

Chapter 26

SIGNS*

* **Editors Note:** Ord. No. 500, adopted Feb. 16, 1993, amended Ch. 26 to read as herein set out in Arts. I--VII, §§ 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. Prior to inclusion of said ordinance, Ch. 26, § 26-1 pertained to similar subject matter and derived from the Code of 1917, §§ 8.51--8.132.

Cross References: 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 References: Highway advertising act, MCL 252.301 et seq., MSA 9.391(101) et seq.

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ARTICLE I.

UNIFORM SIGN CODE

Sec. 26-1. Adoption of Uniform Sign Code.

There is hereby adopted by reference the 1991 Edition of the Uniform Sign Code, as published by the International Conference of Building Officials which 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. 500, 2-16-93)

Sec. 26-2. Changes in code.

The following section of the sign code adopted by the provisions of this article is hereby amended as indicated:

Section 1401. Temporary signs shall not exceed one hundred (100) square feet in area. Temporary signs if rigid material shall not exceed twenty-four (24) square feet in area, or six (6) feet in height, nor shall any such sign be fastened to the ground.

(Ord. No. 500, 2-16-93)

Secs. 26-3, 26-4. Reserved.

ARTICLE II.
IN GENERAL

Sec. 26-5. Short title.

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

(Ord. No. 500, 2-16-93)

Sec. 26-6. Purposes.

The purposes of this chapter are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety and public health; to minimize the possible adverse effect of signs on nearby public and private property; to keep signs within a reasonable scale with respect to the buildings and property to which they relate, and; to enable the fair and consistent enforcement of these sign restrictions. It is determined that the regulations contained in this chapter are the minimum amount of regulation necessary to achieve its purposes. It is also determined that restrictions in this chapter on the size of signs, as well as their height and placement on real estate, are the minimum amount necessary to achieve this chapter's purposes.

(Ord. No. 500, 2-16-93)

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 certain 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.
- (6) This chapter shall not relate to building design. Nor shall this chapter regulate: official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point-of-purchase displays; scoreboards on athletic fields; flags of any nation, government or noncommercial organization; gravestones; barber poles; religious symbols; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

(Ord. No. 500, 2-16-93)

Sec. 26-8. Reserved.

ARTICLE III.

DEFINITIONS

Sec. 26-9. Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in chapter 38, zoning, of this Code, or in the Uniform Sign Code shall be given the meanings set forth in such chapter and code. Principles for computing sign area and sign height are contained in section 26-24. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

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.

Animated sign. Any sign that uses movement or change of lighting, either natural or artificial, to depict action or create a special effect or scene. For the purposes of this chapter, this term does not refer to flashing, changeable copy signs or programmable message centers.

Awning sign. A sign painted on, printed on, or attached flat against the surface of an awning, which is a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework. An awning is not a marquee.

Banner sign. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one (1) or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Beacon. Any light with one (1) or more beams directed into the atmosphere or directed at one or more

points not on the same zone lot as the light source; also, any light with one (1) or more beams that rotate or move.

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.

Canopy. A rigid multi-sided structure covered with fabric, metal or other material and supported by a building at one (1) or more points or extremities and by columns or posts embedded in the ground at other points or extremities.

Canopy sign. A sign displayed and affixed flat on the surface of a canopy which does not extend vertically or horizontally beyond the limits of the canopy.

Central business district. That area defined by the boundary of the B-3 zoning district on the zoning map of chapter 38, zoning and that area defined by those properties fronting Main Street between State Street and Cedar Street and those contiguous properties zoned commercial at or near the intersection of Stewart Street and South Chipman Street. For the purposes of these chapter regulations, the central business district is symbolized by the B-3 zoning district title.

Changeable copy sign. Any sign designed or constructed whereby the lettering or message usually contained thereon is capable of being changed by rearranging or installing new letters or messages without removing, replacing or resurfacing the face of such sign.

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

Construction sign. Any sign identifying the names of the project developers, contractors, engineers, architects and financial institutions, which is located on a site being developed or improved.

Directional sign. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo, said logo not comprising more than twenty (20) percent of the total sign area, of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced sign. Any sign containing two (2) sign surfaces.

Election sign. A temporary sign which refers only to a political candidate, political party, or the issues involved in an upcoming political election.

Facade. The front of a building, including a parapet, facing a right-of-way line. In the case of a corner lot, or in the case of a building covering an entire block, a building may have more than one (1) facade.

