

**SIGN REGULATION**  
**Ordinance No. 535**  
**Adopted: October 5, 1998**

An Ordinance to regulate the construction, placement, establishment, creation and/or maintenance of signs within the Charter Township of Fenton.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN ORDAINS:

**SECTION 1. Purpose**

The purpose of this Ordinance is to regulate signs and outdoor advertising within Fenton Township so as to protect public health, safety and welfare; minimize abundance and size of signs to reduce motorist distraction and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives and enhance the aesthetic appearance and quality of life within the Township.

**SECTION 2. Definitions**

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them as follows:

- a. Business Center: A grouping of two (2) or more business establishments on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of businesses.
- b. Sign: Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, products, goods, services, activities, persons or events.
- c. Banner: A sign made of fabric or any non-rigid material with no enclosing framework.
- d. Billboard - Off-Premise: An outdoor sign advertising an establishment, products, goods, services, activities, persons or events which were not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the billboard is located. See also Off-premise Sign.
- e. Billboard - On-Premise: An outdoor sign advertising an establishment, products, goods, services, activities, persons or events which were made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the billboard is located. See also On-premise Sign.
- f. Canopy: A non-rigid fabric marquee or awning-type structure which is attached to the building by supporting framework, which includes a business identification message, symbol and/or logo. See Wall Sign.
- g. Changeable Message Sign: A permanent reader board attached to a pylon sign or the exterior of a wall where copy is changed mechanically, electronically or manually, including time/temperature signs.
- h. Construction Sign: A temporary sign identifying the name(s) of project owners, contractors, developers, architects, designers, engineers, landscape architects, and financiers, which is located on a site being developed or improved.
- i. Directional/Informational Sign: An on-premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g. parking or exit and entrance signs.
- j. Ground Sign: A free standing sign supported by uprights or braces in or upon the ground which are not a part of the building.

- k. Incidental Sign: A small sign, emblem or decal informing the public of goods, facilities or services available on the premises, e.g., a credit card sign; a sign indicating hours of business; signs indicating the contents of vending machines, gas pumps, ice containers, etc.; signs indicating the location of public restrooms, public telephones, etc.
- l. Non-Conforming Sign: A sign which was erected prior to the enactment of this Ordinance which does not comply with the provisions of this Ordinance.
- m. Off-premise Sign: An outdoor sign advertising an establishment, products, goods, services, activities, persons or events which were not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the sign is located. See also Billboard - Off-Premise.
- n. On-premise Sign: A sign identifying or advertising an establishment, products, goods, services, activities, persons or events located on the parcel where the sign is located. See also Billboard - On-Premise.
- o. Political Sign: A temporary sign used in connection with local, state or national elections or referendums.
- p. Portable Sign: A sign and sign structure which is designed to facilitate the movement of the sign from one location to another. The sign may or may not have wheels, changeable letters and/or hitches for towing. This includes hot-air and gas filled balloons, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, non-government flags and searchlights.
- q. Projecting Sign: A sign other than a flat wall sign, affixed to any pole, building or structure which projects from the building wall, pole or structure more than twelve (12) inches.
- r. Pylon Sign: A sign supported on the ground by a pole, braces or monument, and not attached to any building or other structure.
- s. Real Estate Sign: A temporary on-premise sign advertising the property or structure's availability for sale or lease.
- t. Real Estate Open House Sign: Temporary signs which advertise and direct the public to an open house for a building which is available for sale or lease, with the event held on a specific day.
- u. Regulatory Sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of uniform Traffic Control Devices.
- v. Roof Sign: A sign which is erected, constructed and maintained upon, and projects beyond the roof of the building.
- w. Subdivision Sign: A permanent sign marking the entrance to a residential platted subdivision or condominium subdivision.
- x. Township: The Charter Township of Fenton.
- y. Wall Sign: A sign attached to or placed flat against the exterior wall surface of any building, no portion of which projects more than twelve (12) inches from the wall.

