

## ARTICLE XV. - SIGNS

## Sec. 1509. - Signs:

1. *Purpose, intent, and definitions.*

A. These regulations establish rules and standards for the construction, location, maintenance, and removal of all signs except those exempted from regulation by this Ordinance. Directional, emergency, or traffic-related signs owned by the Township, county, state, or federal government agencies are not regulated by this Section. The execution of these regulations recognizes that the purpose of this Article is to protect the interest of public health, safety, and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification and communication. The following municipal interests are considered by the Township to be compelling government interests. Each interest is intended to be achieved under this Article in a manner that represents the least restrictive means of accomplishing the stated interest, and in all events is intended to promote an important government interest that would not be effectively achieved absent the regulations in this Section. Regulating the location, size, construction, and manner of display of signage in the most narrowly tailored manner represents the least restrictive means of addressing the targeted government interests of avoiding unsafe and nuisance-like conditions while maintaining and improving pedestrian and vehicular safety and efficiency; character and quality of life; economic development and property values; property identification for emergency response and wayfinding purposes; and unique character of areas of the Township. In order that such purposes can be achieved, the following objectives shall be applied for this Ordinance and any future additions, deletions, and amendments:

- (1) Public Safety. Maintaining pedestrian and vehicular safety are predominant and compelling government interests throughout the Township, with particular emphasis on the safety of pedestrians. The safety path and sidewalk network provide facilities for pedestrians situated between vehicular roads and private properties throughout the Township in areas of the Township without sidewalks or safety paths, pedestrians typically travel along the edge of the roadways.

Since most signage on the private properties is intended and designed to attract the attention of operators of motor vehicles, thereby creating distractions that can jeopardize traffic and pedestrian safety, this Ordinance is intended to regulate signs so as to reduce such distractions and, in turn, reduce the risk of crashes, property damage, injuries, and fatalities, particularly considering the rate of speed at which the vehicles are travelling in the districts identified in this Section.

This Ordinance is also intended to protect public safety by requiring signs that are poorly maintained and/or structurally unsafe to be repaired or removed to protect against fallen signs or deteriorating sign debris from entering improved roadways, sidewalks and safety paths and causing dangerous conditions for vehicular traffic and pedestrians.

- a. The Township encourages signage that will inform motorists and pedestrians of their desired destinations without conflicting with other structures and improvements. These interests are legitimately supported by limiting the maximum size of signage, providing setbacks, and specifying minimum-sized characters for

- efficient perception by motorists and pedestrians, while minimizing distractions that could put pedestrians at risk.
- b. In some circumstances, adjusting the size, setback, and other regulations applicable to signage may be important to avoid confusion and promote clarity where vehicular speeds vary on commercial/business thoroughfares.
  - c. In multi-tenant buildings and centers, it is compelling and important to provide distinct treatment with a gradation of regulation for individual identification depending on base sign size, amount of road frontage, and the like, all intending to provide clarity to alleviate confusion and thus additional traffic maneuvers, provide a minimum size of characters to allow identification, and maintain maximum-sized overall signage to prevent line-of-sight issues.
  - d. Maximum size and minimum setback of signage is compelling and important to maintain clear views for both traffic and pedestrian purposes.
- (2) Character and Quality of Life. Achieving and maintaining attractive, orderly, and desirable places to conduct business, celebrate civic events, entertain people, and provide for housing opportunities is directly related to the stability of property values needed to provide and finance quality public services and facilities within the Township. This Article intends to allow signs that are of sufficient, but not excessive, size to perform their intended function as necessary to provide and maintain the Township’s character and support neighborhood stability. Signs that contribute to the visual clutter, contribute to the potential conflict between vehicular and pedestrian traffic, and distract from scenic resources and views, will be prohibited in efforts to preserve the character, aesthetic qualities, and unique experience within the Township. It is also the intent of this Ordinance that signs will reflect the character of unique districts as may be established by the Township’s Master Plan, other adopted plans, or this Article and other parts of the Zoning Ordinance.
- (3) Economic Development and Property Values. The establishment of the restrictions in this Article has a direct relationship to creating stability and predictability, allowing each private interest to secure reasonable exposure of signage, and thus promoting business success. The application of the restrictions in this Article allows businesses to reasonably command attention to the content and substance of their messages while concurrently allowing the promotion of other visual assets, including (without limitation) landscaping and architecture, all of which contribute to economic development and property value enhancement.
- (4) Avoidance of Nuisance-Like Conditions. Due to the concentration of people and activities, there is a potential for, and it is a compelling interest to avoid, blight, physical clutter, and visual clutter in the Township. The result of these conditions leads to diminished property values, reduced attractiveness of the community, and reduced quality of life within the districts. Minimum regulations that substantially relate to signage are important and necessary for the maintenance and well-being of positive conditions, good character, and quality of life in the Township. Ultimately, these regulations are compelling and important for the protection of all police power values.
- a. An excessive number of signs in one location creates visual blight and clutter, as well as confusion of the public. Thus, limiting the number of signs on properties, establishing setbacks from property lines, and requiring reasonable spacing

