

## Chapter 145

### SIGNS

#### GENERAL REFERENCES

**Building construction** — See Ch. 58.

**Design and construction standards** — See Ch. 72.

**Numbering of buildings** — See Ch. 60.

**Zoning** — See Ch. 170.

---

#### **§ 145-1. Applicability.**

This chapter shall apply to all persons, firms, partnerships, associations and corporations owning, occupying or having control or management of any premises located within the Charter Township of Northville.

#### **§ 145-2. Intent.**

The intent of this chapter is to regulate outdoor advertising and all signs within the Township. These regulations are intended to enhance the physical appearance of the Township, to preserve scenic and natural beauty, and to create an attractive economic and business climate. The following objectives are accomplished by establishing the minimum amount of regulation necessary regarding the size, placement, construction, illumination and other sign aspects in order to:

- A. Recognize the proliferation of signs is unduly distracting to motorists and nonmotorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow and creates potential for accidents.
- B. Eliminate potential conflicts between business signs and traffic control signs, which could create confusion and hazardous consequences.
- C. Recognize the principal intent of commercial signs is for identification of an establishment on the premises, not for advertising special events, brand names or off-premises activities.
- D. Enable the public to locate goods, services and facilities without excessive confusion by restricting the number and placement of signs.
- E. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- F. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- G. Prevent off-premises signs from conflicting with land uses.

- H. Maintain and improve the image of the Township by encouraging signs of consistent size which are complementary to related buildings and uses and are harmonious with their surroundings.
- I. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- J. Prohibit certain types of signs due to the negative impact on traffic safety and aesthetics.

### **§ 145-3. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

**ABANDONED SIGN** — An obsolete sign that exists for a period of 180 consecutive days.

**AWNING/CANOPY SIGN** — A nonrigid fabric, Plexiglas or similar material attached to a building by a supporting framework, and includes a business identification message, symbol and/or logo.

**BANNER** — A piece of cloth, canvas, plastic or other nonrigid material used to display any words, numerals, figures, devices, designs, artwork, graphics or trademarks used to convey a message or attract attention to an individual firm, profession, business, product or message and is visible to the general public.

**BOX, CAPSULE OR PANEL SIGN** — An internally illuminated sign enclosed within a cabinet or cover encompassing the sign.

**BUILDING FRONTAGE** — When used to determine the permitted area of a sign, the length of the building on which the sign will be located, or amount of the facade occupied by a tenant, as measured parallel to the ground. Recessed or projecting building elements shall not constitute the building frontage.

**CONSTRUCTION/MARKETING SIGN** — A temporary ground or wall sign listing the name of the project, developer, contractors, engineer or architects and located on a site being developed.

**FACADE** — The exterior walls of a building exposed to public view.

**FESTOON SIGN** — A sign where incandescent light bulbs, banners, pennants or other such features are hung overhead and are not an integral, physical part of the building or structure they are intended to serve.

**FLASHING, ANIMATED OR MOVING SIGNS** — A sign that intermittently reflects lights from an artificial source, or the sun; a sign which has movement of any illumination such as intermittent, flashing, scintillating or varying intensity; a sign that has any visible motion caused by either artificial or natural sources.

**GROUND SIGN** — A freestanding sign, not attached to any building, supported by more than one brace or a single base.

HOME OCCUPATION SIGN — A sign used to advertise an occupation customarily conducted in a dwelling unit that is clearly an incidental and secondary use of a residential dwelling.

ILLUMINATED SIGN — A sign illuminated by a direct or indirect source of light.

INFLATABLE SIGN — A sign that is expanded to its full dimension or supported by gases contained within the sign or sign parts, at a pressure greater than the atmospheric pressure.

MARQUEE SIGN — A sign which is attached to or hung from a rooflike structure and projects over a building entrance. A canopy or awning sign shall not be considered a marquee sign.

NATURAL MATERIALS — For the purpose of this chapter, substances determined to be natural materials include, but are not limited to, wood, stone and brick. Plywood, pressed board, drywall, concrete block, poured concrete, wood or metal paneling, steel, aluminum or alloys thereof, sheet metal, or similar substances synthetically created in a manufacturing process are generally excluded by this definition, although consideration will be given to synthetic materials which simulate the appearance of natural materials through the manufacturing process and meet the intent of this chapter.

