



301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ (989) 725-0599
▪ FAX (989) 723-8854

DATE: 10.7.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Sign Ordinance

BACKGROUND:

CIB Planning and the Planning Commission have finished drafting updates to the sign ordinance. CIB's memo on the changes is included in the packet. Please reference that memo for Planning Commission's recommendation.

RECOMMENDATION:

Set a public hearing for October 21 to take comment on this ordinance amendment.

RESOLUTION NO.
SETTING A PUBLIC HEARING TO
REPEAL AND REPLACE
CHAPTER 26, SIGNS, OF THE CODE OF THE CITY OF OWOSSO

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believe Chapter 26, Signs, of the Code of the City of Owosso, also known as the Sign ordinance, to be content based posing potential liability to the city of Owosso; and

WHEREAS, the planning commission held a public hearing at their September 23, 2019 regularly scheduled meeting regarding the proposal to repeal and replace Chapter 26, Signs, in which no citizen comments were voiced or received; and

WHEREAS, the planning commission seeks the repeal and replacement of Chapter 26, Signs, in its entirety.

NOW THEREFORE BE IT RESOLVED, THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. REPEAL. That Chapter 26, Signs, of the Code of Ordinances of the City of Owosso, is hereby repealed in its entirety.

SECTION 2. REPLACEMENT. The new Chapter 26, Signs, shall read as follows:

Insert "PROPOSED" text here.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday, October 21, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed repeal and replacement of Chapter 26, Signs, of the Code of the City of Owosso.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

CHAPTER 26, SIGNS - PROPOSED

ARTICLE I. - IN GENERAL

Sec. 26-1. – Short title.

This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

Sec. 26-2. - Purpose.

- a. The purpose of this article is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this article; and enhance the aesthetic appearance and quality of life within the city. The standards contained herein are intended to be content neutral.
- b. 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 city so as to:
 1. Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
 2. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
 3. Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values, and quality of life.
 4. Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.
 5. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
 6. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
 7. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- c. The regulations and standards of this article are considered the minimum necessary to:
 1. Achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.
 2. Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
 3. Prevent off-premises signs from conflicting with other allowed land uses.
 4. Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
 5. Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
 6. Preserve and enhance the image of the City
 7. To prohibit all signs not expressly permitted by this chapter.
 8. To provide for the permitting of signage and the enforcement of the provisions of this chapter.
 9. Permit signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Sec. 26-3. – 26-4. - Reserved.

ARTICLE II. - DEFINITIONS

Sec. 26-5. - Sign definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

Abandoned sign. Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Address sign: Address numbers attached to the building or sign which are readily visible from the street.

CHAPTER 26, SIGNS - PROPOSED

Administrator. The City Manager or his designated representative within the City of Owosso.

Alteration. Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

Accessory sign: A sign which pertains to the use of the premises on which it is located.

Animated sign: A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning: A roof like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, that projects from the wall of the building for the purpose of shielding a doorway, a window, or pedestrians from the elements.

Awning sign: A permanent sign painted on, printed on, or attached flat against the surface of an awning.

Balloon sign: A type of temporary, portable sign filled with air or gas.

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Building marker. Any sign indicating the name of a building and date of construction which is typically cut into a masonry surface and part of the building wall construction.

Barber pole sign: A permanent sign attached to the building in a vertical cylinder shape with moving and/or alternating colors.

Business or campus center: A grouping of two or more buildings on one or more parcels of property which may share parking, access and are linked by ownership giving the appearance of a unified grouping of uses.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage. Reference Electronic message sign (EMS) definition.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Commemorative plaque: A memorial tablet, commemorative plaque, or sign including historical identification sign, designating the name and date of significance, cut into or raised on any masonry surface, or when constructed of cast metal, with a total maximum sign area of ten (10) square feet.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs...

Display time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Double faced sign: Signs with two parallel or nonparallel sign surfaces not more than 24 inches apart at any point on the opposite face.

Downtown Historic District boundary: As shown in the map.



CHAPTER 26, SIGNS - PROPOSED

Electronic message sign (EMS): A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather or flutter sign: Any sign that is comprised of material that is suspended or attached in such a manner to a pole or stake as to attract attention by waving, moving or fluttering from natural wind currents. It also includes similar signs that do not move or flutter. Feather or flutter signs are considered temporary signage.

Festoon: Temporary signage that is a string of ribbons, tinsel, small flags, pinwheels, streamer, pennants, or balloons, typically strung overhead.

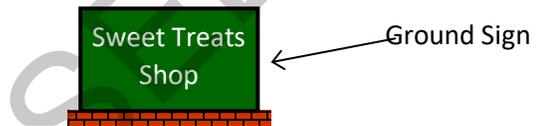
Flag. Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Gas station canopy: A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

Gas station canopy sign: Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure.

Ground or monument sign: A sign extending upward from grade that is attached to a permanent foundation with either stone or masonry or is wrapped in a material so that the support structure is concealed.



Historical marker: A historical marker or historic marker is an indicator such as a plaque or sign to commemorate an event or person of historic interest and to associate that point of interest with a specific locale one can visit. Historical marker designation and plaque or sign size and placement may be regulated by local, state, or federal regulations and standards.

Illegal sign: A sign which does not meet the requirements of this article and does not have legal nonconforming status.

Illuminated sign. Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

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 credit cards and business affiliations.

Inflatable sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

Institutional uses: Meaning a use by public or quasi- public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital.

Mansard: A sloped roof or roof-like façade. Signs mounted on the face of a mansard roof shall be considered roof signs.

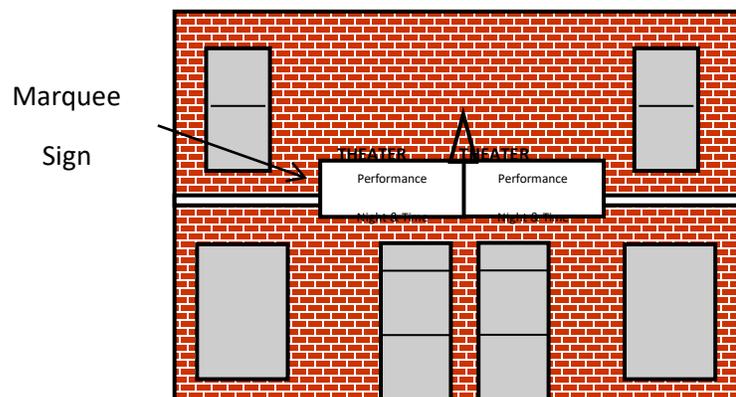
Maintenance. For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent roof-like structure or canopy, supported by and extending from the face of the building.

Marquee sign: A permanent sign attached to any part of a marquee other than the roof.

Menu board sign: A sign oriented to the drive through lane for a restaurant that advertises the menu available from the drive through window.

Moving sign: A sign in which the sign itself, or any portion of the sign, moves or



CHAPTER 26, SIGNS - PROPOSED

revolves. A "rotating sign" is a type of moving sign. This definition does not include "changeable message signs."

Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this article, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises 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; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g. billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it including neon and luminous tube. Outline tubing signs shall also apply to signs consisting of LED tubing. Accent lighting not spelling words shall not be considered signage.

Owosso Historic District Commission: Formed in the fall of 2010, this regulatory commission is responsible for reviewing all applications for exterior work that is completed in within the Downtown Historic District Commission (HDC) boundaries.

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

Pennant. A flag or banner that tapers to a point. A pennant is considered a temporary sign.

Pole sign: A sign supported on the ground by a pole, braces, and not attached to any building or other structure.

Permanent sign: A sign designed to be installed permanently in the ground or wall of a building that is constructed out of durable materials.