### **SECTION 3. Plans, Specifications and Permits**

- a. New Signs: A building permit shall be required for the erection, construction or alteration of any sign, except as hereafter provided, and all such signs shall be approved by the Building Inspector as to their conforming to the requirements of the zoning district wherein said sign or signs are to be located and the requirements of this Ordinance.
- b. Specifications: Before any permit is issued for the erection of a sign, construction documents shall be filed with the Building Department showing the dimensions, location, materials and required details of construction, including loads, stresses and

anchorage. For purposes of this Ordinance, the sign face square footage shall be measured in accordance with the guidelines set forth in Figure B of this Ordinance. The application shall be accompanied by the written consent of the owner of the premises upon which the sign is to be erected.

#### **SECTION 4. Exempt Signs**

No permit fee shall be required for the signs or outdoor display structures covered by the following provisions, however, this exemption shall not be construed to relieve the owner of the sign from responsibility for the sign's erection and maintenance in a safe manner:

a. On-premise signs may be permitted follows:

(1) One (1) professional sign or nameplate sign for each dwelling unit, not more than six (6) square feet in area. Such sign shall be set back at least ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way.

(2) One (1) temporary sign per vehicular entrance having a maximum area of thirty-two (32) square feet announcing the sale of lots or structures in any one (1) subdivision for a maximum period of one (1) year. Such sign shall be set back at least ten (10) feet from the roadway edge and shall not be placed within any public right-of-way.

(3) Two (2) non-illuminated temporary signs pertaining to the lease or sale of the premises upon which it is placed, not exceeding twelve (12) square feet in total area and six (6) feet in height, provided sign shall be removed within fifteen (15) days after the consummation of a lease or sale transaction. Such sign shall be set back at least ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way.

(4) Construction signs, provided that there shall be only one (1) such sign per development project; not exceeding thirty-two (32) square feet in area, set back a minimum ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way; and that such signs shall be erected during the construction period only and shall be removed within fifteen (15) days of the date of certificate of occupancy.

(5) Permanent signs of a religious institution, school, museum, library, community recreation facility or other non-profit organization or institutional bulletin boards, with a minimum setback from any property line or roadway edge of ten (10) feet and not within any public right-of-way, which do not exceed thirty-two (32) square feet in area, are a maximum of six (6) feet in height, and meet the illumination standards of this ordinance.

Historical marker: Plaques or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding twelve (12) square feet in area.

(6) In agricultural districts one (1) temporary sign for advertising the sale of agricultural produce raised on the premises. Such sign shall not exceed thirty-two (32) square feet in area and eight (8) feet in height, and shall be removed from its roadside location during the season that it is not in use.

Such sign shall be set back at least ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way.

- (7) In commercial, office service, industrial and hi-tech districts, no more than one (1) directional/informational sign shall be permitted per approved driveway, with a maximum sign area of four (4) square feet per sign, and a maximum height of four (4) feet. Additional directional/informational signs may be permitted by the Planning Commission at the time of site plan approval, (for new facilities), or by the Building Inspector, (for existing facilities), provided a need for said sign(s) is demonstrated by the applicant. Directional/informational signs shall be set back at least ten (feet) from any property line or roadway edge and shall not be placed within any greenbelt buffer or public right-of-way.
  - (8) In commercial districts, incidental signs not exceeding two (2) square feet per sign shall be permitted, provided said sign(s) are attached to a permitted sign, exterior wall, building entrance, window, or equipment customarily incidental to the commercial enterprise located on the premises, (e.g., gas pumps, vending machines, ice containers, etc.).
- b. Off-premise signs may be permitted as follows:
- (1) Political signs: with real property owner authorization, provided such signs are not placed within public road right-of-way, such signs do not exceed thirty-two (32) square feet in area, and that such signs are removed within five (5) business days following the election for which they are erected.
  - (2) Street banners: temporary banners advertising public entertainment or event, provided that they receive authorization from the Township Board, are only used in a location designated by the Township Board, and are erected no more than fifteen (15) days before the event they advertise and are removed within one (1) business day following the event.
  - (3) Temporary Real Estate Open House signs: There shall be only two (2) such signs placed off-premise and one (1) on premise; the size of each sign shall be a maximum of four (4) square feet in area and three (3) feet in height. Signs shall not be affixed to other signs, utility poles, fire hydrants or trees; signs may be located in the public right-of-way but shall be placed at least ten (10) feet from the curb or fifteen (15) feet from the pavement edge where there is no curb; the person or firm placing the signs shall obtain authorization from the owner or occupant of all properties on which such signs are placed; the signs shall be allowed for a maximum of four (4) days in any single calendar month, eight (8) hours per day; and the signs shall be removed within one (1) hour following closing of the open house.