NONCONFORMING SIGN — Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this chapter, and any amendments thereto, and fails to conform to all applicable regulations and restrictions of this chapter.

OBSOLETE SIGN — A sign which does not meet the provisions of this chapter or does not identify or advertise a bona fide business, tenant, owner, activity conducted or product available on the premises where the sign is displayed.

OFF-PREMISES SIGN — A sign which is not accessory to the principal use of the premises.

ON-PREMISES SIGN — A sign which pertains to the principal use of the premises.

PAINTED WALL SIGN — A sign, containing any words, numeral, figures, devices, designs, artwork, graphics or trademarks, painted directly on any outside wall, roof or glass surface of any building.

POLE (PYLON) SIGN — A sign located in the ground and having at least 10 feet between the bottom of the sign face and the established grade.

PORTABLE SIGN — Any sign which is not permanently affixed to a building, structure or the ground, including, but not limited to, sandwich board signs, A-frame signs, inverted "T" signs and signs attached to a mobile vehicle or person. This does not include temporary, real estate, construction, and similar signs defined herein.

PROJECTING SIGN — A sign attached to a building or other structure and extending more than 12 inches beyond the building line or extending into the right-of-way.

REAL ESTATE DEVELOPMENT SIGN — A temporary sign placed on the premises of a residential or nonresidential development to indicate a proposed project or information relative to availability.

REAL ESTATE/MARKETING SIGN — A temporary sign placed upon a property and advertising it for sale, rent or lease.

REGULATORY SIGN — A sign that complies with the Michigan Manual of Uniform Traffic Control Devices to direct traffic flow, regulate traffic operations and provide information.

RESIDENTIAL ENTRY SIGN — A sign located on a major thoroughfare and serving as the entrance marker to a residential development.

SIGN — Any words, numerals, figures, devices, designs, artwork, graphics or trademarks used to convey a message or attract attention to an individual firm, profession, business, product or message and is visible to the general public.

SIGN AREA — Measured as the total area of a sign included within the rectangle caused by encompassing the outermost edges of letters or symbols and including the area within any illuminated border.

SNIPE SIGN — A sign with advertising that is not applicable to the present use of the premises upon which the sign is located, such as a sign tacked, nailed, posted, pasted, glued or otherwise attached to the ground, trees, poles, stakes, or fences or to other objects.

SWINGING SIGN — A sign that is not rigidly attached to an arm, mast, spar or building overhang.

TEMPORARY SIGN — A sign with or without letters or numerals such as marketing signs, construction signs, signs related to an election or to identify seasonal events, public and semipublic functions.

TIME-TEMPERATURE SIGN — A sign used to display the current time and outdoor temperature.

VEHICLE SIGN — A sign that is painted or attached to a vehicle, trailer or other similar device and parked or placed primarily for advertising purposes.

WALL SIGN — A sign erected or fastened to the wall of a building and having the exposed face of the sign parallel to the plane of the wall; not extending more than 12 inches beyond the surface of the portion of the building wall on which it is erected or fastened.

WINDOW SIGN — Any sign or display that is visible from the exterior of any building window.

WINDOW SIGN, TEMPORARY — Any sign which is not permanently applied, affixed or attached to the interior or exterior of any building window and is

constructed of lightweight cardboard, cloth, plastic or paper materials and intended to be displayed for special events, sales and notices.

