ORDINANCE NO. __

CITY OF HAZEL PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND, TITLE 15 BUILDINGS AND CONSTRUCTION, CHAPTER 15.44, SIGN CODE, SECTIONS 15.44.010 THROUGH 15.44.230 TO PROVIDE FOR THE DEFINITIONS OF SIGNS, THE REGULATION AND PERMIT THEREOF AND TO PROVIDE FOR VIOLATION AND PENALTY

THE CITY OF HAZEL PARK ORDAINS:

PART I. AMENDMENTS

This Ordinance hereby amends Title 15 Buildings and construction, Chapter 15.44 Sign Code, Sections 15.44.010 through 15.44.210 to read as follows:

Section 15.44.010…………………………………………………………………………………………………….PURPOSE
Section 15.44.020…………………………………………………………………………………………………………DEFINITIONS AND INTERPRETATIONS
Section 15.44.030…………………………………………………………………………………………………………BILLBOARDS
Section 15.44.040…………………………………………………………………………………………………………NONCONFORMING SIGNS
Section 15.44.050…………………………………………………………………………………………………………APPLICABILITY OF STATE CONSTRUCTION CODE
Section 15.44.060…………………………………………………………………………………………………………PERMIT REQUIRED
Section 15.44.070…………………………………………………………………………………………………………EXEMPTIONS FROM PERMIT REQUIREMENT
Section 15.44.080…………………………………………………………………………………………………………PROHIBITED SIGNS
Section 15.44.090…………………………………………………………………………………………………………RESIDENTIAL GROUND SIGN REGULATIONS
Section 15.44.100…………………………………………………………………………………………………………NONRESIDENTIAL SIGN REGULATIONS
Section 15.44.110…………………………………………………………………………………………………………WALL SIGN AREA SCALE
Section 15.44.120…………………………………………………………………………………………………………SIGN Bonuses
Section 15.44.130…………………………………………………………………………………………………………PORTABLE SIGNS
Section 15.44.140…………………………………………………………………………………………………………GASOLINE SERVICE STATION SIGNS
Section 15.44.150…………………………………………………………………………………………………………DRIVE-IN AND DRIVE THROUGH SIGNS
Section 15.44.160…………………………………………………………………………………………………………LEGIBILITY AND DESIGN
Section 15.44.170…………………………………………………………………………………………………………PERMIT APPROVAL
Section 15.44.180…………………………………………………………………………………………………………BUILDING OFFICIAL AND PLANNING DIRECTOR
Section 15.44.190…………………………………………………………………………………………………………APPEALS AND SIGN AUTHORITY
Section 15.44.200…………………………………………………………………………………………………………GENERAL REQUIREMENTS AND RESTRICTIONS
Section 15.44.210…………………………………………………………………………………………………………SUBSTITUTION CLAUSE
Section 15.44.220…………………………………………………………………………………………………………CONSTRUCTION AND MAINTENANCE REQUIREMENTS
Section 15.44.230…………………………………………………………………………………………………………VIOLATIONS
Sec. 15.44.010 - Purpose.

The City of Hazel Park hereby determined that regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to promote traffic safety, public health and welfare, and facilitate police and fire protection. The regulations in this chapter are designed to permit legibility of signs and to prevent their over concentration, improper placement and excessive height, bulk and area.

With the adoption of this sign chapter, the City of Hazel Park intends to continue to utilize its recognized police powers to assure all signage in the City of Hazel Park commercial, retail, business areas and the like, will conform to existing designs which will enhance the aesthetics and viability of business in an attempt to preserve the economic stability of the City.

It is the further purpose to remove signage which is nonconforming and out of date and replace it with current sign design compatible with various development corridors anticipated to enhance and foster a character to the City of Hazel Park that will attract residents and businesses. To that end a "sunset" provision has been adopted to eliminate nonconforming signs by November 1st of 2015.

The sign design throughout the City is delineated to be consistent with signage standards contained within this chapter, hence signage may be allowed with limitations in some corridors but not throughout the City. In addition, some areas (i.e. Local Business District and Eight Mile Business District) are designated with certain characteristics, design features and uniform signage, and uses not found in other commercial areas of the City.

Sec. 15.44.020 – Definitions and Interpretations

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Ordinance. Words, terms and phrases not defined in this Chapter shall be given their common ordinary meaning unless the context clearly requires otherwise. Section heading or captions are for reference purposes only and shall not be used in the interpretation of this Ordinance.

**Sign** means a structure which includes a name, identification, image, description, display or illustration affixed to, painted or represented directly or indirectly upon a building, structure or parcel of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business, and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs. Supplemental definitions and examples associated with signs include the following:

1. **Abandoned sign** means a sign which no longer directs a person to or advertises a bona fide business, tenant, owner, product or activity conducted or product available on the premises where such sign is displayed or any sign not repaired or maintained properly, after notice, pursuant to the terms of this article.

2. **Add-on sign** means a sign that is attached as an appendage to another sign, sign support, and is intended to draw attention to the goods and services available on the premises.

3. **Animated sign** means a sign manifesting either kinetic or illusionary motion occasional by natural, manual, mechanical, electrical or other means.

4. **Area of sign** means that area enclosing the extreme limits or writing, representation, emblem or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background and frame against which it is placed, excluding the necessary supports, base or uprights on which such sign is placed (see below). However, where such a sign has more than one face, the area of all faces shall be included in determining the area of the sign.
(5) **Accessory sign** means a sign which pertains to the principal use of the premises upon which the sign is located.

(6) **Awning** means a roof-like structure made of canvas or similar materials, stretched over a frame and attached to a wall of a building (aka canopy) that may or may not include a sign.

(7) **Banner sign** means a sign on paper, cloth, fabric or other combustible material of any kind, either with or without frames.

(8) **Beacon** means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source or any light with one or more beams that rotate or move.

(9) **Business frontage** means the length of the portion of a building facing a street abutting to the premises on which the business is located.

(10) **Canopy** means a permanent roof-like shelter extending from part of or all of a building face over a public access area (aka awning). Canopies can be constructed of cloth, metal, wood, or other materials.

(11) **Changeable copy/reader board sign** means a sign or portion thereof with characters, letters or numbers that can be changed or rearranged without altering the face or the surface of the sign.

(12) **Construction sign** means a sign advertising a project under development, erected for a period of construction, and can identify any of the following: developers, contractors, engineers, brokers and architects.

(13) **Digital/electronic sign** means a sign that uses changing lights or other electronic media to form a commercial or advertising function wherein the sequence of messages and the rate of change is electronically programmed and can be modified by an electronic process. Video display signs, automatic teller machines, real estate display signs and the like shall be considered synonymous with digital/electronic signs.
Directional sign means any sign containing only noncommercial messages including, but not limited to, designation of restrooms, drive entrances and exits, telephone locations, and directions to door openings.

Directory sign means any sign containing the names of tenant or commercial enterprises within a development site to assist in way finding, utilizing clear identifiable graphics.

Eave line means the line between the two lowest points of intersection of the top of a wall and the eave, or edge of the roof. The eave line is an imaginary line drawn across the wall on a gable end, and is not a roofline, which is the line of intersection the wall has where it abuts the roof. See also: roofline.