Portable sign: A temporary sign designed to be moved from place to place by wheels, whether or not it is attached to the ground or a structure. Portable may include changeable signage area.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than 12 inches beyond such building or wall. The leading edge may extend over the public right of way.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

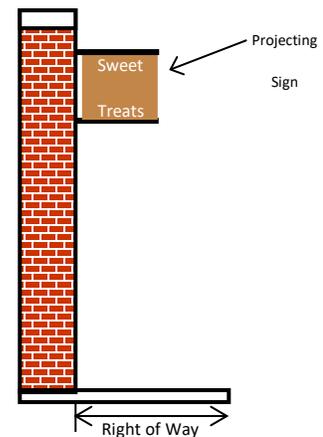
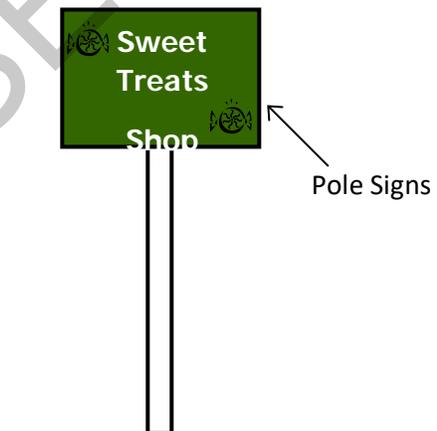
Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A permanent sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.



CHAPTER 26, SIGNS - PROPOSED

Roof sign: A temporary sign or permanent sign erected upon, against, or directly above a roof or on top of or above the parapet of a building, or signs where any portion of the sign extends above the roof of the building where the sign is located.

Sandwich board sign: A temporary sign containing two separate faces which are attached to one another at the top by one or more hinges or fasteners and which when placed upon the ground will stand upright without any additional support.

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contain printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

Temporary sign: A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood, or other like material that are constructed for limited time use, lack a permanent foundation or mounting, or is determined by the Ordinance Enforcer to be displayed for a limited time.

Time and temperature sign: Signs which display the current time and/or temperature only.

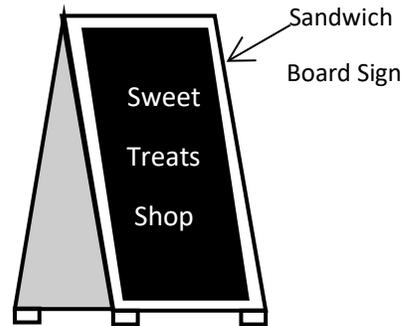
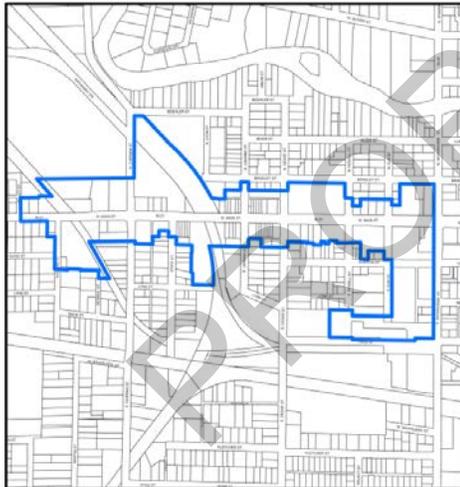
Vehicle sign: Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes. This does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation on a daily basis.

Wall sign: A sign attached parallel to and extending not more than 12 inches from the wall of a building.

Westown boundary: As shown in the map.

Westown Boundary

Legend
— Westown
 □ City Parcels



Window sign: A sign located in or on a window which is intended to be viewed from the outside. This includes TV or computer screens placed in the window visible from the outside.



CHAPTER 26, SIGNS - PROPOSED

ARTICLE III. - GENERAL PROVISIONS

Sec. 26-6. Applicability; effect and scope.

The regulations of this chapter shall apply to all signs visible from a public right-of-way, private road, public park or residentially zoned property located within the City of Owosso.

Sec. 26-7. – Sign permits.

- a. All signs are subject to the general and specific regulations of this chapter whether they require a permit or not. Any sign permitted under the ordinance may contain either a commercial or noncommercial message.
- b. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a permit to the City of Owosso.
- c. It shall be unlawful for any person to erect, re-erect, change panels, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.
- d. Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.
- e. Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.
- f. The administrator shall issue a permit within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
- g. When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.
- h. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall inspect the work completed in conformance with the approved permit and applicable codes. If the construction is not complete within six months of the permit issuance date, the permit shall expire.

Sec. 26- 8. – Signs exempt from permit regulations.

The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- a. Address signs
- b. Building marker
- c. Commemorative plaque
- d. Historical marker sign
- e. Directional signs
- f. Public signs and regulatory signs
- g. Temporary signs as detailed in this chapter
- h. Time and temperature signs
- i. Window signage

Sec. 26-9. - Prohibited signs.

The following signs are prohibited in all districts:

- a. Abandoned signs
- b. Balloon signs
- c. Festoons
- d. Flashing signs
- e. Illegal signs
- f. Inflatable signs
- g. Moving signs excluding barber shop poles
- h. Obsolete signs
- i. Off-premise signs, unless otherwise specified in this chapter

CHAPTER 26, SIGNS - PROPOSED

- j. Outline tubing signs
- k. Pennants
- l. Portable signs
- m. Roof signs
- n. Vehicle signs
- o. Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
- p. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
- q. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
- r. Signs which obstruct the minimum 5 feet of clearance required for Barrier Free accessibility.
- s. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters

Sec. 26-10. - General standards for permitted signs.

The following regulations shall apply, unless otherwise specifically stated in this chapter, to all signage erected or located in any zoning district within the city:

- a. The current edition of the Michigan Building Code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.
- b. Sign setbacks.
 - 1. All signs, unless otherwise provided for, shall be set back a minimum of five feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
 - 2. Side yard setbacks for signs shall be the same as that required for the main structure or building.
- c. Adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- d. Illumination.
 - 1. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to the sign.
 - 2. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
 - 3. External sources of illumination shall be shielded and directed to prevent glare onto neighboring properties or the public right of way.
 - 4. Underground wiring shall be required for all illuminated signs not attached to a building.
- e. Maintenance, construction and design.
 - 1. All signs shall be maintained in good structural condition at all times...
 - 2. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
 - 3. All signs, including any cables, guide wires, or supports shall have a minimum clearance of four feet from any electric fixture, electric line, street light, or other public utility pole or standard.
 - 4. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.
- f. Addresses. Addresses shall be in compliance with the International Fire Code requirements for number size and visibility from the public right of way.
- g. Noncommercial speech. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
- h. Directional Signs.
 - 1. Private On-premise directional signs.
 - a) Not more than one directional sign shall be permitted for each approved driveway entrance from a right of way, with a maximum sign area of six square feet per sign, and a maximum height of six feet.
 - b) Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage.
 - c) Directional signage located within a business center not adjacent to a public right of way shall be governed by the property owner.

CHAPTER 26, SIGNS - PROPOSED

2. Private Off-Premise Directional Signs. Private off-premise directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the city of Owosso.
 - a) Off-premise directional signs shall be no greater than twelve (12) square feet.
 - b) Sign lettering may only display the off-premise business name, address, and an arrow indicating direction.
 - c) Off-premise directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 Districts.
3. Public Off-Premise Directional Signs: Public off-premise directional signs erected by the City, City affiliated organization or State of Michigan shall be permitted in the street right-of-way
- i. Temporary signs. Temporary signs as defined in Sec. 26-5 are allowed with a permit subject to the following:
 1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed 30 square feet. The maximum size of individual temporary signs shall not exceed twenty 20 square feet in area. Temporary signs shall not be higher than 42 inches above average mean grade of the yard on which it is placed.
 - a) Exceptions:
 1. For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 20 feet in height.
 2. One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
 - b) Location of Temporary Signs:
 1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
 2. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
 3. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 4. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
 5. Signs shall be located so as to comply with the corner clearance requirements of the ordinance.
 6. Temporary signs shall not be illuminated.
 - c) Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease. Temporary signs are permitted for 60 days in a 120-day period.
 - j. Measuring sign area and height.
 1. Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).
 2. The sign area shall include the surface area which encloses the extreme limits of the sign copy together with the 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 structure necessary to support the sign.
 3. Measurement of sign height. Sign height shall be the vertical distance measured from the point of ground immediately beneath the sign to the highest point of the sign, including decorative embellishments. Where the ground elevation beneath a sign varies, the average grade of the ground within a five-foot radius of the sign structure shall be used. The average grade shall be the highest point within said radius plus the lowest point within said radius, divided by two. Any filling, berming, mounding or excavating solely for the purpose of locating the sign shall not be included in the calculation of average grade.