between signs are compelling interests that can be directed with minimum regulation.

- b. Signs that are too large can lead to confusion, undermine the purposes of the signs, and ultimately lead to physical and visual clutter. Establishing maximum sizes can be the subject of clear and effective regulations that address this compelling and important interest.
  - c. Requiring maintenance specifications for signs can minimize the creation of blight and clutter due to the deterioration of signs that are not durable or otherwise well-constructed, and such regulations would be consistent with construction codes for other structures.
  - d. There is a compelling governmental interest that signs avoid glare, light trespass, safety, and skyglow. The selection of proper fixture type(s) and location, use of supportive lighting technology, and control of light levels in a reasonable fashion is consistent with regulations that are narrowly tailored to achieve the Township's interests.
- (5) Property Identification for Emergency Response and Wayfinding Purposes. Locating a business or residence by police, fire, and other emergency responders can be a matter of life and death, and thus it is a compelling interest to ensure that proper, understandable, unambiguous, and coordinated signage be permitted and required, and specifications for such purposes can be accomplished in a simple and narrow manner. Wayfinding for vehicular and pedestrian purposes is also a compelling interest to avoid confusion in public rights-of-way, and unnecessary intrusions on private property. Sign specifications for such wayfinding can be coordinated with property identification for such emergency and other purposes.
- (6) Maintaining Unique Character of Areas of the Township. Acknowledge the unique character of certain areas and districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas/districts.
- (7) Protection of the Right to Receive and Convey Messages. The important governmental interests and regulations contained in this Article are not intended to target the content of messages to be displayed on signs, but instead seek to achieve *non-speech* objectives. In no respect do the regulations of signage prohibit a property owner or occupant from an effective means of conveying the desired message. Nothing in this Article is intended to prohibit the right to convey and receive messages, specifically noncommercial messages such as religious, political, economic, social, philosophical, or other types of speech protected by the First Amendment of the United States Constitution.

B. *Sign definitions*: The following definitions are related to signs:

- (1) Sign: Any announcement, declaration, display, billboard, illustration, and insignia when designed and placed so as to communicate a message. Such shall be a single sign whenever the proximity, design, or continuity reasonably suggest a single unit, regardless of any physical separation between parts.

For purposes of this Ordinance, the following additional definitions shall apply:

- a. *Abandoned sign*: A sign that is accessory to or associated with a legal use or building that has been discontinued or terminated.
- b. *Billboard*: A non-accessory sign, other than an off-premises directional sign, which does not pertain to the principal use of the premises on which it is located.
- c. *Canopy sign*: A sign which is painted on or attached to an awning or canopy. A canopy sign may be substituted for a wall sign.
- d. *Damaged sign*: A sign or supporting structure, which is torn, damaged, defaced, destroyed or has otherwise been found to be in a damaged condition by the Township.
- e. *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, introducing 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.
- f. *Entrance sign*: A sign located at the entrance to multiple-family residential, condominium, mobile home park and single-family residential developments.
- g. *Erect*: To build, construct, attach, hang, place, suspend, or affix.
- h. *Ground sign*: A sign mounted directly on the ground by a structure on a foundation.
- i. *Illegal sign*: A sign for which no valid permit was issued by the Township at the time such sign was erected, or a sign which is not in compliance with the current zoning Ordinance and does not meet the definition of a legal nonconforming sign.
- j. *Legal nonconforming sign*: A sign for which the Township issued a permit at the time such sign was erected, but which is not in compliance with the current zoning Ordinance. Such signs must be located outside of any existing right-of-way, away from any public or private easement and wholly upon the parcel to which it is associated. Such signs must have all necessary structural and decorative parts, including, but not limited to supports, sign box or enclosure and electrical equipment. The sign face or sign copy area must be intact and illuminated signs must be capable of immediate illumination.
- k. *Wall plate*: A wall sign mounted on the wall of a residential dwelling unit.
- l. *Noncombustible material*: Any material which will not ignite at or below a temperature of one thousand two hundred (1,200) degrees Fahrenheit and will not continue to burn or glow at that temperature.
- m. *Off-premises directional sign*: A sign which provides direction to a location within the Township.
- n. *Portable sign*: A sign and sign structure which is not attached to a building and is capable of being moved within the zoning lot on which it is located or from one (1) zoning lot to another.

