

## Chapter 1480 - SIGNS

### 1480.01. - Purpose and intent.

The intent of this article is to regulate signs, to minimize outdoor advertising, and to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of visibility; promote public convenience; preserve property values; and enhance the aesthetic appearance and quality of life within the city. The requirements contained herein are intended to be content neutral. The following 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 in order to:

- a. Protect the public right to receive messages and other types of information protected by the First Amendment of the U.S. Constitution.
- b. Maintain and improve the image of the city by encouraging signs of consistent size and rigid materials which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- c. 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.
- d. Recognize that the principal intent of commercial signs, to meet the purpose of these requirements 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-premise activities, as these can be advertised more appropriately by other methods.
- e. Eliminate potential conflicts between business signs and traffic control signs, which could create confusion and hazardous consequences.
- f. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
- g. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- h. Prevent off-premise signs from conflicting with other land uses.
- i. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- j. Limit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.

### 1480.02. - Definitions.

For the purpose of the following regulations, the following definitions shall apply:

- a. *Abandoned sign*: See obsolete sign.
- b. *Awning or canopy sign*: A sign affixed flat against the surface of an awning. An awning or canopy is a retractable or fixed shelter on a supporting framework that projects from the exterior wall of a building.
- c. *Banner sign*: A sign made of fabric, plastic, or other non-rigid material without an enclosing structural framework.
- d. *Billboard*: A sign which contains a message unrelated to a business, activity, or service conducted on the premises, or to a commodity not sold or offered upon the premises where such sign is located.
- e. *Changeable message signs*: A sign on which the message is changed mechanically, electronically or manually, including time/temperature signs.
- f. *Corner parcel*: A lot at the intersection of two (2) public streets.
- g. *Day*: For the purpose of these regulations, a calendar day rather than a business day.

- h. *Directional sign*: A sign which gives directions, instructions, or facility information for the use on the lot on which the sign is located, such as parking or exit and entrance signs. Directional signs shall be limited to traffic control functions.
- i. *Freestanding sign*: A permanently affixed sign which is erected upon or supported by the ground on one (1) or more poles, uprights or braces with a mounting structure width less than fifty percent of the sign face width, including pole or pylon signs.
- j. *Ground or monument sign*: A three-dimensional, self-supporting, base-mounted freestanding sign with a base width that is at least fifty percent of the sign face width, consisting of two (2) or more sides extending up from the base.
- k. *Government sign*: a sign constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.
- l. *Marquee sign*: A sign affixed flat against the surface of a marquee. A marquee is a permanent structure constructed of rigid materials that project from the exterior wall of a building.
- m. *Motor vehicle sign*: A sign measuring more than two (2) square feet in size that is mounted, placed, written, or painted on a vehicle or trailer, whether motor-driven or not.
- n. *Obsolete sign*: A sign that no longer advertises a valid business, product, service, activity, owner or lessor or is vacated for 60 days or a sign support structure with no signage for more than six (6) months.
- o. *Off-premise sign*: See billboard sign.
- p. *Pole or pylon sign*: See freestanding sign.
- q. *Portable sign*: A sign designed to be moved easily and not permanently attached to the ground, a structure, or a building, including signs with wheels, A-frame signs, signs mounted on vehicles for advertising purposes, hot-air and gas filled balloons, pennants, streamers, ribbons, pinwheels, non-governmental flags and searchlights.
- r. *Poster panel signs*: A sign that is located outside of a business on a daily basis for the purpose of providing the public with information about the business (e.g. products and services offered, daily specials etc.). Poster panel signs include sandwich signs and "A" frame signs.
- s. *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.
- t. *Roof line*: The top edge of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections. The roofline is the highest point of the roof surface if a flat roof; to the deck of mansard roofs, and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.
- u. *Roof sign*: A sign erected above the roof line of a building.
- v. *Sign*: A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, must not be considered a sign. Each display surface of a sign or sign face must be considered to be a sign.
- w. *Sign Review Committee*: The Planning Commission of the City of Grand Blanc.
- x. *Temporary sign*: A sign, banner or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or a without structural frame, that is not permanently attached to the ground or a structure or any other sign intended for a limited period of display but not including decorative display for holidays or public demonstration.
- y. *Tenant*: An occupant of land or premises who occupies, uses, and enjoys real property for a fixed time, usually through a lease arrangement with the property owner and with the owner's consent.
- z. *Umbrella sign*: A sign or other advertising printed or otherwise attached to an umbrella, including umbrellas used in outdoor seating areas.