#### **SECTION 5. Prohibited Signs**

The following signs shall be prohibited in any district:

- a. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exitway, window, or door opening or that prevent free access to the roof by firefighters.

- b. Signs having moving members or parts.
- c. Signs using high intensity, flashing, oscillating or intermittent, or red or blue or green illumination.
- d. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway or within a parking lot or loading area.
- e. Any sign placed in any public right-of-way, attached to a utility pole or affixed to a tree, unless otherwise provided for in this ordinance.
- f. Off-premise signs, unless otherwise provided for in this ordinance.
- g. Roof signs, any sign erected, constructed, maintained upon which projects beyond the roof of the building, unless otherwise allowed in this Ordinance.
- h. Portable signs, as defined, unless otherwise allowed in this Ordinance.

**SECTION 6. General Standards for Permitted Signs**

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this Ordinance; provided, that no such sign shall be erected or altered until approved by the Building Inspector and until a permit has been issued.

- a. All signs, together with all supports, braces guys and anchors shall be constructed in manner consistent with the BOCA Building Code provisions and maintained in good structural condition at all times. All signs shall be kept painted, stained, sealed or preserved to prevent corrosion, blistering, peeling or deterioration of exterior surfaces.
- b. Billboards - Size, height and location shall be determined by the Planning Commission as a site plan review application. Billboards may be established only in the C-3 zoning district, provided that they meet the following conditions:
  - (1) Not more than three (3) billboards may be located per linear mile of street or highway regardless of the fact that such billboards may be located on different sides of the subject street or highway. The linear mile measurement shall not be limited to the boundaries of the Township where the particular street or highway extends beyond such boundaries. Double-faced billboard structures (i.e. structures having back-to-back billboard faces) and V-type billboard structures having only one face visible to traffic proceeding from any given direction on a street or highway shall be considered as one billboard. Additionally, billboard structures having tandem billboard faces (i.e. two parallel billboard faces facing the same direction and side-by-side to on another) or stacked billboard faces (i.e. two parallel billboard faces facing the same direction with one face being directly above the other) shall be considered as one billboard. Otherwise, billboard structures having more than one billboard face shall be considered as two billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in subsection 2 below.
  - (2) No billboard shall be located within 1,500 feet of another billboard abutting either side of the same street or highway.

(3) No billboard shall be located within 200 feet of a residential district or existing residence. If the billboard is illuminated, this required distance shall instead be 300 feet.

(4) No billboard shall be located closer than 75 feet from a property line adjoining a public right-of-way or 10 feet from any interior boundary lines of the premises on which the billboard is located.

(5) The surface display area of any side of a billboard may not exceed 300 square feet. In the case of billboard structures with tandem or stacked billboard faces, the combined surface display area of both faces may not exceed 300 square feet.

(6) The height of a billboard shall not exceed 30 feet above (a) the grade of the ground on which the billboard sits or (b) the grade of the abutting roadway, whichever is higher.

(7) No billboards shall be on top of, cantilevered or otherwise suspended above the roof of any building.

(8) A billboard may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles, or any adjacent premises. In no event shall any billboard have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

(9) A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of message.

(10) A billboard established within a business, commercial, or industrial area, as defined in the "Highway Advertising Act of 1972" (1972 PA 106, as amended) bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of said Act and the regulations promulgated thereunder, as such may from time to time be amended.

c. Illumination of signs - All illuminated signs shall be ULA approved, pass State of Michigan Electrical Inspection and comply with BOCA Building Code.

d. All lights used for the illumination of signs, buildings, structures or areas surrounding them shall be completely shielded from the view of vehicular traffic using the road or roads abutting such properties, such that direct glare shall not be a hazard to such traffic. Floodlights used for the illumination of such premises, or any sign thereon, whether or not floodlights are attached, shall not be directed in such a manner as to adversely affect adjoining or nearby properties, or traffic. All illuminated signs, shall be located not less than one hundred (100) feet from residential district. No sign shall be illuminated indirectly by other than continuous white light, nor contain any visible moving parts. Underground wiring shall be required for all permanent illuminated free standing signs.