- o. *Projecting sign*: A sign which is attached to a building and projects by more than eighteen (18) inches in a manner perpendicular to the building.
- p. *Roof sign*: A display sign which is erected, constructed, and maintained on or above the roof of the building.
- q. *Sign area*: The gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements, lying outside the limits of such sign, and not forming an integral part of the display. For computing the area of any sign, the area shall be deemed to be the total of the combined area of the smallest rectangular figure which can encompass all letters and descriptive matter on the sign.
- r. *Sign, accessory*: A sign which is located on the premises of a principal use.
- s. *Sign, non-accessory*: A sign which is not located on the premises of a principal use.
- t. *Temporary sign*: A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display.
- u. *Unsafe sign*: A sign that is not properly secured, is in danger of falling or has otherwise been found to be unsafe by the Building Official.
- v. *Wall sign*: A display sign which is attached to a building wall, door, or related architectural feature and projecting not more than eighteen (18) inches from the wall.
- w. *Window sign*: A sign affixed to the inside of a window or so as to be observable from the opposite side of the window to which such sign is located or affixed.

2. *General requirements for all signs:*

- A. *Construction*: All signs shall be securely constructed and in conformance with applicable building and electrical codes and standards.
- B. *Accessory to principal use*: All signs which communicate a message on the premise of a principal use are considered to be accessory to the principal use of the premises on which the sign is located, except off-premises directional signs and non-accessory signs specifically allowed in specified districts.
- C. *Illumination*: All illuminated signs must be in compliance with Section 1509.9.
- D. *Signs not to constitute a traffic hazard*: No sign shall be erected in such a manner as to obstruct free and clear vision or constitute a traffic hazard. No sign shall interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. No sign shall make use of the words "stop," "look," "danger" or other word, phrase or symbol in a manner that is confusing or misleading.
- E. *Clear vision area*: At street intersections, no signs other than municipal traffic control signs shall be located within eight (8) feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending for a distance of twenty-five (25) feet each way from the intersection of the right-of-way lines at the corner lot.

- F. Face of sign shall be smooth: No nails, tacks or wires shall be permitted to protrude from the front of any sign. This shall not exclude, however, the use of block letters, electrical reflectors, or other devices which may extend over the top and in front of the advertising structure.
- G. Obscene matter prohibited: It shall be unlawful for any person to display upon any sign or other advertising structure any obscene matter.
- H. Public right-of-way: No sign shall be erected or placed within the public right-of-way. The owner of any sign which has been removed by the Township from the right-of-way due it is in violation of this provision, shall pay to the Township the sum of twenty-five (\$25.00) dollars before recovering the sign. If any sign is not claimed within fourteen (14) days, said sign shall be disposed of.

3. *Permitted ground signs.*

A. General Requirements.

- (1) All ground signs shall be permanent installations on a minimum twenty-four (24) inch high foundation or base.
- (2) Within all districts, only one (1) ground sign shall be permitted per street frontage, except as noted in Section 1509.3.A.(3) and (4).
- (3) In all residential zoning districts, one (1) ground sign that does not exceed thirty-two (32) square feet per side and four (4) feet in height shall be permitted at the primary entrance of a subdivision, site condominium, multiple-family development, or mobile home park. One (1) additional ground sign that does not exceed thirty-two (32) square feet per side may be permitted at a secondary entrance to the site.
- (4) In all districts, one (1) sign shall be permitted along the principal frontage of a non-residential use. One (1) additional ground sign that does not exceed fifty percent (50%) of the permissible sign area may be permitted along the frontage of the site where a secondary entrance is located.