Sec. 26-11. - Nonconforming signs. Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this article to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this article. Therefore, the purpose of this article is to remove illegal nonconforming signs

CHAPTER 26, SIGNS - PROPOSED

while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this article, however, the following alterations are regulated:

- a. A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
- b. A nonconforming sign shall not be replaced by another nonconforming sign.
- c. A nonconforming sign shall not be reestablished after abandonment as defined in section 26-22, dangerous, unsafe, abandoned, and illegally erected signs.
- d. A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the building official/zoning administrator or if 50 percent or more of the face of the sign is damaged or destroyed.

Sec. 26-12. - Dangerous, unsafe, abandoned, and illegally erected signs.

- a. Dangerous signs. Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
- b. Unsafe signs. Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in paragraph 5. below.
- c. Abandoned signs. Any sign that advertises a business that has been discontinued for at least 90 days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in paragraph e. below.
- d. Illegally erected signs. The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this article, according to the process outlined in paragraph e. below.
- e. Process for enforcing violations of section 26-5, dangerous, unsafe, abandoned, and illegally signs. For violations of section 26-5, the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first class mail shall be sufficient notice. Where a sign erected in violation of this article is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

Sec. 26-13. - Administration of sign ordinance standards.

- a. Generally. The regulations of this article shall be administered and enforced by building official/zoning administrator.
- b. Signs in the public right of way. In addition to the penalties prescribed below, any sign erected in the public right of way may be removed by the ordinance enforcer and stored in a safe location for at least 48 hours. During this period of time, the sign owner may obtain the sign from the City upon request and payment of a fee established in the City's Fee Schedule which will cover the cost of removal and storage. After 48 hours, the City may dispose of the sign.
- c. Violations. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this article. Any such violation, including the failure to remove a sign when directed under the authority of this article, shall constitute a misdemeanor punishable in accordance with section 34-231 of the Owosso Code of Ordinances.

Sec. 26-14. – Board of Appeals

- a. Organization. The sign board of appeals shall be the zoning board of appeals as organized in chapter 38.
- b. Powers and duties.
 1. Hear and decide appeals by the sign permit applicant from a decision of the administrator denying, or failing to grant a sign permit within 30 days of application.
 2. Grant variances from the requirements of this chapter as part of the disposition of an appeal from action of the administrator denying or failing to grant a sign permit.

CHAPTER 26, SIGNS - PROPOSED

3. Hear and decide appeals of a determination by the administrator that a sign must be removed for noncompliance with this chapter.
4. Interpret the provisions of this chapter.
- c. Grounds for variance. The board of appeals may grant a variance from the provisions or requirements of this chapter only where:
 1. The literal interpretation and strict application of the provisions and requirements of this chapter would cause undue and unnecessary hardship to the sign user because of unique or unusual conditions pertaining to the specific building or parcel of property in question.
 2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
 3. The unusual conditions applying to the specific property do not apply generally to other properties in the city.
 4. The granting of the variance will not be contrary to the general objective of this chapter of moderating the size, number and obtrusive placement of signs and the reduction of clutter.
 5. Support for hardship. Where there is insufficient evidence, in the opinion of the board of appeals, to support a finding of "undue and unnecessary hardship" under subsection (a) of this section, but some hardship does exist, the board may consider the requirement fulfilled if:
 - a) The proposed sign is of particularly good design and in particularly good taste.
 - b) The entire site has been or will be of particularly good design and in granting a variance, the board may attach thereto such conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this chapter in the public interest.
 6. Notice of hearing. Shall be done in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006 and any amendments to said Act.

Sec. 26-15—26-19. - Reserved.

ARTICLE IV. – SPECIFIC SIGN STANDARDS

Sec. 26-20. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage Table

Type	# Allowed	Max Height	Max Size
Wall	1 per business		Not exceed 10% facade
Awning	1 per business		Not exceed 10% facade
Ground	1 per parcel	6 feet	24 square feet per side
EMS	Institutional use only *		50% of allowed ground sign
Subdivision/Development Entrance	Entrance to development	6 feet	24 square feet per side
Business Placard (B & B)	1 per residence		2 feet x 3 feet

Sec. 26-21. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage.

- a. The following signs are permitted in the R-1, R-2, R-T, RM-1 and RM-2 zoning districts subject to the following requirements:
 1. Wall Sign.
 - a) One wall sign per business not to exceed 10% of front façade for all uses other than single family homes, duplexes, and attached condominiums.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached. No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - c) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
 2. Awning signs may be used as an alternative or in addition to wall signs for all uses other than single family homes, duplexes, and attached condominiums, provided that they meet the following standards:
 - a) Awning signs and wall signs must not exceed 10% of front façade
 - b) Any sign area on an awning shall be included in calculations of maximum wall sign square footage.

CHAPTER 26, SIGNS - PROPOSED

- c) Awning signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
- d) No awning sign shall extend above the roof or parapet of the structure to which it is attached.
- e) Awning signs shall not be internally illuminated.
3. Home Occupations as allowed and defined in Sec. 38-394 shall be permitted a sign not to exceed a size of 2' x 3' mounted flush to the building. The sign may be illuminated, provided 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, into the path of oncoming vehicles, or on any adjacent premises. In no event, shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
4. Bed and breakfast signs as detailed in Chapter 7 of the Owosso City Code.
5. Ground Sign shall be permitted as follows for all uses other than single family homes, duplexes and attached condominiums:
 - a) Not more than one ground sign is permitted per parcel.
 - b) The top of the ground sign shall be no more than six feet above ground level.
 - c) A ground sign shall not extend closer than 5 feet to any part of the public right of way and shall meet the adequate sight distance requirements of this chapter.
 - d) No ground sign shall have an area exceeding 24 square feet per side.
 - e) A ground sign shall be located on the same parcel as the use.
 - f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
6. One electronic message sign, meeting the above requirements, may be permitted for institutional uses located in a residential district when meeting the following requirements:
 - a) The institutional use is located on a major or minor arterial or collector road.
 - b) The size of the electronic message sign shall be no greater than 50% of the allowable ground sign square footage.
7. Residential Entryway/Ground Sign shall be permitted as follows at the entrance of a residential subdivision:
 - a) Entryway Sign:
 1. The top of the ground sign shall be no more than six feet above ground level.
 2. A ground sign shall not extend closer than 5 feet to the adjacent public right of way and shall meet the adequate sight distance requirements of this chapter.
 3. No ground sign shall have a single surface area exceeding 24 square feet per side.
 4. A ground sign shall be located on the same parcel or at the vehicular entrance to identify a subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, or similar residential uses.
 - b) Real Estate Sales Sign:
 1. One temporary sign located on vacant land that is for sale or for lease or a residential development that has site plan approval and is under construction, and when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
 2. Real Estate Sales signs must be removed after the last lot/parcel/residence is sold/leased in the development.
8. Temporary signs per Sec. 26-10(i) of this chapter and:
 - a) Temporary signs include, but are not limited to the following:
 1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.
 2. An on-site sign advertising an on-going garage, estate or yard sale.
 3. Noncommercial signs which contain noncommercial information or directional messages.
 4. Political signs.
 5. Holiday or other seasonal signs.
 6. Construction signs for buildings under construction. See Real Estate Development Sign requirements.
 7. All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.

CHAPTER 26, SIGNS - PROPOSED

- b) Location of temporary signs shall comply with the following:
 - 1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
 - 2. Temporary signs shall not be located closer than 20 feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.
 - 3. Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
 - 4. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 - 5. Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
 - 6. Signs shall not be located within any clear vision triangle, as described in section 38-388 Corner Clearance.
- c) Time limitations for temporary signs. Each temporary sign shall be removed within 60 days of placement. Furthermore, no sign may be erected on a single parcel for more than 60 calendar days out of every 120 calendar days.

Section 26-22. - Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage Table

- ¹ Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.
- ² Additional wall signage is permitted per Section 26.23.a.2.c
- ³ Additional pole sign may be permitted per Section 26.23.e
- ⁴ The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

Sec. 26-23. Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage.

