

**CHAPTER 82 - SIGN
ORDINANCE**

82.1 Short Title. This ordinance shall be known and may be cited as the City of Marquette Sign Ordinance.

82.2 Intent. It is the intent of this ordinance to regulate signs in the City of Marquette so as to protect public health and safety and to promote the public welfare. This is accomplished by regulating the size, placement, relationships, construction, illumination, and other aspects of signs in the City. It is determined that such regulation is necessary for several reasons.

- (1) To enable the public to locate goods, services, and facilities without difficulty and confusion.
- (2) To prevent dangerous competition for attention between advertising signs and traffic control signs and signals.
- (3) To prevent signs which are potentially dangerous to the public due to structural deficiencies or disrepair.
- (4) To preserve the mental and physical well being of the public by preventing insistent and distracting demands for attention.
- (5) To assure the continued attractiveness of the community showing special concern for the value of its cultural and natural features.
- (6) To protect property values within the community.

It is further determined that signs which may lawfully be erected and maintained under the provisions hereof are consistent with customary usage and that signs which may not lawfully be erected or maintained under the provisions hereof are not consistent with customary usage, are an abuse thereof, and are an unwarranted invasion of legitimate business interests and of the public.

82.3 Definitions. For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

All words used in the present tense shall include the future; all words in the singular number include the plural number and all words in the plural number include the singular number; and the word "building" includes "structure," "dwelling" includes "residence;" the word "person" includes "corporation," "co-partnership," as well as an "individual;" the word "shall" is mandatory and the word "may" is permissive.

Terms not herein defined shall have the meaning customarily assigned to them; or as defined in the Building Code or City Zoning Ordinance.

Alley: Any dedicated public right-of-way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

Animated Sign: A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this Code, include the following types:

- 1) Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.
- 2) Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- 3) Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
 - a) Flashing: Animated signs or animated portions of signs whose illumination is

characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if one cyclical period of on-off phases of illumination exceeds four (4) seconds.

- b) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Architectural Projection: Any projection from a building that is decorative and/or functional and not intended for occupancy and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning; Back-lit Awning; and Canopy, Attached and Freestanding.

Awning: An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

Awning Sign: A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall or Fascia Sign. Only the sign or copy area displayed on an awning shall be used to determine the permitted sign area-the entire awning shall not be included in a Sign Area calculation.

Banner: A flexible substrate on which copy or graphics may be displayed.

Banner Sign: A sign utilizing a banner as its display surface.

Billboard: See Sign, Outdoor Advertising.

Building Code: The building code as currently enforced pursuant to the laws of the State of Michigan.

Building Facade: That portion of any exterior elevation of a building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.

Building Frontage: The length of an exterior building wall or structure, of a single premise, along either a public street or path; parking lot or other property that it faces. Measured by the distance between two parallel lines, drawn perpendicular to the edge of the right-of-way, which intersect with any part of the building. Where the building is located upon a curve, the lines shall be drawn perpendicular to a tangent drawn through the nearest point of the right-of-way for a convex curve and the furthest point of the right-of-way for a concave curve.

Candela: The basic unit of measurement of light in SI (metric) units.

Candela per square meter (cd/m²): The SI (metric) unit used to describe the luminance of a light source or of an illuminated surface that reflects light. Also referred to as Nits.

Candle or Candlepower: Synonymous with Candela, but in English, not SI, terms.

Canopy (Attached): A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Also called a Marquee.

Canopy (Freestanding): A multi-sided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

Changeable Sign: A sign with the capability of content change by means of manual or remote input, includes the following types:

- 1) **Manually Activated - Changeable sign** whose message copy or content can be changed manually on a display surface.
- 2) **Electrically Activated - Changeable sign** whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source

designed to reflect off the changeable component display. See also: Electronic Message Center.

Cladding: A non-structural covering designed to conceal the actual structural supports of a sign.

Copy: The graphic content or message of a sign.

Display Time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Dissolve: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

Dynamic Frame Effect: An Electronic Message Sign frame effect in which the illusion of motion and/or animation is used.

Electrical Code: The electrical code as currently enforced pursuant to the laws of the State of Michigan.

Electronic Message Center (EMC) Sign: An electrically activated changeable sign whose variable message and/or graphic presentation capability is electronically-programmable. Also known as a digital sign. EMCs typically use light emitting diodes (LEDs) as a lighting source, and liquid-crystal display (LCDs) for light modulation. (See also following terms principally associated with Electronic Message Centers: Display Time, Dissolve, Dynamic Frame Effect, Fade, Frame, Frame Effect, Scroll, Transition, Travel).

Electric Sign: Any sign activated or illuminated by means of electrical energy.

Erected: Includes built, constructed, altered, reconstructed, moved upon or any physical operations on the premise required for construction. Excavation fill, drainage, installation of utilities and the like, shall be considered a part of erection.

Face: The portion of a sign upon, against, or through which the message is displayed or illustrated.

Fascia Sign: See Wall Sign

Flag: A flexible piece of fabric or other material containing the official emblem of any unit or government.

Flashing: Sign illumination characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will be defined as occurring if one cyclical period of on-off phases of illumination is less than four (4) seconds.

Flashing Sign: See Animated Sign, Electrically Activated.

Frontage: A property line shall be said to be a property frontage whenever it is coterminous with the boundary of a public right-of-way. Where two or more frontages exist for the same parcel, one shall be selected by the property owner for the purpose of calculating permitted signage.

Grade: The average level of the finished surface of the ground adjacent to all exterior walls of a building or support structure more than five (5) feet from a right-of-way. For buildings closer than five feet to a right-of-way the grade is the curb elevation at the center of the building or support structure. If there is no curb, the City Engineer shall establish the grade.

Historic Sign: A sign that is attached to a building listed on the State and/or National Register of Historic Places, which was attached to the building at the time of said listing; or be at least 50 years old, not significantly altered from its historic appearance, and demonstrates value to the community.

Illuminance: The amount of light falling upon a real or imaginary surface, commonly called "light level" or "illumination". Measured in foot candles (lumens/square foot) in the English system, and lux (lumens/square meter) in the SI (metric) system.

Illuminated Sign: A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally or trans-illuminated]; or reflecting off its surface(s) [Externally illuminated].

Interior Sign: Any sign placed within a building, but not including window signs as

defined by this ordinance. Interior signs, with the exception of window signs as defined, are not regulated by this ordinance.

Lot: For purpose of this ordinance a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area to provide such yards and other open spaces as are herein required. Such a lot shall have its front line abutting a public street or a private street meeting the standards of an approved PUD and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, complete lots of record and portions of record, or of portions of lots of record; or
4. A parcel of land described by metes and bounds.

Luminance: The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurement units.) Expressed in SI units as cd/m^2 , and in English units as foot lamberts. Sometimes also expressed as "nits", a colloquial reference to SI units. Can be measured by means of a luminance meter.

Mansard Roof: A roof, or structure on a building imitating a roof, which is at an angle of 60 degrees or greater from the horizontal.

Marquee: See canopy.

Multiple-Faced Sign: A sign containing three (3) or more faces.

Mural: An original painting applied to the surface of a wall. If the mural depicts products for sale, brand names, or services offered at the property, the mural will be considered a sign for purposes of this ordinance.

Nit: A photometric unit of measurement referring to luminance. One nit is equal to one cd/m^2 .

Pennant: A flexible piece of fabric or other material designed to attract attention or convey information by means of lettering, logos, color, or movement.

Plaque, Commemorative: An inscribed tablet of brass or other non-corrosive metal or stone, identifying a place of historical or cultural significance.

