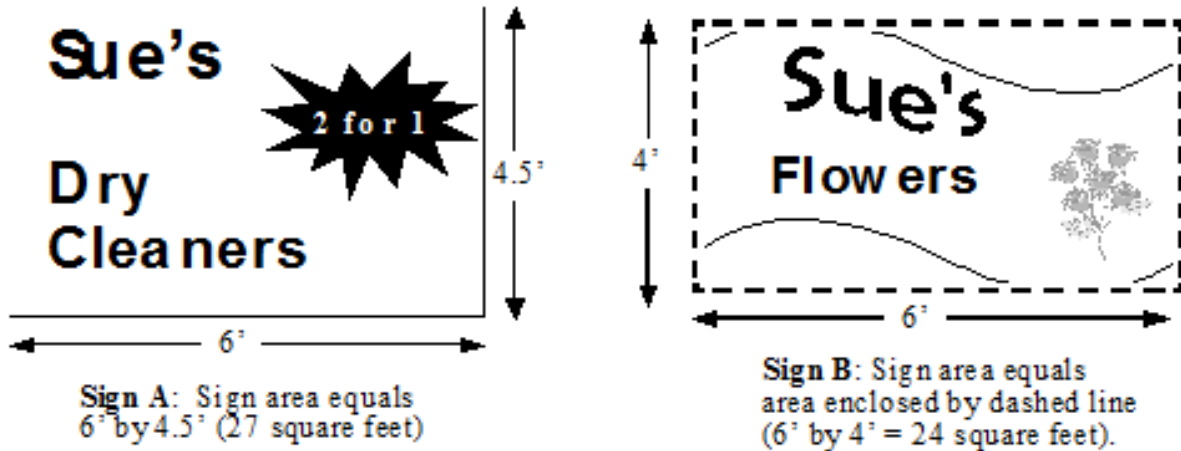
### Section 17.6 General Provisions

- A. **General.** It shall be unlawful for any person to erect, place, or maintain a sign in Gaines Charter Township except in accordance with the provisions of this Ordinance. Any sign which is not expressly allowed under an applicable provision of this Chapter is prohibited.
- B. **Permit.** Unless otherwise provided by this Ordinance, no sign may be installed or utilized until and unless the Township has issued a zoning permit for it. The application for the zoning permit must include all of the following:
  - 1. The name of the applicant (and owner of the premises, if different than the applicant).
  - 2. The size of the sign.
  - 3. Plans and specifications for the sign.
  - 4. The proposed method of construction, erection, structural alteration, or relocation, and a description of the equipment to be used for such work.
  - 5. The payment of any required fee or fees.
- C. **General Setbacks.** Unless a different setback is specified for a particular sign elsewhere in this Chapter, all signs must be set back at least ten (10) feet from a road right-of-way and twenty (20) feet from all other property boundaries.
- D. **Landscaping.** The base portion of a freestanding sign shall be landscaped with low maintenance plants. Such landscaping may be placed in stone, masonry or treated wood bases or containers to achieve a pleasant aesthetic arrangement. Such landscaping shall be reasonably maintained at all times.

- E. **Traffic Hazards.** No sign may be constructed, erected, displayed, maintained, reconstructed or located so that it creates a hazard for vehicle or pedestrian traffic. If the Kent County Road Commission or state of Michigan traffic engineers or the Township determines that any sign is a traffic hazard, the Building Inspector shall notify the owner to remove the sign. In determining whether a sign may be causing a traffic hazard, the Township Planning Commission can consider, but is not limited to, the following:
1. Height, area, supporting structure and distance from ground level of the sign;
  2. Lighting of the sign;
  3. Location of the sign in relation to roads;
  4. Drives, points of ingress and egress, parking areas, sidewalks, and other vehicular or pedestrian access ways;
  5. Location of the sign in relation to nearby buildings and structures; and
  6. If it may, by reason of its position, shape, color, or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or be distracting to motorists.
- F. **Maintenance.** All signs shall be properly maintained in good condition and reasonable repair at all times. Exposed surfaces shall be clean and painted, if paint is required. Defective or damaged parts must be replaced in a timely fashion. Any sign that becomes decrepit, dilapidated or damaged shall either be promptly removed or repaired to a reasonable condition. The Building Inspector has the right to order the repair or removal of any sign that is unsafe (as defined by the Michigan Building Code or its successor code), dilapidated, decrepit, or damaged. No sign shall be installed, displayed or maintained on the property, structure or fixture of another person or entity without the express permission of the owner of such property, structure or fixture.
- G. **PUD Signs.** Only signs approved by the Planning Commission and Township Board in authorizing the Planned Unit Development are allowed.
- H. **Lawful Nonconforming Signs.** The regulations for lawful nonconforming signs are contained in Chapter 21 of this Ordinance.