B. Height, setback, and area requirements. In addition to the general requirements set forth in Section 1509.3.A, maximum height, maximum area, and minimum setback requirement for ground signs in each district are set forth in the Table 3.B below.

<b>Maximum Height, Maximum Area and Minimum Setback Requirements for Ground Signs Table 3.B</b>			
District	Minimum Setback (ft)	Maximum Area (sq. ft.) per side	Maximum Height (ft.)
R-1 through R-5 (non-residential uses)	10'	32	4'
RM-LD, RM-MD, RM-HD and MHP (non-residential and special uses)	10'	32	4'
NB	10'	32	6'
GB	10'	50	6'
I-T and LM	15'	32	6'

I-C Industrial and Commercial	15'	32	6'
TC, NC and RC	See Sec. 1509.6		

4. *Wall mounted signs:*

A. General Requirement.

- (1) In the R-1 through R-5 districts, a single wall-mounted sign, or wall plate, that does not exceed two (2) square feet shall be permitted for a single-family residential dwelling.
- (2) Wall and canopy signs shall not extend higher than the height of the face of the building upon which they are located.

B. Maximum number and area requirements. In addition to the general requirements set forth in Section 1509.4.A, the maximum number and area requirement for building mounted signs in each district are set forth in Table 4.B below:

<b>Maximum number and Area Requirement for Wall Signs Table 4.B</b>			
District	Maximum number	Area in Sq. Ft. per One (1) lineal foot of Building Frontage	Total Maximum Area in Sq. Ft.
R-1 through R-5 (non-residential uses)	1	1	120
RM-LD, RM-MD, RM-HD	2	1	120
NB	2	1	120
GB	3	1	180
IT and LM	3	1	240
I-C Industrial and Commercial	3	1	240
TC, NC and RC	See Sec. 1509.6		

5. *Temporary signs:*

A. General Requirements.

- (1) The maximum display time of temporary signs is thirty (30) days up to maximum of two (2) times per calendar year unless additional time is granted under one (1) of the following subsections 1509.5(2) of (3).
- (2) When all or a portion of a building or land area on a zoning lot is listed for sale or lease, the maximum display time of freestanding temporary signs for all uses and temporary signs mounted on buildings for all uses shall be the duration the building, building unit or land is listed for sale or lease.
- (3) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of thirty (30) days prior to until three (3) days after a Township-designated election day on which there is at least one (1) ballot item: the maximum allowable area of temporary freestanding signs shall be increased to sixty-

four (64) square feet in all districts. The maximum area of an individual sign remains as stated in the table below during this period.

- (4) Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
- (5) Temporary signs shall be subject to the maintenance standards of this Section.

B. Height and area requirements for temporary signs. In addition to the general requirements set forth in Section 1509.5.A, maximum height and area requirements for temporary signs are set forth in the Table 5.B below:

<b>Maximum Size, Maximum Height, and Permitted Type of Temporary Signs Table 5.B</b>				
<b>Use</b>	<b>Permitted Types</b>	<b>Maximum Area of All Temporary Signs</b>	<b>Maximum Area of Any Individual Signs</b>	<b>Maximum Height (Ground)</b>
Single-Family Residential	Ground	8 square feet	4 square feet	4 feet
	Wall	NA	NA	
Multiple Family Residential	Ground	32 square feet	16 square feet	6 feet
	Wall	4 square feet	2 square feet	
All Non-Residential Districts and Non-Residential Uses in Residential districts	Ground	32 square feet	20 square feet	6 feet
	Wall	32 square feet	20 square feet	

6. Permitted Signs in Form-Based Districts

A. Ground Requirements.

(1) Ground signs.

(a) Lot Requirements. Ground sign(s) are only permitted on lots that are at least fifty (50) feet in width and for lots where the building is setback a minimum of ten (10) feet from the public right-of-way.

(b) Number. One (1) ground sign shall be permitted for each lot.

(c) Area.

[1] Parcels less than one (1) acre: shall not exceed twenty (20) square feet in area.