Flag means a sign without a frame and constructed of paper, cloth, fabric or other similar material, and/or attached to a structure.

Grade means the average change in elevation at the base of the structure in relation to the surrounding area.

Ground sign, also known as a monument sign, means a sign that is supported by a single support that is anchored in the ground and is independent from any other building or structure. The width of the support is greater than the width of the sign.

Incidental sign means any sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as no parking, loading only, telephone, and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental. Incidental signs may be of the ground, pole, wall and window sign type.

Illuminated sign means a sign which has characters, letters, figures, or designs which are illuminated either internally or with external shielded lights.

Inflatable sign means a temporary or permanent sign consisting of a non-porous bag, balloon, or other object inflated by any means and designed to draw attention to a commercial business, whether it does or does not include a commercial display, commercial graphic identity, or lettering. Inflatable seasonal display items sold retail to the general public and intended primarily for private home display are not considered inflatable signs.

Institutional bulletin board means a sign which displays the name of a religious institution, school, library, community center or similar public or quasi-public institution, along with an announcement of its services or activities.

Lot means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended.

Menuboard means a sign that displays menu items and may contain a communication system for placing food orders or other items at an approved drive-through facility.

Multiple-tenant sign means a sign that serves two or more tenants within a premise (see appendix).

Mural means a picture or photograph painted on or directly attached to a wall. For the purposes of this article, a mural is considered a wall sign.

Nonaccessory sign means a sign which does not pertain to the principal use of the premises on which the sign is located.

Nonconforming sign means any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this article, and any amendments thereto, and which fails to conform to any applicable regulations and restrictions of this article, or a sign for which a permit was previously issued that does not comply with the provisions of this article.

Off-premises sign means a sign which relates to or advertises an establishment, organization, product, service, event, entertainment, or activity which is not located, sold, offered, produced, manufactured or furnished on the property (lot) on which the sign is located. Synonymous with Billboard.

On-premises sign means a sign which pertains solely to the use of the property on which it is located such as to an establishment, product, merchandise, good, service or entertainment which is located.
sold, offered, produced, manufactured or furnished at the property (lot) on which the sign is located. It does not include any sign leased, rented or used by or to advertise the products, accommodations or activities not conducted or available on the premises.

(32) *Painted wall sign* means a sign applied to a building wall with paint or a thin layer of vinyl, paper or similar material adhered directly to the building surface and that has no sign structure.

(33) *Panel change* means replacing the internal sign panel while maintaining the existing sign structure.

(34) *Periodic change sign* means a sign where the wording, image, description, display or illustration changes at regular intervals of time.

(35) *Pole sign* means a sign which is mounted permanently in the ground on a single pole and elevated above the established grade (also known as pylon sign).

(36) *Political sign* means a sign wherein the message states support for or opposition to a candidate for political office, a political party, a political issue, or a political viewpoint.

(37) *Portable sign* means a sign that is freestanding, not permanently anchored or secured to a building and not having supports or braces permanently secured in the ground, including but not limited to, sandwich signs, A-frame signs, inverted "T" signs, and signs mounted on wheels so as to be capable of being pulled by a motor vehicle.

(38) *Premises* means any site on which the development under consideration is located.

(39) *Projecting sign* means a sign that extends perpendicular to a wall surface.

(40) *Real estate sign* means a nonilluminated sign advertising only that the property is for sale, rent or lease and other information which is essential to the proposed real estate transaction.

(41) *Roof sign* means a sign which is erected, constructed and maintained on or above the roof of a building or any portion of such building.

(42) *Roofline* means the edge of a roof or parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or other minor similar projections. See also: eave line.

(43) *Sign height* is the measurement to the top point of the sign structure from the finished elevation of the sidewalk nearest to the sign for ground signs located at the right-of-way; and the measurement to the top point of the sign structure from the average elevation at the base of the sign for all other signs.
(44) **Sign setback** means the minimum distance of a sign from property lines or public rights-of-way. Such distance will be measured from the portion of the sign structure nearest to such specified line. For the purpose of this measurement, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.

(45) **Site** means a recognized parcel or collection of parcels proposed for a single development or containing existing or proposed development. A site can consist of more than one parcel of land. A multiple tenant development on a series of individual parcels constitutes a single site.

(46) **Subdivision/development sign** means a sign or entranceway structure, listing the names and addresses only of the establishments occupying a development, subdivision or condominium.

(47) **Suspending sign** means a sign mounted under a canopy directed to pedestrians and usually mounted perpendicular to the façade it means to identify.

(48) **Temporary sign** means a sign intended to be displayed for a limited period of time, including decorative display for holidays, special events, or public demonstrations.

(49) **Wall sign** means a sign that is directly attached to a wall of a building and neither extends more than 12 inches from the wall nor projects above the rooftop. On a gable end wall, a wall sign may project above the eave line, so long as the sign does not project beyond the rooftop (see appendix).

(50) **Window sign** means a sign affixed to the interior of the window, or exterior if etched into the glass (see appendix).
Sec. 15.44.030 - Billboards

Billboards shall be allowed in the BC-1 and BC-2 District, subject to the following regulations:

(a) Nor more than one pole or monuments sign, billboard or otherwise shall be permitted on any property.

(b) Billboards shall be a free standing sign that is not larger than 672 square feet and not higher than 35 feet. Back to back signs are permissible as well as side by side billboards and "V" type billboards. However, within the meaning of this Ordinance, "V" type billboards and side by side billboards shall constitute two billboards. All billboards shall not project over public property and shall be located a minimum of 500 feet from all other billboards. All billboards shall be located and screened so as to reduce visual impact on adjacent residential zones. All permit applications for billboards must be accompanied by a landscaping plan which is subject to the approval of the building inspector. A renewal permit in an amount established by the City Council shall be required annually for billboards. A maintenance bond in an amount established by the City Council shall be required. In the instances that a billboard is vacated, the cost of removal, if that burden is placed upon the City, shall be assessed to the property owner.

Sec. 15.44.040 - Nonconforming signs

(a) Nonconforming regulations established in the land development regulations for nonconforming structures shall not be applicable to signs which exist on the effective date of this chapter where such signs fail to comply with the provisions described in this chapter. The elimination of nonconforming signs is hereby declared to be a public purpose and a public service for the following reasons:

(1) These signs constitute a nuisance to the City resulting from their incompatibility due to excessive size, poor location, relationship to existing structures, excessive quantity in a small geographic area, inadequate or inappropriately displayed message and volume;

(2) These signs are detrimental to the public health, safety and welfare arising from quantity, location, and bulk having an adverse or detrimental impact upon police and fire protection, causing confusion for motorists; and blocking signage of adjoining businesses;

(3) These signs are incompatible with the adopted zoning regulations governing sign location, size, placement and features which have been deemed adequate for commercial enterprise;

(4) Technological advancements in signage have created the opportunity to locate businesses quicker, minimize maintenance, enhance safety and decrease the size requirements;

(5) Readability is limited due to the ill-proportioned nature of many older nonconforming signs; whereas existing advanced technology often times allows instantaneous information or format enhancing readability;

(6) Age has resulted in the physical deterioration of such signage and thus no longer represents the desired aesthetic conducive to a particular district.

