

**ORDINANCE NO. 2018-002**

**An Ordinance to amend the Hamtramck City Code, Ordinance 497, Zoning Ordinance, Article XI, Sign Regulations, for the purpose of regulating the location, design, installation, maintenance and removal of signs within the City, and to provide a means for the City to promote, protect and safeguard the public health, safety and welfare of its citizens.**

**WHEREAS**, the City of Hamtramck wishes to amend a local Ordinance adopting sign regulations as part of the Zoning Ordinance of the City of Hamtramck, and

**WHEREAS**, the Charter for the City of Hamtramck provides that Council has the authority to enact all ordinances they deem necessary for the safety, order, and good government of the City and the general welfare of the inhabitants

**NOW, THEREFORE, THE CITY OF HAMTRAMCK ORDAINS:**

**SECTION 1.** The existing Article XI, Sign Regulations, of the Hamtramck Zoning Ordinance is hereby repealed in its entirety and the following new Article XI is hereby adopted to stand in its place.

**“ARTICLE XI. SIGN REGULATIONS.**

**Section 1. Findings and Purpose.**

*Findings and Purpose:* The purpose of this section is to regulate signs and outdoor advertising so as to protect the health, safety, general welfare, property values, aesthetics and the character of the various neighborhoods in the City of Hamtramck.

The principle features are the restriction of the location, height, and total area of signs permissible per site. Any sign placed on land or on a building for the purposes of identification or for advertising a use conducted on the premises shall be deemed an accessory use. It is intended that the display of signs will be appropriate to the land, building, or use to which they are appurtenant and be adequate, but not excessive, for the intended purpose of identification or advertisement. With respect to all signs, it is specifically intended, among other things, to reduce visibility blockages for motorists and pedestrians, avoid excessive visual competition and clutter among sign displays that distract motorists and pedestrians, and to reduce the negative aesthetic impact on the City from excessive signage. The regulations contained in this section are the minimum amount of regulations necessary to achieve its purpose.

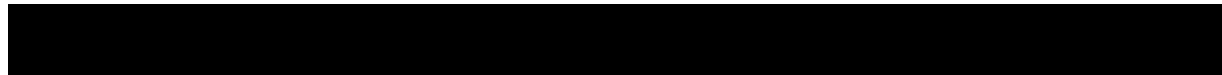
Nothing in this ordinance shall be construed to prevent the substitution or display of a non-commercial message on any permitted sign. All violations of this Article shall be subject to the penalties set forth in Article XV of the Zoning Ordinance.

**Section 2. Definitions.**

The following words and terms shall, for the purposes of this Ordinance, have the meanings shown herein.

**ABANDONED SIGN.** A sign, including any supporting structure or pole, which is in disrepair or no longer in good condition.





**ANIMATED SIGN.** A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this Ordinance, include the following types:

- a. Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical, or electro-mechanical input or illumination capable of simulation movement through employment of the characteristics of one or both of the classifications noted below:
  1. Flashing. Animated signs or animated portions of signs when 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 shall not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four seconds.
  2. 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.
- b. Environmentally activated. Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, or other devices or displays that respond to naturally occurring external motivation.
- c. Mechanically activated. Animated signs characterized by repetitive motion or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

**ARCHITECTURAL PROJECTION.** Any projection that is 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.

**AWNING.** An architectural projection or shelter projecting from, and fully or partially supported by, the exterior wall of a building and composed of a covering of rigid or non-rigid materials or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.

**AWNING SIGN.** A sign displayed on, or attached flat against, the surface or surfaces of an awning. See also, "Wall or Fascia sign".


**BACKLIT AWNING.** An awning with a translucent covering material and a source of illumination contained within its framework.

**BANNER.** A flexible substrate on which copy or graphics may be displayed.

**BANNER SIGN.** A sign utilizing a banner as its display surface.

**BENCH SIGN:** A bench, or chair or an attachment to a building which provides a bench, chair or seating device which also has painted, or in any other way attached to it, a sign.

**BILLBOARD.** An outdoor sign, whether placed individually or on a T-type, V-type, back to back or double-faced display, erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located.



[REDACTED]

**BUILDING ELEVATION.** The entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

**BUILDING OFFICIAL.** The Building Official of the City of Hamtramck or an authorized representative.

**CANOPY.** A multisided overhead structure or architectural projection supported by attachments 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) or soffit of an attached canopy may be illuminated by means of internal or external sources of light.

