

## ORDINANCE NO. 2020-13

## CHAPTER 4

## ARTICLE I, II, III, IV, V

An ORDINANCE to amend Chapter 4 of the 2019 Detroit City Code, *Advertising*, by renaming the chapter to *Advertising and Signs* and amending the chapter to consist of Article I, *Generally*, consisting of Section 4-4-1, *Definitions*, Section 4-1-2, *Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof*, Section 4-1-3, *Enforcement*, Section 4-1-4, *Posting of advertising materials on public or private property*, Section 4-1-5, *Carrying or placing advertising materials on freeway overpass where visible from freeway prohibited*, Section 4-1-6, *Publication of false, misleading advertising prohibited*, Section 4-1-7, *Presumptions concerning identity of violator*; Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, consisting of Section 4-2-1, *Misdemeanor violation; continuing violation; penalties for convictions thereof*, Section 4-2-2 *Enforcement*, Section 4-2-3, *Interfering with or impeding pedestrian or vehicular traffic; prohibited*, Section 4-2-4, *Solicitation at posted residential premises prohibited*; Article III, *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor and Tobacco Products*, consisting of Section 4-3-1, *Purpose*, Section 4-3-2, *Misdemeanor violation; continuing violation; penalties for conviction thereof*, Section 4-3-3, *Enforcement*, Section 4-3-4, *Advertisement of alcoholic liquor and any tobacco product prohibited within a 1,000-foot radius of certain locations*, Section 4-3-5, *Exceptions to prohibitions*, Section 4-3-6, *Method for measurement*, Section 4-3-7, *Phase-out period*; Article IV, *Regulation of Business and Advertising Signs* consisting of Division 1, *Generally*, consisting of Section 4-4-1, *Purpose*, Section 4-4-2, *Blight violation*, Section 4-4-3, *Enforcement*, Section 4-4-4, *Noncommercial messages*, Section 4-4-5, *Computing sign area, height, and clearance*, Section 4-4-6, *Computing the measurement of spacing*, Section 4-4-7, *Prohibited signs*, Section 4-4-8, *Exemptions from chapter requirements*, Section 4-4-9, *Maintenance required*, Section 4-4-10, *Obsolete signs to be removed*, Section 4-4-11, *Signs on*

*vacant buildings to be removed*, Section 4-4-12, *Unused sign supports to be removed*, Section 4-4-13, *Right of entry by City to abate nuisance; obstruction of City officers and agents prohibited*, Section 4-4-14, *Costs of abatement; collection of costs for City abatement of public nuisances*, Section 4-4-15, *Signs subject to additional governmental jurisdiction; submission of approvals as part of sign application*, Section 4-4-16, *Signs located near freeways; Department of Public Works approval required*, Section 4-4-17, *Sign erection or alteration to require new permit, sign operation or maintenance to require license*, Section 4-4-18, *Establishment, approval, publication, and payment of fees*, Section 4-4-19, *Sign erection or alteration application requirements*, Section 4-4-20, *Relation to other regulations*, Section 4-4-21, *Amortization*, Section 4-4-22, *Waivers and adjustments to sign standards*, Section 4-4-23, *Appeals of administrative decisions under this chapter*, Section 4-4-24, *Sign guidebook*; Division 2, *General Sign Standards*, consisting of Section 4-4-31, *In General*, Section 4-4-32, *Arcade signs*, Section 4-4-33, *Awning signs*, Section 4-4-34, *Double-face signs*, Section 4-4-35, *Dynamic signs*, Section 4-4-36, *Illuminated signs*, Section 4-4-37, *Marquee signs*, Section 4-4-38, *Mechanical signs*, Section 4-4-39, *Monument signs*, Section 4-4-40, *Pole signs*, Section 4-4-41, *Portable signs*, Section 4-4-42, *Projecting signs*, Section 4-4-43, *Raceway signs*, Section 4-4-44, *Roof signs*, Section 4-4-45, *Wall signs*, Section 4-4-46, *Window signs*; Division 3, *Regulation of Business Signs*, consisting of Subdivision A, *Generally*, consisting of Section 4-4-61, *Applicability*, Section 4-4-62, *Limitation on maximum aggregate business sign area*, Section 4-4-63, *Additional aggregate business sign area allowances*, Section 4-4-64, *Business signs on multi-tenant buildings and multi-building campuses*, Section 4-4-65, *Restrictions on location of business signs on specified premises*, Section 4-4-66, *Dynamic business signs*; Subdivision B, *Entertainment District*, consisting of Section 4-4-81, *Purpose*, Section 4-4-82, *Entertainment District; boundaries and zones*, Section 4-4-83, *Entertainment core; purpose and sign regulations*, Sec-

