

S U M M A R Y

This proposed ordinance amends Chapter 4 of the 2018 Detroit City Code, *Advertising*, by renaming the chapter to Advertising and Signs and amending the chapter to consist of Article I, *Generally*, Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, Article III, *Protection of Minors*, Article IV, *Regulation of Business and Advertising Signs* to consist of Division 1, *Generally*, Division 2, *General Sign Standards*, Division 3, *Regulation of Business Signs*, Division 4, *Regulation of Advertising Signs Outside of the Central Business District*, Division 5, *Regulation of Advertising Signs In the Central Business District*, Division 6, *Signs in Right-of-Way*, and Division 7, *Temporary Signs*, to provide for regulation of business and advertising signs throughout the City of Detroit.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** This proposed ordinance amends Chapter 4 of the 2018 Detroit City
3 Code, *Advertising*, by renaming the chapter to *Advertising and Signs* and amending the chapter to consist
4 of Article I, *Generally*, Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, Article III,
5 *Protection of Minors*, Article IV, *Regulation of Business and Advertising Signs* to consist of Division 1, *Generally*,
6 Division 2, *General Sign Standards*, Division 3, *Regulation of Business Signs*, Division 4, *Regulation of*
7 *Advertising Signs Outside of the Central Business District*, Division 5, *Regulation of Advertising Signs In the Central*
8 *Business District*, Division 6, *Signs in Right-of-Way*, and Division 7, *Temporary Signs*, to provide for
9 regulation of business and advertising signs throughout the City of Detroit.

10 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
11 **THAT:**

12 **Section 1.** Chapter 4 of the 2018 Detroit City Code, *Advertising*, be renamed to *Advertising and Signs*,
13 and be amended to read as follows:

14 **CHAPTER 4. ADVERTISING AND SIGNS**

15 **ARTICLE I. GENERALLY**

16 ~~**Sec. 4-1-1. Misdemeanor violation; aiding and abetting violation; continuing violation;**~~
17 ~~**penalties for conviction thereof.**~~

18 ~~———— (a) ——— It shall be unlawful for any person to violate any provision of this article or to aid~~
19 ~~and abet another to violate such provision.~~

20 ~~———— (b) ——— Any person who violates this article, or aids and abets another to violate such~~
21 ~~provision, may be issued a misdemeanor violation for each day that the violation continues.~~

22 ~~———— (c) ——— Any person who is found guilty of violating any provision of this chapter, or aids~~
23 ~~and abets another to violate such provision, shall be convicted of a misdemeanor for each~~

1 ~~misdemeanor violation that is issued and, in the discretion of the court, may be fined up to \$500.00~~
2 ~~and sentenced up to 90 days in jail, or both, for each misdemeanor violation that is issued.~~
3 REPEALED.

4 **Sec. 4-1-1. Definitions.**

5 For the purposes of this chapter, the following words and phrases shall have the meanings
6 respectively ascribed to them by this section:

7 Advertising sign means a sign that is intended to direct attention to a business, profession,
8 commodity, service, or entertainment, that is conducted, sold, or offered elsewhere than on the
9 premises where the sign is located or that is only incidentally conducted, sold, or offered on the
10 premises where the sign is located.

11 Advertisement-sensitive property means a premises that is occupied by or used as any of
12 the following:

13 (1) A child-care center, which has the meaning as likewise defined in Section 50-16-
14 152 of this Code;

15 (2) A child-caring institution, which has the meaning as likewise defined in Section
16 50-16-152 of this Code;

17 (3) A juvenile detention or correctional facility, which means a county facility or
18 institution operated as an agency of the county or the juvenile division of the
19 probate court, or a state institution or agency described in the Michigan Youth
20 Rehabilitation Services Act, being MCL 803.301 et seq., to which a minor has been
21 committed or in which a minor is detained;

22 (4) A library, which means any designated public depository of books, periodicals,
23 public and/or historical records, and other reference materials within the City that

1 is created pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution,
2 and is operated pursuant to Section 12 of the Michigan District Library
3 establishment Act, being MCL 397.182;

4 (5) A park, which means land that is improved or intended to be improved for active
5 or passive recreational uses, or is preserved as open space, and is under the
6 jurisdiction and control of the City of Detroit, Wayne County, or the State of
7 Michigan;

8 (6) A parklot, which means landscaped triangles, street entrances or remnant parcels
9 which have been landscaped for ornamental purposes, are generally dedicated for
10 these purposes in subdivision plats, are so designated, and are under the jurisdiction
11 and control of the City of Detroit, Wayne County, or the State of Michigan;

12 (7) A parkway, which means a broad roadway bordered and often divided with
13 landscaped areas consisting of trees, plants, bushes, or grass, is so designated, and
14 is under the jurisdiction and control of the City of Detroit, Wayne County, or the
15 State of Michigan;

16 (8) A playfield, which means land that is designed for major field sports, such as
17 baseball, football, soccer, tennis, or softball, and which requires more area than is
18 available on a playground, is so designated, and is under the jurisdiction and control
19 of the City of Detroit, Wayne County, or the State of Michigan;

20 (9) A playground, which means land that is designed and maintained primarily for the
21 recreational use of children aged up to 14 years and is under the jurisdiction and
22 control of the City of Detroit, Wayne County, or the State of Michigan;

1 (10) A playlot, which means land that is designed and maintained primarily for the
2 recreational use of small children aged up to eight years and is under the jurisdiction
3 and control of the City of Detroit, Wayne County, or the State of Michigan;

4 (11) A recreation center, which means a facility that is created primarily to benefit
5 minors through the use of organized educational, social, or recreational activities
6 and is under the jurisdiction and control of the City of Detroit, Wayne County, or
7 the State of Michigan;

8 (12) A school, which means the buildings, grounds, and other facilities of any public,
9 charter, parochial, or private educational institution that has as its primary purpose
10 the education and instruction of children at the elementary, middle, junior, and
11 senior high school levels; and

12 (13) A youth activity center, which has the meaning as likewise defined in Section 50-
13 16-462 of this Code.

14 *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids and
15 compounds, whether or not medicated, proprietary, patented or any other designation, which
16 contain one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and
17 are defined and classified by the Michigan Liquor Control Commission according to alcoholic
18 content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed
19 spirit drink.

20 *Animated sign* means a type of dynamic sign in which the copy of the sign depicts motion
21 or automatically changes copy more frequently than once every eight seconds.

1 *Arcade sign* means a sign that is suspended underneath an awning, canopy, marquee,
2 overhang, or other element of a building or structure that forms a covered passageway for vehicles
3 or pedestrians.

4 *Architectural feature* means a part, portion, or projection, other than a sign, of a building
5 that contributes to its beauty, elegance, or architectural style, including, but not limited to: arches,
6 architectural grillwork; balconies; brackets; columns; corbels; cornices; dentils; doors; inscriptions
7 in stonework; jambs; lintels; masonry relief; medallions; moldings; pediments; pilasters; quoins;
8 sills; window rails; and windows, including glazings and surrounds.

9 *Art mural* means any image that is painted, projected, drawn, tiled or similarly applied to
10 a building exterior, or to a material that will be mounted to the building exterior, and does not
11 contain the name, logo, brand, trademark or other commercial mark, or any other type of
12 commercial or branded message that is intended to direct attention to a business, profession,
13 commodity, service, or entertainment, regardless of where it is conducted, sold, or offered. An art
14 mural does not constitute either an advertising sign or a business sign.

15 *Awning sign* means a sign that is affixed to an awning or canopy. For purposes of this
16 definition, an awning or canopy is a structure consisting of cloth, plastic, sheet metal or similar
17 lightweight covering over a structural framework that is affixed to a building and projects
18 therefrom, whether cantilevered from such building or supported by columns at additional points,
19 but is not a marquee.

20 *Building frontage* means the portion of the building's façade that is visible as projected
21 perpendicularly along any public street.

22 *Business sign* means a sign that is intended to direct attention to a principal business or
23 professional commodity, service, or entertainment that is conducted, sold or offered, on the

1 premises on which the sign is located. Identification signs and sponsorship signs are types of
2 business signs.

3 Central Business District means the portion of the City of Detroit within the area bounded
4 by the Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue,
5 Eighth Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10),
6 Fisher Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte
7 Street, Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson
8 Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River. Copy
9 means the graphic or textual content or message displayed by a sign.

10 Department means the Building, Safety Engineering, and Environmental Department of
11 the City of Detroit unless otherwise expressly stated in this Chapter.

12 Directional sign means a sign that is intended to identify points of ingress or egress on the
13 premises, orient pedestrians and vehicles within the premises, or direct the flow of pedestrian or
14 vehicular traffic throughout and around the premises.

15 Double-face sign means a sign with two sign faces, both of which are used as signs, for
16 which the least angle of intersection between the sign faces does not exceed 90 degrees.

17 Dynamic sign means any sign that features:

18 (1) Automated mechanical rotation, revolution, waving, flapping, or other motion of
19 the sign face, the sign structure, or any other sign component;

20 (2) Automated changing of the sign's copy, at any frequency, without the need to
21 manually remove and replace the sign face or its copy; or

22 (3) The display of animated copy or other depiction of motion.

1 Externally illuminated sign means a type of illuminated sign that is illuminated by
2 reflection from a source of artificial light that is not contained within the sign itself.

3 Freeway means as defined in Section 2 of the Michigan Highway Advertising Act of 1972,
4 being MCL 252.302(n).

5 Freeway-adjacent area means the area measured from the edge of the right-of-way of a
6 freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way
7 line.

8 Freeway advertising sign means an advertising sign located in a freeway-adjacent area, the
9 sign face of which is oriented toward and visible from the freeway.

10 Ground sign means a sign that is freestanding and is supported by one or more structural
11 uprights, poles, braces, frames, or solid foundations that rest in or upon the ground. Monument
12 signs and pole signs are types of ground signs.

13 Heritage sign means an unilluminated painted sign, either an advertising sign or business
14 sign that has been obsolete since a date not later than January 1, 2005, and is registered with the
15 Department as such.

16 High-density nonresidential property means any parcel utilized for non-customer oriented
17 commercial purposes with no onsite retail component, any parcel utilized for industrial or
18 manufacturing purposes, any parcel utilized for a sports stadium or arena, a museum, theater or
19 other cultural institution, a convention center, or a casino, and all parcels located within the Central
20 Business District.

21 High-density residential/mixed use property means any premises located outside of the
22 Central Business District, utilized for residential or residential/commercial mixed-use purposes

1 containing more than 16 dwelling units or any premises utilized for customer-oriented commercial
2 retail purposes.

3 *Identification sign* means a type of business sign that is intended to identify a principal
4 business or profession conducted on the premises where the sign is located.

5 *Illuminated sign* means a sign for which an artificial source of light is used in order to make
6 readable the sign's copy. Illuminated signs are either internally illuminated or externally
7 illuminated.

8 *Internally illuminated sign* means a type of illuminated sign that is illuminated by direct
9 emission through a transparent or translucent material component of the sign from a source of
10 artificial light that is contained within the sign itself, including any sign for which the sign face is
11 substantially composed of luminescent paint or other such material.

12 *Low-density residential property* means any residential premises utilized for single family,
13 two-family, or multi-family residential purposes containing no more than four dwelling units, all
14 located outside of the Central Business District.

15 *Marquee sign* means a sign that is affixed to and supported by a marquee. For the purposes
16 of this definition, a marquee is a permanent roof-like shelter constructed of wood, steel, glass, or
17 other durable materials that is supported by and extends from a building facade and is cantilevered
18 without support at additional points over a point of ingress and egress to the building. Marquee
19 signs are distinct from both projecting signs and wall signs.

20 *Medium-density residential/mixed use property* means any premises utilized for multi-
21 family residential purposes containing no fewer than five and no greater than 16 dwelling units,
22 and any premises utilized for residential/commercial mixed-use purposes up to 16 dwelling units,
23 all located outside the Central Business District.

1 Minor means an individual under 18 years of age.

2 Monument sign means a type of ground sign that is supported primarily by an internal
3 structural framework concealed in an opaque covering or solid structural foundation.

4 Motion means the depiction of movement or change of position of copy and includes, but
5 is not limited to, dissolving and fading text and images travelling, running, sequential text, graphic
6 bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory
7 bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, or any
8 similar visual effects.

9 Multi-building campus means a premises that contains multiple buildings, structures, and
10 other facilities that are interconnected by a series of private roads, pathways, open spaces, and
11 other internal networks, all of which are utilized for a single common purpose, such as multi-
12 building universities, hospitals, or cultural institutions.

13 Multiple-face sign means a sign with three or more sign faces.

14 Obsolete sign means a sign that is intended to direct attention to a business, profession,
15 commodity service, or entertainment that is no longer available for purchase or patronage.

16 Orientation means, for any sign face, wall, façade, or other two-dimensional surface, the
17 direction of a horizontal projection of the line that is perpendicular to such surface.

18 Painted sign means a sign that is painted upon a wall or other exterior surface of a building
19 or structure and is not an art mural.

20 Permit means a permit issued by the Department for the construction or erection of a new
21 sign, or the alteration of an existing sign, under the authority provided in Chapter 8 of this Code,
22 unless otherwise expressly stated in this Chapter.

1 Pole sign means a type of ground sign that is supported by one or more exposed uprights,
2 poles, or braces that rest in or upon the ground, with air space between the ground and the sign
3 face.

4 Portable sign means a sign that is designed to be moved easily and that rests upon, but is
5 not permanently affixed, to the ground.

6 Premises means a parcel or collection parcels and adjoining property that are generally
7 under common ownership, whether publicly or privately owned, constituting a single building,
8 structure, or development, including private streets, pathways, and other open spaces but excluding
9 public rights-of-way.

10 Premises frontage means the sum of the length of all lot lines of the parcel abutting any
11 public street.

12 Projecting sign means a sign that is affixed to and supported by any exterior wall or parapet
13 of a building or structure, and projects outward from such wall or parapet with the orientation of
14 the sign face or faces being in a direction that is approximately perpendicular to the orientation of
15 the façade of the wall or parapet. Projecting signs do not include marquee signs.

16 Raceway sign means a type of wall sign in which individual letters, graphics, and other
17 copy elements are separate structural components that are connected by a common component,
18 referred to as a raceway, which provides structural support for, and electrical or mechanical
19 operation of, the sign.

20 Roof line means the uppermost line of the roof of a building or in the case of an extended
21 façade or parapet, the uppermost point of said façade or parapet.

22 Roof sign means a sign that is affixed to and supported by the roof of a building or structure,
23 the height of which extends above the highest point of the roofline of the building or structure.

1 Sign means any structure containing a visual display, or painted or projected image, that is
2 oriented toward and visible from any public or private right-of-way or public property and is
3 intended to announce, identify, inform or direct attention. A sign can be located on the exterior of
4 a building or other structure or in the interior of a building if within three feet of the building's
5 perimeter and visible from the building's exterior. For purposes of this chapter, sign does not
6 include:

7 (1) Any display that is painted on or otherwise affixed to a currently registered motor
8 vehicle that is used for transportation purposes in the normal course of operation of
9 a business or other establishment;

10 (2) Window displays of actual merchandise for sale;

11 (3) Displays that are carried on or by a person;

12 (4) Any notice alerting the public of the presence of an alarm, security, or surveillance
13 system;

14 (5) Any notice warning against trespassing, soliciting, or other interference with the
15 property owner's enjoyment of their property;

16 (6) Alerts, announcements, warning, and other notices as may be required by
17 applicable federal, state or local law for protection of the public peace, health,
18 safety, and welfare;

19 (7) Building numbers that are not more than 12 inches in height and are displayed in
20 accordance with Section 43-2-12 of this Code;

21 (8) Public service announcements promoting the protection of the public peace, health,
22 safety, and welfare;

23 (9) Displays of official governmental, court or public agency orders or notices;

1 (10) Displays of the flags, emblems, or official insignia of a national, state, or local
2 political unit or any of its departments or agencies;

3 (11) Art murals; and

4 (12) Architectural and other lighting that is operated in accordance with the lighting
5 standards set forth in this Code.

6 _____ *Sign alteration* means a change of the size, shape, area, height, location, illumination,
7 dynamic operation, construction, fabrication, material, or any other dimensional, operational or
8 construction-related or dimensional parameter of an existing sign. Neither the maintenance of a
9 sign within its existing dimensional, operational, and construction-related and dimensional
10 parameters, nor a change or replacement of the copy a sign, without any other change to the sign
11 constitutes a sign alteration.

12 _____ *Sign area* means the area of the sign face of a sign, expressed in terms of square feet.

13 _____ *Sign clearance* means the elevation of the lowest point of the sign above the established
14 grade at the base of or directly below the sign.

15 _____ *Sign face* means the surface of a sign upon which the copy of the sign is displayed.

16 _____ *Sign height* means the elevation of the highest point of the sign, including its frame and
17 support structure, above the established grade at the base of, or directly below, the sign.

18 _____ *Sponsorship sign* means a type of business sign that is intended to identify an individual or
19 entity that does not conduct, sell, or offer its business, profession, commodity, service, or
20 entertainment on the premises where the sign is located but has pledged its long-term support,
21 whether financial or in-kind to:

22 (1) The premises on which the sign is located;

23 (2) A defined portion of the premises on which the sign is located; or

1 (3) A principal commodity, service, activity, or entertainment sold or offered at the
2 premises on which the sign is located.

3 Temporary sign means a sign that is intended to direct attention to a specific date, event,
4 milestone, occurrence, or other type of specific occasion, taking place on the premises on which
5 the sign is located, for a limited period of time in advance of or during such occasion.

6 Tobacco product means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless
7 tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Acts, being MCL 205.422.

8 Wall sign means a sign that is affixed to and supported by or painted or projected upon the
9 exterior wall or parapet of a building or structure, with the orientation of the sign face oriented in
10 a direction that is approximately parallel to the orientation of the façade of the wall or parapet.

11 Wall signs do not include marquee signs.

12 Window sign means a sign that is:

13 (1) Affixed to, or painted on an exterior window of a building or structure but does not
14 completely cover or conceal the window; or

15 (2) Located in the interior of a building or structure within three feet of its perimeter
16 and is oriented toward and is visible from the exterior of the building or structure.