[2] Parcel one (1) acre or greater: shall not exceed ~~sixty (60)~~ thirty-two (32) square feet in area.

(d) Height.

[1] Parcels less than one (1) acre: shall not exceed four (4) feet in height.

[2] Parcels one (1) acre or greater: shall not exceed six (6) feet in height.

(e) Setback. Two (2) feet from right-of-way and three (3) feet from sidewalk.

(f) Landscaping. One (1) square foot of landscaping adjacent to the sign per one (1) square foot of sign area. Landscaping shall include a decorative combination of ground cover and shrubs to provide seasonal interest.

(2) Wall Signs.

(a) Number. Each developed lot shall be permitted one (1) wall sign per frontage on right-of-way and parking lot. All occupants' businesses without ground floor frontage shall be permitted one (1) combined exterior wall sign, in addition to the number of signs allocated to the developed lot.

(b) Area. The area of wall signs permitted for each lot shall be determined as one (1) square foot of sign area for each one (1) linear foot of building frontage occupied by a business to a maximum area of one hundred (100) square feet. All businesses without ground floor frontage, in a given building, shall be permitted one (1) combined exterior wall sign not more than twenty-four (24) square feet in area.

(3) Window Signs. Windows. Window signs must be located inside the window. There is no limit on number, but window signs cannot occupy more than twenty-five percent (25%) of the total window area.

(4) Canopy and Awning Signs. A canopy and awning sign is permitted in lieu of a wall sign. The area of awning and canopy signs permitted for each business shall be determined as one (1) square foot of sign area for each one (1) linear foot of building frontage occupied by an occupant a business to a maximum area of one hundred (100) square feet.

(5) Projecting.

(a) Number. Shall be limited to one (1) sign with no more than two (2) sign surfaces.

(b) Area. Shall not exceed eight (8) square feet in sign area.

(c) Height from Grade. The lowest part of the sign shall be a minimum of eight (8) feet above grade.

(d) Projection Distance. Sign may not project more than four (4) feet from the attached façade.

B. Comprehensive Sign Plans.

- (1) Intent. The intent of a sign package is to ensure that properties with multiple buildings, buildings with multiple occupants or tenants, and adjoining property owners are able to provide signage that is well designed and consistent throughout that building, property, or area, while providing some flexibility in the design of the signs that are approved through a sign package.
- (2) Process. A sign package may be submitted to the Planning Commission for its review and approval in accordance with this Section for (i) any property containing more than one (1) building; (ii) any multiple tenant building; and (iii) adjacent buildings on multiple parcels that wish to carry out sign consistency.
- (3) Contents of Sign Package. As part of the Site Plan Review process, an application for approval of a sign package shall include details regarding the design and location of all proposed signs for which a sign permit is required. The sign package shall clearly define the areas of the building or property for which approval of a sign package is requested. At a minimum, the following details shall be provided in the application submittal for approval of a sign package:
  - (a) Sign design, material(s), anchorage, and support(s).
  - (b) Sign location(s).
  - (c) Sign color(s).
  - (d) Sign dimensions.
  - (e) Method of illumination.
- (4) Standards. No sign package shall be approved by the Planning Commission unless the Planning Commission finds that the sign package incorporates signage that is:
  - (a) Unified and consistent throughout the building or property;
  - (b) Of a higher quality than would be otherwise required under the applicable sign regulations; and
  - (c) Compatible with the design and materials of the building or buildings, and consistent with the area surrounding the building or property.
- (5) Relief. The following relief may be granted by the Planning Commission provided that all standards as set forth in Section 15.09.6.C.(4) are found:
  - (a) To increase the sign area of a sign by no more than thirty-three and one-third percent (33  $\frac{1}{3}$ %).

- (b) To increase the height of a sign by no more than thirty-three and one-third percent (33 ⅓%).
- (c) To permit one (1) additional sign on any lot, provided that no relief shall be granted to permit an additional Ground Sign.