- e. Portable Signs - One (1) portable sign, provided such sign shall not exceed thirty-two (32) square feet in area, six (6) feet in height and be located no closer than ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way. Portable signs shall not be illuminated and shall be limited to one thirty (30) day period once a year.
- f. No sign, except those placed and maintained by the Township, County or State shall be located in, overhang or encroach upon any public right-of-way.
- g. No sign otherwise permitted shall exceed the maximum height limitation of the zoning district in which located.
- h. All signs, unless otherwise provided for, shall be set back a minimum of ten (10) feet from any private or public roadway edge, side yard setbacks shall be at least twenty (20) feet and no sign shall be erected in the required rear yard setback.
- i. In the RM-1, RMH and RT districts, one ground or wall sign indicating the name of the multiple housing development in addition to one (1) professional sign or nameplate sign for each dwelling unit, not more than six (6) square feet in area.
- j. Subdivision signs are subject to the review and approval of the Township Building Inspector. The sign face area of any subdivision sign shall not exceed 32 square feet.
- k. On-premise signs may be permitted in commercial, manufacturing and industrial districts as follows:

(1) No on-premise sign shall be permitted which is not accessory to the business conducted on the property.

(2) Such sign may only be erected on a exterior wall provided all of the following are met: No business establishment shall have a total of more than two (2) such signs provided the total sign area for all signs permitted on the face of any wall shall not exceed fifty (50) percent of the area of the face of the wall upon which such sign or signs are attached.

No such sign(s) shall extend farther than twelve (12) inches from the face of the building upon which it is attached, provided, however, that where a sign extends more than three (3) inches from the face of such wall, the bottom of such sign shall not be closer than eight (8) feet from the ground level below such sign.

The maximum height of any single on-premise sign shall not exceed ten (10) feet and the maximum width shall not exceed fifty (50) percent of the width of the wall to which such sign is attached.

(3) Freestanding or Pylon signs per business establishment, office building or shopping center complex, as provided in Figure A.

(4) One or more business establishments, located on multiple contiguous parcels of land, may erect a single freestanding or pylon sign identifying the business at that location so long as the sign does not exceed one hundred twenty percent (120%) of the square footage permitted for their zoning district, (see Figure A).

Such sign may be located at any point on the parcel(s) occupied by the businesses jointly erecting the sign as they may agree.

(5) Individual business occupying space in a multi-business structure shall not have free-standing signs regardless of the amount of space occupied within the structure.

(6) No sign shall be located such that no part of such structure extends over the public domain or shall be located or constructed so as to not obscure vision and contribute to hazardous conditions.

1. In agricultural districts two (2) permanent signs for advertising the sale of agricultural produce raised on the premises. Such signs shall not exceed thirty-two (32) square feet in area and eight (8) feet in height. Such signs shall be set back at least ten (10) feet from any property line or roadway edge and shall not be placed within any public right-of-way.

#### **SECTION 7. Dangerous, Nuisance, Unsafe, Abandoned and Illegally Erected Signs**

- a. Dangerous or Nuisance signs: Any sign constituting an immediate hazard to health or safety, including signs placed in public right-of-ways, attached to utility poles or affixed to trees, shall be deemed a nuisance and may be immediately removed by Township and the cost thereof charged against the owner of the property on which it was erected.
- b. Unsafe signs: Any sign that becomes insecure, in danger of falling or otherwise unsafe but not considered an immediate danger by the Building Inspector/Ordinance Enforcement Officer to the health or safety of the public shall be removed or repaired according to the process outlined in enforcement section.
- c. Abandoned signs: Any sign that advertises a business that has been discontinued for at least ninety (90) days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six (6) months. An abandoned sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign, the Building Inspector/Ordinance Enforcement Officer shall initiate the process outlined in enforcement section.
- d. Illegally erected signs: The Building Inspector/Ordinance Enforcement Officer shall order the removal of any sign erected illegally in violation of this Ordinance according to the process outlined in Section 10 of this Ordinance.