17 **Sec. 4-1-2. Enforcement.**

18 ~~— This article shall be enforced by the Police Department. REPEALED.~~

19 **Sec. 4-1-2. Misdemeanor violation; aiding and abetting violation; continuing violation;**
20 **penalties for conviction thereof.**

21 (a) It shall be unlawful for any person to violate any provision of this article or to aid
22 and abet another to violate such provision.

1 (b) Any person who violates this article, or aids and abets another to violate such
2 provision, may be issued a misdemeanor violation for each day that the violation continues.

3 (c) Any person who is found guilty of violating any provision of this chapter, or aids
4 and abets another to violate such provision, shall be convicted of a misdemeanor for each violation
5 that is issued and, in the discretion of the court, may be fined up to \$500.00 and sentenced up to
6 90 days in jail, or both, for each misdemeanor violation that is issued.

7 **Sec 4-1-3. Posting of advertisements, notices, posters, or signs on public or private property.**

8 ~~—(a)— Except a public officer or employee in the performance of a public duty or a private~~
9 ~~person in giving a legal notice, It shall be unlawful for any person to paste, post, paint, print, nail,~~
10 ~~glue, attach, or otherwise fasten any sign, poster, advertisement or notice of any kind upon any~~
11 ~~public or private property, or cause or authorize the same to be done, without the consent,~~
12 ~~authorization or ratification in writing of the owner, holder, occupant, lessee, agent or trustee~~
13 ~~thereof, provided that this section shall not apply to the distribution of handbills, advertisements~~
14 ~~or other printed matter that is not affixed to the premises.~~

15 ~~(b)— It shall be unlawful for any political candidate running for any elected office within~~
16 ~~the City who has pasted, posted, painted, marked, glued, attached or otherwise fastened any~~
17 ~~political sign, poster, advertisement or notice upon any public property, or who has caused or~~
18 ~~authorized any agent so to do, to display such signs, posters, advertisements or notices for more~~
19 ~~than 15 days after written notice is given by the Department of Public Works to such candidate of~~
20 ~~the location of such displays. For purposes of this section, written notice shall be by first class mail~~
21 ~~that is sent through the United States Postal Service to the address listed by the candidate as the~~
22 ~~home address on the candidate's registration for candidacy.~~

1 ~~—— (c) —— For purposes of this section, a candidate running for any elected office whose name~~
2 ~~appears on such signs, posters, advertisements or notices is presumed to have caused or given~~
3 ~~authority for the erection or placement of such displays, provided, that such presumption is~~
4 ~~rebuttable upon evidence brought forth by such candidate. REPEALED.~~

5 **Sec. 4-1-3. Enforcement.**

6 This article shall be enforced by the Police Department.

7 **Sec. 4-1-4. Carrying or placing signs, placards, banners or posters on overpass where visible**
8 **from freeway prohibited.**

9 ~~—— It shall be unlawful for any person to carry or place any sign, placard, banner, or poster on~~
10 ~~any overpass that would be visible to the occupants of vehicles on any freeway. REPEALED.~~

11 **Sec. 4-1-4. Posting of advertising materials on public or private property.**

12 It shall be unlawful for any person to affix, fasten, post, paint, or otherwise place any
13 advertisement, placard, poster, sign or other advertising material of any kind upon any public or
14 private property, or cause or authorize the same to be done, without the authorization of the owner
15 thereof, or its agent, provided that this section does not apply to a public officer or employee in
16 the performance of a public duty or a private person giving a legal notice.

17 **Sec. 4-1-5. Presumptions concerning identity of violator.**

18 ~~—— With respect to any advertisement, sign, handbill, circular, or advertising card that violates~~
19 ~~any provision of this article, a rebuttable presumption exists that the advertisement, sign, circular,~~
20 ~~or advertising card was erected or displayed or distributed by, or with the consent of, the promoter~~
21 ~~of the event, offer, or service that is the subject of the advertisement, sign, circular, or advertising~~
22 ~~card. REPEALED.~~

23

1 **Sec. 4-1-5. Carrying or placing advertising materials on freeway overpass where visible from**
2 **freeway prohibited.**

3 (a) It shall be unlawful for any person to carry or place on any freeway overpass any
4 advertisement, placard, poster, sign, or any other advertising material that would be oriented
5 towards and visible to the occupants of vehicles in such freeway.

6 (b) Subsection (a) of this section does not apply to any advertisement, placard, poster,
7 sign, or any other advertising material that is intended to facilitate or regulate the flow of vehicular
8 traffic within the freeway or to identify points of potential interest to occupants of vehicles within
9 the freeway.

10 (c) Subsection (a) of this section does not apply to any advertisement, placard, poster,
11 sign, or any other advertising material for which the City Council has given authority to be so
12 carried or placed.

13 ~~Sees. 4-1-6—4-1-30. Reserved.~~ REPEALED.

14 **Sec. 4-1-6. Publication of false, misleading advertising prohibited.**

15 (a) It shall be unlawful for any person, with intent to solicit, promote, sell, lease, loan,
16 or otherwise dispose of any event, commodity, service, security, real or personal property, or any
17 other thing of value, to circulate, distribute, disseminate, publish, or broadcast, or to cause the
18 same, any advertisement, placard, poster, sign, handbill, leaflet, circular, advertising card, or other
19 advertising material, whether printed or otherwise recorded, concerning such thing of value that
20 contains any assertion, representation, claim, offer, or statement of fact that is knowingly false,
21 deceptive, misleading, or otherwise calculated to cause injury or other disadvantage to its audience
22 or any member thereof.

1 (b) Subsection (a) of this section does not apply to any owner, publisher, printer, agent
2 or employee of a newspaper, periodical, circular, radio or television station, or website who, in
3 good faith and without knowledge of the false, deceptive, or misleading character thereof,
4 publishes, causes to be published, or takes part in the publication of such advertising material.

5 **Sec. 4-1-7. Presumptions concerning identity of violator.**

6 With respect to the placement of any advertisement, placard, poster, sign or other
7 advertising material, or to the distribution of any handbill, leaflet, circular, or advertising card, that
8 violates any provision of this chapter, a rebuttable presumption exists that the placement or
9 distribution of such material is made with the consent of the promoter of the business, profession,
10 commodity, service, or event that is the subject of the promotion by the material regardless of its
11 form.

12 **Sec. 4-1-8. Severability.**

13 Where any article, division, section, subsection, paragraph, sentence, or phrase of this
14 chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, for any reason,
15 the remaining portions of this article shall not be affected. It is expressly declared that this chapter
16 and each article, division, section, subsection, paragraph, sentence, and phrase herein would have
17 been adopted regardless of the fact that one or more other portions of this chapter would be
18 declared invalid or unconstitutional.

19 **Secs. 4-1-9 – 4-1-30. Reserved.**

20

1 **ARTICLE II. DISTRIBUTION OF HANDBILLS, CIRCULARS,**
2 **AND ADVERTISING CARDS**

3 **Sec. 4-2-1. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

4 (a) It shall be unlawful for any person to violate any provision of this article or to aid
5 and abet another to violate such provision.

6 (b) Any person who violates this article, or aids and abets another to violate such
7 provision, may be issued a misdemeanor violation for each day that the violation continues.

8 (c) Any person who is found guilty of violating any provision of this article shall be
9 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,
10 may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor
11 violation that is issued.

12 **Sec. 4-2-2. Enforcement.**

13 This article shall be enforced by the Police Department.

14 **Sec. 4-2-3. Interfering with or impeding pedestrian or vehicular traffic, prohibited.**

15 ~~No person shall~~ It shall be unlawful for any person to circulate, distribute, circulate, or
16 disseminate, give away or to cause the same to be circulated, or distributed or given away any
17 paper handbill, leaflet, circular, advertising card, book, pamphlet or other printed matter soliciting
18 trade, customers or patrons any event, commodity, service, or other thing of value on any public
19 highway, street, alley or sidewalk in any public right-of-way, so as to interfere with or impede any
20 pedestrian, bicycle, or vehicular traffic upon such public highway, street, alley, or sidewalk along
21 or within such right-of-way.
22

1 **Sec. 4-2-4. ~~Prohibited Solicitation at posted residential premises prohibited.~~**

2 ~~No person shall~~ It shall be unlawful for any person to solicit, deliver, circulate, distribute,
3 or disseminate or to cause to be distributed, the same, any circular, handbill, advertising card or
4 any other advertising material to any residential premises upon which is conspicuously posted at
5 or near the front entrance of the residence a notice that states “No Trespassing,” “No Handbills,”
6 “Post No Bills” or any similar language. ~~Such a notice shall be posted in a conspicuous place near~~
7 ~~the front entrance of the residence.~~

8 **Secs. 4-2-5 – 4-2-30. Reserved.**

9 **ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND**
10 **PROMOTION OF ALCOHOLIC LIQUOR AND TOBACCO PRODUCTS**

11 **Sec. 4-3-1. Purpose.**

12 (a) The primary purpose of this article is to promote the welfare and temperance of
13 minors who are exposed to certain ~~publically~~ publicly visible advertisements of alcoholic liquor
14 or tobacco products as defined in Section ~~4-3-2~~ 4-1-1 of this Code, ~~and tobacco products~~ within
15 the City, and to promote compliance with state laws and this Code which prohibit the use and
16 consumption of alcoholic liquor and tobacco products by minors ~~within the City.~~

17 (b) The findings to support this article have been delineated in a resolution adopted by
18 the City Council on July 7, 1989, and placed in the Journal of the City Council on Pages 1959
19 through 1963.

20 **Sec. 4-3-2. Definitions.**

21 ~~For the purposes of this article, the following words and phrases shall have the meanings~~
22 ~~respectively ascribed to them by this section:~~

1 ~~—— *Advertising sign* means, as likewise defined in Section 50-6-3 of this Code, a sign, whether~~
2 ~~billboard or painted wall graphic, which directs attention to a business, commodity, service or~~
3 ~~entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is~~
4 ~~affixed, located or painted, or only incidentally sold or offered on said premises. Any sign, display,~~
5 ~~or device allowed under this article may contain, in lieu of any other message, any otherwise lawful~~
6 ~~non-commercial message that does not direct attention to a business operated for profit, or to a~~
7 ~~commodity or service for sale, and that complies with the zoning district, height, lighting, setback,~~
8 ~~and spacing requirements outlined in the Chapter 50 of this Code, *Zoning*.~~

9 ~~—— *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids and~~
10 ~~compounds, whether or not medicated, proprietary, patented or any other designation, which~~
11 ~~contain one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and~~
12 ~~are defined and classified by the Michigan Liquor Control Commission according to alcoholic~~
13 ~~content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed~~
14 ~~spirit drink.~~

15 ~~—— *Billboard* means, as likewise defined in Section 50-6-6 of this Code, a large outdoor board~~
16 ~~for advertisements, which most commonly serve as advertising signs, as defined in this section,~~
17 ~~except when identifying the business or profession conducted on the same zoning lot where the~~
18 ~~billboard is located, in which case the billboard serves as a business sign, as defined in this section.~~

19 ~~—— *Business sign* means, as likewise defined in Section 50-6-7 of this Code, a sign, not less~~
20 ~~than 75 percent of the area of which is devoted to directing attention to the principal business or~~
21 ~~profession conducted, or to the principal type of commodity, service, or entertainment sold or~~
22 ~~offered on the premises where the sign is affixed, located, or painted.~~

1 ~~———— *Child care center* means, as likewise defined in Section 50-16-152 of this Code, a facility~~
2 ~~licensed by the Michigan Department of Human Services, other than a private residence for home,~~
3 ~~receiving one or more preschool or school age children for care for periods of less than 24 hours a~~
4 ~~day, and where the parents or guardians are not immediately available to the child. The term “child~~
5 ~~care center” or “day care center” includes a facility that provides care for not less than two~~
6 ~~consecutive weeks, regardless of the number of hours of care per day. The facility is generally~~
7 ~~described as a child care center, day care center, “Head Start” program, day nursery, nursery~~
8 ~~school, parent cooperative, preschool, play group, or drop in center. The term “child care center”~~
9 ~~or “day care center” does not include any of the following:~~

10 (1) ~~———— A Sunday school, a vacation bible school, or a religious instructional class that is~~
11 ~~conducted by a religious organization where children are in attendance for not~~
12 ~~longer than three hours per day for an indefinite period, or for not longer than eight~~
13 ~~hours per day for a period not to exceed four weeks during a twelve 12 month~~
14 ~~period;~~

15 (2) ~~———— A facility operated by a religious organization where children are cared for not~~
16 ~~longer than three hours while persons who are responsible for the children are~~
17 ~~attending religious services; and~~

18 (3) ~~———— Family day care home, group day care home, foster family home, foster family~~
19 ~~group home.~~

20 ~~———— *Child caring institution* means, as likewise defined in Section 50-16-152 of this Code, a~~
21 ~~child care facility licensed by the Michigan Department of Human Services, other than a juvenile~~
22 ~~correctional facility, that is organized for the purpose of receiving minor children for care,~~
23 ~~maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the~~

1 institution for that purpose, and operates throughout the year. An educational program may be
2 provided, but the educational program shall not be the primary purpose of the facility. The term
3 “child caring institution” includes a maternity home for the care of unmarried mothers who are
4 minors and an agency group home that is described as a small child caring institution owned,
5 leased, or rented by a licensed agency providing care for more than four but less than 13 minor
6 children. The term “child caring institution” also includes institutions for mentally retarded or
7 emotionally disturbed minor children. The term “child caring institution” does not include a
8 hospital, nursing home, home for the aged, boarding school, adult foster care family home, adult
9 foster care small group home, family day care home, group day care home, foster family home, or
10 foster family group home.

11 ——— *Family day care home* means, as likewise defined in Section 50-16-201 of this Code, a
12 licensed day care center as an accessory use in a residential dwelling unit where at least one but
13 fewer than seven minor children are received for care and supervision for periods of less than 24
14 hours a day, unattended by a parent or legal guardian, except children related to an adult member
15 of the family by blood, marriage, or adoption. The term “family day care home” includes a home
16 that gives care to an unrelated minor child for more than four weeks during a calendar year. For
17 the purpose of this definition, the term “private home” means a private residence where the licensee
18 or registrant permanently resides as a member of the household, which residency shall not be
19 contingent upon caring for children. Notwithstanding its status as an accessory use, a family day
20 care home requires a permit. A family day care home may not operate unless also licensed by the
21 Michigan Department of Human Services.

22 ——— *Foster family group home* means a private home where more than four, but fewer than
23 seven, minor children, who are not related to an adult member of the household by blood or

1 marriage, or who are not placed in the household pursuant to the Michigan Adoption Code, being
2 MCL 710.21 *et seq.*, are provided care for 24 hours a day, for four or more days a week, for two
3 or more consecutive weeks, unattended by a parent or legal guardian.

4 ——— *Foster family home* means a private home where at least one but not more than four minor
5 children, who are not related to an adult member of the household by blood or marriage, or who
6 are not placed in the household pursuant to the Michigan Adoption Code, being MCL 710.21 *et*
7 *seq.*, are given care and supervision for 24 hours a day, for four or more days a week, for two or
8 more consecutive weeks, unattended by a parent or legal guardian.

9 ——— *Freeway* means a divided highway which is two or more lanes in each direction and which
10 owners or occupants of abutting property or the public do not have a right of ingress or egress to,
11 from or across, except at points determined or as otherwise provided by the authorities who are
12 responsible therefor.

13 ——— *Group day care home* means, as likewise defined in Section 50-16-222 of this Code, an
14 accessory use to a private home, licensed by the Michigan Department of Human Services, where
15 more than six but not more than 12 minor children are given care and supervision for periods of
16 less than 24 hours a day unattended by a parent or legal guardian, except children related to an
17 adult member of the family by blood, marriage, or adoption. Group day care home includes a
18 home that gives care to an unrelated minor child for more than four weeks during a calendar year.
19 Notwithstanding its status as an accessory use, a group day care home requires a permit.

20 ——— *Interstate highway* means a highway that is officially designated as a part of the National
21 System of Interstate and Defense Highways by the Michigan Department of Transportation and
22 that is approved by the appropriate authority of the federal government.