tion 4-4-84, *Theater district; purpose and sign regulations*, Section 4-4-85, *Woodward north corridor; purpose and sign regulations*, Section 4-4-86, *Entertainment buffer; purpose and sign regulations*; Division 4, *Regulation of Advertising Signs Located Outside the Central Business District*, consisting of Section 4-4-101, *In general*, Section 4-4-102, *Permit for new or altered advertising signs*, Section 4-4-103, *Spacing requirements*, Section 4-4-104, *Setbacks*, Section 4-4-105, *Height and clearance*, Section 4-4-106, *Area*, Section 4-4-107, *Landscaping*, Section 4-4-108, *Department of Public Works adjustment*, Section 4-4-109, *Adjustment or Waiver prohibited; limited*; Division 5, *Regulation of Advertising Signs Located in the Central Business District*, consisting of Section 4-4-121, *Purpose*, Section 4-4-122, *Advertising permit required*, Section 4-4-123, *Term and reapplication; renewal permitted in certain circumstances*, Section 4-4-124, *Findings as prerequisite for issuance of advertising permits*, Section 4-4-125, *Buildings, Safety Engineering, and Environmental Department issuance of advertising permits*, Section 4-4-126, *Transfer of advertising permit*, Section 4-4-127, *Alteration prohibited*, Section 4-4-128, *Sign standards*, Section 4-4-129, *Mitigation of harmful visual aesthetics created by super advertising signs through promotion of public art*, Section 4-4-130, *Adjustment or waiver prohibited*; Division 6, *Signs in Right-of-Way*, consisting of Section 4-4-161, *In general*, Section 4-4-162, *Department of Public Works approval required*, Section 4-4-163, *Business signs located in the right-of-way*, Section 4-4-164, *Directional signs located in the right-of-way*, Section 4-4-165, *Advertising signs located in the right-of-way*; Division 7, *Temporary Signs*, consisting of Section 4-4-181, *In general*, Section 4-4-182, *Limitations on number, area, and term*, Section 4-4-183, *Additional temporary sign allowances*, Section 4-4-184, *Temporary sign copy*, Section 4-4-185, *General temporary sign standards*, Section 4-4-186, *Removal of temporary signs*; Article V, *Development Notification Signs*, consisting of Section 4-5-1, *Definitions*, Section 4-5-2, *Misdemeanor violation; continuing violation; penalty for conviction thereof*,

Section 4-5-3, *Posting of development notification sign required*, Section 4-5-4, *Development notification sign specifications; content; maintenance*, Section 4-5-5, *Placement of development notification sign*, Section 4-5-6, *Duration of posting*, and Section 4-5-7, *Complaints*, to provide for regulation of business and advertising signs throughout the City of Detroit.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 4 of the 2019 Detroit City Code, *Advertising*, be renamed to *Advertising and Signs*, and be amended to read as follows:

## **CHAPTER 4. ADVERTISING AND SIGNS**

### **ARTICLE I. GENERALLY**

#### **Section 4-1-1. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Advertising sign* means a sign containing a commercial message that is intended to direct attention to a business, profession, commodity, service, or entertainment, that is conducted, sold, or offered elsewhere than on the premises where the sign is located or that is only incidentally conducted, sold, or offered on the premises where the sign is located.