**§ 145-4. General prohibitions.**

- A. No signs shall constitute a traffic hazard or interfere with the visibility of any traffic control device due to its size, location, context, color or manner of illumination.
- B. No sign shall have any visible moving parts, visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, or kinetic means, intermittent electrical pulsations or wind currents.
- C. A sign that does not meet the provisions of this chapter or does not identify or advertise a bona fide business, tenant, owner, activity conducted or product available on the premises where the sign is displayed shall be considered an obsolete sign. When such a sign exists for a period of 180 consecutive days, it shall conclusively be presumed to be abandoned and shall be removed.
- D. No sign shall be placed so as to obstruct any fire escape, required exit, window or door opening used as a means of passage from one part of a roof to another or as access for fire-fighting purposes.
- E. The following signs shall not be permitted and are subject to removal.
  - (1) Festoon signs.
  - (2) Flashing, animated or moving signs.
  - (3) Inflatable signs.
  - (4) Portable signs.
  - (5) Projecting signs.
  - (6) Snipe signs.
  - (7) Pole/pylon signs.
  - (8) Off-premises signs.
  - (9) Temporary window signs.
  - (10) Marquee signs.
  - (11) Obsolete and abandoned signs.
  - (12) Banners.
  - (13) Sandwich board signs.
  - (14) Internally illuminated awnings or canopies.

- (15) Internally illuminated panel and box signs with light reflective backgrounds.
- (16) Home occupation signs.
- (17) Vehicle signs.
- (18) Awning/canopy signs.
- (19) Swinging signs.
- (20) Painted wall signs.
- (21) Signs on gas station canopies.
- (22) Billboards.
- (23) Time-temperature signs.
- (24) Any other sign not specifically permitted.

#### **§ 145-5. Exemptions.**

The following nonilluminated signs shall be permitted in all sign districts without obtaining a permit prior to installation:

- A. Regulatory and street signs.
- B. Decorative displays for holidays, public demonstrations, promotions, civic welfare or charitable purposes when authorized by the Township Board, provided that the display does not contain any advertising material.
- C. Name plates or directory signs, defined as a sign located at the pedestrian entry of a building listing occupants and tenants inside a building or the address, provided that:
  - (1) Signs are limited to one per building unless the building has more than one entrance or direct frontage on more than one public thoroughfare, in which case two signs are permitted.
  - (2) Signs shall not be larger than two square feet in area.
  - (3) For developments with multiple buildings, the style of the name plate or directory sign shall be consistent.
  - (4) See Chapter 60 of the Northville Charter Township Code of Ordinances, Buildings, Numbering of.
- D. Municipal signs installed or approved by the Township Board. This may include legal notices, emergency signs, special events or other signs sanctioned by the Township.

- E. Flags bearing the official design of the United States, State of Michigan, a public educational institution, or official design of a corporation or award flags provided:
- (1) No more than three different flags are permitted on any single lot of record.
  - (2) In Sign Districts C, E and all other areas not identified below, flags are limited to a maximum size of 40 square feet and flagpoles are limited to 30 feet tall.
  - (3) In Sign Districts A, B and D, flags are limited to a maximum size of 60 square feet, and flagpoles are limited to 35 feet tall.
- F. Flags to market new developments, or homes within residential districts, shall not contain any advertisement, names of individual firms, builders, etc., but may state "open," "model" or other similar message. Such flags shall be limited to two per driveway or development entrance and may only be displayed during business hours.
- G. Memorial signs or tablets, names of buildings and date of erection when signs are cut into a masonry surface or constructed of bronze or other noncombustible material.
- H. Institutional bulletin boards used to display the name and announcements of a religious institution, school, library, community center or similar institutions, provided that:
- (1) Total sign area is less than 16 square feet.
  - (2) The sign is located at least 20 feet from any property line or right-of-way.
- I. Real estate signs advertising the sale, rental or lease of the property in residential districts provided that:
- (1) The sign is located on the lot or in front of the unit for sale.
  - (2) One sign is permitted.
  - (3) The sign shall not exceed six square feet in area.
  - (4) The sign shall be placed at least 10 feet from the edge of the road right-of-way or easement.
  - (5) Signs shall be removed within seven days after the property has been sold, rented or leased.
  - (6) For signs advertising the general availability of units for sale, rent or lease within multiple-family development projects, signs advertising such may be added to the approved ground/entrance sign as a changeable message, provided that the following standards are met:

- (a) The changeable message component of the sign must be complementary, in terms of materials and color, to the ground sign upon which it is attached.
  - (b) The sign may not be internally illuminated.
  - (c) The sign shall not occupy more than 10% of the permanent sign area.
  - (d) The area devoted to the changeable message component may be in addition to the allowable sign area.
- (7) Temporary signs for the purpose of advertising residential open houses, provided that the following standards are met:
- (a) Sign area shall not exceed six feet in area.
  - (b) Signs shall be located outside of the public right-of-way or easement and shall not create a traffic hazard to motorists or pedestrians.
  - (c) Signs are permitted for one day.
- J. Informational signs, attached to a building and of a size and scale intended to be viewed by pedestrians, such as but not limited to menus, hours of operation, etc., provided that:
- (1) One sign is permitted.
  - (2) Signs are limited to eight square feet in area.
  - (3) Signs shall not exceed six feet in height.
- K. Garage sale signs in residential districts, provided that:
- (1) Signs are permitted for a maximum of three days.
  - (2) Sign area shall not exceed a total of six square feet.
  - (3) Signs shall be located outside of the public right-of-way or easement and shall not create a traffic hazard to motorists or pedestrians.
- L. Temporary now-hiring signs for new businesses, provided that:
- (1) Sign area complies with the sign area permitted for the sign district.
  - (2) Signs are not erected more than 60 days before the store is opened and removed seven days after the store opening.
  - (3) Signs are located on the inside of the window.
- M. Temporary signs related to an election, to identify seasonal events or civic functions, provided that:

- (1) Signs shall not be placed more than 60 days before the event or cause it advertises or supports and must be removed seven days after the event advertised or supported has occurred.
- (2) Signs shall not be located within a public right-of-way.
- (3) In Sign Zones A, B, C, D and E, the sign shall not exceed 16 square feet in area or four feet in height.
- (4) In all other sign zones, the sign shall not exceed six square feet in area or 2 1/2 feet in height.

**§ 145-6. Standards for signs in any sign district.**

- A. No signs, except those established by Northville Township, Wayne County, state or federal governments, shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- B. Sign area.
  - (1) Sign area for wall and window signs shall be measured as the total area of a sign included within the rectangle created by encompassing the outermost edges of letters or symbols and including the area within any illuminated border. An area so created shall include all solid surfaces as well as openings.
  - (2) The sign area for ground signs shall include the entire face upon which copy can be located. Uprights or supports shall not be included in the area calculation.
  - (3) Sign area is the total permitted, not per side of the sign, unless otherwise noted.
- C. Panel or box signs must have dark backgrounds with light reflecting letters.
- D. No more than four colors shall be used for letters and logos. Graduated color changes within a single color range, black and white are not considered additional colors.
- E. Illumination.
  - (1) Unless otherwise noted herein, signs may be lighted. Lighting shall comply with the lighting standards contained in Chapter 170, Zoning.
  - (2) Signs may be either internally illuminated or indirectly illuminated, not both.
  - (3) Illumination levels of externally illuminated signs shall not exceed 30 footcandles as measured at the sign.
  - (4) Illumination levels of internally illuminated signs shall not exceed 20 footcandles as measured five feet from the face of the sign.

- (5) Lights shall be stationary and of reasonable intensity, shielded and directed solely to illuminate the sign.
- (6) Light sources shall be shielded from all adjacent residential districts, buildings and streets and shall not be of such brightness as to cause glare that is hazardous to pedestrians or vehicles or create a nuisance.
- (7) Ground-mounted luminaries, when used for externally illuminated signs, shall have internal or external light control louvers. Louvers shall be designed and installed to confine 90% of the light to the sign. Additional external louvers or barn-door-style louvers shall be specified, if required to control light spill.
- (8) Luminaries shall be located so they do not block the sign.
- (9) Metal halide, fluorescent, compact fluorescent or LED light sources shall be used for sign lighting. Incandescent or halogen lamps are not permitted.
- (10) Exposed, uncovered neon tubing, an open spark or flame are not permitted.