- aa. *Wall sign*: A sign painted or attached directly to and parallel to the exterior wall of a building and which projects from that surface less than twelve (12) inches at all points.
- bb. *Window sign*: A sign installed inside a window and intended to be viewed from the outside.

1480.03. - Exempt signs.

The following signs are permitted in all districts on premises with permission of the landowner without a written sign permit, and provided they are not located in the public right-of-way or in conflict with the provisions of Section 78-36, Intersection Visibility.

- a. Directional signs, not exceeding six (6) square feet in area.
- b. Enclosed signs. Any sign that is located completely within a building and is not visible from the outside.
- c. Flags, A flag that has been adopted by the federal government, the State of Michigan or the local government may be displayed as provided under the law that adopts or regulates its use provided there are not more than three (3) flags per lot and the maximum size of each flag is fifty (50) square feet at a maximum of thirty (30) feet in height.
- d. Legal non-conforming signs existing on the effective date of the adoption of the ordinance. Removal of the sign shall constitute an elimination of the non-conforming status.
- e. Permanent signs on vending machines, gas pumps, and ice containers indicating the contents, provided that the sign on each device does not exceed three (3) square feet in area a limit of one (1) sign per vending machine, gas pump or ice container.
- f. Signs by a public body to protect the public, provided that such signs do not exceed two (2) square feet in area.
- g. Regulatory, directional and street signs erected by a public agency in compliance with Michigan Manual of Uniform Traffic Control Devices Manual, and the Uniform Federal Accessibility Standards and Michigan Barrier Free Manual.
- h. Traffic control signs including directional, warning, or informational signs when authorized by a public agency having appropriate jurisdiction which conforms to the requirements of the Michigan Manual of Uniform Traffic Control Devices.

1480.04. - Prohibited signs.

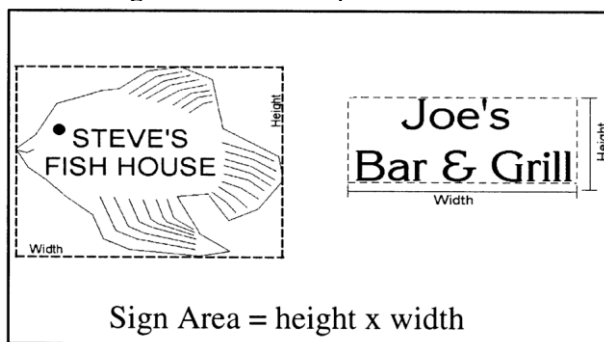
Any sign not expressly permitted is prohibited in all districts, including but not limited to the following:

- a. Spinners, balloons, strings of light bulbs, rope lights, flashing lights, pennants, or streamers, other than those of a governmental or educational institution, or not used for the purpose of commercial advertisement or attraction, hung overhead to draw attention to a business or its merchandise on display.
- b. Billboards.
- c. No sign shall contain any moving or animated parts nor have the appearance of having any moving or animated parts. No sign shall employ any flashing, moving, oscillating, blinking, or variable intensity light or intermittent lights resembling the flashing lights customarily used in traffic signals, or police, fire, ambulance, or rescue vehicles, or lights so bright as to be blinding or distracting to a vehicle driver. However, variable time and temperature signs may be permitted, provided each message shall not change more often than once every three (3) seconds.
- d. Electronic changeable message signs, unless specifically provided for elsewhere in this Chapter.
- e. Signs located in the right-of-way of public streets or highways, attached to a utility pole, fence or affixed to a tree except as may otherwise be permitted by this article.
- f. Obsolete signs.
- g. Signs held by pedestrians and intended to advertise a business or other commercial activity.
- h. Pole or pylon signs.

