

16.000 SIGN REGULATIONS

VILLAGE OF MACKINAW CITY, MICHIGAN

ord. no. 120 effective April 6, 1994

Regulating signs, off-premises and on-premises advertising devices.

16.001 Art. 1. STATEMENT OF PURPOSE.

The purpose of this ordinance is to regulate outdoor signs within the Village of Mackinaw City. It is intended to provide such regulation as will minimize the harmful effects of said signs upon the health, safety and welfare of the general public and economic values in the community as well as the attractive appearance and natural beauty of the community. The contents of the ordinance are intended to constitute a comprehensive system of reasonable, effective, consistent, content neutral and nondiscriminatory sign standards and requirements. These regulations are intended to apply to all new signs and to provide for the elimination of all existing signs made nonconforming by this ordinance, as soon as it is fair and reasonably feasible.

Section 1.1 To promote the safety of persons and property by providing that signs do not create a hazard due to collapse, fire, collision, decay or abandonment, do not obstruct fire fighting or police surveillance, and do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, other vehicles, or traffic signs.

Section 1.2 To protect property values within the Village.

Section 1.3 To promote open space and improve the attractiveness and scenic beauty of the community which is considered to be important to the tourist industry and provides the economic base for the Village of Mackinaw City and to encourage a concern for the visual environment which makes the Village a more desirable place to live, work, and visit.

Section 1.4 To control the quality of materials, construction, electrification and maintenance of all signs.

Section 1.5 To lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

(ord. no. 120 eff. Apr. 6, 1994)

16.002 Art. 2. DEFINITIONS.

Section 2.1 SIGN--A name, identification, description, display (excluding products for sale display in windows), device, structure, or illustration which is affixed to, or painted, or otherwise represented directly or indirectly upon a building, structure or parcel of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

- A. **Billboard of Poster Panel.** A sign structure especially built for the display of characters, lettering or illustrations produced on paper sheet, or otherwise applied to the surface or sign structure.
- B. **Business Center Sign.** A sign which gives identification to a group of three (3) or more contiguous stores, indoor or outdoor malls, indoor or outdoor cluster shopping areas, office centers or industrial parks.
(ord. no. 120 eff. Apr. 6, 1994; amend. adopt. Feb. 5, 1998)
- C. **Business Sign.** A sign which directs attention to a business or profession conducted or to a product, service, or activity sold or offered upon the premises where such a sign is located.
- D. **Directional Sign.** A sign that indicates the direction of traffic movement.
- E. **Entranceway Sign.** A sign that designates the entranceway to a residential, commercial or industrial subdivision.
- F. **Flashing Sign.** Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such a sign is in use. A flashing sign changes more than three times each day. These regulations also apply to externally mounted light sources. (Amended, 6/07)
- G. **Free Standing Sign.** A sign that is supported by a frame that is free standing and is not attached to a building.
- H. **Ground Pole Sign.**
 - 1. **Ground sign:** A sign placed in a planter or decorative structure.
 - 2. **Pole sign:** A sign supported by one (1) or more uprights, poles, or braces in or upon the ground and not attached to a building.

- I. **Identification Sign.** A sign that identifies the business name, owner or resident and/or the street address and which sets forth no other advertisement.
- J. **Internal Directional Sign.** Any sign located on a premises which denotes the location of certain items or articles on those same contiguous premises. Signs of this nature are not visible from the public roadways or by the general public, and whose sole purpose is not to advertise, but rather to be used as an informational device for the business located on the premises.
- K. **Illuminated Sign.** Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
- L. **Lighting Device.** Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
- M. **Marquee.** Identification or business sign projecting horizontally from a building with a minimum of two distinct sides meeting at a common point forming two equal halves. (amend. adopt. Feb. 4, 1999)
- N. **Name Sign.** A sign that indicates the name of the building, premises, company, or business, including emblems, insignias, and marks.
- O. **Off-Premises Sign.** Any sign unrelated to a business or profession conducted, or a commodity or a service sold or offered upon the premises where such a sign is located.
- P. **On-Premises Sign.** Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such a sign is located.
- Q. **Outdoor Display Structure.** A device designed or used to display, incorporate, hold, or otherwise exhibit an outdoor advertising sign.
- R. **Portable Sign.** A freestanding sign not permanently anchored or secured to either a building or the ground, such as but not limited to "A" frame, poles temporarily driven into ground, T-Shaped, or inverted T-Shaped sign structures.
- S. **Projecting Sign.** A sign which is attached to any building or structure other than a marquee and projects in such a way that the message is not parallel to the wall to which it is attached.

