

S U M M A R Y

This proposed ordinance amends Chapter 4 of the 2019 Detroit City Code, *Advertising*, by renaming the chapter to *Advertising and Signs* and amending the chapter to consist of Article I, *Generally*, consisting of Section 4-4-1, *Definitions*, Section 4-1-2, *Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof*, Section 4-1-3, *Enforcement*, Section 4-1-4, *Posting of advertising materials on public or private property*, Section 4-1-5, *Carrying or placing advertising materials on freeway overpass where visible from freeway prohibited*, Section 4-1-6, *Publication of false, misleading advertising prohibited*, Section 4-1-7, *Presumptions concerning identity of violator*; Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, consisting of Section 4-2-1, *Misdemeanor violation; continuing violation; penalties for convictions thereof*, Section 4-2-2 *Enforcement*, Section 4-2-3, *Interfering with or impeding pedestrian or vehicular traffic; prohibited*, Section 4-2-4, *Solicitation at posted residential premises prohibited*; Article III, *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor and Tobacco Products*, consisting of Section 4-3-1, *Purpose*, Section 4-3-2, *Misdemeanor violation; continuing violation; penalties for conviction thereof*, Section 4-3-3, *Enforcement*, Section 4-3-4, *Advertisement of alcoholic liquor and any tobacco product prohibited within a 1,000-foot radius of certain locations*, Section 4-3-5, *Exceptions to prohibitions*, Section 4-3-6, *Method for measurement*, Section 4-3-7, *Phase-out period*; Article IV, *Regulation of Business and Advertising Signs*, consisting of Division 1, *Generally*, consisting of Section 4-4-1, *Purpose*, Section 4-4-2, *Blight violation*, Section 4-4-3, *Enforcement*, Section 4-4-4, *Noncommercial messages*, Section 4-4-5, *Computing sign area, height, and clearance*, Section 4-4-6, *Computing the measurement of spacing*, Section 4-4-7, *Prohibited signs*, Section 4-4-8, *Exemptions from chapter requirements*, Section 4-4-9, *Maintenance required*, Section 4-4-10, *Obsolete signs to be removed*, Section 4-4-11, *Signs on vacant buildings to be removed*, Section 4-4-12, *Unused sign supports to be removed*, Section 4-4-13, *Right of entry by City to abate nuisance; obstruction of City officers and agents prohibited*, Section 4-4-14, *Costs of abatement; collection of costs for City abatement of public nuisances*, Section 4-4-15, *Signs subject to additional governmental jurisdiction; submission of approvals as part of sign application*, Section 4-4-16, *Signs located near freeways; Department of Public Works approval required*, Section 4-4-17, *Sign erection or alteration to require new permit, sign operation or maintenance to require license*, Section 4-4-18, *Establishment, approval, publication, and payment of fees*, Section 4-4-19, *Sign erection or alteration application requirements*, Section 4-4-20, *Relation to other regulations*, Section 4-4-21, *Amortization*, Section 4-4-22, *Waivers and adjustments to sign standards*, Section 4-4-23, *Appeals of administrative decisions under this chapter*, Section 4-4-24, *Sign guidebook*; Division 2, *General Sign Standards*, consisting of Section 4-4-31, *In General*, Section 4-4-32, *Arcade signs*, Section 4-4-33, *Awning signs*, Section 4-4-34, *Double-face signs*, Section 4-4-35, *Dynamic signs*, Section 4-4-36, *Illuminated signs*, Section 4-4-37, *Marquee signs*, Section 4-4-38, *Mechanical signs*, Section 4-4-39, *Monument signs*, Section 4-4-40, *Pole signs*, Section 4-4-41, *Portable signs*, Section 4-4-42, *Projecting signs*, Section 4-4-43, *Raceway signs*, Section 4-4-44, *Roof signs*, Section 4-4-45, *Wall signs*, Section 4-4-46, *Window signs*; Division 3, *Regulation of Business Signs*, consisting of Subdivision A, *Generally*, consisting of Section 4-4-61, *Applicability*, Section 4-4-62, *Limitation on maximum aggregate business sign area*, Section 4-4-63, *Additional aggregate business sign area allowances*, Section 4-4-64, *Business signs on multi-tenant buildings and multi-building campuses*, Section 4-4-65, *Restrictions on location of business signs on specified premises*, Section 4-4-66, *Dynamic business signs*; Subdivision B, *Entertainment District*, consisting of Section 4-4-81, *Purpose*, Section 4-4-82, *Entertainment*

District; boundaries and zones, Section 4-4-83, Entertainment core; purpose and sign regulations, Section 4-4-84, Theater district; purpose and sign regulations, Section 4-4-85, Woodward north corridor; purpose and sign regulations, Section 4-4-86, Entertainment buffer; purpose and sign regulations; Division 4, Regulation of Advertising Signs Located Outside the Central Business District, consisting of Section 4-4-101, In general, Section 4-4-102, Permit for new or altered advertising signs, Section 4-4-103, Spacing requirements, Section 4-4-104, Setbacks, Section 4-4-105, Height and clearance, Section 4-4-106, Area, Section 4-4-107, Landscaping, Section 4-4-108, Department of Public Works adjustment, Section 4-4-109, Adjustment or Waiver prohibited; limited; Division 5, Regulation of Advertising Signs Located in the Central Business District, consisting of Section 4-4-121, Purpose, Section 4-4-122, Advertising permit required, Section 4-4-123, Term and reapplication; renewal permitted in certain circumstances, Section 4-4-124, Findings as prerequisite for issuance of advertising permits, Section 4-4-125, Buildings, Safety Engineering, and Environmental Department issuance of advertising permits, Section 4-4-126, Transfer of advertising permit, Section 4-4-127, Alteration prohibited, Section 4-4-128, Sign standards, Section 4-4-129, Mitigation of harmful visual aesthetics created by super advertising signs through promotion of public art, Section 4-4-130, Adjustment or waiver prohibited; Division 6, Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section 4-4-162, Department of Public Works approval required, Section 4-4-163, Business signs located in the right-of-way, Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-165, Advertising signs located in the right-of-way; Division 7, Temporary Signs, consisting of Section 4-4-181, In general, Section 4-4-182, Limitations on number, area, and term, Section 4-4-183, Additional temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-4-185, General temporary sign standards, Section 4-4-186, Removal of temporary signs; Article V, Development Notification Signs, consisting of Section 4-5-1, Definitions, Section 4-5-2, Misdemeanor violation; continuing violation; penalty for conviction thereof, Section 4-5-3, Posting of development notification sign required, Section 4-5-4, Development notification sign specifications; content; maintenance, Section 4-5-5, Placement of development notification sign, Section 4-5-6, Duration of posting, and Section 4-5-7, Complaints, to provide for regulation of business and advertising signs throughout the City of Detroit.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 4 of the 2019 Detroit City Code, *Advertising*, by
3 renaming the chapter to *Advertising and Signs* and amending the chapter to consist of Article I,
4 *Generally*, consisting of Section 4-4-1, *Definitions*, Section 4-1-2, *Misdemeanor violation; aiding*
5 *and abetting violation; continuing violation; penalties for conviction thereof*, Section 4-1-3,
6 *Enforcement*, Section 4-1-4, *Posting of advertising materials on public or private property*,
7 Section 4-1-5, *Carrying or placing advertising materials on freeway overpass where visible from*
8 *freeway prohibited*, Section 4-1-6, *Publication of false, misleading advertising prohibited*, Section
9 4-1-7, *Presumptions concerning identity of violator*; Article II, *Distribution of Handbills,*
10 *Circulars, and Advertising Cards*, consisting of Section 4-2-1, *Misdemeanor violation; continuing*
11 *violation; penalties for convictions thereof*, Section 4-2-2 *Enforcement*, Section 4-2-3, *Interfering*
12 *with or impeding pedestrian or vehicular traffic; prohibited*, Section 4-2-4, *Solicitation at posted*
13 *residential premises prohibited*; Article III, *Protection of Minors Against Advertisement and*
14 *Promotion of Alcoholic Liquor and Tobacco Products*, consisting of Section 4-3-1, *Purpose*,
15 Section 4-3-2, *Misdemeanor violation; continuing violation; penalties for conviction thereof*,
16 Section 4-3-3, *Enforcement*, Section 4-3-4, *Advertisement of alcoholic liquor and any tobacco*
17 *product prohibited within a 1,000-foot radius of certain locations*, Section 4-3-5, *Exceptions to*
18 *prohibitions*, Section 4-3-6, *Method for measurement*, Section 4-3-7, *Phase-out period*; Article IV,
19 *Regulation of Business and Advertising Signs* consisting of Division 1, *Generally*, consisting of
20 Section 4-4-1, *Purpose*, Section 4-4-2, *Blight violation*, Section 4-4-3, *Enforcement*, Section 4-4-
21 4, *Noncommercial messages*, Section 4-4-5, *Computing sign area, height, and clearance*, Section
22 4-4-6, *Computing the measurement of spacing*, Section 4-4-7, *Prohibited signs*, Section 4-4-8,
23 *Exemptions from chapter requirements*, Section 4-4-9, *Maintenance required*, Section 4-4-10,

1 *Obsolete signs to be removed, Section 4-4-11, Signs on vacant buildings to be removed, Section*
2 *4-4-12, Unused sign supports to be removed, Section 4-4-13, Right of entry by City to abate*
3 *nuisance; obstruction of City officers and agents prohibited, Section 4-4-14, Costs of abatement;*
4 *collection of costs for City abatement of public nuisances, Section 4-4-15, Signs subject to*
5 *additional governmental jurisdiction; submission of approvals as part of sign application, Section*
6 *4-4-16, Signs located near freeways; Department of Public Works approval required, Section 4-*
7 *4-17, Sign erection or alteration to require new permit, sign operation or maintenance to require*
8 *license, Section 4-4-18, Establishment, approval, publication, and payment of fees, Section 4-4-*
9 *19, Sign erection or alteration application requirements, Section 4-4-20, Relation to other*
10 *regulations, Section 4-4-21, Amortization, Section 4-4-22, Waivers and adjustments to sign*
11 *standards, Section 4-4-23, Appeals of administrative decisions under this chapter, Section 4-4-24,*
12 *Sign guidebook; Division 2, General Sign Standards, consisting of Section 4-4-31, In General,*
13 *Section 4-4-32, Arcade signs, Section 4-4-33, Awning signs, Section 4-4-34, Double-face signs,*
14 *Section 4-4-35, Dynamic signs, Section 4-4-36, Illuminated signs, Section 4-4-37, Marquee signs,*
15 *Section 4-4-38, Mechanical signs, Section 4-4-39, Monument signs, Section 4-4-40, Pole signs,*
16 *Section 4-4-41, Portable signs, Section 4-4-42, Projecting signs, Section 4-4-43, Raceway signs,*
17 *Section 4-4-44, Roof signs, Section 4-4-45, Wall signs, Section 4-4-46, Window signs; Division 3,*
18 *Regulation of Business Signs, consisting of Subdivision A, Generally, consisting of Section 4-4-*
19 *61, Applicability, Section 4-4-62, Limitation on maximum aggregate business sign area, Section*
20 *4-4-63, Additional aggregate business sign area allowances, Section 4-4-64, Business signs on*
21 *multi-tenant buildings and multi-building campuses, Section 4-4-65, Restrictions on location of*
22 *business signs on specified premises, Section 4-4-66, Dynamic business signs; Subdivision B,*
23 *Entertainment District, consisting of Section 4-4-81, Purpose, Section 4-4-82, Entertainment*

1 *District; boundaries and zones, Section 4-4-83, Entertainment core; purpose and sign regulations,*
2 *Section 4-4-84, Theater district; purpose and sign regulations, Section 4-4-85, Woodward north*
3 *corridor; purpose and sign regulations, Section 4-4-86, Entertainment buffer; purpose and sign*
4 *regulations; Division 4, Regulation of Advertising Signs Located Outside the Central Business*
5 *District, consisting of Section 4-4-101, In general, Section 4-4-102, Permit for new or altered*
6 *advertising signs, Section 4-4-103, Spacing requirements, Section 4-4-104, Setbacks, Section 4-*
7 *4-105, Height and clearance, Section 4-4-106, Area, Section 4-4-107, Landscaping, Section 4-4-*
8 *108, Department of Public Works adjustment, Section 4-4-109, Adjustment or Waiver prohibited;*
9 *limited; Division 5, Regulation of Advertising Signs Located in the Central Business District,*
10 *consisting of Section 4-4-121, Purpose, Section 4-4-122, Advertising permit required, Section 4-*
11 *4-123, Term and reapplication; renewal permitted in certain circumstances, Section 4-4-124,*
12 *Findings as prerequisite for issuance of advertising permits, Section 4-4-125, Buildings, Safety*
13 *Engineering, and Environmental Department issuance of advertising permits, Section 4-4-126,*
14 *Transfer of advertising permit, Section 4-4-127, Alteration prohibited, Section 4-4-128, Sign*
15 *standards, Section 4-4-129, Mitigation of harmful visual aesthetics created by super advertising*
16 *signs through promotion of public art, Section 4-4-130, Adjustment or waiver prohibited; Division*
17 *6, Signs in Right-of-Way, consisting of Section 4-4-161, In general, Section 4-4-162, Department*
18 *of Public Works approval required, Section 4-4-163, Business signs located in the right-of-way,*
19 *Section 4-4-164, Directional signs located in the right-of-way, Section 4-4-165, Advertising signs*
20 *located in the right-of-way; Division 7, Temporary Signs, consisting of Section 4-4-181, In*
21 *general, Section 4-4-182, Limitations on number, area, and term, Section 4-4-183, Additional*
22 *temporary sign allowances, Section 4-4-184, Temporary sign copy, Section 4-4-185, General*
23 *temporary sign standards, Section 4-4-186, Removal of temporary signs; Article V, Development*

1 *Notification Signs*, consisting of Section 4-5-1, *Definitions*, Section 4-5-2, *Misdemeanor violation*;
2 *continuing violation; penalty for conviction thereof*, Section 4-5-3, *Posting of development*
3 *notification sign required*, Section 4-5-4, *Development notification sign specifications; content*;
4 *maintenance*, Section 4-5-5, *Placement of development notification sign*, Section 4-5-6, *Duration*
5 *of posting*, and Section 4-5-7, *Complaints*, to provide for regulation of business and advertising
6 signs throughout the City of Detroit. IT IS HEREBY ORDAINED BY THE PEOPLE OF THE
7 CITY OF DETROIT THAT:

8 Section 1. Chapter 4 of the 2019 Detroit City Code, *Advertising*, be renamed to *Advertising and Signs*,
9 and be amended to read as follows:

10 CHAPTER 4. ADVERTISING AND SIGNS

11 ARTICLE I. GENERALLY

12 Sec. 4-1-1. Definitions.

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

15 *Advertising sign* means a sign containing a commercial message that is intended to direct
16 attention to a business, profession, commodity, service, or entertainment, that is conducted, sold,
17 or offered elsewhere than on the premises where the sign is located or that is only incidentally
18 conducted, sold, or offered on the premises where the sign is located.

19 *Advertisement-sensitive property* means a premises that is occupied by or used as any of
20 the following:

21 (1) A child-care home and center, which has the meaning as likewise defined in Section
22 50-16-152 of this Code;

23 (2) A child-caring institution, which has the meaning as likewise defined in Section
24 50-16-152 of this Code;

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

6 (4) A library, which means any designated public depository of books, periodicals,
7 public and/or historical records, or other reference materials within the City that is
8 created pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution, and
9 is operated pursuant to Section 12 of the Michigan District Library establishment
10 Act, being MCL 397.182;

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

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

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

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

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

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

9 (11) A youth activity center, which has the meaning as likewise defined in Section 50-
10 16-462 of this Code.

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

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

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

21 *Architectural feature* means a part, portion, or projection, other than a sign, of a building
22 or structure that contributes to its beauty, elegance, or architectural style, including, but not limited
23 to; arches, architectural grillwork, balconies, brackets, columns, corbels, cornices, dentils, doors.

1 jambes, lintels, masonry relief, medallions, moldings, pediments, pilasters, quoins, sills, window
2 rails, and windows, including glazings and surrounds, but does not include open spaces or other
3 voids in any façade of a multi-level parking structure.

4 _____ *Art mural* means any image that is painted, projected, drawn, tiled, or similarly applied to
5 a building exterior, or to a material that will be mounted to the building exterior, for artistic
6 purposes, and does not contain any other type of commercial message. An art mural does not
7 constitute either an advertising sign or a business sign.

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

13 _____ *Building frontage* means the portion of the building's façade that is visible as
14 perpendicularly projected along any public street or private street that is publicly accessible.

15 _____ *Business sign* means a sign containing a commercial message that is intended to direct
16 attention to a principal business or principal commodity, service, or entertainment that is
17 conducted, sold, or offered on the premises on which the sign is located, or if the sign is located in
18 the right-of-way then on the premises adjacent to the location of the sign, at a scale and intensity
19 that is reasonably proportional to the degree of physical presence or economic activity of the
20 business, commodity, service, or entertainment at such premises. Identification signs and
21 sponsorship signs are types of business signs.

22 _____ *Central Business District* means the portion of the City within the area bounded by the
23 Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth

Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte Street, Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.

Copy means the graphic or textual content or message displayed by a sign.

Commercial message means speech that, wholly or in part, is intended to propose a commercial transaction regarding a business, profession, commodity, service, or entertainment that is conducted, sold, or offered in any location, whether on the same premises as where the message is offered or elsewhere.

Department means the Buildings, Safety Engineering, and Environmental Department of the City of Detroit, unless otherwise expressly stated in this chapter.

Directional sign means a sign that is intended to identify points of ingress or egress on the premises, orient pedestrians and vehicles within the premises, direct the flow of pedestrian or vehicular traffic throughout and around the premises, or identify particular neighborhoods, communities, or other identifiable areas of the City, and is not an advertising or a business sign.

Double-face sign means a sign with two sign faces, both of which are used as signs, for which the least angle of intersection between the sign faces does not exceed 45 degrees.

Dynamic sign means any sign that features the ability, whether through digital or other technological means, to automatically change the sign copy, at any frequency, without the need to manually remove and replace the sign face or its copy. An animated sign is a type of dynamic sign.

Established grade of a sign means the elevation of the grade of the premises, measured underneath, at the base of, or in the immediate vicinity of, the sign, as established by the City.

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 Graffiti means unauthorized drawings, lettering, illustrations, or other graphic markings on
11 the exterior of a building, premises, or structure that are intended to deface or mark the appearance
12 of the building, premises, or structure.