- i. Portable signs, except where expressly allowed in this article.
- j. Any type of signage including logos shall not be permitted on a public or private radio, television, cellular phone, or water towers with the exception of the name of the municipality.
- k. A sign that would interfere with, mislead, or confuse a vehicle driver, including signs that simulate or could in any way be confused with the lighting of emergency vehicles or traffic signals.
- l. Any sign which obstructs the ingress or egress from a required door, window, or other required exit.
- m. Signs that obstruct any approved traffic control device, road sign, or signal from view; interfere with site distance necessary for traffic safety; or distract from visibility of existing traffic signs or devices.
- n. Any sign not attached to a building and erected within ten (10) feet of a fire hydrant.
- o. No commercial vehicle may be parked on a business premises or an industrial lot for a time period exceeding forty-eight (48) hours for the intended purpose of advertising a product or serving as a business sign.
- p. 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) Constitutes a hazard to safety or health by reason of blocking views;
  - (d) Is capable of causing electric shock to a person who comes in contact with it;
  - (e) Is unlawfully installed, erected, or maintained;
  - (f) Is located in public street or utility right-of-way, except where expressly permitted herein;
  - or
  - (g) Is not kept in good repair, such that it has broken parts, missing letters, non-operational lights, or has deteriorated, such that its structural support or frame or sign panels are visibly bent, broken, dented, or torn as to constitute an unsightly, hazardous or harmful condition
  - (h) Does not meet applicable requirements of any adopted city building code.
- q. Any sign installed, erected or maintained on City property, unless approved and installed or erected by the City.
- r. Off-premise signs.
- s. Roof signs.

1480.05. - General requirements for permitted signs—All districts.

- a. *Sign location.* Unless otherwise provided in these regulations, no sign, except those established by the City of Grand Blanc, Genesee County, state or federal governments shall be located in, project or overhang into any public right-of-way or dedicated easement.
- b. *Measuring sign area.*
  - 1. Sign area shall be measured as the square footage of the sign face and any frame or other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed.

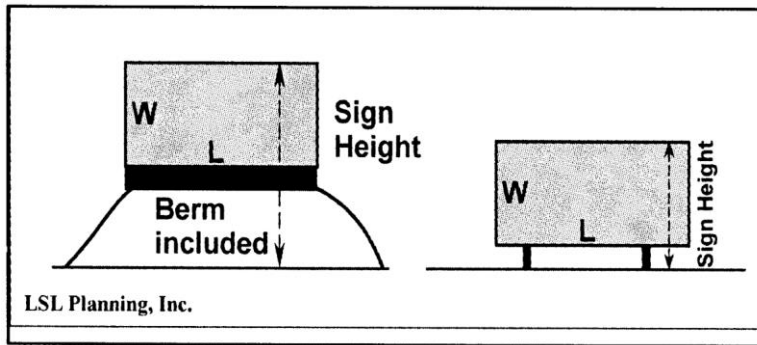


### *Measuring sign area*

2. When a sign consists solely of lettering or other sign elements printed, painted or mounted on a window or a wall of a building without any distinguishing border, panel or background that allow the normal exterior of the building surface to be visible between the through the letters, the calculation for sign area shall be measured by using the sum of the area of the rectangles which would enclose each individual letter or symbol.
3. Where a sign has two or more faces, the area of all the faces shall be included in determining the total area of the sign.

### *c. Measuring sign height.*

1. The permitted height of all signs supported by the ground shall be measured from the level of the natural grade adjacent to the sign to the highest point of the sign.
2. The permitted height shall not be measured from an area of ground that has been built-up or constructed in a manner that has the effect of allowing a higher sign height than permitted by these regulations (e.g. the height of signs erected on a berm shall be measured from the finished grade adjacent to the berm in the manner noted in the illustration).



### *Measuring sign height*

### *d. Design and construction.*

1. Signs shall be designed to be compatible with the building and landscaping used on the property to promote an overall unified and aesthetic effect in accordance with the standards set forth herein.
2. Monument signs must be landscaped with a combination of low shrubbery and perennial/annual plantings.
3. The maximum distance between parallel sign faces on a double-faced sign shall be twenty (20) inches.
4. Every sign shall be constructed and maintained in a manner consistent with the building code provisions and maintained in good structural condition at all times. All signs shall be kept in an attractive appearance and shall be neatly painted, stained, sealed or preserved including all metal parts and supports.
5. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they meet the applicable State of Michigan Building Code.
6. All portable signs shall be constructed and maintained by the owner in such a manner and of such materials so that they withstand typical environmental conditions.