**CHANGEABLE MESSAGE SIGN.** A sign with the capability of content change by means of manual or remote input, including signs which are:

- a. Manually activated. Changeable sign whose message copy or content can be changed manually.
- b. 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 sign or center."

**COMBINATION SIGN.** A sign supported partly by a pole and partly by a building structure.

**COPY.** See "Sign Copy"

**DEVELOPMENT COMPLEX SIGN.** A freestanding sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, which is controlled by a single owner or landlord.

**DIRECTIONAL SIGN.** Any sign designed and erected to provide direction or orientation for pedestrian or vehicular traffic.

**DOUBLE-FACED SIGN.** A sign with two faces, back to back.

**ELECTRIC SIGN.** Any sign activated or illuminated by means of electrical energy.

**ELECTRONIC MESSAGE SIGN OR CENTER.** An electronically activated changeable sign whose variable message capability can be electronically programmed.

**EXTERIOR SIGN.** Any sign placed outside a building.

**FAÇADE.** The front exterior wall of a structure.

**FLAG.** A sign on paper, cloth, fabric, or other flexible or combustible material of any kind that is attached to a permanent conforming pole or attached flat to a wall or sign face.

**FLASHING SIGN.** See "Animated sign, electrically activated."

**FREESTANDING SIGN.** A sign erected upon or supported by the ground. Freestanding signs

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include ground signs, which are self-supporting base-mounted signs consisting of two (2) or more sides extending up from the base, and pole signs, which are elevated on poles or braces above the ground and not attached to any other building or structure.

**FRONTAGE (BUILDING).** The length of an exterior building wall or structure of a single premise facing the street on which it is addressed.

**FRONTAGE (PROPERTY).** The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

**GROUND SIGN.** See “Freestanding sign.”

**ILLUMINATED SIGN.** A sign which uses artificial light, either projection through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).

**INTERIOR SIGN.** Any sign placed within a building and which is not visible from the exterior of the building. This definition does not include “window signs” as defined by this Ordinance. Interior signs are not regulated by this Ordinance.

**MANSARD.** An inclined decorative roof-like projection that is attached to an exterior building façade.

**MARQUEE OR MARQUEE SIGN.** See “Canopy.”

**MENU BOARD.** A freestanding sign oriented to the drive-through lane for a restaurant which is oriented to drivers in the drive-through lane and generally only legible on the premises.

**MULTIPLE-FACED SIGN.** A sign containing three or more faces.

**OFF-PREMISE SIGN.** A sign other than an on-premises sign.

**ON-PREMISE SIGN.** A sign erected, maintained, or used in the outdoor environment for display of commercial or noncommercial messages in relation to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

**PARAPET.** The extension of a building façade above the line of the structural roof.

**POLE SIGN.** See “Freestanding sign.”

**PORTABLE SIGN.** Any sign not permanently attached to the ground or to a building or building surface.

**PROJECTING SIGN.** A sign, other than a marquee, which is affixed to any building or structure or part thereof which extends more than twelve (12) inches beyond the building or structure wall and the horizontal sign surface is not parallel to the building wall.

**PUBLIC SIGN.** Any sign established by the City, county, state, or federal governments such as a warning or hazard sign, traffic sign in conformance with the Michigan Manual on Uniform Traffic Control Devices, any sign required to be placed by law, or any other similar sign.

**REFACED SIGN.** An existing sign that that has the sign face changed within the existing structure

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or cabinet.

**REVOLVING SIGN.** A sign that revolves 360 degrees about an axis. See also, “Animated sign, mechanically activated.”

**ROOF LINE.** The top edge of a peaked roof or, in the case of an extended façade or parapet, the uppermost point of the façade or parapet.

**ROOF SIGN.** A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which such a building wholly or partially supports. Sign mounted on mansard facades, and architectural projections such as canopies or marquees are not considered roof signs.