Festoon sign. Any sign consisting of strings of exposed incandescent light bulbs, balloons, or strings of pennants hung overhead to draw attention to items on display or a particular business establishment.

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. Any sign which contains an intermittent or flashing, scintillating, blinking or traveling light source which includes signs that give the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

Freestanding sign. A sign structure supported permanently upon the ground by poles or braces and not attached to any building. This definition shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Frontage, street. The length of the property line of any one (1) premise along a public right-of-way on which it borders.

Garage sale sign. Any sign denoting a private sale of personal property used to dispose of personal household possessions.

Ground sign. Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

Height of sign. The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the sign, excluding decorative embellishments.

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.

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.

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.

Mansard. A sloped roof or rooflike facade architecturally comparable to a building wall.

Marquee. Any permanent rooflike structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign. Any sign which is attached to a marquee. These signs shall be treated as wall signs.

Moving message board. An electrical sign designed to exhibit a pattern of letters or numbers delivered in such fashion so as to appear to be moving lines or words of type.

Multi-faced sign. Any sign containing three (3) or more signed surfaces so that such messages as contained on the sign face are visible to persons viewing such signs from two (2) or more directions.

Nonconforming sign. Any sign which lawfully occupied a building or land at the effective date of

chapter 38, zoning of this Code, or any amendment thereto, that does not conform to the regulations of the district or premises where it is located.

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

Parapet. That part of any wall entirely above the roofline of a building.

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.

Person. Any individual, corporation, association, firm, partnership, or similarly defined interest.

Portable sign. A mobile temporary sign mounted on a trailer type frame with wheels or skids and not permanently attached to the ground or designed to be permanently attached to the ground or a building.

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 LED's, 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 flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

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

Roof sign. Any sign erected over or on the roof of a building.

Roof sign, integral. Any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Rotating sign. Any sign or advertising device that rotates or gives the appearance or optical effect of rotating.

Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purposes of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. This section shall be deemed to have been repealed as of June 30, 2003 unless reenacted by the city council.

Suspended sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign. A sign not constructed or intended for longterm use and not permanently mounted.

Vacant land. A lot of record on which there are no principal uses and for which no nonconformity exists for the minimum required street frontage of the applicable zoning district.

Wall sign. Any sign attached to, and/or affixed to, the face of the wall of any building structure or part thereof, provided that no part of any such sign extends more than twenty-four (24) inches from the face of the exterior wall.

Window sign. Any paper, cardboard, or painted graphics or other material conveying an advertising message which is designed for or placed behind any window visible to the public.
(Ord. No. 500, 2-16-93; Ord. No. 579, § 1, 5-3-99; Ord. No. 627, § 1, 5-19-03; Ord. No. 661, § 1, 10-18-04; Ord. No. 673, § 1, 6-19-06)

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, except as provided in section 26-17, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. A separate permit shall be required for each sign. Electrical signs shall, in addition, require an electrical permit.
(Ord. No. 500, 2-16-93)

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. 500, 2-16-93)

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. 500, 2-16-93)

Sec. 26-14. Completeness.

Within five (5) 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 five (5) 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.
(Ord. No. 500, 2-16-93)

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 five (5) 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 five (5) 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. 500, 2-16-93)

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. 500, 2-16-93)

Sec. 26-17. Signs not requiring a permit.

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

- (1) Signs used by a governmental agency and a franchised public utility company if the sign of the

utility company is for public safety purposes.

- (2) Construction signs of sixteen (16) square feet or less.
- (3) Holiday or special events decorations.
- (4) Nameplates of two (2) square feet or less.
- (5) Election signs.
- (6) Temporary real estate signs advertising the premises for rent, sale, or lease, under the following conditions:
 - a. One (1) sign not more than six (6) square feet in area for a single-dwelling or building or vacant land for residentially zoned premises less than one (1) acre. For vacant residential parcels larger than one (1) acre, one sign not more than fifteen (15) square feet in area.
 - b. One (1) sign not more than thirty-two (32) square feet in area for vacant commercial or industrially zoned premises less than one (1) acre.
 - c. On corner lots pertaining to subsections a. and b. above, an additional equivalent sign is permitted if separated by seventy-five (75) lineal feet of road frontage.
 - d. For commercial and industrial premises larger than one (1) acre, one (1) sign per acre to a maximum of four (4) signs, not to exceed thirty-two (32) square feet per sign and not closer together than two hundred (200) lineal feet of road frontage.
 - e. For occupied industrial and commercial premises, one (1) sign not more than fifteen (15) square feet with an allowance for an additional sign not more than fifteen (15) square feet for corner lots if separated by seventy-five (75) lineal feet of road frontage.
 - f. A real estate sign not to exceed six (6) square feet in area for the purposes of direction may be located on private property with an owner's permission on a successive Friday, Saturday and Sunday only. The sign height shall not exceed forty-eight (48) inches. Signs higher than thirty (30) inches shall not be located in a corner clearance described in section 26-23(2).
- (7) Interior building signs which are not designed for visibility of the public as in the case of a window sign.
- (8) Directional signs less than six (6) square feet.
- (9) Garage sale signs as provided for in Chapter 25-101 of the Owosso City Code.
- (10) Bed and breakfast signs as provided for in Chapter 7 of the Owosso City Code.