(b) Nothing in this chapter shall relieve the owner or user of a nonconforming sign, or the owner of property on which the nonconforming sign is located, from the provisions of this chapter regarding safety and maintenance of the sign.

(c) No existing nonconforming sign or its support structure shall be altered, changed or replaced by another nonconforming sign.

(d) Ninety days following the cessation of any business or related activity, a nonconforming sign shall lose its legal status and shall be removed and/or brought into compliance. Noncompliance within 30 days after notice shall authorize the Building Official to initiate removal of the sign structure and access all costs against the owner of the property.

(f) On or before November 1, 2015, all signs that are nonconforming to the current provisions of this chapter 15 shall be removed at the expense of the owner or occupant of the property on which the sign is located.
(g) The failure to remove such signs after notice to do so shall authorize the City to issue the appropriate citation or take necessary action to remove such signage at the expense of the property owner or lessee.

Sec. 15.44.050 - Applicability of the state construction code

Except as otherwise indicated in this chapter, the regulations of the State Construction Code as adopted by the City shall apply to signs. Where the provisions of this chapter are more restrictive in respect to location, setback, use, size or height of signs, the limitations of this chapter shall take precedence over the regulations of the State Construction Code.

Sec. 15.44.060 – Permit required

It shall be unlawful to construct, display, install, change or cause to be constructed, displayed, installed, or changed, a sign requiring a permit upon any property within the City without first obtaining a sign permit.

Sec. 15.44.070 – Exemptions from permit requirement

The following signs are permitted without a sign permit in all zoning districts where the principal permitted use to which they are related is a permitted principal, accessory or special approval use in that district:

1. Address numbers, nameplates (including apartment units and office suites) identifying the occupant or address of a parcel of land and not exceeding two square feet in area.

2. Traffic or municipal signs, including, but not limited to, the following: legal notices, historic site designations, municipal facility directional signs, street or traffic signs, and danger and other emergency signs as may be approved by the City council or any federal, state or county agency having jurisdiction over the matter of the sign. Such signs may be located in any zoning district. However, all signs on governmental property on which a municipal building is located shall meet the requirements in section 15.44.100.

3. Community special event signs approved by the City council or its designee.

4. For gasoline service stations, those signs deemed customary and necessary to their respective businesses: customary lettering or other insignia on a gasoline pump consisting of brand of gasoline sold, lead warning information, and other data required by law. Total sign area shall be limited to three square feet on each pump. No commercial messages shall be audible, displayed or permitted on the pump with the exception of the corporate logo, and no video screens or TVs shall be permitted outside of the gas station attendant building and/or visible from outside of that building.

5. One sign advertising parcels of land or buildings for rent, lease or sale, when located on the land or building intended to be rented, leased or sold, not exceeding six square feet in area, four feet in height in residential districts, and 24 square feet in area, six feet in height in office, commercial and industrial districts.

6. Flags of government, civic, philanthropic, educational, and religious organizations and other public or private corporations or entities; provided, however, that only one flag bearing the seal or trademark of a private organization may be displayed by an individual establishment or proprietor of any single building or parcel of land. A flag pole is considered a structure, and is subject to all height regulations affecting structures. No such flags shall impede the pedestrian walkways.

7. Signs of a primarily decorative nature, including holiday lights and decorations, not used for any commercial purpose and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than 60 consecutive days, and shall not be displayed for more than 120 days in any one year.

8. Political signs (also known as temporary signs) shall be permitted on all lots regardless of zoning, provided such sign is located and placed with the permission of the owner or lawful occupant of the lot or parcel where such sign is located, it is located no less than 100 feet from any entrance to a building.
in which a polling place is located, and provided that such sign does not violate any other provision of this chapter. No more than one unlit sign may be erected on an occupied lot within the City for each candidate and/or proposal on the City of Hazel Park ballot. All such signs shall not exceed 16 square feet and four feet in height in the residential districts, while in all other districts, area and height shall be dictated by the regulations for ground signs in the respective districts. No sign shall remain five days following the election. Such signs must also comply with any state requirements governing political campaigns. Such signs shall not be placed within a right-of-way.

(9) Real Estate Signs not exceeding six square feet in size and four feet in height in residential areas. Real Estate Signs not exceeding ten square feet in size and six feet in height in non-residential areas. Such signs shall not be placed within a right-of-way.

Garage sale signs not exceeding five square feet in area and not displayed in excess of four days. Such signs shall not be placed within a right-of-way.

(10) One sign identifying on-site construction activity, during the time of construction, not exceeding 24 square feet in area, except in connection with individual single-family detached residential construction, which sign shall not exceed six square feet in area. Such signs shall not exceed six feet in height, and shall be removed before an occupancy permit is issued.

(11) Signs temporarily erected for municipal construction projects to inform the public of the nature of the project or anticipated completion dates, which shall be permitted in all zoning districts, subject to a maximum size of 24 square feet in area.

(12) Help wanted signs not exceeding six square feet in area and three feet in height, which may be displayed on private property for a period of up to four weeks at a time and not more than four times within each calendar year.

(13) Directional signs may be located on-site provided they contain only noncommercial messages including, but not limited to, designation of restrooms, drive entrances and exits, telephone locations, and directions to door openings. All such ground mounted signs shall be no taller than four feet and shall not exceed four square feet in area. All wall mounted signs shall not exceed an area of two square feet.

(14) Incidental signs may be located on-site provided they contain only noncommercial messages including, but not limited to, no parking, entrance, loading only, telephone and other similar directives. All such ground mounted signs shall be no taller than four feet and shall not exceed two square feet in area. All wall mounted signs shall not exceed an area of two square feet.

Sec. 15.44.080. – Prohibited Signs

The following signs are considered to be unsafe, dangerous, hazardous or nuisance, therefore these signs shall not be permitted, erected, or maintained in any zoning district unless the applicant can substantiate to the Planning Director and/or Building Official that the applicant's specific use of a sign listed in this chapter will not be dangerous, hazardous, or a nuisance. A sign shall be considered to be dangerous, hazardous or a nuisance if it poses as a source of distraction to drivers on the road, is likely to cause any physical obstruction due to detachment of said sign or part of it, is offensive in content as noted below, or contributes to blight and detriment in the appearance of the City. Examples of hazardous signs would include but not be limited to a tilting sign, an unsafe foundation to a sign, a portion of a banner getting blown onto traffic etc. If the official agrees that the specific use of the sign requested is not dangerous, hazardous, or a nuisance, then the Planning Director and/or Building Official shall issue a permit for such requested use.

(1) Signs which incorporate in any manner any flashing or moving lights, including strobe lights, whether they are mounted indoors or outdoors, if they are visible from the outdoors.

(2) Banners, pennants, spinners and streamers, and inflatable figures, except as specifically permitted in accordance with this chapter.

(3) String lights (often strung between light poles) used in connection with commercial premises for commercial purposes, except holiday uses not exceeding seven weeks in any calendar year.
(4) Any sign which moves or has any moving or animated parts, or images, whether the movement is caused by any mechanical, electronic or electrical device or wind or otherwise, including swinging signs and strings of flags or streamers, or cloth flags moved by natural wind. Such a prohibition shall not pertain to public message signs on governmental property. Special provisions exist for gasoline service stations and drive-in/drive-through restaurants.