(Rev. 2/99)

- T. **Roof Sign.** A sign, or any part or portion of a sign, which is located upon or over the roof of a structure, or in the case of a building with a mansard roof, a sign which is above the deck line of the mansard roof.
- U. **Surface Area of Signs.** The surface area of a sign shall be computed around the perimeter of its frame or border where such exists or around the perimeter of its symbols or letters or other display elements where no border or frame exists. Signs facing in opposite directions on a single frame not more than three (3) feet apart shall only be measured for area on one side of the same. The area of all other signs facing in more than one direction shall be the total area of each side measured collectively. The area of a sign shall not include the area of its supporting structure or canopy if the supporting structure or canopy contains no advertising or surface display lighting **and** is less than 20% in area of the advertising display surface of the sign. Decals or wording on a sign identifying the regional or national affiliation of a business or facility shall be included in computing the area of the sign.
- V. **Temporary Sign.** A display sign banner or other advertising device with or without a structural frame intended for a limited period of display including displays for holidays or public demonstrations.
- W. **Wall Sign.** A sign which is attached directly to or painted upon a building wall or roof which does not project more than 18 inches therefrom. The exposed face of the sign must be in a plane parallel to the building wall or structure. The sign must not extend above the height of the building wall or structure.
- X. **Window Sign.** A sign affixed to the surface or etched into the surface of a window with its message and intended to be visible to and readable from the public way or from adjacent property. (amended 7/05)
- Y. **Animated Sign.** See definition of flashing sign (Amended, 6/07).
- Z. **Changeable Copy Sign or Letter Board (Manual)** A sign on which copy is changed manually in the field. (Amended, 6/07).
- AA. **Electronic Message Center or Electronic Changeable Copy Sign.** A sign such as an electronically or electrically controlled sign which must provide public service information or advertising messages. (Amended, 6/07)
- BB. **Frontage.** The length of the front property line or lines of any premise, which is/are parallel to and along each street right-of-way or publicly owned sidewalk or alleyway. (Amended, 6/07)
- CC. **Indexing Signs.** Turning and stopping action of the vertical sections of a multi-face sign capable of showing more than one message in the same area. These are classified as rotating signs and regulated accordingly. (Amended, 6/07)

(ord. no. 120 eff. Apr. 6, 1994; amend. adopt. Feb. 5, 1998)

Section 2.2 PREMISES--A unit of contiguous real property under common ownership which is not divided by any public highway or alley.

Section 2.3 DISTRICT--A zoning district specified in the Village of Mackinaw City Zoning Ordinance [15.000].

(ord. no. 120 eff. Apr. 6, 1994)

16.003 Art. 3. PERMITTED SIGNS.

Section 3.1 ON-PREMISES ADVERTISING SIGNS - The following types of permanent signs shall be permitted in the following districts in accordance with the following regulations:

District	Permitted Sign
A	Signs listed in Article 4 A thru F plus wall sign limited to farm name and ownership.
R-1, R-2, R-3, R-4, RM, RMH	Signs listed in Article 4 A thru F.
B-1, B-2, B-3, R-C, B-C	Signs listed in Article 4 A thru L plus wall sign, canopy or awning sign, projecting sign and ground pole sign, business center sign and theater signage as regulated in Article 8.
MR, MR-S	Signs listed in Article 4 A thru K plus wall sign, canopy or awning sign, projecting sign, business center sign and ground pole sign as regulated in Article 8.

(ord. no. 120 eff. Apr. 6, 1994; amend. adopt. Feb. 5, 1998)

16.004 Art. 4. PERMANENT SIGNS PERMITTED IN SPECIFIC DISTRICTS (NO PERMIT REQUIRED).

The following types of permanent signs shall be permitted in all districts where the principal uses to which they are related are permitted. Permits shall not be required for signs enumerated in this section.

- A. House numbers, nameplates identifying the address of a parcel of land and not exceeding one (1) square foot in area.
- B. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible material.
- C. Traffic or other municipal signs such as the following: legal notices, railroad crossings, danger, or other emergency signs.
- D. Community special event signs approved by the Village Manager.
- E. Identification signs may be permitted at each vehicle entrance to a completed residential development and placed only on private property by permission of the owner of that property. Each sign shall have a surface area not to exceed twenty (20) square feet.
- F. Signs painted on or permanently attached to motor vehicles which are legally licensed and primarily used upon the highways for commercial or business purposes such as transporting of persons, goods or equipment; provided that no such vehicle displaying a sign may be parked within the required front setback of any lot or on any public right-of-way for the purpose of advertising any service, product or facility.
- G. Gasoline filling stations, as defined in Section 15.021-2.44 of the Village of Mackinaw City Zoning Ordinance which are located in appropriately zoned areas may display the following special signs:
 - 1. Custom lettering or logo on a fuel pump consisting of the brand of fuel sold not to exceed three (3) square feet on each pump.
 - 2. A single non-illuminated double faced automotive fuel pricing sign per fuel pump island, each of which shall not exceed four (4) square feet in area may be placed on the pump island or its supporting posts.