- a. Wall Sign:
 - 1. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a sign permit, and prior to installation of new signage or modification of existing signage.
 - 2. Wall signs may be used provided that they meet the following standards:
 - a) One wall sign per business not to exceed 10% of front façade or 100 square feet, whichever is less is permitted.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
 - c) Businesses located on a second public right of way, public parking lot or public alley shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
 - d) Additional wall sign square footage is permitted when the following is met:
 - 1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
 - 2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
 - e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
- b. Ground Sign
 - 1. Ground Sign may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
 - e) An additional ground sign may be permitted if access to the parcel is provided from two public streets.
 - f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-

CHAPTER 26, SIGNS - PROPOSED

of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

- c. Changeable or electronic message sign
 - 1. Changeable or electronic message signs as part of a wall or ground sign when the following requirements are met:
 - a) Changeable or electronic message signs are not permitted within the historic district boundary.
 - b) One changeable or electronic message signs sign shall be permitted per premises, but not both.
 - c) The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
 - d) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - e) Electronic messages shall not flash, fade in or out, or scroll.
 - f) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
 - 2. One gasoline price sign is permitted for a gas station canopy with an area not to exceed ten percent of the canopy façade.
- d. Pole Signs
 - 1. Pole signs may be used provided that they meet the following standards:
 - a) Pole signs are not permitted within the historic district boundary.
 - b) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
 - c) A pole sign shall not extend closer than 5 feet to the public right of way.
 - d) The lower edge of the pole sign shall be is eight feet or more above the ground level.
 - e) No pole sign shall have a single surface area exceeding 40 square feet per side.
 - f) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
 - g) Changeable or electronic message signs as part of a pole sign when the following requirements are met:
 - 1. Changeable or electronic message signs are not permitted within the historic district boundary.
 - 2. One changeable or electronic message sign sign shall be permitted per premises, but not both.
 - 3. The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
 - 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - 5. Electronic messages shall not flash, fade in or out, or scroll.
 - 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
 - h) One gasoline price sign is permitted for an overhead gas pump awning with an area not to exceed ten percent of the awning façade.
- e. Number of pole or ground signs. Not more than one pole or ground sign may be erected accessory to any single building, structure, or shopping center regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
 - 1. If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
 - 2. If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
- f. Awning
 - 1. Projecting and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
 - a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
 - b) Awning or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
 - c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
 - d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - e) Awning signs shall not be internally illuminated.
 - f) If any projecting sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and

CHAPTER 26, SIGNS - PROPOSED

issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.

- g) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the projecting sign shall be immediately removed. In the event the projecting sign is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.
- g. Marquee
- 1. Marquee signs shall be permitted within the Historic district and Westtown district for theater uses as follows:
 - a) The bottom of the marquee sign shall be a minimum of eight feet above the ground.
 - b) A marquee shall not project over a public street. For purposes of this section, a public sidewalk is not considered to be a public street.
 - c) A marquee sign shall not project greater than 48 inches beyond the property line. In measuring the sign's projection, the measurement shall be taken from the building from which it protrudes, including any open area between the wall face and the sign face.
 - d) One marquee shall be permitted per public entrance.
 - e) The total size of a marquee sign shall not exceed one and one-half square feet per lineal foot of building frontage. The total square feet of a marquee sign shall be subtracted from the total allowable wall signage square footage for the district.
 - f) No marquee sign shall project into an alley or truck service driveway.
 - g) If any marquee sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
 - h) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the marquee shall be immediately removed. In the event the marquee is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.
- h. Menu Boards
- 1. Menu board signs may be used provided that they meet the following standards:
 - a) Menu display boxes shall be constructed of high-quality materials, and their size, location, and design shall be appropriate to the character of the building and the restaurant.
 - b) Menu signs, including display box, shall not exceed 25 square feet in area and 6 feet in height.
- i. Sandwich Board
- 1. Sandwich board signs are permitted within the Historic District and Westtown district subject to the following requirements:
 - a) One sign per entrance shall be permitted regardless of the number of tenants on the premises.
 - b) The sign shall be located on the sidewalk.
 - c) The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
 - d) Each sign shall not exceed an overall height of 4 feet and a maximum square footage of 8 per side.
 - e) No sign shall be located in such a manner as to interfere with vehicular traffic flow or visibility.
 - f) Sign placement shall permit for the minimum 5 feet of clearance required for Barrier Free accessibility, which includes but is not limited to placement on a sidewalk.
 - g) No sign shall be placed as to obstruct any door or opening used as a means of egress or as to prevent free passage.
 - h) All signs must be constructed of weather-proof, durable material, have a professionally-made appearance and be kept in good repair.
 - i) Sandwich board signs may not be illuminated by any means and may not have moving parts.
 - j) The owner of a sidewalk/sandwich board sign shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
 - k) If at any time the insurance policy obtained pursuant to subsection (8)(J) is canceled, the sidewalk/sandwich board sign shall be immediately removed. In the event the sign is not removed, the City of Owosso shall have the right to remove the sign at the expense of the property owner.

CHAPTER 26, SIGNS - PROPOSED

- j. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-24. - Light Industrial (I1) and General Industrial (I2) Districts Signage.

The following signs are permitted in the I1 and I2 zoning districts subject to the following requirements:

- a. Wall signs
 - 1. Wall signs may be used provided that they meet the following standards:
 - a) One wall sign per business not to exceed 20% of front façade or 200 square feet, whichever is less is permitted.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
 - c) Businesses located on a corner lot shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
 - d) Additional wall sign square footage is permitted when the following is met:
 - 1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
 - 2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
 - e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
 - 2. Projecting signs and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
 - a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
 - b) Awning or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
 - c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
 - d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - e) Awning signs shall not be internally illuminated.
- b. Pole signs.
 - 1. Pole signs may be used provided that they meet the following standards:
 - a) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
 - b) A pole sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) The lower edge of the pole sign shall be eight feet or more above the ground level.
 - d) No pole sign shall have a single surface area exceeding 40 square feet for a single face sign.
 - e) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
 - f) Changeable or electronic changeable message signs as part of a pole sign when the following requirements are met:
 - 1. One changeable message sign shall be permitted per premises.
 - 2. Message changes may occur electronically or manually.
 - 3. The area of a changeable message sign shall not exceed half of the total area of the sign.
 - 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - 5. Electronic messages shall not flash, fade in or out, or scroll.
 - 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
- c. Ground Sign
 - 1. Ground signs may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
 - e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-

CHAPTER 26, SIGNS - PROPOSED

of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

- f) Changeable or electronic message signs as part of a ground sign when the following requirements are met:
 - 1. One changeable message sign shall be permitted per premises.
 - 2. Message changes may occur electronically or manually.
 - 3. The area of a changeable message sign shall not exceed half of the total area of the sign.
 - 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - 5. Electronic messages shall not flash, fade in or out, or scroll.
 - 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
- d. Number of pole or ground signs.
 - 1. Not more than one pole or ground sign may be erected accessory to any single building or structures regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
 - a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
 - b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
- e. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-25. Planned Unit Development District (PUD) Signage.

- a. The following signs are permitted in the PUD subject to the following requirements:
 - 1. Signage in PUD zoning districts established prior to the adoption of this amendment shall utilize the sign regulations for the B1, B-2, B-3 and B-4 zoning districts.
 - 2. PUD zoning districts established after the adoption of this chapter amendment will state allowable signage in the approved development program for the PUD.

Sec. 26-26. Vehicular Parking District (P1) Signage.

- a. The following signs are permitted in the P1 zoning district subject to the following requirements:
 - 1. Signage per Sec. 38-333 - No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on such parking area per the directional signage requirements of this chapter.

Sec. 26-27. Conservation/Open Space District (C-OS) Signage.

- a. The following signs are permitted in the C-OS zoning district subject to the following requirements:
 - 1. Ground signs may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel.
 - e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
 - 2. Number of ground signs. Not more than one ground sign may be erected; provided however, a property may have two ground signs when the following is met:
 - a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way.
 - b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
 - 3. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26- 28—26-31. - Reserved.