### *e. Illumination.*

1. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign (i.e. front lighted signs) or internal to it (i.e. back lighted signs).
2. Lights shall be shaded, shielded or directed so as not to project onto adjoining properties or thoroughfares.
3. Use of glaring undiffused lights or bulbs shall be prohibited. Beacon lights are prohibited.
4. Underground wiring shall be required for all illuminated signs not attached to a building.

5. If illumination is used in any residential district, it shall be what is known as white and not colored light and must not spill over onto adjacent properties.
- f. *Location.*
1. *Setbacks.*
    - (a) All signs, unless otherwise provided for in this ordinance, shall be set back a minimum of ten (10) feet from any public road right-of-way line. 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.
  2. *Measurement.* The following guidelines shall be used to determine compliance with setback and distance measurements:
    - (a) Two (2) signs. The distance between two (2) signs shall be measured along a straight horizontal line that represents the shortest distance between the two (2) signs.
    - (b) Sign and property line. The distance between a sign and a property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the property line.
    - (c) Sign and other. The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the sign and the outer edge of the parking lot or building.
- g. *Construction requirements.* The following construction requirements apply to all permanent signs.
1. *Fastenings.* All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use. All bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. No sign may be placed upon a tree or utility pole, except signs of a unit of government or utility.
  2. *Support location.* No pole, cable or support of any nature shall be placed on any publicly owned property road right-of-way, or proposed road right-of-way.
  3. *Sign safety.*
    - (a) All signs shall be erected so that any part including cables, guys, etc. shall have a minimum clearance of four (4) feet from any electrical conductor, electric light pole, road lamp, traffic light, or other public utility pole or standard.
    - (b) All signs shall be designed to comply with minimum wind pressure and other requirements set forth in the adopted Building Code. Signs with electrical connections shall comply with Electrical Code requirements, including the application, inspection, and approval of an electrical permit.
  4. *Sanitation.* Property surrounding any ground sign shall be kept clean, sanitary and free from obnoxious and offensive substances, free from weeds, rubbish, and flammable material.
  5. *Safety triangle.* No sign shall be located within, project into, or overhang the triangular area formed at the intersection of any two (2) road right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.

1480.06. - Specific sign requirements.

- a. The following requirements apply to permitted signs in all districts.

Type of Sign	Districts Permitted	Max. Height (ft)	Max. Size (square feet)	Max. Number	Permit Required	Additional Requirements
Awnings and Canopies	All	Bottom of awning or canopy must be at least 8 feet above ground level or sidewalk	See size allowed for wall signs in paragraph (b) below	1 per parcel	Yes	Area of awning sign counts towards permitted wall sign area; Lettering may cover maximum of 1/3 of canopy or awning
Banner	All	-	32 sq. ft.	2 per calendar year	Yes	Banners spanning a public right-of-way must be approved by City Council; Such signs shall not be erected or displayed more than a cumulative total of sixty days in any calendar year, nor more than thirty consecutive days.
Directional Signs	All	4 ft.	6 sq. ft.	—	No	A directional sign may contain a logo of an on-premises establishment, but no advertising copy.
Portable Signs	OS-1, B-1, B-2, B-3, R-P, I-1, I-2, P-1	6 ft.	32 sq. ft.	1	Yes	Limited to total display period of 90 days, in a calendar year
Temporary Signs	R-1, R-2, R-3, R-T, LDMF, HDMF, MHP	6 ft.	6 sq. ft.		No	The sign is permitted up to sixty (60) days, in a calendar year
Temporary Signs	OS-1, B-1, B-2 B-3, R-P, I-1, I-2, P-1	10 ft.	32 sq. ft.		No	The sign is permitted up to sixty (60) days, in a calendar year

b. Each lot or parcel is permitted one of the following sign options:

Type of Sign	Districts Permitted	Max. Height (ft)	Max. Size (square feet)	Permit Required	Additional Requirements
Ground/ Monument Signs	R-1, R-2, R-3, R-T, LDMF, HDMF, MHP	5 ft.	24 sq. ft.	Yes	The sign to be located at minimum setback required for main buildings, a minimum of 20 ft. setback from an adjacent

					residential lot, and located along a public right-of-way
Ground/ Monument Signs	OS-1, B-1, B-2 B-3, R-P, I-1, I-2, P-1	6 ft.	40 sq. ft.	Yes	The sign is to be a minimum of 15 ft. from side or rear lot line
Wall Signs	R-1, R-2, R-3, R-T, LDMF, HDMF, MHP	—	Shall not exceed 10% of wall surface or 36 sq. ft., whichever is smaller	Yes	Wall signs shall not extend beyond the wall in any direction.
Wall Signs	OS-1, B-1, B-2, B-3, R-P, I-1, I-2, P-1	—	Shall not exceed 10% of wall surface or 80 sq. ft., whichever is smaller	Yes	Wall signs shall not extend beyond the wall in any direction

c. The following table summarizes regulations for permanent non-residential signs in downtown Grand Blanc, on property zoned central business district overlay.

Type of Sign	Maximum Area	Height	Illumination	Number Permitted	Permit Required
Poster Panel Signs (Sandwich signs, A-frames)	7 sq. ft. per side; 14 sq. ft. total	3.5 ft. maximum	Not permitted	1 per tenant	No
Projecting Signs	8 sq. ft. per side; 16 sq. ft. total	Minimum 8 feet above ground level or sidewalk	Permitted	1 per tenant. A 2 <sup>nd</sup> sign is permitted for a tenant on a corner lot.; Area of sign counts towards permitted wall sign area.	Yes
Rear Entry Signs	10 sq. ft.	-	Permitted	1 per tenant	Yes
Marquee Signs	70 percent of the marquee structure, up to maximum of 100 sq. ft.	i) must not exceed height of marquee structure ii) at least 8 feet above ground level or sidewalk	Permitted	1 per parcel	Yes

d. Specific sign regulations:

1. *Wall signs.*

- i. One (1) wall sign shall be permitted per street frontage on each parcel.
- ii. If a lot or parcel has more than one tenant, one (1) wall sign shall be permitted for each tenant having an individual means of public access that shall not exceed 10% of the tenant portion of the building façade or 80 square feet, whichever is smaller. Tenants occupying a corner space in a multi-tenant structure on a site with multiple street frontages shall be permitted to have one (1) sign on each side of the building fronting a public right-of-way



- with a maximum size of the two signs combined being 10% of the tenant portion of either street facing façade, not both, or 80 square feet, whichever is smaller.
- iii. Where several tenants share a common entrance in a multi-tenant structure, only one (1) wall sign shall be permitted, with the total permitted sign area being allocated among the tenants.
2. *Ground / Monument Signs.*
    - i. If a lot or parcel has more than one tenant, one (1) ground sign to be shared by tenants shall be permitted in addition to one (1) wall sign per each tenant having an individual means of public access.
    - ii. A ten (10) percent increase in the maximum permitted monument sign area is permitted if extensive landscaping and a decorative brick base consistent with the materials of the principal building are provided.
  3. *Awnings and canopies.*
    - i. Awnings or canopies may project a maximum of six (6) feet into the public right-of-way. In no case shall the awning or canopy be less than three (3) feet from any street curb line.
    - ii. Any lettering or logos on the awning or canopy shall be included within the calculation of total permitted wall sign area.
    - iii. Awnings and canopies shall not be illuminated or backlit. However, building mounted lighting may illuminate the area above or below the awning or canopy.
  4. *Poster panel signs (i.e. sandwich signs, A-frame signs).* Poster panel signs, including sandwich signs and "A" frame signs, shall be permitted subject to the following:
    - i. The sign shall be located so that at least a five (5) foot wide sidewalk is maintained between the sign and the building wall for pedestrian traffic flow, safety and to maintain ADA compliance.
    - ii. The sign is permitted only during operating business hours and must be stored inside when the business is not open.
    - iii. The sign shall be kept neatly painted, printed, stained, sealed, protected or preserved including all metal parts and supports.
    - iv. All portable signs shall be constructed and maintained by the owner in such a manner and of such materials so that they withstand typical environmental conditions.
  5. *Projecting signs.* Projecting signs are permitted subject to the following:
    - i. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign. Use of glaring undiffused lights or bulbs shall be prohibited.
    - ii. Projecting signs may project a maximum of four (4) feet into the public right-of-way. In no case, shall the projecting sign be less than three (3) feet from any street curb line.
  6. *Menu Board signs.*
    - i. Restaurants with drive-through service may have up to two (2) menu board signs for each drive-through lane.
    - ii. The maximum height for such signs shall be eight (8) feet and the total area allowed for each drive-through lane shall not exceed forty (40) square feet.
    - iii. Where such signs are not visible from a public street, they may include electronic changeable messages; however, such messages shall not blink, flash or contain videos or movements. Furthermore, the illumination of such signs shall be shaded, shielded, directed or screened such that the light intensity or brightness will not be objectionable to adjacent properties.
    - iv. A sign permit shall be required.