3. Any warning signs required by law may be placed on the gasoline pumps, the pump island or any pump island support posts and shall not exceed four (4) square feet in area.

(ord. no. 120 adopt. Apr. 6, 1994; amended section 16.004-G, 16.004-G.1, 16.004-G.2, 16.004-G.3 Jan. 2, 1997)

- H. Private traffic control signs not exceeding three (3) square feet in area such as in, out, drive-in window, office, lobby, entrance, exit, etc. may be installed without a permit as long as the sign contains no advertising for the business or use.
- I. Institutional bulletin boards limited to 150 square feet in area subject to the appropriate height and placement requirements.
- J. Flags bearing the official design of a nation, state, municipality, educational institution or non-commercial institution, or a recognized historic emblem, provided it does not exceed fifty (50) square feet in size. The official flag of the United States of America may be of any size. However, in no case shall the height of the flag pole exceed the maximum allowable height of any building in its respective zoning district, as measured from the established curb level on the site.
- K. Internal Directional Signs not exceeding 20 square feet in area. These signs must not be visible from the public roadway and will be meant only for customers' use and convenience.
- L.
 - (1) A menu board displaying a copy of the actual menu utilized in a restaurant, provided the displayed menu is no larger than the actual menu utilized in the restaurant or placed on a 15 inch by 10 inch size page, whichever is smaller. The frame of the menu board is to be utilized for restaurants only and must be permanently affixed to the building.
 - (2) Drive-in restaurants and those restaurants having drive through service will be allowed no more than two menu boards not to exceed 36 square feet each. These signs must be located on the premises where they are visible only to vehicle traffic on premise. The signage is intended for on-premise customer visibility and is not allowed for advertising on or along the roadway or in areas adjoining or adjacent to the property.

- M. Kites, yard and garden figures and wind socks, will be allowed to adorn lawns, grounds, and as attachments to buildings as long as such paraphernalia is not anchored into, onto or above the village right-of-way.
- N. Banners and buntings of a patriotic nature are allowed and encouraged on the days in which national patriotic holidays are observed, such as Fourth of July, Veteran's Day, Memorial Day and Flag Day and for a seven day period prior to any said holiday and a seven day period following said holiday.
- O. Historical signs on buildings at least 100 years old provided said sign complies with the following regulations.
 - (1) Building is at least 100 years old and can be proven by such matters as title record, dated blue prints, newspapers articles or other government records.
 - (2) The signs must be purchased from the Village of Mackinaw City to maintain a uniform design of such signs and to include the Village logo on said signs.
 - (3) The content of the historical signs may include the building name and the date of construction.
 - (4) Placement of a historical sign shall not in any way further limit the property owner's right to signage as allowed under other provisions of this ordinance.
 - (5) All historical signs shall be attached to the historical building.
- P. One wall mounted delivery identification sign not to exceed three (3) square feet shall be permitted for each business which maintains a delivery entrance adjacent to a public alley. Identification sign may contain business name and/or logo.
- Q. In all commercial districts it is permitted to display no more than one (1) **Winter Business Sign** per business during winter months with the intent to attract customers to an open business. Each eligible business must have posted business hours with at least 16 open hours during every week of the winter. This sign shall not be altered in any way from the approved Winter Business Sign design as approved by Village Council. The Winter Business Sign can extend over a sidewalk beyond the property line. Such sign can not obstruct pedestrians or snow removal equipment as operated by the Village or be displayed in a way which would cause any danger to public safety. The Village is not responsible for damage caused during snow removal to a Winter Business Sign which is improperly placed. These signs can be displayed only between November 1st and May 1st.

(ord. no. 120 eff. Apr. 6, 1994; amend. adopt. Feb. 5, 1998)

16.005 Art. 5. PROHIBITED AND RESTRICTED SIGNS.

It shall be unlawful to erect or maintain unless otherwise permitted in this ordinance.

- A. Any sign which contains calcium fluoride (fluorite) or any other transparent, crystalline mineral for the purpose of displaying a fluorescent character on any part of any sign.
- B. More than one (1) sign per premise for each full 150 feet of road frontage on one public street. If a premise is situated on a corner or a through lot, it may have the permitted number of signs on each public street which it borders, including those premises which may have road frontage on three (3) streets. Property owner may choose which sign type they desire for each allowable sign.
- C. More than two (2) signs on one premise facing on one street regardless of the number of businesses located on the premises, for each 150 feet of frontage on that street. If two distinct commercial uses occupy one premise under the same ownership, each business may have a separate sign. The two-sign limit includes any street signs adjoining the premises if they advertise the businesses located on the premises.
- D. Any sign that has any blinking, moving, rotating or flashing parts; plastic signs shall not oscillate; inflatable signs; animated signs.
- E. Any sign that is illuminated in such a manner so as to create a hazard in any public right-of-way. If the light source is from the outside, the light may be so directed and shaded that it does not shine into the eyes of drivers or pedestrians, or into adjacent residential areas. All lighted signs must be illuminated by artificial white light only and shall not use a flame as a source of light.
- F. Any sign attached to any natural growth, such as trees, shrubs or other natural foliage.
- G. Exterior banners, pennants, streamers, pinwheels, balloons, searchlights, animal characters, theme paraphernalia or other similar attention getting device, logos or ornamentation which advertise or promote a product or service.