CHAPTER 26, SIGNS - CURRENT

Chapter 26 - SIGNS^[1]

Footnotes:

--- (1) ---

Editor's note— Ord. No. 783, §§ 1, 2, adopted June 19, 2017, repealed Ch. 26 in its entirety and enacted a new Ch. 26 to read as set out herein. Former Ch. 26, §§ 26-1, 26-2, 26-5—26-7, 26-9, 26-11—26-21, 26-23, 26-24, 26-26—26-33, 26-35—26-38, pertained to similar subject matter and derived from Ord. No. 500, 2-16-93; Ord. No. 571, § 1, 9-6-98; Ord. No. 578, § 1, 5-3-99; Ord. No. 579, § 1, 5-3-99; Ord. No. 627, § 1, 5-19-03; Ord. No. 628, § 1, 5-19-03; Ord. No. 661, §§ 1, 3, 10-18-04; Ord. No. 673, § 1, 6-19-06; Ord. No. 760, § 1, 2-2-15.

Cross reference— Signs for bed and breakfast operations, § 7-7; destruction of official notices, § 19-26; planning, Ch. 23; streets, sidewalks and other public places, Ch. 29; subdivision regulations, Ch. 30; traffic and motor vehicles, Ch. 33; zoning, Ch. 38; zoning regulations of signs, § 38-385.

State Law reference— Highway advertising act, MCL 252.301 et seq., MSA 9.391(101) et seq.

ARTICLE I. - MICHIGAN BUILDING CODE

Sec. 26-1. - Adoption of Michigan Building Code.

The current edition of the Michigan Building Code shall be in full force and effect in the city as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

(Ord. No. 783, § 2, 6-19-17)

Secs. 26-2—26-4. - Reserved.

ARTICLE II. - IN GENERAL

Sec. 26-5. - Short title.

This chapter shall be known as and may be cited as the City of Owosso Sign Ordinance.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-6. - Purpose.

The purpose of this chapter is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this chapter; and enhance the aesthetic appearance and quality of life within the city. 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 city so as to:

- (1) Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
- (2) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- (3) Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values and quality of life.
- (4) Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.

CHAPTER 26, SIGNS - CURRENT

- (5) Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
- (6) Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- (7) Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- (8) The regulations and standards of this chapter are considered the minimum necessary to achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.
- (9) Prevent off-premises signs from conflicting with other allowed land uses.
- (10) Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- (11) Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
- (12) Preserve and enhance the image of the city's central business district.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-7. - Applicability; effect and scope.

A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

The effect of the chapter as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter.
- (2) To allow signs that are small unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits.
- (3) To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way.
- (4) To prohibit all signs not expressly permitted by this chapter.
- (5) To provide for the enforcement of the provisions of this chapter.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-8. - Reserved.

ARTICLE III. - DEFINITIONS

Sec. 26-9. - Sign definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned sign: Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Administrator: The building official or his designated representative within the building department.

Alteration: Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

CHAPTER 26, SIGNS - CURRENT

Accessory sign: A sign which pertains to the use of the premises on which it is located.

Animated sign: A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning or canopy sign: A non-rigid fabric marquee or awning-type structure which is attached to the building by supporting framework, which includes a business identification message, symbol and/or logo. See "wall sign."

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Billboard: A sign separate from a premises erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located. Permitted off-premises directional signs shall not be considered billboards for the purpose of this chapter.

Building marker: Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Business center: A grouping of two (2) or more business establishments on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of businesses. A business center shall be considered one (1) use for the purposes of determining the maximum number of ground signs. An automobile or vehicle dealership shall be considered a business center regardless of the number or type of models or makes available, however, used vehicle sales shall be considered a separate use in determining the maximum number of signs, provided that the used vehicle sales section of the lot includes at least twenty-five (25) percent of the available sales area.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually, including time/temperature signs; also called menu board, reader board or bulletin board.

Combination sign: Any sign which combines the characteristics of two (2) or more signs.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs. Business identification or logo on such a sign is considered and calculated as part of the allowable square footage for a ground sign.

Festoon: A string of ribbons, tinsel, small flags, pinwheels or lights, typically strung overhead in loops.

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

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Freestanding sign: A sign which is erected upon or supported by the ground, including "pole or pylon signs" and "ground signs."

Gasoline price sign: A sign which is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign.

Ground or monument sign: A three-dimensional, self-supporting, base-mounted freestanding identification 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.

CHAPTER 26, SIGNS - CURRENT

Identification sign: Also a "nameplate" sign or "information" sign with only name and address of occupant on the sign bearing no advertising message or logo.

Illegal sign: A sign which does not meet the requirements of this chapter and does not have legal nonconforming status.

Illuminated sign: Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

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 credit cards and business affiliations.

Integral sign: A memorial sign or commemorative tablet which contains names of buildings, dates of erection, and monumental citations.

Luminous tube: See "neon" and "outline tubing sign."

Mansard: A sloped roof or roof-like facade. Signs mounted on the face of a mansard roof shall be considered wall signs.

Maintenance: For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent roof-like structure or canopy supported by and extending from the face of the building. A marquee sign is a sign attached to or supported by a marquee structure.

Menu board, reader board, or bulletin board: See "changeable message sign."

Moving sign: A sign in which the sign itself, or any portion of the sign, moves or revolves. A "rotating sign" is a type of moving sign. This definition does not include "changeable message signs."

Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nameplate: A nonelectric, on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Neon sign: See "outline tubing sign."

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises 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; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g., billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it. See "neon" and "luminous tube".

Owner: A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

CHAPTER 26, SIGNS - CURRENT

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 designed to be installed permanently in the ground a minimum of forty-two (42) inches deep by use of a steel post, wood post or other appropriate materials.

Political sign: A temporary sign used in connection with local, state, or national elections or referendums.

Portable sign: A sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas-filled balloons, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, non-government flags, and searchlights; but excludes political signs, real estate signs, construction signs, permanent changeable message signs, and regulatory/government signs.

Poster panel sign: A type of temporary sign that is used to draw attention to matters that are temporary in nature, such as price changes or sales. "A" frame or sandwich signs are types of poster panel signs.

Premises: The contiguous land in the same ownership or control which is not divided by a public street.

Principal building: The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Programmable display sign: An animated sign, including LEDs, made up of a field of individual electronic elements or mechanical grids that, when programmed and activated, create still or moving images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than twelve (12) inches beyond such building or wall.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

Pylon or pole sign: A sign supported on the ground by a pole, braces, or monument, and not attached to any building or other structure.

Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate open house sign: Temporary signs which advertise and direct the public to an open house for a building which is available for sale or lease, with the event held on a specific day.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

Roof sign: Any sign that extends above the roofline or is erected over the surface of the roof.

Rotating sign: See "moving sign."

Sign: Any device, structure, fixture, figure, symbol, banner, pennant, flag, balloon, logo, or placard consisting of written copy, symbols, logos and/or graphics, designed for the purpose of bringing attention to, identifying or advertising an establishment, product, goods, services, or other message to the general

CHAPTER 26, SIGNS - CURRENT

public. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk, alley, park, or public property, but not signs which are primarily visible to and directed at persons within the premises upon which the sign is located.

Temporary sign: A sign not constructed or intended for long-term use. Examples of temporary signs include signs which announce a coming attraction, a new building under construction, a community or civic project, or other special events that occur for a limited period of time such as a garage or estate sale.

Time and temperature sign: Signs which display the current time and/or temperature.

Vehicle sign: Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes rather than for transportation purposes.

Wall sign: A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof shall be considered wall signs. Permanent signs, which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside, shall also be considered wall signs.

Window sign: A sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall be considered wall signs.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-10. - Reserved.

ARTICLE IV. - GENERAL PROVISIONS

Sec. 26-11. - Permits required and fees.

It shall be unlawful for any person to erect, re-erect, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-12. - Sign erector qualifications.

The administrator shall evaluate, authorize or deny as a part of the permit the person assigned to the installing of, erecting, maintaining, repairing or altering a sign. The authorization of the erector shall be based on the administrator's evaluation of the direct experience of the person specified for the sign work. Notwithstanding the previous sentences, a person does not undergo evaluation to install a nonelectrical sign, provided the sign does not exceed an area of thirty-two (32) feet, a height of seven (7) feet above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-13. - Application.

Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-14. - Completeness.

Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten-day period, send to the

CHAPTER 26, SIGNS - CURRENT

applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-15. - Issuance and denial.

The administrator shall issue a permit and permit sticker or tag for the erection, structural alteration, or relocation of a sign within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing Code sections and interpretation of possible nonconformity.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-16. - Inspection.