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

16 Heritage sign means an unilluminated painted sign that is either an advertising sign or
17 business sign, has been obsolete for a period of at least 50 years, and is registered with the
18 Department as such.

19 High-density commercial/industrial sign district means the portions of the City that are
20 designated in the Master Plan of Policies as major commercial (CM), special commercial (CS),
21 light industrial (IL), general industrial (IG), distribution/port industrial (IDP), or airport (AP); as
22 well as the entire portion of the City located within the Central Business District regardless of
23 Master Plan of Policies designation therein.

1 High-density residential/mixed use sign district means the portions of the City that are
2 located outside of the Central Business District, and are designated in the Master Plan of Policies
3 as medium-density residential (RM), high-density residential (RH), neighborhood commercial
4 (CN), or mixed residential-commercial (MRC).

5 Hospital means a facility primarily engaged in providing, by or under the supervision of
6 physicians, medical services that includes inpatient acute care services, to injured, disabled, or sick
7 persons.

8 Identification sign means a type of business sign that is intended solely to identify either a
9 principal business or profession that is conducted on and physically occupies the premises where
10 the sign is located, or the name and street number of a building or structure on the premises.

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

14 Internally illuminated sign means a type of illuminated sign that is illuminated by direct
15 emission from a source of artificial light that is contained within the sign itself, including signs
16 that emit light through a transparent or translucent material component of the sign or any sign for
17 which the sign face is substantially composed of luminescent material.

18 Low-density commercial/institutional sign district means the portions of the City that are
19 located outside the Central Business District and are designated in the Master Plan of Policies as
20 mixed-town centers (MTC), institutional (INST), thoroughfare commercial (CT), retail centers
21 (CRC), or mixed residential-industrial (MRI).

1 Low-density residential sign district means the portions of the City that are located outside
2 of the Central Business District and are designated in the Master Plan of Policies as low-density
3 residential (RL) or low/medium-density residential (RLM).

4 Marquee sign means a sign that is affixed to and supported by a marquee. For the purposes
5 of this definition, a marquee is a permanent roof-like shelter that is constructed of wood, steel,
6 glass, or other durable materials, is supported by and extends from a building façade, and is
7 cantilevered without support at additional points over a point of ingress and egress to the building.
8 Marquee signs are distinct from awning signs, projecting signs, and wall signs.

9 Master Plan of Policies means the current version of the Master Plan of Policies for the
10 City as adopted under authority of the Michigan Planning Enabling Act, MCL 125.3801 et seq.,
11 and Section 8-101 of the Charter.

12 Mechanical sign means a sign that features automated mechanical rotation, revolution,
13 waving, flapping, or other physical movement of the sign or any of its components without causing
14 a change to the sign's copy.

15 Minor means an individual under 18 years of age.

16 Monument sign means a type of ground sign that is supported primarily by an internal
17 structural framework concealed in an opaque covering or solid structural foundation, with no air
18 space between the ground and the sign face.

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

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

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

6 Obsolete sign means a sign that is intended to direct attention to a business, profession,
7 commodity, service, or entertainment that is no longer conducted, sold, offered, or otherwise
8 available for purchase or patronage.

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

11 Owner of the premises means with respect to a premises, building, or structure, any
12 individual or entity that has legal or equitable title or other interest, whether in whole or in part, to
13 the premises, building, or structure, respectively, but does not include such individual's or entities'
14 affiliates, subsidiaries, members, partners, or shareholders. Any premises, building, or structure
15 can have one or multiple owners.

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

18 Permit means a permit issued by the Department for the construction or erection of a new
19 sign, or the alteration of an existing sign, under the authority provided in Chapter 8 of this Code,
20 Building Construction and Property Maintenance, unless otherwise expressly stated in this
21 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 of 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
9 excluding public rights-of-way.

10 Premises frontage means the sum of the length of all lot lines of the premises abutting any
11 public street or private street that is publicly accessible.

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 are distinct from marquee signs.

16 Public art means an outdoor art mural, sculpture, or other permanent or semi-permanent
17 installation that is constructed and maintained for artistic purposes and intended to be visible to or
18 accessible by the general public, and does not contain any type of commercial message.

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

1 Recreation/open space sign district means the portions of the City that are located outside
2 of the Central Business District and are designated in the Master Plan of Policies as regional parks
3 (PR), recreation (PRC), private marinas (PMR), or cemetery (CEM).

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

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

8 Sign means any structure containing a visual display, or painted or projected image, that is
9 oriented toward and visible from any public or private right-of-way or public property and is
10 intended to announce, identify, inform, or direct attention. A sign can be located on the exterior
11 of a building or other structure, or in the interior of a building if within three feet of the building's
12 perimeter and visible from the building's exterior.

13 Sign alteration means a change of the size, shape, area, height, location, illumination,
14 dynamic operation, construction, fabrication, material, or any other operational, construction-
15 related, or dimensional parameter of an existing sign. Neither the maintenance of a sign within
16 its existing operational, construction-related, and dimensional parameters, nor a change or
17 replacement of the sign's copy, without any other change to the sign, constitutes a sign alteration.

18 Sign area means the area of the sign face of a sign, expressed in terms of square feet.

19 Sign clearance means the elevation of the lowest point of the sign above the established
20 grade of the sign.

21 Sign face means the surface of a sign upon which the copy of the sign is displayed.

22 Sign height means the elevation of the highest point of the sign, including its frame and
23 support structure, above the established grade of the sign.

1 Sponsor means an individual or entity that has pledged its long-term support, whether
2 financial or in-kind, in a written agreement for a term of not less than 24 consecutive months to:

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

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

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

7 Whether or not such individual or entity conducts, sells, or offers its business, profession,
8 commodity, service, or entertainment on the premises where the sign is located.

9 Sponsorship sign means a type of business sign that is intended to identify a sponsor of the
10 premises, defined portion of the premises, or principal commodity, activity, or entertainment sold
11 or offered at the premises, where the sign is located.

12 Temporary sign means a type of business sign that is intended to be displayed for a limited
13 period of time.

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

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

19 Painted signs and raceway signs are types of wall signs. Wall signs are distinct from marquee
20 signs.

21 Window sign means a sign that is:

22 (1) Affixed to, or painted on, the surface of an exterior window of a building or
23 structure, and that does not completely cover or conceal the window; or

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

Wrapped sign means a sign containing a single sign face that covers portions of two or
more adjacent façades of a building or structure by way of wrapping around the corners or edges
along which such façades abut.

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

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

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

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

Sec. 4-1-3. Enforcement.

This article shall be enforced by the Police Department.

Sec 4-1-4. Posting of ~~advertisements, notices, posters, or signs~~ advertising materials on
public or private property.

~~—(a)— Except a public officer or employee in the performance of a public duty or a private~~
~~person in giving a legal notice,~~ It shall be unlawful for any person to ~~paste~~ affix, fasten, post,
~~paint, print, nail, glue, attach,~~ or otherwise ~~fasten~~ place any ~~sign, poster, advertisement~~ advertising
sign, advertising material, or other commercial message ~~or notice of any~~ of any kind upon any

1 public or private property, or cause or authorize the same to be done, without the eonsent;
2 authorization ~~or ratification in writing~~ of the owner holder, oeeupant, lessee, agent or trustee
3 thereof, or its agent, provided that this section shall not apply to the ~~distribution of handbills;~~
4 ~~advertisements or other printed matter that is not affixed to the premises~~ a public officer or
5 employee in the performance of a public duty or a private person giving a legal notice..

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

14 ~~For purposes of this section, a candidate running for any elected office whose name~~
15 ~~appears on such signs, posters, advertisements or notices is presumed to have caused or given~~
16 ~~authority for the erection or placement of such displays, provided, that such presumption is~~
17 ~~rebuttable upon evidence brought forth by such candidate.~~

18 **Sec. 4-1-5. Carrying or placing signs, placards, banners or posters advertising materials on**
19 **freeway overpass where visible from freeway prohibited.**

20 It shall be unlawful for any person to carry or place ~~any sign, placard, banner or poster~~ on
21 any freeway overpass any advertising sign, advertising material, or other commercial message that
22 would be oriented toward and visible to the occupants of vehicles ~~on any on such~~ freeway.

23 **~~Sees. 4-1-6 — 4-1-30. Reserved. REPEALED.~~**

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

2 (a) It shall be unlawful for any person, with intent to solicit, promote, sell, lease, loan,
3 or otherwise dispose of any event, commodity, service, security, real or personal property, or any
4 other thing of value, to circulate, disseminate, publish, or broadcast, or otherwise place or
5 distribute, or to cause the same, any advertising sign, advertising material, or other commercial
6 message, whether printed or otherwise recorded, concerning such thing of value that contains any
7 assertion, representation, claim, offer, or statement of fact that is knowingly false, deceptive,
8 misleading, or otherwise calculated to cause injury or other disadvantage to its audience or any
9 member thereof.

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

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

15 With respect to ~~the placement or distribution of any advertisement, sign, handbill, circular,~~
16 ~~or advertising card~~ advertising sign, advertising material, or other commercial message that
17 violates any provision of this ~~article~~ chapter, a rebuttable presumption exists that the
18 ~~advertisement, sign, circular, or advertising card was erected or displayed or distributed by, or with~~
19 ~~the consent of, the promoter of the event, offer, or service that is the subject of the advertisement,~~
20 ~~sign, circular, or advertising card.~~ placement or distribution of such material is made with the
21 consent of the promoter of the business, profession, commodity, service, or event that is the subject
22 of the promotion by the material, regardless of its form.

23 **Secs. 4-1-8 – 4-1-30. Reserved.**

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 place or distribute, circulate, give
16 away or to cause the same of, to be circulated, distributed or given away any paper handbill, card,
17 book, pamphlet or printed matter advertising sign, advertising material or other commercial
18 message soliciting trade, customers or patrons any event, commodity, service, or other thing of
19 value on any public highway, street, alley or sidewalk in any public right-of-way, so as to interfere
20 with or impede any pedestrian, bicycle, or vehicular traffic upon such public highway, street, alley,
21 or sidewalk along or within such right-of-way.

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

23 ~~No person shall~~ It shall be unlawful for any person to solicit, deliver, circulate, distribute,
24 or disseminate, or to cause to be distributed, the same of, any advertising sign, advertising material,

1 or other commercial message to any residential premises upon which is conspicuously posted at
2 or near the front entrance of the residence a notice that states “No Trespassing,” “No Handbills,”
3 “Post No Bills,” or any similar language. ~~Such a notice shall be posted in a conspicuous place~~
4 ~~near the front entrance of the residence.~~

5 **Secs. 4-2-~~5~~ – 4-2-30. Reserved.**

6 **ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND**
7 **PROMOTION OF ALCOHOLIC LIQUOR AND TOBACCO PRODUCTS**

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

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

14 (b) The findings to support this article have been delineated in a resolution adopted by
15 the City Council on July 7, 1989, and placed in the Journal of the City Council on Pages 1959
16 through 1963. ~~Sec. 4-3-2. Definitions.~~

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

19 ~~Advertising sign means, as likewise defined in Section 50-6-3 of this Code, a sign, whether~~
20 ~~billboard or painted wall graphic, which directs attention to a business, commodity, service or~~
21 ~~entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is~~
22 ~~affixed, located or painted, or only incidentally sold or offered on said premises. Any sign, display,~~
23 ~~or device allowed under this article may contain, in lieu of any other message, any otherwise lawful~~

~~non-commercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with the zoning district, height, lighting, setback, and spacing requirements outlined in the Chapter 50 of this Code, *Zoning*:~~

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

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

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

~~——— *Child-care center* means, as likewise defined in Section 50-16-152 of this Code, a facility licensed by the Michigan Department of Human Services, other than a private residence for home, receiving one or more preschool or school-age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. The term “child care center” or “day care center” includes a facility that provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally~~

described as a child care center, day care center, "Head Start" program, day nursery, nursery school, parent cooperative, preschool, play group, or drop-in center. The term "child care center" or "day care center" does not include any of the following:

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

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

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

~~Child caring institution means, as likewise defined in Section 50 16 152 of this Code, a child care facility licensed by the Michigan Department of Human Services, other than a juvenile correctional facility, that is organized for the purpose of receiving minor children for care, maintenance, and supervision, usually on a 24-hour basis, in buildings maintained by the institution for that purpose, and operates throughout the year. An educational program may be provided, but the educational program shall not be the primary purpose of the facility. The term "child caring institution" includes a maternity home for the care of unmarried mothers who are minors and an agency group home that is described as a small child caring institution owned, leased, or rented by a licensed agency providing care for more than four but less than 13 minor children. The term "child caring institution" also includes institutions for mentally retarded or~~

1 ~~emotionally disturbed minor children. The term “child caring institution” does not include a~~
2 ~~hospital, nursing home, home for the aged, boarding school, adult foster care family home, adult~~
3 ~~foster care small group home, family day care home, group day care home, foster family home, or~~
4 ~~foster family group home.~~

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

16 ~~——— *Foster family group home* means a private home where more than four, but fewer than~~
17 ~~seven, minor children, who are not related to an adult member of the household by blood or~~
18 ~~marriage, or who are not placed in the household pursuant to the Michigan Adoption Code, being~~
19 ~~MCL 710.21 *et seq.*, are provided care for 24 hours a day, for four or more days a week, for two~~
20 ~~or more consecutive weeks, unattended by a parent or legal guardian.~~

21 ~~——— *Foster family home* means a private home where at least one but not more than four minor~~
22 ~~children, who are not related to an adult member of the household by blood or marriage, or who~~
23 ~~are not placed in the household pursuant to the Michigan Adoption Code, being MCL 710.21 *et*~~

~~seq., are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.~~

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

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

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

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

~~——— *Library* means any designated public depository of books, periodicals, public and/or historical records, and other reference materials within the City that is created pursuant to Article~~

~~VIII, Section 9, of the 1963 Michigan Constitution, and is operated pursuant to Section 12 of the Michigan District Library establishment Act, being MCL 397.182.~~

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

~~——— *Minor or Minors* means:~~

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

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

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

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

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

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

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

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

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

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

1 ~~Recreation center means a facility under the jurisdiction and control of the Recreation~~
2 ~~Department that is created primarily to benefit minors through the use of organized educational,~~
3 ~~social, and/or recreational activities.~~

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

7 ~~Small (or neighborhood) park means a heavily landscaped area intended for ornamental~~
8 ~~rather than active recreation or picnic use.~~

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

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

13 (a) ~~An arcade, as defined in Section 50-16-113 of this Code;~~

14 (b) ~~A health club, as defined in Section 50-16-241 of this Code;~~

15 (c) ~~A medical facility;~~

16 (d) ~~A public dance hall, as defined in Section 50-16-171 of this Code;~~

17 (e) ~~A rehabilitation facility;~~

18 (f) ~~A rental hall, as defined in section 50-16-362 of this Code;~~

19 (g) ~~A restaurant, as defined in section 50-16-362 of this Code; and~~

20 (h) ~~A school; and~~

21 (i) ~~A state licensed residential facility as defined in Section 50-16-385 of this Code.~~

22 REPEALED.

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

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

3 (b) Any person who violates this article may be issued a misdemeanor violation for
4 each day that the violation continues.

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

9 **Sec. 4-3-3. ~~Buildings, Safety Engineering, and Environmental Department to be responsible~~**
10 **~~for Enforcement.~~**

11 This article shall be enforced by the Buildings, Safety Engineering, and Environmental
12 Department.

13 **Sec. 4-3-4. Advertisement of alcoholic liquor ~~and or any tobacco products~~ product**
14 **prohibited within a 1,000-foot radius of certain locations.**

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

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

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

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

3 ~~(1) — The placement of any advertising sign;~~

4 ~~a. — Inside or outside of a licensed premises where alcoholic liquor is lawfully~~
5 ~~sold or distributed under the authority of a license conferred by the~~
6 ~~Michigan Liquor Control Commission under the Michigan Liquor Control~~
7 ~~Code of 1998, being MCL 436.1101 et seq.;~~

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

11 ~~c. — On licensed commercial vehicles used to transport alcoholic liquor or~~
12 ~~tobacco products.~~

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

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

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

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

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

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

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

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

11 In the event a new ~~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~~ advertisement-sensitive property is established, subsequent
14 to the effective date of the ordinance from which this article is derived, and is located within a
15 1,000-foot radius of an advertising sign lawfully advertising ~~aleehol~~ alcoholic liquor or a tobacco
16 ~~products product~~, said advertising shall not be ordered removed until 60 days after the
17 ~~establishment of said land use~~ date of such establishment.

18 **Sec. 4-3-8- 4-3-30. Reserved.**

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

20 **DIVISION 1. GENERALLY**

21 **Sec. 4-4-1. Purpose.**

22 (a) The sign regulations of this article are set forth in lieu of those regulations contained
23 in Appendix H of the 2015 Michigan Building Code, under authority of Section H101.1.1.

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

(1) *General protection of public welfare:* To ensure that signs are located, designed, constructed, installed, ~~and maintained, in a way that~~ and operated so as to protect ~~protects life, and preserve the public peace, health, morals, safety, and property and the public welfare of the people of the City;~~

(2) *Public safety:* To protect public health and safety by prohibiting signs that are structurally unsafe or poorly maintained, or that cause unsafe traffic conditions ~~through distraction of motorists confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from~~

~~buildings or sites~~ for nearby pedestrians, motorists, and properties. Signs that are poorly maintained or are otherwise structurally unsound pose physical dangers to the surrounding area and its occupants. Signs, through excessive number, size, illumination, or dynamic operation can create unsafe distractions. Signs can be confused with traffic signals, create unwarranted distractions, impede clear roadway sightlines, or otherwise create unsafe conditions for motorists, bicyclists, pedestrians, and others traveling along the public right-of-way. Signs that overly impact or encroach into public spaces through inappropriate sizing, projection, elevation, or illumination, among other aspects of their construction or operation, can impede the safe circulation of pedestrians, including their safe ingress and egress from buildings and other structures;

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

- 1 (4) ~~Free speech~~ Facilitation of protected speech: To ~~ensure that the constitutionally~~
2 ~~guaranteed right of free speech is protected and to allow signs as a means of~~
3 ~~communication~~ facilitate the conveyance of constitutionally protected speech
4 through the use of signs as a means of communication;
- 5 (5) ~~Reduce conflict~~ Reduction of conflict: To ~~reduce conflict among signs and light and~~
6 ~~between public and private information systems~~ reduce the potential for conflict
7 among signs, buildings, and other structures that seek to occupy, utilize, or access
8 limited light, air, and open space resources. Signs that are excessive in size, scale,
9 or intensity can interfere with other signs, thereby impairing their communicative
10 value. Such signs can also interfere with neighboring buildings' access to air and
11 natural light, and can interfere with their safe operation and the activities of their
12 occupants; and
- 13 (6) Business identification and promotion of local commerce: To ~~allow for adequate~~
14 ~~and effective signage for business identification and other commercial speech, non-~~
15 ~~commercial speech, and dissemination of public information, including but not~~
16 ~~limited to, public safety information and notification as may be required by law~~
17 facilitate the identification of businesses and to promote local commerce at such
18 places of business. Signs that effectively identify the presence of local businesses
19 and that generally promote the products and services provided by such businesses
20 can facilitate commercial activity and stimulate economic development.
21 Additionally, wayfinding and other directional signage can facilitate the efficient
22 flow of vehicular, bicycle, and pedestrian traffic. Conversely, signs that are
23 excessive in size, scale, or intensity, or that conflict with each other or their

1 surroundings, can impede such business identification and hinder local economic
2 activity.