(11) Other signs less than six (6) square feet.
(Ord. No. 500, 2-16-93; Ord. No. 571, § 1, 9-6-98)

Sec. 26-18. Signs exempt from regulation.

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

- (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. 500, 2-16-93)

Sec. 26-19. Construction and maintenance.

All signs shall be designed and constructed in conformity to the provisions for materials, loads, stresses, and safety of the latest adopted edition of the Uniform Sign Code, Article I of this chapter. Nothing contained in the Uniform Sign Code shall be construed to permit any sign prohibited by the Owosso Sign Ordinance or to reduce any standard established by said ordinance.

Every sign in the city, including those signs for which permits are required, or exempt signs for which no permits are required shall be maintained in good structural condition at all times. All signs, including exempt signs, shall be kept neatly painted, including metal parts and supports. The administrator shall, from time to time, inspect and have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or abandoned, or which constitute a physical hazard to public safety.

(Ord. No. 500, 2-16-93)

Sec. 26-20. Removal of certain signs.

In the event a sign is abandoned for a period of time in excess of six (6) months, the sign owner shall immediately remove any sign identifying the abandoned use or purpose announced thereby. Upon failure of a sign owner to comply with this section, the administrator shall issue a written notice to the sign owner, which notice shall state that such sign shall be removed within fourteen (14) days. If the sign owner fails to comply with such written notice to remove, the administrator is hereby authorized to cause removal of such sign, and any expense incidental to such removal shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property. For the purpose of this section, the word "remove" shall mean:

- (1) The sign face, along with posts, columns, or supports of freestanding signs, shall be taken down and removed from the property.

- (2) The sign face and supporting structures of "projecting", "roof", or "wall" signs shall be taken down and removed from the property.
- (3) The sign face of "painted wall signs" shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question. This provision shall not apply to signs fifty (50) years old or over that are historical landmarks of the city's past and are attached to a building that is maintained and preserved as an architectural landmark. The historic criteria adopted by the planning commission shall serve to distinguish these signs.

(Ord. No. 500, 2-16-93)

Sec. 26-21. Other signs forfeited.

Any sign installed or placed on public property, except in conformance with the requirements of this chapter, shall be forfeited to the public and subject to confiscation. In addition to other remedies of the City Code, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

(Ord. No. 500, 2-16-93)

Sec. 26-22. Reserved.

ARTICLE V.

SPECIFIC CONTROL PROVISIONS.

Sec. 26-23. Specific control provisions.

The following provisions shall apply to all signs erected or located in any zoning district or to the specific situations described herein:

- (1) *Signs in the right-of-way.* No sign except those established and maintained by the city, county, state, or federal governments, and except those projecting canopy and marquee signs mounted on building walls in the B-3 Zoning District where no front yard setback is required shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- (2) *Signs at intersections.* Signs shall be located such that there is at every street intersection or entranceway a clear view between heights of three (3) feet and ten (10) feet in a triangle formed by the corner and points on the curb twenty-five (25) feet from the intersection or entranceway. A support structure six (6) inches in diameter or less or six (6) inches per side or less shall not be considered an obstruction to a clear view.
- (3) *Construction signs.* A building under construction may have one sign on the site of construction. The sign may not exceed ten (10) percent of the square foot area of the front of the structure with a maximum size of two hundred (200) square feet.
- (4) *Vacant land signs.*