- H. Any sign exceeding six (6) square feet in size and painted or placed on or in a motor vehicle or trailer which is parked within ten (10) feet of the street right-of-way for the purpose of advertising a business or product or service of a business located on or off the premises where the vehicle is parked. Nor shall the vehicle be allowed to operate or park on public streets with such a sign.
- I. Any sign containing lewd, indecent, or otherwise offensive words or symbols.
- J. Any portable or freestanding sign, except those granted a temporary sign permit under the provisions of this ordinance.
- K. Any other sign which is not specifically included as permissible under the provisions of this Ordinance.
- L. Roof signs.
- M. Any sign which advertises a business or product which no longer exists.
- N. Awning or canopy signs where the total number of signs for the premise is at the maximum allowed.
- O. Any sign along commercial property lines that adjoin residentially zoned property, provided that the judgment of the Village Council [is] that the placement does not negatively impact the residentially zoned property.
- P. Any sign or part thereof, including sign anchors, braces or guide rods attached, fastened or anchored to any fire escape, fire ladder or standpipe.
- Q. Any sign placed in such a manner so as to obstruct or interfere with traffic visibility or to prevent the placement of ladders against the building by the fire department as necessity may require.
- R. Any sign, including a changeable sign such as a reader board, which advertises or publicizes any products or services not sold on the premises or any other activity not conducted on the premises upon which such sign is located (off-premise billboards see Article 8).
- S. Any Electronic Message Center or Indexing Sign or Electronic Changeable Copy Sign except for signs which display public service information such as time, date, temperature, weather, or similar information. Also exempt from these requirements are signs advertising prices for fuel at a gasoline filling station as defined in the Village's Zoning Ordinance. (Amended, 6/07)

(ord. no. 120 eff. Apr. 6, 1994, amend. adopt. Feb 5, 1998)

16.006 Art. 6. TEMPORARY SIGNS.

Temporary signs shall be erected in accordance with the use, area, height and placement regulations of Article 7.

(ord. no. 120 eff. Apr. 6, 1994)

16.007 Art. 7. SCHEDULE OF REGULATIONS FOR TEMPORARY SIGNS.

The following regulations shall apply to temporary signs in all districts:

(See Attachment A.)

(ord. no. 120 eff. Apr. 6, 1994; amend adopt. Feb. 5, 1998)

16.008 Art. 8. SCHEDULE OF REGULATIONS FOR ON-PREMISES SIGNS.

Schedule of Regulations for On-Premise Signs (**Attachment B**) and Schedule of Regulations for On-Premises Signs for Specific Activities (**Attachment B-1**).

(ord. no. 120 eff. Apr. 6, 1994; amend adopt. Feb. 5, 1998)

ATTACHMENT A
ARTICLE 7 - SCHEDULE OF REGULATIONS FOR TEMPORARY SIGNS
PERMIT REQUIRED

<u>SIGN FUNCTION</u>	<u>TYPE OF STRUCTURE</u>	<u>AREA SQ. FT.</u>	<u>PLACEMENT</u>	<u>MAXIMUM DURATION</u>
a. Real estate business sign which advertises the sale, rental or lease of surrounding properties or which indicates the location of the business office.	Ground-pole	48	Not to exceed 10 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	One-year renewable to a maximum of three years.
b. Construction identification sign which identifies the name of project developers, contractors, engineers and architects on a site being developed.	Ground-pole	48	Not to exceed 10 ft in height. All permitted temporary signs shall not be permitted within the public right-of-way.	Not to be issued prior to issuance of first building permit.
c. Business sign which advertises a residential, commercial or industrial property under development and the name of the developers, contractors, engineers and architects.	Ground-pole	48	Not to exceed 10 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	May be issued prior to first building permit and be valid for 12 months (renewable to a max. of 3 yrs).
d. Transient Merchant Sign	Ground-pole	39	Not to exceed 5 ft in height; premises where produce or merchandise is sold and shall not be permitted in public right-of-way.	One-year, or until property is closed.
e. Residential and business sale sign which identifies the sale of the property upon which the sign is located.	Portable signs secured by driving posts in ground	9	Not to exceed 5 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	One-year or until property is closed.