**Section 17.7 Measurement and Illumination**

**A. Display Area.**



The display area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the pedestal, poles or other structure necessary to support the sign, or architectural features such as peaks, etc.

- B. Faces.** The area of a freestanding or projecting sign that has two (2) or more faces shall be measured by including the area of all sign faces, except if two (2) such faces are placed back- to-back and are of equal size and are no more than forty-eight (48) inches apart on average, then the area of the two (2) back-to-back faces shall be counted as one (1) face. If the two (2) back-to-back faces are of unequal size, the larger of the two (2) sign faces shall be counted as the one (1) face. As used here, back-to-back means signs that face in opposite directions and are parallel or form an angle of no greater than thirty (30) degrees.
- C. General Height.** The height of a sign shall be measured as the vertical distance measured from the highest point of the sign, including any decorative embellishments, to the grade of the adjacent street or the normally undisturbed surface grade beneath the sign, whichever ground elevation is less.

D. **Sign Characteristics.** Except for billboards (with regulations contained in Section 17.12), permitted characteristics of signs shall be based on the following table, P = Permitted, SPU=Permitted by Special Use Permit

Characteristic	Zoning District											
	A-B	A-R	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	
Internal Illumination	P	P	P	P	P	P	P	P	P	P	P	P
External Illumination	P	P	P	P	P	P	P	P	P	P	P	P
Manual Changeable Copy	P	P	P	P	P	P	P	P	P	P	P	P
Electronic Changeable Copy	<i>SPU when eligible. Ref. Section 17.9 Signs Permitted In the A-B, A-R, RL-14, RL-10, R-3 and R-4 Zoning Districts</i>						P	P	P	P	P	P
Neon								P			P	P

**E. Illumination**

- a. Except as permitted by Sub-section F “Electronic Messaging Centers”, there shall be no flashing, moving or intermittent illumination of any sign.
- b. If permitted, signs may be illuminated only by continuous indirect white light. Only the sign face shall be illuminated.
- c. Any sign lighting must be enclosed and so directed as to prevent the source of light from shining directly or indirectly onto traffic adjacent or nearby properties

**F. Electronic Messaging Centers**

1. **Area:** The electronic portion of a sign shall not exceed a maximum of 40% of the permitted sign face, excluding all sign framing. (e.g. a 10 square foot sign would be allowed 4 square feet of LED display excluding the frame of the LED display. The frame of the LED display would be included in the total area of the sign.)
2. **Transition:** There shall be a minimum of eight (8) seconds between copy changes.
3. **Rate of Change:** The rate of change between two (2) static messages shall be instantaneous.
4. **Movement:** All Electronic Copy displays shall be static (i.e. no movement).
5. **Brightness:** All Electronic Messaging Centers shall be equipped with an Ambient Light Meter to adjust the brightness level of the sign face based on the ambient light conditions and shall not exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on the sign area.

Brightness of Electronic Messaging Centers shall be measured as follows:

At least thirty (30) minutes following sunset, a foot candle meter shall be used to obtain an ambient light reading for the location. This is done while the EMC is off or displaying black copy. The reading shall be made with the meter aimed directly at the center of the sign area from a distance determined with the following formula: The square root of the product of the sign area multiplied by one hundred (100).

*Example using a twelve (12) square foot sign:*

*Measurement Distance =  $\sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6 \text{ ft.}$  as the determined setback from which the measurement will be taken.*

The sign shall then be turned on to full white copy to take another reading with the meter at the same location.

If the difference between the readings is 0.3 foot candles or less, the brightness is properly adjusted and the sign is in compliance.

6. **Location:** Electronic Changeable Copy cannot be located on the façade of a building or in windows of a building, and must be contained within a legal monument sign, pylon sign, or freestanding sign.
7. **Hours of Operation:** For institutional uses within Residential Districts, the Electronic Messaging Center shall only display copy between the hours of 6AM – 11PM.

