

Butler Township Zoning Ordinance

CHAPTER 11

SIGN INSTALLATION REQUIREMENTS

SECTION 11.01 PURPOSE AND INTENT

It is hereby determined that regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to promote traffic safety, safeguard public health and welfare, and facilitate police and fire protection. In addition, it is the intent of this Ordinance to assure the continued attractiveness of the total community environment through the adoption of discretionary controls designed to preserve scenic, aesthetic and economic values within the Township.

These regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over-concentration, improper placement and excessive height, bulk and area. In general, it is intended that signs of a general commercial or industrial nature be prohibited in districts where commercial or industrial activities are prohibited and that signs in residential districts be limited to those directly related to activities on the premises.

SECTION 11.02 COMPUTATION OF SIGN AREA

For the purposes of this Ordinance, the total area of a sign shall be expressed in square feet and shall be computed as follows:

- A. **Single-Face Sign.** The total area of a single-face sign shall be computed as the number of square feet within any single or combination of geometric shapes -- such as a square, rectangle, triangle or circle -- encompassing the extreme limits of an individual letter(s), word(s), message(s), representation, emblem or any similar figure, including open space(s), together with any frame or other material forming an integral part of display used to differentiate such sign from the background against which it is placed.

- B. **Double-Face Signs:** For double-face signs having two (2) faces of equal size arranged and/or positioned back to back, parallel to each other, with no more than a two (2) foot space between the two faces; the area of the sign shall be computed as one-half ($\frac{1}{2}$) the total area of the two (2) faces. When the faces of such a sign are not of equal area, then the area of the sign shall be computed as the total area of the largest face.

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- C. **Three-Dimensional Signs.** For signs which are designed as a three dimensioned geometric form such as a sphere, cone, cylinder, or cube; the area shall be computed as one half ($\frac{1}{2}$) the total surface of the geometric form.

SECTION 11.03 PERMIT REQUIRED FOR SIGNS

- A. **Sign Erection Permit:** It shall be unlawful for any person to construct, erect, re-erect, move, alter, enlarge, or illuminate, any sign unless a permit shall have been first obtained from the Zoning Administrator, except as provided in Section 11.05 (Signs Exempt from Permit Requirement). Any sign that makes use of electricity, shall, in addition to a sign permit, require an electrical permit from the Branch County Building Department, regardless of size.
- B. **Sign Maintenance or Change of Message:** No permit shall be required for ordinary servicing, repainting of existing sign message, or cleaning of a sign. No permit is required for change of message of a sign designed for periodic message change without change of structure, including a bulletin board or billboard, but not including a sign to which a new permanent face may be attached.
- C. **Planning Commission Approval:** All subdivision/development signs, time/date/or temperature signs, or any type of sign not explicitly defined herein, must be approved by the Butler Township Planning Commission before a permit shall be issued.
- D. **Permit Applications:** Applications for sign permits shall be made upon forms provided by the Building Official for this purpose and shall contain the following information:
 - 1. Name, address and phone number of applicant.
 - 2. Location of the building, structure, or lot on which the sign is to be attached or erected.
 - 3. Position of the sign on the building, structure or lot on which the sign is to be attached or erected.
 - 4. Position of the sign in relation to nearby buildings, structures, signs, property lines, and rights-of-way, existing or proposed.

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5. Zoning district in which the sign is to be located.
 6. Two (2) copies of the sign plans and specifications for construction, and attachment to the building or ground. The sign plans shall include all pertinent data including highest point, low point clearance, face outline and total face area with method of calculation. When public safety so requires, the specifications shall include the certificate or seal of a registered structural or civil engineer as a condition to the issuance of a permit.
 7. Name and address of the sign erector.
 8. Such other information as the Building Official may require to show full compliance with this and all other applicable laws of the Township and the State of Michigan.
- E. **Sign Erection Permit Expiration.** A sign permit shall become null and void if the work for which the permit was issued is not completed within 90 days of the date of issue.
- F. **Compliance Certification:** All signs shall be inspected at original installation and if found to be in full compliance with the provisions of this Chapter, shall be issued a Zoning Permit Certificate. The Zoning Administrator shall cause existing signs to be inspected if deemed necessary by him to determine continuation of compliance with the provisions of this Chapter.