- a. One sign not to exceed six (6) square feet in area on lots of record of vacant land two (2) acres in size or less.
 - b. Signs on lots of record of vacant land exceeding two (2) acres shall not exceed fifteen (15) square feet of sign area per acre of land or fifteen (15) square feet of sign area per one hundred (100) lineal feet of thoroughfare frontage with total sign area not to exceed one hundred (100) square feet. Signs shall be spaced two hundred (200) feet or more apart.
- (5) *Traffic interference.* No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other work, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.
 - (6) *Responsibility of compliance.* The owner of any property on which a sign is placed, and the person maintaining said sign, are equally responsible for the condition of the sign and the area in the vicinity thereof.
 - (7) *Obstructions to doors, windows, sidewalks, and fire escapes.* No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window, sidewalk or fire escape.
 - (8) *Temporary signs.* A limit of two temporary signs shall be permitted per parcel unless otherwise regulated in section 26-23.
 - (9) *Gasoline price signs.* A gasoline service station shall be permitted signs on each pump island indicating the prices and types of gasoline and the type of service. The area of such signs shall not exceed ten (10) square feet per pump island. One freestanding sign to include a changeable copy sign or reader board is allowed. The size of the freestanding sign shall not exceed forty-eight (48) square feet.
 - (10) *Light glare.* No direct light or significant glare from a sign shall be cast onto any zone lot that is zoned and used for residential purposes or onto any public way so as to cause interference with traffic safety.
 - (11) *Election signs.* Signs relating to elections shall be removed within ten (10) days following the election or within sixty (60) days of installation whichever occurs first.
 - (12) *Adjoining sign interference.* Signs shall not interfere with the noticeability, visibility, and legibility of existing conforming signs on adjoining zoning lots.
 - (13) *Festoon signs, balloons, and inflated objects used as signs.* Said signs are regulated as a temporary sign with the further restrictions that they may be placed in the front yard for a period not to exceed one (1) fourteen-day period per year or in a side or rear yard for one (1) sixty-day period per year unless the adjoining land use is residential, in which case the signs are prohibited from placement in the side or rear yard.

- (14) *Subdivision signs.* Subdivisions of single- and two-family homes and housing complexes of more than one (1) apartment or town house building are permitted ground signs identifying the subdivisions or housing complex. Such sign structures shall have a gross area of not more than thirty (30) square feet, a sign face area of not more than fifteen (15) square feet, and a height of not more than four (4) feet. A subdivision or housing complex shall not have a total of more than two (2) such signs nor more than one (1) per entrance. The setback for subdivision signs three (3) feet high shall be eight (8) feet and ten (10) feet for a sign height above three (3) feet. At intersections and drive entrances, the setback standard must also comply with the provisions of section 26-23(2).

(Ord. No. 500, 2-16-93; Ord. No. 661, § 1, 10-18-04)

Sec. 26-24. Calculation of sign area.

The following principles shall control the calculation of sign area:

- (1) *Computation of area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which is placed, but not including any supporting framework, bracing, or decorative fence, embellishment or wall when such fence, wall, or embellishment otherwise meets Chapter 38, Zoning requirements and is clearly incidental to the display itself.

Chart I provides examples of measurement of sign area and measurement of a sign with embellishment.

GRAPHIC UNAVAILABLE: Chart I. Examples of Measurement of Sign Area and Sign Embellishment Not Counting As A Sign

- (2) *Computation of area of multifaced signs.* The sign area of a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of the largest face.
- (3) *Computation of maximum total permitted sign area for a zoning lot.* The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the directions in Chart III of section 26-27 of this chapter.

(Ord. No. 500, 2-16-93)

Sec. 26-25. Reserved.

ARTICLE VI.

SCHEDULE OF SIGN REGULATIONS

Sec. 26-26. Signs allowed on private property with and without permits.

PERMITTED SIGNS BY TYPE AND ZONING DISTRICT CHART II

Sign Type	ZONE DISTRICT (a)									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS(b)
Freestanding Residential (c)	P	P	N	N	N	N	N	N	N	N
Other	N	N	S	S	S	S	S	S	S	S
Directional	N	P(c)	P	P	P	P	P	P	P	P(c)
Building Banner	N	N	S	S	S	S	S	S	S	N
Building marker	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	S	S	S	S	S	S	S	N
Identification	P	P	P	P	P	P	P	P	P	P
Directional	N	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	S	S	S	S	S	N
Projecting(e)(f)	N	N	S	S	S	S	S	S	S	S
Roof integral	N	N	N	N	S	S	S	N	N	N
Suspended	N	N	N	N	S	S	S	N	N	S
Temporary	N	N	N	S	S	S	S	S	S	N
Wall	N	N	S	S	S	S	S	S	S	P
Window	N	N	N	P	P	P	P	P	P	N
Miscellaneous Banner(g)	N	N	S	S	S	S	S	N	N	N
Flag	P	P	P	P	P	P	P	P	P	P

P--Allowed without sign permit

S--Allowed only with sign permit

N--Not allowed

(a) The zoning ordinance provides for a parking district (P-1) for which no signs other than directional and identification signs are permitted.