## **Section 17.8      Portable Freestanding Signs**

Portable freestanding signs are permitted in any zoning district, subject to the following regulations and requirements:

- A.      Portable freestanding signs shall not be used for more than forty-two (42) days out of any calendar year for a specific lot. For lots with multi-tenant commercial buildings, each lawful business in the multi-tenant building can utilize one (1) portable freestanding sign for not more than forty-two (42) days out of any calendar year.
- B.      Portable freestanding signs may be displayed, used, installed, or erected only pursuant to a permit issued by the Zoning Administrator. No portable freestanding sign shall be displayed, used, installed or erected prior to the issuance of a permit by the Zoning Administrator. Each permit shall be valid for seven (7) days. There shall be at least fourteen (14) consecutive days between the issuing of a permit for a specific lot or for a specific business if located in a multi-tenant commercial building. The permit shall identify the period during which the permit is valid. A fee, as established by the Township Board from time to time, shall be required before a permit may be issued. The Zoning Administrator shall have the discretion to require an applicant to post an irrevocable letter of credit or cash deposit with the Township to ensure compliance with the requirements of a permit and this Ordinance. The Zoning Administrator may attach reasonable conditions to a permit.
- C.      Portable freestanding signs shall not be used in parking, driveway, or access areas in a manner which obstructs the vision of motorists using parking aisles, traffic, or movement through any parking aisle.
- D.      Portable freestanding signs shall not obstruct any public or private sidewalk.
- E.      Portable freestanding signs shall not be illuminated in any fashion.
- F.      Portable freestanding signs shall be anchored in a safe and secure manner. The anchoring of portable signs by tying or attaching weighted objects (such as cinder blocks or tires) is prohibited.
- G.      No portable freestanding sign shall exceed thirty-two (32) square feet in area (thirty-two (32) square feet on each sign face). Support framework shall not be included in sign area calculation.
- H.      No portable freestanding sign copy shall be comprised of more than two (2) colors.
- I.      Portable freestanding signs shall be located a minimum of twenty (20) feet from the edge of any road or street right-of-way.

- J. No more than one (1) portable freestanding sign shall be allowed on a lot at one time. For lots with multi-tenant buildings, no more than one (1) portable freestanding sign shall be allowed at one time for any particular tenant or business and no more than two (2) freestanding portable signs shall be allowed at one time on the overall lot involved.
- K. There shall be a minimum one-hundred (100) feet separation distance between portable freestanding signs.
- L. The service, sale, or event for which a portable freestanding sign is involved must be located within three-hundred (300) feet of that portable freestanding sign.
- M. In addition to any other penalties or sanctions as provided in this Ordinance, any business, property or property owner which violates any portion of this Section 17.8 (or a permit issued there under) shall lose the right to seek an additional permit or permits for a period of twelve (12) months from the date of violation. Furthermore, the Zoning Administrator may revoke a permit issued for a portable freestanding sign should any violation of this Ordinance or the permit occur with regard to the portable freestanding sign.
- N. Except during the time period specified in a permit as issued by the Zoning Administrator for a portable freestanding sign, no portable freestanding sign shall be stored or kept outdoors on the lot involved and shall not be visible on any such lot. Section N hereof shall not apply to lawful businesses that sell or lease portable freestanding signs, so long that those signs are not being used on the lot of said business for the purpose of off- premise advertising.
- O. When in use, every portable freestanding sign shall be kept in good maintenance and reasonable repair.
- P. Any person, business, property, or establishment which is in violation of this Ordinance shall not be eligible for a portable freestanding sign pursuant to Section B hereof, and furthermore, should any such violation occur after a portable freestanding sign permit has been issued, the Zoning Administrator shall have the authority to revoke any such permit.
- Q. The service, product, sale, or event being advertised must be lawful in order for a portable freestanding sign to be used.



**Section 17.9 Signs Permitted In the A-B, A-R, RL-14, RL-10, R-3 and R-4 Zoning Districts**

A. In addition to signs permitted elsewhere in this Chapter, signs are permitted in the A-B, A-R, RL-14, RL-10, R-3, and R-4 Zoning Districts according to the following table (but such a sign is so allowed only where the sale, business, or event being advertised is lawful in the zoning district involved):

Permitted Signs	Development Standards			
	Maximum Size	Number Allowed	Maximum Height	Other Requirements
<b>Off-Premise Directional Sign</b>	32 square feet	1 per lot	4 feet	
<b>Ground or Monument Sign</b> <b>(For permitted Institutional uses, Farm Business and other permitted or special land uses, except home occupations.)</b>	48 square feet	1 per each street frontage	6 feet	Signs for institutions and business uses that require the issuance of a Special Land Use permit shall be reviewed as part of the discretionary SPU permitting process.
<b>Wall or Building Sign</b>	32 square feet	1 per each street frontage	N/A	Subject to the findings of Planning Commission relative to the General Standards of Section 19.8, “ground mounted/monument signs” and “wall signs” may be further restricted as part of the special use review and approval process.*
<b>Subdivision or Site Condominium Identification Sign</b>	48 square feet	2 per development	6 feet	Must be located at the entrance to a primary arterial street.
<b>Mobile Home Park Identifying Sign</b>	48 square feet	2 per development	6 feet	Must be located at the entrance to a primary arterial street.
<b>Home Occupation Sign</b>	<i>See Section 20.7(H)</i>			
<b>Subdivision or Site Condominium Advertising Sign</b>	<i>See Section 17.4(V)</i>			
<b>Portable Freestanding Sign</b>	<i>See Section 17.8</i>			
<b>Real Estate Signs</b>	<i>See Section 17.4 (R)</i>			

\*Signs may be authorized subsequent to the principle uses initial approval, as an amendment to special use permit.