SECTION 11.04 GENERAL SIGN PROVISIONS

- A. **Public Rights-of-Way:** No sign (or any pole or support cable of any nature) except those established and maintained by the Township, County, State, or Federal Governments, shall be located in, project into, or overhang a public right-of-way or dedicated public easement, unless otherwise authorized in this Ordinance.
- B. **Sign Heights:** The highest point of any sign shall not exceed twenty-five (25) feet above the ground or grade level.
- C. **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 word, phrase, symbol, or character in such manner as to interfere with, mislead, confuse or create a visual impediment or safety hazard to pedestrian or vehicular traffic.

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- D. **Clear Corner Vision:** No sign above a height of thirty (30) inches shall be located within, project into, or overhang the triangular area formed at the intersection of any two street 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, unless visual under clearance can be assured on the plans.
- E. **Proximity to Electrical Conductors:** No sign shall be erected so that any part including cables, guys, etc., will be within ten (10) feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.
- F. **Illumination:** All illuminated signs shall be so arranged or shielded so as not to interfere with the vision of persons on adjacent thoroughfares. In no event shall light from an illuminated sign shine on adjacent property which is used for residential purposes.
- G. **Fire Escapes:** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- H. **Wall Signs:** No wall sign shall project beyond or overhang the wall, or any permanent architectural feature and shall not project above or beyond the highest point of the roof or parapet.
- I. **Freestanding Signs:** With respect to freestanding signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the natural environment.
- J. **Liability Insurance:** If the height of a proposed or existing sign is such that if it fell or could fall into the public right-of-way or adjacent property, the owner of said sign shall carry sufficient liability insurance to protect the public and adjacent property owners from damage and injury from the fallen sign.

SECTION 11.05 SIGNS EXEMPT FROM PERMIT REQUIREMENTS

No sign permit is required for signs listed below. Such exemptions, however, shall not be construed to relieve the owner for its proper location, erection, and maintenance.

- A. **Government Signs.** Signs erected by or on behalf of or pursuant to the authorization of a government body, including legal notices, informational signs, directional, or regulatory signs.
- B. **Flags:** Flags, pennants or insignia of any governmental or nonprofit organization

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when not displayed in connection with a commercial promotion or as an advertising device.

- C. **Address Signs:** Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.

- D. **Street Signs:** Signs erected by the township, county, state, or federal government for street names, traffic control, or direction and information.

- E. **Private Traffic Signs:** Signs directing and guiding traffic and parking on private property that do not exceed four (4) square feet each and bear no advertising matter.

- F. **Handicapped Signs:** Not exceeding four (4) square feet each and bearing no advertising matter.

- G. **Architectural Features/Artwork:** Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts, or lights.

- H. **Small Accessory Signs:** Any accessory sign erected on a premise which is no more than four (4) square feet in area, such as no trespassing signs, garage sale signs, and signs warning of animals.

- I. **Temporary Signs, Banners, Flags:** Temporary Signs, not specifically regulated in any other section of this Ordinance, including but not limited to: political or campaign signs, real estate signs, signs for special events or activities, air or gas filled signs, banners, flags, and the like shall be permitted subject to the following conditions:
 - 1. No temporary sign or devices shall be located in the public right-of-way, attached to any utility pole, or located within five (5) feet from any street right-of-way.
 - 2. All temporary signs must be removed within fourteen (14) days of the conclusion of the event, activity, election, sale, etc., for which the temporary sign is displayed.
 - 3. The total area and height of temporary signage shall not exceed the following standards:

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- a. In residential districts, temporary signage shall be limited to six (6) square feet in area and six (6) feet in height.
 - b. In all commercial and industrial districts, temporary signage shall not exceed thirty-two (32) square feet of total sign area per side or a height of eight (8) feet.
- J. Seasonal produce and farm product stands.