(b) This column does not represent a zoning district. It applies to institutional and nonresidential uses permitted under the zoning ordinance in residential zone districts.

(c) No commercial message allowed on sign. Sign is for building or development identification.

(d) Only allowed when a freestanding sign cannot be used.

(e) If projecting over public right-of-way, lot must be in B-3 district, issuance and continuation conditioned on owner having liability insurance policy of at least \$500,000 per occurrence, per sign.

(f) No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.
(Ord. No. 500, 2-16-93)

Sec. 26-27. Maximum total sign area per zone lot by zoning district.

CHART III

The maximum total area of all signs on a zone lot except directional, building marker, and identification signs and flags shall not exceed the lesser of the standards listed within this chart.

	ZONE DISTRICT									
	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Maximum number of total square feet	6	200	100	100	300	300	300	300	400	100
Percentage of ground floor area of principal building	NA	NA	2%	4%	8%	10%	10%	2%	2%	NA
Square feet of signage per lineal foot of street frontage	NA	NA	2	2	3	3	3	NA	NA	0.5

(Ord. No. 500, 2-16-93)

Sec. 26-28. Number, dimensions, and location of individual signs by zoning district.

CHART IV

Individual signs shall not exceed the applicable maximum number, dimensions, or setback shown in this chart and in section 26-29, Chart V.

Sign Type	ZONE DISTRICT									
	R-1, R-2, R-T	RM-1, RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	INS
Freestanding area (square feet)	6	6	40	40	80	40	160	80(e)	80(e)	48
Height (feet)	5	5	12(a)	12(a)	24(c)	12(b)	30(b)	12	12	12
Setback (feet)(c)	2	2	5	5	5	2	10	10	10	1
Number Permitted										
--Per zone lot	NA	NA	NA	NA	NA	NA	NA	NA	NA	1
--Per feet of street frontage(d)	NA	1/200	1/132	1/132	1/200	1/100	1/200	1/200(e)	1/800(e)	NA
Building area (max. sq. ft.)	2	2	NA	NA	NA	NA	NA	NA	NA	10
Wall area (%) (f)	NA	NA	10%	10%	15%	10%	15%	5%	5%	NA

(a) Maximum sign height is twelve (12) feet and minimum setback is five (5) feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back seven feet from such a lot, it may be no more than seven (7) feet high.

(b) In no case shall the actual sign height exceed the actual sign setback from any lot that is zoned and used for residential purposes.

(c) See section 26-23(2) for corner clearance at intersections and section 26-23(14) for the setback requirements of subdivision signs.

(d) 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.

(e) An additional freestanding sign may be permitted provided:

(1) The sign is approved under the provisions of the site plan review at section 38-390 of this Code.

(2) The sign is set back the same distance as the zone district setback in which it is placed. When adjacent to a residential zone, residential use or the Shiawassee River, the sign setback may be increased by the planning commission to one hundred (100) feet when it is found that the zone district setback is insufficient to protect the property value and enjoyment of the residential use, zone district, or the river.

(3) The sign is located at least five hundred (500) feet from any sign exceeding two hundred (200)

square feet in area.

- (4) The sign does not exceed three hundred (300) square feet in area.
- (5) The sign does not exceed twenty-five (25) feet in height.
- (6) Except for the above provisions of this section, no sign shall be installed unless it is also in compliance with the rules and standards promulgated under P.A. 106 of 1972, the Highway Advertising Act.

(f) 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.
 (Ord. No. 500, 2-16-93; Ord. No. 578, § 1, 5-3-99; Ord. No. 628, § 1, 5-19-03; Ord. No. 661, § 3, 10-18-04)

Sec. 26-29. Number and dimensions of certain individual signs by sign type.

CHART V

No sign shall exceed any applicable maximum numbers or dimensions, or encroach on any applicable minimum clearance shown on this table.