A person conducting or performing work covered by a permit required by this chapter shall notify the administrator when such work has commenced. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month or at such earlier date as the owner may request. If the construction is not substantially complete at the time of a six-month inspection, the permit shall lapse and become void. If the construction is complete, the administrator shall issue a certificate of completion to the owner and the erector.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-17. - Signs exempt from regulation.

The following signs shall be exempt from regulation under this chapter:

- (1) Any sign of a governmental unit required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (2) Holiday lights and decorations on residential zone lots with no commercial message.
- (3) Works of art of a noncommercial nature.
- (4) Flags of any country, state, or unit of local government not causing a vision obstruction at intersections or flown at the top of a pole over thirty-five (35) feet in height. Any flag not meeting these conditions shall be subject to regulation as such.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-18. - Prohibited signs.

The following signs are prohibited in all districts:

- (1) Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters.
- (2) Moving signs and signs having moving members or parts, excluding barber poles, and electronic poles.
- (3) Signs using high intensity or flashing lights, festoons, spinners or other animated devices.

CHAPTER 26, SIGNS - CURRENT

- (4) Signs which in any way simulate or could be confused with the lighting of emergency vehicles or traffic signals; there shall be no flashing, oscillating or intermittent, or red, yellow, or green illumination on any sign located in the same line of vision as a traffic control system, nor interference with vision clearance along any highway, street, or road or at any intersection of two (2) or more streets.
- (5) Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
- (6) Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
- (7) Roof signs unless specifically permitted elsewhere in this article.
- (8) Portable signs, as defined, not provided for in this chapter.
- (9) Pylon or pole signs not provided for in this chapter.
- (10) Any sign or sign structure which:
 - a. Is structurally unsafe.
 - b. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment.
 - c. Is capable of causing electric shock to person who come in contact with it.
 - d. Is not kept in good repair, such that it has broken parts, missing letters, or nonoperational lights.
- (11) 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.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-19. - General standards for permitted signs.

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this chapter; provided, that no such sign shall be erected or altered until approved by the building official/zoning administrator and until a sign permit has been issued pursuant to chapter 26 of the City of Owosso Code of Ordinances.

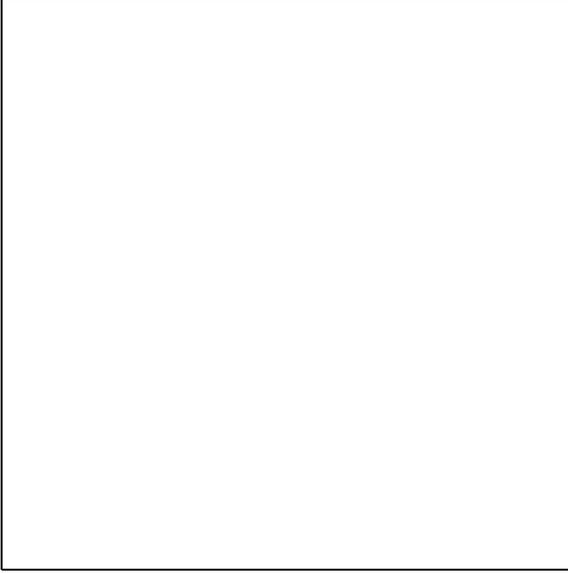
- (1) *Sign setbacks.*
 - a. All signs, unless otherwise provided for, shall be set back a minimum of five (5) feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
 - b. Side yard setbacks for signs shall be the same as that required for the main structure or building, provided that all nonresidential signs shall be set back at least one hundred (100) feet from any residential district.
- (2) *Location.* Sign location to assure adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of twenty-four (24) inches and six (6) feet within a triangular area measured twenty-five (25) feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- (3) *Design and construction.* Signs, as permitted in the various zoning districts, shall be designed to be compatible with the character of building materials and landscaping to promote an overall unified and aesthetic effect in accordance with the standards set forth herein. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose. New box

CHAPTER 26, SIGNS - CURRENT

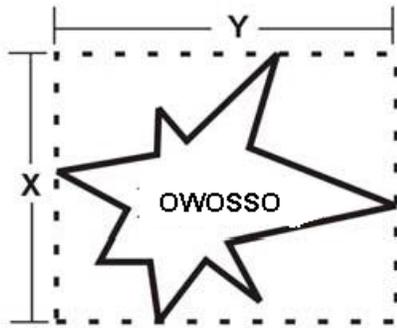
sign panels with a white or tan background must be blackened internally so only the letters show when illuminated.

- (4) *Illumination.*
 - a. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to it.
 - b. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
 - c. Lighting shall be shielded and/or pointed downward so as not to project onto adjoining properties or thoroughfares.
 - d. Underground wiring shall be required for all illuminated signs not attached to a building.
- (5) *Maintenance and construction.*
 - a. Every sign shall be constructed and maintained in a manner consistent with the Michigan 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 or other materials used for parts and supports.
 - b. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure of at least twenty (20) pounds per square foot or seventy-five (75) miles per hour.
 - c. All signs, including any cables, guy wires, or supports shall have a minimum clearance of four (4) feet from any electric fixture, street light, or other public utility pole or standard.
- (6) *Measurement.* Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).
 - a. The allowable area for signs shall be measured by calculating the square footage of the sign face and any frame or base of other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed as measured by enclosing the most protruding points or edges of a sign within a parallelogram or rectangle.
 - b. When a sign has two (2) or more faces, the area of all faces shall be included in calculating the area of the sign except that where two (2) such faces are placed back to back, only larger face shall be considered, provided that both faces are part of the same structure, contain the same message and are separated by no more than two (2) feet.
 - c. For purposes of calculating sign area allowed as a wall sign, the wall sign square footage shall be determined by measuring a parallelogram (box) which includes the portion of the canopy which contains a message, symbol and/or logo (examples are shown on the attached figures).
 - d. 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.

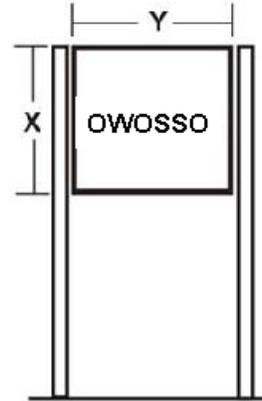
Guidelines for Measuring Sign Face Square Footage
Figure 26.1



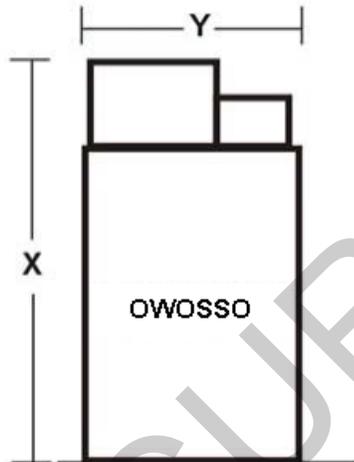
CURRENT



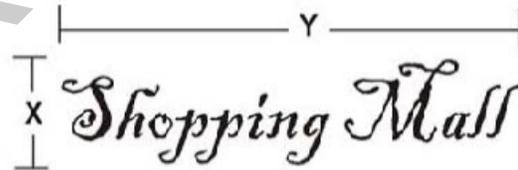
ALL SIGNS
Measurements taken from the outermost points of the panel



DIRECTIONAL SIGNS
Post are not included in the measurement of a sign face



GROUND SIGNS
Measurements taken from the outermost points of the sign face



WALL, CANOPY, or PROJECTING SIGNS
Measurements taken from the outermost points of the copy

(Ord. No. 783, § 2, 6-19-17; Ord. No. 792, § 1, 5-7-18)

Sec. 26-20. - Off-premises signs.

(a) *Off-premises advertising.* The regulation of off-premises signs is intended to enhance and protect community character and image by minimizing visual blight and pollution, and to minimize traffic safety hazards due to diversion of the driver's attention and blockage of sight distances. Off-premises sign regulations address the location, size, height and related characteristics of such signs.

- (1) *Area and height limitations.* No off-premises sign may be erected or maintained of a greater surface area than three hundred (300) square feet for each side of such sign. The top of the sign shall be no more than twenty-five (25) feet above the ground and the bottom of the sign shall be at least ten (10) feet above the ground. Double-faced off-premises sign structures (i.e., structures having back-to-back faces) and V-type structures having only one (1) face visible to traffic

CHAPTER 26, SIGNS - CURRENT

proceeding from any given direction on a street or highway shall be considered as one (1) off-premises sign.