(5) Any sign or sign structure which (see definitions):
   a. Is structurally unsafe;
   b. Constitutes a hazard to the safety or health of persons or property by reason of inadequate design, fabrication, mounting or maintenance or by abandonment thereof;
   c. Is not kept in good repair;
   d. Is capable of causing electrical shocks to persons who may come in contact with it, such as improper grounding, overloaded circuits or injury from frayed/damaged wire; [or]
   e. Has been constructed without prior approval.

(6) Any sign which by reason of its size, location, content, coloring, intensity, or manner of illumination constitutes a traffic hazard or a detriment to traffic safety by obstruction of visibility of any traffic sign or control device on any public street or road.

(7) Any sign which obstructs free ingress or egress to or from a required door, window, fire escape, driveway or other required access route.

(8) Signs that mimic official traffic control signs and devices.

(9) Any sign or other advertising structure or display which conveys, suggests, indicates or otherwise implies by pictures, drawings, words, emblems, logos, or other communication methods the following:
   a. Human genitalia.
   b. Adult nude human bodies.
   c. Obscene words.
   d. Obscene gestures.

(10) Any sign which no longer advertises a bona fide business or product sold (except murals). Such signs shall be removed by the property owner within 30 calendar days after a business closes or vacates the premises.

(11) Any sign, except traffic, municipal signs, or other sign permitted in section 15.44.090 and section 15.44.100 of this Chapter, that is located in, or projects into or over, a public right-of-way or dedicated easement.

(12) Placards, posters, circulars, showbills, handbills, political signs, cards, leaflets or other advertising matter, except as otherwise provided in this chapter, when posted, pasted, nailed, placed, printed, stamped or in any way attached to any fence, wall, post, tree, sidewalk, pavement, platform, pole, tower, curbstone or surface in or upon any public easement or right-of-way or on any public or private property whatsoever. Nothing in this chapter shall prevent official notices of the City, school districts, or county, state or federal government from being posted on any public property deemed necessary. All placards, posters, circulars, showbills, handbills, political signs, cards, leaflets or other advertising matter posted, pasted, nailed, placed, printed, or stamped on any right-of-way or public property may be removed and disposed of by the City without regard to other provisions of this chapter.

(13) Bench signs.

(14) Inflatable signs.

(15) Painted wall signs, except as provided in section 15.44.110.

(16) Roof signs.
(17) Portable signs, except as provided in section 15.44.120.

(18) Any sign placed upon a cart corral or cart return other than signage indicating the intended function of the corral or return and which does not carry a commercial message.

(19) Add-on signs (see definitions).

**Sec. 15.44.090 - Residential ground sign regulations**

Signs permitted in all single-family and multiple-family residential districts (RA-1, RA-2, RA-3, RC, RC-1 and RB):

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Number</th>
<th>Locations</th>
<th>Area Maximum</th>
<th>Height Maximum</th>
<th>Special Regulations</th>
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<tbody>
<tr>
<td>Subdivision development ground signs</td>
<td>One ground sign per entrance or one on each side of the entrance where mounted or integrated into an entrance monument</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection15.44.200 (d)). No portion of said sign shall project or overhang a public/private right-of-way.</td>
<td>32 sq. ft.</td>
<td>6 feet (sign support shall not extend more than 2 feet from grade)</td>
<td>Shall only display the name of the subdivision. Compliance with corner clearance zone (see subsection15.44.200 (d)).</td>
</tr>
<tr>
<td>Subdivision homebuilder ground signs</td>
<td>One ground sign for each homebuilder within the subdivision</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection15.44.200(d)). No portion of said sign shall project or overhang a public/private right-of-way.</td>
<td>16 sq. ft.</td>
<td>6 feet</td>
<td>The homebuilder ground signs are permitted in addition to the one permitted for a subdivision for the general developer of the subdivision. Compliance with corner clearance zone (see subsection15.44.200(d)) .</td>
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<tr>
<td>Subdivision development off-premises temporary sign</td>
<td>One ground sign per subdivision development</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection15.44.200 (d)). No portion of said sign shall project or overhang a</td>
<td>24 sq. ft.</td>
<td>6 feet</td>
<td>Permitted for up to the lesser of 2 years of when 95% of all lots in the subdivision has been sold by the builder. Compliance with corner clearance zones (see subsection15.44.200 (d)) shall be required.</td>
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<td>Wall signs and awning signs</td>
<td>One sign per side of street of frontage</td>
<td>Shall not extend above the roofline, nor project more than 12 inches from the face of the building. An awning sign shall not project more than 3 feet into any right-of-way.</td>
<td>Permitted wall area shall be calculated in accordance with section 15.44.110.</td>
<td>N/A</td>
<td>Shall meet the legibility and design requirements of section 15.44.160. When a wall sign is used in conjunction with an awning sign, the total square footage allowed for all together shall not exceed the maximum square footage that would be allowed for a wall sign. Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign area, the logo shall not exceed 30% of the maximum permitted area.</td>
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<tr>
<td>Ground signs</td>
<td>One for each</td>
<td>Such sign shall be located completely within private</td>
<td>48 sq. ft.</td>
<td>12 feet</td>
<td>All ground signs must meet the legibility and</td>
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</table>
developed
site property, shall not affect line of sight on abutting streets. No portion of said sign shall project or overhang a public/private right-of-way. There is a minimum setback of 5 feet from the property line.

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Number</th>
<th>Locations</th>
<th>Area Maximum</th>
<th>Height Maximum</th>
<th>Special Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Window signs</td>
<td>Two per window surface</td>
<td>N/A</td>
<td>25% of the total surface of the window to which the sign is affixed.</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Project announcement signs</td>
<td>One</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection 15.44.200(d)). No portion of said sign shall project or overhang a public/private right-of-way.</td>
<td>32 sq. ft.</td>
<td>8 feet</td>
<td>Permitted after the development has received site plan approval. This sign may remain until the start of construction at which time the sign must be removed. Compliance with corner clearance zone (see subsection 15.44.200(d)).</td>
</tr>
<tr>
<td>Temporary Portable Signs</td>
<td>One</td>
<td>Compliance with section 15.44.130</td>
<td>12 sq. ft.</td>
<td>4 feet</td>
<td>Compliance with section 15.44.130.</td>
</tr>
</tbody>
</table>

Signs permitted along the CB and the Mixed Use District:

- **Wall signs and awning signs**
  - One wall, awning sign per side of street frontage.
  - Wall signs shall not extend above the roofline, nor project more than 24 inches from the face of the building. An awning or may not project more than three feet the right of way.
  - Permitted wall area shall be calculated in accordance with section 15.44.110.
  - N/A
  - Shall meet the legibility and design requirements of section 15.44.160. When a wall sign is used in conjunction with an awning, the total square footage allowed for all together.
shall not exceed the maximum square footage that would be allowed for a wall sign. Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign area, the logo shall not exceed 30% of the maximum permitted area.