#### **SECTION 8. Non-Conforming Signs**

If the existence or use of any non-conforming sign is interrupted or discontinued for any reason, such sign shall not be replaced, unless it complies with the provisions of this Ordinance.

All non-conforming off-premise signs utilized on a continuous basis, (excluding billboards), shall be removed, replaced or modified to comply with the provisions of this Ordinance within one (1) year after the effective date of this Ordinance.

All non-conforming on-premise signs utilized on a continuous basis, (excluding billboards), shall be removed, replaced or modified to comply with the provisions of this Ordinance within five (5) years after the effective date of this Ordinance.

All non-conforming Billboard Signs utilized on a continuous basis shall be permitted to remain for the useful life of the billboard structure. Any non-conforming Billboard Sign that is dismantled or removed due to deterioration or damage shall not be replaced.

**SECTION 9. Variances, Appeals**

A request for a variance from the requirements of this Ordinance or an appeal of a decision of the Building Inspector may be taken to the Zoning Board of Appeals by any person, firm or corporation, or by any officer, department, board or bureau affected by a decision of the Building Inspector with respect to the construction, placement, establishment, creation and/or maintenance of signs. Such requests for variance or appeals shall be taken within such time as shall be prescribed by the Board of Appeals by general rule, and shall comply with the standards set forth in Article XX of Zoning Ordinance No. 186.

**SECTION 10. Enforcement**

The Building Inspector or Ordinance Enforcement Officer shall send notice, by certified mail addressed to the owner of any property upon which a sign has been illegally erected and to the owner of the illegally erected sign if not the property owner, at their last known address. The notice shall describe the violation and allow ten (10) days for removal or other measures that would result in compliance with this Ordinance. Should the sign not be removed or repaired within the time specified, the Building Inspector or Ordinance Enforcement Officer shall have the authority to remove and dispose of the sign and the property owner shall be liable for the cost thereof. Any such costs not paid by the property owner shall be assessed against the real estate from which the illegally erected sign was removed in the same manner as real estate taxes are assessed on the tax rolls.

**SECTION 11. Severability**

This Ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

**SECTION 12. Effective Date**

This ordinance shall be published as required by law and shall take effect immediately upon adoption and publication.

**Figure A**

Districts	Wall, Canopy or Projecting Signs			Pylon Sign			Ground Sign		
	Number	Maximum Size	Maximum Height	Number	Maximum Size	Maximum Height	Number	Maximum Size	Maximum Height
<b>Residential Uses</b> AG, R1-E, L, A, B, C (See Exempt Signs) RT, RMH, RM-1	1	32 Sq. Ft.	8 Ft.	1	32 Sq. Ft.	8 Ft.	1	32 Sq. Ft.	8 Ft.
<b>Commercial uses</b>									
C-1	2	50% Wall Face		1(a)	100 Sq. Ft.	20 Ft.	1	100 Sq. Ft.	8 Ft.
C-2	2	50% Wall Face		1(a)	100 Sq. Ft.	20 Ft.	1	100 Sq. Ft.	8 Ft.
C-3	2	50% Wall Face		1(a)	300 Sq. Ft.	35 Ft.	1	100 Sq. Ft.	8 Ft.
<b>Industrial uses</b>									
M-1 & M-2	2	50% Wall Face		1(a)	300 Sq. Ft.	20 Ft.	1	100 Sq. Ft.	8 Ft.
<b>Office uses</b>									
OS	2	50% Wall Face		1(a)	100 Sq. Ft.	20 Ft.	1	100 Sq. Ft.	8 Ft.