7. *Non-accessory signs:*

A. Not adjacent to Interstate 94 (I-94).

- (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than three hundred (300) square feet per sign face or of a greater overall height above ground than thirty-five (35) feet or the bottom surface of which extends to within less than three (3) feet above the ground surface.
- (2) Location: Billboards may be erected only in I-T, L-M or I-C districts. No billboard may be erected within five hundred (500) feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library, or church, nor within fifty (50) feet of street right-of-way lines at any street intersection and shall have a minimum setback of twenty-five (25) feet from all property lines or shall meet the setback requirements of the district, whichever is greater. Billboards shall be located no closer to one another than one thousand (1,000) feet.
- (3) Material required: All billboards shall be in conformance with applicable building, electrical and structural codes.
- (4) Limitations: No billboard shall be approved at any time when there are twenty (20) or more billboard sign faces in the Township except for that a new billboard structure may be granted approval only in exchange for the removal of four (4) nonconforming billboard faces.

B. Adjacent to Interstate 94 (I-94).

- (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than six hundred seventy-two (672) square feet per sign face or of greater overall height above ground than fifty (50) feet or the bottom surface of which extends to within less than three (3) feet above the ground surface.
- (2) Location: Billboards may be erected only in I-T, L-M or I-C zoning districts. No billboard may be erected within five hundred (500) feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library, or church and shall have a minimum setback of twenty-five (25) feet from all property lines or shall meet the setback requirements of the district for which it is located, whichever is greater. Billboards shall be located no closer to one (1) another than one thousand (1,000) feet on the same side of the given thoroughfare.
- (3) Material required: All billboards shall meet applicable building, electrical and structural codes.
- (4) Limitations: No billboard shall be approved at any time when there are twenty (20) or more billboard sign faces in the Township except for that a new billboard structure may be granted approval only in exchange for the removal of four (4) nonconforming billboard faces.

8. *Electronic changeable message signs:*

- A. Electronic changeable message shall constitute no more than fifty percent (50%) of the allowable ground sign area.
- B. Such signs shall contain static messages only and shall not have movement, scrolling words or images, or flashing on any part of the sign structure, design, or pictorial segments of the sign, nor shall such sign have varying light intensity during display of any single message.
- C. Each display on an electronic changeable sign shall remain fixed for a minimum of thirty (30) seconds.
- D. When a message on an electronic changeable sign is changed, said change shall be instantaneous without use of special effects like dissolve or fade.
- E. No EMS message display shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal, or light or have the brilliance or intensity that will interfere with any official traffic sign, device, or signal.
- F. No auditory message or mechanical sounds may be emitted from the sign.
- G. Electronic changeable message signs shall meet the standards for illumination set forth in Section 1509.89.
- H. No sign shall be permitted to operate unless it is equipped with all of the following:
  - (1) A default mechanism that will cause the sign to revert immediately to a black screen if the sign or any component thereof malfunctions;
  - (2) A non-glare panel covering the electronic changeable copy display or other equivalent method approved by the Township to substantially reduce glare;
  - (3) All permitted EMS shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions;
  - (4) A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness and display standards established in this Article and that the preset levels are protected from end user manipulation by password protected software or other method.
- I. The owner or controller of said electronic changeable copy sign must adjust the sign to meet these brightness standards in accordance with this Article. The adjustment must be made within twelve (12) hours upon notice of non-compliance from the Township. The owner of said electronic changeable message sign shall provide certification of the foot-candles at the time of application showing compliance by a certified independent contractor and supply said certification to the Township.
- J. All electronic changeable message signs shall conform to all Michigan Department of Transportation rules and regulations.

9. *Sign illumination standards.*

- A. General Standards.
  - (1) No sign shall be illuminated by other than electrical means.
  - (2) The source of illumination may be internal or external. The source of the illumination shall

not be exposed except for lighting that is integral for the use of electronic message signs, which are regulated in this Article.

- (3) All external lighting fixtures used to illuminate a sign shall be shielded to direct light towards the sign.
  - (4) No sign, whether externally or internally illuminated, shall display a brightness of such intensity or brilliance that impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or operator of a motor vehicle.
  - (5) No sign shall have illumination which creates blinking, flashing or movement.
- B. Sign Illumination Standards - The illumination of all signs, including EMS, shall not exceed 0.3 footcandles above ambient light levels based upon illumination measurement criteria set forth in Sign Area Versus Measurement Distance Table and Section 1509.9.C.