Residential Nameplate: A sign identifying a multiple family residential structure or identifying the occupants of one and two family structures.

Scroll: A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

Shopping Center: A shopping center shall mean a unified commercial development occupied by a group of five or more separate retail businesses occupying substantially separate divisions of a building or buildings fronting on a privately owned common mall or parking lot rather than a public street.

SI (International System of Units): The modern metric system of measurement; abbreviated SI for the French term "Le Systeme International d'Unites."

Sign: A name, identification, image, description, display, or illustration which is affixed to or located on, a piece of land, and which directs attention to an institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park, or other public property. Customary displays of merchandise or objects and material placed behind a store window are not signs or parts of signs.

Sign Advertising: Any sign which identifies a product, or service or brand name offered to the public.

Sign, Area of:

1. The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or use to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
2. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall

be taken as the area of one face if the two faces are of equal size, or as the area of the larger face if the two faces are of unequal size. The spacing between the parallel faces of a ground or pole sign may be increased to three feet where there are only two supports. In no case shall a support have a greater cross sectional width than 36 inches.

3. Where a sign consists solely of lettering or other sign elements printed or mounted on a wall of a building without any distinguishing border, panel or background, any blank rectangular area which is more than ten percent of the area of the sign as otherwise computed shall be disregarded. All of the lettering and other sign elements printed or mounted upon a wall of a building without any distinguishing border, panel, or background and pertaining to the same enterprise shall be treated as a single sign for purposes of area computation.

Sign, Directional: Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrians, vehicle or boat operators.

Sign, Directory: A sign that identifies the names and locations of tenants in a multi-tenant building or in a development made up of a group of buildings.

Sign, Flexible: A sign made of fabric, plastic, or other flexible material, two-dimensional in nature.

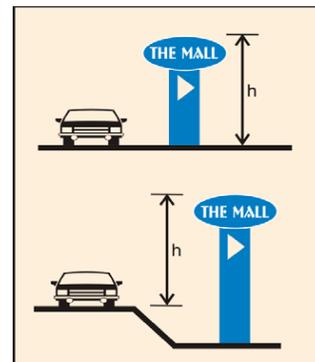
Sign, Freestanding: A sign principally supported by one or more columns, poles, or braces placed in or attached to the ground (e.g. cemented in a post hole or screwed to cement). May also be referenced as a Ground, Pole, Pylon, or Monument sign.

Sign, Ground: A sign supported by one or more uprights or a base, the entire display area of which is no more than eight (8) feet from the ground.

Sign, Height:

1. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mound, or that is located in a depression below the adjacent street grade, shall be measured from the grade of the nearest pavement to the highest point of the sign. See diagram at right (h=height).

2. Vertical clearance shall be measured as the smallest distance between the finished grade and the lowest point of the sign, including any framework or other embellishments.



Sign, Identification: Any sign which bears the name of the structure, business or proprietor, on the site on which it is located.

Sign, Illuminated: A sign that provides artificial light through transparent or translucent material or is illuminated by a light from an exterior source.

Sign, Instructional: A sign, placard, or text applied to stationary equipment, used to guide traffic on a site or inform travelers/patrons of pertinent information of a non-advertising nature.

Sign, Off Premise: A sign which advertises goods, services or attractions not available on the same site as the sign.

Sign, On Premise: A sign which advertises only goods, services, facilities, events, or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises. All other signs are off-premise signs.

Sign, Outdoor Advertising: A permanent sign erected, maintained or used in the outdoor environment for the purpose of display of commercial or non-commercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed. May also be referenced as an Off-premise Sign or Billboard.

Sign, Permanent: A sign of durable construction and durable materials designed to remain in one location and position either through attachment to a building element or mounting on a standard secured to a below grade footing.

Sign, Pole: A sign supported by one or more uprights or braces in or upon the ground.

Sign, Political: A temporary sign intended to advance a political statement, cause, or

candidate for public office.

Sign, Portable: Any sign not permanently attached to the ground and can be removed without the use of tools.

Sign, Projecting: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.

Sign, Real Estate: A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.

Sign, Roof: A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs. This sign is prohibited.

Sign, Sidewalk: A portable sign of A-frame or swinging-style construction used during the hours a business is open and stored inside when not in use.

Sign, Temporary: A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

Sign, Wall: A sign which is painted on or attached directly to a building wall with the face of the sign parallel to and extending not more than fifteen (15) inches from the face of the wall.

Sign, Wayfinding: A sign, frequently off-premise, specifically designed to provide directional or destination information.

Sign, Window: A sign affixed to, or located behind the surface of a window, with its message intended to be visible to the exterior environment.

Site: One or more lots under the same ownership or control which are proposed to the Zoning Administrator as a whole for the purpose of compliance with the requirements and regulations of the Zoning Ordinance.

Streamer: See pennant.

Transition: A visual effect used on an Electronic Message Sign to change from one message to another.

Zoning Ordinance: A chapter of the City Code of Marquette, Michigan adopted pursuant to the authority and procedure established by Act 207 of Public Acts of 1921 as amended.

82.4 Relationship to Other Laws. Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations or restrictions imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restrictions which are more restrictive or which impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no sign shall be erected or maintained in violation of any state or federal law or regulation.

82.5 Severability. This ordinance and the various parts, sections, subsections, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, subsection, section, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section, or clause is adjudged unconstitutional or invalid as applied to a particular property, or other structure, it is hereby provided that the application of such portion of the ordinance to other property, buildings, or structures shall not be affected thereby.

82.6 Application of this Ordinance. No sign or part thereof may be constructed, erected, placed, altered or maintained within the City of Marquette, except as specifically or by necessary implication, authorized by this ordinance.

82.7 Vested Rights. Nothing in this ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular sign and this ordinance is hereby declared to be subject to subsequent amendment, change or modification as may be necessary to preserve or protect the public health, safety, or welfare.

82.8 Effective Date and Repeal of Prior Sign Regulation. This ordinance shall take effect on July 24, 2008, said date being 10 days after adoption by the City Commission and publication. The Sign Ordinance adopted by the City Commission on the 12th day of March 1979 and all amendments thereto are hereby repealed as of the effective date of this ordinance. The repeal of the above ordinance does not affect or impair any act done, offense committed, or right occurring, accrued or acquired, or liability, penalty forfeiture or punishment incurred prior to the time enforces, prosecuted, or inflicted.

82.9 Permits Required:

1. It shall be unlawful for any person to erect, relocate, or structurally alter or repair, any sign or other advertising structure within the City of Marquette, as defined by this ordinance without first obtaining a certificate of compliance. All signs shall be subject to the Building Code, the City of Marquette Zoning Ordinance, and all illuminated signs shall be subject to the provisions of the State Electrical Code. (See Section 15, for maintenance exceptions which do not require a Certification of Compliance.)
2. A Certificate of Compliance shall be obtained from the Sign Official prior to the issuance of a building permit.
3. Application for a Certificate of Compliance shall be made upon forms provided by the Sign Official and shall contain or have attached the following information:
 - A. Name, address, telephone number, and signature of the applicant (person or firm erecting the sign).
 - B. Name, address, telephone number and signature of the owner of the land on which the sign is to be erected.
 - C. A scale drawing showing the position of the sign in relation to nearby buildings, signs, structures, and lot lines. All dimensions are to be included.
 - D. A copy of the plans, specifications and method of construction and attachment to the building or in the ground.
 - E. Upon demand of the Sign Official a copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other applicable laws and ordinances.
 - F. Such additional information as required by the Sign Official to show full compliance with this and all other laws and ordinances of the City.
5. The Sign Official shall review all applications for a Certificate of Compliance as expeditiously as possible. Reasons for any denial shall be set forth in writing and shall include any changes which would make the plan acceptable. The applicant may appeal any denial to the Board of Appeals. No more than ten days shall be required to review an application.