- (2) *Location.* Static and digital off-premises signs may be erected only in the industrial district. No off-premises sign may be erected or maintained within fifty (50) feet of street lines at any street intersection and shall have a minimum setback from the front property line of twenty-five (25) feet. No off-premises sign shall be installed or placed on top of, cantilevered or otherwise suspended above the roof of any building.
 - (3) *Spacing.* Off-premises signs shall be located no closer to one another than five hundred (500) feet.
 - (4) *Illumination.* An off-premises sign may be illuminated, provided 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, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any off-premises sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
 - (5) *Digital off-premises signs.*
 - a. *Rate of change.* The rate of change between static messages or images shall not exceed more than one (1) change per six (6) seconds. Each change shall be complete in one (1) second or less.
 - b. *Luminance.* The maximum daylight sign luminance level shall not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (½) hour after sunrise and continuing until one-half (½) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared at four (4) lux illumination at all other times.
 - c. *[Digital off-premises signs.]* Digital off-premises signs shall be configured to default to a static display in the event of mechanical failure.
 - (6) *[Construction.]* An off-premises sign must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. An off-premises sign must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of the message(s).
 - (7) *[Industrial areas.]* An off-premises sign established within an industrial area, as defined in the Highway Advertising Act of 1972 (1972 PA 106, as amended), bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of said Act and the regulations promulgated thereunder.
- (b) *Combination off-premises and on-premises electronic message boards.* Digital signs which are used to advertise both on-premises and off-premises establishments shall comply with the following regulations:
- (1) A permanent, static on-premises primary sign must be in existence totaling at least twenty-five (25) percent of the allowable sign size in the district. The balance of the total allowable sign area may consist of the combination off-premises/on-premises sign.
 - (2) The combination off-premises/on-premises sign shall adhere to the regulations contained in.
 - (3) Digital messages may advertise the on-premises establishment. The balance of the messages may advertise off-premises establishments under the same ownership and/or public service announcements.
 - (4) Each message shall remain readable for at least six (6) seconds.
 - (5) Combination off-premises and on-premises digital signs shall be spaced at least five hundred (500) feet apart in all districts.

CHAPTER 26, SIGNS - CURRENT

- (6) Combination off-premises and on-premises digital signs shall be allowed in the B-2, B-3, B-4, I-1 and I-2 districts.
- (7) Combination off-premises/on-premises signs shall count toward the total sign area allowed for the property.
- (c) *Off-premises directional signs.*
 - (1) *Private off-premise directional signs.* Private off-premises directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the City of Owosso.
 - a. Off-premises directional signs shall be no greater than twelve (12) square feet.
 - b. Sign lettering may display the off-premises business name, address, and an arrow indicating direction.
 - c. Off-premises directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 districts.
 - d. One (1) off-premises direction sign is permitted per industrial zoning lot.
 - (2) *Public off-premises directional signs.* Public off-premises directional signs erected by the city, State of Michigan, or the downtown development authority shall be permitted in the street right-of-way.
- (d) *Off-premises private signs in the public right-of-way.* Private A-frame signs may be allowed in the public right-of-way. The following regulations shall apply:
 - (1) Signs shall be approved by the city council.
 - (2) Signs shall be removed each night.
 - (3) Maximum size two (2) feet wide by four (4) feet in total height for each panel with a maximum of two (2) panels per sign. Maximum spread between the two (2) panels at the base shall be two (2) feet six (6) inches.
 - (4) The owner of the property abutting the right-of-way on which the sign is placed shall be notified, prior to city council approval, that the sign is being requested.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-21. - Specific sign standards.

The number, display area, and height of signs within the various zoning districts are provided in the sign dimensional standards and regulations table and its accompanying footnotes. Additional standards for specific types of signs are given below:

SIGN DIMENSIONAL STANDARDS AND REGULATIONS								
	Wall, Canopy or Projecting Sign (c)		Ground Sign (c)			Temporary Signs (d)		
District	Number Allowed	Max. Size	Number (b)	Max. Size Per Sign Face	Max. Height	Max. Size Per Sign	Total Area Per Parcel	Max. Height
R-1, R-2, RM-1, RM-2, R-T	-	10% of front facade for all uses other than single family homes, duplexes,	1	24 square feet	6 feet	6 square feet	14 square feet	4 feet

CHAPTER 26, SIGNS - CURRENT

		and attached condominiums						
Home Occupations as allowed and defined in Sec. 38-394	1	Not to exceed a size of 2' x 3' mounted flush to the building*	-	-	-	-	-	-
B1, B-2, B-3, B-4 PUD	1 per business (a)	10% of front facade or 100 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet
I-1 and I-2	1 per business (a)	20% of front facade or 200 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet

* Illumination: home occupation sign may be illuminated, provided 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, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

Footnotes to the Sign Dimensional Standards and Regulations Table

(a) One (1) wall sign shall be allowed per business, in addition to any other allowed ground signs. Businesses located on a corner lot shall be allowed up to two (2) wall signs, one (1) for each front facade. The maximum wall sign area shall not exceed ten (10) percent of the front facade of the building (any facade which faces a public or approved private street), per use or business establishment. However, for a commercial structure containing one (1) use or business establishment, as determined by the planning commission, the size of the wall sign may be increased up to the maximum square footage as follows:

<i>201—400 linear feet of building frontage facing a public street and having a public entrance</i>	<i>150 square feet</i>
<i>Greater than 400 linear feet of building frontage facing a public street and having a public entrance</i>	<i>200 square feet</i>

(b) Only one (1) ground sign is permitted per use, including uses which occupy more than one (1) parcel and business centers containing more than one (1) business or use, with additional signs permitted according to the following table, however, no site shall have more than two (2) ground signs, regardless of the number of street frontages or the amount of frontage. Single uses on a single parcel do not qualify for this consideration:

<i>Frontage along 2 or more rights-of-way</i>	<i>1 sign up to the maximum sign face area shall be allowed along 2 frontages</i>
<i>300 feet of frontage along 1 right-of-way</i>	<i>1 ground sign along that frontage</i>
<i>Greater than 300 feet of frontage along 1 right-of-way</i>	<i>2 ground signs</i>

CHAPTER 26, SIGNS - CURRENT

- (c) *Changeable message signs and gasoline price signs may be permitted as part of a monument sign in the business districts and industrial districts, and when associated with a commercial in accordance with the following:*
- (1) *One (1) changeable message sign or one (1) gasoline price sign shall be permitted per premises, but not both.*
 - (2) *Message or gasoline price changes may occur electronically or manually.*
 - (3) *The area of a changeable message sign or gasoline price sign shall not exceed one-third ($\frac{1}{3}$) the total area of the sign.*
 - (4) *Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.*
 - (5) *Electronic messages or gasoline prices shall not flash, fade in or out, or scroll.*
 - (6) *Any voids or burned out bulb in an electronic display shall be replaced.*
 - (7) *Electronic changeable message signs and gasoline price signs shall be at least one hundred (100) feet from any residential district or use, except as modified in subsection (10) below.*
 - (8) *One (1) gasoline price sign is permitted for an overhead gas pump canopy with an area not to exceed ten (10) percent of the canopy facade and when this is the only changeable message sign on the property.*
 - (9) *One (1) electronic message sign, meeting the above requirements, may be approved by the planning commission for institutional uses, meaning a use by public or quasi-public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital, located in a residential district when meeting the following requirements:*
 - i. *The institutional use is located on a minor arterial or collector road, as designated in the City of Owosso Master Plan;*
 - ii. *That the sign will not create a nuisance for residential properties in the immediate vicinity of the sign, as determined by the planning commission and subject to any conditions;*
 - iii. *The appropriate size of the sign shall be determined by the planning commission but shall be no greater than fifty (50) square feet in area.*
- (d) *Signs for temporary uses.*
- (1) *Temporary signs include, but are not limited to the following:*
 - i. *For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.*
 - ii. *An on-site sign advertising an ongoing garage, estate or yard sale.*
 - iii. *Noncommercial signs which contain noncommercial information or directional messages.*
 - iv. *Political signs.*
 - v. *Holiday or other seasonal signs.*
 - vi. *Construction signs for buildings under construction.*
 - vii. *All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.*
 - (2) *Location of temporary signs shall comply with the following:*