<b>Table 9.B</b>	
<b>Sign Area Versus Measurement Distance Table</b>	
Area of Sign Sq. ft.	Measurement Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130

<b>Table 9.B</b>	
<b>Sign Area Versus Measurement Distance Table</b>	
Area of Sign Sq. ft.	Measurement Distance (ft.)
180	134
190	138
200	141
<p>*For signs with an area in square feet other than those specifically listed in this table (e.g., twelve (12) sq. ft., four hundred (400) sq. ft., etc.), the measurement distance may be calculated with the following formula:                      Measurement Distance = <math>\sqrt{\text{Area of Sign Sq. Ft.} \times 100}</math></p>	

- C. EMS Illumination Measurement Criteria - The illuminance of a sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two (2) decimals. Illuminance of an EMS shall be measured with the EMS off, and again with the EMS displaying a white image for a full color-capable EMS, or a solid message for a single-color EMS. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the sign as set forth in Table 9.B Sign Area of a Sign versus Measurement Distance.
10. *Prohibited signs:* The following signs are prohibited within the Township:
- A. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene material.
  - B. Portable signs, swinging signs, inflatable displays, sandwich boards pennant, blade or feather signs, or any signs which incorporate flashing or moving lights or animation.
  - C. String lights used in connection with business premises for commercial purposes other than holiday decorations, in accordance with the standards set forth in Section 13.03.6.G.
  - D. Any sign unlawfully installed, erected, or maintained.
  - E. Signs on trees, fences, utility poles or benches, whether located on public or private property.
  - F. Signs mounted on the roof of a building or extending above the height of the front face of the building upon which it is mounted.
  - G. Posting prohibited: No person shall post any placard, poster or other advertising matter on any post, tree, or other object within any street area or upon any public property, except legal notices which shall be posted on boards established at places designated by the Township. No person, except an officer of the Township, shall post any notice on such boards or remove or mutilate any notice posted thereon.
11. *Permits and fees:* It shall be unlawful for any person to erect, repair, alter or relocate a sign, repair a nonconforming sign damaged by winds, vandalism, fire, or an act of God unless the appropriate permits have first been obtained from the Township and the required permit fees have been paid to the Township according to the schedule established by resolution of the Township Board.
- A. Signs for which a permit is not required:
    - (1) Repairs to an existing sign: Repair of a sign damaged by winds, vandalism, fire, or an act of God provided that the sign is in conformance with the current Zoning Ordinance

standards, that the sign is restored to its original design and that all work is in compliance with necessary structural and electrical codes.

- (2) Service on an existing sign: Painting, servicing, or cleaning of existing signs shall not require a sign permit unless a structural change or any change to the sign box or enclosure is made.
- (3) Temporary signs .
- (4) Traffic or other municipal signs, legal notices, danger and such temporary emergency or non-advertising signs as may be approved by the Township.
- (5) Directional signs that are erected for the sole and express purpose of directing traffic flow on public property, provided such signs do not exceed four (4) square feet in area and four (4) feet in height.
- (6) Flags bearing the official design of a nation, state, municipality, educational institution, or organization as approved by the Township.
- (7) Non-illuminated window signs on the inside of windows in non-residential districts that do not obstruct vision by more than twenty percent (20%).

B. Permits required:

- (1) Sign permit: A sign permit shall be required for all signs except for those signs set forth in Section 15.09.11.A.
- (2) Building permit: Required for all permanent building-mounted and ground signs, except such signs that are painted on an existing wall.
- (3) Electrical permit: Required for all illuminated signs or signs in which electrical wiring will be used in connection with the structure.

C. Sign permit application: Applications for permits shall be made upon forms provided by the Township and shall contain or have attached thereto the following information:

- (1) Name, address, and telephone number of the applicant.
- (2) A sign application shall include two (2) copies of a site plan that includes the lot survey, easements and setback dimensions, location of all buildings, other structures and all proposed and existing signs on the development parcel or zoning lot where such signs are to be erected. Elevation drawings of all buildings on the site shall be provided showing the location of all existing and proposed building-mounted signs.
- (3) Construction drawings: Two (2) blueprints or drawings of the plans, specifications, methods of construction and installation, materials list and method and type of illumination for each sign. All construction drawings or attachment details shall be signed and sealed by a licensed design professional.