SECTION 11.06 SIGNS PROHIBITED THROUGHOUT THE TOWNSHIP

The following signs are prohibited throughout the Township, notwithstanding anything to the contrary in this Chapter.

- A. **Unsafe Signs:** Any sign which is structurally or electrically unsafe.
- B. **Utility Poles and Landscaping:** Any sign erected on a utility pole, directional sign post, or landscaping including trees. Prohibited signs shall not include street signs erected by the township, county, state, or federal government or a public transit agency.
- C. **Businesses No Longer Existing (Abandoned Signs):** Any business sign or sign structure now or hereafter existing which advertises a business conducted or a product sold, which no longer exists or is no longer in business on the premises on which the sign is located. Such sign shall be considered abandoned and shall, within 30 days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
- D. **Sign Structure Without Sign:** Any sign structure or frame no longer supporting or containing a sign. The owner of the property where the sign is located shall, within 30 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to prevent the changing of the message of a sign.
- E. **Roof-mounted Signs**
- F. **Other Signs Prohibited:** Other signs not expressly permitted shall be prohibited.

SECTION 11.07 DISTRICT REGULATIONS.

- A. **Signs Permitted in Agricultural and Residential Districts:**
 - 1. For each dwelling unit, one (1) address sign in compliance with Section 11.05(c) of this Zoning Ordinance.
 - 2. Small accessory signs no more than four (4) square feet in area, such as no trespassing signs, garage sale signs, and signs warning of animals. The total area of all small accessory signs on one premise shall not exceed eight (8) square feet.

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3. One (1) subdivision entrance sign per vehicle entrance may be permitted on private property in compliance with the corner clearance provisions and shall not exceed twenty-four (24) square feet in area or a height of six (6) feet above grade. The location and appearance of all subdivision/condominium signs shall be subject to review and approval by the Planning Commission at the time of site plan review, provided that such signs shall be located no closer than twelve (12) feet from any property line. Adequate provisions shall also be made at the time of site plan review to insure continued maintenance of the sign.
4. No more than one (1) freestanding and one (1) wall institutional sign for schools, churches, libraries, or similar institutions having an area of no more than thirty-two (32) square feet, having a height of no more than six (6) feet above the established grade, and located no closer than ten (10) feet from any property line.
5. Signs of a combined area of not more than thirty-two (32) square feet advertising the name and activities of a permitted nonresidential use or legal non-conforming use. Said sign shall be located on the same parcel as the use. Signs for discontinued legal non-conforming uses shall be removed as provided for in this Chapter.
6. Customary farm and crop signs on active farms.

B. Signs Permitted in the C-1 Commercial District:

1. The total sign area for an occupied parcel of property in the C-1 Commercial District shall not exceed 125 square feet per 100 feet of street frontage with the total sign area for any parcel not to exceed 200 square feet.
2. One (1) freestanding sign may be allowed per property. Such sign shall not exceed twenty-five (25) feet in height and 100 square feet in area.
3. In addition to the signs allowed in paragraphs 1 and 2 above, wall sign(s) may be erected on the rear or parking lot side of a premises not exceeding one-half (½) square foot for each linear foot of the rear length of the principle building(s), provided that the total sign area shall not exceed thirty-two (32) square feet.
4. Gasoline service stations shall be permitted signs on each pump island indicating the prices and types of gasoline and the type of service. The aggregate area of such signs shall not exceed twenty (20) square feet per pump island. In no event shall the total area of all such signs exceed one-hundred twenty (120) square feet.

C. Signs Permitted in I-1 (Industrial) District:

1. One (1) wall sign may be erected per building face up to one-hundred (100) square feet in area or 10% of the total facade area of the building which ever is less.