**SIGN.** Any structure or wall or part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, service mark, trade mark or other representation used as, or in the nature of, an announcement, advertisement, direction or designation, of any person, firm, organization, place, commodity, service, business, profession, or industry, or any backlit building area, which is located upon any land or in or on any building, in such a manner as to attract attention from outside the premises. The term "sign" shall also include any bulbs, string of lights, other lighting devices, streamers, pennants, hot and cold air balloon(s) or inflatable structures, propeller(s), flags, other structure(s) conveying a message, any similar device(s) of any type or kind whether bearing lettering or not in any combination of the above. Nothing in this section shall be construed to prohibit noncommercial messages on any permitted sign.

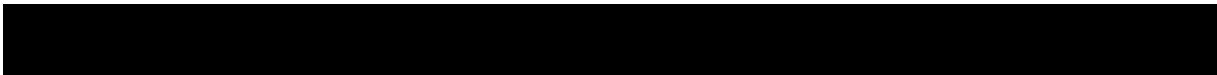
**SIGN AREA.** The sign area shall include the total area within any circle, triangle, rectangle or square, or combination of two shapes which are contiguous to each other, enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed. In the case of a broken sign, (a sign with open spaces between the letters or insignia) the sign area to be considered for size shall include all air space between the letters or insignia. Where more than one wall sign is used, each sign may be measured individually, using the procedure above, provided the signs are separated by a distance equal to, or greater than, the width of the largest sign. Any back-lit area of a building exterior shall be considered a sign area.

**SIGN COPY.** Those letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

**SIGN ERECTOR.** A licensed company or person engaged in the business of erecting, altering, removing or painting signs.

**SIGN FACE.** The surface upon, against, or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.

- a. In the case of a panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet, or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
  - b. In the case of sign structures with routed areas of sign copy, the sign face shall include the
- [REDACTED]



entire area of the surface that is routed, except where interrupted by a reveal, border, or a contrasting surface or color.

- c. In the case of signs or individual letters or graphic elements affixed to a building or structure, the sign face shall include the total area within any circle, triangle, rectangle or square, or combination of two shapes which are contiguous to each other, enclosing the extreme limits of writing, representation, emblem or any similar figure.
- d. In the case of sign copy enclosed within a painted or illuminated border or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

**SIGN STRUCTURE.** Any structure supporting a sign.

**TEMPORARY SIGN.** A free-standing sign, banner or other device, constructed of cloth, canvas, fabric, plastic, wood, paper or other material, with or without a structural frame, or any other sign intended for a limited period of display.

**UNDER CANOPY SIGN OR UNDER MARQUEE SIGN.** A sign attached to the underside of a canopy or marquee.

**V SIGN.** Signs containing two faces of approximately equal size, erected upon common or separate structures, positioned in a “V” shape with an interior angle between faces of not more than ninety degrees with the distance between the sign faces not exceeding five feet at their closest point.

**WALL OR FASCIA SIGN.** A sign that is attached either parallel or perpendicular to the exterior of a building or structure and that projects not more than twelve (12) inches from the building or structure, including signs affixed to architectural projections from a building if the copy area of such signs remain on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed.

**WINDOW SIGN.** A sign affixed to the interior surface of a window with its message intended to be visible to, and readable from, the public way or from adjacent property.



**Section 3. Sign Regulations by Type.**

Table 1: Summary of Sign Regulations

Sign Type	Zoning Districts Permitted	Sign Permit Required	Max. Number of Signs	Max. Sign Height (feet)	Max. Sign Area (sq. ft.)	Other Regulations
Awning and canopy signs	C-2, CBD	Yes	1 per 1 <sup>st</sup> or 2 <sup>nd</sup> story tenant	-	Part of total allowed wall sign area	Section 3.01 (1)
Billboards	I	Yes	1	60	700	Section 3.01 (2)
Changeable messages	All districts	Yes	-	-	-	Section 3.01 (3)
Electronic message boards	All districts	Yes	-	-	-	Section 3.01 (4)
Flags	All districts	No	3	-	-	Section 3.01 (5)
Freestanding signs	C-2, CBD, I	Yes	-	20 max. (C-2/CBD) 6 max. (I)	1 / linear foot of lot frontage; 60 max. (C-2/CBD) 40 max. (I)	Section 3.01 (6)
Interior signs	All districts	No	-	-	-	
Menu boards	C-2, CBD	No	-	-	50	Section 3.01 (7)
On-site directional signs	All districts	No	-	3	4	Section 3.01 (8)
Projecting and marquee signs	C-2, CBD	Yes	1 per 1 <sup>st</sup> or 2 <sup>nd</sup> story tenant	-	6	Section 3.01 (9)
Public signs	All districts	No	-	-	-	
Signs advertising developments or subdivisions	R, R-M	Yes	-	6	18	Section 3.01 (10)
Temporary signs	All districts	No	-	4	16 (total)	Section 3.01 (11)
Wall signs	C-2, CBD, I	Yes	-	Height of building (all) 20 max. (C-2/CBD)	1.5 / linear foot of building; 100 max. (C-2/CBD) 1 / linear foot of building; 200 max. (I)	Section 3.01 (12)
Window signs	C-2, CBD, I	Yes	-	-	25% of total window area (other regulations for specific window sign types)	Section 3.01 (13)