INSERT ATTACHMENT "A" PAGE 2

**ATTACHMENT A
ARTICLE 7 - SCHEDULE OF REGULATIONS FOR TEMPORARY SIGNS
PERMIT REQUIRED**

<u>SIGN FUNCTION</u>	<u>TYPE OF STRUCTURE</u>	<u>AREA SQ. FT.</u>	<u>PLACEMENT</u>	<u>MAXIMUM DURATION</u>
f. A sign directing the public to a real estate development or real estate open house.	Portable signs secured by driving posts in ground.	6	Not to exceed 5 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	Signs shall be permitted to stay up overnight; no permit needed.
g. Election signs, ground-pole signs advocating or opposing a candidate or a position on an issue to be determined at the election, may be erected without permit.	Ground-pole	8	Not to exceed 5 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	Until 2 days after election. Maximum 60 days.
h. A sign advertising private sales in a residential district which are open to the general public, including auctions, estate sales, rummage sales, and garage sales, but excluding single-item sales.	Portable signs secured by driving posts in ground.	6	Not to exceed 5 ft in height. All permitted temporary signs shall be located in any required yard but shall not be permitted within the public right-of-way.	Four calendar days. Non-renewable.
I. Single-item sales of vehicles, watercraft, or other outdoor machinery and equipment.	Portable signs affixed to sale item.	4	On the premises in any required yard (excluding public right-of-way).	Until item is sold or six (6) months.
j. Institutional special event signs.	A frame or sandwich.	36	Ten (10) foot setback from property line; 40 foot setback from intersection.	90 days.
k. Contractor signs. (Roofers, remodelers, etc.)	Portable signs secured by driving posts in ground	18	On site of actual construction.	Duration of job. Maximum 60 days.

ATTACHMENT B
ARTICLE 8 - SCHEDULE OF REGULATIONS FOR ON-PREMISES SIGNS

TYPE OF STRUCTURE	SURFACE AREA PER PREMISES/BUILDING	HEIGHT	PLACEMENT	ILLUMINATION
Ground-pole or Free-standing	Each premises shall be allowed to construct one 100 sq ft ground-pole or free-standing sign for each full 150 lineal feet of road frontage adjacent to a public street. If the premise includes more than one ground-pole or free-standing sign (corner or through lot), each additional ground-pole or free-standing sign shall be reduced by 25%. A premises containing a second business shall be allowed an additional 50 sq ft of ground-pole or free-standing signage. If the premises has lineal front footage on a public street that allows more than one ground-pole or free-standing sign, the the applicant may combine the total allowable square footage into a lesser number of ground-pole or free-standing signs on that street, provided that such combination would be limited to not more than two signs neither of which can exceed 250 sq ft in size.	Maximum height of 25 ft. to the top of sign. In no case shall the height of the sign exceed the tallest building on the premises by 5 ft.	Sign may not overhang public right-of-way.	See section on illumination [16.009]
Wall or Flat	Sign length shall not exceed 60% of the wall length upon which it is placed; and in no case shall the sign exceed 100 sq ft. A business containing two or more public entrances/exits may split their allowable sign square footage into a maximum of two (2) signs per business, provided that the square footage of any such resulting sign cannot exceed 60% of the wall length upon which it is placed; and, further provided that such signs shall be placed on the wall on which any public entrance/exit is located. (amend. adopt. Aug. 20, 1998)	The height of the sign shall not exceed 48 inches.	Extension from the face of building shall not exceed 12 inches. Sign may not overhang the public right-of-way.	See section on illumination [16.009]

ATTACHMENT B
ARTICLE 8 – SCHEDULE OF REGULATIONS FOR ON-PREMISES SIGNS

TYPE OF STRUCTURE	SURFACE AREA PER PREMISES/BUILDING	HEIGHT	PLACEMENT	ILLUMINATION
Canopy or Awning	Thirty-five (35) sq ft. Letters shall not exceed 12 inches in height.	The height of sign not to exceed top of face or valance of the awning on which the sign is located.	Shall be printed upon and within the perimeter of the face or valance of the canopy or awning. If it is allowed by permit to encroach into the Village right-of-way, said encroachment shall not exceed a distance of 5 feet. The lowest portion of the canopy or awning shall be not less than 8 ft above the sidewalk or grade.	See section on illumination (16.009)
Projecting	Maximum of 24 square feet.	Maximum height of 25 feet. Not to exceed the top of the building.	A projecting sign shall be placed so as not to begin further than 12 inches from the face of the building from which it projects. It cannot be lower than 8 feet from its lowest point to the sidewalk or grade. If the projecting sign is allowed over a street right-of-way, it shall not encroach more than 5 feet into said right-of-way space.	See section on illumination. (16.009)