*Advertisement-sensitive property* means a premises that is occupied by or used as any of the following:

(1) A child-care home and center, which has the meaning as likewise defined in Section 50-16-152 of this Code;

(2) A child-caring institution, which has the meaning as likewise defined in Section 50-16-152 of this Code;

(3) A juvenile detention or correctional facility, which means a county facility or institution operated as an agency of the county or the juvenile division of the probate court, or a state institution or agency described in the Michigan Youth Rehabilitation Services Act, being MCL 803.301 *et seq.*, to which a minor has been committed or in which a minor is detained;

(4) A library, which means any designated public depository of books, periodicals, public and/or historical records, or other reference materials within the City that is created pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution, and is operated pursuant to Section 12 of the Michigan District Library establishment Act, being MCL 397.182;

(5) A park, which means land that is improved or intended to be improved for

active or passive recreational uses, or is preserved as open space, and is under the jurisdiction and control of the City, Wayne County, or the State of Michigan;

(6) A playfield, which means land that is designed for major field sports, such as baseball, football, soccer, tennis, or softball, and which requires more area than is available on a playground, is so designated, and is under the jurisdiction and control of the City, Wayne County, or the State of Michigan;

(7) A playground, which means land that is designed and maintained primarily for the recreational use of children aged up to 14 years, and is under the jurisdiction and control of the City, Wayne County, or the State of Michigan;

(8) A playlot, which means land that is designed and maintained primarily for the recreational use of small children aged up to eight years and is under the jurisdiction and control of the City, Wayne County, or the State of Michigan;

(9) A recreation center, which means a facility that is created primarily to benefit minors through the use of organized educational, social, or recreational activities and is under the jurisdiction and control of the City, Wayne County, or the State of Michigan;

(10) A school, which means the buildings, grounds, and other facilities of any public, charter, parochial, or private educational institution that has as its primary purpose the education and instruction of children at the elementary, middle, junior, and senior high school levels; and

(11) A youth activity center, which has the meaning as likewise defined in Section 50-16-462 of this Code.

*Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids, or compounds, whether or not medicated, proprietary, patented, or any other designation, that contain one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and are defined and classified by the Michigan Liquor Control Commission according to alcoholic content as being beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed spirit drink.

*Animated sign* means a type of dynamic sign in which the copy of the sign depicts motion or automatically changes copy more frequently than once every eight seconds.

*Arcade sign* means a sign that is suspended underneath an awning, canopy, marquee, overhang, or other element of a building or structure that forms a covered passageway for vehicles or pedestrians.

*Architectural feature* means a part, portion, or projection, other than a sign, of a building or structure that contributes to its beauty, elegance, or architectural style, including, but not limited to: arches, architectural grillwork, balconies, brackets, columns, corbels, cornices, dentils, doors, jambs, lintels, masonry relief, medallions, moldings, pediments, pilasters, quoins, sills, window rails, and windows, including glazings and surrounds, but does not include open spaces or other voids in any façade of a multi-level parking structure.

*Art mural* means any image that is painted, projected, drawn, tiled, or similarly applied to a building exterior, or to a material that will be mounted to the building exterior, for artistic purposes, and does not contain any other type of commercial message. An art mural does not constitute either an advertising sign or a business sign.

*Awning sign* means a sign that is affixed to an awning or canopy. For purposes of this definition, an awning or canopy is a structure consisting of cloth, plastic, sheet metal or similar lightweight covering over a structural framework that is affixed to a building and projects therefrom, whether cantilevered from such building or supported by columns at additional points, but is not a marquee.

*Building frontage* means the portion of the building's façade that is visible as perpendicularly projected along any public street or private street that is publicly accessible.

*Business sign* means a sign containing a commercial message that is intended to direct attention to a principal business or principal commodity, service, or entertainment that is conducted, sold, or offered on the premises on which the sign is located, or if the sign is located in the right-of-way then on the premises adjacent to the location of the sign, at a scale and intensity that is reasonably proportional to the degree of physical presence or economic activity of the business, commodity, service, or entertainment at such premises. Identification signs and sponsorship signs are types of business signs.

*Central Business District* means the portion of the City within the area bounded by the Detroit River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth Street, West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher Freeway (I-75), Third Street, West Grand River, Temple Avenue, Fourth Street, Charlotte Street, Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway

(I-375), East Jefferson Avenue, Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.

*Copy* means the graphic or textual content or message displayed by a sign.

*Commercial message* means speech that, wholly or in part, is intended to propose a commercial transaction regarding a business, profession, commodity, service, or entertainment that is conducted, sold, or offered in any location, whether on the same premises as where the message is offered or elsewhere.

*Department* means the Buildings, Safety Engineering, and Environmental Department of the City of Detroit, unless otherwise expressly stated in this chapter.