1 ~~———— *Juvenile detention or correctional facility* means a county facility or institution operated as~~
2 ~~an agency of the county or the juvenile division of the probate court, or a state institution or agency~~
3 ~~described in the Michigan Youth Rehabilitation Services Act, being MCL 803.301 *et seq.*, to which~~
4 ~~a minor has been committed or in which a minor is detained.~~

5 ~~———— *Library* means any designated public depository of books, periodicals, public and/or~~
6 ~~historical records, and other reference materials within the City that is created pursuant to Article~~
7 ~~VIII, Section 9, of the 1963 Michigan Constitution, and is operated pursuant to Section 12 of the~~
8 ~~Michigan District Library establishment Act, being MCL 397.182.~~

9 ~~———— *Major park* means a large open area which preserves the natural scenic beauty of a~~
10 ~~woodland, meadow, river valley or lake front, is so designated, and is under the control of the~~
11 ~~Recreation Department.~~

12 ~~———— *Minor or Minors* means:~~

13 ~~(a) — A person or persons who have not passed their 18th birthday, are prohibited from~~
14 ~~purchasing tobacco pursuant to Section 1 of the Michigan Youth Tobacco Act,~~
15 ~~being MCL 722.641, and are prohibited from possessing or smoking cigarettes or~~
16 ~~cigars, possessing, chewing, sucking or inhaling chewing tobacco or tobacco snuff,~~
17 ~~or possessing or using tobacco in any other form on a public highway, street, alley,~~
18 ~~park or other land used for public purposes, pursuant to Section 2 of the Michigan~~
19 ~~Youth Tobacco Act, being MCL 722.642; and~~

20 ~~(b) — Persons who have not passed their twenty first (21st) birthday and are prohibited~~
21 ~~from purchasing alcoholic liquor pursuant to Section 703 of the Michigan Liquor~~
22 ~~Control Code of 1998, being MCL 436.1703.~~

1 ~~———— *Nonprofit neighborhood center* means, as likewise defined in Section 50-16-321 of this~~
2 ~~Code, a center that is recognized by the United States Internal Revenue Service as holding a non-~~
3 ~~profit tax-exempt status, and whose primary purpose is to provide recreation amenities, craft areas,~~
4 ~~meeting space, community kitchen facilities, cultural, and/or leisure activities, other similar space,~~
5 ~~and related administrative offices for the use of the residents of the immediate neighborhood and~~
6 ~~their guests. Examples include facilities such as senior citizen centers, youth activity centers, and~~
7 ~~community centers.~~

8 ~~———— *Painted wall graphic* means, as likewise defined in Section 50-6-17 of this Code, a sign~~
9 ~~that is painted on a wall and exceeds 10 square feet in area.~~

10 ~~———— *Park* means land that is improved for, or intended to be improved for, passive or~~
11 ~~recreational uses, or to be preserved as open spaces, including, but not limited to, major parks and~~
12 ~~small (neighborhood) parks, is so designated, and under the jurisdiction and control of the~~
13 ~~Recreation Department.~~

14 ~~———— *Parklot* means landscaped triangles, street entrances or remnant parcels which have been~~
15 ~~landscaped for ornamental purposes, are generally dedicated for these purposes in subdivision~~
16 ~~plats, are so designated, and are under the jurisdiction and control of the Recreation Department.~~

17 ~~———— *Parkway* means a broad roadway bordered and often divided with landscaped areas~~
18 ~~consisting of tree plants, bushes, and/or grass, is so designated, and is under the jurisdiction and~~
19 ~~control of the Recreation Department.~~

20 ~~———— *Playfield* means land that is designed for major field sports (for example, baseball, football,~~
21 ~~soccer, tennis, and softball) which requires more area than is available on a playground, is so~~
22 ~~designated, and is under the jurisdiction and control of the Recreation Department.~~

1 ~~——— *Playground* means land that is designed and maintained primarily for the recreational use~~
2 ~~of children aged five to 14 years including, but not limited to, central and junior playgrounds, is~~
3 ~~so designated, and is under the jurisdiction and control of the Recreation Department.~~

4 ~~——— *Playlot* means land that is designed and maintained primarily for the recreational use of~~
5 ~~small children aged one to eight years, is so designated, and is under the jurisdiction and control~~
6 ~~of the Recreation Department.~~

7 ~~——— *Recreation center* means a facility under the jurisdiction and control of the Recreation~~
8 ~~Department that is created primarily to benefit minors through the use of organized educational,~~
9 ~~social, and/or recreational activities.~~

10 ~~——— *School* means the buildings, grounds or facilities of any public or private educational~~
11 ~~institution that has as its primary purpose the education and instruction of children, including~~
12 ~~elementary, middle, junior, and senior high schools.~~

13 ~~——— *Small (or neighborhood) park* means a heavily landscaped area intended for ornamental~~
14 ~~rather than active recreation or picnic use.~~

15 ~~——— *Tobacco product* means any cigarette, cigar, non cigarette smoking tobacco, or smokeless~~
16 ~~tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Act, being MCL 205.422.~~

17 ~~——— *Youth activity center* means a type of nonprofit neighborhood center whose primary~~
18 ~~purpose is to provide education, recreational, cultural, or leisure activities for minors, but excludes:~~

- 19 (a) ~~——— An arcade, as defined in Section 50-16-113 of this Code;~~
- 20 (b) ~~——— A health club, as defined in Section 50-16-241 of this Code;~~
- 21 (c) ~~——— A medical facility;~~
- 22 (d) ~~——— A public dance hall, as defined in Section 50-16-171 of this Code;~~
- 23 (e) ~~——— A rehabilitation facility;~~

- 1 ~~(f) — A rental hall, as defined in section 50-16-362 of this Code;~~
- 2 ~~(g) — A restaurant, as defined in section 50-16-362 of this Code; and~~
- 3 ~~(h) — A school; and~~
- 4 ~~(i) — A state-licensed residential facility as defined in Section 50-16-385 of this Code.~~

5 REPEALED.

6 **Sec. 4-3-2. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

- 7 (a) It shall be unlawful for any person to violate any provision of this article.
- 8 (b) Any person who violates this article may be issued a misdemeanor violation for
- 9 each day that the violation continues.
- 10 (c) Any person who is found guilty of violating any provision of this article shall be

11 convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,

12 may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor

13 violation that is issued.

14 ~~**Sec. 4-3-3. Buildings, Safety Engineering, and Environmental Department to be responsible**~~

15 ~~**for Enforcement.**~~

16 This article shall be enforced by the Buildings, Safety Engineering, and Environmental

17 Department.

18 **Sec. 4-3-4. Advertisement of alcoholic liquor and tobacco products prohibited within a**

19 **1,000-foot radius of certain locations.**

- 20 (a) ~~No person shall~~ It shall be unlawful to advertise any alcoholic liquor on an
- 21 advertising sign within a 1,000-foot radius of any ~~child-care center, child-caring institution,~~
- 22 ~~juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground,~~
- 23 ~~playlot, recreation center, school, or youth activity center~~ advertisement-sensitive property.

1 (b) ~~No person shall~~ It shall be unlawful to advertise any tobacco product on an
2 advertising sign within a 1,000-foot radius of any ~~child-care center, child-caring institution,~~
3 ~~juvenile detention or correctional facility, library, park, parklot, parkway, playfield, playground,~~
4 ~~playlot, recreation center, school, or youth activity center~~ advertisement-sensitive property.

5 **Sec. 4-3-5. Exceptions to prohibitions.**

6 The provisions of Section ~~4-6-5~~ 4-3-4 of this Code shall not apply to:

7 (1) ~~The placement of any advertising sign:~~

8 a. ~~Inside or outside of a licensed premises where alcoholic liquor is lawfully~~
9 ~~sold or distributed under the authority of a license conferred by the~~
10 ~~Michigan Liquor Control Commission under the Michigan Liquor Control~~
11 ~~Code of 1998, being MCL 436.1101 et seq.;~~

12 b. ~~Inside of a licensed premise where tobacco products are lawfully sold or~~
13 ~~distributed under the authority of a license conferred by the Michigan~~
14 ~~Tobacco Products Tax Act, being MCL 205.421 et seq.; or~~

15 c. ~~On licensed commercial vehicles used to transport alcoholic liquor or~~
16 ~~tobacco products.~~

17 (2) ~~Any billboard that serves as a business sign, is for the purpose of identifying the~~
18 ~~premises, and contains:~~

19 a. ~~The name or slogan of the premises where alcoholic liquor or tobacco~~
20 ~~products are lawfully sold or distributed; or~~

21 b. ~~A generic description of alcoholic liquor or tobacco products.~~

1 (1) Any advertising sign that is adjacent to an interstate highway, freeway, or primary
2 highway system within the City, and is regulated by the Michigan Highway
3 Advertising Act of 1972, being MCL 252.301 *et seq.*

4 (2) Any advertising sign which advertises alcoholic liquor ~~inside of or outside~~ and is
5 located on the premises of a convention facility, sports arena, or stadium.

6 **Sec. 4-3-6. Method for measurement.**

7 The spacing between an advertising sign which advertises alcoholic liquor or tobacco
8 products and ~~the locations delineated within Section 4-3-5 of this Code~~ an advertisement-sensitive
9 property shall be measured radially as the shortest distance between the outermost point of the
10 advertising sign that is nearest to the advertisement-sensitive property and the nearest ~~lot line of~~
11 ~~the zoning lot where the child care center, child caring institution, juvenile detention or~~
12 ~~correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation~~
13 ~~center, school, or youth activity center is located~~ point on the perimeter of the premises containing
14 the advertisement-sensitive property.

15 **Sec. 4-3-7. Phase-out period.**

16 In the event a new ~~child care center, child caring institution, juvenile detention or~~
17 ~~correctional facility, library, park, parklot, parkway, playfield, playground, playlot, recreation~~
18 ~~center, school, or youth activity center~~ advertisement-sensitive property is established; subsequent
19 to the effective date of the ordinance from which this article is derived, and is located within a
20 1,000-foot radius of an advertising sign lawfully advertising alcohol or tobacco products, said
21 advertising shall not be ordered removed until 60 days after the ~~establishment of said land use~~ date
22 of such establishment.

23 **Sec. 4-3-8– 4-3-30. Reserved.**

1 **ARTICLE IV. REGULATION OF BUSINESS AND ADVERTISING SIGNS**

2 **DIVISION 1. GENERALLY**

3 **Sec. 4-4-1. Purpose.**

4 The sign regulations of this article are intended to balance public and private interests. The
5 purpose of this article is to ~~promote~~ provide for a safe, well-maintained, vibrant and attractive City
6 while accommodating the protected rights of individuals and entities ~~need for signs~~ to inform,
7 direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information
8 through signs, among multiple alternative channels for communication. The regulations contained
9 in this article are narrowly tailored to serve multiple significant governmental interests, including
10 those listed in this section. In furtherance of these significant governmental interests, this article
11 regulates various structural and dimensional standards of signs, including their construction,
12 material, area, height, projection, illumination, location, and spacing, as well as their use and
13 operation in specified locations, but does not regulate the message, content, or communicative
14 aspect of signs or distinguish between commercial and noncommercial speech. ~~While these~~
15 ~~regulations allow for a variety of sign types and sizes, they do not necessarily ensure every property~~
16 ~~owner or business owner's desired level of visibility. It is not the intent or purpose of this chapter~~
17 ~~to regulate the message displayed on any sign or the content. The objectives of this article are:~~

- 18 (1) *General protection of public welfare*: To ensure that signs are located, designed,
19 constructed, installed, ~~and maintained, in a way that~~ and operated so as to protect
20 ~~protects life, and preserve the public peace, health, morals, safety, and property and~~
21 ~~the public welfare of the people of the City of Detroit;~~
22 (2) *Public safety*: To protect public health and safety by prohibiting signs that are
23 structurally unsafe or poorly maintained; or that cause unsafe traffic conditions

1 ~~through distraction of motorists confusion with traffic signs, or hindrance of vision;~~
2 ~~and that impede safe movement of pedestrians or safe ingress and egress from~~
3 ~~buildings or sites~~ for nearby pedestrians, motorists, and properties. Signs that are
4 poorly maintained or are otherwise structurally unsound pose physical dangers to
5 the surrounding area and its occupants. Signs can be confused with traffic signals
6 or impede clear roadway sightlines, thereby, creating unsafe conditions for
7 motorists, bicyclists, pedestrians, and others traveling along the public right-of-
8 way. Signs that overly encroach into public spaces through inappropriate sizing,
9 projection, elevation, illumination among other aspects of their construction or
10 operation can impede the safe circulation of pedestrians, including their safe ingress
11 and egress from buildings and other structures;

- 12 (3) ~~Protect aesthetic quality of neighborhoods~~ *Neighborhood aesthetics and*
13 *environment*: To ~~Prevent blight and protect aesthetic qualities by preventing visual~~
14 ~~clutter and protecting views and preventing intrusion of commercial messages into~~
15 ~~noncommercial areas~~ protect aesthetic values of the City's neighborhoods and
16 natural environments. The City's neighborhoods are characterized by their unique
17 residential, commercial, and industrial uses, their architectural themes, and their
18 historic legacies. Signs that do not comport with such unique characteristics can
19 significantly impair the surrounding neighborhood's aesthetic value. Moreover,
20 many of the City's neighborhoods contain outdoor public recreational spaces and
21 natural environments. Signs that overly encroach upon such spaces through their
22 construction or operation can significantly impede access to public outdoor
23 recreation opportunities and undermine protection of the natural environment;

1 **Sec. 4-4-2. Definitions.**

2 For purposes of this article, the following words and phrases shall have the meanings
3 ascribed to them by this section:

4 ——— *Advertising sign* means a sign, whether a billboard or a painted wall graphic sign, which
5 that directs attention to a business, commodity, service, or entertainment, that is conducted, sold,
6 or offered elsewhere than on the premises where the sign is affixed, located or painted, or only
7 incidentally sold or offered on the premises.

8 ——— *Animated sign* means any business sign, which uses movement or change of lighting to
9 depict action or to create a special effect or scene, including signs displaying moving images or
10 videos, and, for regulatory purposes, is a flashing sign as defined in this section.

11 ——— *Art mural* means any mosaic, painting or graphic art, which is applied to a building, and
12 does not contain any brand name, product name, letters of the alphabet that spell or abbreviate the
13 name of any product, company, profession or business, or any logo, trademark, trade name, or any
14 other type of commercial message.

15 ——— *Awning sign* means a business sign that is a section of, or attached to, an awning, canopy,
16 or other fabric, plastic, or structural protective cover over a door, entrance, window or outdoor
17 service area of a building, but does not mean a marquee.

18 ——— *Building frontage* means the portion of a building's facade that is visible as projected along
19 the building's public or private street frontage.

20 ——— *Business sign* means a sign, not less than 75 percent of the area of which is devoted to
21 directing attention to the principal business or profession conducted, or to the principal type of
22 commodity, service, or entertainment sold or offered, on the premises where the sign is affixed,
23 located or painted.

1 ~~———— *Double face sign* means a business sign of which both sides are visible and used as signs~~
2 ~~including a "v" type sign, provided, that the least angle of intersection does not exceed 45 degrees.~~

3 ~~———— *Electronic message board* means any business sign that uses changing lights to form a sign~~
4 ~~message or messages wherein the sequence of messages and the rate of change is electronically~~
5 ~~programmed and can be modified by electronic processes, and, for regulatory purposes, is a~~
6 ~~flashing sign as defined in this section.~~

7 ~~———— *Flashing sign* means an illuminated sign on which artificial light is not maintained~~
8 ~~stationary, or constant in intensity or color, at all times when in use and, under this article, includes~~
9 ~~an animated sign and an electronic message board sign.~~

10 ~~———— *Ground sign* means a business sign, including a supported by one ground mounted~~
11 ~~billboard that is supported by one or more structural uprights, poles, or braces in or upon the~~
12 ~~ground.~~

13 ~~———— *Identification sign* means a business sign, not less than 75 percent of the area of which~~
14 ~~identifies the name of the individual, profession, occupation, organization, hotel, or motel~~
15 ~~occupying the premises, or the name or street number of the building, which may include~~
16 ~~information directly related to principal or accessory uses of the property, provided, that not more~~
17 ~~than 25 percent of the area of the sign is devoted to such information, but does not mean an~~
18 ~~advertising sign, as defined in this section.~~

19 ~~———— *Individual letter sign* means a type of wall sign, as defined in this section, consisting of~~
20 ~~individual letters, incised letters, script or symbols with no background material other than the~~
21 ~~surface to which the letters, script or symbols are affixed.~~

22 ~~———— *Multiple face sign* means a business sign with more than two display areas, all of which~~
23 ~~are visible and used as business signs.~~

1 ~~———— *Painted wall graphic sign* means any business sign that is painted upon a wall and exceeds~~
2 ~~ten square feet in area.~~

3 ~~———— *Roof sign* means a business sign that is erected a roof or parapet of a building or structure.~~

4 ~~———— *Sign* means any letter, figure, character, mark, plane, point, marquee sign, design, poster,~~
5 ~~pictorial, picture, stroke, stripe, line trademark, reading matter, or illuminated service that is~~
6 ~~constructed, placed, attached, painted, erected, fastened, or manufactured in any manner, so that~~
7 ~~the same is used for the attraction of the public to any place, subject, person, firm, corporation,~~
8 ~~public performance, article, machine, or merchandise, that is displayed in any manner outdoors, or~~
9 ~~window sign as defined in this section, but does not mean any display of official court or public~~
10 ~~agency notices, or the flag, emblem, or insignia of a nation, political unity, school or religious~~
11 ~~group, or any non-illuminated, non-commercial, painted art mural.~~

12 ~~———— *Wall sign* means any business sign attached to, or erected against, the wall of a building or~~
13 ~~structure with the exposed face of the sign in a plane parallel to the plane of said wall.~~

14 ~~———— *Window sign* means any sign which is painted on, applied to or attached to a window or~~
15 ~~door, or located within three feet of the interior of the window or door, and is visible from the~~
16 ~~exterior of the building, including pictures, drawings, paintings, or other such representations of a~~
17 ~~product once they are not the actual item to be sold or consumed. REPEALED.~~

18 **Sec. 4-4-2. Blight violation.**

19 (a) In accordance with Section 41(4) of the Michigan Home Rule City Act, being MCL
20 117.41(4) and Sections 1-1-9(a)(3) and 3-2-1 of this Code, a violation of this article is deemed to
21 be a blight violation.

1 (b) Any person who violates any section of this article may be issued a blight violation
2 notice pursuant to Chapter 3 of this Code, *Administrative Hearings and Enforcement, and*
3 *Administrative Appeals*, for each day that the violation continues.

4 (c) In accordance with Chapter 3 of this Code, *Administrative Hearings and*
5 *Enforcement, and Administrative Appeals*, any person who admits responsibility or is found to be
6 responsible, through a blight violation determination, for violation of this article shall be subject
7 to a civil fine.

8 **~~Sec. 4-4-3. Misdemeanor violation; continuing violation; penalties for conviction thereof.~~**

9 ~~— (a) — It shall be unlawful for any person to violate any provision of this article.~~

10 ~~— (b) — Any person who violates this article may be issued a misdemeanor violation for~~
11 ~~each day that the violation continues.~~

12 ~~— (c) — Any person who is found guilty of violating any provision of this article shall be~~
13 ~~convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court,~~
14 ~~may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor~~
15 ~~violation that is issued. REPEALED.~~

16 **Sec. 4-4-3. Enforcement.**

17 This article shall be enforced by the Buildings, Safety Engineering, and Environmental
18 Department.

19 **~~Sec. 4-4-4. Buildings, Safety Engineering, and Environmental Department to be responsible~~**
20 **~~for enforcement.~~**

21 ~~This article shall be enforced by the Buildings, Safety Engineering, and Environmental~~
22 ~~Department. REPEALED.~~

23

1 **Sec. 4-4-4. Noncommercial messages.**

2 In order to prevent any inadvertent favoring of commercial speech over noncommercial
3 speech, or favoring of any particular noncommercial message over any other noncommercial
4 message, any sign that is allowed under this Article may contain, in lieu of any other message, any
5 otherwise lawful noncommercial message which does not direct attention to a business, profession,
6 commodity, service, or entertainment, and which complies with all applicable standards of this
7 Chapter.