12. *Legal nonconforming signs*: Nonconforming signs are those signs lawfully erected prior to the adoption of this Ordinance. All existing legal nonconforming signs shall be permitted to continue as such until removed or until changes other than painting or servicing are made, at which time they shall conform to the provisions of this Ordinance.

13. *Class A nonconforming sign designation*: Class A nonconforming signs shall be considered to be conforming signs for purposes of repair, service, or the changing of sign copy in a manner that does not require structural changes or any change to the sign box or enclosure. The Planning

Commission may grant a Class A nonconforming sign designation in those instances where a determination is made after public hearing that the continuance of a nonconforming sign meets both the criteria found in Section 1602.2 and the following:

- A. The granting of a continuance of the nonconforming sign will not create unfair advertising advantage over other properties in conformance with the sign provisions of this Article.
  - B. A nonconforming use shall not be permitted to add additional signs to the building or premises. Existing signs accessory to nonconforming uses may be maintained.
14. *Enforcement:* It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, or move any sign or structure in the Township, or cause or permit the same to be done in violation of any of the provisions of this Article. Any sign unlawfully erected or altered may be removed by the Township at the expense of the sign owner. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
15. *Removal of abandoned, damaged, illegal, or unsafe signs:*
- A. Abandoned signs:
    - (1) Any sign located on property in the Township that has become vacant or upon which a building is unoccupied for more than one hundred eighty (180) days, shall be presumed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one hundred eighty (180) days or more.
    - (2) At such time as the Township shall become aware of the sign that is presumed to have been abandoned under subsection (1) of this Section, a notice of sign abandonment declaring that the sign is deemed abandoned, and directing the removal of the sign, shall be sent to the owner of the property.
    - (3) If the owner of the property to whom such a notice has been sent claims that the sign has not been abandoned, such owner shall, within sixty (60) days from the date of the notice, file a written response to the Township stating facts which rebut the presumption of abandonment and demonstrate the intent not to abandon the sign.
    - (4) At the end of such sixty (60) day period, if a written response stating facts to rebut the presumption of abandonment has not been submitted to the Township, the sign shall be deemed abandoned, and a notice to such effect shall be sent to the owner.
    - (5) If a written response stating facts to rebut the presumption of abandonment has been submitted to the Township, and if the response demonstrates in the discretion of the Township that the sign has not been abandoned, the sign shall be permitted to remain until further evidence of abandonment appears, or some other basis for removal arises. If the Township determines that the response fails to demonstrate that the sign has not been abandoned, the notice of sign abandonment, and the response from the owner, shall be placed upon the agenda of a meeting of the Zoning Board of Appeals, and notice of the time, place and date of the meeting shall be sent to the owner. After a review of the notice and response, and after affording an opportunity to be heard by the owner and the director, together with any and all other information and argument deemed appropriate by the Zoning Board of Appeals, the Zoning Board of Appeals shall make a final determination with respect to whether the sign has been abandoned.

- (6) Any sign deemed abandoned under subsection (4) or found by the Zoning Board of Appeals to be abandoned under subsection (5) shall be removed within ten (10) days of such determination, and a failure to do so shall constitute a violation of this Section.

The Township may remove such signs or sign copy at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Township and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

- B. Damaged signs: Damaged signs shall be repaired, replaced, or removed within ten (10) days of the damage by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. Such signs may be removed by the Township at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Township and has not done so within ten (10) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- C. Illegal signs: Illegal signs may be removed by the Township at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Township and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- D. Unsafe signs: Unsafe signs shall be immediately removed or made to conform to the provisions of this Article by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. If such action is not taken within twenty-four (24) hours, the unsafe signs may be removed by the Township at the expense of the sign owner. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
16. *Sign maintenance*: The Township may order the removal of any sign that is not maintained in accordance with the provisions of this Article. Such signs may be removed by the Township at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the Township and has not done so within thirty (30) days. The Township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- A. Maintenance: All signs for which a permit is required, together with all their supports, braces, guys, and anchors, shall be maintained in good working order; and when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion. The exteriors of all signs, supporting members, painted surfaces, advertising materials and lettering shall be kept painted and in good repair, so as to present a neat and orderly appearance. All bulbs or component parts of the sign, including the electrical switches, boxes and wiring used in the illumination of the sign must be well maintained and in good repair.
- B. Housekeeping: It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary, and healthful condition.