| Ground Signs | One per developed site | Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection 15.44.200(d)). No portion of said sign shall project or overhang a public/private right-of-way. There is a minimum setback of 5 feet from the property line. | 48 sq. ft. | 12 feet | All ground signs must meet the legibility and design requirements of section 15.44.160. Compliance with corner clearance zone (see subsection 15.44.200(d)). |
| Project Announcement Signs | One | Shall not be located closer than ten feet to any property line. | 32 sq. ft. | 8 feet | Permitted after the development has received site plan approval. Sign may remain until the first building permit is issued, at that time the sign must be removed. Compliance with corner clearance zone. |
| Temporary Portable Signs | One | Compliance with section 15.44.130 | 12 sq. ft. | 4 feet | Compliance with section 15.44.130 |
Signs permitted within the LB and LB-M District:

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Number</th>
<th>Locations</th>
<th>Area Maximum</th>
<th>Height Maximum</th>
<th>Special Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall signs, awning signs, and projecting signs</td>
<td>One wall, awning or projecting sign per side of street frontage.</td>
<td>Wall signs hall not extend above the roofline, nor project more than 24 inches from the face of the building. An awning or may not project more than three feet the right of way. A projecting sign may not project more than five feet into the right of way or extend three feet above the roof line.</td>
<td>Permitted wall area shall be calculated in accordance with section 15.44.110.</td>
<td>N/A</td>
<td>Shall meet the legibility and design requirements of section 15.44.160. When a wall sign is used in conjunction with an awning sign and/or a projecting sign, the total square footage allowed for all together shall not exceed the maximum square footage that would be allowed for a wall sign. Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign area, the logo shall not exceed 30% of the maximum permitted area.</td>
</tr>
<tr>
<td>Ground signs</td>
<td>One per developed site</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets or be located within the clear vision triangle area (as defined in subsection 15.44.200(d)). No portion of said sign shall project or overhang a public/private right-of-way. There is a minimum setback of 5 feet from the property line.</td>
<td>48 sq. ft.</td>
<td>12 ft.</td>
<td>All ground signs must meet the legibility and design requirements of section 15.44.160. Compliance with corner clearance zone (see subsection 15.44.200(d)).</td>
</tr>
<tr>
<td>Window signs</td>
<td>Two per window surface</td>
<td>N/A</td>
<td>25% of the total surface of the window to which the</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Type</td>
<td>Number</td>
<td>Locations</td>
<td>Area Maximum</td>
<td>Height Maximum</td>
<td>Special Regulations</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>--------------</td>
<td>----------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>A-frame/sandwich board sign</td>
<td>One per business</td>
<td>On public sidewalk, not to obstruct pedestrian travel</td>
<td>6 sq. ft.</td>
<td>4 feet</td>
<td>Placement must meet ADA requirements; compliance with section 15.44.130 required.</td>
</tr>
<tr>
<td>Temporary Portable Signs</td>
<td>One</td>
<td>Compliance with section 15.44.130</td>
<td>12 sq. ft.</td>
<td>4 feet</td>
<td>Compliance with section 15.44.130</td>
</tr>
</tbody>
</table>

Signs permitted in the Parking (P-1) District:

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Number</th>
<th>Locations</th>
<th>Area Maximum</th>
<th>Height Maximum</th>
<th>Special Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground signs</td>
<td>One for each developed site</td>
<td>Such sign shall be located completely within private property, shall not affect line of sight on abutting streets. No portion of said sign shall project or overhang a public/private right-of-way.</td>
<td>9 sq. ft.</td>
<td>8 feet</td>
<td>All ground signs must meet the legibility and design requirements of section 15.44.150 Compliance with corner clearance zone (see subsection 15.44.190(d))</td>
</tr>
</tbody>
</table>

**Sec. 15.44.110 - Wall sign area scale**

The maximum permitted wall sign area is based on a function of setback and the width in feet of the longest side of the building facing a parking lot, private drive, or road. The total square footage for a wall sign or awning sign or combination of both in this setback range shall be determined by multiplying one square foot by the total feet in width of the building or legally occupied tenant space. The total wall sign area shall not exceed the permitted maximums established by the following table.

<table>
<thead>
<tr>
<th>Setback from Right-of-Way of Structure to which Wall Sign will be Affixed</th>
<th>Area Maximum per Building or Tenant Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 feet to 149.0 feet</td>
<td>100 square feet</td>
</tr>
<tr>
<td>150 feet to 299.9 feet</td>
<td>125 square feet</td>
</tr>
<tr>
<td>300 feet to 449.9 feet</td>
<td>150 square feet</td>
</tr>
<tr>
<td>450 feet to 599.9 feet</td>
<td>200 square feet</td>
</tr>
<tr>
<td>600 feet or greater</td>
<td>300 square feet</td>
</tr>
</tbody>
</table>
Murals, defined as wall signs by this chapter, may be considered by the Administration upon recommendation from the building department and/or planning department, for a larger sign area than noted above, provided the applicant can demonstrate compliance with the following criteria:

1. The commercial message (text and/or corporate symbols) is limited to no more than 25 percent of the total mural area.
2. The mural complements the buildings colors and aesthetics.
3. The mural is considered to be a public benefit (i.e., art) which could not be achieved using the standard wall signage requirements.

Sec. 15.44.120 - Sign bonuses

In certain unique circumstances, in addition to any signs permitted by this chapter, permits for the following special signs or sign bonuses may be approved by the Planning Director and/or Building Official in accordance with the provisions established below:

1. Rear façade identification signs. In instances where three or more frontages of a commercial structure in a commercial or industrial zoning district directly visible to a dedicated right-of-way, service drive, or circulation lane, a bonus wall sign to identify the rear façade of the structure may be permitted. To qualify for the rear façade identification sign bonus, the site must:
   a. Be directly bordered on at least three sides by dedicated circulation routes intended primarily for consumer traffic; rear alleys and loading and unloading access drives do not qualify.
   b. The drive aisles may not be located exclusively on the same site as the structure to which the bonus would be applied, though it may be shared between two or more separate and distinct sites.
   c. The wall sign bonus must not exceed ten square feet in area distributed over one or two wall signs.
   d. If two signs are proposed, they must be located on separate façades.
   e. To qualify for the rear façade identification sign bonus, no other wall signage may be present on the rear façades having the bonus signage.
   f. The primary permitted wall signage must be located on the façade facing the major thoroughfare or other primary roadway serving the site, or for corner lots, the two frontages facing such thoroughfares or roadways.
   g. Rear façade identification signs may not face a residentially zoned or used property.

2. Wall sign area bonus. In commercial districts only, in the event that a ground sign otherwise permitted by the chapter cannot be located in compliance with the location requirements of the chapter due to existing natural or manmade features, proximity to an existing sign or otherwise, additional wall sign area may be awarded above the permitted maximum wall sign area as determined by section 15.44.110. This bonus may only be applied when the applicant, in the course of seeking a sign permit, has satisfactorily demonstrated that the development of an otherwise permitted ground sign is not possible in compliance with other provisions of this chapter or if no location for the sign which allows the sign to serve its intended purpose due to existing natural or manmade features. The wall sign area bonus shall not be over 24 additional square feet beyond that permitted by section 15.44.090. Further, when a ground sign is not applicable and the applicant demonstrates that one wall sign is not enough to identify the business, the applicant may be granted an additional wall sign. The combined wall signs shall not exceed the square footage bonus set forth in this section for one sign.