*Directional sign* means a sign that is intended to identify points of ingress or egress on the premises, orient pedestrians and vehicles within the premises, direct the flow of pedestrian or vehicular traffic throughout and around the premises, or identify particular neighborhoods, communities, or other identifiable areas of the City, and is not an advertising or a business sign.

*Double-face sign* means a sign with two sign faces, both of which are used as signs, for which the least angle of intersection between the sign faces does not exceed 45 degrees.

*Dynamic sign* means any sign that features the ability, whether through digital or other technological means, to automatically change the sign copy, at any frequency, without the need to manually remove and replace the sign face or its copy. An animated sign is a type of dynamic sign.

*Established grade* of a sign means the elevation of the grade of the premises, measured underneath, at the base of, or in the immediate vicinity of, the sign, as established by the City.

*Externally illuminated sign* means a type of illuminated sign that is illuminated by reflection from a source of artificial light that is not contained within the sign itself.

*Freeway* means as defined in Section 2 of the Michigan Highway Advertising Act of 1972, being MCL 252.302(n).

*Freeway-adjacent area* means the area measured from the edge of the right-of-way of a freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way line.

*Freeway advertising sign* means an advertising sign located in a freeway-adjacent area, the sign face of which is oriented toward and visible from the freeway.

*Graffiti* means unauthorized drawings,

lettering, illustrations, or other graphic markings on the exterior of a building, premises, or structure that are intended to deface or mark the appearance of the building, premises, or structure.

*Ground sign* means a sign that is freestanding and is supported by one or more structural uprights, poles, braces, frames, or solid foundations that rest in or upon the ground. Monument signs and pole signs are types of ground signs.

*Heritage sign* means an unilluminated painted sign that is either an advertising sign or business sign, has been obsolete for a period of at least 50 years, and is registered with the Department as such.

*High-density commercial/industrial sign district* means the portions of the City that are designated in the Master Plan of Policies as major commercial (CM), special commercial (CS), light industrial (IL), general industrial (IG), distribution/port industrial (IDP), or airport (AP) as well as the entire portion of the City located within the Central Business District regardless of Master Plan of Policies designation therein.

*High-density residential/mixed use sign district* means the portions of the City that are located outside of the Central Business District, and are designated in the Master Plan of Policies as medium-density residential (RM), high-density residential (RH), neighborhood commercial (CN), or mixed residential-commercial (MRC).

*Hospital* means a facility primarily engaged in providing, by or under the supervision of physicians, medical services that includes inpatient acute care services, to injured, disabled, or sick persons.

*Identification sign* means a type of business sign that is intended solely to identify either a principal business or profession that is conducted on and physically occupies the premises where the sign is located, or the name and street number of a building or structure on the premises.

*Illuminated sign* means a sign for which an artificial source of light is used in order to make readable the sign's copy. Illuminated signs are either internally illuminated or externally illuminated.

*Internally illuminated sign* means a type of illuminated sign that is illuminated by direct emission from a source of artificial light that is contained within the sign itself, including signs that emit light through a transparent or translucent material component of the sign or any sign for which the sign face is substantially composed of luminescent material.

*Low-density commercial/institutional sign district* means the portions of the City that are located outside the Central Business District and are designated in the Master Plan of Policies as mixed-town centers (MTC), institutional (INST), thoroughfare commercial (CT), retail centers (CRC), or mixed residential-industrial (MRI).

*Low-density residential sign district* means the portions of the City that are located outside of the Central Business District and are designated in the Master Plan of Policies as low-density residential (RL) or low/medium-density residential (RLM).

*Marquee sign* means a sign that is affixed to and supported by a marquee. For the purposes of this definition, a marquee is a permanent roof-like shelter that is constructed of wood, steel, glass, or other durable materials, is supported by and extends from a building façade, and is cantilevered without support at additional points over a point of ingress and egress to the building. Marquee signs are distinct from awning signs, projecting signs, and wall signs.

*Master Plan of Policies* means the current version of the Master Plan of Policies for the City as adopted under authority of the Michigan Planning Enabling Act. MCL 125.3801 et seq. and Section 8-101 of the Charter.