82.10 Exemptions. Certificates of Compliance shall not be required for the following signs provided that said signs meet all other requirements of this ordinance, including but not limited to those in Section 11. Approval of the property owner is required prior to the erection of a sign. It is the responsibility of the party erecting the sign to determine if a building permit is required.

1. No more than one real estate sign per site, not to exceed six (6) square feet in residential districts, thirty two (32) squared feet in all other districts, which advertise the sale, rental, lease of the premise upon which the sign is located. The sign shall be removed within five days of the sale or rental.
2. Political campaign signs may be erected up to forty five (45) days before an election.

There shall be no limit in the number of such signs on each site. Such signs shall be removed within 5 days after the election.

3. Residential nameplate not to exceed two (2) square feet in area.
4. Temporary signs identifying construction sites for which a building permit has been issued. One sign per premises shall be permitted not to exceed 10 square feet for single family and two family structures or 64 square feet for all other structures. The sign shall be removed within 5 days after the occupancy of the structure.
 - a. Temporary signs identifying home improvement activities for which no permit is required. One on premise sign per premises not to exceed four (4) square feet, which may be in place while the work is in progress. In no case shall such sign be in place for more than 14 days.
5. Special decorative displays used for holidays, public demonstrations or promotion of civic welfare or charitable purposes, on which there is no commercial advertising, providing the jurisdiction is held harmless for any damage resulting therefrom.
 - a. Special decorative displays may include temporary signs, banners, or balloons.
 - b. Length of use shall not extend more than five (5) days after the event has ended.
6. Any sign or notice required by state, federal or local laws.
7. On premise directional signs when based on the following table:

Site Area	Square Feet of Sign age Per 1000 Square Foot of Site Area	Maximum Size of Any One Sign
Under 50,000 square feet	.75 square feet/1000 square feet	4 square feet
50,000 to 100,000 square feet	.50 square feet/1000 square feet	8 square feet
100,000 to 200,000 square feet	.35 square feet/1000 square feet	16 square feet
Over 200,000 square feet	.15 square feet/1000 square feet	20 square feet

8. Any number of official governmental unit flags may be located on any site. Only one corporate flag or pennant may be displayed. Support structures shall meet the requirements of either pole or projecting signs.
9. Commemorative plaques which are firmly attached to a structure.
10. Portable signs may be permitted upon municipal multi-use paths and/or park property in relation to contracted commercial activity or permitted events within an adjacent park, or authorized commercial uses on property abutting the multi-use path system.
 - A. In municipal parks, one portable sign per event and/or one portable sign per contracted or authorized commercial activity are allowed in a location to be approved by the Zoning Administrator via a sign permit.
 - B. Portable signs located along a multi-use path shall be placed no closer than two (2) feet from the paved edge of the path, between the path and the center of the property; and shall in no case be placed between a paved path and a street.
 - C. For commercial uses adjacent to, and with a direct pedestrian connection to, a multi-use path, the sign placement shall be on the private property frontage.
 - D. Temporary portable signs may be no larger than sixteen (16) feet in area per side, and thirty-two (32) square feet in area on all outward-facing sides.
 - E. An approved portable sign may be displayed on municipal property only during hours and times of operation, for no longer than one-hundred and twenty (120) days per calendar year for contracted commercial activities; and during but no more than 5 days before or after a permitted event.

82.11 Regulations applicable to all signs.

1. It shall be unlawful to place a sign or handbill on any property without the approval of the property owner. No signs or handbills shall be posted on any tree or utility pole.
2. No signs shall be located on any street or street corner which would obscure the vision of drivers using said streets, or conflict with traffic control signs or signals in any location. No sign shall obstruct the vision of drivers at any driveway, parking lot or other route providing access to any land use.

3. No sign shall be illuminated by other than natural, electrical, or electronic means. All flood or spot lighting for illumination of signs shall be directed away from and shall be shielded from any residential districts. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaries that are fully shielded. Illumination is not to be greater than necessary to meet the needs of the business or use served, and sign lighting shall not be allowed to create hazardous or otherwise problematic glare.
4. No signs shall utilize flashing illumination, exposed bulbs or other illuminating devices which have a changing light intensity or brightness of color, with the exception of historic signs being used in a historical capacity, and electronic message center signs, which shall be permitted in accordance with Section 82.12.10 of this ordinance.
5. Prior to the erection of a sign overhanging a public right-of-way, the person erecting such sign shall receive the approval of the proper governmental agency (city, county, or state) having jurisdiction over such right-of-way.
6. No signs other than traffic control or directional signs erected by a unit of government shall be allowed on any right-of-way. Portable sidewalk signs shall be permitted when they meet the requirements of Section 82.12.6 and 7 except on State Highway right-of-ways, including the Business Routes on South Front Street and West Washington Street.
7. No sign shall be mounted on a roof; a mansard roof shall be considered a wall for the purpose of applying this regulation. (See Section 12 also.)
8. No signs in residential zoning districts may be closer to side or rear lot lines than specified in the minimum yard requirements of the Schedule of Regulations for the district in which they are located. (See City of Marquette Zoning Ordinance and Map.)
9. Swinging movements of signs shall be permitted only on under-canopy signs designed to a pedestrian scale and swinging-style sidewalk signs. The rotation of signs and any form of animation or moving device are prohibited.
10. Portable or moveable signs are prohibited, with the exception of portable/sidewalk signs as permitted in Sections 82.10.10, 82.11.13, and 82.12.6. All other signs must be permanently and securely attached to a below-ground footing.
11. Electric or electronic signs shall not mimic traffic control signals or emergency service vehicle lighting.
12. Any portion of a sign may be of the changeable copy type provided that all changeable characters are securely attached to the face of the sign.
13. Strings of Pennants are prohibited. (See also Section 10.8, Exemptions)
14. A portable, movable sign may be erected for a two week period at the opening of a new business or to identify a construction site. At no time may flashing lights be used on portable signs.

82.12 Regulations Based Upon Sign Type.

1. Pole Signs:
 - A. It shall be unlawful to erect any portion of a pole sign to a height of greater than 30 feet above the level of the nearest street in the general business and industrial districts. The maximum height for all other districts shall be 20 feet above the height of the nearest street.
 - B. There shall be a minimum unobstructed distance of 10 feet between the bottom of any display area and the ground for any sign located at the right-of-way. For every 2.5 feet the sign is set back from the right-of-way, the base of the display area may be lowered by one foot.
 - C. Pole signs in any business, office, or industrial district that are within 100 feet of a residential district must be reduced in height 10% for each 10 feet less than 100 feet they are located from the residential district.
2. Ground Signs:
 - A. No ground sign shall be located closer than 25 feet to any intersection of a right-of-way with another right-of-way or with the pavement of any driveway or alley.
 - B. No sign shall be located closer to a side lot line than the distance specific for side