8 **~~Sec. 4-4-5. Requirements for business and identification signs.~~**

9 ~~—— (a) — It shall be unlawful to erect or maintain a business sign, including identification~~
10 ~~signs, except in accordance with the following requirements:~~

11 ~~(1) — Every sign shall be classified and conform to the requirements of such classification~~
12 ~~as set forth in this Code.~~

13 ~~(2) — A business sign, including an identification sign, shall not cover or conceal~~
14 ~~architectural features of a building including, but not limited to, windows, arches,~~
15 ~~sills, moldings, cornices, and transoms;~~

16 ~~(3) — Except for signs within developments that require City Council approval of plans,~~
17 ~~animated sign space or electronic message board sign space within any business or~~
18 ~~identification sign shall not comprise more than 25 percent of the total sign area;~~

19 ~~(4) — In the case of an animated sign, as defined in Section 4-x-x of this Code, located~~
20 ~~on the premises of a City owned convention or exhibit building on land requiring~~
21 ~~City Council approval of plans, not less than 75 percent of the display time in any~~
22 ~~calendar month shall be devoted to events or activities on the premises.~~

1 ~~(5) Inflatable advertising, balloons, and similar devices shall be allowed for the~~
2 ~~promotion of a special event only after application for and issuance of a temporary~~
3 ~~sign permit by the Buildings, Safety Engineering and Environmental Department~~
4 ~~as provided for in Section 50-12-562 of this Code provided, that, they are shaped~~
5 ~~or formed like a product, have commercial copy, and meet the following~~
6 ~~restrictions:~~

7 ~~a. Be limited in placement to 15 days;~~

8 ~~b. Be placed on the premises as determined by the Buildings, Safety~~
9 ~~Engineering, and Environmental Department; and~~

10 ~~c. Be limited in placement to no more than two permits per year.~~

11 ~~(6) Where the sections of an individual letter sign are connected by a common~~
12 ~~structure, generally referred to as a "raceway", which provides for the electrical or~~
13 ~~mechanical operation of sign, the raceway shall be painted to match the color of the~~
14 ~~building or other structure to which the sign is mounted and shall be limited to a~~
15 ~~height of no more than one half of the tallest letter.~~

16 ~~(b) The following illumination standards shall apply to all business sign types except~~
17 ~~where other specific standards apply:~~

18 ~~(1) Signs may be illuminated, provided, that flashing signs are permitted only where~~
19 ~~farther than 100 feet from existing developed residential property, and from~~
20 ~~property which is designated as "residential" in the applicable future general land~~
21 ~~use map of the Detroit Master Plan of Policies.~~

22 ~~(2) No sign shall be illuminated in a manner that interferes with the effectiveness of an~~
23 ~~official traffic sign, traffic signal or traffic control device.~~

1 ~~(3) Illuminated signs shall be arranged to reflect light away from residential structures.~~

2 ~~(4) Messages on an electronic message board may be a continuous scroll or may be~~
3 ~~intermittently changing static messages. Where messages are intermittently~~
4 ~~changing and static, then each message must be displayed for a minimum of eight~~
5 ~~seconds before changing.~~

6 ~~(e) The tubing in neon signs may be encased for protection from weather and breakage,~~
7 ~~and the enclosure, such as tinted glass or plastic, shall be designed to render the tubing invisible~~
8 ~~when not illuminated. REPEALED.~~

9 **Sec. 4-4-5. Computing sign area, height, and clearance.**

10 (a) The area of a sign is computed as follows:

11 (1) In general, the area of a sign is the entire area of a square, rectangle or other regular
12 geometric figure that reasonably contains the entire sign face and all copy of the
13 sign. Blank spaces between individual figures, letters, words, graphics, and other
14 elements of a sign's copy are included in the computation of the sign's area. If the
15 sign is enclosed in a frame or case, the area of a sign includes the area of the frame
16 or case.

17 (2) The area of a double-face sign is the area of the largest of the two sign faces.

18 (3) The area of a multiple-face sign is the sum of the areas of each sign face of the sign.

19 (b) The height of a sign is computed as the difference in vertical elevation between the
20 highest point of the sign, including its frame and support structure, and the established grade at the
21 base of, or directly below, the sign.

22 (c) The clearance of a sign is computed as follows:

1 (1) In general, the clearance of a sign is computed as the difference in vertical elevation
2 between the lowest point of the sign, including its frame and support structure, if
3 any, and the established grade underneath the sign.

4 (2) The clearance of a ground sign is computed as the difference in vertical elevation
5 between the lowest point of the sign face, including its frame but not excluding its
6 pole, monument, or other support structure, and the established grade at the base of
7 the sign.

8 (3) The clearance of a sign under which vehicular or pedestrian passage is possible,
9 such as arcade signs and projecting signs, is computed as the difference in vertical
10 elevation between the lowest point of the sign face, including its frame and support
11 structure, if any, under which clear passage is possible, and the established grade
12 underneath the sign.

13 (4) The clearance of a sign that is affixed to and supported by a building or other
14 structure such as wall signs and projecting signs is computed as the difference in
15 vertical elevation between the lowest point of the sign face, including its frame and
16 support structure, if any, but excluding the building or structure to which the sign
17 is affixed and supported, and the established grade underneath the sign.

18 **Sec. 4-4-6. ~~Computing the area of business signs.~~**

19 ~~(a) — The area of a business sign shall be computed as the entire area circumscribed by a~~
20 ~~parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes~~
21 ~~all of the display area, any window sign, as defined in section 4-4-2 of this Code, and any building~~
22 ~~number that is larger than ten inches in height. Because they are integral to understanding the~~
23 ~~message of display of a business sign, the blank areas between letters, words, illustrations,~~

1 ~~graphics, and the like shall be included in the computation of the area of a sign or the area of a~~
2 ~~message, letter, word, or graphic that is part of a business sign.~~

3 ~~—— (b) —— Where the sign faces of a double face sign are parallel, or the interior angle formed~~
4 ~~by the faces, is 45 degrees or less, only one display face shall be counted in computing sign area.~~
5 ~~Where the two faces of a double face sign are of unequal area, the area of the sign shall be the area~~
6 ~~of the larger sign face. In all other cases, the areas of all faces of a multiple face sign shall be added~~
7 ~~together to compute the area of the sign.~~

8 ~~(c) —— The height of a business sign shall be the distance between the highest part of the~~
9 ~~sign and the grade of the nearest sidewalk. REPEALED.~~

10 **Sec. 4-4-6. Computing the measurement of spacing.**

11 ~~Unless specified otherwise, for the purposes of this Article, spacing is computed either~~
12 ~~radially or linearly.~~

13 ~~(1) Radial spacing between two points is computed as the length of the shortest straight~~
14 ~~line connecting the perimeters of the premises at which each point is respectively~~
15 ~~located, drawn without regard to any property lines, rights of way, or other features,~~
16 ~~whether natural or constructed, that such line may cross.~~

17 ~~(2) Linear spacing between two points is computed as the length of the shortest line~~
18 ~~connecting the perimeters of the premises at which each point is respectively~~
19 ~~located, following the centerlines of the rights of way abutting the premises,~~
20 ~~without regard to the side of the right-of-way on which each such premises may be~~
21 ~~located.~~

22

1 **Sec. 4-4-7. General restrictions on maximum business sign area.**

2 ~~—— (a) —— Except for businesses regulated under sections 4-4-8(e) and (f) of this Code, each~~
3 ~~business is entitled to a minimum of 32 square feet of business sign area, regardless of the business'~~
4 ~~building frontage elevation or street frontage. Except for businesses within developments that~~
5 ~~require city council approval of plans, the maximum total area of all business signs for each~~
6 ~~business shall be the greater of 20 percent of a business' building frontage elevation or one square~~
7 ~~foot per each linear foot of business street frontage, not to exceed a total of 500 square feet.~~
8 ~~Buildings or businesses shall be allowed one professionally prepared window sign not exceeding~~
9 ~~ten square feet in size and adhered to the inside of the window for every 30 feet of building or~~
10 ~~storefront width, provided that any such sign shall not require a permit and shall not count toward~~
11 ~~the maximum allowed sign area. For the purposes of this article, the building frontage elevation is~~
12 ~~calculated by multiplying the length of the front facade of the building of which the signage is to~~
13 ~~serve by 13 feet. There can be only one building frontage for each street faced by a building.~~
14 ~~Portions of facades visible from more than one street, such as those containing curves cylindrical~~
15 ~~shapes, or angles, shall only be measured once when determining building frontage.~~

16 ~~—— (b) —— Except as specified in section 4-4-10 of this Code, there is no restriction on the~~
17 ~~number of signs allowed and all types of business signs are allowed, including ground signs, wall~~
18 ~~signs, awning signs, painted wall graphic signs, and projecting signs as long as the aggregate total~~
19 ~~area of the sign or signs does not exceed the maximum business sign area allowed. Roof signs that~~
20 ~~serve as business signs, and are not otherwise prohibited in section 50-6-52 of this Code, are~~
21 ~~allowed, provided, that the height of the uppermost element of the sign does not exceed the~~
22 ~~applicable height limitation for the building.~~

1 ~~—— (c) —— On corner lots, the allowable sign area for each street frontage shall be calculated~~
2 ~~separately. The total square footage allowed is obtained by adding the allowable sign area for each~~
3 ~~street frontage.~~

4 ~~—— (d) —— For multiple tenant, multiple story buildings where tenants do not have clearly~~
5 ~~separate building frontage of their own, the 20 percent of building frontage calculation shall be~~
6 ~~based upon the portion of the building occupied by the respective business.~~

7 ~~—— (e) —— Where multiple buildings are occupied by the same institutional use, as on the~~
8 ~~campus of a hospital or educational institution, the permitted business sign area for each building~~
9 ~~shall be calculated as if a separate business, provided, that the permitted business sign area is not~~
10 ~~transferable from one building to another. REPEALED.~~

11 **Sec. 4-4-7. Prohibited signs.**

12 The following signs are prohibited City-wide, unless expressly allowed in this Chapter:

13 (1) Signs that substantially cover or conceal any architectural feature of a building;

14 (2) Signs that wrap two or more facades of a building or structure;

15 (3) Signs that are illuminated by or otherwise equipped with a strobe or flashing light;

16 (4) Signs that are affixed to, painted on, or otherwise supported by any rock, tree, or
17 other natural feature;

18 (5) Signs that are affixed to, painted on, or otherwise supported by a fence or screening
19 wall; or

20 (6) Signs that produce sound, cause interference with radio, telephone, television, or
21 other communication transmissions; that produce or reflect motion pictures, except
22 where authorized as animated signs; or that emit visible smoke, vapors, particles,
23 or odors.

1 **Sec. 4-4-8. Restrictions on business signs in specified locations.**

2 ~~—— (a) — Buildings other than corner buildings, buildings that have double frontage lots, or~~
3 ~~buildings located on through lots.~~

4 ~~(1) — Where the building has front and rear customer entrances, 100 percent of the front~~
5 ~~street wall area is allowed, plus 25 percent of the rear, or secondary street wall area.~~

6 ~~(2) — Where the building has front and rear customer entrances and rear display windows,~~
7 ~~100 percent of the front street wall is allowed, plus 50 percent of the rear, or~~
8 ~~secondary street wall area.~~

9 ~~(3) — The additional allowable business sign area shall be used at the rear customer~~
10 ~~entrance, but not to enlarge the primary sign.~~

11 ~~—— (b) — Multiple-story buildings. Business signs placed on the wall of a multiple-story~~
12 ~~building shall be permitted only in the following locations:~~

13 ~~(1) — On the building frieze or on the roof of a building, provided, that the sign is not~~
14 ~~otherwise prohibited by section 50-6-52 of this Code and that the height of the~~
15 ~~uppermost element of the roof sign does not exceed the applicable height limitation~~
16 ~~for the building;~~

17 ~~(2) — On an awning;~~

18 ~~(3) — On a first-story wall; and~~

19 ~~(4) — In the area between the first floor and the windowsill of the second-story window,~~
20 ~~provided, that where a building does not have second-story windows, a sign may~~
21 ~~be placed within the first four feet of the second-story level.~~

22 ~~—— (c) — Commercial parking lots.~~

1 ~~(1) Only one business sign shall be permitted at each point of ingress and egress to a~~
2 ~~parking lot to indicate the name of the operator, address of the location, hours of~~
3 ~~operation, parking rates, and directions of movement, provided, that the sign shall~~
4 ~~not exceed 50 square feet in area and shall not be less than six feet six inches in~~
5 ~~height above grade and shall be located entirely on the parking lot property.~~

6 ~~(2) Business signs on commercial parking lots shall comply with Section 32-1-20 of~~
7 ~~this Code.~~

8 ~~(d) *Parking structures.*~~

9 ~~(1) Except for parking structures within developments that require City Council~~
10 ~~approval of plans, the maximum total business sign area permitted on parking~~
11 ~~structures is 200 square feet.~~

12 ~~(2) Signs denoting hours and rates that are required by section 32-1-20 of this Code for~~
13 ~~parking structures licensed as open parking stations shall not be counted against the~~
14 ~~total business sign area allowance.~~

15 ~~(3) Directional signs designating entrances and exits of a parking structure shall not be~~
16 ~~included in the total business sign area allowance.~~

17 ~~(e) Multiple tenant shopping center having four or more separate businesses.~~

18 ~~(1) One ground sign is allowed, not to exceed a maximum sign area of 150 square feet.~~
19 ~~Where a development site has a minimum of 200 feet of frontage on each of two~~
20 ~~major or secondary thoroughfares, as identified in the Detroit Master Plan of~~
21 ~~Policies, a second freestanding sign shall be permitted with the same size~~
22 ~~limitations as the first permitted sign, provided, that the distance between the two~~
23 ~~signs is not less than 300 feet measured along the road frontage.~~

1 ~~(2) — Each separate business within a multiple tenant shopping center may display as~~
2 ~~much as 24 square feet of business wall signage, provided that more than 24 square~~
3 ~~feet of business wall signage is allowed where the total area of all business signage~~
4 ~~for the business does not exceed one square foot of area for each one lineal foot of~~
5 ~~storefront width occupied by each separate business. Where a shopping center has~~
6 ~~exposure along two streets, the allowable sign area for the corner or end unit shall~~
7 ~~be calculated separately for each street frontage. The total area of all business wall~~
8 ~~signs for the corner or end business shall not exceed one square foot of area for~~
9 ~~each one lineal foot of street frontage. In no instance shall the total business signage~~
10 ~~for any one business in a multiple tenant shopping center exceed 500 square feet.~~
11 ~~Wall signs that are composed of either individual freestanding letters or boxed signs~~
12 ~~with frames shall be consistent in shape and height, such as rectangular, triangular,~~
13 ~~or circular, with every other such sign permitted on the premises of the shopping~~
14 ~~center.~~

15 ~~(f) — Multiple tenant office, business, and industrial buildings.~~

16 ~~(1) — Any ground sign shall be designed primarily for identification purposes and shall~~
17 ~~display only the development name and/or address. The ground sign may display~~
18 ~~the names of each tenant.~~

19 ~~(2) — Where individual tenants have their own front wall surface, the individual business~~
20 ~~signs shall be wall signs.~~

21 ~~(3) — Directory signs, located at common entrances to tenant spaces, shall be included in~~
22 ~~the calculation of total sign area unless they are six square feet or less and not visible~~
23 ~~from the front lot line.~~

1 ~~(4) — There shall be only one ground sign for each street frontage of the property, not to~~
2 ~~exceed 100 square feet, or one square foot of sign area for each two linear feet of~~
3 ~~street frontage of the property, whichever is less. For corner buildings, a second~~
4 ~~sign containing up to one half of the allowable business sign area of the first is~~
5 ~~permitted.~~

6 ~~(5) — Each separate business in the complex is entitled at least 24 square feet of business~~
7 ~~wall signage, provided, that:~~

8 ~~a. — More than 24 square feet of business wall signage is allowed where the total~~
9 ~~area of all business signage for the business does not exceed one square foot~~
10 ~~of area for each one lineal foot of building frontage, as defined in section 4-~~
11 ~~4-2 of this Code, of the portion of the building occupied by each separate~~
12 ~~business; and~~

13 ~~b. — In no instance shall the total business signage for any one business in a~~
14 ~~multiple tenant office, business, or industrial building exceed 500 square~~
15 ~~feet.~~

16 ~~(6) — Business signs that are composed of either individual freestanding letters or boxed~~
17 ~~signs with frames shall generally be consistent in shape, such as rectangular,~~
18 ~~triangular, or circular, and height with other such signs permitted on the premises~~
19 ~~of the complex.~~

20 ~~(g) — Buildings with two (2) or three (3) businesses and separate ground floor entrances~~
21 ~~for each business.~~

22 ~~(1) — Each separate business is entitled to display a minimum of 32 square feet of~~
23 ~~business signage, provided, that more than 32 square feet of business signage may~~

1 ~~be allowed where the total area of all business signage for the business does not~~
2 ~~exceed one square foot of area for each one lineal foot of frontage of the portion of~~
3 ~~the building occupied by each separate business.~~

4 ~~(2) — In no instance shall the total business signage for any business in a building with~~
5 ~~two or three businesses exceed 500 square feet.~~

6 ~~(h) — Buildings with two or three businesses sharing a common entrance, and not having~~
7 ~~a clearly discernible ground floor frontage.~~

8 ~~(1) — A building's maximum sign area shall be computed as if occupied by a single~~
9 ~~business.~~

10 ~~(2) — The maximum total area of all business signs for a building shall be one square foot~~
11 ~~per each linear foot of the building street frontage, not to exceed a total of 500~~
12 ~~square feet.~~

13 ~~(3) — The total sign area allowed will be allocated among the two or three separate~~
14 ~~businesses in proportion to the square footage occupied by the separate businesses.~~

15 ~~(4) — In all instances each business is entitled to at least 32 square feet of sign area.~~

16 REPEALED.

17 **Sec. 4-4-8. Maintenance required.**

18 All signs must be maintained in good repair and clear of debris. Any sign that is not
19 maintained in good repair shall be adequately repaired, replaced, or removed, along with its frame
20 and supporting structure. A sign is not considered to be in good repair if the sign is:

21 (1) Weathered or faded;

22 (2) Ripped, torn, cut, cracked, tattered, or similarly damaged;

23 (3) Defaced or otherwise marked with graffiti;

1 (4) Insecurely or inadequately affixed or anchored to the wall, parapet, roof, marquee,
2 awning, or ground to which it is attached or placed;

3 (5) Supported by one or more poles, pylons, bracing, rods, supporting frameworks,
4 foundations, anchorages, or other supports, that are broken, damaged, or otherwise
5 unsound or of inadequate capacity;

6 (6) Cracked or peeled if painted; or

7 (7) Inoperative or otherwise broken or damaged if illuminated, dynamic, or otherwise
8 electrified.