3. Corner lot bonus.
   a. Wall signs. Corner lots shall be provided 150 percent of the otherwise permitted total wall sign area.
b. **Ground signs.** Corner lots shall be permitted to have a second ground sign provided the area is no more than 75 percent of the total permitted ground sign area.

### Sec. 15.44.130 - Portable signs

**(a)** Portable signs shall be permitted in all commercial districts as a temporary sign only (where they shall be permitted on a regular basis subject to the standards listed in subsection (b) below). Such signs shall be permitted for commercial uses to identify special events and sales only. Additionally, the following provisions shall apply:

1. No more than one portable sign shall be permitted per business for duration not to exceed two weeks at a time, for a maximum of six times/events per calendar year. The events shall not run consecutively.

2. The sign shall be removed when weather conditions create potentially hazardous conditions.

3. The maximum area of a portable sign is twelve square feet per side with no dimension greater than four feet (not counted towards total sign area), a maximum footprint of three feet by four feet, with a maximum of two faces per sign.

4. The sign shall not unreasonably interfere with the view, access to, or use of adjacent properties. For businesses located at a street corner, the sign shall not be located within the clear vision triangle area.

5. The sign should be of durable materials that complement the materials of the building such as overlay plywood painted with enamel paint, stainless or other weather resistant steel, laminate plastic, slate chalkboard, or marker board. A natural wood one-inch by two-inch frame is strongly encouraged. The lettering may be permanent or temporary with a preference towards hand lettering; no individually applied changing marquee style letters are allowed.

6. Paper signs, wind-activated items (such as balloons, windsocks, and pinwheels), and nonrigid changeable areas shall not be used as or attached to a sign.

7. The sign shall have no sharp edges or corners. All surfaces shall be smooth and be free of protruding tacks, nails and wires. All parts, portions, and materials of a sign shall be kept in good repair. The display surface shall be kept clean, neatly painted, and free from rust, corrosion, and graffiti. Any cracked or broken surfaces, missing sign copy, or other poorly maintained or damaged portion of a sign shall be repaired, replaced or removed. No glass, breakable materials, or attached illumination shall be allowed.

8. The primary colors of such signs shall be compatible with the colors of the buildings within the area.

9. Portable signs within the road right-of-way shall require approval by the applicable agency.

**(b)** Portable sidewalk signs are only permitted within the CB, LB and LB-M District. Portable signs are permitted for ground floor commercial uses to identify the store/business, indicate that it is open, its hours of operation, to show restaurant menus and daily specials. The purpose is to advertise sales and special deals or service. Additionally, the following provisions shall apply:

1. No more than one portable sidewalk sign shall be permitted per business which is located on the ground floor.

2. The sign shall be removed when weather conditions create potentially hazardous conditions.

3. The maximum area of a portable sidewalk sign is six square feet per side with no dimension greater than four feet (not counted towards total sign area), a maximum footprint of two feet by three feet, with a maximum of two faces per sign.

4. The sign boards shall continue to the ground for detection by those who are visually impaired. The bottom two inches of the sign shall also have a strong color contrast with the grade below.

5. The sign shall be located directly in front of the building it represents on the building side of the sidewalk in such a manner that it is not in the pedestrian clear path of travel area; a width of four feet is
maintained between the sign and any fixed element on the sidewalk and/or the curb and is not in the clear area adjacent to street furniture.

(6) The sign shall not unreasonably interfere with the view, access to, or use of adjacent properties.

(7) The sign should be of durable materials that complement the materials of the building such as overlay plywood painted with enamel paint, stainless or other weather resistant steel, laminate plastic, slate chalkboard, or marker board. A natural wood one-inch by two-inch frame is strongly encouraged. The lettering may be permanent or temporary with a preference towards hand lettering; no individually applied changing marquee style letters are allowed.

(8) Paper signs, wind-activated items (such as balloons, windsocks, and pinwheels), and nonrigid changeable areas shall not be used as or attached to a sign.

(9) The sign shall have no sharp edges or corners. All surfaces shall be smooth and be free of protruding tacks, nails and wires. All parts, portions, and materials of a sign shall be kept in good repair. The display surface shall be kept clean, neatly painted, and free from rust, corrosion, and graffiti. Any cracked or broken surfaces, missing sign copy, or other poorly maintained or damaged portion of a sign shall be repaired, replaced or removed. No glass, breakable materials, or attached illumination shall be allowed.

(10) The primary colors of such signs shall be compatible with the colors of the buildings within the area.

(11) Sidewalk signs shall be removed daily at the close of business hours.

(12) Sidewalk signs within the road right-of-way shall require approval by the applicable agency and must meet ADA requirements.

(13) Providing a sidewalk sign complies with the above criteria, a permit shall be granted for a period of one year. Annual permit fees will be set from time to time by resolution of the City Council.

Sec. 15.44.140 - Gasoline service station signs

Gasoline service stations may display the following special signs which are deemed customary and necessary to their respective businesses. None of the following signs shall have commercial messages or represent an add-on sign as defined by this chapter. Sign permits shall be required for such signs.

(1) No more than two signs, each sign not exceeding six square feet in area, may be placed on a gasoline pump island for the purpose of displaying gasoline prices.

(2) No more than two signs, each sign not exceeding six square feet in area, may be placed on a gasoline pump island for the purpose of designating "attendant served" or "self-serve."

(3) Digital/electronic signs for the display of gas prices may be permitted as a special approval use. In review of the special approval use, the Sign Authority shall consider the following:
   a. The digital/electronic sign shall be exclusively for the display of gas prices.
   b. The sign message and background shall each be a single contrasting color and shall not include flashing, scrolling, blinking, intermittent or moving lights.
   c. The size of the electronic/digital sign message area shall not exceed 50 percent of the total sign surface area.

Sec. 15.44.150 - Drive-in and drive-through restaurants

(a) The Administration and/or Sign Authority may approve up to two menuboards (per lane) upon determination that it is integral to the nature of the business.

(b) Each menuboard shall not exceed seven feet in height.
(c) One menuboard (in stacking lane) shall not exceed 16 square feet and the other (at the speaker) shall not exceed 32 square feet in area.

(d) The area of the menuboard is exclusive of the structures framing.

(e) All menuboards shall be single-sided.

(f) No menuboard may be located between the building and the front property line.

(g) All speaker systems located on parcels directly abutting (sharing one or more common property line) a residentially zoned or used parcel shall have a noise level not to exceed 60 decibels between the hours of 11:00 p.m. and 6:00 a.m. Speaker systems located on parcels abutting non-residential parcels shall have a noise level not to exceed 80 decibels between the hours of 11:00 p.m. and 6:00 a.m. The Building Official and/or and Planning Director shall have the discretion to place additional restrictions on the hours of operation of the drive-through speakers based on the location of the specific site, proximity to residential uses and upon receipt of input or concerns from the neighboring property owners. (Note: A decibel is a unit used to express a difference in power or intensity, usually between two acoustic or electric signals, equals to ten times the common logarithm of the ratio of the two levels. More commonly, it is a unit used to measure the intensity of sound waves).