Sign Type	Number Allowed	Maximum sign area	Vertical Clearance	
			From Sidewalk	Private Drive or Parking
Freestanding Residential		See Chart IV	See Chart IV	NA
Other		See Chart IV	See Chart IV	See Sec. 26-23(2)
Directional		See Chart IV	See Chart IV	See Sec. 26-23(2)
Building Banner		NA	9 ft.	10 ft.
Building marker		1 per bldg.	4 sq. ft.	NA
Canopy (a)		1 per bldg.	25% of vertical surface	8 ft.
Identification		1 per bldg.	4 sq. ft.	NA
Directional		NA	NA	NA
			From Sidewalk	Private Drive or Parking
Marquee		1 per bldg.	NA	9 ft.
Projecting (b)		1 per bldg.	40 sq. ft.	9 ft.
Roof, Integral		2 per principal bldg.	NA	NA
Suspended		1 per entrance	NA	8 ft.
Temporary		2 per zoning lot	See Uniform Sign Code & Section 26-28	NA
Wall		NA	NA	NA
Window		NA	25% of total window area	NA
Miscellaneous Banner		NA	NA	9 ft.
Flag		NA	60 sq. ft.	9 ft.

- (a) Canopy signs shall not project more than 4 feet from a building.
- (b) Allowable projection of a projecting sign at the point of sign placement will be calculated as a

percentage of the total allowable projection--which is 5 feet at the center point--expressed in decreasing percentage increments from 100% at the building midpoint to 0% at the building and points equal to the percentage of the distance remaining from the midpoint (100%) to either endpoint (0%) expressed in feet. See drawing below.

GRAPHIC UNAVAILABLE: Sign Projection
(Ord. No. 500, 2-16-93)

Sec. 26-30. Permitted sign characteristics by zoning district.

CHART VI

	ZONE DISTRICT											
CHARACTERISTIC	R-1, R-2 R-T	RM-1 RM-2	OS-1	B-1	B-2	B-3	B-4	I-1	I-2	C-OS	PUD	INS
Animated	N	N	N	N	N	S	N	N	N	N	N	N
Changeable copy	N	N	N	S	S	S	S	S	S	N	S	S
Illumination, internal (a)	N	N	S	S	S	S	S	S	S	N	S	S
Illumination, external (a)	N	N	S	S	S	S	S	S	S	N	S	S
Illumination, exposed bulbs	N	N	N	N	N	S	N	N	N	N	N	N
Programmable display sign(a), (e)	N	N	S(b), (d)	S(b)	S	S	S	S	S	N	S(c)	S(b), (d)

S--Allowed only with sign permit

N--Not allowed

(a) No direct light or significant glare from the sign shall be cast onto any adjacent zone lot that is zoned and used for residential purposes.

(b) Except for an unanimated, fixed message, the sign functions shall be turned off between the hours of 10:00 p.m. and 6:00 a.m. for all locations other than state highways. On state highways the hours of restricted lighting are between 10:00 p.m. and 5:00 a.m.

(c) A programmable display sign is subject to approval and standards established within the site plan review provisions of chapter 38, zoning, section 38-390.

(d) A programmable display sign shall have a seventy-five-foot setback from a residentially zoned and occupied structure.

(e) The message interval shall be three seconds and the flashing background feature behind changeable copy shall not be activated.

Signs shall be allowed on private property in the city in accordance with, and only in accordance with Chart II of this section. This schedule and all schedules within this chapter that reference zoning districts applies to the districts described in Chapter 38, Zoning of the City Code. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by an "S" or "P" in Chart II shall be allowed only if:

- (1) The sum of the area of all building and freestanding signs on the zone lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in section 26-27.
- (2) The size, location, and number of signs on the lot conform with the requirements of sections 26-28 and 26-29, which establish permitted sign dimensions by sign type, and with any additional limitations listed in this section.
- (3) The characteristics of the sign conform with the limitations of section 26-30 permitted sign characteristics, and with any additional limitations on characteristics listed in this section.

**CITY OF OWOSSO ZONING USE DISTRICTS:
A KEY TO CHARTS II THROUGH VI, BEING
SECTIONS 26-26 THROUGH 26-30**

R-1....	Residential Single-Family	OS-1....	Office Service
R-2....	Residential Two-Family	B-1....	Local Business
RM-1....	Multiple-Family Residential	B-2....	Planned Shopping Center
RM-1....	Multiple-Family Residential(High Rise)	B-3....	Central Business
R-T....	Attached One-Family	I-1....	Light Industrial
		I-2....	General Industrial

(Ord. No. 500, 2-16-93; Ord. No. 673, § 1, 6-19-06)

Sec. 26-31. Prohibited signs.