**ATTACHMENT B
ARTICLE 8 – SCHEDULE OF REGULATIONS FOR ON-PREMISES SIGNS**

TYPE OF STRUCTURE	SURFACE AREA PER PERMISE/BUILDING	HEIGHT	PLACEMENT	ILLUMINATION
Billboard or Poster Panels	Maximum area shall be 288 sq. ft.	Maximum height shall be 20 feet to the top of the sign	Sign may only be permitted in the MR-S Zoning District; sign may not obstruct the view of the Mackinac Bridge for any resident, motorist or pedestrian; sign shall not be erected within 500 feet of another billboard or any public park, recreation area, school, or church; sign shall have a setback of 25 feet from any front property line.	See section on illumination (16.009)
TYPE OF STRUCTURE	SURFACE AREA PER PREMISES/BUILDING			
Window Signs	<p>Window signs shall be permitted for all commercial and industrial districts primarily as a bonus allotment to all other permitted signs. If no other signs exist on the property for that business, window signs are regulated the same as wall signs. For those businesses which have any signs other than window signs on the property, the following requirements must be met:</p> <ol style="list-style-type: none"> 1. The aggregate area of all such signs shall not exceed twenty-five (25%) percent of the window area on which such signs are displayed. Window panels separated by muntins or mullions shall be considered as one continuous window area. 2. There shall be a maximum of twelve (12) square feet of window sign allowed per business. 3. There shall be a maximum of two (2) window signs per street front and maximum of three (3) per store, regardless of the number of streets fronted. 4. Window signs shall not be assessed against the sign area permitted for other sign types. <p>Two (2) square feet of additional, separate sign area on window(s) does not require sign face change permits, nor count toward allowable window sign area. (amended 7/05)</p>			

16.009 Art. 9. ILLUMINATION.

No sign shall be illuminated except in accordance with the following restrictions:

- A. No sign shall contain any moving, flashing or animated lights except such portions of a sign as consists solely of indicators of time, day, date and temperature in Fahrenheit and/or Celsius.
- B. Signs may have accent lighting limited to a maximum of eleven (11) watt per bulb.
- C. Lighting external to the sign shall consist of one color: white.
- D. Illumination shall be so arranged as to reflect light away from residential premises and in such a manner so as not to cast glare.
- E. No temporary lighting other than holiday decorations shall be permitted.
- F. The provisions of this section shall apply not only to exterior signs, but also the interior signs which are designed or placed to show through windows or doors of buildings.

(ord. no. 120 eff. Apr. 6, 1994)

16.010 Art. 10. SIGN PERMIT REQUIRED.

A permit must be applied for and received from the Village before any person or business shall be allowed to erect, alter, place or permit to be placed, replace, change the wording or face of any sign except those signs not requiring a permit. Manually changing the letters of a changeable letterboard sign will be exempt from this provision. Every application for a sign permit must be accompanied by plans drawn to scale and including:

- A. The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
- B. The dimensions of the sign's supporting members.
- C. The maximum and minimum height of the sign.
- D. The proposed location of the sign in relation to the face of the building in front of which it is to be erected.
- E. The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.
- F. Where the sign is to be attached to an existing building, a current photograph of the face of the building to which the sign is to be attached.
- G. If applicable, a statement as to what existing signs are to be removed from the building or premises and their disposal or reuse.

(Amended, 3/09)

(ord. no. 120 eff. Apr. 6, 1994)

16.010.1, Article 10.1 MASTER SIGN PLAN

- A. Intent – The Master Sign Plan provides a mechanism under which business centers can be granted special consideration to encourage compliance with the intent of the sign ordinance and consistency within the development. If the plan adheres to the below-listed criteria then deviations from the requirements of this sign ordinance may be granted. The burden to prove that the Master Sign Plan meets the intent of the Sign Ordinance is solely

upon the applicant. Conceptual plans, artists rendering of the proposed signs, and other similar material may be essential to a Master Sign Plan application and may be required by the Planning Commission or Village Council, at the applicant's expense.