9 **~~Sec. 4-4-9. Elimination of business signs not in compliance with this article required.~~**

10 ~~(a) Existing business signs that were erected without a permit and which, although~~
11 ~~legally permissible at the time they were erected, become noncompliant due to the provisions of~~
12 ~~this article, shall be brought into compliance with the provisions of this article within six months~~
13 ~~of the effective date of the ordinance from which this article is derived, which is August 20, 2003.~~

14 ~~(b) Existing business signs for which a sign permit was issued pursuant to the previous~~
15 ~~provisions of this Code, and which become noncompliant due to the provisions of this article, shall~~
16 ~~be brought into compliance within one year of the effective date of the ordinance from which this~~
17 ~~article is derived, which is August 20, 2003, provided, that during the one year period~~
18 ~~noncompliant signs shall be maintained in good condition and no such sign shall be:~~

19 ~~(1) Structurally changed to another noncompliant sign, although its message may be~~
20 ~~changed;~~

21 ~~(2) Structurally altered in order to prolong the life of the sign, except to meet safety~~
22 ~~requirements;~~

23 ~~(3) Altered so as to increase the degree of noncompliance of the sign;~~

1 ~~(4) — Enlarged;~~

2 ~~(5) — Continued in use where a change of use occurs as defined in Chapter 50 of this~~
3 ~~Code, *Zoning*;~~

4 ~~(6) — Re-established after the activity, business, or use to which it was related has been~~
5 ~~discontinued for 90 days or longer;~~

6 ~~(7) — Re-established after damage or destruction where the estimated cost or~~
7 ~~reconstruction exceeds 50 percent of the appraised replacement cost; or~~

8 ~~(8) — Changed to any extent, including changing the faces when the noncompliant sign~~
9 ~~is of a type of construction that permits a complete change of face, or any changes~~
10 ~~made in the colors, words, or symbols used, or in the message displayed on the sign~~
11 ~~unless the sign is designed for periodic changes of message. REPEALED~~

12 **Sec. 4-4-9. Obsolete signs to be removed.**

13 ~~_____ (a) Any obsolete sign, along with its frame and supporting structure, shall be removed~~
14 ~~by the owner of the premises on which sign is located, or its agent, within 30 days after becoming~~
15 ~~obsolete, except for obsolete temporary signs, which shall be removed within 24 hours after~~
16 ~~becoming obsolete. An obsolete painted sign may be considered to be removed if it is removed so~~
17 ~~as to expose the underlying unpainted surface or is completely painted-over.~~

18 ~~_____ (b) Subsection (a) of this section shall not apply to any heritage sign.~~

19 ~~**Sec. 4-4-10. Painted wall graphics serving as business signs.**~~

20 ~~_____ (a) Painted wall graphics serving as business signs that were in existence prior to the~~
21 ~~effective date of the ordinance from which this article was derived, which is August 20, 2003, shall~~
22 ~~not be permitted except as follows:~~

1 ~~(1) The name and address of the owner of the property where the business sign is~~
2 ~~located and the address of the property have been placed on record with the~~
3 ~~Buildings, Safety Engineering, and Environmental Department within six months~~
4 ~~of the effective date of the ordinance from which this article is derived, which is~~
5 ~~August 20, 2003;~~

6 ~~(2) A sign license is issued for the sign; and~~

7 ~~(3) The total area of painted wall graphics serving as business signs is included in the~~
8 ~~computation of existing business signs as compared to the maximum business sign~~
9 ~~area for each business.~~

10 ~~(b) Businesses wishing to use painted wall graphics as business signs on or after the~~
11 ~~effective date of the ordinance from which this article is derived, which is August 20, 2003, may~~
12 ~~do so only where the area of the painted wall graphic, along with other business signs, does not~~
13 ~~exceed the maximum business sign area allowable under section 4-4-7 or section 4-4-8 of this~~
14 ~~Code, as applicable, and a sign license is obtained for the painted wall graphic. **REPEALED.**~~

15 **Sec. 4-4-10. Signs on vacant buildings to be removed.**

16 (a) Any sign affixed to, or posted, painted, or otherwise placed on a building or
17 structure that is a vacant building, as defined in Section 8-15-9 of this Code, shall, along with its
18 frame and supporting structure, be removed by the owner of the premises on which sign is located,
19 or its agent, within 30 days after the building or structure becomes vacant. Enforcement of this
20 section shall be in accordance with the authority granted under Section 8-15-45 of this Code.

21 (b) Subsection (a) of this section shall not apply to any heritage sign.

22 ~~**Sec. 4-4-11. Exemptions from business sign area restriction under this article.**~~

23 ~~The following are exempt from the regulation of this article:~~

- 1 ~~(1) Signs indicating "welcome," "open," "closed," and "hours of operation", provided,~~
2 ~~that they are not displayed as part of an advertising sign or a business sign;~~
- 3 ~~(2) Building numbers as required by section 43-2-12 of this Code, provided, that they~~
4 ~~are no more than ten inches in height;~~
- 5 ~~(3) Actual size menus displayed to be visible to passers by that are posted at the~~
6 ~~entrance of restaurants for passers by to read; and~~
- 7 ~~(4) Anything that is not a sign, as defined in section 4-4-2 of this Code, including:~~
- 8 ~~a. Displays of official court or public agency notices;~~
- 9 ~~b. The flag, emblem, or insignia of a nation, political unit, school, or religious~~
10 ~~group;~~
- 11 ~~c. Non-illuminated, non-commercial, art murals; and~~
- 12 ~~d. Window displays of actual merchandise, such as pyramids of food cans in~~
13 ~~a grocery store window or fashions on a mannequin which are located~~
14 ~~within three feet of the interior of a window or door and are visible from the~~
15 ~~exterior of the building. REPEALED.~~

16 **Sec. 4-4-11. Unused sign supports to be removed.**

17 All poles, pylons, bracing, rods, supporting frameworks, foundations, anchorages, or other
18 supports, including all associated electrical wiring, for any sign that does not have a permitted sign
19 face shall be removed by the owner of the premises where the supports are located, or its agent,
20 within 30 days after written notice to remove such supports.

21 ~~Secs. 4-4-12 -- 4-4-40. Reserved. REPEALED.~~

1 **Sec. 4-4-12. Signs subject to additional governmental jurisdiction; submission of approvals**
2 **as part of sign application**

3 If a sign is subject to the jurisdiction of any federal, state, or local governmental agency or
4 authority in addition to the Department, the applicant for erection of the sign shall, as part of the
5 application, provide copies of all other governmental approvals that may be required for the sign.
6 If such other approvals are subject to any conditions of approval, or other standards, then such
7 standards shall be incorporated by reference into the permit. Those standards that are comparable
8 and more restrictive than the standards set forth in this Chapter shall supersede and shall be
9 considered controlling under the permit. No standards imposed by other governmental agencies
10 that are less restrictive than the standards set forth in this Chapter may relieve any obligation to
11 adhere to the standards set forth herein. Other governmental agencies with jurisdiction over signs
12 include, without limitation:

13 (1) Signs located within an historic district as identified in Chapter 21, *History*, of this
14 Code are subject to approval by the Historic District Commission.

15 (2) Signs located within jurisdiction of the State of Michigan are subject to approval
16 by the Michigan Department of Transportation.

17 (3) Signs located within a City-controlled public right-of way are subject to approval
18 by the City of Detroit Department of Public Works.

19 **Sec. 4-4-13. Signs located near freeways; Department of Public Works approval required.**

20 Any sign that is located within the greater of (a) 125 feet of the edge of the traveled roadway
21 of any freeway or interchange ramps between freeways used by traffic facing the display side of
22 such sign or structure, or (b) 25 feet of the right-of-way line of any freeway, and is oriented toward
23 and is visible from vehicles traveling on the freeway or interchange ramp, is subject to approval

1 by the Department of Public Works Traffic Engineering Division. For each such sign, the
2 Department of Public Works Traffic Engineering Division shall not approve the sign if, in its
3 opinion, the sign would create a visual distraction or other potential hazard to vehicular traffic
4 traveling on the freeway or interchange ramp.

5 **Sec. 4-4-14. Sign alteration to require new permit.**

6 It shall be unlawful to perform any sign alteration without having first been issued a permit
7 for such sign. Any sign alteration of an existing permitted sign shall require a new permit.

8 **Sec. 4-4-15. Transition.**

9 (a) In order to enable and facilitate the efficient and effective administration,
10 management, and enforcement of the regulations of this Chapter and to encourage the voluntary
11 and intentional transition by permittees from sign regulations that are no longer in effect,
12 commencing on the effective date of the ordinance establishing this section:

13 (1) No permit for the construction or erection of any new sign, or the alteration of any
14 existing sign, may be issued unless all signs located on the same premises as the
15 sign that is subject of the permit are in compliance with the regulations of this
16 chapter.

17 (2) As part of its voluntary submission of an application for a permit for the erection
18 of a new sign, or alteration of an existing sign, the applicant shall clearly indicate
19 in writing, on a form provided by the Department, the desire of the owner of the
20 premises on which the sign is sought to be located to intentionally, knowingly, and
21 voluntarily relinquish, disclaim, and abandon all existing permits, licenses, and
22 other approvals issued under authority of Chapter 50 of this Code for all signs of
23 any type located on the same premises.

1 (3) A sign that is permitted and otherwise in compliance with all applicable regulations
2 of this Chapter shall be exempted from compliance with comparable regulations set
3 forth in any other chapter of this Code that may be more restrictive than those
4 contained in this Chapter.

5 (4) Subsections (a)(1) and (a)(2) of this section shall not apply to any sign that is
6 required to be erected or altered by law or legal order, such that the permit
7 application is not submitted intentionally, knowingly, and voluntarily.

8 **Sec. 4-4-16. Waivers and adjustments to sign standards.**

9 (a) On petition, the Director of the Department, or their designee, may waive or adjust
10 any dimensional or operational standard or other requirement set forth in this article, except as
11 otherwise limited or prohibited, upon finding that such waiver or adjustment satisfies all of the
12 following:

13 (1) That, without the requested waiver or adjustment, the sign would be subject to one
14 or more practical difficulties that would substantially hinder the communicative
15 potential of the sign;

16 (2) That the requested waiver or adjustment would effectively eliminate all practical
17 difficulties referenced in Subsection (a)(1) of this section;

18 (3) That the requested waiver or adjustment is necessary to address all practical
19 difficulties referenced in Subsection (a)(1) of this section, as no form of alternative
20 signage in accordance with this Chapter could effectively eliminate all such
21 practical difficulties;

22 (4) That the requested waiver or adjustment will not have a detrimental effect on the
23 privacy, light, or air of the premises or neighboring premises;

1 (5) That the requested waiver or adjustment will not substantially affect the use or
2 development of the subject premises or neighboring premises;

3 (6) That the requested waiver or adjustment will not substantially impair, detract from,
4 or otherwise affect the aesthetic value of the subject premises or neighboring
5 premises;

6 (7) That the requested adjustment will not in any way increase the potential for
7 distraction to, obstruct the flow of, or otherwise harm pedestrians or motor vehicles
8 passing within view of the sign; and

9 (8) The comprehensive sign plan for the subject premises, submitted as part of the
10 application for the waiver or adjustment, is in general accord with the spirit and
11 intent of the regulations set forth in this Chapter.

12 (b) The specific terms and conditions of any waiver or adjustment granted under this
13 section shall be incorporated into the terms and conditions of the permit for the sign. Such waiver
14 or adjustment shall be valid only for the term of the permit for the sign and shall be subject to
15 suspension, revocation, or denial of renewal under the same circumstances as the permit itself.

16 (c) A non-refundable fee shall be charged for the processing and issuance of an
17 advertising license under this division. In accordance with Section 6-503(13) of the Charter, the
18 Director of the Department shall establish a fee, subject to approval by the City Council by
19 adoption of a resolution, and collect such fee based upon the cost of issuance and administration
20 of considering petitions for waivers and adjustments. A fee shall be charged for each premises for
21 which a petition for adjustment or waiver of certain standards is requested, regardless of the
22 number of specific adjustments or waivers that may be requested for such premises. After adoption

1 of a resolution by the City Council and approval of the resolution by the Mayor, the fees that are
2 provided for in this subsection shall be:

3 (1) Published in a daily newspaper of general circulation and in the Journal of the City
4 Council;

5 (2) Made available at the Department and at the Office of the City Clerk; and

6 (3) Reviewed by the Director of the Department at least once every two years.

7 **Sec. 4-4-17. Appeals of administrative decisions under this chapter.**

8 In accordance with Chapter 3, *Administrative Hearings and Enforcement*, and
9 *Administrative Appeals*, Division IV, *Administrative Appeals*, of this Code, any appeal of an
10 administrative decision made pursuant to this Chapter shall be made to the Department of Appeals
11 and Hearings.

12 **Secs. 4-4-18—4-4-30. Reserved.**

13 **DIVISION 2. GENERAL SIGN STANDARDS**

14 **Sec. 4-4-31. In General.**

15 This division sets forth standards for individual signs, such as their permissible number, area,
16 height, projection, clearance, illumination, and dynamic operation, among others, based on the
17 sign's type of construction, material, placement, and technological capability. In addition to these
18 general standards, any sign may be further subject to additional regulations set forth in this article
19 based on its intended use, such as its use as a business sign, advertising sign, or temporary sign.
20 The standards set forth in this division do not apply to any heritage sign, all of which are exempt
21 from such standards.

1 **Sec. 4-4-32. Arcade signs.**

2 (a) Number. Not more than one arcade sign is permissible at each point of ingress into
3 or egress from a building or structure.

4 (b) Area. The area of any arcade sign must not exceed four square feet.

5 (c) Clearance. The clearance of any arcade sign must be not less than eight feet, six
6 inches.

7 (d) Illumination. No arcade sign located on a low-density residential property may be
8 illuminated. Any other arcade sign may be illuminated, either internally or externally.

9 (e) Dynamic operation. No arcade sign may be dynamic.

10 **Sec. 4-4-33. Awning signs.**

11 (a) Number. Not more than one awning sign is permissible for any awning.

12 (b) Area. The area of an awning sign must not exceed 40% of the area of the awning
13 to which it is affixed.

14 (c) Height. The height of any awning sign must not exceed the height of the awning to
15 which it is affixed.

16 (d) Clearance. The clearance of any awning sign must be not less than the clearance
17 of the awning to which it is affixed.

18 (e) Illumination. No awning sign located on a low-density residential property may be
19 illuminated. Any other awning sign may be illuminated, either internally or externally.

20 (f) Dynamic operation. No awning sign may be dynamic.

21 **Sec. 4-4-34. Directional signs.**

22 (a) Number. Not more than one directional sign is permissible for each point of ingress
23 or egress from a building, structure, or premises, with the exception that:

1 (1) On any premises with two or more points of ingress or egress, one additional
2 directional sign is permissible.

3 (2) On a multi-building campus, not more than one directional sign is permissible at
4 each point of ingress or egress from the campus perimeter and at each point of
5 intersection of any internal roads, walkways, or other pathways for vehicular or
6 pedestrian traffic.

7 (3) On any premises for which a comprehensive sign plan has been submitted to and
8 approved by the Department as part of a petition under Section 4-4-16 of this Code,
9 directional signs are permissible in such number as is depicted in the approved plan.

10 (b) Area.

11 (1) On any low-density residential property or medium-density residential/mixed use
12 property, the area of any directional sign must not exceed two square feet.

13 (2) On any high-density residential/mixed use property or high-density nonresidential
14 property the area of any directional sign must not exceed six square feet.

15 (c) Height. The height of a directional sign must not exceed seven feet.

16 (d) Illumination. A directional sign may be illuminated, either internally or externally.

17 (e) Dynamic operation. No directional sign may be dynamic.

18 **Sec. 4-4-35. Double-face signs.**

19 (a) Permissibility. Double-face signs are permissible at any location where a sign is
20 permitted under this Chapter.

21 (b) Area. The area of the larger face of a double-face sign must not exceed the
22 maximum area for the sign, based on its type of construction.

23

1 **Sec. 4-4-36. Dynamic signs.**

2 (a) Permissibility. Dynamic signs are permissible on any high-density
3 residential/mixed use property or high-density nonresidential property. Dynamic signs are
4 prohibited on any low-density residential property or medium-density residential/mixed use
5 property.

6 (b) Construction. A dynamic sign may be constructed as an awning, marquee,
7 monument, pole, projecting, roof, wall, or window sign. Of these construction types, only marquee,
8 roof, and wall signs may be animated.

9 (c) Number. Not more than one dynamic sign is permissible per premises, with the
10 exception that:

11 (1) On any premises containing a multi-tenant building or structure, each ground sign
12 may be a dynamic sign.

13 (2) On any multi-building campus, not more than one dynamic sign is permissible for
14 each building and for each ground sign.

15 (3) On any premises for which a comprehensive sign plan has been submitted to and
16 approved by the Department as part of a petition under Section 4-4-16 of this Code,
17 dynamic signs are permissible in such number as is depicted in the approved plan.

18 (d) Illumination. Any dynamic sign may be illuminated, subject to the limits for
19 illuminated signs set forth in Section 4-4-37 of this Code.

20 (e) Computer Interface. If a dynamic sign is operated by means of digital computer
21 controls and associated software, the records of such controls, including records of the sign's
22 illumination intensity, change cycle, display of animation, and hours of operation, must be
23 available for inspection upon request by the Department. If such records are not made available

1 within 48 hours following such request, the sign shall cease operation until such records are
2 provided.

3 (f) *Hours of Operation.* Any dynamic sign that is located within 150 feet of, and that
4 is visible from, one or more residential dwelling units in a low-density residential property,
5 medium-density residential/mixed use property, or high-density residential/mixed use property
6 must discontinue all dynamic operations, including all automated motion of any sign components,
7 the automated changing of the sign's copy, and the depiction of animation, between the hours of
8 11:00 pm and 6:00 am. During these hours, such signs may operate as static, non-dynamic,
9 internally illuminated signs.

10 (g) *No Undue Distraction.* Dynamic signs must not interfere with, obstruct, or
11 otherwise distract from any traffic sign, signal or device, and must not otherwise operate to cause
12 undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

13 **Sec. 4-4-37. Illuminated signs.**

14 (a) *Permissibility.* No internally illuminated sign is permissible on any low-density
15 residential property.