(h) Only up to four square feet of the menuboard shall include digital/electronic signage.

(i) The Administration and/or Sign Authority may consider a modified sign area, subject to the following:
   (1) Only one of the menuboards may be increased in area.
   (2) The menuboard is completely screened from the roadway.
   (3) Under no circumstances shall the menuboard exceed 48 square feet in area.

Sec. 15.44.160 - Legibility and design

All signage within the City must meet the legibility and design requirements of this section.

(1) Wall signs.
   a. Contrast. all lettering on wall signs shall significantly contrast the background to which they are applied.
   b. Construction type. Wall signs may be of a free-floating channel letter or other applied letter either internally or externally illuminated. If an alternate construction type is used, it must be painted or manufactured to match the color of the wall to which it is mounted.
   c. Lettering. minimum required lettering sizes established as follows for wall signs shall apply to all lettering on any wall sign:
      1. Sans-serif fonts. “Block” style or sans-serif lettering shall be at least 14 inches in size on any wall sign.
      2. Serif fonts. “Script” or other serif lettering shall be at least 17 inches in size on any wall sign.
   d. Where corporate logos are proposed for use as a wall sign or as part of the overall wall sign, the logo shall not exceed 30 percent of the maximum permitted area.

(2) Ground signs.
   a. Integration. Ground signs shall be integrated into the landscape and shall be compatible with the design and materials used for the structures on the site.
   b. Location. Ground signs shall be located on a masonry, or similar material, base; the base shall have a minimum height of 18 inches and shall not exceed a height of 36 inches; the base, at a minimum, shall be equal to the length of the sign; masonry or other decorative features enclosing the sides or top of the face of the sign shall not extend beyond the maximum allowable width and height of the sign.
c. **Contrast.** All lettering on cabinet-style ground signs shall be lighter than the background on which they are located. The background on a cabinet-style ground sign shall be opaque with translucent lettering, to allow only the lettering or logos to be illuminated. Free-floating channel letters or other applied letters shall significantly contrast the background to which they are applied.

d. **Construction type.** Ground signs may be of a cabinet, internally-illuminated style; however:
   1. Only the lettering or trademarked logo shall be translucent.
   2. The background shall be of opaque material in a color darker than the lettering and logo.

e. **Lettering.** Minimum required lettering sizes established as follows for ground signs shall apply to all lettering on any ground sign.
   1. **Sans-serif fonts.** "Block" style or sans-serif lettering shall be at least 14 inches in size on any ground sign.
   2. **Serif fonts.** "Script" or other serif lettering shall be at least 17 inches in size on any ground sign.

(3) **Illuminated signs**

a. **Type.** No signs shall be illuminated by means other than electrical.

b. **Code Requirements.** All illuminated signs shall be certified by the City of Hazel Park and shall comply with the National Electric Code (Articles 600-09) and Rule #9 of the Reciprocal Electrical Counsel.

c. **Construction.** The light from illuminated signs shall be shielded at its source in a manner that will not shine light on abutting residential structures or properties, or effect oncoming traffic in such brilliance that it impairs the vision of the driver. All lighting fixtures for lighted signs including lighted awnings shall be positioned or shaded so that the light source is not visible from normal pedestrian perspectives, adjacent properties, or the public right of way. This includes indoor signs which are visible from public streets and highways.

d. **Limitations.** All illuminated signs facing residential side streets shall be turned off completely at 10 p.m. or close of business, whichever is earlier. Signage facing non-residential streets and major thoroughfares may remained illuminated indefinitely.

No portion of any sign shall have an average output greater than 40 watts per lineal foot or per specifications as follows:

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>Illumination Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Externally Illuminated</td>
<td>No sign may be illuminated in any way so as to exceed a maximum intensity of five thousand (5,000) NITS during daylight hours or five hundred NITS from sunset to sunrise measured at the sign face at maximum brightness.</td>
</tr>
<tr>
<td>Internally Illuminated</td>
<td>10 watts per square foot</td>
</tr>
<tr>
<td>Neon, fluorescent, or incandescent light</td>
<td>Single row of tubing, no greater than 3/8&quot; in diameter. All internal neon signs shall be protected with a Plexiglass backing. The light sources shall not exceed 10 watts per square foot.</td>
</tr>
</tbody>
</table>

**Sec. 15.44.170 - Permit approval**

Applications for sign permits shall consist of a form available at City Hall, a permit fee as set by City Council resolution, and plans that are necessary to fully advise the City of the type, size, shape, location, construction,
and materials of the proposed sign and the building or structure upon which the sign is to be placed. Such plans shall be considered as part of the application for permit and shall be filed with the City. The application shall be accompanied by the written consent of the owner and lessee of the premises upon which the sign is to be erected. The application will be reviewed in accordance with section 15.44.180 of this Chapter. If the permit is denied the applicant may file an appeal as described in Section 15.44.190. It shall be unlawful for any person to erect, alter, or maintain any sign for which a permit is required, unless a permit has been obtained from the City. Each day a violation exists shall constitute a separate offense.

Sec. 15.44.180 - Building Official and Planning Director

The Building Official and Planning Director shall be responsible for the review and approval of sign plans. During administrative review, the planning or building department shall have the authority to send any application for a sign to the Sign Authority for its review and approval prior to the issuance of the permit from the building department.

Sec. 15.44.190 – Appeals and the Sign Authority

(a) The Hazel Park Sign Authority pursuant to this chapter of the Hazel Park Code of Ordinances shall be authorized to hear appeals regarding any sign regulation from an interpretation or administrative decision of an official of the City of Hazel Park. The Sign Authority in such an instance shall determine whether the application shall be granted for an exception by utilizing the following considerations which must be indicated and factually supported in any decision made on the application. Such standards are:

1. Does the proposed sign represent the business it is intended to identify?
2. Is the sign appropriate to the business identified so as to not cause confusion or mislead the public?
3. Is the sign appearance compatible with the visual character of the surrounding area, e.g., scale and placement to the building, relationship of color to adjacent colors, dissimilarity of shape to other signs in the surrounding area, dissimilarity of lettering to other signs in the surrounding area?
4. Is the sign legible from its intended location?
5. Is the sign intended to be integrated into the character of the building as to the entrance and the architectural features?
6. Can the sign be viewed with comfort by pedestrians?
7. If located on the ground, is the proposed sign outside the clear vision triangle and presents no obstruction to vehicles entering and exiting the site?
8. Does the sign reflect the character of Hazel Park as opposed to emphasizing a national symbol?
9. Does the location of the sign obscure the store interior or its merchandise?
10. Does the proposed sign significantly depart from the applicable provisions of the chapter?
11. If a projecting sign, are guy wires or cables visible, does the proposed location assist the consumers in identifying store location, is the sign located in direct relationship to the store entrance, and is the size and placement compatible with the building façade?
12. If illuminated, is the light source hidden from view, is glare sufficiently shielded, is any electrical raceways exposed, is the lighting compatible with surrounding light sources?
13. Such an appeal may further be granted in those instances in which there has been a demonstrated showing by the applicant that the particular sign sought to be approved is suitable to the community or has some value that comports with the history/development of the community and would not, if a variance were granted, be materially in conflict with the applicable regulations for the district in which the sign is located.
(14) The signage proposed as the basis for the appeal does not result in the perpetuation of a sign that no longer conforms to existing sign regulations.