F. Ground signs.

- (1) Signs shall be located at least 10 feet from the road right-of-way or easement.
- (2) Signs must be at least 50 feet from an adjacent residential zoning district.
- (3) Signs must maintain a clear vision triangle measured 25 feet from the intersection of the right-of-way or easement. Ground signs shall not inhibit the vision of motorists and pedestrians. In the case of an internal access drive or private road, the twenty-five-foot clear vision triangle shall be measured from the edge of the pavement.
- (4) The sign area shall include the entire face upon which copy can be located and including the area within any illuminated border. Uprights or supports shall not be included in the area calculation.
- (5) Internally illuminated signs must contain individual letters, except panel or box signs may be permitted for multiple tenant signs which include signs for three or more businesses or tenants.
- (6) Indirect illumination is preferred by means of backlighting or provided from the side or top of the sign. If ground lights are used, the height shall not exceed 12 inches and not interfere with the content of the sign. Ground-mounted lights must be screened from view by vegetation or other means.

- (7) The material used for the sign base, and/or supports, must match or be complementary to the building materials used on the site. The base or supports must comprise at least 75% of the sign width.
- (8) The base of all ground signs must be planted with a combination of low shrubs and flowers.
- (9) The height of a ground sign is measured from the level of the ground at the nearest property line to the highest point of the sign structure, including any supportive or decorative appendages. Signs shall not be located on top of a berm or other elevations to artificially increase the height.
- (10) For multiple tenant developments within Sign Districts A, B, C and D, the ground sign may contain the name of the development and individual tenants, provided that:
  - (a) The sign area complies with the sign area permitted for the sign district.
  - (b) Signs shall consist of individual letters, except signs advertising three or more businesses or tenants may utilize panel- or box-style signs.
  - (c) Panel- or box-style signs shall be the same color and style and have dark backgrounds with light-colored letters.
- (11) For multiple-tenant developments within District E, the area of the ground sign shall not exceed 48 square feet and may contain the name of the development and individual tenants, provided that:
  - (a) Signs shall consist of individual letters, except signs advertising three or more businesses or tenants may utilize panel- or box-style signs.
  - (b) Panel- or box-style signs shall be the same color and style and have dark backgrounds with light-colored letters.
- (12) Additional ground signs may be permitted in accordance with the following standards:
  - (a) A corner lot may have two ground signs, provided that the total lineal frontage of the lot is at least 300 feet.
  - (b) An additional sign shall be allowed for each 300 lineal feet of frontage, after the first 300 feet, along a major public thoroughfare.
  - (c) If more than one sign is used, each sign shall be no greater than 80% of the size permitted for one sign. For example, if 90 square feet is permitted for one sign, the size for multiple signs shall not exceed 72 square feet per sign.

- (13) Building addresses must be provided on each nonresidential ground sign. The portion of the sign allocated for the address shall not be counted against the allowable sign area.

G. Wall signs.

- (1) Signs must be installed at least eight feet above the ground level or sidewalk, whichever is higher.
- (2) Signs shall not extend more than 12 inches beyond the surface of the portion of the wall on which it is erected or fastened.
- (3) Signs shall not extend higher than the roofline. If a sign is proposed to be mounted to a mansard roof, the center line of the wall sign shall correspond with the center line of the mansard roof.
- (4) Signs mounted on a building shall not project above the highest point used to measure the height of the building.
- (5) Signs shall be located within the building's architectural elements, such as a gabled roof.
- (6) Signs shall be located on the front of the building and used only to display the name of the firm, the address or a symbol or type of business.
- (7) Signs shall utilize individual internally illuminated letters. Box or panel signs are not permitted, except a box or panel "capsule" may be permitted, provided that the size does not exceed 15% of the allowable sign area and is included in the total allowable sign area calculation.
- (8) If the sign letters are attached to an exposed electrical raceway, the raceway must match the color of the wall to which it is fastened.
- (9) For the purpose of measuring sign area, the frontage shall be defined as the plane of the building, or tenant space, in which the sign will be located. Recessed or projecting building elements shall not constitute the building frontage.
- (10) One wall sign is permitted per zoning lot or per tenant of a multiple-tenant building. An additional wall sign may be permitted at the discretion of the Planning Commission, for the following circumstances:
  - (a) Where a nonresidential building is oriented such that more than one side of the building can be seen from a road, provided that the sign is less than 60% of the maximum sign area allowed or each sign is no greater than 80% of the size permitted for the sign district in which it is located.
  - (b) Where a nonresidential property abuts the I-275 right-of-way, provided that the sign does not exceed the maximum area

permitted for the sign on the front of the building. Perspective or section drawings may be required to demonstrate visibility.