16 (b) *Construction.* No illuminated sign may be constructed as a portable sign.

17 (c) *Illumination.* Any illuminated sign must be equipped with an ambient light monitor
18 and associated equipment to automatically adjust the intensity level of the illumination based on
19 ambient light conditions, subject to the following limits:

20 (1) For any illuminated sign, luminance must not exceed 0.3 foot candles above
21 ambient light conditions at any time, and

1 (2) For any internally illuminated sign, luminance must not exceed 2,500 nits during
2 the hours between each sunrise and the subsequent sunset, and must not exceed 250
3 nits during the hours between each sunset and the subsequent sunrise.

4 (d) *Orientation.*

5 (1) Any internally illuminated sign that is within 150 feet of, and visible from, one or
6 more residential dwelling units in a low-density residential property, medium-
7 density residential/mixed use property, or high-density residential/mixed use
8 property must be oriented to direct light away from all such units.

9 (2) Any externally illuminated sign may be illuminated only by one or more steady,
10 stationary, shielded light sources that are oriented solely toward the sign face

11 (e) *No Undue Distraction.* Illuminated signs must not interfere with, obstruct, or
12 otherwise distract from any traffic sign, signal or device, and must not otherwise operate to cause
13 undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

14 **Sec. 4-4-38. Marquee signs.**

15 (a) *Number.* Not more than one marquee sign is permissible on any single façade of a
16 marquee.

17 (b) *Area.* The area of any marquee sign must not exceed the area of the façade of the
18 marquee on which the sign is located.

19 (c) *Projection.* No marquee sign may project out from any façade of a marquee.

20 (d) *Illumination.* Any marquee sign may be illuminated, either externally or internally.

21 (e) *Dynamic operation.* A marquee sign may be dynamic.

22

1 **Sec. 4-4-39. Monument signs.**

2 (a) Number. Not more than one monument sign is permissible on any premises, with
3 the exception of:

4 (1) On any premises for which the premises frontage exceeds 200 linear feet, not more
5 than one monument sign is permissible for each premises frontage that exceeds 200
6 linear feet, provided that no two monument signs on the same premises may be
7 located within 200 feet of each other; and

8 (2) On any premises for which a comprehensive sign plan has been submitted to and
9 approved by the Department as part of a petition under Sec. 4-4-16 of this Code,
10 monument signs are permissible in such number as is depicted in the approved plan.

11 (b) Area. The area of each face of a monument sign located in a low-density
12 residential property or medium-density residential/mixed use property must not exceed 12 square
13 feet. The area of each face of a monument sign located in a high-density residential/mixed use
14 property or high-density nonresidential property must not exceed 20 square feet.

15 (c) Height. The height of a monument sign located in a low-density residential property
16 or medium-density residential/mixed use property must not exceed six feet. The area of each face
17 of a monument sign located in a low-density residential property or medium-density
18 residential/mixed use property must not exceed ten feet.

19 (d) Illumination. A monument sign may be illuminated, either internally or externally.

20 (e) Dynamic operation. A monument sign may be dynamic, but not animated.

21 **Sec. 4-4-40. Pole signs.**

22 (a) Permissibility. No pole sign may be located on any low-density residential property
23 or medium-density residential/mixed use property, on any premises identified in Chapter 50 of this

1 Code as within a “traditional main street overlay,” or on any premises within the Central Business
2 District except parking lots.

3 (b) Number. Not more than one pole sign is permissible on any premises, with the
4 exception that:

5 (1) On any premises for which the premises frontage exceeds 300 feet, not more than
6 one pole sign is permissible for each premises frontage that exceeds 300 linear feet,
7 provided that no two pole signs on the same premises may be located within 300
8 feet of each other, and

9 (2) On any premises for which a comprehensive sign plan has been submitted to and
10 approved by the Department as part of a petition under Sec. 4-4-16 of this Code,
11 pole signs are permissible in such number as is depicted in the approved plan.

12 (c) Area.

13 (1) The area of a pole sign located in a high-density residential/mixed use property
14 must not exceed 12 square feet.

15 (2) The area of a pole sign located on a high-density nonresidential property must not
16 exceed 20 square feet.

17 (3) Notwithstanding paragraphs (1) and (2) of this subsection, the area of a pole sign
18 on a premises operated as a motor vehicle refueling station must not exceed 36
19 square feet.

20 (4) Notwithstanding paragraphs (1) and (2) of this subsection, the area of not more than
21 one pole sign on a premises operated as a multi-tenant shopping center featuring
22 not less than four ground floor tenant spaces and associated on-premises surface
23 parking must not exceed 150 square feet.

1 (d) Height. The height of a pole sign located along any frontage of a premises that
2 abuts a right-of-way that is not more than 80 feet in diameter must not exceed 15 feet. The height
3 of a pole sign located on any other premises must not exceed 35 feet. But in no case may the height
4 of a pole sign exceed the maximum permissible height of a building or structure for the premises
5 on which the sign is located.

6 (d) Illumination. A pole sign may be illuminated, either internally or externally.

7 (e) Dynamic operation. A pole sign may be dynamic, but not animated.

8 **Sec. 4-4-41. Portable signs.**

9 (a) Permissibility. A portable sign is permissible only where located so as to avoid
10 obstruction of or interference with the safe and efficient flow of pedestrian or vehicular traffic, or
11 with the accessibility into or out of any building or structure. A portable sign located in the public
12 right-of-way is further subject to approval by the Department of Public Works, or other public
13 agency with jurisdiction over the right-of-way.

14 (1) No portable sign may be located less than ten feet, measured linearly, from a
15 driveway, cross walk, or other curb cut.

16 (2) No portable sign may be located less than 20 feet, measured linearly, from another
17 portable sign.

18 (3) No portable sign may be located less than six feet, measured radially, from any
19 point of ingress or egress from a building or structure.

20 (4) No portable sign may be located on a sidewalk or other pedestrian pathway that is
21 less than six feet wide, or so as to restrict the width of any such pathway to less
22 than six feet wide at any point.

1 (b) *Number.* Not more than one portable sign may be permitted for any premises, with
2 the exception that:

3 (1) On any premises containing a multi-tenant building, not more than one portable
4 sign is permissible for each ground-floor tenant space.

5 (2) On any multi-building campus, not more than one portable sign is permissible for
6 each building within the campus.

7 (3) On any premises for which a comprehensive sign plan has been submitted to and
8 approved by the Department as part of a petition under Section 4-4-16 of this Code,
9 portable signs are permissible in such number as is depicted in the approved plan.

10 (c) *Area.* The area of a portable sign located on or adjacent to a low-density
11 residential property or medium-density residential/mixed use property must not exceed six square
12 feet. The area of a portable sign located on or adjacent to a high-density residential/mixed use
13 property or high-density commercial/industrial property must not exceed ten square feet.

14 (d) *Height.* The height of a portable sign located on or adjacent to a low-density
15 residential property or medium-density residential/mixed use property must not exceed three feet.
16 The height of a portable sign located on or adjacent to a high-density residential/mixed use
17 property or high density nonresidential property must not exceed four feet.

18 (e) *Material.* Portable signs must be of durable material and construction, and must be
19 reasonably able to withstand deterioration, damage, or destruction due to inclement weather, the
20 forces of wind, rain, and snow, pedestrian and vehicular traffic, and other impacts.

21 (f) *Illumination.* No portable sign may be illuminated, either internally or externally.

22 (g) *Dynamic operation.* A portable sign may be dynamic, but not animated.

23

1 **Sec. 4-4-42. Projecting signs.**

2 (a) Permissibility. No projecting sign is permissible on any low-density residential
3 property or within 15 feet, measured linearly, of any other projecting sign.

4 (b) Number. Not more than one projecting sign is permissible on any premises, with
5 the exception that:

6 (1) On any premises containing a multi-tenant building or structure, not more than one
7 projecting sign is permissible for each ground-floor tenant space.

8 (2) On any multi-building campus, not more than one projecting sign is permissible for
9 each building.

10 (3) On any premises for which a comprehensive sign plan has been submitted to and
11 approved by the Department as part of a petition under Sec. 4-4-16 of this Code,
12 projecting signs are permissible in such number as is depicted in the approved plan.

13 (c) Area. The area of a projecting sign located on, or affixed to a building or structure
14 located on, a medium-density residential/mixed use property or a high-density residential/mixed
15 use property must not exceed 18 square feet. The area of a projecting sign located on or affixed to
16 a building or structure located on, a high-density nonresidential property must not exceed 24 square
17 feet.

18 (d) Projection. The projection of a projecting sign located on, or affixed to a building
19 or structure located on, a medium-density residential/mixed use property or a high-density
20 residential/mixed use property must not exceed 36 inches. The area of a projecting sign located
21 on, or affixed to a building or structure located on, a high-density nonresidential property must not
22 exceed 48 inches.

1 (e) Height. The height of any projecting sign must not exceed the height of the roof
2 line of the building or structure to which the sign is affixed.

3 (f) Clearance. The clearance of any projecting sign must be not less than eight feet
4 and six inches and such clearance must be unobstructed to allow the safe and efficient flow of
5 pedestrian traffic below the sign.

6 (g) Illumination. Any projecting sign may be illuminated, either internally or
7 externally.

8 (h) Dynamic. A projecting sign may be dynamic, but not animated.

9 **Sec. 4-4-43. Raceway Signs.**

10 (a) Permissibility. No raceway sign is permissible on any low-density residential
11 property.

12 (b) Number. Not more than one raceway sign is permissible for any façade of the
13 building or structure to which the sign is affixed, with the exception that for any multi-tenant
14 building or structure, not more than one raceway sign is permissible for each ground floor tenant.

15 (c) Height. The height of a raceway sign must not exceed the height of the roof line or
16 parapet of the building or structure to which it is affixed.

17 (d) Clearance. The clearance of a raceway sign must not be less than eight feet and
18 six inches.

19 (e) Color. The raceway of any raceway sign shall be painted or otherwise colored to
20 match the color of the façade of the building or structure to which it is mounted.

21 (f) Illumination. A raceway sign may be illuminated, either internally or externally

22 (g) Dynamic operation. No raceway sign may be dynamic.

23

1 **Sec. 4-4-44. Roof signs.**

2 (a) Permissibility. No roof sign is permissible on any low-density residential property
3 or on any medium-density residential/mixed use property.

4 (b) Number. Not more than one roof sign is permissible on any premises, provided
5 that:

6 (1) On a multi-building campus, one roof sign is permissible for each building or
7 structure.

8 (2) On any premises for which a comprehensive sign plan has been submitted to and
9 approved by the Department as part of a petition under Sec. 4-4-16 of this Code,
10 roof signs are permissible in such number as is depicted in the approved plan.

11 (c) Height. The height of any roof sign must not exceed the maximum permissible
12 height of a building or structure for the premises on which the sign is located.

13 (d) Illumination. A roof sign may be illuminated, either internally or externally.

14 (e) Dynamic operation. A roof sign may be dynamic.

15 **Sec. 4-4-45. Wall signs.**

16 (a) Number. Not more than one wall sign is permissible for any façade of a building
17 or structure.

18 (b) Area.

19 (1) The area of a wall sign located on a low-density residential property or a medium
20 density residential/mixed use property must not exceed 60% of the façade to which
21 it is affixed.

1 (2) The area of a wall sign located on a high-density residential/mixed use or high-
2 density nonresidential property must not exceed 80% of the façade to which it is
3 affixed.

4 (c) Height. The height of any wall sign must not exceed the height of the roof line or
5 parapet of the building or structure to which the sign is affixed.

6 (d) Illumination. Any wall sign may be illuminated, either internally or externally.

7 (e) Dynamic operation. A wall sign may be dynamic.

8 **Sec. 4-4-46. Window signs.**

9 (a) Permissibility. No window sign is permissible on any low-density residential
10 property.

11 (b) Height. The height of any window signs must not exceed second story of the
12 building or structure to which it is affixed.

13 (c) Area. The cumulative area of all window signs located in any single window must
14 not exceed the lesser of (a) 20% of the area of the window or 40% of the area of the window if all
15 window signs are constructed of vinyl mesh or other semi-transparent material, or (b) 80 square
16 feet.

17 (d) Illumination. No window sign may be illuminated, either internally or externally.

18 (e) Dynamic operation. A window sign may be dynamic only if located in a second-
19 story window, but in no case may a window sign be animated.

20 **Sec. 4-4-47—4-4-60. Reserved.**

21

1 **DIVISION 3. REGULATION OF BUSINESS SIGNS**

2 **SUBDIVISION A. GENERALLY**

3 **Sec. 4-4-61. Applicability.**

4 The regulations set forth in this division shall apply to all business signs, regardless of
5 location, within the City.

6 **Sec. 4-4-62. Limitation on maximum aggregate business sign area.**

7 (a) In general, the maximum permissible aggregate area for all business signs located
8 on a single premises is:

9 (1) On any low-density residential property, one square foot per linear foot of building
10 frontage, not to exceed fifty square feet.

11 (2) On any medium-density residential/mixed use property or high-density
12 residential/mixed use property, the greater of:

13 a. 2.6 square feet per linear foot of building frontage; or

14 b. one square foot of premises frontage, not to exceed 500 square feet.

15 (3) On any high-density nonresidential property, three square feet per linear foot of
16 building frontage, except for a casino premises, for which four square feet per linear
17 foot of building frontage is permissible.

18 (b) For any corner premises, the maximum permissible aggregate area as determined
19 in Subsection (a) of this section shall be calculated and shall apply separately for
20 each frontage of the premises.

21

1 **Sec. 4-4-63. Additional aggregate business sign area allowances.**

2 Notwithstanding the aggregate business sign area limits set forth in Section 4-4-62 of this
3 Code, additional aggregate area for business signs is permissible in the following
4 circumstances and subject to the following limits:

5 (1) High rise identification signs. On any building or structure located within the
6 Central Business District for which the height of the roofline or parapet exceeds
7 100 feet, not more than three identification signs are permissible, subject to the
8 following:

9 a. The minimum clearance of each sign must be 100 feet.

10 b. The maximum area of any sign is determined by its clearance and the linear
11 width of the building façade to which the sign is affixed, measured at the
12 height of the sign, as follows:

13 (i) For any sign with a clearance of at least 100 feet but less than 200
14 feet, the area of the sign must not exceed 2 square feet per linear foot
15 of building width.

16 (ii) For any sign with a clearance of at least 200 feet but less than 300
17 feet, the area of the sign must not exceed 3 square feet per linear foot
18 of building width.

19 (iii) For any sign with a clearance of at least 300 feet, the area of the sign
20 must not exceed 4 square feet per linear foot of building width.

21 c. Not more than one high-rise identification sign may be located on any
22 façade of a building or structure.

1 (2) Painted side-wall signs. On any building or structure that is not more than two
2 stories and that is adjacent to a vacant property, such that the side façade of the
3 building is exposed, not more than one sign is permissible on such side wall, subject
4 to the following:

5 a. The sign must be a painted sign.

6 b. The sign must not be illuminated.

7 c. The height of the sign must not exceed the height of the first story of the
8 building or structure.

9 d. The area of the sign must not exceed 500 square feet, excluding the area of
10 any windows, doors, or other openings in the façade.

11 (3) Sponsorship signs associated with public art. On any premises that contains a
12 substantial work of public art that is located on the exterior of the property, such as
13 a mural or outdoor sculpture, the cost of which is sponsored by a third party, not
14 more than one sponsorship sign recognizing such sponsorship is permissible,
15 subject to the following:

16 a. The sign must be located proximate to the work or public art.

17 b. The area of the sign must not exceed 5% of the area of the associated public
18 art, but in no case more than 300 square feet. The area of public art
19 consisting of a mural or other two-dimensional form should be computed as
20 if it is a sign, in accordance with Sec. 4-4-5 of this Code. The area of public
21 art consisting of a sculpture or other three-dimensional form should be
22 computed as the product of its height and one-quarter of its perimeter at its
23 base.

1 **Sec. 4-4-64. Business signs on multi-tenant buildings and multi-building campuses.**

2 (a) On any premises containing a multi-tenant building or structure, the maximum
3 aggregate business sign area for the premises as set forth in Section 4-4-62 of this Code and any
4 additional aggregate business sign allowances as set forth in Section 4-4-63 of this Code may be
5 allocated among the various tenants as may be determined by the building owner or its agent and
6 each tenant.

7 (b) On any multi-building campus, the maximum aggregate business sign area for the
8 premises as set forth in Section 4-4-62 of this Code and any additional aggregate business sign
9 allowances as set forth in Section 4-4-63 of this Code may be allocated among the various
10 buildings and open spaces within the campus as may be determined by the owner of the campus
11 or its agent.

12 **Sec. 4-4-65. Restrictions on location of business signs on specified premises.**

13 (a) In general, a business sign may be affixed, affixed, or otherwise placed at any
14 location on a building, structure or other portion of the premises unless expressly restricted by this
15 Chapter.

16 (b) Notwithstanding Subsection (a) of this section, the location of any business sign is
17 restricted to certain locations based on the type of premises, as follows:

18 (1) On any multiple-story buildings or structure located on a low-density residential
19 property, the height of any business sign must not exceed the height of the first
20 story of the building or structure. On any other multiple-story building or structure,
21 the height of any business sign, other than a high-rise sign allowed under Section
22 4-4-63 of this Code or a roof sign, must not exceed 40 feet.

1 (2) On any premises that operates as a commercial parking lot, as defined in Section
2 32-1-1 of this Code, not less than one business sign must be located at each point
3 of ingress into the lot for purposes of compliance with Section 32-1-20 of this Code.

4 (3) Any ground sign must be located so as to be set back a distance of not less than half
5 of the height of the sign, but in no case more than ten feet, from any building or
6 structure, or any boundary of the premises on which it is located.

7 **Sec. 4-4-66. Dynamic business signs.**

8 On any premises for which dynamic signs are permissible, of the total area of all business
9 signs permissible on the premises, not more than 25% of the maximum permissible aggregate
10 area, as calculated in accordance with Sec. 4-4-62 of this Code, may be dynamic.