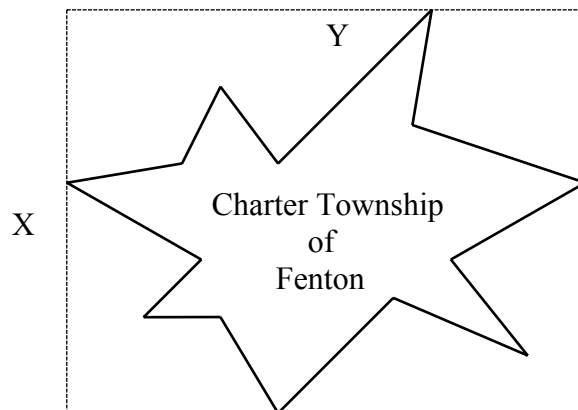
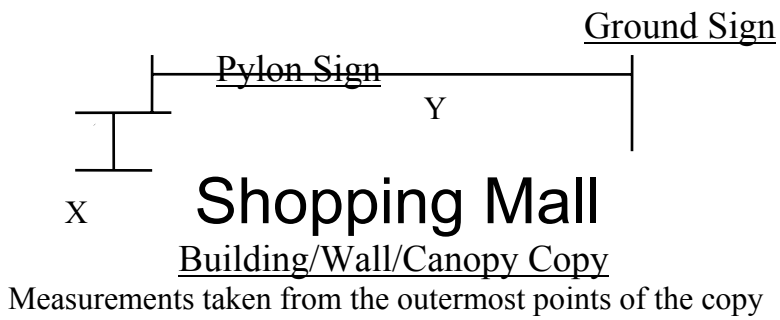
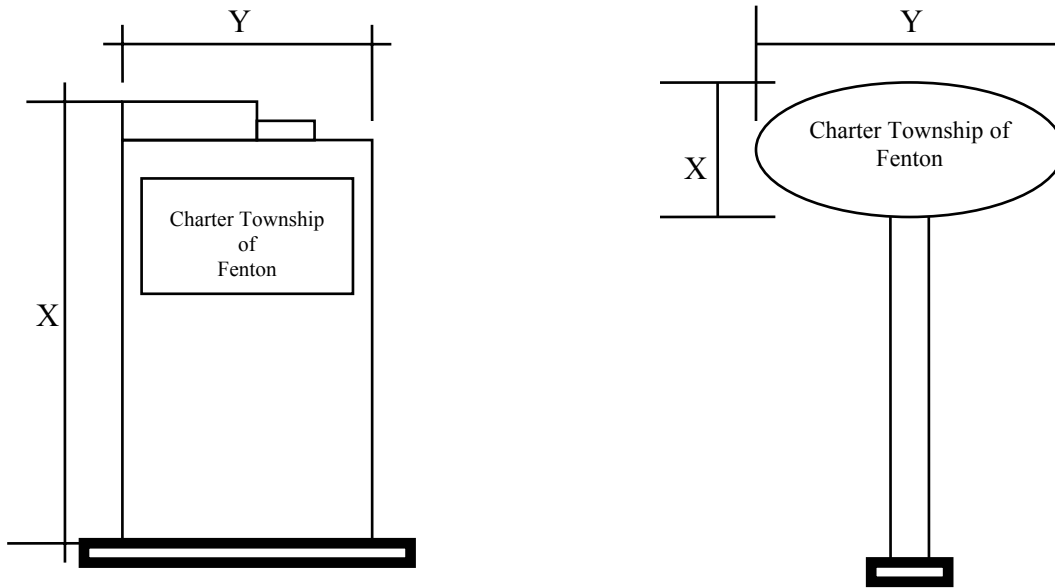
**Footnotes:**

(a) Only one (1) pylon or ground sign is permitted per use, including uses which occupy more than one (1) parcel and business centers, with additional signs permitted according to the following table, however, no site shall have more than three (3) pylon signs, regardless of the number of street frontages or the amount of frontage:

Frontage along two or more rights-of-ways	one (1) shall be allowed along two (2) frontages
300 foot frontage along one (1) right-of-way	one (1) pylon or ground sign along that frontage
301-600 feet of frontage along one (1) right-of-way	one (1) pylon or ground sign, plus one (1) ground sign along that frontage
Over 600 feet of frontage along one (1) right-of-way	one (1) pylon or ground sign, plus two (2) ground signs along that frontage

A changeable message sign, a permanent reader board attached to the pylon sign, may be allowed. Any such changeable message sign shall be included as part of the allowable pylon sign square footage, with the exception of electronic time/temperature signs that do not give business information. The maximum square footage of any changeable message sign shall be thirty-two (32) square feet.

**Figure B. Guidelines for Measuring Sign Face Square Footage**



All Signs  
Measurements taken from the outermost points of the panel

Enacted at a regular meeting of the Fenton Township Board of Trustees held on the 5<sup>th</sup> day of October, 1998.