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

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

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

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

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

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

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

22 ~~——— *Business sign* means a sign, not less than 75 percent of the area of which is devoted to~~
23 ~~directing attention to the principal business or profession conducted, or to the principal type of~~

commodity, service, or entertainment sold or offered on the premises where the sign is affixed,
located or painted.

~~Double face sign~~ means a business sign of which both sides are visible and used as signs
including a "v" type sign, provided, that the least angle of intersection does not exceed 90 degrees.

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

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

~~Ground sign~~ means a business sign, including a ground-mounted billboard that is supported
by one or more uprights, poles, or braces in or upon the ground.

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

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

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

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

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

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

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

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

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

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

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

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

12 (d) Civil fines for any violation of this article shall be as follows:

13 (1) Business signs:

14 a. For any first offense: \$400

15 b. For any second offense: \$800

16 c. For any offense subsequent to a second offense: \$2000

17 (2) Advertising signs:

18 a. For any first offense: \$600

19 b. For any second offense: \$1200

20 c. For any offense subsequent to a second offense: \$3000

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

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

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

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

Sec. 4-4-3. Enforcement.

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

Sec. 4-4-4. Noncommercial messages.

In order to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message, any sign that is allowed under this Article may contain, in lieu of any other message, any otherwise lawful noncommercial message that does not contain a commercial message and that does not direct attention to a business, profession, commodity, service, or entertainment.

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

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

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

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

- ~~(3) — Except for signs within developments that require City Council approval of plans; animated sign space or electronic message board sign space within any business or identification sign shall not comprise more than 25 percent of the total sign area;~~
- ~~(4) — In the case of an animated sign, as defined in Section 50-6-4 of this Code, located on the premises of a City-owned convention or exhibit building on land requiring City Council approval of plans, not less than 75 percent of the display time in any calendar month shall be devoted to events or activities on the premises.~~
- ~~(5) — Inflatable advertising, balloons, and similar devices shall be allowed for the promotion of a special event only after application for and issuance of a temporary sign permit by the Buildings, Safety Engineering and Environmental Department as provided for in Section 50-12-562 of this Code provided, that, they are shaped or formed like a product, have commercial copy, and meet the following restrictions:~~
- ~~a. — Be limited in placement to 15 days;~~
 - ~~b. — Be placed on the premises as determined by the Buildings, Safety Engineering, and Environmental Department; and~~
 - ~~c. — Be limited in placement to no more than two permits per year; and~~
- ~~(6) — Where the sections of an individual letter sign are connected by a common structure, generally referred to as a "raceway", which provides for the electrical or mechanical operation of a sign, the raceway shall be painted to match the color of the building or other structure to which the sign is mounted and shall be limited to a height of no more than one-half of the tallest letter.~~

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

~~(1) Signs may be illuminated, provided, that flashing signs are permitted only where farther than 100 feet from existing developed residential property, and from property which is designated as "residential" in the applicable future General Land Use Map of the Detroit Master Plan of Policies;~~

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

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

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

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

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

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

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

1 sign is enclosed in a frame or case, the area of the sign includes the area of the
2 frame or case.

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

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

5 (4) The area of a painted sign includes the area of any background colors that are
6 different from the color of the façade on which the sign is painted, if any.

7 (b) The height of a sign is computed as the difference in vertical elevation between the
8 highest point of the sign, including its frame and support structure, and the established grade of
9 the sign.

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

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

14 (2) The clearance of a ground sign is computed as the difference in vertical elevation
15 between the lowest point of the sign face, including its frame, but excluding its
16 pole, monument, or other support structure, and the established grade of the sign.

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

22 (4) The clearance of a sign that is affixed to and supported by a building or other
23 structure, such as wall signs and projecting signs, is computed as the difference in

1 vertical elevation between the lowest point of the sign face, including its frame and
2 support structure, if any, but excluding the building or structure to which the sign
3 is affixed and supported. and the established grade of the sign.

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

5 ~~(a) — The area of a business sign shall be computed as the entire area circumscribed by a~~
6 ~~parallelogram, triangle, circle, or semicircle, or any combination of these figures, which includes~~
7 ~~all of the display area, any window sign, as defined in section 4-4-2 of this Code, and any building~~
8 ~~number that is larger than ten inches in height. Because they are integral to understanding the~~
9 ~~message of display of a business sign, the blank areas between letters, words, illustrations,~~
10 ~~graphics, and the like shall be included in the computation of the area of a sign or the area of a~~
11 ~~message, letter, word, or graphic that is part of a business sign.~~

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

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

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

20 ~~—— Unless expressly specified otherwise, for the purposes of this article, spacing is computed~~
21 ~~either radially or linearly.~~

22 ~~(1) Radial spacing between two points is computed as the length of the shortest straight~~
23 ~~line connecting the perimeters of the premises at which each point is respectively~~

1 located, drawn without regard to any property lines, rights-of-way, or other
2 features, whether natural or constructed, that such line may cross.

3 (2) Linear spacing between two points is computed as the length of the shortest line
4 connecting the perimeters of each premises at which each point is respectively
5 located, following the centerline of the right-of-way connecting each premises,
6 without regard, unless expressly stated, to the side of the right-of-way on which
7 each such premises may be located.

8 (3) Notwithstanding Subsection (2) of this section, linear spacing between two
9 advertising signs that are both (i) located within 3,000 feet of any point along the
10 edge of the right-of-way of a freeway, and (ii) oriented towards and visible from
11 the traveled roadway of such freeway is computed as the length of the shortest line
12 connecting the perimeters of the premises at which each sign is respectively located,
13 as such premises are projected perpendicularly on the edge of the right-of-way of
14 the freeway, following the centerline of the right-of-way of the freeway, without
15 regard to the side of the freeway on which each such premises may be located.

16 ~~Sec. 4-4-7. General restrictions on maximum business sign area.~~

17 ~~—— (a) — Except for businesses regulated under sections 4-4-8(e) and (f) of this Code, each~~
18 ~~business is entitled to a minimum of 32 square feet of business sign area, regardless of the business'~~
19 ~~building frontage elevation or street frontage. Except for businesses within developments that~~
20 ~~require City Council approval of plans, the maximum total area of all business signs for each~~
21 ~~business shall be the greater of 20 percent of a business' building frontage elevation or one square~~
22 ~~foot per each linear foot of business street frontage, not to exceed a total of 500 square feet.~~
23 ~~Buildings or businesses shall be allowed one professionally prepared window sign not exceeding~~
24 ~~ten square feet in size and adhered to the inside of the window for every 30 feet of building or~~

storefront width, provided that any such sign shall not require a permit and shall not count toward the maximum allowed sign area. For the purposes of this article, the building frontage elevation is calculated by multiplying the length of the front facade of the building of which the signage is to serve by 13 feet. There can be only one building frontage for each street faced by a building. Portions of facades visible from more than one street, such as those containing curves cylindrical shapes, or angles, shall only be measured once when determining building frontage.

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

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

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

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

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

2 (a) The following signs are prohibited City-wide, unless expressly allowed in this
3 chapter:

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

5 (2) Wrapped signs operated as advertising signs;

6 (3) Signs that are illuminated by or otherwise equipped with a strobe or flashing light,
7 whether internal or external to the sign;

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

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

12 (6) Any dynamic sign that is located on or otherwise affixed to a currently registered
13 motor vehicle; or

14 (7) Signs that produce sound; that cause interference with radio, telephone, television,
15 or other communication transmissions; that produce or reflect motion pictures,
16 except where authorized as animated signs; or that emit visible smoke, vapors,
17 particles, or odors.

18 (b) The prohibitions set forth in subsection (a) of this Section are subject to waiver
19 under Section 4-4-22 of this Code.

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

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

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

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

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

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

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

(2) ~~On an awning;~~

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

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

~~(c) *Commercial parking lots.*~~

(1) ~~Only one business sign shall be permitted at each point of ingress and egress to a parking lot to indicate the name of the operator, address of the location, hours of operation, parking rates, and directions of movement, provided, that the sign shall~~

1 not exceed 50 square feet in area and shall not be less than six feet six inches in
2 height above grade and shall be located entirely on the parking lot property:

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

5 ~~———— (d) Parking structures.~~

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

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

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

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

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

21 ~~(2) Each separate business within a multiple tenant shopping center may display as~~
22 ~~much as 24 square feet of business wall signage, provided that more than 24 square~~
23 ~~feet of business wall signage is allowed where the total area of all business signage~~

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

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

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

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

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

21 ~~(4) There shall be only one ground sign for each street frontage of the property, not to~~
22 ~~exceed 100 square feet, or one square foot of sign area for each two linear feet of~~
23 ~~street frontage of the property, whichever is less. For corner buildings, a second~~

1 ~~sign containing up to one half of the allowable business sign area of the first is~~
2 ~~permitted.~~

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

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

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

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

17 ~~— (g) — Buildings with two or three businesses and separate ground floor entrances for~~
18 ~~each business.~~

19 ~~(1) — Each separate business is entitled to display a minimum of 32 square feet of~~
20 ~~business signage, provided, that more than 32 square feet of business signage may~~
21 ~~be allowed where the total area of all business signage for the business does not~~
22 ~~exceed one square foot of area for each one lineal foot of frontage of the portion of~~
23 ~~the building occupied by each separate business.~~

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

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

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

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

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

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

13 REPEALED

14 **Sec. 4-4-8. Exemptions from chapter requirements.**

15 Notwithstanding the permit for installation required pursuant to Section 8-2-5 of this Code,
16 the following are not subject to the requirements of this article:

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

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

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

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

1 (5) Any notice warning against trespassing, soliciting, or other interference with the
2 property owner's enjoyment of such owner's property;

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

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

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

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

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

13 (11) Art murals;

14 (12) Heritage signs;

15 (13) Architectural and other lighting that is operated in accordance with the lighting
16 standards set forth in this Code; and

17 (14) Any sign erected by a federal, state, or local governmental agency or authority.

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

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

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

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

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

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

11 ~~(4) Enlarged;~~

12 ~~(5) Continued in use where a change of use occurs as defined in Chapter 50 of this~~
13 ~~Code, Zoning;~~

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

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

18 ~~(8) Changed to any extent, including changing the faces when the noncompliant sign~~
19 ~~is of a type of construction that permits a complete change of face, or any changes~~
20 ~~made in the colors, words, or symbols used, or in the message displayed on the sign~~
21 ~~unless the sign is designed for periodic changes of message. REPEALED~~
22

1 **Sec. 4-4-9. Maintenance required.**

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

5 (1) Weathered or faded;

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

7 (3) Defaced or otherwise marked with graffiti;

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

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

13 (6) Cracked or peeled, if painted; or

14 (7) Inoperative, broken, or otherwise damaged, if illuminated, dynamic, mechanical,
15 or otherwise electrified.

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

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

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

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

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

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

10 **Sec. 4-4-10. Obsolete signs to be removed.**

11 ~~(a) Any sign that constitutes an obsolete sign for at least 30 consecutive days, or any~~
12 ~~temporary sign that constitutes an obsolete sign for at least seven consecutive days, may be~~
13 ~~presumed by the City to have been abandoned, and shall, along with its framework and supporting~~
14 ~~structure, be removed by the owner of the premises on which the sign is located, or its agent, upon~~
15 ~~issuance by the Department of a correction notice to remove such sign. The presumption of~~
16 ~~abandonment may be overcome upon showing that the sign does not in fact constitute an obsolete~~
17 ~~sign and proof that the owner of the premises does not intend for the sign to constitute an obsolete~~
18 ~~sign.~~

19 ~~(b) An obsolete painted sign may be considered to be removed if it is removed so as to~~
20 ~~expose the underlying unpainted surface or is completely painted over.~~

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

22 ~~—— 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. Signs on vacant buildings to be removed.**

17 (a) Any sign, along with its frame and supporting structure, located on a premises that
18 contains a building or structure that constitutes a vacant building, as defined in Section 8-15-9 of
19 this Code, shall be removed by the owner of the premises on which the sign is located, or its agent,
20 within 30 days upon issuance by the Department of a correction notice to remove such sign.
21 Enforcement of this section shall be in accordance with the authority granted under Section 8-15-
22 45 of this Code.

1 (b) The Department shall issue a blight violation under any of the following
2 circumstances:

3 (1) If the owner fails to cure the violation within the applicable cure period after service
4 of a correction notice; or

5 (2) When the owner disputes a violation identified on a correction notice; and

6 (3) When, in the Department's exercise of judgment and discretion pursuant to rules
7 adopted by the Department, the violation is of such a nature as to be substantially
8 serious, chronic, or willful.

9 (c) To the extent that a building, structure, or tenant space within a building or structure
10 that is unoccupied, secured, legally permitted, and actively being marketed for occupancy does not
11 constitute a vacant building and is not subject to Subsection (a) of this section.

12 ~~Sees. 4-4-12 -- 4-4-40. Reserved.~~ REPEALED.

13 **Sec. 4-4-12. Unused sign supports to be removed.**

14 (a) All poles, pylons, bracing, rods, supporting frameworks, foundations, anchorages,
15 or other supports, including all associated electrical wiring, that does not actually support a legal
16 sign face, shall be removed by the owner of the premises, or its agent, within 30 days of issuance
17 by the Department of a correction notice to remove such supports.

18 (b) The Department shall issue a blight violation under the following circumstances:

19 (1) If the owner fails to cure the violation within the applicable cure period after service
20 of a correction notice; or

21 (2) When the owner disputes a violation identified on a correction notice; and

1 (3) When, in the Department's exercise of judgment and discretion pursuant to rules
2 adopted by the Department, the violation is of such a nature as to be substantially
3 serious, chronic, or willful.

4 **Sec. 4-4-13. Right of entry by City to abate nuisance; obstruction of City officers and agents**
5 **prohibited.**

6 (a) If the owner has not cured the violations within the cure period stated in a correction
7 notice, then, in addition to powers granted elsewhere in this Code, including but not limited to
8 Sections 8-15-40 and 8-15-42, the City may, through its authorized employees, agents, or
9 contracted parties, enter upon the premises and abate the nuisance by means determined by the
10 City, unless the owner or operator has disputed the correction notice.

11 (1) A recipient of a correction notice may dispute such notice by contacting the
12 Department in the manner specified in the correction notice, which shall be
13 established by rule adopted by the Department. If notice of a dispute is allowed by
14 telephone, the department shall establish a method to verify and track receipt of
15 telephoned dispute notices.

16 (2) If a correction notice is disputed, the City's right of entry under this section shall
17 be suspended until a blight violation proceeding has determined that a blight
18 violation exists or a court has determined that a violation exists.

19 (3) If the recipient of the correction notice does not dispute it within the cure period,
20 the opportunity to object to the City's entry to cure the violation and abate the
21 nuisance is deemed waived.

22 (b) Upon a blight violation determination that the owner is responsible for a blight
23 violation, the City, through its authorized employees, agents, or contracted parties, may enter upon

1 the premises and abate the nuisance by means determined by the City.

2 (c) The authorized officers and agents of the City shall be granted free access to and
3 from the property for the work necessary to accomplish the abatement of any violation of this
4 article found to exist. No person shall obstruct or prevent such work.

5 **Sec. 4-4-14. Costs of abatement; collection of costs for city abatement of public nuisances.**

6 The full cost of abatement actions taken or caused to be taken pursuant to this article shall
7 be paid by the owner. The City's costs, including administrative fees, labor, and materials, to
8 secure compliance with a blight violation order or to abate a public nuisance under this article may
9 be included in a blight violation determination. In accordance with Section 8-15-12 of this Code,
10 the City may use all available remedies to secure compliance and payment, except where limited
11 or prohibited by law.

12 **Sec. 4-4-15. Signs subject to additional governmental jurisdiction; submission of approvals**
13 **as part of sign application**

14 If, in addition to the jurisdiction of the Department, a sign is subject to the jurisdiction of
15 any other federal, state, or local governmental agency or authority, the applicant for erection of the
16 sign shall, as part of the application, provide copies of all other governmental approvals that may
17 be required. If such other approvals are subject to any conditions of approval, or other standards,
18 then such standards shall be incorporated by reference into the permit. Those standards that are
19 comparable and more restrictive than the standards set forth in this chapter shall supersede and
20 shall be considered controlling under the permit. No standards imposed by other governmental
21 agencies that are less restrictive than the standards set forth in this chapter may relieve any
22 obligation to adhere to the standards set forth herein. Other governmental agencies with
23 jurisdiction over signs include, without limitation:

1 (1) Signs located within a historic district as identified in Chapter 21, of this Code,
2 History, are subject to approval by the Historic District Commission and subject to
3 its existing procedures as set forth therein.

4 (2) Signs located in any freeway-adjacent area adjacent to a freeway within the
5 jurisdiction of the State of Michigan are subject to approval by the Michigan
6 Department of Transportation.

7 (3) Signs located within a City-controlled public right-of-way are subject to approval
8 by the City's Department of Public Works.

9 **Sec. 4-4-16. Signs located near freeways; Department of Public Works approval required.**

10 (a) Approval by the Department of Public Works Traffic Engineering Division shall
11 be required for the following:

12 (1) Any sign that is located within 125 feet of the edge of the traveled roadway of any
13 freeway, or interchange ramps between freeways, used by traffic facing the display
14 side of such sign or structure; and

15 (2) Any that is located sign within 25 feet of the right-of-way line of any freeway and
16 is oriented toward and is visible from vehicles traveling on the freeway or
17 interchange ramp.

18 (b) For each such sign, the Department of Public Works Traffic Engineering Division
19 shall not approve the sign if it determines that the sign would create a visual distraction or other
20 hazard to vehicular traffic traveling on the freeway or interchange ramp.