- B. Eligible Property - For business centers where three (3) or more distinct and unique businesses exist on the same property.
- C. Criteria – All Master Sign Plans must present a clear statement and adequate evidence showing:
 - 1. The proposed deviations are the minimum necessary to create readable signs from the rights-of-way providing direct vehicular access based on traffic speeds and patterns in the area of the subject property.
 - 2. The signs are in character and consistent with existing uses in the area of the subject property and those future land uses as stated in the Village of Mackinaw City adopted Master Plan or Comprehensive Development Plan.
- D. Content of Plan – The plan shall provide the standards for the uniform style, size, and placement of signs within the proposed business center. The application shall provide:
 - 1. a drawing which shows the architectural elevations of proposed signs in place on a typical structure and building
 - 2. drawing(s) of sufficient scale showing all proposed locations for signs and their corresponding type and design, with all dimensions noted for all signs
 - 3. a list of all signs with dimensions, accurate color (including color sample), text of the signs, and materials.
 - 3. an explanation as to how the Master Sign Plan creates a sign design which is compatible with the surrounding area
 - 4. a signed statement by the Master Sign Plan applicant that all business and business owners on the premises acknowledge their duty to comply with the Master Sign Plan and that they fully understand its implications.
- E. Required Review Process – All Master Sign Plans will be reviewed and approved by the Village Council after review and recommendation by the Planning Commission.
- F. Appeals – An appeal of the Master Sign Plan decision shall follow the same process as an appeal of a decision made by the Zoning Administrator as per the Sign Ordinance.
- G. Approval Date – The approval date of the Master Sign Plan shall be the same as the date of the Planning Commission meeting at which it is approved. In the case of review concurrent with a Site Plan, its effective date, if approved, shall have an effective date the same as the approval date for the Site Plan by Village Council.
- H. Modifications – The Master Sign Plan can be modified through the same process as original approval.
- I. Installation of new signs – New signs must receive approval through the standard sign permit application process and reviewed by Village Staff according to the Master Sign Plan requirements and the Sign Ordinance. All signs on the premises which has a Master Sign Plan must meet the Master Sign Plan requirements and conditions as approved by the Village.

(amended 12/05)

16.011 Art. 11. STREET SIGNS.

- A. It is the policy of the Village of Mackinaw City, in conformance with Section 2A-3 of the Michigan Manual of Uniform Traffic Control Devices, that any unauthorized sign placed in any street right-of-way by a private individual constitutes a public nuisance per se and shall be removed immediately. As such, no signs may be erected in or above the right-of-

way of any street, subject to any exception contained in Attachment B. It is intended by this ordinance to eliminate any future signs currently located in the street right-of-way consistent with Article 13. By recognizing the existing signs within the right-of-way as permitted nonconforming signs, the Village does not intend to waive any of its rights to utilize the public right-of-way in the future, even if such use is inconsistent with the existing nonconforming signs. In the event the Village proposes future use of the street right-of-way that is inconsistent with said nonconforming signs, the nonconforming signs will have to be removed from the street right-of-way.

- B. There shall be an exception to this prohibition of street signs only in the B-1, B-2, and B-3 zoning districts where awning signs and/or projecting signs shall be allowed over the street right-of-way as set forth and limited by regulations for such signs in Attachment
- C. All existing signs which are currently in the Village street right-of-way or project into said right-of-way, that are made nonconforming by this ordinance, shall hold harmless the Village of Mackinaw City for any damages incurred to said sign as a result of the Village plowing snow or doing other work involved in the maintenance of roads, sidewalks or public properties.

(ord. no. 120 eff. Apr. 6, 1994)

16.012 Art. 12. MAINTENANCE.

All signs, together with their structural elements and supporting framework, shall be kept in good repair and in a proper state of preservation to the reasonable satisfaction of the Village Manager. The Village Manager may order the removal of any sign, any portion of its structural elements, or its supporting framework that is not maintained in accordance with the provisions of this Ordinance sixty (60) days after notice by certified mail is sent to the owner of said sign.

(ord. no. 120 eff. Apr. 6, 1994)

16.013 Art. 13. NONCONFORMING SIGNS.

- A. Nonconforming signs are those which do not conform to the provisions or requirement of this ordinance or any subsequent amendment thereto, but which were lawfully placed and established prior to the time of adoption of this ordinance or amendment. Signs are considered nonconforming if not in compliance with any requirement or provision of this ordinance or amendment, including the location of a sign, such as those placed in the public street rights-of-way. It is the intent of this section to recognize that the eventual elimination, as expeditiously as is reasonable, of existing signs that are not in conformity with the provisions of the ordinance is as much a subject of health, safety and welfare as is the prohibition of new signs that would violate the provisions of this ordinance.
- B. Any enlargement or expansion of nonconforming signs shall not be allowed.
- C. Maintenance and repair of nonconforming signs, including the structure and display area, shall be allowed only in compliance with the following requirements:

1. Minor repairs or maintenance to the structure of nonconforming signs or structures, to keep it structurally safe and sound, is permitted. However, such repairs shall not be allowed when the cost of such repair or improvement exceeds 25% of the structure's replacement cost. The replacement cost shall be determined prior to any repairs or improvements by a qualified appraiser of the cost of replacing signs, said appraiser to be selected by the Village. This provision is intended to apply to structural repair and maintenance and not painting or cosmetic maintenance and repair.
 2. Any nonconforming sign or structure damaged by fire, explosion, flood, erosion or other means shall not be rebuilt, repaired or reconstructed if damaged in excess of 50% of the structure's pre-catastrophe replacement cost.
- D. The message conveyed on a nonconforming sign can be changed as long as such face change does not increase the nonconformity of the sign, provided a new permit to do so is obtained prior to making said face change.
- E. Nonconforming signs that are nonconforming due to their location in a public street right-of-way shall be eliminated if the property it serves is redeveloped. Redeveloped shall be defined as voluntary destruction or replacement of the building(s) served by the nonconforming sign, or a 50% or more addition of square footage to the building(s) served by the nonconforming sign. The intent of this provision is that such a demolition or addition would reasonably allow a relocation of the right-of-way sign.