(b) The City Council shall appoint three members to act as the sign authority under the provisions of this chapter. Each member shall serve for a period of three years and shall serve until their successor has been appointed. Each member may be reappointed to serve on the board. The Sign Authority shall resolve all disputes when a complaint is filed in accordance with this section. Any applicant denied relief hereunder has the right to an appeal to the zoning board of appeals who shall conduct an administrative hearing to establish whether the chapter is being properly interpreted and enforced and make such decisions as to ensure the proper enforcement and interpretation of the chapter.

Sec. 15.44.200 - General requirements and restrictions

(a) **Mandatory Signage.** Any active building located in a nonresidential district, regardless of whether the active building or business is open to the public, must display at least one permanent ground, wall or window sign identifying the business. The sign must have a minimum sign face of two square feet. Otherwise, the sign(s) must conform to the rules and regulations set forth in this chapter.

(b) **Public rights-of-way.** No sign (or any pole or support cable of any nature), except those established and maintained by the city, county, state, or federal governments, shall be located in, project into, or overhang a public right-of-way or dedicated public easement, unless otherwise authorized in this article.

(c) **Sign heights.** The highest point of any sign shall not exceed 35 feet above the ground or grade level. All signs which project over a public or private road or walkway, directional signs, or a sign on a canopy, shall have under clearance from the lowest point of the sign to the ground or grade level of not less than eight feet.

(d) **Traffic interference.** No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such manner as to interfere with, mislead, confuse or create a visual impediment or safety hazard to pedestrian or vehicular traffic.

(e) **Clear corner vision.** No sign above a height of 30 inches shall be located within, project into, or overhang the triangular area formed at the intersection of any two street right-of-way lines, existing or proposed, by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection, unless visual under clearance can be ensured on the plans.

(f) **Proximity to electrical conductors.** No sign shall be erected so that any part, including cables, guys, etc., will be within ten feet of any electrical conductor, electric light pole, streetlamp, traffic light, or other public utility pole or standard.

(g) **Illumination.** No sign shall be illuminated by other than approved devices, and in no case shall any open spark or flame be used for display purposes unless specifically approved by the building. All illuminated signs shall be so arranged or shielded so as not to interfere with the vision of persons on adjacent thoroughfares and properties. In no event shall light from an illuminated sign shine on adjacent property which is used for residential purposes. An illuminated sign must adhere to the design standards set forth in section 15.44.150.

(h) **Fire escapes.** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.

(i) **Wall signs.** No wall sign shall project beyond or overhang the wall, or any permanent architectural feature, by more than 18 inches, and shall not project above or beyond the highest point of the roof or parapet.

(j) **Freestanding signs.** With respect to freestanding signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the surrounding environment or shall be painted a neutral color to blend with the surrounding environment.

(k) **Construction signs.** Signs advertising buildings or projects under construction shall not exceed 15 square feet per 100 linear feet of public right-of-way frontage or fraction of such amount, and shall not exceed 100
square feet in total area. Such signs shall have a maximum height of ten feet and shall be set back at least 25 feet from any public right-of-way unless attached to a building or construction fence and shall be removed upon completion of construction. No more than one construction sign is permitted per public right-of-way frontage and placement shall be a minimum of 300 feet apart as measured along the right-of-way line.

(i) Liability insurance. If the vertical distance of a sign above the street is greater than the horizontal distance from the sign to the street right-of-way line and is so located as to be able to fall or be pushed onto or impact public property in any manner, then the owner of such sign shall keep in force a public liability insurance policy in the amount of $100,000.00 for injury to one person and $300,000.00 for injury to more than one person and property damage insurance in the amount of $25,000.00 for damage to property. In lieu of an insurance policy as required in this subsection, an owner may present satisfactory proof to the City Attorney that such owner is financially capable of self-insurance in the amounts described in this subsection.

Sec. 15.44.210 – Substitution Clause

The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

Sec. 15.44.220 - Construction and maintenance requirements

(a) Materials and design. All signs shall be designed, constructed and maintained in conformity with the provisions for materials, loads, and stresses of the state construction code and requirements of this chapter.

(b) Erector's imprint. Signs which require a permit under this chapter must carry the identification and address of the sign erector, electrical voltage (when applicable), and date of erection in clearly legible letters whether for the initial erection or rehanging of a sign. In case of rehanging or re-erection of any sign, the new erector must place his identification, address and the date on the sign.

(c) Fastenings. All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector.

(d) Freestanding signs. Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces and cause injury to persons or property.

(e) Sanitation and landscaping. Property surrounding any freestanding sign shall be kept clean, sanitary and free from obnoxious and offensive substances, weeds, debris, rubbish, and flammable material. All plant materials and other landscaping surrounding a freestanding sign shall be maintained on a regular basis, including pruning, mowing, watering, fertilizing and replacement of dead and diseased materials.

(f) Maintenance. All signs and all their components, including, without limitation, supports, braces and anchors, shall be kept in a state of good repair. Peeling or missing paint, holes, broken, cracked, bent, warped, rotted, discolored, sagging, out-of-plumb, worn, rusted or missing material parts shall be repaired within ten days of written notification of the building department.
Sec. 15.44.230 – Violations

Any citation issued under this chapter 15 shall upon conviction, be punishable by a fine of not less than $100.00 and more than $500.00 for each day the violation exists. If the violation involves the removal an unauthorized or illegal sign by the City, the City shall be entitled to reimbursement of its actual cost, fees and expenses in seeking the removal of the offending structure.

APPENDIX TO SIGN ORDINANCE

Wall Signs

Ground Signs
Multiple Tenant Sign

Awning Signs

Projecting Signs
PART II. SAVING CLAUSE

The amendment of Title 15, Chapter 15.44, Sections 15.44.010 through 15.44.230 does not affect or impair any act done, offense committed or right accruing or accrued or liability, penalty, forfeiture, or punishment, pending or incurred to these amendments.

PART III. REPEAL.

This ordinance hereby repeals any ordinance which conflicts with the provisions hereof.

PART IV. EFFECTIVE DATE; PUBLICATION

The provisions of this ordinance shall become effective ten days after its adoption and shall be published within ten days of its adoption by publication of a brief notice in the newspaper circulated in the city stating the date of the enactment and the effective date of the ordinance, a brief statement as to the subject matter of this ordinance and such other facts as the Clerk deems pertinent, and that a copy of the ordinance is available for purchase and/or inspection at the office of the City Clerk.


_____________________________
JACK LLOYD, MAYOR

_____________________________
MARY ANN GIERALTOWSKI,
CITY CLERK
CERTIFICATE OF ADOPTION

It is hereby certified that the foregoing is a true and complete copy of an Ordinance passed at a regular meeting of the City Council of the City of Hazel Park, held on the ______________ day of __________________, 2013

______________________________
MARY ANN GIERALTOWSKI,
CITY CLERK