XI – 3.01. Footnotes to Table 1: Summary of Sign Regulations

(1) ***Awning and Canopy Signs.*** Awning and Canopy signs shall be permitted for ground or second floor uses only in the C-2 and CBD districts, subject to the following limitations:

- (a) Signs may be straight sheds or curved.
- (b) Signs shall be limited to one awning sign per first or second story business tenant, on either awning or valance, but not on both.
- (c) Such signs are considered wall signs for computing the total allowed sign area per building.
- (d) The distance from the sidewalk to the lower drip edge of the awning or canopy shall be between eight (8) feet and twelve (12) feet.

(2) ***Billboards.***

- (a) Billboards shall be permitted only on parcels abutting interstate highways or freeways in the I (Industrial) zoning district provided that such billboard shall not be placed on a parcel having any other structure within one hundred (100) feet of the billboard, no other structure shall be placed on the parcel within one hundred (100) feet of the billboard and no billboard shall be located within three hundred (300) feet of a residential district. Billboards shall not be located within any required setback of such parcel.
- (b) Billboards shall not be less than twenty-five hundred (2,500) feet apart. A double face (back to back) or a v-type structure shall be considered a single billboard provided the two (2) faces are not separated by more than ten (10) feet, or the interior angle does not exceed twenty (20) degrees, whichever is applicable.
- (c) The total surface area, facing in the same direction, of any billboard, shall not exceed seven hundred (700) square feet and shall be contained on a single panel.
- (d) Billboards shall not exceed sixty (60) feet in height from the adjacent grade.
- (e) Billboards shall not be erected on the roof of any building.

(3) ***Changeable Messages.*** Changeable message signs whose message copy or content is changed manually may be incorporated as part of any permitted sign. The message shall not change more than once every thirty (30) seconds.

(4) ***Electronic Message Boards.*** Electronic changeable message boards (signs) may be included as part of any permitted sign. The message shall not change more than once every thirty (30) seconds. Moving or scrolling text and/or moving video displays shall not be permitted. The change cycle for time and temperature shall not be less than thirty (30) seconds. In no case shall any sign illumination produce an increase in the ambient light level at the property line of any adjacent residentially zoned property.

(5) ***Flags.*** No more than three (3) flags are permitted on any site.





(6) **Freestanding Signs.** All freestanding signs located within fifty (50) feet of any intersecting right-of-way lines shall be subject to the approval of the Building Official or his designee. All freestanding signs are subject to the following regulations by district:

(a) *In the C-2 and CBD districts.* One (1) freestanding sign for each business development.

(i) Not over twenty (20) feet in height above the adjacent grade nor more than twenty-two (22) feet above the adjacent roadway.

(ii) Signs may not obstruct visibility at driveways or intersections. The Building Official may require the sign base or height of the bottom of the sign to be adjusted to protect the public safety.

(iii) No sign shall be located closer than thirty (30) feet to any property line of an adjacent R residential district.

(iv) The base of the sign be not less than ten (10) feet from a side lot line.

(v) Freestanding signs under this section shall not exceed one (1) square foot per each lineal foot of lot frontage to a total maximum of sixty (60) square feet.

(vi) Individual freestanding signs for each business tenant in a development are prohibited.

(b) *In the I district.*

(i) One (1) sign is permitted in the front yard with a minimum setback of one-quarter of the building setback.

(ii) Such sign shall not exceed six (6) feet in total height nor more than ten (10) feet in total length and contain no more than forty (40) square feet in sign area.

(iii) No more than one (1) sign is allowed for each principal structure on the property.