Sec. 4-4-17. Sign erection or alteration to require new permit, sign operation or maintenance to require license.

(a) It shall be unlawful to post, construct, erect, or otherwise display a sign without having first been issued a permit for such sign.

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

(c) A permit may be applied for under this section by submission of a form acceptable to the Department in accordance with Section 4-4-17 of this Code.

(d) It shall be unlawful to operate or maintain a sign without having first been issued a license for such operation. The term of any such license shall not exceed two years. The Department may require that a sign shall be subject to inspection as a precondition to issuance of any such license. A license may be applied for under this section by submission of a form acceptable to the Department.

(e) Notwithstanding Subsections (a) through (d) of this section, the following signs, if in compliance with applicable dimensional and operations standards of this article, are not subject to the requirements of this section:

(1) Portable temporary signs that are erected and displayed in accordance with Section 4-4-183(a)(3) of this Code; and

(2) Window signage on any premises that has cumulative window signage totaling less than ten square feet.

Sec. 4-4-18. Establishment, approval, publication, and payment of fees.

In accordance with Section 6-503(13) of the Charter, the Department shall establish fees, subject to approval by the City Council by adoption of a resolution, and collect such fees based upon the cost of issuance and administration of considering applications for permits to erect or

alter an existing sign or for licenses to operate or maintain a sign. A fee shall be charged for each sign for which an application for permit or license is requested. Such fee shall be non-refundable. After adoption of a resolution by the City Council and approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:

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

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

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

Sec. 4-4-19. Sign erection or alteration permit application requirements.

(a) An application for the erection or alteration of any sign on a premises for which a permit is required by Section 4-4-17 of this Code shall be made on a form that is provided by the Department. Permit request for each sign shall require a separate application. The Department may accept an application only if it is complete, unless otherwise specified in this Chapter. The Department shall consider an application to be complete only upon the applicant's payment of the required permit fee and submission of an application which provides all of the following information:

(1) The name and contact information of the applicant;

(2) The name and contact information of the owner of the premises, if different from the applicant;

(3) Written authorization by the owner for the applicant, if different from the owner, to submit the application on the owner's behalf;

(4) The name and contact information of the sign erection contractor that will erect the proposed sign for which the permit is sought;

- 1 (5) The number of the sign erection contractor's valid license, as issued by the
2 Buildings, Safety Engineering, and Environmental Department's Business License
3 Center;
- 4 (6) The address and parcel number(s) of the premises;
- 5 (7) The zoning district and sign district of premises;
- 6 (8) Proof of current ownership of the premises, as may be provided in the form of a
7 deed, land contract, or other valid and duly recorded instrument;
- 8 (9) A site plan to scale showing the existing conditions of the premises, including:
- 9 a. North arrow, legend, if applicable, with graphic and written scale;
- 10 b. Location map, showing the location of the premises;
- 11 c. Locations and names of all public rights-of-way, private roads, and
12 railroads, as well as all existing pedestrian pathways and driveways,
13 whether adjacent or interior to the premises;
- 14 d. Locations and outer perimeter dimensions of all existing buildings and other
15 structures on the premises;
- 16 e. Locations of all existing signs; and
- 17 f. Location of proposed sign;
- 18 (10) The elevations of all buildings and other structures, including signs, on the
19 premises, including:
- 20 a. Identification of the location and general orientation of the elevation;
- 21 b. A general depiction of the façade of each existing building and any other
22 structure;

- c. A general depiction of all existing signs, including applicable dimensions of height, clearance, and area;
- d. A general design concept for the sign, including applicable dimensions of height, clearance, and area; and
- e. Total length in linear feet of the elevation(s) of each building or structure fronting a street.

(11) A summary of all existing and proposed signs, including for each such sign:

- a. A description of the location of the sign, corresponding to the site plan identified in Subsection (4) of this section, including the setback from the closest right-of-way;
- b. The purpose of the sign, such as for advertising or business signage purposes;
- c. An indication of whether the sign is a new sign or an alteration of an existing sign;
- d. The height, clearance, and area of the sign;
- e. The type of construction of the sign;
- f. The illumination of the sign, if any, including whether the illumination is internal or external and the type of illumination technology utilized;
- g. The dynamic and animated operation of the sign, if any; and
- h. All applicable sign specifications and calculations as provided in an engineer's report where applicable.
- k. Description or identification of the current land use designation of the premises.

1 (12) Copies of all permits and other approvals by any other federal, state, or local
2 governmental agency that may be necessary for construction, erection, or operation
3 of the sign, including, but not limited to, approvals by the Michigan Department of
4 Transportation, the Planning and Development Department, the Detroit City
5 Planning Commission, the Detroit Historic District Commission, or the Detroit
6 Department of Public Works.

7 (13) If the application is for a business sign subject to Division 3 of this Article:

- 8 a. Whether the sign constitutes any type of sign identified in Section 4-4-63 of
9 this Code, such as a high-rise identification sign, a painted side-wall sign, a
10 sponsorship sign associated with public art, or a directional sign; and
11 b. Whether the premises is located in the Entertainment District, and if so,
12 identification of the applicable zone thereof;

13 (14) If the application is for an advertising sign located outside the Central Business
14 District subject to Division 4 of this Article:

- 15 a. The name and contact information of the advertising partner of the
16 applicant, if any; and
17 b. An affidavit, signed by a registered surveyor licensed in the State of
18 Michigan, declaring whether or not any of the features listed in Section 4-
19 4-103 of this Code are located within any of the associated distances set
20 forth therein, and if so, the exact distance of each such feature from the
21 premises.

22 (15) If the application is for an advertising sign located in the Central Business District
23 subject to Division 5 of this Article:

1 a. The name and contact information of the advertising partner of the
2 applicant, if any;

3 b. Identification of the category of advertising sign, as described in Section
4 4-4-128 of this Code, for which the permit is being sought; and

5 c. Identification of the orientation of the façade of the building or structure to
6 which the advertising sign is proposed to be erected.

7 (16) If the application is for a sign located in the right-of-way subject to Division 6 of
8 this Article:

9 a. The name of right-of-way in which the sign is to be located;

10 b. The address of the premises adjacent to the point where the sign is to be
11 located;

12 c. If the sign is to operate as a business sign, the name and address of the
13 business;

14 d. If the sign is to operate as an advertising sign, a description and rendering
15 of the freestanding structure of which the sign is to be a component; and

16 e. If the sign is to operate as an advertising sign, an affidavit, signed by a
17 registered surveyor licensed in the State of Michigan, declaring whether or
18 not an advertising sign is located within 250 feet in the same right-of-way
19 as the sign and oriented in the same direction as the sign, and if so, the exact
20 distance of such sign from the sign.

21 (17) If the application is for a temporary sign subject to Division 7 of this Article:

- 1 a. The number, date of issuance, and date of expiration of every temporary
2 sign permit that has been issued in association with the premises, whether
3 or not also associated with the applicant;
4 b. the date of the conclusion of the occasion to which the temporary sign is
5 intended to direct attention;
6 c. if the temporary sign is to be associated with a premises that is listed as
7 being for sale or lease, a copy of such listing; and
8 d. if the temporary sign is to be associated with a premises associated with an
9 open building or construction permit, the number, issuance date, and
10 expiration date of such permit.

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

14 (1) Where the person is an individual:

- 15 a. The person's full legal name, and any other name used by the person during
16 the preceding five years;
17 b. The person's current mailing address, telephone number, and e-mail
18 address; and
19 c. Written proof of age in the form of a driver's license, a picture identification
20 document that is issued by a governmental agency and contains containing
21 the person's date of birth, or a copy of a birth certificate accompanied by a
22 picture identification document that is issued by a governmental agency.

23 (2) Where the entity is a partnership:

1 a. The legal name, and any other name, used by the partners during the
2 preceding five year; and

3 b. The current mailing address, telephone number, and e-mail address for the
4 entity.

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

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

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

8 c. The name of the person or persons doing business under such trade or
9 assumed name, the manager, and other person or persons who are in charge;
10 and

11 d. The current mailing address, telephone number, and e-mail address for the
12 entity.

13 (4) Where the entity is a corporation:

14 a. The full and accurate corporate name;

15 b. The state and date of incorporation;

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

18 d. The current mailing address, telephone number, and e-mail address for the
19 entity.

20 (5) The name, business address, and telephone number of the business.

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

1 (c) Any information provided by the applicant in accordance with this section shall be
2 supplemented in a form acceptable to the Department within ten business days of a change of
3 circumstances that would render false or incomplete the information that was previously
4 submitted. The requirement to provide supplemental information shall be ongoing during the
5 pendency of the application and the term of the permit, if issued.

6 **Sec. 4-4-20. Relation to other regulations.**

7 (a) In the event that the regulations set forth in this chapter are in conflict with, or
8 otherwise differ from, comparable regulations set forth in any other chapter of this Code, the
9 provisions of this chapter shall control, with the exception of regulations set forth in Chapter 50 of
10 this Code, Zoning, pertaining to the dimensional standards and other substantive requirements for
11 signs located in a Planned Development (PD) District, Special Development District, Casinos
12 (SD5) or in a Traditional Main Street Overlay (TMSO) area, in which case the more restrictive
13 provision shall control.

14 (b) Nothing in this chapter shall exempt any sign from Special District Review, or any
15 other procedural review requirements and associated design standards, set forth in Chapter 50 of
16 this Code, Zoning, as may be applicable to signs located in a Planned Development (PD) Public
17 Center (PC) District, Public Center Adjacent (PCA) District, Parks and Recreation (PR) District,
18 Special Development District, Technology and Research (SD3), Special Development District,
19 Riverfront Mixed Use (SD4), or Special Development District, Casinos (SD5).

Sec. 4-4-21. Amortization.

(a) Any sign for which a permit, grant, or other approval has been issued prior to the effective date of this ordinance, that is in compliance with all terms and conditions of such approval, but that does not conform to the provisions and standards of Chapter 4, Article 4, Divisions 2 through 7, shall not be subject to the dimensional standards and other substantive requirements of this Article until January 1, 2030. Upon such date, each such sign shall be subject to all applicable requirements set forth in this chapter, notwithstanding any permit, grant, or other approval that has been issued under the authority of Chapter 50 of this Code, Zoning, or any provision allowing the persistence of any nonconforming use set forth in this Code.

(b) Any sign for which a permit, grant, or other approval has been issued under the authority of this chapter, that is in compliance with all terms and conditions of such approval, and that is rendered in violation of this chapter solely as a result of an amendment hereof, shall not be subject to the dimensional standards and other substantive requirements of this Article for a period of 10 years, commencing upon the effective date of such amendment. Upon the completion of such period, each such sign shall be subject to all applicable requirements set forth in this chapter, notwithstanding any permit, grant, or other approval that authorizes anything to the contrary.

Sec. 4-4-22. Waivers and adjustments to sign standards.

(a) Any dimensional or operational standard or requirement set forth in this article may be subject to waiver or adjustment in accordance with the provisions of this section, except as expressly limited or prohibited. The Director of the Planning and Development Department, or the Director's Designee, is authorized to serve as the administrator for waivers and adjustments.

1 (b) In accordance with Section 2-111 of the Charter, the Director of the Planning and
2 Development Department, or the Director's Designee, is authorized to promulgate rules for the
3 administration of waivers and adjustments under this section.

4 (c) The owner of any premises may, upon petition to the Director of the Planning and
5 Development Department, or the Director's Designee, request the waiver or adjustment of any
6 dimensional or operational standard or requirement set forth in this article, except as expressly
7 limited or prohibited, with which the proposed signage for such premises may not strictly comply.
8 Such petition shall consist of a completed application in a form acceptable to the Director of the
9 Planning and Development Department, or the Director's Designee, an application for the erection
10 or alteration of the proposed signage in accordance with Section 4-4-19 of this Code, and an
11 application fee. Every petition shall be subject to a public hearing in accordance with the
12 procedures and standards of this section.

13 (d) The Director of the Planning and Development Department, or the Director's
14 Designee, shall charge a fee for the processing of any petition for waiver and adjustment under
15 this Section. In accordance with Section 9-507 of the Charter, the Director of the Planning and
16 Development Department, or the Director's Designee, shall establish a fee, subject to approval by
17 the City Council by adoption of a resolution, and collect such fee based upon the cost of issuance
18 and administration of considering petitions for waivers and adjustments. A non-refundable fee
19 shall be charged for each premises for which a petition for waiver or adjustment of certain
20 standards is requested, regardless of the number of specific standards or requirements for which a
21 waiver or adjustment may be requested. After adoption of a resolution by the City Council and
22 approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:

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

3 (2) Made available at the Planning and Development Department and at the Office of
4 the City Clerk; and

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

7 (e) Not more than five business days following the date of the submission of a petition,
8 the Director of the Planning and Development Department, or the Director's Designee, shall
9 evaluate the petition, determine if it is complete or deficient, and inform the petitioner as to its
10 status. If the petition is incomplete or otherwise deficient in any way, the Director of the Planning
11 and Development Department, or the Director's Designee, shall inform the petitioner of such
12 deficiency and allow the petitioner to correct the deficiency within a specified period of time not
13 to exceed 30 days. The Director of the Planning and Development Department, or the Director's
14 Designee, shall dismiss any deficient petition that is not timely corrected. If the petition is
15 complete and not deficient in any way, the Director of the Planning and Development Department,
16 or the Director's Designee, shall assign a unique case number to the petition, and inform the
17 petitioner of such case number and the date of the public hearing regarding the petition. The
18 Director of the Planning and Development Department, or the Director's Designee, shall schedule
19 each petition for the next available public hearing date, unless a later date is requested in writing
20 by the petitioner, and shall schedule petitions for public hearing in the order in which they are
21 deemed to be complete.

1 (f) Not less than 15 calendar days prior to the date of the public hearing for a petition,
2 the Director of the Planning and Development Department, or the Director's Designee, shall issue
3 public advisement of such hearing containing the following:

4 (1) Name of the petitioner;

5 (2) Address of the subject premises;

6 (3) Summary of the proposed signage at the subject premises for which a waiver or
7 adjustment is sought, including a general description of the construction, area,
8 height, and illumination of each such proposed sign;

9 (4) Citation to the specific provisions of this article for which a waiver or adjustment
10 is petitioned and the strict standards and requirements set forth in such provisions
11 as applicable to the proposed signage;

12 (5) Summary of the extent to which each proposed sign does not comply with the strict
13 standards and requirements set forth in this article;

14 (6) The criteria by which a waiver or adjustment may be approved, as set forth in
15 Subsection (j) of this section;

16 (7) The date, time, and location of the public hearing for the petition; and

17 (8) Advisement of the opportunity to attend the public hearing and to submit written
18 comment regarding the petition, the name and contact information to which such
19 comments can be submitted, and the date by which such comments must be
20 received, including the location, mailing address, and email address to which such
21 comments can be submitted.

1 (g) The Director of the Planning and Development Department, or the Director's
2 Designee, shall distribute any advisement required pursuant to Subsection (f) of this section by
3 each of the following means:

4 (1) Publication in a newspaper of general circulation within the City;

5 (2) Publication on a page of the City's website associated with the Planning and
6 Development Department for a period to conclude no sooner than the date of the
7 public hearing;

8 (3) Mail or by personal service with proof of delivery to the owners and occupants of
9 all buildings or structures of which any portion is located within 300 feet, measured
10 radially, of the premises that is the subject of the petition. If a single building or
11 structure within that area contains four or more dwelling units or tenant spaces, then
12 notice may be sent to the owner of the building or structure with a request that such
13 notice be distributed to all occupants;

14 (4) Mail, email, or personal service to the Buildings, Safety Engineering, and
15 Environmental Department, the Department of Public Works, the City Planning
16 Commission, and any other City department or agency that has made such request;
17 and

18 (5) Causing the applicant to erect a posting at the premises that is the subject of the
19 petition, at a location along the frontage of such premises, in a manner that is clearly
20 visible from the adjacent street and in a form that is acceptable to the Director of
21 the Planning and Development Department, or the Director's Designee, for a period
22 to conclude no sooner than the date of the public hearing.

1 (h) The Director of the Planning and Development Department, or the Director's
2 Designee, shall accept any written comment, document, report, and other written information that
3 pertains to the petition and is timely submitted to the Director of the Planning and Development
4 Department, or the Director's Designee, prior to the conclusion of the public hearing from the City
5 Planning Commission, any other City department or agency, or any other source, and shall make
6 all timely submitted writings a part of the record regarding the petition.

7 (i) The Director of the Planning and Development Department, or the Director's
8 Designee, shall conduct each public hearing regarding a petition for a waiver or adjustment at a
9 public meeting in accordance with the Michigan Open Meetings Act, 1976 PA 267, being MCL
10 15.261, et seq., as amended, as well as with its general rules and procedures.

11 (j) The Director of the Planning and Development Department, or the Director's
12 Designee, may approve a petition for a waiver or adjustment only upon finding that such waiver
13 or adjustment satisfies all of the following:

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

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

21 (3) That the requested waiver or adjustment would be sufficient to effectively eliminate
22 all practical difficulties referenced in Subsection (j)(1) of this section;

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

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

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

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

11 (8) The proposed signage for the subject premises, submitted as part of the application
12 for the waiver or adjustment, is in general accord with the spirit and intent of the
13 regulations set forth in this chapter.

14 The Director of the Planning and Development Department, or the Director's Designee, may
15 approve a petition with conditions if it determines that satisfaction of such conditions are necessary
16 to enable it to make all of the above-listed findings. All such conditions must be reasonably related
17 to the scope of the petition and in proportion to the magnitude of the requested waiver or
18 adjustment.

19 (k) Not more than 15 business days following the public hearing for a petition, the
20 Director of the Planning and Development Department, or the Director's Designee, shall issue its
21 written decision regarding such petition. Such written decision constitutes the final administrative
22 decision of the Director of the Planning and Development Department, or the Director's Designee,

1 on behalf of the Planning and Development Department regarding the petition. Each such written
2 decision shall contain the following:

3 (1) All required contents of the public notice for the petition, as set forth in Subsection
4 (f) of this section, except for the contents required under paragraph (f)(8).

5 (2) Summary of the record of the public hearing, including summaries of the testimony,
6 written materials, and other information provided by the petitioner, summaries of
7 the public comments, whether submitted in writing or in person, and other
8 information pertinent to the administrative decision regarding the petition.

9 (3) The decision of the Director of the Planning and Development Department, or the
10 Director's Designee, to approve, approve with conditions, or deny the petition.

11 (4) For any petition that is approved with conditions, all such conditions.