11 **Secs. 4-4-67 – 4-4-80. Reserved.**

12 **SUBDIVISION B. ENTERTAINMENT DISTRICT.**

13 **Sec. 4-4-81. Purpose.**

14 The purpose of the Entertainment District is to leverage the display of vivid and dynamic
15 signage to foster a vibrant and exciting entertainment-based area within the City. Signage
16 regulation in the Entertainment District is intended to be less restrictive than in surrounding areas,
17 to allow for signs that are larger, higher, more brightly illuminated, and more dynamic than what
18 is permissible elsewhere. To achieve this purpose without negatively impacting the surrounding
19 area, the Entertainment District is structured in multiple zones, such that the most intense signage
20 is contained in the District's core areas, which are most effectively screened from properties
21 outside of the District. For zones in which signage is anticipated to be more visible from outside
22 the District, signage regulations are relatively more restrictive.

23

1 **Sec. 4-4-82. Entertainment District; boundaries and zones.**

2 (a) The Entertainment District consists of the area within the boundary beginning at
3 the intersection of the South Fisher Freeway Service Drive and Woodward Avenue and continuing
4 to Sproat Street, then to Clifford Avenue, then to the South Fisher Freeway Service Drive, then to
5 Woodward Avenue, then to the North Fisher Freeway Service Drive, then along the westerly line
6 of the parcel known as 28 W Montcalm, then along the westerly line of the parcel known as 2211
7 Woodward Avenue, then along the westerly line of the parcel known as 2125 Woodward Avenue,
8 then along the westerly line of the parcel known as 54 W. Elizabeth to W. Elizabeth Street, then
9 along the east-west alley parallel to and south of W. Elizabeth Street to the easterly line of
10 Witherell Street, then to Broadway Street, then to Gratiot Avenue, then to Brush Street, then to
11 Beacon Street, then to St. Antoine Street, then along the northern line of the parcel known as 1900
12 St. Antoine Street, then along the easterly line of the parcel known as 2000 St. Antoine, then to
13 Montcalm Street to the easterly line of the parcel known as 2354 Brush Street, then to the North
14 Fisher Freeway Service Drive to Woodward Avenue, excluding the church located at 50 E Fisher,
15 to the point of beginning.

16 (b) The Entertainment District comprises four unique zones, each described as follows:

17 (1) *Zone 1: Entertainment Core.* The entertainment core consists of the premises, or
18 frontages thereof, that abut Witherell Street between Adams Avenue and Montcalm
19 Street, Montcalm Street between Witherell Street and Brush Street, Brush Street
20 between Montcalm Street and Beacon Street, and Adams Avenue between
21 Montcalm Street and Brush Street.

22 (2) *Zone 2: Historic Theater District.* The historic theater district consists of the
23 premises, or frontages thereof, that abut Montcalm Street, Columbia Street, and

1 Elizabeth Street, each between the western boundary of the Entertainment District
2 and Witherell Street, Broadway Street between Witherell Street and John R Street,
3 Madison Street between Witherell Street and Brush Street, Brush Street between
4 Mechanic Street and Beacon Street, and Henry Street between Park Avenue and
5 Clifford Avenue.

6 (3) Zone 3: Woodward North Corridor. The Woodward north corridor consists of
7 Woodward Avenue between the North Fisher Freeway Service Drive and Sproat
8 Street.

9 (4) Zone 4: Entertainment Buffer. The entertainment buffer consists of the premises,
10 or frontages thereof, within the Entertainment District that are not included in the
11 entertainment core, the theater district, or the Woodward north corridor.

12 **Sec. 4-4-83. Entertainment core; purpose and sign regulations.**

13 (a) The entertainment core is intended to provide a maximally vibrant and energetic
14 but well contained space through high-intensity signage. Oversized, intense, and dynamic signs,
15 including animated signs, are encouraged. All signage must be screened from the surrounding area
16 by intervening buildings or structures to minimize light spillover.

17 (b) Notwithstanding regulations set forth in this Chapter that may be more restrictive,
18 signs located in the entertainment core are subject to the following:

19 (1) The maximum permissible aggregate area for all signs on any premises is 15 square
20 feet per linear foot of building frontage.

21 (2) Dynamic signs are permissible without limitation as to their number or individual
22 size. The minimum clearance of any dynamic sign must be not less than ten feet
23 and the maximum height of any dynamic sign must be not more than 40 feet.

1 Dynamic signs are permissible at any location where the sign oriented towards, and
2 reasonably screened by, a building or other opaque structure, the height of which is
3 not less than the height of the sign. Dynamic signs may operate as such without
4 time restrictions. The illuminance of any dynamic sign must not exceed 2,500 nits.

5 (3) A sign may cover or conceal architectural features, provided that if a sign covers a
6 window it must be constructed of vinyl mesh or other semi-transparent material.

7 (4) Roof signs are permissible in any number.

8 **Sec. 4-4-84. Theater district; purpose and sign regulations.**

9 (a) The theater district is intended to accommodate and encourage large marquees,
10 projecting signs, and other vibrant signage typical of signature live theater venues. Context-
11 appropriate dynamic and illuminated signs are also encouraged.

12 (b) Notwithstanding regulations set forth in this Chapter that may be more restrictive,
13 signs located in the theater district are subject to the following:

14 (1) The maximum permissible aggregate area for all signs on any premises is six square
15 feet per linear foot of building frontage.

16 (2) Dynamic, but not animated, signs are permissible without limitation as to their
17 number or individual size. The minimum clearance of any such sign must be not
18 less than ten feet and the maximum height of any such sign must be not more than
19 40 feet. Dynamic, but not animated signs are permissible at any location where the
20 sign is oriented towards, and reasonably screened by, a building or other opaque
21 structure, the height of which is not less than the height of the sign. Any such sign
22 may operate as such only during the hours between 6am and the subsequent 2am.
23 During all other hours, the sign may operate as a static sign.

1 (3) A sign may cover or conceal architectural features, provided that if a sign covers a
2 window it must be constructed of vinyl mesh or other semi-transparent material.

3 (4) Roof signs are permissible in any number.

4 **Sec. 4-4-85. Woodward north corridor; purpose and regulations.**

5 (a) Woodward north corridor is intended to allow large projecting and dynamic signs,
6 with sensitivity to the residential premises located adjacent to the Entertainment District.
7 Pedestrian-friendly signage and context-appropriate illumination are encouraged. Dynamic, but
8 not animated, signs are permissible on a limited basis.

9 (b) Notwithstanding regulations set forth in this Chapter that may be more restrictive,
10 signs located in the Woodward north corridor are subject to the following:

11 (1) The maximum permissible aggregate area for all signs on any premises is three
12 square feet per linear foot of building frontage.

13 (2) Dynamic, but not animated, signs are permissible without limitation as to their
14 number or individual size. The minimum clearance of any dynamic sign must be
15 not less than ten feet and the maximum height of any animated sign must be not
16 more than 25 feet. Any dynamic sign may operate as such only during the hours
17 between 6am and the subsequent 2am. During all other hours, the sign may operate
18 as a static illuminated sign.

19 (3) A sign may cover or conceal architectural features, provided that if a sign covers a
20 window it must be constructed of vinyl mesh or other semi-transparent material.

21 **Sec. 4-4-86. Entertainment buffer; purpose and sign regulations.**

22 (a) The entertainment buffer is intended to be a vibrant, pedestrian-oriented retail,
23 restaurant and bar district that is sensitive to surrounding residential areas. Pedestrian-friendly

1 signage and context-appropriate illumination are encouraged. Dynamic, but not animated, signs
2 are permissible on a limited basis. The entertainment buffer is also designed to screen the intense
3 signage of Zone 1 from, and minimize light spillover into, adjacent areas.

4 (b) Notwithstanding regulations set forth in this Chapter that may be more restrictive,
5 signs located in the entertainment buffer are subject to the following:

6 (1) The maximum permissible aggregate area for all signs on any premises is 4.5 square
7 feet per linear foot of building frontage.

8 (2) Dynamic, but not animated, signs are permissible without limitation as to their
9 number or size. The minimum clearance of any dynamic sign must be not less than
10 ten feet and the maximum height of any animated sign must be not more than 40
11 feet. Any dynamic sign may operate as such only during the hours between 6am
12 and the subsequent 2am. During all other hours, the sign may operate as a static
13 illuminated sign.

14 **Sec. 4-4-87 to 4-4-100. Reserved.**

15 **DIVISION. 4. REGULATION OF ADVERTISING SIGNS LOCATED OUTSIDE THE**
16 **CENTRAL BUSINESS DISTRICT**

17 **Sec. 4-4-101. In general.**

18 The regulations set forth in this Division pertain to all advertising signs affixed or otherwise
19 placed within the boundaries of a premises that is located outside of the Central Business District.

20 **Sec. 4-4-102. Permit for new or altered advertising signs.**

21 No permit may be issued by the Department for the construction and erection of a new
22 advertising sign, or for the alteration of an existing advertising sign, except upon approval of a

1 waiver of such prohibition in accordance with Section 4-4-16 of this Code, as well as satisfaction
2 of each of the following:

3 (1) Finding by the Department of Public Works Traffic Engineering Division that the
4 placement of the advertising sign on the premises will not impair the traffic safety
5 of motorists and pedestrians. If the sign is proposed to be operated as an animated
6 or otherwise dynamic sign, such finding must specifically address the impact of the
7 proposed operation of the sign;

8 (2) Finding by the Planning and Development Department that the placement of the
9 advertising sign on the premises will not be detrimental to environmental aesthetics
10 by obstructing views of significant architectural or natural features;

11 (3) Finding by the Chief Financial Officer that neither the applicant nor the owner of
12 the premises to which the sign is sought to be placed, if different from the applicant,
13 is in arrears to the City for taxes or assessments, including but not limited to
14 property tax, income tax, personal tax or special assessments;

15 (4) Finding by the Department that neither the applicant nor the owner of the premises
16 to which the sign is sought to be placed, if different from the applicant, is the subject
17 of any outstanding violations of this Code, including but not limited to violations
18 of any provision of Chapter 8 or Chapter 50 of this Code;

19 (5) Finding by the Department that the sign, as proposed, will be in compliance with all
20 spacing, setback, height, clearance, size, and other dimensional and operational
21 standards set forth in this Division; and

22 (6) Submission of copies of all permits and other approvals by any other federal, state,
23 or local governmental agency that may be necessary for construction, erection, or

1 operation of the sign, including but not limited to approval by the Michigan
2 Department of Transportation or the Detroit Historic District Commission.

3 **Sec. 4-4-103. Spacing requirements.**

4 No advertising sign located outside of the Central Business District may be permitted if the
5 premises on which it is proposed to be located is:

6 (1) 1,000 feet or less, measured linearly, from another advertising sign that is also
7 neither dynamic nor internally illuminated and is oriented in the same direction as
8 the sign, if the sign is neither dynamic nor internally illuminated.

9 (2) 1,750 feet or less, measured linearly, from another advertising sign that is either
10 dynamic or illuminated and is oriented in the same direction as the sign, if the sign
11 is neither dynamic nor internally illuminated.

12 (3) 1,750 feet or less, measured linearly, from another advertising sign that is oriented
13 in the same direction as the sign, if the advertising sign is dynamic or internally
14 illuminated.

15 (4) 500 feet or less, measured linearly, from a premises that contains a school, park,
16 playground, or other outdoor recreation facility as defined in Sec. 50-16-144 of this
17 Code.

18 (5) 500 feet or less, measured radially, from a historic district identified in Chapter 21
19 of this Code.

20 (6) 125 feet or less, measured radially, from the edge of the traveled roadway of any
21 freeway or interchange ramp between freeways used by traffic traveling in the
22 direction opposite the orientation of the sign.

1 (7) 25 feet or less, measured radially, from the boundary line of any freeway or
2 interchange ramp between freeways used by traffic traveling in the direction
3 opposite the orientation of the sign.

4 (8) 40 feet or less, measured radially, from any premises that contains one or more
5 residential dwelling units.

6 **Sec. 4-4-104. Setbacks.**

7 Advertising signs must be set back not less than five feet from any boundary of the premises
8 on which the sign is located.

9 **Sec. 4-4-105. Height and clearance.**

10 (a) The height of any advertising sign shall not exceed 35 feet, with the exception of
11 any freeway advertising sign, the height of which shall not exceed 60 feet.

12 (b) The clearance of any advertising sign shall be not less than 15 feet.

13 (c) The height and clearance requirements set forth in Subsections (a) and (b) of this
14 section are subject to any general standards based on the type of construction of the sign as set
15 forth in Division 2 of this Article, that are more restrictive.

16 **Sec. 4-4-106. Area.**

17 (a) The area of any advertising sign is subject to the following:

18 (1) If the sign is a freeway advertising sign and is oriented to a freeway, the area of the
19 sign must not exceed 672 square feet.

20 (2) If the sign is located on a premises that abuts one or more rights-of-way other than
21 a freeway, each of which is not less than 80 feet in width, the area of the sign must
22 not exceed 378 square feet.

1 (3) If the sign is located on a premises that abuts a right-of-way other than a freeway,
2 any one of which is less than 80 feet in width, the area of the sign must not exceed
3 250 square feet.

4 (b) The area requirements set forth in Subsection (a) of this section are subject to any
5 general standards based on the type of construction of the sign as set forth in Division 2 of this
6 Article, that are more restrictive.

7 **Sec. 4-4-107. Department of Public Works adjustment.**

8 All spacing, setback, height, clearance, area, and other dimensional and operational
9 standards set forth in this Division are subject to restriction by the Department of Public Works
10 Traffic Engineering Division if it finds that more restrictive standards are necessary to mitigate
11 any potential impairment to the traffic safety of motorists and pedestrians.

12 **Secs. 4-4-108 –4-4-120. Reserved.**

13 **DIVISION 5. REGULATION OF ADVERTISING SIGNS LOCATED IN THE**
14 **CENTRAL BUSINESS DISTRICT**

15 **Sec. 4-4-121. Advertising License Required.**

16 (a) It shall be unlawful for any person to construct, erect, attach, affix, post, place,
17 display, or maintain any advertising sign located on a premises within the Central Business District
18 without having first obtained an advertising license from the Department, and maintaining such
19 license in good standing.

20 (b) The Department shall not issue a permit to construct, erect, or alter any advertising
21 sign located on a premises within the Central Business District except to an applicant to whom a
22 valid advertising license has been issued.

1 (c) Only the owner of an existing, occupied, building or structure located in the Central
2 Business District is eligible for an advertising license, which must be associated with the premises
3 on which such building or structure is located.

4 **Sec. 4-4-122. Term and reapplication; renewal prohibited.**

5 (a) An advertising license issued under this division is valid for a term not to exceed
6 five years, commencing on the date of issuance of the first advertising license issued under Section
7 4-4-127(b) of this Code. Upon the conclusion of its term, an advertising license shall automatically
8 expire and become invalid and the licensee or its agent shall immediately remove the advertising
9 sign that is permissible under such license.

10 (b) No advertising license issued under this division may be renewed. However, any
11 advertising licensee may apply for a new advertising license under the procedures set forth in
12 Section 4-4-127(b) of this Code.

13 **Sec. 4-4-123. Application; information required.**

14 (a) An application for an advertising license under this division shall be made on a
15 form that is provided by the Buildings, Safety Engineering, and Environmental Department
16 Business License Center. Each individual advertising sign shall require a separate application.
17 The application shall be considered completed when the appropriate person has signed and dated
18 the application in the presence of a notary public, has paid the required license fee, and has
19 provided the information that is required on the form, including:

20 (1) The name, address, and contact information of the applicant, in accordance with
21 Subsection (b) of this section.

22 (2) The address and tax parcel identification number(s) of the premises for which the
23 advertising license is sought.

- 1 (3) Proof of the applicant’s current ownership of the premises for which the advertising
2 license is sought. Such proof may be provided in the form of a deed, land contract,
3 or other valid and duly recorded instrument.
- 4 (4) The name, address, and contact information of the advertising partner of the
5 applicant, in accordance with Subsection (b) of this section.
- 6 (5) The name, address, and contact information of the sign erection contractor for the
7 advertising sign for which the advertising license is sought, in accordance with
8 Subsection (b) of this section, as well as the number of such contractor’s valid
9 license as issued by the Buildings, Safety Engineering, and Environmental
10 Department Business License Center.
- 11 (6) Identification of the category of advertising sign, as described in Section 4-4-130
12 of this Code, for which the advertising license is being sought.
- 13 (7) Identification of the orientation of the façade of the building or structure to which
14 the advertising sign is proposed to be posted.
- 15 (8) Complete dimensional information regarding the proposed advertising sign,
16 including its area, horizontal and vertical dimensions, height, clearance, all as
17 depicted on plans and elevations of the building or structure that are in a form
18 acceptable to the Department.
- 19 (9) Copies of all permits and other approvals by any other federal, state, or local
20 governmental agency that may be necessary for construction, erection, or operation
21 of the sign, including but not limited to approvals by the Michigan Department of
22 Transportation or the Detroit Historic District Commission.

1 (b) Submission of the name, address, and contact information for any person as may
2 be required under Subsection (a) of this section shall be provided in accordance with the following:

3 (1) Where the person is an individual:

4 a. The person's full legal name and any other name used by the person during
5 the preceding five years;

6 b. The person's current mailing address and e-mail address; and

7 c. Written proof of age in the form of a driver's license, or a picture
8 identification document containing the person's date of birth issued by a
9 governmental agency or a copy of a birth certificate accompanied by a
10 picture identification document issued by a governmental agency.

11 (2) Where the entity is a partnership:

12 a. The legal name and any other name used by the partners during the
13 preceding five year; and

14 b. The current mailing address and e-mail address for the entity.

15 (3) Where the entity conducts business under a trade or assumed name:

16 a. The complete and full trade or assumed name;

17 b. The county where, and date that, the trade or assumed name was filed;

18 c. The name of the person doing business under such trade or assumed name,
19 the manager and other person in charge; and

20 d. The current mailing address and e-mail address for the entity.

21 (4) Where the entity is a corporation:

22 a. The full and accurate corporate name;

23 b. The state and date of incorporation;

1 c. The full names and addresses of officers, directors, managers, and other
2 persons with authority to bind the corporation; and

3 d. The current mailing address and e-mail address for the entity.

4 (5) The name, business address, and telephone number of the business;

5 (6) The name and business address of the statutory agent, or other agent, who is
6 authorized to receive service of process.