- a. Legal nonconforming signs shall comply with this chapter when a change in ownership, tenancy, business or organization occurs on the premises where the sign is located, or when the advertising on the sign changes to denote a change in ownership, tenancy, business or organization.
- b. Legal nonconforming signs which are removed, blown down, destroyed, relocated, damaged or altered, or which are subject to a change of ownership, shall be required to conform with this chapter.
- c. Prohibited signs (Section 1480.04) shall be removed within six (6) months of the effective date of this chapter (Ordinance 213, passed April 11, 1990) by the owner or lessee, or the Building Department representative shall cause the removal of such signs and assess the owners and/or lessees of such signs and/or the owners of the property on which such signs are located, the costs of removal.
- d. A tenant or land owner cannot apply for a new sign permit on a parcel with an existing nonconforming sign without first correcting the existing nonconforming sign.

#### 1480.08 PERMITS.

- a. Required. No sign shall be erected, structurally altered or relocated, nor shall any sign which is blown down, destroyed, damaged or removed be re-erected, without a permit issued by the Building Department representative, except as otherwise provided in this chapter. Where electrical permits are required, they shall be obtained at the same time as the sign permit.
- b. Applications. The permit application shall contain the proposed location of the sign structure, the name and address of the sign owner and of the sign erector, the name and address of the owner of the business and of the property if different from that of the sign owner, drawings and/or sketches showing the design and location of the sign, the estimated cost of construction and such other pertinent information as the Building Department representative may require to ensure compliance with this chapter and with other ordinances of the City.
- c. Fees. All sign fees shall be regulated by Council, by resolution, at a regularly scheduled Council meeting. Such resolution may, from time to time, be amended pursuant to the governing rules of Council.
- d. Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within six months after the date of the permit.
- e. Exceptions. The following operations shall not be considered as creating a sign and, therefore, shall not require a sign permit:
  - 1. Changeable message signs. The changing of the message on an approved changeable sign, on a theater marquee and on similar approved signs which are specifically designed for the use of replaceable copy; and
  - 2. Maintenance. Painting, repainting, cleaning or other normal maintenance or repair of a sign or a sign structure, unless a structural change is made.

Certificate of Compliance. All permanent sign permits that are also considered building permits shall require a final inspection and the issuance of a Certificate of Compliance from the Building Department.

#### 1480.09 COMPLIANCE WITH BUILDING CODE.

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

#### 1480.10 INSPECTIONS; MAINTENANCE AND REMOVAL.

- a. Inspections. Signs for which a permit is required may be inspected periodically by the Building Department representative for compliance with this chapter and with other ordinances of the City.

- b. Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.
- c. Removal. The Building Department representative may order the removal of any permanent sign and its supporting structure erected or maintained in violation of this chapter. He or she shall give thirty days' notice, in writing, to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign and its supporting structure or bring it into compliance. Any sign erected of a temporary nature shall require written notice of only three days. Upon failure to comply with this notice, the Building Department representative may remove the sign and its supporting structure. The Building Department representative may remove a sign and its supporting structure immediately and without notice if, in his or her opinion, the condition of the sign and its supporting structure is such as to present an immediate threat to the safety of the public. The cost of such removal by the City shall be assessed against the owner of such sign or the owner of the building, structure or premises.
- d. Abandoned Signs. An abandoned sign and its supporting structure shall be removed by the property owner or lessee of the premises upon which the sign is located. If the property owner or lessee fails to remove it within sixty days of the date the business becomes inactive, the Building Department representative may give the property owner thirty days' written notice to remove it. Upon failure to comply with this notice, the Building Department representative may remove the sign and its supporting structure at cost to the property owner. Where a successor to an inactive business agrees, within thirty days of the date of written notice by the Building Department representative to maintain the sign as provided in this Code, this removal requirement shall not apply, provided that the existing sign and structure meets all current sign codes.