(7) **Menu Boards.** Menu boards shall not be permitted to exceed fifty (50) square feet.

(8) **On-site Directional Signs.** Signs with the sole purpose of directing traffic movement onto or within a property shall not require a permit. Such signs shall not exceed three (3) feet in height or four (4) square feet in area for each sign. A directional sign shall be located on the property to which it is directing traffic and shall be located behind the front right-of-way line.

(9) **Projecting and Marquee Signs.** Projecting and marquee signs shall be permitted for ground or second floor uses only in commercial districts, subject to the following limitations:

(a) No more than one (1) projecting sign for each business tenant shall be permitted.

(b) Projecting signs shall be spaced no less than twenty (20) feet apart horizontally and no less than ten (10) feet apart vertically.



- (c) Minimum distance from the ground to the lower edge of the signboard: eight (8) feet.
  - (d) Maximum area of the projecting sign: six (6) square feet.
  - (e) Maximum distance from the primary face of building to the signboard: six (6) inches.
  - (f) Projecting signs over County roads shall meet conditions established by Wayne County.
- (10) ***Signs Advertising Developments or Subdivisions.*** Signs advertising developments or subdivisions not exceeding eighteen (18) square feet in area, and six (6) feet in overall height, may be erected in a common area as shown on the approved site plan or plat. Where a commercial use is permitted in the District the requirements of the C2 District shall apply to that structure.
- (11) ***Temporary Signs.*** The following regulations shall apply to all exterior temporary signs:
- (a) Temporary sign(s) may be located only on private property with the owner's permission.
  - (b) Except as provided herein, signs shall not be placed in the public right of way or between the public sidewalk and the road. Signs improperly placed in the right-of-way shall be removed and discarded.
    - (i) Exception: In the C-2 and CBD zoning districts, where a building is less than three (3) feet from the property line, a freestanding temporary sign may be placed on the public sidewalk. Such sign shall be placed in such a manner to maintain a minimum of five (5) feet of clear sidewalk. If the building is more than three (3) feet from the sidewalk the sign shall be placed on private property. Such sign shall be displayed only during the hours when the business is open and shall be stored indoors otherwise.
  - (c) The total combined area of all temporary signs shall not exceed sixteen (16) square feet per address.
  - (d) No sign shall be greater in height than four (4) feet above the ground.
  - (e) In the R and R-M Districts, one (1) or more temporary signs for each address may be displayed, up to the maximum permitted sixteen (16) square feet sign area. In all other zoning districts, one (1) temporary sign for each address may be displayed, up to the maximum permitted sixteen (16) square feet sign area.
  - (f) Signs shall not be attached to any utility pole, street sign, traffic signal pole, street light, hydrant or tree. Signs shall not block visibility at intersections, sidewalks or driveways.
  - (g) Damaged temporary signs shall be removed promptly.
  - (h) Wall-mounted temporary signs shall not be placed in the same location for more than ninety (90) consecutive days.



(12) **Wall Signs.**

- (a) The total maximum allowable area for wall signs shall include all sides of the building or structure, with the following specific standards by zoning district:
  - (i) In the C-2 and CBD districts: one and one half (1.5) square feet for each lineal foot of building frontage, not to exceed a total wall sign area of one hundred (100) square feet.
  - (ii) In the I district, one (1) square foot for each lineal foot of building frontage, not to exceed a total wall sign area of two hundred (200) square feet.
- (b) No wall sign shall protrude more than eighteen (18) inches from the building or structure wall on which it is mounted.
- (c) No wall sign shall cover wholly or partially any wall opening.
- (d) No wall sign shall be erected to extend above the top of the wall to which it is attached, nor extend beyond the ends of the wall to which it is attached.
- (e) Wall signs larger than fifty (50) square feet shall be comprised of non-combustible material.
- (f) Service entrances may be identified with one sign not exceeding two (2) square feet.
- (g) In a multi-tenant building, each additional tenant shall be permitted one (1) identification sign. Such sign shall include only the name of the tenant business and shall consist only of block letters or numbers no greater than six (6) inches in height.
- (h) The following standards apply to all wall signs in the C-2 and CBD zoning districts:
  - (i) Wall signs shall be permitted for each business development (that is, one (1) or more uses within a building).
  - (ii) No portion of a wall sign shall be more than twenty (20) feet above grade.
  - (iii) One (1) wall sign, not exceeding six (6) square feet in area, shall be permitted on any side or rear entrance open to the public.