12 (5) Explanation of the basis for approval, approval with conditions, or denial, including
13 discussion of the petition's satisfaction or failure to satisfy each of the specific
14 findings listed in Subsection (j) of this section.

15 (6) For any petition that is approved, approved with conditions, or denied, notice of the
16 opportunity to appeal the decision of the Director of the Planning and Development
17 Department, or the Director's Designee, as authorized by Section 4-4-23 of this
18 Code, and the deadline by which such appeal must be made, as well as a certificate
19 of the right to appeal in a form acceptable to the Department of Appeals and
20 Hearings.

21 (l) Upon issuance of its decision regarding a petition, the Director of the Planning and
22 Development Department, or the Director's Designee, shall distribute such decision to each of the
23 following:

1 (1) By mail, email, or personal service with proof of delivery to the petitioner, and any
2 other attendee at the public hearing that has so requested.

3 (2) By publication on a page of the website of the City associated with the Planning
4 and Development Department.

5 (3) By any other means that the Director of the Planning and Development Department,
6 or the Director's Designee, may determine to be feasible and effective.

7 (m) The Director of the Planning and Development Department, or the Director's
8 Designee, shall cause a record of each petition to be kept in accordance with its general rules and
9 procedures that shall include:

10 (1) The petition;

11 (2) Any public advisements issued regarding the public hearing for the petition;

12 (3) Any written comment, document, report, and other written information that is
13 timely submitted prior to the public hearing regarding the petition;

14 (4) A transcript or other written or audio recording of the public hearing;

15 (5) The written decision of the Director of the Planning and Development Department,
16 or the Director's Designee, regarding the appeal; and

17 (6) Any documents, materials, and other information regarding the petition that may
18 have informed the decision of the Director of the Planning and Development
19 Department, or the Director's Designee, regarding the petition.

20 (n) The specific terms and conditions of any waiver or adjustment granted under this
21 section shall be incorporated into the terms and conditions of the permit for the sign. Such waiver
22 or adjustment shall be valid only as applied to the permitted sign, and shall be subject to
23 suspension, revocation, or denial of renewal under the same circumstances as the permit itself.

1 (o) Not later than January 31st of each year, the Director of the Planning and
2 Development Department, or the Director's Designee, shall prepare and present to the City Council
3 a report of the petitions submitted during the prior year. Each such report must identify the number
4 of petitions submitted, the number of petitions that were approved, approved with conditions, and
5 denied, and the locations of the premises for which petitions were submitted, summarize the
6 provisions of this article for which waivers or adjustments were requested, and make
7 recommendations for amendment of this Article, as well as provide any other information that may
8 reasonably be requested by the City Council.

9 (p) Nothing in this section shall grant any individual a right to receive advisement of a
10 petition for waiver or adjustment, to submit a comment regarding such petition, or to have any
11 such comment admitted in the record for such petition. The failure or refusal of the Planning and
12 Development Department to issue any advisement in any particular form, collect any comment,
13 admit any comment in the record of an appeal, or take other action in strict accordance with
14 Subsections (f) through (h) of this section shall not constitute deprivation of any right or duty
15 owed.

16 **Sec. 4-4-23. Appeals of administrative decisions under this chapter.**

17 (a) In accordance with Chapter 3. of this Code, *Administrative Hearings and*
18 *Enforcement, and Administrative Appeals*, Division IV, *Administrative Appeals*, as well as the
19 rules of procedure promulgated thereunder, any appeal of an administrative decision made
20 pursuant to Section 4-4-22 of this Code shall be made to the Department of Appeals and Hearings.

21 (b) Only the individual or entity that is subject to an administrative decision made
22 pursuant to Section 4-4-22 of this Code, or any individual or entity with a property interest within
23 300 radial feet of the property subject to the administrative decision made pursuant to Section 4-
24 4-22 of this Code has the right to appeal such administrative decision. Such individual or entity

1 may, by a writing in a form satisfactory to the Department of Appeals and Hearings, appoint an
2 agent to serve as its authorized representative at its appeal.

3 **Sec. 4-4-24. Sign guidebook.**

4 _____ Not later than the effective date of this ordinance, the Department shall prepare a sign
5 guidebook containing pictures, graphics, workflows, sample applications and forms, and other
6 information that may be convenient for the understanding, implementation, and enforcement of
7 this ordinance. The Department may revise the guidebook as necessary. The Department may
8 consult with the Planning and Development Department, the City Planning Commission, the Law
9 Department, and any other City department for the purpose of creating the sign guidebook or any
10 revision thereto. The Department shall make the current version of the Sign Guidebook available
11 for public inspection, both through the City's website and at its principal offices without charge.

12 **Secs. 4-4-25—4-4-30. Reserved.**

13 **DIVISION 2. GENERAL SIGN STANDARDS**

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

15 _____ (a) This division sets forth standards for individual signs, including permissible
16 location, number, area, height, projection, clearance, illumination, and dynamic operation, based
17 on the type of construction, material, placement, and technological capability of the sign.

18 _____ (b) Any sign may be subject to additional regulations set forth elsewhere in this article
19 based on its intended use as a business sign, advertising sign, or temporary sign, its location on a
20 premises or in a right-of-way, or other applicable parameters.

21 _____ (c) Adjustment or waiver made pursuant to Section 4-4-22 of this Code regarding the
22 permissibility of any type of construction, material, placement, and technological capability of a
23 sign, as set forth in Subsection (a) of any section of this Division, is prohibited.

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

2 (a) *Permissibility.* Arcade signs are permissible only in high-density residential/mixed
3 use sign districts, low-density commercial/institutional sign districts, and high-density
4 commercial/industrial sign districts.

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

7 (c) *Area.* In high-density residential/mixed use sign districts, the area of any arcade
8 sign must not exceed four square feet. In low-density commercial/institutional sign districts and
9 high-density commercial/industrial sign districts, the area of any arcade sign must not exceed six
10 square feet.

11 (d) *Clearance.* The clearance of any arcade sign must be not less than eight feet, six
12 inches and such clearance must be unobstructed so as to allow the safe and efficient flow of
13 pedestrian and vehicular traffic below the sign.

14 (e) *Illumination.* Any arcade sign may be illuminated, either internally or externally.

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

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

17 (a) *Permissibility.* Awning signs are permissible only in high-density
18 residential/mixed use sign districts, low-density commercial/institutional sign districts, high-
19 density commercial/industrial sign districts, and recreation/open space sign districts.

20 (b) *Number.* Not more than one awning sign is permissible for any awning.

21 (c) *Area.* In high-density residential/mixed use sign districts and recreation/open space
22 sign districts, the area of an awning sign must not exceed 40% of the area of the awning to which
23 it is affixed. In low-density commercial/institutional sign districts and high-density

commercial/industrial sign districts, the area of any awning sign must not exceed 60% of the area of the awning to which it is affixed.

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

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

(f) Illumination. Any awning sign may be illuminated, either internally or externally.

(g) Dynamic operation. No awning sign may be dynamic.

Sec. 4-4-34. Double-face signs.

(a) Permissibility. Double-face signs are permissible wherever a sign is permitted under this chapter.

(b) Dimensional and operational parameters. For all dimensional and operational parameters, including but not limited to number, area, height, clearance, illumination, and dynamic operation, each face of any double-face sign is subject to the standards set forth in this article that would apply as if the sign has only one face.

(c) Number. A double-face sign, including both sign faces, counts as one sign.

(d) Area. The area of a double-face sign is determined based on the area of the larger of the two faces of the sign.

(e) Height. The height of a double-face sign is determined based on the height of the higher of the two faces of the sign.

(f) Clearance. The clearance of a double-face sign is determined based on the clearance of the lower of the two faces of the sign.

1 (g) *Illumination.* A double-face sign is considered illuminated if either face of the sign
2 is illuminated. A double-face sign is considered internally illuminated if either face of the sign is
3 internally illuminated.

4 (h) *Dynamic operation.* A double-face sign is considered dynamic if either face of the
5 sign is dynamic. A double-face sign is considered animated if either face of the sign is animated.

6 **Sec. 4-4-35. Dynamic signs.**

7 (a) *Permissibility.*

8 (1) Dynamic signs are permissible only in low-density commercial/institutional sign
9 districts and high-density commercial/industrial sign districts. Dynamic signs may
10 be animated only in the Central Business District.

11 (2) Dynamic business signs are subject to the additional regulations found in Section
12 4-4-66 of this Code.

13 (b) *Number.* Not more than one dynamic sign is permissible per premises, with the
14 following exceptions:

15 (1) On any premises containing a multi-tenant building or structure that does not
16 contain any residential dwelling units, not more than one dynamic sign is
17 permissible for each ground floor tenant space.

18 (2) On any multi-building campus, the total number of dynamic signs must be not more
19 than the total number of buildings on the campus.

20 (c) *Illumination.* Any dynamic sign may be illuminated, subject to the limits for
21 illuminated signs set forth in Section 4-4-36 of this Code. Dynamic signs shall be constructed and
22 otherwise equipped so as to effectively mitigate unreasonable nightglow, illumination spillover,
23 and other forms of excessive illumination.

1 (d) Computer Interface. If a dynamic sign is operated by means of digital computer
2 controls and associated software, the records of such controls, including records of the sign's
3 illumination intensity, change cycle, display of animation, and hours of operation, must be
4 available for inspection upon request by the Department. If such records are not made available
5 within two business days following such request, the sign shall cease operation until such records
6 are provided.

7 (e) Hours of Operation. Any dynamic sign that is located outside of the Central
8 Business District must discontinue all dynamic operations between the hours of 2:00 am and 6:00
9 am. During these hours, such signs may operate as static, internally illuminated signs.

10 (f) 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 (g) Dissemination of Public Emergency Communications.

14 (1) In recognition that:

15 (i) The City has significant governmental interests in protecting its aesthetic
16 values and in mitigating instances of visual blight, as well as in rapidly and
17 widely disseminating information to the general public for purposes of
18 prevention, mitigation, and response to public emergency circumstances
19 that could be deleterious to the general health, safety, and welfare; and

20 (ii) The City manages a community messaging system to coordinate the
21 widespread and rapid dissemination of emergency communications through
22 a variety of means, including phone, text, and email; and

23 (iii) Those dynamic signs that are operated for advertising purposes are
24 particularly large and highly visible to significant numbers of motorists and

pedestrians, and are equipped with technology that enables them to display new messages on an immediate basis and cycle through multiple messages in rapid succession; and

(iv) Due to their visibility and technology, dynamic advertising signs can, by their very nature, present distractions and other unsafe conditions for nearby pedestrians, motorists, and properties, but can also serve as an optimal platform for the dissemination of information regarding public emergency circumstances, which can serve to protect the health, safety, and welfare of those same pedestrians, motorists, and properties;

Any dynamic sign that is operated for advertising purposes by means of digital technology described in Subsection (d) of this section shall display emergency communications as part of the City's community messaging system in accordance with this Subsection.

(2) The owner of any sign that is subject to this subsection shall undertake all actions necessary to coordinate with the Detroit Homeland Security and Emergency Management Department to accept emergency communications and to display such communications on such sign.

(3) Each sign that is subject to this subsection shall display the copy of every emergency communication as disseminated by the Detroit Homeland Security and Emergency Management Department without modification or alteration. No sign shall have any obligation under this subsection to display any copy other than an emergency communication that is disseminated by the Detroit Homeland Security

1 and Emergency Management Department as part of its community messaging
2 system.

3 (4) Each sign that is subject to this subsection shall display emergency communications
4 at regular intervals as part of its ordinary cycle. No sign shall have any obligation
5 to display an emergency communication at any time period other than during or in
6 anticipation of the associated emergency circumstance, and during such time period
7 shall have no obligation to display such emergency communication for more than
8 one-sixteenth of the total time of such sign's operation.

9 **Sec. 4-4-36. Illuminated signs.**

10 (a) Permissibility. Illuminated signs are permissible in all sign districts. Illuminated
11 signs in low-density residential sign districts may be externally illuminated only.

12 (b) Luminance. The luminance of any illuminated sign is subject to the following
13 limits:

14 (1) For any illuminated sign located in a low-density residential sign district or a
15 recreation/open space sign district, luminance must not exceed 2,500 nits during
16 the hours between 6:00am and the subsequent 10:00pm, and must not exceed 20
17 nits during the hours between 10:00pm and the subsequent 6:00am.

18 (2) For any illuminated sign located in a high-density residential/mixed use sign
19 district, luminance must not exceed 3,500 nits during the hours between 6:00am and
20 the subsequent 10:00pm, and must not exceed 40 nits during the hours
21 between 10:00pm and the subsequent 6:00am.

22 (3) For any illuminated sign located in a low-density commercial/institutional sign
23 district or a high-density commercial/industrial sign district, luminance must not

1 exceed 3,500 nits during the hours between 6:00am and the subsequent 10:00pm,
2 and must not exceed 80 nits if outside the Central Business District or 160 nits if
3 inside the Central Business District during the hours between 10:00pm and the
4 subsequent 6:00am.

5 (c) *Orientation.*

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

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

12 (d) *No Excessive Illumination.* Illuminated signs shall be constructed and otherwise
13 equipped so as to effectively mitigate unreasonable nightglow, illumination spillover, and other
14 forms of excessive illumination.

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

18 **4-4-37. Marquee signs.**

19 (a) *Permissibility.* Marquee signs are permissible only in low-density
20 commercial/institutional sign districts and high-density commercial/industrial sign districts.

21 (b) *Number.* Not more than one marquee sign is permissible on any single façade of
22 a marquee.

1 (c) *Area.* The area of any marquee sign must not exceed the area of the façade of the
2 marquee to which the sign is affixed.

3 (d) *Height.* The height of any marquee sign must not exceed the sum of the height of
4 the marquee to which it is affixed plus one-half of the vertical dimension of the marquee façade.

5 (e) *Clearance.* The clearance of any marquee sign must be not less than the clearance
6 of the marquee to which it is affixed.

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

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

9 (h) *Dynamic operation.* In any low-density commercial/institutional sign district or
10 high-density commercial/industrial sign district outside the Central Business District, any marquee
11 sign may be dynamic, but not animated. In the Central Business District, any marquee sign may
12 be animated.

13 **Sec. 4-4-38. Mechanical signs.**

14 (a) *Permissibility.* Mechanical signs are permissible only in low-density
15 commercial/institutional sign districts and high-density commercial/industrial sign districts, and
16 therein such districts only as temporary signs subject to Division 7 of this Article.

17 (b) *Number.* Not more than one mechanical sign is permissible on any premises at any
18 given time.

19 (c) *Area.* The area of any mechanical sign must not exceed 12 square feet.

20 (d) *Height.* The height of any mechanical sign must not exceed 10 feet.

21 (e) *Clearance.* Mechanical signs are not subject to any clearance requirement.

22 (f) *Illumination.* No mechanical sign may be illuminated, either internally or
23 externally.

1 (g) Dynamic operation. No mechanical sign may be dynamic.

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

3 (a) Permissibility. Monument signs are permissible only in high-density
4 residential/mixed use sign districts, low density commercial/institutional sign districts, high
5 density commercial/industrial sign districts, and recreation/open space sign districts.

6 (b) Number. Not more than one monument sign is permissible on any premises, with
7 the exception that in any low-density commercial/institutional sign district or high-density
8 commercial/industrial sign district, where the premises frontage exceeds 200 linear feet, not more
9 than one monument sign is permitted for each 200 feet of premises frontage, provided that no two
10 monument signs on the same premises may be located within 200 feet of each other.

11 (c) Area. In any high-density residential/mixed use sign district or recreation/open
12 space sign district, the area of each face of a monument sign must not exceed 12 square feet. In
13 any low-density commercial/institutional sign district or high-density commercial/industrial sign
14 district, the area of each face of a monument must not exceed 20 square feet, except that for any
15 multi-tenant shopping center located in a portion of a low-density commercial/institutional sign
16 district designated in the Master Plan of Policies as retail centers (CRC), the area of each face of
17 one monument sign must not exceed 150 square feet.

18 (d) Height. In any high-density residential/mixed use sign district or recreation/open
19 space sign district, the height of any monument sign must not exceed six feet. In any low-density
20 commercial/institutional sign district or high-density commercial/industrial sign district, the height
21 of any monument sign must not exceed ten feet, except that for any multi-tenant shopping center
22 located in a portion of a low-density commercial institutional sign district designated by the Master
23 Plan of Policies as retail centers (CRC), the height of a monument sign must not exceed 15 feet.

1 (e) Clearance. In any high-density residential/mixed use sign district or
2 recreation/open space sign district, the clearance of any monument sign must be not more than two
3 feet. In any low-density commercial/institutional sign district or high-density
4 commercial/industrial sign district, the clearance of any monument sign must not be more than
5 four feet.

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

8 (g) Dynamic operation. In any high density residential/mixed use sign district or
9 recreation/open space sign district, no monument sign may be dynamic. In any low-density
10 commercial/institutional sign district or high-density commercial/industrial sign district outside
11 the Central Business District, any monument sign may be dynamic, but not animated. In the
12 Central Business District, any monument sign may be animated.

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

14 (a) Permissibility. Pole signs are permissible only in low-density
15 commercial/institutional sign districts and high-density commercial/industrial sign districts
16 outside of the Central Business District, except that pole signs are not permissible on any premises
17 located within a “traditional main street overlay,” as designated in Chapter 50 of this Code, Zoning.

18 (b) Number. Not more than one pole sign is permissible on any premises, with the
19 exception that one pole sign is permitted for each 400 linear feet of premises frontage, provided
20 that no two pole signs on the same premises may be located within 400 feet of each other.

1 (c) Area.

2 (1) In any low-density commercial/institutional sign district, the area of any pole sign
3 that is utilized as a business sign in accordance with Division 3 of this article must
4 not exceed 12 square feet.

5 (2) In any high-density commercial/industrial sign district, the area of any pole sign
6 that is utilized as a business sign in accordance with Division 3 of this article must
7 not exceed 20 square feet.

8 (3) Any pole sign that is utilized as an advertising sign in accordance with Division 4
9 or Division 5 of this article is subject to applicable area limitations set forth therein.

10 (d) Height.

11 (1) The height of any pole sign that is utilized as a business sign in accordance with
12 Division 3 of this article and that is located along any frontage of a premises that
13 abuts a right-of-way that is 80 feet or less in width must not exceed 15 feet.

14 (2) The height of any pole sign that is utilized as a business sign in accordance with
15 Division 3 of this article, and that is located along any frontage of a premises that
16 abuts a right-of-way that is more than 80 feet in width, must not exceed 25 feet.