- yards in that district by the Zoning Ordinance.
- C. For every two square feet of sign, one square foot of planting or lawn must be provided and maintained, at the base of the sign.
 - D. No portion of a ground sign may exceed eight (8) feet in height.
 - E. For every additional ten feet that a sign is set back from the required front yard, the area of the ground sign may be increased by 10%. The required landscaping at the base of the sign must be provided for the increased sign area. This increase in sign size shall not apply to off premise signs.
 - F. Ground signs placed in any business, office or industrial district may not be located within 100 feet of a residential district, measured along right of way lines.
3. Wall Signs:
- A. No wall sign shall cover, wholly or partially, any wall opening nor shall any sign project beyond the ends or top of the wall to which it is attached.
 - B. A wall sign shall not project more than 15 inches from the wall.
4. Projecting Signs:
- A. No portion of a projecting sign shall be less than ten feet above grade.
 - B. The distance between a projecting sign and the wall to which it is attached may not be greater than two feet.
 - C. All projecting signs shall be designed, installed and erected in such a manner that there shall be no visible angle iron or wire support structures above the roof line or parapet.
 - D. A sign may project three inches for each linear foot of distance to the nearest side lot line, provided that in no instance may a sign project more than eight feet from any established curb.
 - E. No sign may project over an alley or private access lane.
 - F. No sign shall be located closer than 10 feet to any intersecting rights-of-ways.
 - G. A projecting sign may not extend above the top of the wall on which it is attached by more than 6 feet, but in no case shall more than 20% of the sign area be above the top of the wall.
5. Canopy and Marquee Signs:
- A. Canopy and marquis signs shall not be placed less than ten feet above the sidewalk and shall not be located closer than two feet, measured horizontally from an established curb.
 - B. Signs attached to the face of a marquee or canopy which are parallel to the flow of traffic shall meet the requirements of wall signs.
 - 1. The sign may not project more than six inches from the face of the canopy.
 - 2. The sign may not exceed three feet in height.
 - C. Signs attached to the sides of a marquee or canopy which are not parallel to the flow of traffic shall meet the requirements of projecting signs.
 - D. Where signs are suspended under canopies or marquees, the following conditions shall apply:
 - 1. Signs shall not be greater than six square feet.
 - 2. There shall not be more than one such sign per business or office.
 - 3. Signs shall be no less than nine feet above the sidewalk not located closer than two feet measures horizontally from any established curb.
 - 4. Signs may swing provided that the distance between the top of the sign and the under side of the canopy or marquee is not greater than four inches.
 - 5. Signs shall be perpendicular to the flow of pedestrians.
6. Sidewalk Signs.
- A. Sidewalk signs shall be permitted during the hours a business is open to the public, but in no instance may a sign be placed on the street earlier than 8:00 a.m. nor later than 9:00 p.m.
 - B. Sidewalk signs shall be of A-frame or swinging-style construction. The maximum height shall be four feet and the sign shall not occupy more than nine square feet of sidewalk. The sign shall be sturdy, stable, and of heavy enough construction on its own to withstand typical winds without flipping over or sliding.

- C. The surfaces of sidewalk signs shall be durable. Copy may be painted or printed on the surface. Loose paper faces shall not be permitted. Sidewalk signs shall not be illuminated by any means except natural light and existing street lights.
 - D. At all times of the year, sidewalk signs shall be placed directly in front of the business holding the permit for the sign, a minimum of two feet from the curb, and shall allow a minimum of five feet of unobstructed sidewalk for pedestrians. Sidewalk signs shall not be placed within 25 feet of an intersection, measured perpendicularly from the intersecting curb. During the winter months, the sidewalk shall be completely clear of snow prior to placement and sidewalk signs shall not be placed on snow banks.
 - E. Signs shall be spaced a minimum of 20 feet from one another. If signs fail to meet the minimum spacing requirements, all improperly placed signs will be considered to be in violation.
 - F. The owner of the sign and the owner of the site upon which it is located must sign a statement assuming all liability for damage and injury caused by the sign.
 - G. Sidewalk signs shall be exempt from the total sign area calculation.
 - H. There shall be one sidewalk sign allowed for each business provided that all of the requirements of this section are met.
7. Flexible Signs.
- A. Signs of fabric, thin plastic, or other flexible material may be erected as pole, ground, or wall signs provided that all requirements for those types of signs are met, and
 - B. The outer perimeter of the flexible sign shall be held taut. No ropes or guy wires may be fastened so as to cause a hazard.
 - C. Flexible signs shall be removed at the first evidence of wear or deterioration.
8. Window Signs:
- A. Permanent window signs shall not exceed twenty-five (25%) percent of the area of a window and the total area of all window signs, including both permanent and temporary, and shall not exceed fifty (50%) percent of the window area.
9. Directional Signs:
- A. Directional signs may be located on public property, including rights-of-way, only by public agencies with jurisdiction over the property where located.
10. Electronic Message Center Signs (EMCs):
- A. Electronic Message Centers, or digital signs, are permitted in the Industrial, General Business, and Gateway Corridor Mixed Use districts.
 - B. EMCs may not be permitted in areas codified and intended as primarily for residential use, and not permitted on any lot fronting Lakeshore Boulevard.
 - C. The face of the EMC may not exceed 15 square feet.
 - D. Copy may not change more than once every four (4) seconds, and no single electronic message is permitted to be repeated more than once every eight (8) seconds.
 - E. Changeable copy by non-electronic means may be utilized on any permitted sign.
 - F. Electronic copy may use amber and/or green colored lighting against a dark, non-illuminated background.
 - G. All EMC signs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night, either by photocell (hardwired) or via software settings.
 - H. The luminance level of an EMC shall be limited by appropriate means to not exceed seven hundred fifty (750) cd/m² or Nits at least one-half hour before Apparent Sunset as determined by the National Oceanic and Atmospheric Administration (NOAA) for the location of Marquette and date. All signs must comply with this maximum luminance level throughout the night, if the sign is energized, until Apparent Sunrise, as determined by NOAA, at which time the sign may resume luminance levels appropriate for daylight conditions.
 - I. Only one (1) EMC sign is permitted on a lot for each street on which the development fronts.

- J. Signs may not utilize audio devices to create sound.
- K. In the General Business district and Industrial district, all EMC features are permitted with the exception of (a) flashing, and (b) full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC. Background effects of standard EMC software are not prohibited.
- L. In the Gateway Corridor Mixed-Use District, transitions between messages may employ fade, dissolve, and or other transition effects; and the following EMC display functions or features are prohibited: continuous scrolling or traveling, flashing, spinning, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement.

82.13 Signs Permitted by Zoning District. District designations shall be determined from the Official Zoning Map.

- 1. Residential Districts: (RG, RS, RM)
 - A. For each residential unit in a single family or general residential district, one name plate not exceeding two square feet shall be permitted.
 - B. For all conditional uses in the RS and RG districts except home occupations, group day care facilities, and duplexes and for all Class A, non-conforming uses which are not residential there shall be permitted one ground sign and/or one wall sign not to exceed a combined area of 50 square feet. Day care centers in any district shall be permitted to erect a four square foot nameplate.
 - C. Multiple Family Development: One sign not to exceed two (2) square feet for the purpose of identifying an office located on the site, plus:
 - 1. One sign not exceeding two (2) square feet for each development containing four or fewer dwelling units.
 - 2. For each development containing more than four (4) but fewer than 50 dwelling units, one sign not to exceed ten (10) square feet shall be permitted.
 - 3. For each development containing fifty or more dwelling units, one sign not to exceed 20 square feet shall be permitted for each driveway providing access to the site. Said signs must be within 50 feet of the driveway and any not be within 100 feet of another such sign on the same site.
 - D. For each subdivision, signs advertising lots for sale may be erected and maintained until 80% of the lots are sold. The sign shall not be erected within 100 feet of an occupied residence.
 - 1. One sign not exceeding 32 square feet in area shall be permitted for subdivisions with 20 or less lots.
 - 2. One or two signs not to exceed 64 square feet total area shall be permitted for subdivisions with more than 20 lots.
 - E. There shall be no off-premise signs.
- 2. All Office, Industrial, and Business Districts.
 - A. Total sign area shall be calculated as follows for establishments located in the OS (Office), BC (Community Business), BG (General Business), CBD (Central Business), and I (Industrial) districts.
 - 1. Where one establishment occupies a site, one square foot of sign area shall be allowed per foot of site frontage.
 - 2. Where two or more establishments occupy the same site, each establishment shall be allocated one square foot of sign area per foot of adjusted site frontage. Adjusted site frontage is the ratio of the floor area occupied by the establishment to the total floor area on the site times the site frontage. In no case, including new establishments being added to previously developed sites, shall the total sign area exceed one square foot per foot of site frontage.
 - 3. For all establishments there shall be permitted 1/100 of a square foot of additional sign area for each of the first 3,000 square feet of floor area and 1/1000 of a square foot of additional sign area for each remaining square foot of floor area.
 - B. Only on-premise signs shall be permitted in the OS (Office), BC (Community