- (11) The maximum allowable wall sign area may be increased in accordance with the table below. The distance is calculated based on the closest point of any portion of the building, or tenant space, to the right-of-way. The maximum increase using this provision shall be 250 square feet.

**Distance From the Future ROW**

<b>(feet)</b>	<b>Allowable Increase</b>
200 to 300	25%
301 to 400	30%
401 to 500	35%
Greater than 501 feet	40%

H. Window signs (permanent).

- (1) Permanent window signs are permitted in addition to allowed wall or ground signs.
- (2) Except as noted below, window signs shall not be illuminated.
- (3) Interior window signs designating a business establishment as "open" and having exposed neon, or the appearance of exposed neon, shall be permitted as part of the allowable window sign area. The size of the "open" sign shall not exceed three square feet.

I. Directional signs, used to direct vehicular and pedestrian traffic within the interior of a site, provided that:

- (1) The number of signs shall be limited to two per lot, unless otherwise granted as determined by the traffic engineer.
- (2) Signs shall be planned, coordinated and approved for an entire site, not at the requests of individual tenants.
- (3) The sign is placed behind the front yard parking setback.
- (4) Signs are not used as driveway identification markers, except in the case of a one-way drive as determined by the traffic engineer.
- (5) The sign is less than four feet tall.
- (6) The sign does not exceed three square feet per side.
- (7) Signs are not used solely for advertising.
- (8) Signs are not illuminated.

J. Menu and/or order boards intended to serve patrons using drive-through facilities, provided that:

- (1) Signs shall be located on the interior of the lot and shall not be legible from the exterior of the site.
  - (2) Signs shall be intended only to service the public utilizing the drive-through facility.
  - (3) The placement, size, color or illumination shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic.
- K. Residential entrance signs shall not exceed a total of 60 square feet and must be illuminated by indirect illumination.
- L. Real estate/marketing signs for nonresidential properties and signs identifying new development or construction, provided that:
- (1) Sign shall be limited to one sign per entrance or street frontage for ground signs.
  - (2) Ground signs shall not exceed 32 square feet per side.
  - (3) Ground signs shall not exceed eight feet in height.
  - (4) Ground signs shall be set back at least 10 feet from the road right-of-way or easement.
  - (5) For window signs, the sign area shall comply with the sign area permitted for the sign district.
  - (6) Signs advertising the sale, rent or lease of nonresidential buildings shall be permitted for a maximum of 60 days and must be removed within seven days after the property has been sold, rented or leased. Signs removed then reinstalled or signs that become used as permanent signs shall not be permitted and will be required to be removed.

#### **§ 145-7. Schedule of Sign Regulations.**

The Schedule of Sign Regulations is included at the end of this chapter.

NOTE: The standards for signs in any district are located in § 145-6.

#### **§ 145-8. Nonconforming signs.**

If, at the effective date of adoption or amendment of this chapter, a lawful sign exists that is made no longer permissible under the terms of this chapter as enacted or amended, such signs may be retained in use, so long as it remains otherwise lawful. Nothing in this chapter shall be deemed to prevent the normal maintenance or repair of a nonconforming sign. A nonconforming sign:

- A. Shall not be changed to another type of sign which is not in compliance with this chapter.

- B. Shall not be structurally altered in any way so as to prolong the life of the sign or to change the shape, size, type, face or design of the sign.
- C. Shall not be reestablished after the sign becomes an abandoned sign.
- D. Shall not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50% of the appraised replacement cost, as determined by the Chief Building Official.