17 (3) Notwithstanding paragraphs (1) and (2) of this subsection, in no case may the height
18 of a pole sign that is utilized as a business sign in accordance with Division 3 of
19 this article exceed the height of the tallest building or structure located on the
20 premises on which the sign is located.

21 (4) Any pole sign that is utilized as an advertising sign in accordance with Division 4
22 or Division 5 of this article is subject to applicable height limitations set forth
23 therein.

1 (d) *Setback.* Any pole sign that is utilized as a business sign in accordance with
2 Division 3 of this article must be set back from the front of the premises on which it is located a
3 distance equal to half of the height of the sign, measured from the outermost projection of any
4 component of the sign.

5 (e) *Illumination.* A pole sign may be illuminated, either internally or externally.

6 (f) *Dynamic operation.* A pole sign may be dynamic, but not animated.

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

8 (a) *Permissibility.* Portable signs are permissible in all sign districts, except that
9 portable signs in low-density residential sign districts are permissible only as temporary signs. The
10 permissibility of portable signs located in a public right-of-way is further subject to approval by
11 the Department of Public Works, or other public agency with jurisdiction over such right-of-way.

12 (b) *Location.* Any portable sign must be located so as to avoid obstruction of or
13 interference with the safe and efficient flow of pedestrian or vehicular traffic, or with the
14 accessibility into or out of any building or structure. Additionally:

15 (1) No portable sign may be located less than ten feet, measured linearly along the same
16 side of the right-of-way, from a driveway, cross walk, or other curb cut.

17 (2) No portable sign may be located less than 20 feet, measured linearly along the same
18 side of the right-of-way, from another portable sign.

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

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

1 (5) Any portable sign in the right-of-way must be located on a paved sidewalk, and
2 must not be located on a berm or other grassy or landscaped portion of such right-
3 of-way.

4 (c) Number. Not more than one portable sign is permissible for any premises, with the
5 following exceptions:

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

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

10 (d) Area. In any low-density residential sign district, high-density residential/mixed
11 use sign district, or recreation/open space sign district, the area of any portable sign must not
12 exceed six square feet. In any low-density commercial/institutional sign district or high-density
13 commercial/industrial sign district, the area of a portable sign must not exceed ten square feet.

14 (e) Height. In any low-density residential sign district, high-density residential/mixed
15 use sign district, or recreation/open space sign district, the height of a portable sign must not exceed
16 three feet. In any low-density commercial/institutional sign district or high-density
17 commercial/industrial sign district, the height of a portable sign must not exceed four feet.

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

21 (f) Illumination. In any low-density residential sign district, high density
22 residential/mixed use sign district, or recreation/open space sign district, no portable sign may be
23 illuminated. In any low-density commercial/institutional sign district, or high-density

commercial/industrial sign district, any portable sign may be illuminated, either internally or externally, but only if such illumination is powered by an internal battery power source that is self-contained within the sign structure.

(g) *Dynamic operation.* No portable sign may be dynamic.

Sec. 4-4-42. Projecting signs.

(a) *Permissibility.* Projecting signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, high-density commercial/industrial sign districts, and recreation/open space sign districts.

(b) *Location.* Projecting signs must be located so as to be not less than 15 feet, measured linearly along the same side of the street, from any other projecting sign.

(c) *Number.* Not more than one projecting sign is permissible on any premises, with the following exceptions:

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

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

(d) *Area.* In any high-density residential/mixed use sign district or recreation/open space sign district, the area of a projecting sign must not exceed six square feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the area of a projecting sign must not exceed 12 square feet.

(e) *Projection.* In any high-density residential/mixed use sign district or recreation/open space sign district, the projection of a projecting sign must not exceed three feet. In any low-density commercial/institutional sign district or high density commercial/industrial sign district, the projection of a projecting sign must not exceed four feet.

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

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

8 (i) Dvnamic. In any high-density residential/mixed use sign district or recreation/open
9 space sign district, no projecting sign may be dynamic. In any low-density
10 commercial/institutional sign district or high-density commercial/industrial sign district outside
11 the Central Business District, any projecting sign may be dynamic, but not animated. In the Central
12 Business District, any projecting sign may be animated.

13 **Sec. 4-4-43. Raceway signs.**

14 (a) Permissibility. Raceway signs are permissible only in high-density
15 residential/mixed use sign districts, low-density commercial/institutional sign districts, high-
16 density commercial/industrial sign districts, and recreation/open space sign districts.

17 (b) Number. Not more than one raceway sign is permissible for any façade of the
18 building or structure to which the sign is affixed, except for any multi-tenant building or structure,
19 not more than one raceway sign is permissible for each ground floor tenant space.

20 (c) Area. The area of any raceway sign must not exceed one square foot per linear foot
21 of building frontage along the façade of the building or structure to which the sign is affixed.

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

1 (e) Clearance. The clearance of a raceway sign must not be less than eight feet and
2 six inches.

3 (f) Color. The raceway of any raceway sign must be painted or otherwise colored to
4 match the color of the façade of the building or structure to which it is mounted.

5 (g) Illumination. A raceway sign may be illuminated, either internally or externally

6 (h) Dynamic operation. No raceway sign may be dynamic.

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

8 (a) Permissibility. Roof signs are permissible only on buildings or structures of at least
9 ten stories located in low-density commercial/institutional sign districts and high-density
10 commercial/industrial sign districts where no high-rise identification signs are present.

11 (b) Number. Not more than one roof sign is permissible on any premises.

12 (c) Area. If the clearance of the roof sign is greater than 100 feet and less than 200
13 feet, the area of the sign must not exceed two square feet per linear foot of building width. If the
14 clearance of the roof sign is less than 300 feet but not less than 200 feet, the area of the sign must
15 not exceed three square feet per linear foot of building width. If the clearance of the roof sign is
16 not less than 300 feet, the area of the sign must not exceed four square feet per linear foot of
17 building width. For purposes of calculating the area of any roof sign in accordance with this
18 subsection, building width must be measured at the roofline of the building.

19 (d) Height. The height of any roof sign must not exceed the lesser of (1) the maximum
20 permissible height of a building or structure for the premises on which the sign is located, or (2)
21 15 feet above the height of the roofline or parapet of the building or structure to which the sign is
22 affixed.

23 (e) Clearance. The clearance of any roof sign must be not less than the height of the
24 roofline or parapet of the building or structure to which the sign is affixed.

1 (f) Illumination. Any roof sign may be illuminated, either internally or externally.

2 (g) Dynamic operation. No roof sign may be dynamic.

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

4 (a) Permissibility. Wall signs are permissible in all districts.

5 (b) Number. In any low-density residential sign district, not more than one wall sign
6 is permissible on any premises. In any high-density residential/mixed use sign district, low-density
7 commercial/institutional sign district, high-density commercial/industrial sign district, or
8 recreation/open space sign district, not more than one wall sign is permissible for any façade of a
9 building or structure with the exception that on any premises containing a multi-tenant building or
10 structure, not more than one wall sign is permissible for each ground floor tenant space.

11 (c) Area.

12 (1) In any low-density residential sign district or recreation/open space sign district,
13 the area of any wall sign must not exceed 10% of the area of the façade to which it
14 is affixed.

15 (2) In any high-density residential/mixed use sign district, the area of any wall sign
16 must not exceed 40% of the area of the façade to which it is affixed.

17 (3) In any low-density commercial/institutional sign district or high-density
18 commercial/industrial sign district, the area of any wall sign must not exceed 60%
19 of the area of the façade to which it is affixed.

20 (d) Height. The height of any wall sign must not exceed 40 feet, or the height of the
21 roof line or parapet of the building or structure to which the sign is affixed, whichever is less.

22 (e) Illumination. In any low-density residential sign district or recreation/open space
23 sign district, any wall sign may be illuminated externally only. In any high-density

residential/mixed use sign district, low-density commercial/institutional sign district or high-density commercial/industrial sign district, any wall sign may be illuminated, either internally or externally.

(f) *Dynamic operation.* Any wall sign located outside the Central Business District may be dynamic, but not animated. Any wall sign located inside the Central Business District for which internally illumination is permissible may be dynamic and up to 25% of the area of any such wall sign may be animated.

Sec. 4-4-46. Window signs.

(a) *Permissibility.* Window signs are permissible in all sign districts.

(b) *Number.*

(1) In any low-density residential sign district or recreation/open space sign district, not more than one window sign is permissible on any premises.

(2) In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, not more than one window sign is permissible for any window of a building or structure, with the exception that, for any building or structure the of which first floor façade is constructed with glass panels, the permissible number of window signs must not exceed one sign per six feet in linear width of such glass paneling.

(c) *Area.*

(1) In any low-density residential sign district or recreation/open space sign district, the area of any window sign must not exceed 25% of the area of the window in which the sign is affixed.

1 (2) In any high-density residential/mixed use sign district, low-density
2 commercial/institutional sign district, or high-density commercial/industrial sign
3 district, the area of any window sign must not exceed 25% of the area of the
4 window, or 50% of the area of the window if the window sign is constructed of
5 vinyl mesh or other semi-transparent material; and the cumulative area of all
6 window signs located on the building or structure must not exceed 80 square feet.

7 (d) Height. In any low-density residential sign district or recreation/open space sign
8 district, the height of any window sign must not exceed the second story of the building or structure
9 to which it is affixed. In any high-density residential/mixed use sign district, low-density
10 commercial/institutional sign district, or high-density commercial/industrial sign district, the
11 height of any window sign must not exceed the fourth story of the building or structure to which
12 it is affixed.

13 (e) Illumination. In any low-density residential sign district or recreation/open space
14 sign district, no window sign may be illuminated. In any high density residential/mixed use sign
15 district, low-density commercial/institutional sign district, or high-density commercial/industrial
16 sign district, any window sign may be illuminated, either internally or externally.

17 (f) Dynamic operation. In any high-density residential/mixed use sign district, low-
18 density commercial/institutional sign district, or high density commercial/industrial sign district,
19 a window sign may be dynamic only if located in the second, third, or fourth story. In no case
20 may a window sign be animated.

21 Sec. 4-4-47—4-4-60. Reserved.

22 DIVISION 3. REGULATION OF BUSINESS SIGNS

23 SUBDIVISION A. GENERALLY

1 **Sec. 4-4-61. Applicability.**

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

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

5 _____ (a) In general, the maximum permissible aggregate area for all business signs,
6 including sponsorship signs, identification signs, and directional signs located on a single premises
7 is:

8 (1) For any premises in a low-density residential sign district that contains a single-
9 family, two-family, or multi-family residential building or structure with not more
10 than four dwelling units, six square feet.

11 (2) For any premises in a low-density residential sign district that is not identified in
12 Subsection (a)(1) of this section, and in any high-density residential/mixed use sign
13 district, low-density commercial/institutional sign district, or recreation/open space
14 sign district, the greater of:

15 a. 2.6 square feet per linear foot of building frontage, not to exceed 500 square
16 feet; or

17 b. One square foot per linear foot of premises frontage, not to exceed 500
18 square feet.

19 (3) In any high-density commercial/industrial sign district, three square feet per linear
20 foot of building frontage, provided that the maximum permissible aggregate area
21 in any such district located outside the Central Business District, shall not exceed
22 500 square feet.

(4) Notwithstanding other applicable limitations set forth in this section, on any casino premises, four square feet per linear foot of building frontage is permissible.

(b) For any corner premises that fronts onto a freeway, major thoroughfare, or secondary thoroughfare, the maximum permissible aggregate area as determined in Subsection (a) of this section shall be calculated, and shall apply, separately for each frontage of the premises. For any corner premises that does not front onto a freeway, major thoroughfare, or secondary thoroughfare, the maximum permissible aggregate area for the entire premises as determined in Subsection (a) of this section shall be calculated based only on the longest frontage of the premises.

(c) Adjustment under Section 4-4-22 of this Code of the standards and requirements set forth in this section is limited to 25% of such standards.

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

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

(1) High-rise identification signs. On any building or structure located within the Central Business District that does not contain a roof sign and for which the height of the roofline or parapet exceeds 100 feet, not more than two high-rise identification signs are permissible, subject to the following:

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

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

1 (i) For any sign with a clearance of at least 100 feet but less than 200
2 feet, the area of the sign must not exceed two square feet per linear
3 foot of building width;

4 (ii) For any sign with a clearance of at least 200 feet but less than 300
5 feet, the area of the sign must not exceed three square feet per linear
6 foot of building width; or

7 (iii) For any sign with a clearance of at least 300 feet, the area of the sign
8 must not exceed four square feet per linear foot of building width;

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

11 d. Not more than two high-rise signs may be located on any premises; and

12 e. Any high-rise identification sign may be illuminated, either internally or
13 externally, but may not be dynamic.

14 (2) Painted side-wall signs. On any building or structure that is not more than two
15 stories and that is adjacent to a surface parking lot or other property that does not
16 contain a permanent building or structure, such that the side façade of the building
17 is exposed, not more than one sign is permissible on such side wall, subject to the
18 following:

19 a. The sign must be a painted sign;

20 b. The sign may be either non-illuminated or illuminated externally;

21 c. The height of the sign must not exceed the height of the first story of the
22 building or structure; and

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

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

a. The sign must be located proximate to the work of public art;

b. The sign must be constructed as a wall sign or monument sign;

c. The height of the sign must not exceed the lesser of: half the height of the work of public art or 15 feet;

d. The sign may not be illuminated; and

e. The area of the sign may not exceed 5% of the area of the associated work of public art, but in no case more than 300 square feet. The area of the work of public art consisting of a mural or other two-dimensional form should be computed as if it is a sign, in accordance with Section 4-4-5 of this Code. The area of the work of public art consisting of a sculpture or other three-dimensional form should be computed as the product of its height and one-quarter of its perimeter at its base.

(4) Directional signs. On any premises not containing a single-family or two-family dwelling, additional directional signage is permissible, subject to the following:

a. On any premises in a low-density residential sign district, not more than two additional square feet, which may not be illuminated, is permissible.

1 **b. On any premises in a high-density residential/mixed use sign district or**
2 **recreation/open space sign district, not more than four square feet of**
3 **directional signage, which may be illuminated, but may not be dynamic in**
4 **operation, is permissible.**

5 **c. On any premises in a low-density commercial/institutional sign district or**
6 **high-density commercial/industrial sign district, not more than ten square**
7 **feet of directional signage, which may be illuminated and may be dynamic,**
8 **but not animated, in operation, is permissible.**

9 **d. On any premises containing a parking structure, no more than two**
10 **directional signs may be located at each point of ingress or egress, not more**
11 **than 12 square feet each, which may be either internally or externally**
12 **illuminated, and may be dynamic but not animated.**

13 **e. Nothing in this subsection shall limit any premises from utilizing any**
14 **portion of its permissible aggregate business sign area, as determined in**
15 **accordance with Section 4-4-62 of this Code, for purposes of directional**
16 **signage.**

17 **(b) Adjustment or waiver under Section 4-4-22 of this Code of the standards and**
18 **requirements set forth in this section is prohibited.**

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

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

each tenant, provided that such allocation is reasonably proportional to the relative degree of each tenant's physical occupation and economic activity at the premises.

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

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

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

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

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

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

1 (3) Any ground sign located on a corner premises must be set back at least 15 feet from
2 the corner formed by the intersection of any two rights-of-way adjacent to the
3 premises.

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

5 (a) On any premises located outside of the Central Business District for which dynamic
6 signs are permissible, not more than 25% of the maximum permissible aggregate area, as
7 calculated in accordance with Section 4-4-62 of this Code, for the premises, may be dynamic.

8 (b) The maximum permissible aggregate area that may be dynamic is subject to
9 adjustment under Section 4-4-22 of this Code, not to exceed 40%.

10 (c) Permitting for any dynamic business sign is subject to review by the Department of
11 Public Works Traffic Engineering Division and its finding that that the placement of the proposed
12 sign on the premises will not impair the safe and efficient flow of pedestrian or vehicular traffic,
13 in accordance with Section 4-4-35(f) of this Code.

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

15 **SUBDIVISION B. ENTERTAINMENT DISTRICT**

16 **Sec. 4-4-81. Purpose.**

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

properties outside of the District. For zones in which signage is anticipated to be more visible from outside the District, signage regulations are relatively more restrictive.

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

(a) The Entertainment District consists of the area within the boundary beginning at the intersection of the Southbound Fisher Freeway Service Drive and Woodward Avenue and continuing to Sproat Street, then to Clifford Avenue, then to the Southbound Fisher Freeway Service Drive, then to Woodward Avenue, then to the Northbound Fisher Freeway Service Drive, then along the westerly line of the parcel known as 28 W. Montcalm Street, then along the westerly line of the parcel known as 2211 Woodward Avenue, then along the westerly line of the parcel known as 2125 Woodward Avenue, then along the westerly line of the parcel known as 54 W. Elizabeth Street then along the westerly line of the parcel known as 25 W. Elizabeth Street, then along the east-west alley parallel to and south of W. Elizabeth Street to the easterly line of Witherell Street, then to Broadway Street, then to Randolph Street, then to E. Lafayette Street, then to Southbound Chrysler Service Drive, then to Gratiot Avenue, then to Brush Street, then to Beacon Street, then to St. Antoine Street, then along the northern line of the parcel known as 1900 St. Antoine Street, then along the easterly line of the parcel known as 2000 St. Antoine Street, then to Montcalm Street to the easterly line of the parcel known as 430 East Fisher Freeway, then to the Northbound Fisher Freeway Service Drive, then to Woodward Avenue, excluding the church located at 50 E Fisher, and then to the point of beginning.

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

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

1 between Montcalm Street and Beacon Street, and Adams Avenue between
2 Montcalm Street and Brush Street.

3 (2) Zone 2: Theater District. The theater district consists of the premises, or frontages
4 thereof, that abut Montcalm Street, Columbia Street, and Elizabeth Street, each
5 between the western boundary of the Entertainment District and Witherell Street,
6 Woodward Avenue, between the east-west alley parallel to and south of West
7 Elizabeth Street and the Southbound Fisher Freeway Service Drive; Broadway
8 Street between Witherell Street and John R Street; Madison Street between
9 Witherell Street and Brush Street; Brush Street between Mechanic Street and
10 Beacon Street; and Henry Street between Park Avenue and Clifford Avenue.

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

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

17 (c) Adjustment or waiver under Section 4-4-22 of this Code of the boundaries set forth
18 in this section is prohibited.