#### 1480.11 EXCEPTIONS.

Businesses Without Street Frontage. If an applicant has no street frontage for his or her lot or parcel, the Building Department representative, upon request, may allow the applicant one additional sign which shall be on the nearest major street, conditioned upon the applicant obtaining written permission of the owner of the property upon which the sign is to be erected prior to the presentation of the application. The size of this sign may not exceed twelve square feet if projecting or forty square feet if ground/monument or wall.

#### 1480.12 ENFORCEMENT BY THE BUILDING DEPARTMENT.

The Building Department is hereby authorized and directed to enforce this chapter. Upon presentation of proper credentials, the Building Department representative may enter, at reasonable times, any building, structure or premises in the City to perform any duty imposed upon him or her by this chapter.

#### 1480.13 INTERPRETATION.

Where there is any ambiguity or dispute concerning the interpretation of this chapter, the decision of the Building Department representative shall prevail, subject to an appeal as provided in this chapter.

#### 1480.14 APPEALS; DUTIES OF COUNCIL.

- a. Any person aggrieved by any decision or order of the Building Department representative may appeal to the Sign Review Committee by serving written notice, and by paying the fee for appeals. The fee for appeals shall be as established from time to time by Council. A public hearing shall then be conducted at the next available meeting of the Committee. The Building Department representative shall take no further action on the matter pending the Committee's decision, except in the case of an unsafe sign which presents an immediate and serious danger to the public, as provided elsewhere in this chapter.

- b. Any person aggrieved by a decision of the Committee may appeal to Council by serving written notice to the Building Department and by paying the appeal fee established by resolution of Council from time to time. The Building Department shall, in turn, immediately transmit the notice to Council which shall meet to hear the appeal within thirty days thereafter. The Building Department shall take no further action on the matter pending Council's decision, except in the case of an unsafe sign which presents an immediate and serious danger to the public, as provided elsewhere in this chapter.
- c. Council shall hold public hearings on all appeals and shall permit all interested persons to offer oral or written testimony. After the close of the hearing, Council, by a majority vote, is hereby authorized to affirm, annul or modify the order or action of the Sign Review Committee.
- d. The following criteria shall be used to evaluate such requests:
  1. Variances may be granted for any one of the following conditions:
    - i. The applicant has demonstrated that a variance is needed due to a practical difficulty on the site, such as varied topography, horizontal or vertical road curvature, or the presence of structures or desired trees that limit visibility of a sign on the premises compared to similar sites with conforming signs in the same zoning district;
    - ii. A variance is warranted due to the relatively large size of the site, frontage or building in comparison to other establishments in the same district; or
    - iii. A variance would significantly improve the conformity of an existing sign.
  2. Provided one of the conditions above is met, all of the following criteria must be met to grant a variance:
    - i. The inability to conform to the provisions of this chapter is due to a practical difficulty that includes more than mere inconvenience or mere inability to attain a supposed higher financial return;
    - ii. The variance granted is the minimum necessary to allow the applicant to enjoy the same rights as other establishments in the same zoning district, have a reasonable outlet for free speech and meet the intent of this chapter; and
    - iii. The variance will not adversely affect the health, safety and welfare of the public.

#### 1480.15 COSTS OF ENFORCEMENT.

Any costs or expenses incurred by the City in enforcing this chapter shall be paid by the owner of the sign found to be in violation of this chapter, or, upon default thereof, by the owner of the property upon which the sign is located, if different from the owner of the sign. Upon failure of the owner of the sign or the owner of the property to reimburse the City for costs and expenses incurred in such enforcement, the owner of the property shall be billed for such cost and expenses in the same manner as other taxes.

#### 1480.99 PENALTY.

See Section 202.99 for general Code penalty.