(13) **Window Signs.**

- (a) Total signage placed on interior window glass of a building, whether carrying a message or not, shall not cover more than twenty-five (25) percent of the total glass area, excluding doors, for that side of the building.
- (b) Signs located inside a building that are visible from the front lot line shall be included in the total allowable sign area of this provision.
- (c) Signage placed on exterior window glass shall be considered a wall sign.



- (d) In an enclosed building in a C-2 or CBD use district where the public is not allowed in the building and where food is offered to the public through a window for immediate consumption the maximum coverage shall be fifty (50) percent.
- (e) Compact neon signs shall be permitted within the interior of shop fronts if they do not exceed a maximum of four (4) square feet in area per fifty square feet of window area.
- (f) In the C-2 or CBD districts, one open/closed sign not exceeding two (2) square feet may be displayed in the window or above the door, but not both. In the I district, one open/closed sign not exceeding two (2) square feet may be displayed in the window or door, but not both.

#### **Section 4. Permits.**


##### XI – 4.01. Permits, Applications, Plans, Specifications and Revocation:

- (1) *Permits generally.* It shall be unlawful for any person to erect, re-erect, repair, alter, paint or relocate, reconstruct or reface, on the same or another premises or to maintain within the city, any sign as defined in this section unless a permit shall have been first obtained from the City and a permit fee paid in accordance with the fee schedule adopted by resolution of the City Council.

This section shall not be construed to prevent repair or restoration of any part of an existing sign when said sign is less than fifty (50) percent destroyed or damaged by storm or other accidental emergency, and when the Building Official has ordered said repair or restoration of the sign to return that sign to a safe condition. If a sign is to be repaired or restored under this exception, the sign message must remain the same. If the sign copy will be changed, a sign permit is required.

- (2) *Application.* Application for sign permits shall be made upon forms provided by the City for this purpose and shall contain the following information:
  - (a) Name, address and telephone number of applicant(s).
  - (b) Location and dimensions of the building, structure or lot to which the sign is to be attached or erected.
  - (c) Position of the sign in relation to nearby buildings, structures, property lines and rights-of-way, existing or proposed.
  - (d) Two (2) copies of the plans and specifications with color renderings and showing the method of construction and attachment to the building or in the ground.
  - (e) Copies of stress sheets and calculations if deemed necessary by the Building Official, showing the structure as designed for dead load and wind pressure in accordance with the regulations adopted by the City of Hamtramck.
  - (f) Name, address and phone number and license information of the sign erector.



- (g) Insurance policy as required herein.
  - (h) Such other information as may be required by the Building Official to show full compliance with this and other applicable laws of the City of Hamtramck and State of Michigan.
  - (i) The Building Official may require that the application containing the aforesaid material shall, in addition, bear the certificate or seal of a registered structural or civil engineer as a condition to the issuance of a permit.
  - (j) Indicate the zoning district in which the sign is located.
- (3) *Insurance requirements.* Permits may be issued to sign erectors only under the following conditions:
- (a) *Insurance Certificates:* Before a permit is issued for the erection of any sign which overhangs any public property or right-of-way, the installing company shall submit for filing with the Community Development Department a certificate of insurance, in a form acceptable to the City, for public liability in the amount of one hundred thousand dollars (\$100,000.00) for injuries to one (1) person and three hundred thousand dollars (\$300,000.00) for injuries to more than one (1) person, and property damage insurance in the amount of twenty five thousand dollars (\$25,000.00) for damage to any City property due to the actions of himself or any of his agents or employees.
  - (b) *Lapsing of Insurance:* At any time, the insurance of any sign erector is permitted to lapse, his contractor registration shall automatically be revoked.
  - (c) *Notification of Change:* A sign erector shall notify the City of any change in address, and if a firm or corporation, any change in ownership or management if other than that indicated on the insurance certificates.
- (4) *Permit insurance and revocation.* All rights and privileges acquired under the provisions of this section, or any amendment thereto, are mere licenses and may be revoked by the city upon violation of this section.
- (a) *Compliance:* Except as provided herein, permits are required for all signs. All signs shall be inspected for compliance at the time of installation. If work indicated to be done on the application for permit has not been started within three (3) months the permit will expire and become null and void.
  - (b) *Concealed Work:* All work shall remain accessible and exposed for inspection until approved. It shall be the duty of the permit applicant to cause said work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection.
  - (c) *Removal of Signs:* Should any sign be found unsafe, insecure, improperly constructed or not in accordance with the requirements of this section, the erector and/or owner shall be required to make the sign safe, secure and otherwise in compliance with the requirements of this
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section within ten (10) days of notice. Failure to comply shall result in an order to remove the sign, with costs charged to the permit holder, within forty-eight (48) hours from the time of notification in writing. Exception: Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed or repaired at the owner's expense within forty-eight (48) hours of notification by the Building Official.