(ord. no. 120 eff. Apr. 6, 1994)

16.014 Art. 14. APPEALS.

- A. A person aggrieved by an order, decision, or requirement of the Village Manager or the Village Zoning Administrator under this ordinance may appeal to the Village Zoning Board of Appeals.
- B. The Village Zoning Board of Appeals shall hear and decide appeals from and review any order, decision, requirement or determination of this ordinance.

(ord. no. 120 eff. Apr. 6, 1994)

16.015 Art. 15. VARIANCES.

The Zoning Board of Appeals, after public hearing, shall have the power to decide applications filed as hereafter provided for sign variances:

1. Where, by reason of the exceptional physical layout and conditions of the real estate and improvements thereon, or due to the use or development of property immediately adjoining the property in question, the literal enforcement of the

requirements of this sign ordinance would involve unduly practical difficulties or unnecessary hardship.

2. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the sign ordinance as long as the spirit of the ordinance can be served as well as public safety secured and substantial justice done.
3. The criteria that must be determined to grant such a variance will include all of the following findings:
 - a. That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.
 - b. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
 - c. That the authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purposes of this ordinance or the public interest.
 - d. That the condition or situation of the specific property to be served by the sign for which the variance is sought is not of a general or recurrent nature as to make reasonably practical the formulation of a general regulation for such conditions or situation.
4. In authorizing a variance for a sign, the Zoning Board of Appeals may attach conditions to said variance in furtherance of the intent and spirit of this ordinance and the protection of the public interest.
5. The procedure for variance requires the following procedure:
 - a. An application for a sign variance together with an application fee of \$125.00 shall be filed with the Village Zoning Administrator, who shall transmit [transmit] the same, together with all plans, specifications and other documents pertaining to the application, to the Planning Commission for purposes of recommendation.
 - b. The Village Planning Commission shall place the variance request upon the agenda of its next regular meeting provided said request is received by the Planning Commission not later than fourteen (14) days prior to the next regular meeting. Upon hearing the request for the variance, the Planning Commission shall submit a written recommendation to the Zoning Board of Appeals.
 - c. Upon receipt of the recommendation from the Planning Commission regarding a sign variance, the Village Clerk shall immediately place said variance application upon the agenda of the Zoning Board of Appeals for the next meeting that can be held in compliance with the notice requirements of this ordinance. Before granting any variance, the Zoning Board of Appeals shall hold a public hearing. Notice of such hearing shall be served personally

or by mail at least fifteen (15) days prior to the date of such hearing, upon the applicant, the owners of record of property within 300 feet of the premises in question, which notices, if by mail, shall be addressed to the respective property owner of record at the address given in the last assessment roll. Any part may appear at such hearing in person or by an agent or attorney.

- d. Upon the day of the hearing of the variance application, the Zoning Board of Appeals may adjourn the hearing in order to permit the gathering of additional information, or to cause such further notice as it deems proper to be served upon such other property owners as it decides may be interested in the variance application. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing.

6. The Village Zoning Board of Appeals may, by variance, allow replacement nonconforming signs or alterations to an existing nonconforming sign, otherwise not allowed by this ordinance, if it determines that said replacement sign or alteration provides a substantial improvement in the form of a lessened nonconformity with the requirements of this ordinance.

(ord. no. 120 eff. Apr. 6, 1994)

16.016 Art. 16. FEES.

A permit fee shall be paid to the Village of Mackinaw City for each sign permit issued under this ordinance. The fee shall be \$45.00.

(ord. no. 120 eff. Apr. 6, 1994)

16.017 Art. 17. PENALTIES.

Any person who violates any provisions of this ordinance, or who fails to comply with any of the regulatory measures or conditions, adopted pursuant hereto, shall be guilty of a misdemeanor and, upon conviction thereof shall be fined a sum of \$100.00 or not more than ninety (90) days, or shall be subject to both fine and imprisonment. Each day such violation continues shall be considered a separate offense.

(ord. no. 120 eff. Apr. 6, 1994)

16.018 Art. 18. SEVERABILITY.

If any part or parts of this ordinance is, or are, held to be invalid, such shall not affect the remaining portions herein.

(ord. no. 120 eff. Apr. 6, 1994)

16.019 Art. 19. EFFECTIVE DATE.

This ordinance shall take effect twenty (20) days after this date.

(ord. no. 120 eff. Apr. 6, 1994)