**§ 145-9. Permits and application procedures.**

- A. No person shall alter, relocate, erect, or construct a sign without a permit issued by the Township Building Department pursuant to the following procedures. Signs that are exempt from the regulations of this chapter do not require permits.
- B. Application for permit.
  - (1) Copies of the application, plans and supplemental information shall be filed with the Township Building Department, together with the permit and inspection fees as established by resolution of the Township Board.
  - (2) Applications shall include following requirements:
    - (a) A site plan drawn to a scale not greater than one inch equals fifty feet.
    - (b) The location of existing and proposed sign(s) and all existing and proposed structures within 200 feet of the sign(s).
    - (c) Dimensions, including the lettering, spaces and overall height, width and area of the sign surface.
    - (d) A color representation of the sign.
    - (e) Method and color of illumination, if any.
    - (f) A photometric plan to illustrate light levels on, and around, the sign.
    - (g) The total building wall and dimension, for wall signs.
    - (h) The total window dimensions for window signs.
    - (i) A landscape plan that identifies shrubs and flowers around the base of the sign.
    - (j) Additional information the Planning Department, Planning Commission or Chief Building Official deems necessary and/or pertinent to the application.
- C. Upon receipt of all necessary submissions, the Planning Department shall review the application for conformity with the requirements of this chapter. A permit shall be issued by the Building Department for a sign

that meets the requirements set forth in this chapter. Approval may be conditioned upon compliance with reasonable regulations or limitations having regard to the character of the sign, the surroundings in which it is to be displayed, and the purposes of this chapter. A permit shall not be assigned or transferred in any manner, whatsoever, if the sign or signs covered by the permit are to be altered.

- D. Any permit may be suspended by the Chief Building Official or the Director of Community Development for the following reasons:
- (1) Any provision of this chapter is being violated.
  - (2) Any condition of the permit is not being observed.
  - (3) It is necessary to preserve or protect public health, safety, or welfare.

### **§ 145-10. Appeals and variances**

- A. The Zoning Board of Appeals shall have power to hear and decide appeals resulting from the enforcement of this chapter where it is alleged by the appellant that there is error in any order, requirement, decision or determination made by the Chief Building Official or any other administrative official. The Zoning Board of Appeals shall take action after a public hearing. A written notice of the time and place of such public hearing shall be mailed to the owners of all lots or parcels of land, or portion thereof, lying within 300 feet of the property in question. Such notice shall be served by regular mail, at least seven days prior to the date of the hearing.
- B. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when the evidence supports all the following affirmative findings:
- (1) The alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the township.
  - (2) The alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience or mere inability to attain a higher financial return.
  - (3) Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the ZBA to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent and purpose of this chapter.

**§ 145-11. Enforcement; violations and penalties.**

- A. When, in the opinion of the Chief Building Official, Director of Community Development or the ordinance officer, a violation of this chapter exists, the township shall issue a written order to the alleged violator. The order shall specify those sections of this chapter which the individual has violated. If the violator desires to appeal the decision, a request for a hearing from the Zoning Board of Appeals shall be made within 30 days. If the board of appeals upholds the determination of the Chief Building Official, Director of Community Development or the Ordinance Officer, the individual must correct the violation within 30 days of the decision by the ZBA.
- B. If the Chief Building Official finds that a sign is abandoned or structurally, materially or electrically defective, or in any way endangers the public, the Chief Building Official shall issue a written order to the sign owner and occupant of the premises stating the nature of the violation and requiring the sign to be repaired or removed within 30 days of the date of the order.
- C. In cases of emergency, the Chief Building Official may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as provided in the Township's Building Code.<sup>1</sup>
- D. Any person who violates a provision of this chapter or who fails to comply with any of the requirements thereof or who shall erect, construct, alter or repair a sign in violation of this chapter shall be responsible for a municipal civil infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense subject to the following penalties:
- (1) The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular section:
    - (a) First offense. The civil fine for a first offense violation shall be in the amount of not less than \$150, plus costs and other sanctions, for each offense.
    - (b) Repeat offense. The fine for any offense which is a repeat offense shall be in an amount of not less than \$300, plus costs and other sanctions of each offense.
  - (2) In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the Judge or Magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of this chapter.

---

1. Editor's Note: See Ch. 58, Building Construction.

- (3) Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
- (4) In addition to any remedies provided for by the Code of Ordinances, any equitable or other remedies available may be sought.