XI – 4.02. Permit Fees.

All fees for permits or services shall be established by resolution of the City Council.

XI – 4.03. Signs Not Requiring a Permit.

Signs not requiring a permit shall be exempt from the provisions of Section 4. Such exemptions, however, shall not be construed to relieve the owner of the sign from responsibility for its proper location, erection and maintenance as described in this Article.

**Section 5. General Provisions.**

XI – 5.01. Changes to Signs.

No sign shall be structurally altered, enlarged, relocated, repaired or refaced except in conformity to the provisions herein and until a proper permit if required, has been secured. The maintenance of moveable parts or electrical components of an approved sign shall not be deemed a structural alteration.

XI – 5.02. Conformance to Codes.

Any sign hereinafter erected shall conform to the provisions of this Ordinance, the provisions of the State Construction Code, and any other ordinances of the City.

XI – 5.03. Signs in Rights-of-Way.

No signs other than public signs shall be erected on any public sidewalk or public way, unless specifically authorized by this ordinance.

XI – 5.04. Projections over Public Ways.

Signs projecting over public walkways shall be permitted to do so up to eighteen (18) inches at a minimum height of eight (8) feet from grade level to the bottom of the sign. Signs, architectural projections, or sign structures projecting over vehicular access areas shall conform to the minimum height clearance limitations imposed by the City for such structures.

XI – 5.05. Traffic Visibility.

No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct the free and clear vision, nor at any location if, by its position, shape, or color, it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.

XI – 5.06. Computation of Frontage.

Frontage shall be determined by the width of the building wall of the space occupied by the business advertised on the side facing the street on which it is addressed. If a premise borders more than one street the sign area(s) for each building wall facing a street shall be computed separately based on the building frontage. The sign area(s) thus calculated shall be permitted to be applied to permitted signs placed on each separate wall.



XI – 5.07. Maintenance, Repair, and Removal.

Every sign permitted by this Ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling, or is otherwise deemed unsafe by the code official, or if any sign shall be unlawfully installed, erected, or maintained in violation of any provision of this Ordinance, the owner thereof or the person or firm using the sign shall, upon written notice by the code official immediately in the case of immediate danger, and in any case within not more than ten (10) days, make such sign conform to the provisions of this Ordinance, or shall remove it. If within ten (10) days the order is not complied with, the code official may issue a citation for violation of this section.

XI – 5.08. Nonconforming Signs.

- (1) *Intention.* It is the intention of this section to encourage eventual elimination of signs that, because of the adoption of this ordinance, become nonconforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this section. It is the intention, therefore, to administer this section to realize the removal of illegal, nonconforming signs and to avoid any unreasonable invasion of established private property rights by providing for removal of nonconforming signs.
- (2) *Continuance.* A nonconforming sign may be continued but shall be maintained in good condition, and shall not be:
  - (a) Replaced by another nonconforming sign.
  - (b) Structurally altered to prolong the life of the sign.
  - (c) Rebuilt, expanded or substantially added to, changed or reconstructed after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the estimated replacement cost.
- (3) *Removal of Nonconforming Signs.* Any non-conforming sign now or hereafter existing which is not maintained in good condition shall be removed.

XI – 5.09. Lighting.

Internal and external lighting shall be permitted, but the illumination thereof shall not be anything other than a steady, continuously burning bulb or light. The movement, flashing or illusion of flashing, or turning on and off the sign illumination or of any bulb or component part thereof is prohibited. In no case shall any sign illumination cause an increase in the ambient light level at the property line of any adjacent residential-zoned property. No sign shall be illuminated by other than electrical means and electrical devices and wiring shall be installed in accordance with the requirements of the Michigan Electrical Code. All electrically illuminated signs shall be certified as to wiring and devices by the electrical inspector and all wiring and accessory electrical equipment shall conform to the requirements of the Michigan Electrical Code.