**Section 17.10 Signs Permitted In the O-S, C-1 and C-2 Zoning Districts**

A. In addition to signs permitted elsewhere in this Chapter, signs are permitted in the A-B, A-R, RL-14, RL-10, R-3, and R-4 Zoning Districts according to the following table (but such a sign is so allowed only where the sale, business, or event being advertised is lawful in the zoning district involved):

	Zoning District		Other Requirements
	O-S	C-1 and C-2	
<b>Freestanding Pole or Pylon Sign</b>			
<b>Permitted</b>	Not Permitted	SPU	
<b>Maximum Height</b>	N/A	20 feet or Building Height, whichever is less	
<b>Maximum Display Area</b>	N/A	1.5 square feet per each 5 feet of street frontage, up to a maximum of 100 square feet.	
<b>Maximum Number</b>	N/A	1 per lot	
<b>Freestanding Ground or Monument Sign</b>			
<b>Permitted</b>	Yes		Not permitted if a freestanding pole or pylon sign is located on the same lot.
<b>Maximum Height</b>	8		
<b>Maximum Display Area</b>	64 square feet		
<b>Maximum Number</b>	1 per lot		
<b>Wall or Building Sign – 1 or 2 Tenant Building</b>			
<b>Permitted</b>	Yes		Signs must be located on a wall facing a street or parking area.
<b>Maximum Display Area</b>	100 square feet total	100 square feet total	
<b>Maximum Number</b>	No limit on total number of signs		
<b>Wall or Building Signs – 3 or More Tenant Building</b>			
<b>Permitted</b>	Yes		Signs must be located on a wall facing a street or parking area
<b>Maximum Display Area</b>	1.5 square feet per each 1 lineal foot of suite space		
<b>Maximum Number</b>	1 per business, per each side of a building facing a street or parking area		
<b>Directory Sign</b>			
<b>Permitted</b>	Yes		1 per each side of a building
<b>Maximum Display Area</b>	20 square feet		
<b>Portable Freestanding Signs: See Section 17.8</b>			
<b>Real Estate Signs: See Section 17.4 (R)</b>			

**Section 17.11 Signs Permitted In the I-1 and I-2 Zoning Districts**

A. In addition to signs permitted elsewhere in this Chapter signs shall be permitted in the I-1 and I-2 Zoning Districts according to the following table (but such a sign is so allowed only where the sale, business, or event being advertised is lawful in the zoning district involved):

Permitted Signs	Size	Number	Height	Other Requirements
<b>Wall or Building Sign</b>	Area equal to 2% of the area of the wall up to 100 square feet.	1 per each street frontage	N/A	
<b>Freestanding Sign</b>	Area equal to 2% of the front wall of the building or 50 square feet, whichever is less.	1 per each street frontage	5 feet	A minimum of 300 feet of road frontage is required for additional signs. Additional signs shall not be placed along the same frontage that contains another freestanding sign.
<b>Industrial Park Sign</b>	50 square feet	1 per park entrance	4 feet	May be either a freestanding monument sign or a Wall/Building Sign
<b>Industrial Directional Signs</b>	32 square feet	No maximum	N/A	May be located within 2 feet of any property line.

**Section 17.12 Billboards**

- A. Billboards are only permitted within one-hundred (100) feet of the M-6 freeway on property in the I-1 and I-2 zoning districts. The lot on which the billboard is located must abut and have frontage on the M-6 right-of-way.
- B. If a billboard qualifies for zoning approval as stated in subsection "A", a zoning permit is required prior to the erection or alteration of the billboard. In addition, a zoning permit is required before any existing billboard is rebuilt, structurally altered, or materially changed (but no zoning permit is required simply to change the copy or depictions on the billboard). The application for the zoning permit must contain the following:
1. A colored rendering of the proposed billboard containing the proposed dimensions.
  2. A site plan indicating the location of the proposed billboard and the appropriate setback information.
  3. Information on how the billboard will be illuminated, if applicable.