Business), and CBD (Central Business) districts. Signs in the BG (General Business and I (Industrial) districts may be on-premise or off-premise but must meet all requirements of this ordinance.

- C. In no instance shall an establishment occupying all or part of the floor area of a site be restricted to less than 40 square feet of signage, except that no site occupied by more than one tenant be allowed more than 80 square feet or the total area of signage allowed for the site, whichever is greater.
- D. The following section only applies to the OS (Office), BC (Community Business), CBD(Central Business), and I (Industrial) zoning districts, with the exception of shopping centers or group of stores in the BG district (which is treated in 13.2.F). Signs allocated to tenants of a shopping center shall be restricted to businesses which have a separate entrance providing public access to their premises. The formula for such businesses shall be the same as found in Section 13.2.A. However, these businesses shall be restricted to wall signs and canopy signs. In addition to the signs permitted above, one free standing shopping center identification sign shall be permitted. The area of the sign shall be 1/1000th of a square foot of signage for each square foot of gross leasable floor area in the shopping center. This freestanding identification sign shall not exceed 30 feet in height and in no case shall the area exceed 300 square feet, nor shall the sign be restricted to less than 40 square feet.
- E. For each office structure containing more than one occupant office a directory sign containing the names of all offices may be located at each common public entrance to the structure. Said director signs shall not be larger than two square feet for each establishment, with maximum size of 20 square feet for each directory. Directory and restaurant menu signs not exceeding two (2) square feet shall be exempt from the total sign area calculation.
- F. The following section applies to the BG Zoning District only. In the case of a shopping center or a group of stores or other business uses on a lot held in single and separate ownership, the provisions of this section relating to the total area of signs permitted on a premise shall apply with respect to each building, separate store, separate storefront, or separate use. Only wall signs shall be permitted for individual establishments in a shopping center or on a property with more than one use, entity or business (multi-use or multi-tenant properties). Multi-use or multi-tenant properties may also have one (1) freestanding sign per street frontage).

1. Freestanding Signs:

a) Freestanding signs shall be limited to one (1) per property held in single and separate ownership except for a property that has frontage on more than one (1) street, in which case one (1) such sign shall be permitted for each separate street frontage. If a property has frontage that exceeds five hundred (500) lineal feet on any given roadway one (1) additional such sign on such frontage shall be permitted. Unless otherwise regulated by specific reference herein, the area and height above grade of any freestanding sign shall not exceed the amounts specified in Table 82.13.A below.

b) Additional freestanding signs shall be permitted for each vehicular entrance to the property. Permitted sign area for these additional freestanding signs shall be sixty (60) percent of the sign area permitted for freestanding signs as established in 82.13.F.a., as shown in Table 82.13.A below.

Table 82.13.A - Sign Size Limits in BG Shopping Centers speed limit=miles per hour; area=square feet; height=feet				
Speed Limit	Area	Height	60% Area	60% Height
25	50	20	30	12
35	98	20	58.8	12
45	253	25	151.8	15
55	300	30	180	18

2. Wall Signs:

- a) The maximum sign area is established in relationship to the building or tenant frontage length. However, no wall sign shall have a length greater than eighty (80) percent of the length of the tenant space; or for single tenant buildings, the length of the building frontage.
- b) The maximum sign area is two (2) square feet of sign area per lineal foot of building/tenant frontage.
- c) Each tenant may have multiple wall signs as long as the total wall sign area does not exceed the allowances established for wall signs for that tenant space or use (not including building directories and menu boards as stated in 82.13.2.E).
- d) Additional wall sign area is permitted for a secondary frontage which shall be equal to one-hundred (100) percent of the primary sign area allowance.
- e) Ten (10) square feet of bonus area is permitted on each of the building's primary and secondary frontages for a building with two (2) or more floors. The bonus may be increased by five (5) square feet for each additional floor over two (2) floors. The bonus sign must be placed at the height for which the bonus has been granted.

f) Building and Tenant Frontage Calculation

1. Determining Building Frontages and Frontage Lengths.

- a. The frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs. The "building unit" is equivalent to the tenant space.
- b. Primary and Secondary Frontage - The frontage of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.
 - i. The primary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.
 - ii. The secondary frontage shall include those frontages containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building frontage by subsection "a" above.
- c. Length of Building Frontage.
 - i. The length of any primary or secondary building frontage shall be the sum of all wall lengths parallel, or nearly parallel, to such frontage, excluding any such wall length determined by Zoning Staff as unrelated to the frontage criteria.
- d. For buildings with two or more frontages, the length of the wall and allowable sign area shall be calculated separately for each such building frontage.
 - i. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

3. Special requirements for Office, Industrial and Business Districts:

A. OS and BC (Office and Community Business)

1. Height and Area:

- a. Pole Signs - not to exceed 20 feet in height nor 40% of the permitted sign area for the site.
- b. Projecting Signs - not to exceed 24 square feet in area.
- c. Ground Signs - not to exceed 50 square feet
- d. Wall Signs - no size restriction except as established in Section 13.2.A.
- e. Sidewalk Signs - width shall not be greater than three feet, height shall not be greater than four feet and the sign shall not occupy more than nine square feet of sidewalk.