CHAPTER 26, SIGNS - CURRENT

- i. *Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.*
 - ii. *Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.*
 - iii. *Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.*
 - iv. *Temporary signs cannot be placed or constructed so as to create a hazard of any kind.*
 - v. *Temporary signs may not be posted on private property without first obtaining the permission of the property owner.*
 - vi. *Signs shall not be located within any clear vision triangle, as described in section 38-388, corner clearance.*
- (3) *Time limitations for temporary signs. Each temporary sign shall be removed within sixty (60) days of placement. Furthermore, no sign may be erected on a single parcel for more than sixty (60) calendar days out of every one hundred twenty (120) calendar days.*
- (1) *Directional signs.* No more than one (1) directional sign shall be permitted for each approved driveway, with a maximum sign area of four (4) square feet per sign, and a maximum height of four (4) feet. Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage, as specified in the sign dimensional standards and regulations table.
- (2) *Projecting and canopy signs.* Projecting signs and canopy signs may be used as an alternative to wall signs listed in the sign dimensional standards and regulations table, provided that they meet the following standards:
- a. Any sign area on a canopy shall be included in calculations of maximum wall sign square footage.
 - b. Projecting or canopy signs in the central business district shall be set back at least two (2) feet from any street curblin, shall not extend more than six (6) feet over the public right-of-way, and shall leave a minimum clearance of eight (8) feet above the ground.
 - c. Projecting or canopy signs in the B-1, B-2, B-4, I-1 and I-2 districts shall have a minimum ground clearance of ten (10) feet, shall be set back at least six (6) feet from any adjacent public right-of-way, and shall not project over an alley or private access lane. A projecting sign shall not extend for more than two (2) feet from the building to which it is attached.
 - d. No wall, canopy or projecting sign shall extend above the roof or parapet of the structure to which it is attached by more than one (1) foot.
 - e. Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - f. Projecting signs shall not exceed sixteen (16) square feet in area.
 - g. Canopy signs shall not be internally illuminated.
- (3) *Downtown historic district.* Any signs within the downtown historic district shall meet all requirements of the Owosso Historic District Commission prior to installation of new signage or modification of existing signage.
- (4) *Entranceway signs.* One (1) permanent sign per vehicular entrance identifying developments such as subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, office and industrial parks and similar uses, provided that the sign is set back a minimum of fifteen (15) feet from any property line or public right-of-way is permitted.

CHAPTER 26, SIGNS - CURRENT

- (5) *Portable A-frame signs.* Portable A-frame or sandwich board signs are permitted in the B-1, B-2, B-3, and B-4 districts at the public building entrances to businesses subject to the following requirements:
- a. One (1) sign per customer entrance shall be permitted regardless of the number of tenants on the premises.
 - b. The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
 - c. Each sign shall not exceed an overall height of forty-two (42) inches and an overall width of twenty-four (24) inches.
 - d. No sign shall be located in such a manner as to interfere with vehicular or pedestrian traffic flow or visibility.
 - e. All signs must be constructed of weatherproof, durable material and kept in good repair.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-22. - Nonconforming signs.

Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this chapter to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this chapter. Therefore, the purpose of this chapter is to remove illegal nonconforming signs while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this chapter, however, the following alterations are regulated:

- (1) A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
- (2) A nonconforming sign shall not be replaced by another nonconforming sign.
- (3) A nonconforming sign shall not be reestablished after abandonment as defined in section 26-23, dangerous, unsafe, abandoned, and illegally erected signs.
- (4) A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the building official/zoning administrator or if fifty (50) percent or more of the face of the sign is damaged or destroyed.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-23. - Dangerous, unsafe, abandoned, and illegally erected signs.

- (a) *Dangerous signs.* Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
- (b) *Unsafe signs.* Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in subsection (e) below.
- (c) *Abandoned signs.* Any sign that advertises a business that has been discontinued for at least ninety (90) days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six (6)

CHAPTER 26, SIGNS - CURRENT

months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in subsection (e) below.

- (d) *Illegally erected signs.* The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this chapter, according to the process outlined in subsection (e) below.
- (e) *Process for enforcing violations of section 26-7, dangerous, unsafe, abandoned, and illegally signs.* For violations of sections 26-7(2) through (4), the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first-class mail shall be sufficient notice. Where a sign erected in violation of this chapter is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-24. - Changes to permitted signs.

No physical, structural or electrical changes can be made to existing permitted signs without first obtaining a new sign permit. Individual sign panels can be replaced on existing box signs, but a permit must still be obtained.

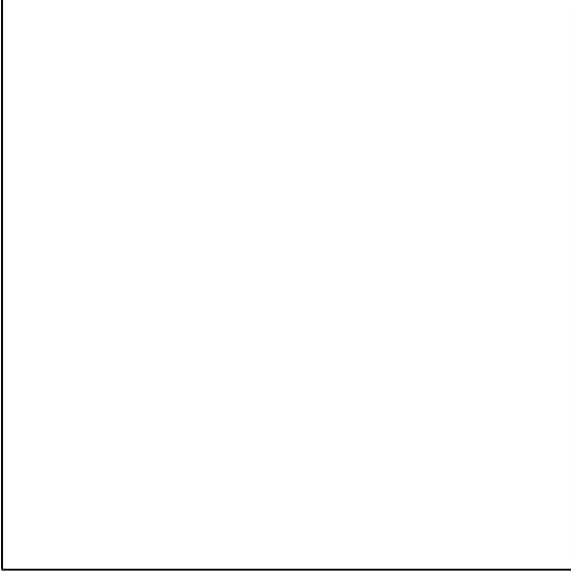
(Ord. No. 783, § 2, 6-19-17)

Sec. 26-25. - Administration and appeals of sign ordinance standards.

- (a) *Generally.* The regulations of this chapter shall be administered and enforced by building official/zoning administrator.
- (b) *Violations.* It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this chapter. Any such violation, including the failure to remove a sign when directed under the authority of this chapter, shall constitute a misdemeanor punishable in accordance with section 1-8 of the Owosso Code of Ordinances.

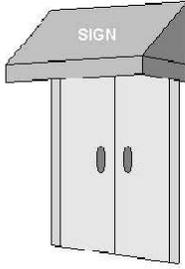
SIGN DIAGRAMS

Figure 26.2

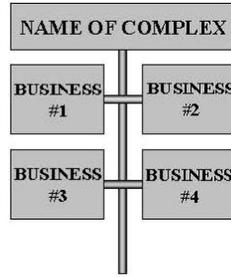


CURRENT

CHAPTER 26, SIGNS - CURRENT



Awning Sign



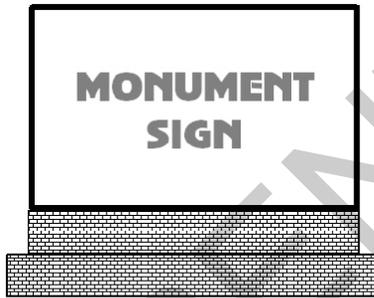
Business Center Sign



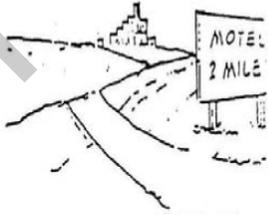
Free Standing Sign



Message Board Sign



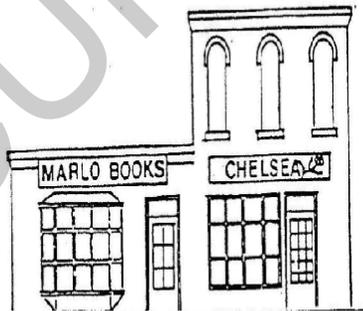
Monument Sign (Freestanding)



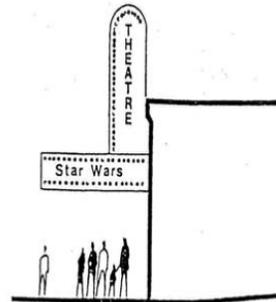
Off-Premise Sign



Projecting Sign



Wall Sign



Marquee Sign

(Ord. No. 783, § 2, 6-19-17)