XI – 5.10. Measurement of Signs.

- (1) *Sign area.* The sign area shall include the total area within any circle, triangle, rectangle or square, or combination of two shapes which are contiguous to each other, enclosing the extreme limits of the writing, representation, emblem or any similar figure, together with any frame or other material forming an integral part of the display or used to differentiate such sign from the



background against which it is placed. In the case of a broken sign, (a sign with open spaces between the letters or insignia) the sign area to be considered for size shall include all air space between the letters or insignia. Where more than one wall sign is used, each sign may be measured individually, using the procedure above, provided the signs are separated by a distance equal to, or greater than, the width of the largest sign. Any back-lit area of a building exterior is considered a sign area.

- (a) For signs with two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and less than twenty-four (24) inches apart, the area of the sign shall equal the area of one (1) face.
- (2) *Sign height.* The height of the sign is measured from the ground to the highest point of the sign from the ground.

### **Section 6. Prohibited Signs.**

The following devices and locations shall be specifically prohibited:

- (1) Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal, or device, or obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic.
- (2) Except as authorized elsewhere in this Ordinance, signs encroaching upon or overhanging public right-of-way.
- (3) Signs placed on, in or attached to, any utility pole, light standard, street tree, planter, trash can, or any other public facility located within the public right-of-way unless specifically authorized elsewhere in this ordinance.
- (4) Signs that blink, flash, or are animated by lighting in any fashion including signs that have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.
- (5) Portable signs except as allowed for temporary signs.
- (6) Except as specifically permitted elsewhere in this ordinance, no vehicle, or any type of trailer, which has attached thereto, or painted or placed thereon, any sign or advertising device displaying the name of any business, product or service located on the subject premises, nor any marked delivery vehicles owned by any business located on the subject premises, shall be parked on private property, in any commercial or industrial district, between the front line of the structures located thereon and the front property line, nor shall any such vehicles be parked on a public right-of-way, or on public property so as to be visible from a public right-of-way. Vehicles engaged in attended loading or unloading activities shall be exempt from this provision.
  - (a) Exception: The owner of any property where no other parking exists, except in front of the building, may utilize not more than ten (10) percent, but not less than one, of the existing spaces.
- (7) Vehicles and trailers used primarily as static displays, advertising a product or service, used as storage, shelter, or distribution points for commercial products, or services for the public.





- (8) Bulbs or strings of lights, except where permitted or required as part of a permitted outdoor sales area or for temporary holiday display, other lighting devices, streamers, hot and cold air balloon(s) or inflatable devices, structures, or propeller(s).
- (9) Under canopy signs.
- (10) Roof signs.
- (11) Abandoned signs.
- (12) Any sign painted directly on the exterior of a building or structure.
- (13) Any sign that projects more than eighteen (18) inches from the building wall.
- (14) Permanently affixed incandescent, LED, neon or other forms of strip lighting on the exterior of any building, or on interior windows facing the street.
- (15) Animated signs.
- (16) Roof signs.
- (17) Bench signs, to prevent, reduce or eliminate blight in the city caused by such signs which often protrude into the city's right-of-way and are not maintained on a regular basis.
- (18) Off-premises signs, except as may be specifically permitted elsewhere in this ordinance.
- (19) Searchlights, except as may be specifically permitted elsewhere in this ordinance.
- (20) Any other signs not specifically permitted by this Ordinance.

**SECTION 2: PENALTY.** The violation of any provision of the City of Hamtramck Property Maintenance Code, as adopted by reference and incorporated into the Hamtramck Code of Ordinances, by any person shall be punishable by the fines set forth in Article XV of the Zoning Ordinance.

**SECTION 3: SEVERABILITY.** The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**SECTION 4: EFFECTIVE DATE.** This Ordinance shall be published in full in a newspaper of general circulation in the City of Hamtramck qualified under State law to publish legal notices and shall become effective upon publication, as provided by law.

**SECTION 5:** This Ordinance shall take effect immediately upon its adoption.

Approved as to form and legality for the use and reliance of the City of Hamtramck, MI, only.