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

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

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

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

(2) Dynamic signs are permissible without limitation as to their number or individual size. The minimum clearance of any dynamic sign must be not less than ten feet, and the maximum height of any dynamic sign must be not more than 40 feet. Dynamic signs are permissible at any location where the sign is oriented toward, and reasonably screened by, a building or other opaque structure, the height of which is not less than the height of the sign. Dynamic signs may operate as such without time restrictions. The illuminance of any dynamic sign must not exceed 3,500 nits.

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

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

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

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

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

(2) Dynamic signs, but not animated signs, are permissible without limitation as to their number or individual size. The minimum clearance of any such sign must be not

1 less than ten feet, and the maximum height of any such sign must be not more than
2 40 feet. Dynamic signs, but not animated signs, are permissible at any location
3 where the sign is oriented toward, and reasonably screened by, a building or other
4 opaque structure, the height of which is not less than the height of the sign. Any
5 such sign may operate as such only during the hours between 6 am and the
6 subsequent 2 am. During all other hours, the sign may only operate as a static sign.

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

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

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

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

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

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

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

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

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

5 (a) The entertainment buffer is intended to be a vibrant, pedestrian-oriented retail,
6 restaurant, and bar district that is sensitive to surrounding residential areas. Pedestrian-friendly
7 signage and context-appropriate illumination are encouraged. Dynamic signs, but not animated
8 signs, are permissible on a limited basis. The entertainment buffer is also designed to screen the
9 intense signage of the Entertainment Zone from, and minimize light spillover into, adjacent areas.

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

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

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

19 **Sec. 4-4-87 -- 4-4-100. Reserved.**

20 **DIVISION 4. REGULATION OF ADVERTISING SIGNS LOCATED OUTSIDE THE**
21 **CENTRAL BUSINESS DISTRICT**

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

2 The regulations set forth in this division pertain to all advertising signs located within the
3 boundaries of a premises outside of the Central Business District.

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

5 No permit may be issued by the Department for the construction and erection of a new
6 advertising sign, or for the alteration of an existing advertising sign, except upon approval of a
7 waiver of such prohibition in accordance with Section 4-4-22 of this Code, as well as satisfaction
8 of each of the following:

9 (1) Finding by the Department of Public Works Traffic Engineering Division that the
10 placement of the advertising sign on the premises will not impair the traffic safety
11 of motorists and pedestrians, and if the sign is proposed to be operated as a dynamic
12 sign, such finding must specifically address the impact of the proposed operation
13 of the sign;

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

17 (3) Finding by the Chief Financial Officer, based on an investigation to be completed
18 in accordance with Section 2-113 of the Charter, that neither the applicant nor the
19 owner of the premises to which the sign is sought to be placed, if different from the
20 applicant, is in arrears to the City for any unpaid, outstanding, or delinquent
21 property tax, income tax, personal tax, or special assessments;

22 (4) Finding by the Department that neither the applicant nor the owner of the premises
23 to which the sign is sought to be placed, if different from the applicant, is the subject

1 of any outstanding violations of this Code, including, but not limited to, violations
2 of:

3 (i) Any provision of Chapter 8, *Building Construction and Property*
4 *Maintenance*, including verification of a valid final certificate of occupancy
5 and current certificate of compliance, and is not the subject of any
6 outstanding fines or violations.

7 (ii) Any provision of Chapter 50, *Zoning*, of this Code, including verification
8 that the specific land use for its intended location has been established by
9 the City in the respective zoning district, and, where the premises is
10 governed by a zoning grant, has obtained a valid annual certification of
11 maintenance of zoning grant conditions;

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

15 (6) Submission of copies of all permits and other approvals by any other federal, state,
16 or local governmental agency that may be necessary for construction, erection, or
17 operation of the sign, including, but not limited to, approval by the Michigan
18 Department of Transportation or the Detroit Historic District Commission.

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

20 No advertising sign located outside of the Central Business District may be permitted if:

21 (1) The proposed advertising sign is neither dynamic nor internally illuminated, and
22 the premises on which the sign is located is 1,000 feet or less, measured linearly,

1 from any premises that contains another advertising sign that is also neither
2 dynamic nor internally illuminated and is oriented in the same direction as the sign;

3 (2) The proposed advertising sign is neither dynamic nor internally illuminated, and
4 the premises on which the sign is located is 1,750 feet or less, measured linearly,
5 from any premises that contains another advertising sign that is either dynamic or
6 internally illuminated and is oriented in the same direction as the sign;

7 (3) The proposed advertising sign is dynamic or internally illuminated, and the
8 premises on which the sign is located is 1,750 feet or less, measured linearly, from
9 any premises that contains another advertising sign that is oriented in the same
10 direction as the sign;

11 (4) The premises on which the proposed advertising sign is located is 500 feet or less,
12 measured linearly, from a premises that contains a hospital, as defined in Section
13 4-1-1 of this Code, or a school or educational institution, museum, park,
14 playground, or other outdoor recreation facility, as such terms are defined in Article
15 XVI of Chapter 50;

16 (5) The premises on which the proposed advertising sign is located is 500 feet or less,
17 measured radially, from a historic district identified in Chapter 21, *History*, of this
18 Code;

19 (6) The actual location of the proposed advertising sign is 125 feet or less, measured
20 radially from the nearest point of the sign, from the edge of the traveled roadway
21 of any freeway, or interchange ramp between freeways, used by traffic traveling in
22 the direction opposite the orientation of the sign;

1 (7) The actual location of the proposed advertising sign is 25 feet or less, measured
2 radially from the nearest point of the sign, from the boundary line of any freeway,
3 or interchange ramp between freeways, used by traffic traveling in the direction
4 opposite the orientation of the sign face;

5 (8) The premises on which the proposed advertising sign is located is 125 feet or less,
6 measured radially, from any premises that contains one or more residential dwelling
7 units, whether or not such dwelling units are occupied; or

8 (9) The premises on which the proposed advertising sign is located is within any low-
9 density residential sign district or recreation/open space sign district.

10 (10) The premises on which the proposed advertising sign is located is within 200 feet,
11 measured radially, from any point of the shoreline of the Detroit River.

12 **Sec. 4-4-104. Setbacks.**

13 Advertising signs must be set back at least five feet, measured from the outermost
14 projection of any component of the sign, from any boundary of the premises on which the sign is
15 located.

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

17 (a) The height of any advertising sign shall not exceed 35 feet, with the exception of
18 any freeway advertising sign, the height of which shall not exceed 45 feet.

19 (b) The clearance of any advertising sign shall be at least 15 feet.

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

1 **Sec. 4-4-106. Area.**

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

3 (1) If the sign is a freeway advertising sign and is oriented toward a freeway, the area
4 of the sign must not exceed 672 square feet.

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

8 (3) If the sign is located on a premises that abuts a right-of-way other than a freeway,
9 any one of which is less than 80 feet in width, the area of the sign must not exceed
10 250 square feet.

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

14 **Sec. 4-4-107. Landscaping.**

15 On any premises on which an advertising sign is the only structure, the perimeter of the
16 premises abutting a right-of-way, with the exception of points of ingress and egress to and from
17 the premises, must be landscaped with shrubs, bushes, and other vegetation to provide a continuous
18 screening of such premises, to a depth of five feet in from such perimeter, and to a height of not
19 less than 30 inches. Such landscaping must be maintained in good health and quality, and any
20 vegetation that cannot be so maintained must be replaced.

21 **Sec. 4-4-108. Department of Public Works adjustment.**

22 All spacing, setback, height, clearance, area, and other dimensional and operational
23 standards set forth in this division are subject to additional restrictions, beyond the standards set

1 forth in this chapter, by the Department of Public Works Traffic Engineering Division if it finds
2 that more restrictive standards are necessary to mitigate any potential impairment to the traffic
3 safety of motorists and pedestrians.

4 **Sec. 4-4-109. Adjustment or Waiver prohibited; limited.**

5 (a) Adjustment or waiver under Section 4-4-22 of this Code of the standards and
6 requirements set forth in Section 4-4-102 of this Code is prohibited.

7 (b) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional
8 standards set forth in Sections 4-4-103 through 4-4-107 of this Code is limited to 10% of each such
9 standard.

10 **Secs. 4-4-110 –4-4-120. Reserved.**

11 **DIVISION 5. REGULATION OF ADVERTISING SIGNS LOCATED IN THE**
12 **CENTRAL BUSINESS DISTRICT**

13 **Sec. 4-4-121. Purpose.**

14 The Central Business District is characterized by a degree of density, height, scale, and
15 diversity in the built environment, a concentration of historic and otherwise architecturally
16 significant buildings and structures, and an intensity of vehicular and pedestrian traffic and activity
17 that is unique within the City. The Central Business District also features continuous and extensive
18 evolution in its built environment, through the development and redevelopment of new and
19 existing buildings, structures, open spaces, and rights-of-way, such that the potential suitability of
20 particular spaces for advertising signage over time is necessarily limited. As a result, in
21 furtherance of the significant governmental interests set forth in Section 4-4-1 of this Code, the
22 regulation of advertising signs in the Central Business District merits heightened standards and
23 stricter requirements, as well as the ability to revise the implementation of such standards and

1 requirements on a periodic basis, than might be necessary in other areas of the City. The purpose
2 of this division is to set forth such standards and requirements for advertising in the Central
3 Business District.

4 **Sec. 4-4-122. Advertising permit required.**

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

9 (b) During the amortization period set forth in Section 4-4-21 of this Code, Subsection
10 (a) of this section shall not apply to any advertising sign located on a premises within the Central
11 Business District that has, prior to the effective date of this ordinance, been issued a permit for
12 such sign under Chapter 50, Zoning, of this Code, has not been abandoned or otherwise lost its
13 nonconforming status, and is in full compliance with such permit.

14 **Sec. 4-4-123. Term and reapplication; renewal permitted in certain circumstances.**

15 (a) An advertising permit issued under this division is valid for a term not to exceed
16 ten years, commencing on the date of issuance of the first advertising permit issued under
17 Subsection 4-4-122(a) of this Code. Upon the conclusion of its term, an advertising permit shall
18 automatically expire and become invalid, and the permittee or its agent shall immediately remove
19 the advertising sign that is permissible under such permit, unless the permittee secures a new
20 permit for the same sign for an immediately subsequent term or renewal of the permit as provided
21 for in Subsection (b) of this Section.

22 (b) If, as of a date not less than 30 days following the application date established in
23 Section 4-4-125(c) of this Code, the sum of (i) the number of all new applications for an advertising

1 permit and (ii) the number of all existing valid advertising permits, is cumulatively less than the
2 maximum number of permissible advertising permits as set forth in Sect. 4-4-125(d) of this Code,
3 then an existing advertising permit issued under this division may be renewed. Renewal of an
4 existing valid advertising permit shall be made by application in the form and in accordance with
5 the procedures for an application of a new advertising permit set forth in this Code. Otherwise, no
6 existing advertising permit may be renewed. Such determination shall be made separately for
7 advertising permits for local and super advertising signs. However, even if an existing advertising
8 permit is not renewable, nothing in this section shall prevent the advertising permittee for such
9 permitted advertising sign to apply for a new advertising permit for the same type of advertising
10 sign at the same location under the procedures set forth in this Code.

11 **Sec. 4-4-124. Findings as prerequisite for issuance of advertising permits.**

12 _____ (a) No permit may be issued by the Department for the construction and erection of a
13 new advertising sign, or for the alteration of an existing advertising sign without satisfaction of
14 each of the following findings:

15 (1) Finding by the Department of Public Works Traffic Engineering Division that the
16 placement of the advertising sign on the premises will not impair the traffic safety
17 of motorists and pedestrians;

18 (2) Finding by the Chief Financial Officer, based on an investigation to be completed
19 in accordance with Section 2-113 of the Charter, that neither the applicant nor the
20 owner of the premises to which the sign is sought to be placed, if different from the
21 applicant, is in arrears to the City for any unpaid, outstanding, or delinquent
22 property tax, income tax, personal tax, or special assessments;

1 (3) Finding by the Department that neither the applicant nor the owner of the premises
2 to which the sign is sought to be placed, if different from the applicant, is the subject
3 of any outstanding violations of this Code, including, but not limited to, violations
4 of:

5 (i) Any provision of Chapter 8, *Building Construction and Property*
6 *Maintenance*, including verification of a valid final certificate of occupancy
7 and current certificate of compliance, and is not the subject of any
8 outstanding fines or violations;

9 (ii) Any provision of Chapter 50, *Zoning*, of this Code, including verification
10 that the specific land use for its intended location has been established by
11 the City in the respective zoning district, and, where the premises is
12 governed by a zoning grant, has obtained a valid annual certification of
13 maintenance of zoning grant conditions;

14 (4) Finding by the Department that the sign, as proposed, will be in compliance with
15 all spacing, setback, height, clearance, size, and other dimensional and operational
16 standards set forth in this division;

17 (5) Finding by the Fire Marshall that the premises, including all buildings and
18 structures thereon, are not in violation of any applicable provision of Article I of
19 Chapter 18, *Detroit Fire Prevention and Protection Code*, and that the placement
20 of the advertising sign on the premises will not cause any such violation; and

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

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

(b) If any department identified in Subsection (a) of this Section determines that an inspection of the premises is reasonably necessary in order to make the requisite findings, it shall cause an inspection to be made of the premises and shall document such inspection as part of its findings.

(c) Each department identified in Subsection (a) of this Section shall submit its findings in writing to the Department without undue delay.

Sec. 4-4-125. Buildings, Safety Engineering, and Environmental Department issuance of advertising permits.

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

(b) Not more than 60 days after the effective date of this ordinance, the Director of the Department shall establish a date, to occur not less than two weeks following the conclusion of the transition period established under Subsection (a) of this section, on which the Department will commence accepting applications for advertising permits.

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

4 (2) If an application is incomplete or otherwise deficient in any way, other than for a
5 failure to provide copies of all permits and other approvals in accordance with
6 Section 4-4-19(a)(12) of this Code, the Department shall notify the applicant of
7 such deficiency and allow the applicant to correct such deficiency within a speci fied
8 period of time, not to exceed 15 days. The Department shall deny any deficient
9 petition that is not timely corrected.

10 (3) If an application is incomplete solely due to its failure to provide copies of all
11 permits and other approvals in accordance with Section 4-4-19(a)(12) of this Code,
12 the Department may conditionally approve the application, subject to the
13 requirement that copies of all such approvals be submitted to the Department within
14 30 days following the date of such conditional approval. Upon the applicant's
15 satisfaction of such requirement, the Department may approve the application and
16 issue an advertising permit. Upon the applicant's failure of such requirement, the
17 Department shall consider its conditional approval to have lapsed and shall deny
18 such application. Nothing in this subsection shall be construed as obligating the
19 Department to conditionally approve an application that it determines should
20 otherwise be denied.

21 (4) The Department shall not approve any application that is submitted subsequent to
22 the final application that, upon its approval, is permissible under the applicable
23 advertising permit cap identified in Subsection (d) of this section. The Director of

1 the Department may maintain a waitlist of such applications, and may consider such
2 applications, in the order submitted, as additional advertising permits become
3 available under the applicable cap for the remainder of the current term, as set forth
4 in Section 4-4-123 of this Code. All applications placed on the waiting list shall be
5 denied upon expiration of the current advertising permit term.

6 (c) Not more than nine years following the date established by the Director of the
7 Department under Subsection (b) of this section, the Director shall establish a new application date
8 for any subsequent advertising permit terms, and shall accept and review applications and issue
9 permits for such term in the same manner as set forth in Subsection (b) of this section.

10 (d) The Department shall not allow more than 25 advertising permits for local
11 advertising signs in compliance with Section 4-4-128(b) of this Code, and not more than 45
12 advertising permits for super advertising signs in compliance with Section 4-4-128(c) of this Code,
13 as each category of advertising signs is described in Section 4-4-128 of this Code, to have been
14 issued and remain valid at any one time.

15 **Sec. 4-4-126. Transfer of advertising permit.**

16 Any advertising permit issued under this division may be transferrable to a new owner of
17 the premises or advertising partner, but shall not be transferable to another premises, or to another
18 location on the same premises.

19 **Sec. 4-4-127. Alteration prohibited.**

20 (a) No sign that is permitted under this division may be altered in any way. Any
21 advertising permit for an advertising sign that has been altered is subject to immediate revocation
22 by the Department.

23 (b) Subsection (a) of this section does not prohibit the periodic changing of the copy
24 of a permitted sign from time to time.

1 Sec. 4-4-128. Sign standards.

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

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

6 (1) Construction: Any local advertising sign must be constructed as either a wall sign
7 or a painted sign.

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

11 (3) Area: The area of any local advertising sign must not exceed 80% of the area of
12 the façade to which it is affixed, but in no case greater than 700 square feet if the
13 sign is constructed as a wall sign, or 875 square feet if the sign is constructed as a
14 painted sign.

15 (4) Height: Notwithstanding the limitations found in Section 4-4-45(d) of this Code,
16 the height of any local advertising sign must not exceed 60 feet.

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

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

22 (7) Dynamic operation: No local advertising sign may be dynamic, with the exception
23 of advertising signs located in the Entertainment District, which may be dynamic

1 in accordance with the standards set forth in Division 3, Subdivision B of this
2 article.

3 (8) Location: No local advertising sign may be located within 200 feet, measured
4 radially from any point of the sign, of any point of the shoreline of the Detroit River.

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

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

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

11 (3) Area: The area of any super advertising sign must be greater than 700 square feet
12 and must not exceed 80% of the area of the façade to which it is affixed, but in no
13 case more than 5,000 square feet if the sign is constructed as a wall sign or 6,250
14 square feet if the sign is constructed as a painted sign.

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

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

19 (6) Illumination: Any super advertising sign may be externally illuminated, but must
20 not be internally illuminated, with the exception of advertising signs located in the
21 Entertainment District, which may be illuminated in accordance with the standards
22 set forth in Division 3, Subdivision B of this article.

1 (7) Dynamic operation: No super advertising sign may be dynamic, with the exception
2 of advertising signs located in the Entertainment District, which may be dynamic
3 in accordance with the standards set forth in Division 3, Subdivision B of this
4 article.

5 (8) Location: No super advertising sign may be located within 200 feet, measured
6 radially from any point of the sign, of any point of the shoreline of the Detroit River.