7 (c) Any information provided by the applicant in accordance with Subsection (b) of
8 this section shall be supplemented in a form acceptable to the Department within ten business days
9 of a change of circumstances that would render false or incomplete the information that was
10 previously submitted. The requirement to provide supplemental information shall be ongoing
11 during the pendency of the application and the term of the advertising license, if issued.

12 **Sec. 4-4-124. Establishment, approval, publication, and payment of annual fee.**

13 (a) A non-refundable fee shall be charged for the processing and issuance of an
14 advertising license under this division. In accordance with Section 6-503(13) of the Charter, the
15 Director of the Department shall establish a fee, subject to approval by the City Council by
16 adoption of a resolution, and collect such fee based upon the cost of issuance and administration
17 of the licensing regulations.

18 (b) After adoption of a resolution by the City Council and approval of the resolution
19 by the Mayor, the fees that are provided for in Subsection (a) of this section shall be:

20 (1) Published in a daily newspaper of general circulation and in the Journal of the City
21 Council;

22 (2) Made available at the Department and at the Office of the City Clerk; and

23 (3) Reviewed by the Director of the Department at least once every two years.

1 (c) A fee shall be charged for each new advertising license.

2 **Sec. 4-4-125. Inspection and certification of approval; land use, construction, maintenance,**
3 **fire protection and safety.**

4 (a) Upon application and before any advertising license that is required by this Division
5 shall be issued, it shall be the duty of the Department to review its records and, where a requisite
6 inspection has not been done, to refer such application to the Director of the Department, the
7 Director of Public Works, and the Fire Marshal, who shall cause an inspection to be made of the
8 premises of such proposed or existing business.

9 (b) After completion of respective inspections, the Department, the Department of
10 Public Works, and the Fire Department shall certify, in writing, to the Department that the
11 applicant is in full compliance with all pertinent state codes and regulations, and this Code,
12 including, but not limited to the following:

13 (1) *Zoning.* The premises on which the advertising sign is proposed to be located is in
14 compliance with all zoning requirements, as set forth in Chapter 50 of the City
15 Code, including verification that the specific land use for its intended location has
16 been established by the City in the respective zoning district and, where the
17 premises is governed by a zoning grant, has obtained a valid annual certification of
18 maintenance of zoning grant conditions.

19 (2) *Construction and Property Maintenance.* The premises on which the advertising
20 sign is proposed to be located is in compliance with all construction and property
21 maintenance requirements, as set forth in Chapter 8 of this Code, including
22 verification of a valid final certificate of occupancy and current certificate of
23 compliance, and is not the subject of any outstanding fines or violations.

1 **Sec. 4-4-126. Investigation by Office of Chief Financial Officer required to confirm no City**
2 **tax or assessment arrearage.**

3 (a) Upon application and before any advertising license that is required by this division
4 shall be issued, it shall be the duty of the Department to refer such application to the Office of the
5 Chief Financial Officer, which shall cause an investigation to be completed in accordance with
6 Section 2-113 of the Charter to determine whether any property tax, income tax, personal tax or
7 special assessments are unpaid, outstanding or delinquent to the City.

8 (b) A license shall not be issued by the Business License Center until the Office of the
9 Chief Financial Officer has given written confirmation that the applicant is not in arrears to the
10 City for taxes, or assessments that are delineated in Subsection (a) of this section.

11 **Sec. 4-4-127. Buildings, Safety Engineering, and Environmental Department Issuance of**
12 **Licenses.**

13 (a) Not more than 60 days after the effective date of this ordinance, the Director of the
14 Department shall establish a transition period, the duration of which must not exceed two weeks,
15 to enable and facilitate the efficient and effective transition to the regulations contained in this
16 Chapter. During this transition period, the owner of any premises located in the Central Business
17 District that holds a valid permit under Chapter 50 of this Code to display advertising on the
18 premises may, in its sole discretion, voluntarily and intentionally abandon such permit and, upon
19 submission of a complete application as set forth in Section 4-4-127 of this Code, shall be issued
20 an advertising license for such premises.

21 (b) Not more than 60 days after the effective date of this ordinance, the Director of the
22 Department shall establish a date, to occur not less than two weeks following the conclusion of the

1 transition period established under Subsection (a) of this section, on which the Department will
2 commence accepting applications for advertising licenses.

3 (1) The Department shall review and decide upon such applications in the order that
4 they are received, until the applicable license cap identified in Subsection (d) of
5 this Section is satisfied.

6 (2) If an application is incomplete or otherwise deficient, the Department may, in its
7 sole discretion for each such application, provide the applicant with a reasonable
8 period of time to correct the deficiency or reject the application.

9 (3) The Department shall reject all applications submitted subsequent to the final
10 application that, upon its approval, is permissible under the applicable license cap
11 identified in Subsection (d) of this section.

12 (c) Not more than four years following the date established by the Director of the
13 Department under Subsection (b) of this section, the Director shall establish a new application date
14 for any subsequent advertising license terms and shall accept and review applications and issue
15 licenses for such term in the same manner as set forth in Subsection (b) of this section.

16 (d) The Department shall not allow more than 25 licenses for local advertising signs
17 and not more than 35 licenses for super advertising signs, as each category of advertising signs is
18 described in Section 4-4-131 of this Code, to be issued at any one time.

19 **Sec. 4-4-128. Transfer of advertising license.**

20 Any advertising license issued under this division is transferrable to a new building owner
21 or advertising partner, but shall not be transferable to another premises, or to another location on
22 the same premises.

23

1 **Sec. 4-4-129. Alteration prohibited.**

2 (a) No sign that is licensed under this division may be altered in any way. Any
3 advertising license for an advertising sign that has been altered is subject to immediate revocation
4 by the Department.

5 (b) Subsection (a) of this section does not prohibit the periodic changing of the copy
6 of a licensed sign from time to time.

7 **Sec. 4-4-130. Suspension, revocation, or denial of reapplication of license.**

8 An advertising license that is issued under this division may be suspended or revoked in
9 accordance with Chapter 28 of this Code, *Licenses*. A licensee for whom an advertising license
10 has been suspended or revoked may, in the sole discretion of the Department, be denied from
11 reapplying for a new license for the subsequent term.

12 **Sec. 4-4-131. Sign standards.**

13 (a) Any advertising sign located on a premises in the Central Business District must
14 comply with all applicable standards for either local advertising signs or super advertising signs,
15 as set forth in this section, and shall be categorized as such.

16 (b) The standards applicable to any local advertising sign are as follows:

17 (1) *Construction:* Any local advertising sign must be constructed as either a wall sign
18 or a painted sign.

19 (2) *Number:* Any premises may display not more than one local advertising sign,
20 except for premises that display a super advertising sign, which may not display
21 any local advertising sign.

22 (3) *Area:* The area of any local advertising sign must not exceed 80% of the area of
23 the façade to which it is affixed, but in no case more than 500 square feet.

1 (4) Height: The height of any local advertising sign must not exceed 40 feet.

2 (5) Clearance: No local advertising sign is subject to any minimum clearance standard.

3 (6) Illumination: Any local advertising sign may be externally illuminated but must
4 not be internally illuminated, with the exception of advertising signs located in the
5 Entertainment District, which may be illuminated in accordance with the standards
6 set forth in Division 3, Subdivision B of this Article.

7 (7) Dynamic operation: No local advertising sign may be dynamic, with the exception
8 of advertising signs located in the Entertainment District, which may be dynamic
9 in accordance with the standards set forth in Division 3, Subdivision B of this
10 Article.

11 (c) The standards applicable to any super advertising sign are as follows:

12 (1) Construction: Any super advertising sign must be constructed as either a wall sign
13 or a painted sign.

14 (2) Number: Any premises may display not more than one super advertising sign,
15 except for premises that display a local advertising sign, which may not display any
16 super advertising sign.

17 (3) Area: The area of any super advertising sign must be not less than 1,200 square
18 feet and must not exceed 60% of the area of the façade to which it is affixed, but in
19 no case more than 5,000 square feet.

20 (4) Height: The height of any super advertising sign must not exceed the height of the
21 roof line or parapet of the façade to which it is affixed.

22 (5) Clearance: The clearance of any super advertising sign must be no less than ten
23 feet.

1 (6) *Illumination:* Any super advertising sign may be externally illuminated but must
2 not be internally illuminated, with the exception of advertising signs located in the
3 Entertainment District, which may be illuminated in accordance with the standards
4 set forth in Division 3, Subdivision B of this Article.

5 (7) *Dynamic operation:* No super advertising sign may be dynamic, with the exception
6 of advertising signs located in the Entertainment District, which may be dynamic
7 in accordance with the standards set forth in Division 3, Subdivision B of this
8 Article.

9 (d) Any sign that is in compliance with all applicable standards set forth in Subsection
10 (b) of this section for either local or super advertising signs shall be categorized as such. Any sign
11 that is not in compliance with all applicable standards for either local or super advertising signs
12 are impermissible.

13 **Secs. 4-4-132 – 4-4-160. Reserved.**

14 **DIVISION 6. REGULATION OF ADVERTISING SIGNS IN THE RIGHT-OF-WAY**

15 **Sec. 4-4-161. In general.**

16 The regulations of this division shall apply to any advertising sign that is constructed,
17 erected, posted, or otherwise placed in any location within a right-of-way that is subject to the
18 jurisdiction and control of the City of Detroit.

19 **Sec. 4-4-162. Department of Public Works approval required.**

20 No advertising sign that is subject to the regulations of this Division may be permitted
21 unless authorized by the Department of Public Works as a legal encroachment in the right-of way.
22 A copy of the valid encroachment permit for the sign must be submitted as part of the application
23 for construction or erection of the sign. All conditions of approval, dimensional or operational

1 standards, and other standards set forth in the encroachment permit shall be incorporated by
2 reference into the permit and compliance with all such standards shall be a condition of approval
3 for such permit. Any standards set forth in the encroachment permit that are more restrictive than
4 comparable standards set forth in this Chapter shall control.

5 **Sec. 4-4-163. Sign construction.**

6 Any advertising sign located in the right-of-way must be constructed as a component of a
7 larger freestanding structure, such as a newsstand, bus or transit shelter, bench, or bicycle docking
8 station, that provides a non-advertising purpose for the benefit of pedestrian or vehicular traffic
9 utilizing the right-of-way, provided that the sign is constructed as an integral component of such
10 structure and does not rest upon such structure's roof or project out from the façade of any such
11 structure.

12 **Sec. 4-4-164. General sign standards.**

13 Any advertising sign that is permissible under this division is subject to the following
14 standards:

15 (1) Area. The area of an advertising sign located in the right-of-way shall not exceed
16 18 square feet, if illuminated, or 24 square feet if not illuminated.

17 (2) Height. The height of an advertising sign located in the right-of-way shall not
18 exceed eight feet, six inches.

19 (3) Illumination. An advertising sign located in the right-of-way may be illuminated,
20 either internally or externally. All sources of illumination for an externally
21 illuminated sign must be fully contained in the frame or case that holds the sign.

22 (4) Dynamic operation. An advertising sign located in the right-of-way may be
23 dynamic, but shall not be animated.

1 **Sec. 4-4-165. Spacing and locational restrictions.**

2 (a) No advertising sign located in the right-of-way may be permitted to be placed 250
3 feet or less, measured linearly in the direction of the orientation of the sign, from any other
4 advertising sign located in the right-of-way that is oriented in the same direction. Such spacing
5 standards shall apply to signs on both sides of any right-of-way that allows for vehicular traffic to
6 travel in one direction, and shall apply to signs only on the same side of a right-of-way that allows
7 for vehicular traffic to travel in two directions.

8 (b) No advertising sign located in the right-of-way may be permitted to be placed in a
9 portion of the right-of-way that is immediately adjacent to and is on the same side of the street as,
10 a low-density residential property.

11 **Sec. 4-4-166 to 4-4-180. Reserved.**

12 **DIVISION 7. TEMPORARY SIGNS**

13 **Sec. 4-4-181. In general.**

14 The regulations set forth in this Division are applicable to any temporary sign that may be
15 constructed, erected, posted, or otherwise placed in any location.

16 **Sec. 4-4-182. Limitations on number, area, and term.**

17 (a) Not more than one temporary sign may be permitted on any one premises at any
18 one time, except that for a multi-tenant building or structure, not more than one temporary sign
19 may be permitted for any one ground floor tenant at any one time.

20 (b) No premises, or ground floor tenant space in a multi-tenant building or structure,
21 may be issued more than two permits for a temporary sign within any calendar year.

22 (c) On low-density residential properties and medium-density residential/mixed use
23 properties, the area of any such sign shall not exceed 0.1 square feet per linear foot of building

1 frontage, but in no case less than six square feet. On high-density residential/mixed use properties
2 and high-density nonresidential properties, the area of any such sign shall not exceed 0.25 square
3 feet per linear foot of building frontage, but in no case less than 32 square feet.

4 (d) Any temporary sign may be permitted only until the conclusion of the occasion to
5 which it is intended to direct attention, upon which date the permit shall expire. No temporary sign
6 may be permitted for a period of time exceeding 90 days.

7 **Sec. 4-4-183. Additional temporary sign allowances.**

8 Notwithstanding the limitations set forth in Section 4-4-182, not more than one additional
9 temporary sign may be permitted for any premises or ground floor tenant space of a multi-tenant
10 building, under each of the following circumstances:

11 (1) Premises listed as being for sale or lease. For any premises, or ground floor tenant
12 space within a multi-tenant building, that is unoccupied and being actively
13 marketed for sale or lease, one additional temporary sign for each building frontage
14 is permissible. Any such sign may be permitted only for the period during which
15 the premises is unoccupied and being actively marketed for sale or lease. On low-
16 density residential properties and medium-density residential/mixed use properties,
17 the area of any such sign must not exceed six square feet. On high-density
18 residential/mixed use properties and high-density nonresidential properties, the
19 area of any such sign must not 32 square feet.

20 (2) Premises with Open Building Permit. For any premises, or ground floor tenant
21 space within a multi-tenant building, that is unoccupied and is validly permitted
22 under Chapter 8 of this Code for construction of a new building or structure or
23 complete renovation or redevelopment of an existing building, structure, or ground-

1 floor tenant space, one additional temporary sign for each building frontage is
2 permissible. Any such sign may be permitted only for the period during which the
3 permit for the construction, renovation, or redevelopment remains valid, and shall
4 automatically expire upon issuance of a certificate of occupancy, whether
5 temporary or final, for the premises or tenant space. The aggregate area of all such
6 temporary signs on any premises must not exceed the maximum aggregate sign area
7 for the premises, as determined under Section 4-4-62 of this Code. Any such sign
8 that is located on a premises undergoing construction or complete renovation or
9 redevelopment of a building or structure may be placed on a screening fence that is
10 erected to cordon off the construction, renovation, or redevelopment site. Any such
11 sign that is located on a ground-floor tenant space may be placed in a window
12 notwithstanding the standard for window signs set forth in Section 4-4-46(c) of this
13 Code.

14 **Sec. 4-4-184. Temporary sign copy.**

15 (a) No temporary sign may be permitted for changeable copy. The copy of any
16 permitted temporary sign shall remain constant and shall not change at any time during the term
17 of the permit.

18 (b) Nothing in Subsection (a) of this section may be construed as regulating the copy
19 of a temporary sign in any way or as any other form of content-based regulation, but solely the
20 regulate the ability to change such copy during the term of the temporary sign permit.

21 (c) Nothing in Subsection (a) of this section may be construed as prohibiting any
22 maintenance, repair, or replacement of a temporary sign, or any of its components, as may be

1 necessary to keep such sign in good repair, in accordance with Section 4-4-8 of this Code,
2 including the replacement of a damaged sign face with a new sign face containing the same copy.

3 **Sec. 4-4-185. General temporary sign standards.**

4 Any temporary sign that is permissible under this division is subject to the following
5 standards:

6 (1) Placement. Any temporary sign shall be located so as to avoid obstruction of or
7 interference with the safe and efficient flow of pedestrian and vehicular traffic, or
8 impact the accessibility of ingress or egress of any building or structure. A
9 temporary sign located in the public right-of-way is further subject to approval by
10 the Department of Public Works, or other public agency with jurisdiction over the
11 right-of-way in which the sign is to be located.

12 (2) Material. Temporary signs shall be constructed of durable material and
13 construction, and shall be adequately secured so as to be reasonably able to
14 withstand deterioration, damage, or destruction due to inclement weather, the
15 forces of wind, rain, and snow, and other impacts.

16 (3) Good repair. Any temporary sign shall be maintained in good repair, in accordance
17 with Section 4-4-8 of this Code.

18 (4) Illumination. Any temporary sign may be externally illuminated but shall not be
19 internally illuminated.

20 (5) Dynamic. A temporary sign that is constructed as a ground sign may be dynamic,
21 but not animated.

22 (6) Additional standards. Any temporary sign is further subject to all general sign
23 standards set forth in Division 2 of this Article, based on the type of construction

1 or operation of the temporary sign, unless comparable standards set forth in this
2 Division are more restrictive.

3 **Sec. 4-4-186. Removal of temporary signs.**

4 (a) Any temporary sign, along with its frame and supporting structure, shall be
5 removed by the owner of the premises on which sign is located, or its agent, within 24hours after
6 expiration of its permit.

7 (b) Any temporary sign, along with its frame and supporting structure, that is not
8 maintained in good repair shall be removed by the owner of the premises on which sign is located,
9 or its agent, within 24 hours after written notice to remove such sign, in accordance with Section
10 4-4-8 of this Code.

11 (c) Any temporary sign, along with its frame and supporting structure that becomes
12 obsolete, shall be removed by the owner of the premises on which such sign is located, or its agent,
13 within 24 hours after becoming obsolete, in accordance with Section 4-4-9 of this Code. A
14 temporary sign becomes obsolete immediately upon the conclusion of the occasion to which such
15 sign is intended to draw attention.

16 **Sec. 4-4-187 - 4-4-200. Reserved.**

17 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health,
18 safety, and welfare of the People of the City of Detroit.

19 **Section 3.** All ordinances or parts of ordinances that conflict with this ordinance are
20 repealed.

21 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City Council
22 Member serving, it shall be given immediate effect and become effective upon publication in
23 accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed

1 by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective
2 on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with
3 Section 4-118 of the 2012 Detroit City Charter.

4 Approved as to form:

5

6 _____
7 Lawrence T. García
8 Corporation Counsel