2. In no case shall the total area of all signs on a site exceed than permitted in Section.
 3. Number: Not more than one pole, ground, or projecting sign per site. A flexible fabric sign may be erected as a pole, ground, or wall sign.
- B. CBD (Central Business District)
1. Height and Area:
 - a. Pole Signs - not to exceed 20 feet in height nor 50% of the permitted sign area for the site.
 - b. Projecting Signs - not to exceed 24 square feet in area. c. Ground Signs - not to exceed 75 square feet.
 - d. Wall Signs - no size restriction except as established in Section 13.2.A.
 - e. Sidewalk Signs - width shall not be greater that three feet, height shall not be greater than four feet and the sign shall not occupy more than nine square feet of sidewalk.
 2. In no case shall the total area of all signs on a site exceed than permitted in Section I.
 3. Number: Not more than one pole, ground, or projecting sign per site. A flexible fabric sign may be erected as a pole, ground, or wall sign.
- C. BG - In the general business district the size and number of allowed signs shall be as follows:
1. Height and area:
 - a. pole signs - not to exceed 30 feet in height or 300 square feet in area.
 - b. projecting signs - not to exceed 24 square feet in area.
 - c. ground signs - not to exceed 150 square feet in area.
 - d. wall signs - no size restrictions except as established in Section 13.2.A and 13.2.F.2.
 2. In no case shall the area of all signs on a site exceed that permitted in Section I.
 3. Number: Not more than one ground or pole sign per 300 feet of site frontage, not more than three projecting signs, and with no restrictions on the number of wall signs per site. A flexible sign may be erected as a pole, ground, or wall sign, except as descried in 13.2.F, for shopping centers or a group of stores.
- D. I (Industrial District) In the industrial district the size and number of allowed signs shall be as follows:
1. Height and Area:
 - a. Pole Signs - not to exceed 30 feet in height or 300 square feet in area.
 - b. Projecting Signs - not to exceed 24 square feet in area.
 - c. Ground Signs - not to exceed 150 square feet in area.
 - d. Wall Signs - no size restrictions except as established in Section 13.2.A.
 2. In no case shall the total area of all on-premise signs on a site exceed that permitted in Section 13.2.A.
 3. Number: Not more than one pole or ground sign per 300 feet of site frontage with not more than three projecting signs, and with no restrictions on the number of wall signs per site.
 4. Standard outdoor advertising structures in addition to the above, which conform to the following regulations.
 - a. No standard outdoor advertising structure may be erected within 200 feet of any public park, recreation ground, lake, stream, school, church or residential lot located on the same side of the street.
 - b. No standard outdoor advertising structure shall be located within 100 feet of any intersection.
 - c. No standard outdoor advertising structure shall be closer than 300 feet to another off-premise sign measured along the right-a-way line.
 - d. Standard outdoor advertising structures may have one or two faces. Said faces may be placed back to back if not more than 36 inches apart, or may be placed in a "V" with a maximum angle of 30 degrees and a maximum separation

of 30 inches at the vertex.

e. No standard outdoor advertising structures shall exceed 300 square feet in area.

f. Standard outdoor advertising structures shall not be placed between the shoreline of Lake Superior and the nearest street or highway pavement.

g. A conditional sign permit shall be obtained from the City Planning Board using the guidelines of the Zoning Ordinance for determining the appropriateness of the requested location with respect to the residential or non-commercial use of an area and the introduction of signage into areas dominated by recreational/tourist/natural scenic qualities.

4. Conservation-Recreation and Deferred Development Districts (CR & DD):

A. Business uses in the CR and DD districts shall meet the following sign requirements.

1. Height and area:

a. Pole Signs - not to exceed 30 feet in height or 150 square feet in area.

b. Projecting Signs - not to exceed 20 square feet in area.

c. Ground Signs - not to exceed 150 square feet in area.

d. Wall Signs - no size restrictions except as established in Section 13.2.A.

2. In no case shall the area of all advertising signs on a site exceed that permitted in Section 13.2.A.

3. Number: Not more than one pole, ground or projecting sign per site with no restrictions on the number of wall signs per site.

B. Signs for residential uses shall meet the requirements for signs in the residential district (See Section 13.1).

C. For all non-business and non-residential uses in this district, one of the following shall be permitted, per site:

1. ground signs - not to exceed 20 square feet.

2. pole signs - not to exceed 20 square feet.

3. projecting signs - not to exceed 20 square feet.

4. wall signs - not to exceed 40 square feet. D. There shall be no off-premise signs.

5. Planned Unit Development District (PUD): Unless the approved site plan for the Planned Unit Development District specifies otherwise, the following regulations shall apply to each site:

A. One sign not to exceed twenty square feet shall be permitted for each street providing access to the site. These signs shall be for identification of the development and its components.

B. One residential nameplate not to exceed two square feet shall be permitted for each residential structure.

C. For each non-residential use, the sign design and size shall be as specified in the approved PUD Plan (see Section 80.30 of the Marquette City Zoning Ordinance).

6. Municipally Owned Outdoor Athletic Facilities in all districts.

A. An amateur athletic organization may erect advertising signs on the field where its games are played. Said signs are subject to the following conditions:

1. Height and Area

a. Ground signs may not exceed eight (8) feet in height or thirty-six (36) square feet per sign.

b. Wall signs may not exceed eight (8) feet in height or thirty-six (36) square feet per sign.

c. Pole signs are not permitted.

d. Illuminated signs are not permitted.

2. The number of signs may not exceed twenty (20) per field.

3. Only the side of the sign facing the playing field may contain advertising. The other side must be painted a neutral color.

4. Signs may be present only during the season of play of the organization erecting the sign.

B. Exemptions

1. Lighted scoreboards which may be illuminated only during time of organized play. Said scoreboards may not exceed 200 square feet in size and may be no taller than 20 feet in height.
2. The BMX track located in the River Park Sports Complex may have 24 signs which meet the above requirements.

82.14 Non-conforming Signs and Abandoned Signs. Non-conforming signs are those which do not comply with size, placement, construction, or other provisions or regulations of this ordinance but which were lawfully established prior to the adoption of this ordinance. It is the intent of this ordinance to discourage the continuance of non-conforming signs and to encourage their removal by whatever lawful means available.

1. Non-conforming signs shall not be structurally altered or repaired so as to prolong the life of the sign or so as to change the shape or size of the sign.
 - A. Digital signs are exempt from this provision, due to the fragile nature of electronic components and the high cost of the initial investment in the sign, if the following circumstances apply to the sign(s) in question:
 1. The sign was permitted when it was initially installed.
 2. Digital signs that are located in zoning districts that don't allow for them will have to be brought into conformity with section 82.12.10.C.-J. Electronic Message Center Signs, and with other aspects of Chapter 82
 3. The sign will not employ technology including flashing, full motion video/film display, or background effects if those features are not specifically permitted in the zoning district where the sign is located.
 4. An application is submitted for intended structural alterations or repairs.
2. The display face of a non-conforming sign may be modified as necessary to renew or update the message.
 - A. Digital signs modified under section 82.14.1.A are exempt from this provision when the modification is done in conjunction with structural alterations or repairs that are approved by application.
3. Non-conforming signs requiring structural repair to make them safe shall be removed.
4. Abandoned signs shall be removed by the property owner within 30 days.
 - A. Any sign which pertains to an event, time or purpose which has not applied for 30 days shall be deemed to have been abandoned.
 - B. Any sign which is located on property which becomes vacant and unoccupied or is applicable to a business which has been temporarily suspended because of a change in ownership or management, shall not be deemed abandoned unless the property remains vacant or the business remains inactive for a period of six months.
5. Changes or additions shall not be made to any signs on a site so as to increase their total non-conformity.
6. This section does not apply to sidewalk signs due to their temporary nature.

82.15 Maintenance. Every sign shall be maintained in safe structural condition at all times, including the replacement of defective parts and peeling, faded, or broken display faces and structural members.

1. The repainting of any portion of a sign structure, or the periodic changing of a bulletin board or billboard panel or the renewing of copy which has been made unacceptable or unusable by ordinary wear shall be permitted on all signs. No permit shall be required.
2. The replacing or repairing of non-structural portions of a sign shall not require a permit.
3. Structural alteration, repair or replacement shall require a permit.

82.16 Sign Removal.

1. The Sign Official shall order the removal of any sign for which no Certificate of Compliance has been issued or signs erected in violation of this ordinance.

2. The Sign Official shall notify the property owner by first class mail describing the sign and specifying the violation involved.
3. The property owner shall remove said or initiate an appeal within 15 days of receipt of the letter. An appeal stays all proceedings unless the official from whom the appeal is taken certifies to the Board of Appeals that a stay would cause imminent peril to life or property.
4. If at the expiration of the time limit in said notice, the owner has not complied with the requirements thereof, or appealed the decision of the Sign Official, the Sign Official shall carry out the requirements of the notice. The costs of such abatement may be charged against the premises and the owner thereof in accordance with the provisions of Section 22.10 of the City Code.