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

11 **Sec. 4-4-129. Mitigation of harmful visual aesthetics created by Super Advertising Signs**
12 **through promotion of public art.**

13 (a) In acknowledgment that:

14 (1) The City has a significant governmental interest in protecting its aesthetic values
15 and in mitigating instances of visual blight;

16 (2) Signs, by their very nature, wherever located and however constructed, can be
17 perceived as an aesthetic harm through their imposition of negative visual
18 aesthetics;

19 (3) Because of the Central Business District's role as the City's primary hub of activity,
20 the aesthetic harm created by signs in the Central Business District is imposed on
21 all businesses and individuals who may live, work, do business, recreate, or visit
22 therein, or travel through the Central Business District, and compromises their
23 overall aesthetic experience of the City on a citywide basis;

1 (4) The magnitude of any given sign's negative visual aesthetics can depend on various
2 dimensional and operational parameters, such as its area, construction,
3 illumination, and dynamic operation, that serve to increase its visibility;

4 (5) The magnitude of a sign's negative visual aesthetics can also depend on its location
5 proximate to certain properties, such as schools, outdoor recreation facilities,
6 historic districts, freeways, and residential properties, that are particularly sensitive
7 to such negative visual aesthetics;

8 (6) The negative visual aesthetics of a sign can, based on such dimensional and
9 operational parameters, become so great as to outweigh any positive consequences
10 that the sign might provide, including the facilitation of protected speech and the
11 promotion of local commerce; and

12 (7) The City may, through the exercise of its legitimate police powers in furtherance of
13 its significant governmental interests, mitigate the particularly negative visual
14 aesthetics of the most visually impactful signs without compromising the positive
15 consequences of such signs by promotion, construction, and maintenance of
16 elements that serve to improve visual aesthetics to a proportionate degree, including
17 the public display of art murals and other forms of public art;

18 (b) The Department is authorized to evaluate each application for a permit for a super
19 advertising sign and determine whether such proposed sign will, based on the following criteria,
20 impose negative visual aesthetics of such magnitude that mitigation through the display of one or
21 more art murals and other public art may reasonably be necessary. The Department shall make any
22 such determination based on its evaluation of each of the following criteria:

- 1 (1) The construction of a sign, whereby a wall sign is deemed to have negative visual
2 aesthetics of greater magnitude than a painted sign;
- 3 (2) The area of the sign, whereby a larger sign is deemed to have negative visual
4 aesthetics of greater magnitude than a smaller sign;
- 5 (3) The height of the sign, whereby a taller sign is deemed to have negative visual
6 aesthetics of greater magnitude than a shorter sign;
- 7 (4) The illumination of the sign, whereby an internally illuminated sign is deemed to
8 have negative visual aesthetics of greater magnitude than an externally illuminated
9 sign;
- 10 (5) The dynamic operation of the sign; whereby a dynamic sign is deemed to have
11 negative visual aesthetics of a greater magnitude than a static sign;
- 12 (6) The proximity of the sign to a property containing a school, educational institution,
13 or park, playground, or other outdoor recreation facility, whereby a sign that is
14 located adjacent to and oriented towards any such property is deemed to have
15 negative visual aesthetics of a greater magnitude than a sign that is not;
- 16 (7) The proximity of the sign to a historic district identified in Chapter 21, *History*, of
17 this Code, whereby a sign located in a historic district or adjacent to and oriented
18 towards a historic district is deemed to have negative visual aesthetics of a greater
19 magnitude than a sign that is not;
- 20 (8) The proximity of the sign to a freeway or interchange ramp between freeways,
21 whereby a sign located adjacent to and oriented towards a freeway or interchange
22 ramp is deemed to have negative visual aesthetics of a greater magnitude than a
23 sign that is not;

1 (9) The proximity of the sign to a property containing one or more residential dwelling
2 units, whereby a sign located adjacent to and oriented towards any such property is
3 deemed to have negative visual aesthetics of a greater magnitude than a sign that is
4 not; and

5 (10) Any other dimensional, operational, or locational characteristic of the sign, other
6 than the possible copy of such sign, that could foreseeably impact the magnitude of
7 the sign's negative visual aesthetics.

8 For every application for a permit for a super advertising sign, the Department shall document in
9 writing its evaluation of each of the criteria listed in this Subsection and its determination as to the
10 need for mitigation of the sign's negative visual aesthetics, if any. The Department shall make
11 such documentation available to the applicant upon request.

12 (c) Upon its determination that mitigation of the negative visual aesthetics imposed by
13 a proposed super advertising sign for which a permit is applied will be necessary, the Department
14 may request payment of a monetary contribution by the applicant, in an amount to be determined
15 by the Department in accordance with the limitations set forth in this section, as a prerequisite to
16 issuance of a permit for such sign. Such contribution need not be submitted prior to the
17 Department's evaluation of the application for a super advertising sign permit, but must be
18 submitted prior to the Department's issuance of such permit.

19 (d) The Department may make any determination pursuant to its authority established
20 in Subsections (a) and (b) of this section in consultation with the City's Director of Arts and
21 Culture, and the director of any department or agency that it may desire, or any such director's
22 designee.

1 (e) To ensure a reasonable nexus between the proposed super advertising sign's
2 negative visual aesthetics and the City's mitigation thereof, the Office of the Chief Financial
3 Officer shall establish a special purpose account, to be known as the "Detroit Public Art Fund",
4 for contributions made pursuant to Subsection (b) of this section. The Department shall deposit all
5 such funds directly into such account promptly upon receipt. The City's Office of Arts and Culture
6 shall have authority to make any disbursements from such account and all such disbursements
7 shall be solely for purposes of the commission, construction, siting, display, and maintenance of
8 art murals and other public art that is fairly anticipated to improve overall visual aesthetics in the
9 City, and no funds in any amount may be disbursed from such account for any other purpose,
10 including any expenses of the City in administering such account or other general operations,
11 except if reimbursement of such funds shall be made in accordance with Subsection (g) of this
12 section.

13 (f) To ensure rough proportionality between the proposed super advertising sign's
14 negative visual aesthetics and the City's mitigation thereof, the contribution associated with any
15 sign shall not exceed an amount equal to the greater of:

16 (1) An amount, equal to two dollars if the super advertising sign is proposed to be
17 internally illuminated, one dollar if the super advertising sign is proposed to be a
18 wall sign, and 80 cents if the super advertising sign is proposed to be a painted sign,
19 for each square foot of the proposed super advertising sign, for each year of the
20 term of the permit for which application is made; or

21 (2) An amount equal to the expected cost, as the Department may reasonably
22 determine, for the commission and installation of an art mural of an area equal to
23 (i) 200% of the area of the proposed super advertising sign if such sign is proposed

1 to be internally illuminated, (ii) the area of the proposed super advertising sign if
2 such sign is proposed to be constructed as a wall sign, or (iii) 80% of the area of
3 the proposed super advertising sign if such sign is proposed to be constructed as a
4 painted sign, as well as the cost of the maintenance thereof for a period equal to the
5 term of the super advertising permit for which application is made.

6 _____ (g) The Department shall cause all contributions made pursuant to this section for the
7 purpose of mitigating the aesthetic harm of any super advertising sign to be disbursed for a purpose
8 allowed by this section no later than the termination date of the permit for such sign.

9 _____ (h) If the Department denies an application for a super advertising sign permit for
10 which a contribution has been made, the Department shall refund such contribution to the
11 applicant. If a permit for a super advertising sign has been issued and a contribution for such sign
12 has been made, and such permit has been revoked in accordance with Section 4-4-127 of this Code
13 prior to the completion of its term, no refund of such contribution may be made.

14 **Sec. 4-4-130. Adjustment or waiver prohibited.**

15 _____ Waiver or adjustment under Section 4-4-22 of this Code of the dimensional standards set
16 forth in this division is prohibited.

17 **Secs. 4-4-131 – 4-4-160. Reserved.**

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

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

20 _____ The regulations of this division shall apply to any sign that is constructed, erected, posted,
21 or otherwise placed in any location within the right-of-way that is subject to the jurisdiction and
22 control of the City.

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

2 No sign that is subject to the regulations of this division may be permitted unless authorized
3 by the Department of Public Works as a legal encroachment in the right-of-way. A copy of the
4 valid encroachment permit for the sign must be submitted as part of the application for construction
5 or erection of the sign. All conditions of approval, dimensional or operational standards, and other
6 standards set forth in the encroachment permit shall be incorporated by reference into the permit,
7 and compliance with all such standards shall be a condition of approval for such permit. Any
8 standards set forth in the encroachment permit that are more restrictive than comparable standards
9 set forth in this chapter shall control.

10 **Sec. 4-4-163. Business signs located in the right-of-way.**

11 Any sign located in the right-of-way that is intended to direct attention to a principal
12 business or principal commodity, service, or entertainment that is conducted, sold, or offered on
13 the premises adjacent to which the sign is located shall be considered to be a business sign
14 associated with such premises and shall be subject to all applicable regulations of this article.

15 **Sec. 4-4-164. Directional signs located in the right-of-way.**

16 Any directional sign located in the right-of-way for the purpose of identifying particular
17 neighborhoods, communities, or other identifiable areas of the City shall be subject to the
18 following:

19 (1) Construction. Any directional sign located in the right-of-way must be constructed
20 as a monument sign.

21 (2) Number. Not more than one directional sign, or one pair of identical directional
22 signs, may be located at any point in a right-of-way or within any intersection of
23 two or more rights-of-way.

1 (3) Area. The area of a directional sign, or aggregate area of a pair of identical
2 directional signs, located in the right-of-way must not exceed 12 square feet.

3 (4) Height. The height of a directional sign located in the right-of-way must not exceed
4 eight feet six inches.

5 (5) Clearance. The clearance of any directional sign located in a right-of-way must
6 be not less than two feet.

7 (6) Illumination. Any directional sign located in the right-of-way may be either non-
8 illuminated or externally illuminated.

9 **Sec. 4-4-165. Advertising signs located in the right-of-way.**

10 Any advertising sign located in a right-of-way is subject to the following:

11 (1) Permissibility. Advertising signs located in the right-of-way are not permissible in
12 low-density residential sign districts or any portion of a right-of-way that is
13 immediately adjacent to, and is on the same side of the street as, a low-density
14 residential sign district.

15 (2) Construction. Any advertising sign located in the right-of-way must be constructed
16 as a component of a larger freestanding structure, such as a newsstand, bus or transit
17 shelter, bench, or bicycle docking station, that provides a non-advertising purpose
18 for the benefit of pedestrian or vehicular traffic utilizing the right-of-way, provided
19 that the sign is constructed as an integral component of such structure and does not
20 rest upon such structure's roof or project out from the façade of any such structure.

21 (3) Area. The area of an advertising sign located in the right-of-way shall not exceed
22 18 square feet if illuminated, or 24 square feet if not illuminated.

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

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

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

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

15 Sec. 4-4-166 -- 4-4-180. Reserved.

16 DIVISION 7. TEMPORARY SIGNS

17 Sec. 4-4-181. In general.

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

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

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

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

3 (c) On properties in a low-density residential sign district, the area of any temporary
4 sign shall not exceed six square feet. On properties in a high-density residential/mixed use sign
5 district or a recreation/open space sign district, the area of a temporary sign shall not exceed one
6 square foot per linear foot of building frontage, but in no case less than 6 square feet and no greater
7 than 12 square feet. On properties in a low-density commercial/industrial sign district or a high-
8 density commercial/industrial sign district, the area of any temporary sign shall not exceed one
9 square feet per linear foot of building frontage, but in no case less than 12 square feet and no
10 greater than 32 square feet.

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

14 (e) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional
15 standards set forth in sections 4-4-103 through 4-4-107 of this Code is limited to 25% of such
16 standards.

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

18 (a) Notwithstanding the limitations set forth in Section 4-4-182 of this Code, additional
19 temporary signage may be permitted for any premises, or ground floor tenant space of a multi-
20 tenant building, under each of the following circumstances:

- 21 (1) *Premises listed as being for sale or lease. For any premises, or ground floor tenant*
22 *space within a multi-tenant building, that is unoccupied and being actively*
23 *marketed for sale or lease, one additional temporary sign for each building frontage*

1 is permissible. Any such sign may be permitted only for the period during which
2 the premises is unoccupied and being actively marketed for sale or lease. On
3 properties located in a low-density residential sign district or recreation/open space
4 sign district, the area of any such sign must not exceed six square feet. On properties
5 located in a high-density residential/mixed use sign district, low-density
6 commercial/institutional sign district, or high-density commercial/industrial sign
7 district, the area of any such sign must not exceed 32 square feet or, if such sign is
8 located on a ground floor window, the area of such window.

9 (2) *Premises with Open Building or Construction Permit.* For any premises, or ground
10 floor tenant space within a multi-tenant building, that is unoccupied and is validly
11 permitted under Chapter 8 of this Code, *Building Construction and Property*
12 *Maintenance*, or undergoing preconstruction activities associated with such
13 permitting, for construction of a new building or structure or complete renovation
14 or redevelopment of an existing building, structure, or ground floor tenant space,
15 additional temporary signage for each building frontage is permissible. Such
16 signage may be permitted only for the period during which the permit associated
17 with the preconstruction, construction, renovation, or redevelopment activities
18 remains valid, and shall automatically expire upon issuance of a certificate of
19 occupancy, whether temporary or final, for the premises or tenant space. The
20 aggregate area of all such signage on any premises is subject to the maximum
21 aggregate sign area for the premises, as determined under Section 4-4-62 of this
22 Code. Such signage may be located on a screening fence that is erected to cordon
23 off the construction, renovation, or redevelopment site, notwithstanding the

1 prohibition set forth in Section 4-4-7(5) of this Code or, if located on a ground floor
2 tenant space, may be located in a window, notwithstanding the standard for window
3 signs set forth in Section 4-4-46(c) of this Code.

4 (3) *Portable temporary signs.* For any premises located in a low-density residential
5 sign district or high-density residential/mixed use sign district that is currently
6 occupied, whether wholly or partially, for residential purposes, portable temporary
7 signs, in any number but not exceeding six square feet in area for any single sign
8 or 18 square feet in aggregate area for all signs, are permissible. Such signage is
9 permissible only during the period commencing 30 days prior to the date of any
10 federal, state, or local primary election and concluding seven days after the date of
11 the subsequent general election. Any such sign must be set back from the front of
12 the premises not less than five feet.

13 (b) Adjustments and waiver under Section 4-4-22 of this Code of the dimensional
14 standards set forth in the section is prohibited.

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

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

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

1 (c) Nothing in Subsection (a) of this section may be construed as prohibiting any
2 maintenance, repair, or replacement of a temporary sign, or any of its components, as may be
3 necessary to keep such sign in good repair in accordance with Section 4-4-9 of this Code, including
4 the replacement of a damaged sign face with a new sign face containing the same copy.

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

6 Any temporary sign that is permissible under this division is subject to the following
7 standards:

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

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

18 (3) *Good repair.* Any temporary sign shall be maintained in good repair in accordance
19 with Section 4-4-9 of this Code.

20 (4) *Illumination.* Any temporary sign may be externally illuminated, but shall not be
21 internally illuminated.

1 (5) *Dynamic.* A temporary sign may be dynamic only where an identical permanent
2 sign of the same construction, location, and other physical parameters may be
3 dynamic, but under no circumstances may a temporary sign be animated.

4 (6) *Additional standards.* Any temporary sign is further subject to all general sign
5 standards set forth in Division 2 of this article, based on the type of construction or
6 operation of the temporary sign, unless comparable standards set forth in this
7 division are more restrictive.

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

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

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

16 (c) Any temporary sign, along with its frame and supporting structure that becomes
17 obsolete shall be removed by the owner of the premises on which such sign is located, or its agent,
18 within 24 hours after becoming obsolete, in accordance with Section 4-4-10 of this Code. A
19 temporary sign becomes obsolete immediately upon the conclusion of the occasion to which such
20 sign is intended to draw attention.

21 (d) The Department shall issue a blight violation under the following circumstances:

22 (1) If the owner fails to cure the violation within the applicable cure period after service
23 of a correction notice.

24 (2) When the owner disputes a violation identified on a correction notice; and

(3) When, in the Department's exercise of judgment and discretion pursuant to rules adopted by the Department, the violation is of such a nature as to be substantially serious, chronic, and/or willful.

Sec. 4-4-187 - 4-4-200. Reserved.

ARTICLE V. DEVELOPMENT NOTIFICATION SIGNS

Sec. 4-5-1. Definitions.

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

Construction site means any area where construction or renovation is set to take place, with the exception of residential construction or renovation involving four or fewer dwelling units.

Development notification sign means a posted temporary notice that informs the public of the type of development taking place on the premises, the expected completion date for construction, and the contact information of the developer.

Sec. 4-5-2. Misdemeanor violation; continuing violation; penalty for conviction thereof.

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

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

(c) Any person who is found guilty of violating any provision of this article shall be convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court, may be fined up to \$500.00 for each misdemeanor violation that is issued.

Sec. 4-5-3. Enforcement.

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

Sec. 4-5-4. Posting of development notification sign required.

A properly posted development notification sign is required for any construction site that is at least 10,000 square feet in area and that otherwise requires a building permit.

Sec. 4-5-5. Development notification sign specifications; content; maintenance.

(a) The dimensions for a development notification sign must be at least four feet in height and six feet in width, with letters of text that are a minimum of one inch in height ~~in~~ and of a legible font and color contrast.

(b) All development notification signs shall be made of durable, weatherproof, and flame retardant materials.

(c) A development notification sign shall display, at minimum, the following content:

(1) A rendering or site plan of the proposed development;

(2) A title stating "Work in Progress" and specifying the type of structure being built, for example, commercial, manufacturing, retail, office, hospital, or school;

(3) The expected project completion date;

(4) The name, address, and telephone number of the owner of the property, corporation, or registered agent; and

(5) The building permit number or a copy of the building permit.

(d) Development notification signs shall be maintained so that the sign remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards.

Sec. 4-5-6. Placement of development notification sign.

A development notification sign shall be placed on the fence on each perimeter facing a public street or highway. If the development site is not fenced, then a development notification sign shall be fixed into the ground at each perimeter facing a public street or highway. All development

notification signs shall be placed at a height of four feet from the ground, measured from the bottom edge of the development sign.

Sec. 4-5-7. Duration of posting.

(a) Development notification signs must be posted within 30 days of receipt of a building permit for the site, and must remain posted until a certificate of occupancy is issued.

(b) Development notification signs must be removed within 30 days of issuance of a certificate of occupancy.

Sec. 4-5-8. Complaints.

Complaints regarding a development property without a development notification sign posted may be made to the ~~Buildings, Safety Engineering, and Environmental~~ Department. The Department shall investigate complaints to determine compliance with this article.

Secs. 4-5-9- 4-5-20. Reserved.

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

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

Section 4. In accordance with Section 4-118(3) of the 2012 Detroit City Charter, where the ordinance is passed, it shall be published forthwith and become effective on December 9, 2020.

Approved as to form:



Lawrence T. García
Corporation Counsel