Signs not specifically permitted by this chapter are prohibited in the city. Such signs include, but are not limited to:

- (1) Abandoned signs.
- (2) Banner signs extending over public property, except as authorized by the city.
- (3) Roof signs, except mansard roof signs which are regulated as wall signs.
- (4) Signs with flashing, blinking, moving or exposed incandescent lights, except moving message boards and moving lights in the B-3, Central Business District.
- (5) Search lights and beacons, except as authorized by the city.
- (6) Signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property, or public right-of-way, except signs of any political subdivision of the state.
- (7) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
- (8) Portable signs.
- (9) Any sign structure or frame no longer containing a sign and classified as abandoned.
- (10) Signs indicating a home occupation, including child care.

(Ord. No. 500, 2-16-93)

Sec. 26-32. Nonconforming signs.

It is the intent of this chapter to encourage eventual elimination of signs that, as a result of the adoption of this chapter, become nonconforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this chapter. It is the intent, therefore, to administer this chapter to realize the removal of illegal nonconforming signs and to avoid any unreasonable invasion of established private property rights.

A nonconforming sign may be continued, and shall be maintained in good condition, but shall not be:

- (1) Replaced by another nonconforming sign.
- (2) Structurally altered so as to prolong the life of the sign.
- (3) Expanded.
- (4) Reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the estimated replacement cost.

(Ord. No. 500, 2-16-93)

Sec. 26-33. Bonuses.

The standards of this chapter may be exceeded for certain provisions when exceptional sign treatment related to the objectives listed in section 26-6, "purposes", are achieved. These standards are:

- (1) *Bonus for symbolic presentation.* Projecting signs using symbolic rather than alphabetic or numerical message presentation are permitted an additional size allowance of up to twenty (20) percent over the maximum size allowances provided that the total symbolic presentation comprises at least seventy-five (75) percent of the total sign area used.
- (2) *Bonus for use of upper and lower case letters.* In the case of signs composed of individual letters or words mounted upon a wall or other architectural surface not in itself a sign, the calculation of overall square footage shall be the product of the overall height of the letterforms and the overall length. In the case of signs consisting of upper and lower case letterforms, calculation of overall square footage shall be the product of the height of the lower case letterforms only and the overall length. See Chart VII below:

CHART VII. LETTER CASE BONUS

(Ord. No. 500, 2-16-93)

Sec. 26-34. Reserved.

ARTICLE VII.

APPEALS, ENFORCEMENT, VIOLATIONS PENALTIES, SEVERANCE, AMENDMENT AND ADOPTION.

Sec. 26-35. Appeals.

Any person aggrieved by any decision, ruling or order from the administrator, may appeal to the zoning board of appeals. The board of appeals may grant a variance after a public hearing and procedures for a hearing and decision outlined for said Board in Chapter 38, Zoning. In addition to those variance powers of the zoning board of appeals outlined in Chapter 38, the following provisions shall also apply:

- (1) The board shall not permit as a variance any sign the erection of which or the continuance of which is prohibited by this chapter.
- (2) *Duration of variance.* No variance shall be given for a period greater than fifteen (15) years. All variances shall terminate upon alteration or reconstruction of more than fifty (50) percent of the sign or at the date set by the board of appeals, whichever occurs first.

(Ord. No. 500, 2-16-93)

Sec. 26-36. Enforcement.

This chapter shall be administered and enforced by the Administrator as provided for in Part I of the City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-37. Violations and penalties.

(a) *Violations.* Any of the following shall, be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning ordinance, and by related chapters of the Owosso City Code:

- (1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- (2) To install, create, erect or maintain any sign requiring a permit without such a permit;
- (3) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which sign is located;
- (4) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed; or
- (5) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

(b) *Penalties.* Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction of any such violation, shall be punishable according to the terms of Chapter I, General Provisions of the Owosso City Code.

(Ord. No. 500, 2-16-93)

Sec. 26-38. Severability.

Sections of this chapter shall be deemed to be severable and should any section, paragraph or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this chapter as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

(Ord. No. 500, 2-16-93)