82.17 Dangerous Signs. In the case of a sign which presents imminent danger to life or property the sign owner, or if he cannot be reached, a responsible city official, must take immediate action as is necessary to remove the danger.

82.18 Administration.

1. The City Manager shall appoint a Sign Official who shall be responsible for the administration of this ordinance. He shall have all administrative powers not specifically assigned to some other officer or body.
2. The Sign Official shall review all Certificate of Compliance applications and site plans for compliance with the provisions of this ordinance or any written order from the Board of Appeals or Planning Board. He shall have no power to vary or waive ordinance requirements.
3. The Sign Official shall keep records of all official actions, all of which shall be a public record.
4. The Sign Official shall have the power to make inspections of buildings and premises necessary to carry out his duties in the enforcement of this ordinance.
5. The Sign Official shall collect such permit and inspection fees as determined by the City Commission.
6. If the Sign Official shall find that any of the provisions of this ordinance are being violated he shall notify in writing the person responsible for such violation indicating the nature and location of the violation and ordering the action necessary to correct it. He shall order discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of the provisions of this ordinance.
7. The Sign Official shall forward an analysis of site factors and other information pertaining to any appeal or request to the appropriate body. The analysis may include a recommendation for action.

82.19 Appeals.

1. The Board of Appeals as provided in the Zoning Ordinance shall constitute the Board of Appeals to pass on matters pertaining to the terms of this ordinance. The term of office, quorum, meetings, records, and procedure shall be as specified in the Zoning Ordinance.
2. Any person aggrieved or the head of any agency of the municipality may take appeal to the Board of Appeals from any decision of the Sign Official.
3. Appeals to the Board of Appeals must be accompanied by such fees as established by resolution of the City Commission. No activity on an application or appeal shall commence until said fee has been paid.
4. Whenever any condition or limitation included in a variance, it shall be "conclusively presumed" that the authorizing Board of Appeals considered such condition or limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision thereof, and to protect the public health, safety, and welfare, and that the board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation

was lawful.

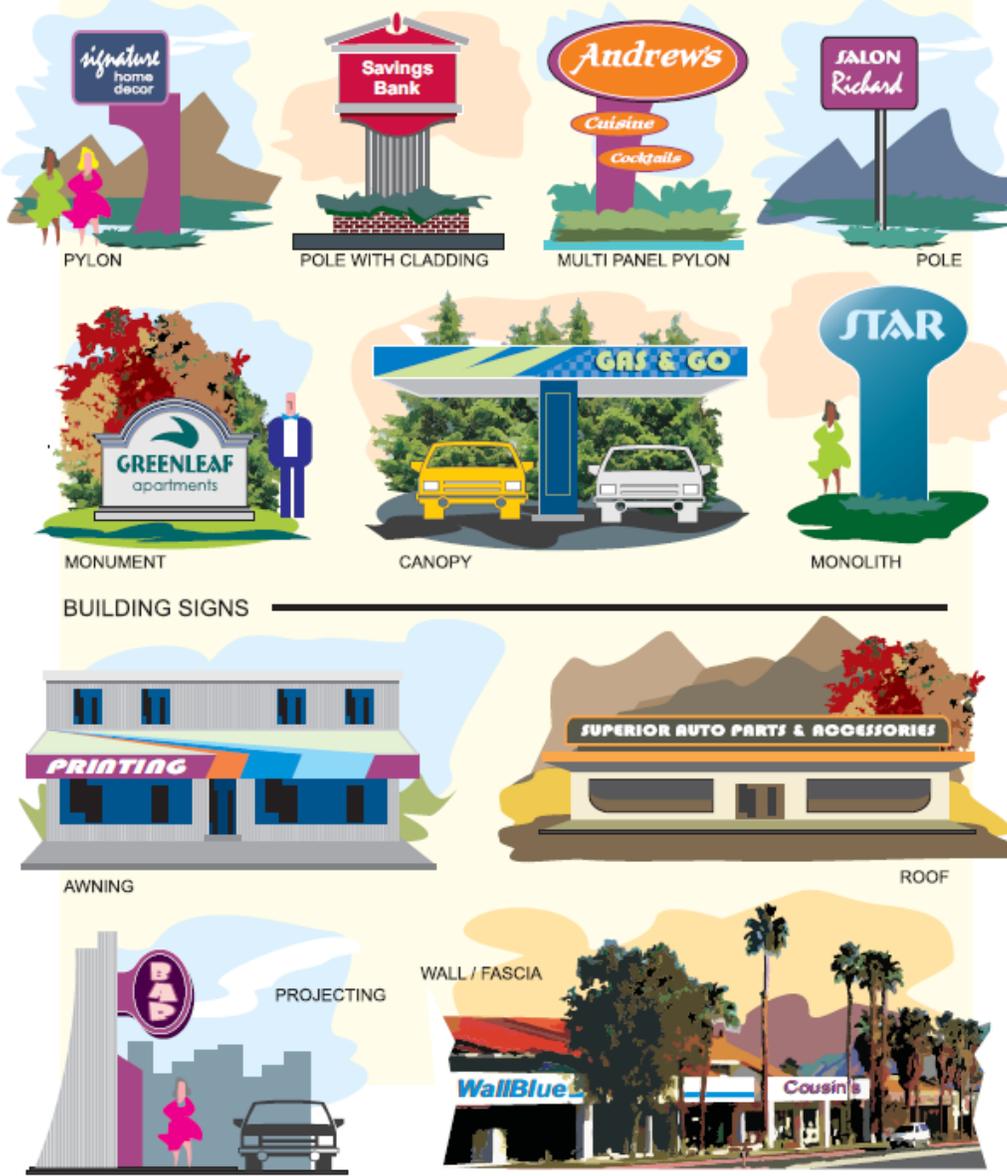
82.20 Enforcement.

1. False statements. Any sign compliance statement based on any false statement in the application or supporting documents is absolutely void ab initio and shall be revoked. No sign compliance statement shall remain valid if the use or structure it authorizes becomes non-conforming. The Sign Official shall not refuse to issue a sign compliance statement when conditions imposed by this and other City Ordinances are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said permits.
2. Violations and Penalties. Any person who violates any provision of this ordinance or any amendment thereto, or who fails to perform any act required hereunder or does any prohibited act, shall be guilty of a civil infraction. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Any violation of this ordinance is hereby declared to be a public nuisance per se.
3. Procedures for reporting violations. Apparent violations may be reported to the Sign Official by any citizen.