- C. The billboard must be approved subject to the review process as outlined in Section 25.4. In considering the application for Site Plan Approval, the Planning Commission shall only consider the review standards contained in this Chapter 17 and Section 17.12.
- D. Double-faced billboard structures and V-type billboard structures shall be considered as one billboard, but with multiple faces. No billboard shall contain more than one sign panel facing the same direction of traffic on the M-6 freeway.
- E. The area of a sign panel on a billboard shall not exceed six hundred seventy-two (672) square feet.
- F. The height of a billboard shall not exceed (forty-five) 45 feet. The height of a billboard shall be measured as the vertical distance measured from the highest point of the billboard, including any decorative embellishment, to the grade of M-6, or the surface grade beneath the sign, whichever ground elevation is lower.
- G. Except as otherwise provided in this section, each billboard shall be located not less than two thousand (2,000) feet from any other billboard. For the purposes of this subsection, the distance between billboards shall be measured as the distance between the points at which lines drawn perpendicular to the freeway from the location of each billboard intersect with a line along the center of the freeway.
- H. No billboard shall be located within three hundred (300) feet of an existing dwelling. No digital billboard shall be located within seven hundred fifty (750) feet of an existing dwelling. For the purposes of this subsection, the distance between a billboard and an existing dwelling shall be measured as a straight line between the billboard and the existing dwelling.
- I. No billboard shall be located closer than fifty (50) feet to any property line, except for those property lines that abut the M-6 freeway, where no billboard shall be located closer than ten (10) feet from the M-6 right-of-way, as measured from the closest point or edge of the billboard.
- J. All billboards must be constructed with a monopole-type support structure.
- K. Except as otherwise provided in this section, a billboard may be illuminated, provided that such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of oncoming vehicles, or any adjacent premises. No billboard shall have one or more flashing, strobing, intermittent, moving, rotating, or oscillating lights or images.
- L. The slat, panel, or blade twirl time of a tri-vision billboard shall be two (2) seconds or less and the blade dwell time (i.e., stationary and able to be read) shall be eight (8) seconds or more.
- M. Digital billboards are allowed if the digital or Electronic Changeable Copy portion of the billboard, and the billboard itself, meet all of the following additional standards:

1. No digital billboard shall be located within four thousand (4,000) feet of another digital billboard. For the purposes of this subsection, the distance between digital billboards shall be measured as the distance between the points at which lines drawn perpendicular to the freeway from the location of each billboard intersect with a line along the center of the freeway.
  2. There shall be no animation, cartoon, or movie or television-style pictures or depictions.
  3. There shall be no movement at all.
  4. No design shall have a white background in order to reduce glare.
  5. The rate of change between two (2) static messages shall be one (1) second or less.
  6. There shall be a minimum of eight (8) seconds between copy changes.
  7. The face of the sign shall be dimmed automatically from thirty (30) minutes before sunset to thirty (30) minutes before sunrise down to five (5) percent of its daylight brightness setting.
  8. The maximum brightness levels for digital billboards shall not exceed 0.2 (two tenths) foot-candles over ambient light levels measured at a distance of one hundred fifty (150) feet from the face of the sign.
  9. The owner(s) of a digital billboard must reasonably coordinate with relevant public agencies to allow for the display of real-time emergency information such as Amber Alerts or natural disaster directives.
  10. The digital billboard will not distract, endanger, or disorient motorists.
  11. The digital billboard will not cause glare onto, or illumination of, any adjoining properties.
- N. The following modifications to existing billboards shall not occur except in full compliance with this Chapter 17 and Section 17.12:
1. Changing or altering a billboard to provide for Electronic Changeable Copy of a different type or manner of Electronic Changeable Copy.
  2. Changing or altering a billboard to become a Digital Billboard.
- O. No billboard shall be approved, installed, or erected at any time when there are six (6) or more existing billboards (including digital billboards), located within Gaines Charter Township. In addition, no digital billboard shall be approved, installed or erected at any time when there are two (2) or more existing digital billboards located within Gaines Charter Township.

- P. The setback requirements of this section shall apply regardless of jurisdictional or governmental boundaries.

**Section 17.13 Substitution Clause – Noncommercial Messages**

- A. Any sign allowed under this Ordinance may contain, in lieu of any other text or message, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other provisions of this Ordinance including the specific provisions for signage in the land use category on which the sign is placed, including but not limited to construction standards, setback, size limitations, principal use requirement and limits on the aggregate signage or number of signs per lot or parcel.
- B. The owner of any sign which is otherwise allowed by this Ordinance may substitute a noncommercial message in lieu of any other copy without additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any noncommercial message over any other noncommercial message. This section prevails over any more specific provision to the contrary.
- C. This section applies to lawfully erected signs only.