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2. One (1) freestanding (ground or pole mounted) sign may be erected provided said sign does not exceed one-hundred (100) square feet of display area per side. Such sign shall have a height of no more than twenty (20) feet above the established grade and be erected no closer than twenty (20) feet from any property line.
3. In addition to signs permitted in paragraph 1 above, one (1) wall sign shall be permitted for each tenant having an individual means of entranceway into the side or rear of a building. Such sign shall not exceed six (6) square feet in area, and shall be erected not less than four (4) feet nor more than twelve (12) feet above the established grade.
4. Directional signs, up to four (4) square feet in area, designating entrances, exits, parking and unloading areas, shipping docks, and similar internal traffic control signs shall be permitted and located no closer than within five (5) feet of any property line.

SECTION 11.08 CONSTRUCTION AND MAINTENANCE REQUIREMENTS

- A. **Materials and Design:** All signs shall be designed, constructed and maintained in conformity with the provisions for materials, loads, and stresses of the latest adopted edition of the County Building Code and requirements of this Chapter.
- B. **Fastenings:** All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use, and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector.
- C. **Freestanding Signs:** Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces and cause injury to persons or property.
- D. **Sanitation/Landscaping:** Property surrounding any freestanding sign shall be kept clean, sanitary and free from obnoxious and offensive substances, weeds, debris, rubbish, and flammable material. All plant materials and other landscaping surrounding a freestanding sign shall be maintained on a regular basis, including pruning, mowing, watering, fertilizing and replacement of dead and diseased materials.
- E. **Maintenance:** All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair. Peeling or missing paint, holes, broken, cracked, bent, warped, rotted, discolored, sagging, out-of-plumb, worn, rusted or missing material parts shall be repaired within fifteen (15) days of written notification of the Township Zoning Administrator or County Building Official.

SECTION 11.09 NON-CONFORMING SIGNS

- A. **Intent:** It is the intent of this Chapter to encourage eventual elimination of signs that as a result of the adoption of this Chapter become non-conforming, to administer this Chapter to realize the removal of illegal non-conforming signs, and to avoid any unreasonable invasion of established private property rights.
- B. **Lawful Existing Signs:** Any sign lawfully existing at the time of the adoption of this Chapter which does not fully comply with all provisions shall be considered a legal non-conforming sign and may be

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permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community except as hereafter provided.

- C. **Continuance:** A non-conforming sign shall not:
1. Be expanded or changed to another nonconforming sign;
 2. Be relocated.
 3. Be structurally reconstructed so as to prolong the life of the sign; or so as to change the shape, size, type, placement, or design of the sign's structural parts; or so as to add illumination;
 4. Be repaired or re-erected after being damaged if the repair or re- erection of the sign, within any 12 month period, would cost more than 50 percent of the cost of an identical new sign. If deemed necessary by the Building Official, the cost of an identical new sign shall be determined as the average of no less than three (3) cost estimates obtained from three (3) contractors.
 5. Be altered unless the alteration or reconstruction be in compliance with the provisions of this Chapter. For the purpose of this Chapter only, the term "altered" or "reconstructed" shall not include normal maintenance; changing of surface sign space to a lesser or equal area; landscaping below the base line; or changing electrical wiring or devices, backgrounds, letters, figures, or characters.
- D. **Termination of Business:** Nonconforming signs and sign structures shall be removed or made to conform within 60 days of the termination of the business or use to which they are accessory.
- E. **Change of Property:** If the owner of a sign or the premises on which a sign is located, changes the location of a building so that any sign on the premises is rendered nonconforming, such sign must be removed or made to conform to this Chapter.
- F. **Administration:** The Zoning Administrator shall make every reasonable effort to identify all the nonconforming signs within the Township. The Zoning Administrator shall keep complete records of all communications and other actions taken with respect to such nonconforming signs.

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