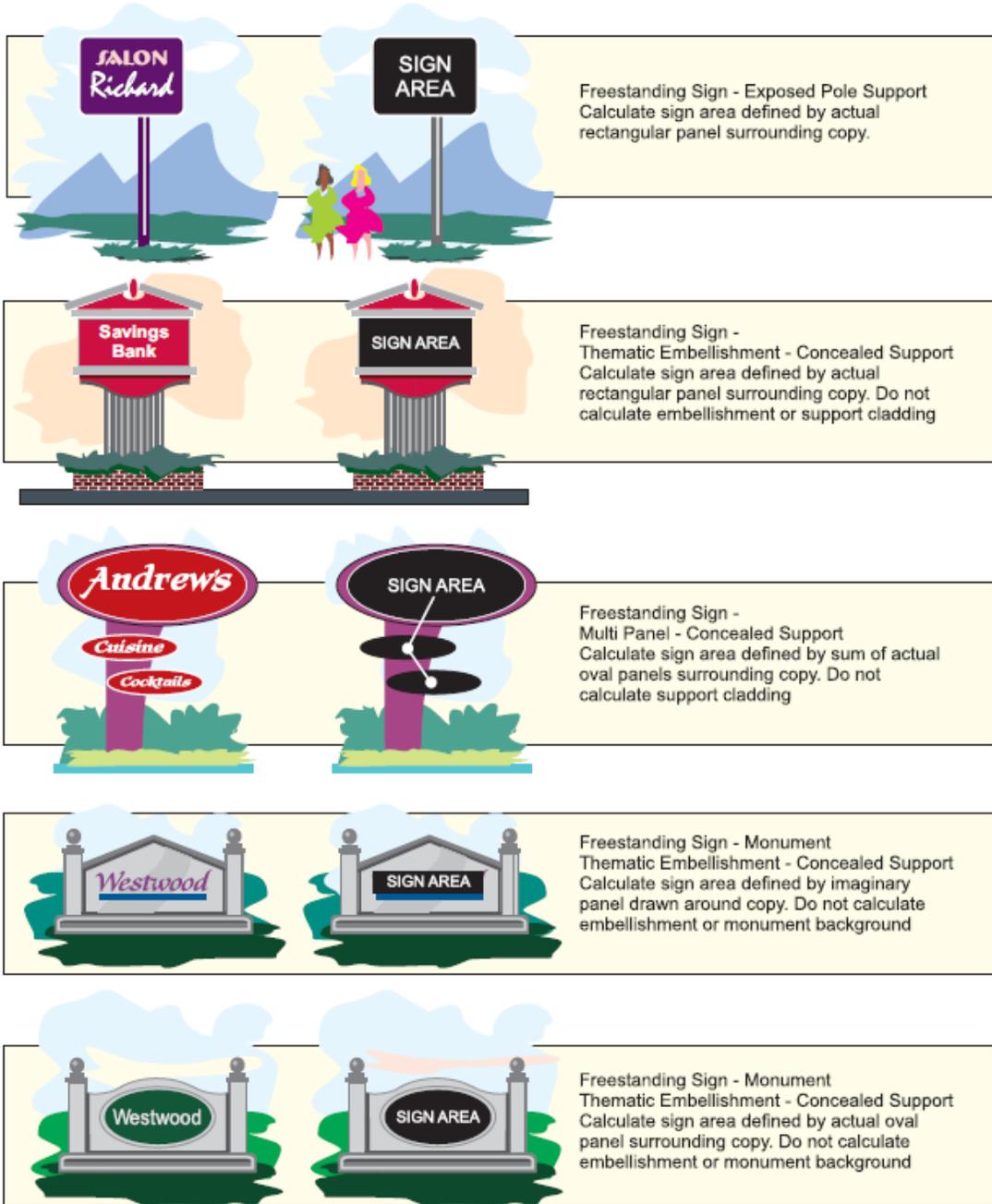
Appendix A: Typical On-Premise Sign Types

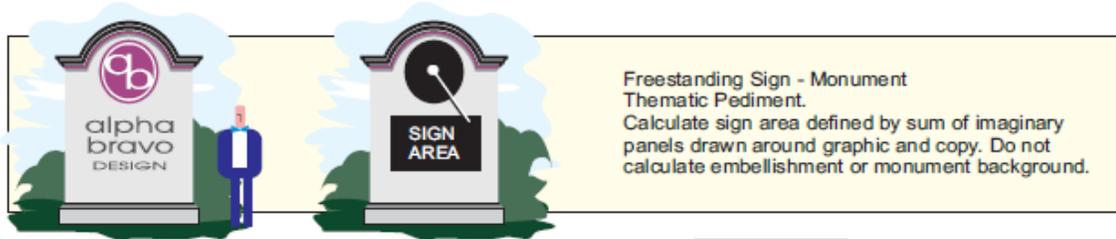
FREESTANDING SIGNS

usually perpendicular to viewer's line-of-sight. May be double or multi faced and contain thematic embellishment and integral covers or cladding to conceal structural supports.



Appendix B: Sign Area Computation Methodology



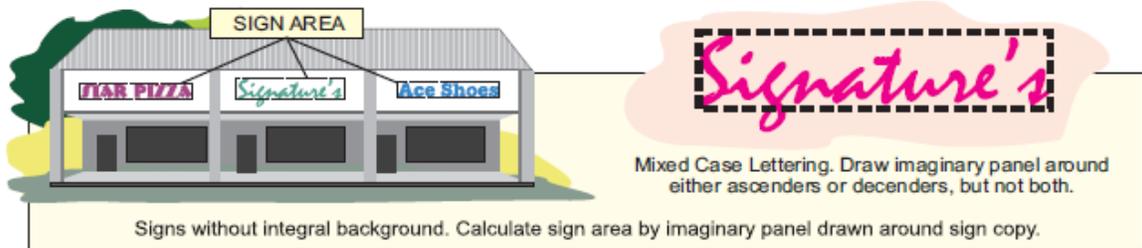


Freestanding Sign - Monument Thematic Pediment.
Calculate sign area defined by sum of imaginary panels drawn around graphic and copy. Do not calculate embellishment or monument background.



Freestanding Canopy Sign
Calculate sign area by imaginary panel drawn around copy. Do not calculate decorative graphics. Calculation similar for attached canopy and/or marquee.

Wall / Fascia Signs

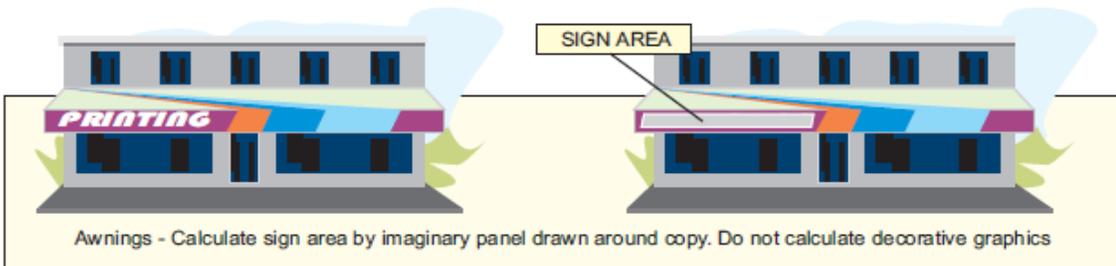


Mixed Case Lettering. Draw imaginary panel around either ascenders or decenders, but not both.

Signs without integral background. Calculate sign area by imaginary panel drawn around sign copy.



Signs with integral background panel. Calculate sign area by area of actual background panel surrounding sign copy.

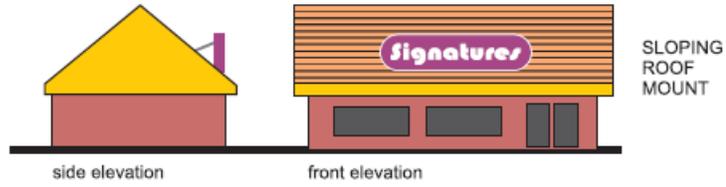


Awnings - Calculate sign area by imaginary panel drawn around copy. Do not calculate decorative graphics

Appendix C: Roof & Wall Sign Distinctions

1.) Roof signs are not permitted.

ROOF SIGNS



Fascia Signs on Roof-Like Projections
NOT ROOF SIGNS