*Mechanical sign* means a sign that features automated mechanical rotation, revolution, waving, flapping, or other physical movement of the sign or any of its components without causing a change to the sign's copy.

*Minor* means an individual under 18 years of age.

*Monument sign* means a type of ground sign that is supported primarily by an internal structural framework concealed in an opaque covering or solid structural foundation, with no air space between the ground and the sign face.

*Motion* means the depiction of movement or change of position of copy and includes, but is not limited to, dissolving or fading text or images; travelling or running text or images; sequential text; graphic bursts; lighting that resembles zooming, twinkling or sparkling; changes in light or color; transitory bursts of light intensity; moving patterns or bands of light; expanding or contracting shapes; or any similar visual effects.

*Multi-building campus* means a premises that contains multiple buildings, structures, or other facilities that are interconnected by a series of private roads, pathways, open spaces, or other internal

networks, all of which are utilized for a single common purpose, such as multi-building universities, hospitals, or cultural institutions.

*Multiple-face sign* means a sign with three or more sign faces.

*Obsolete sign* means a sign that is intended to direct attention to a business, profession, commodity, service, or entertainment that is no longer conducted, sold, offered, or otherwise available for purchase or patronage.

*Orientation* means, for any sign face, wall, façade, or other two-dimensional vertical surface, the direction of a horizontal projection of the line that is perpendicular to such surface.

*Owner of the premises* means with respect to a premises, building, or structure, any individual or entity that has legal or equitable title or other interest, whether in whole or in part, to the premises, building, or structure, respectively, but does not include such individual's or entities' affiliates, subsidiaries, members, partners, or shareholders. Any premises, building, or structure can have one or multiple owners.

*Painted sign* means a sign that is painted upon a wall or other exterior surface of a building or structure and is not an art mural.

*Permit* means a permit issued by the Department for the construction or erection of a new sign, or the alteration of an existing sign, under the authority provided in Chapter 8 of this Code, *Building Construction and Property Maintenance*, unless otherwise expressly stated in this chapter.

*Pole sign* means a type of ground sign that is supported by one or more exposed uprights, poles, or braces that rest in or upon the ground, with air space between the ground and the sign face.

*Portable sign* means a sign that is designed to be moved easily and that rests upon, but is not permanently affixed to, the ground.

*Premises* means a parcel, or collection of parcels, and adjoining property that are generally under common ownership, whether publicly or privately owned, constituting a single building, structure, or development, including private streets, pathways, and other open spaces, but excluding public rights-of-way.

*Premises frontage* means the sum of the length of all lot lines of the premises abutting any public street or private street that is publicly accessible.

*Projecting sign* means a sign that is affixed to and supported by any exterior wall or parapet of a building or structure

and projects outward from such wall or parapet with the orientation of the sign face or faces being in a direction that is approximately perpendicular to the orientation of the façade of the wall or parapet. Projecting signs are distinct from marquee signs.

*Public art* means an outdoor art mural, sculpture, or other permanent or semi-permanent installation that is constructed and maintained for artistic purposes and intended to be visible to or accessible by the general public, and does not contain any type of commercial message.

*Raceway sign* means a type of wall sign in which individual letters, graphics, and other copy elements are separate structural components that are connected by a common component, referred to as a raceway, that provides structural support for, and electrical or mechanical operation of the sign.

*Recreation/open space sign district* means the portions of the City that are located outside of the Central Business District and are designated in the Master Plan of Policies as regional parks (PR), recreation (PRC), private marinas (PMR), or cemetery (CEM).

*Roof line* means the uppermost line of the roof of a building or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.

*Roof sign* means a sign that is affixed to and supported by the roof of a building or structure, the height of which extends above the highest point of the roofline of the building or structure.

*Sign* means any structure containing a visual display, or painted or projected image, that is oriented toward and visible from any public or private right-of-way or public property and is intended to announce, identify, inform, or direct attention. A sign can be located on the exterior of a building or other structure, or in the interior of a building if within three feet of the building's perimeter and visible from the building's exterior.

*Sign alteration* means a change of the size, shape, area, height, location, illumination, dynamic operation, construction, fabrication, material, or any other operational, construction-related, or dimensional parameter of an existing sign. Neither the maintenance of a sign within its existing operational, construction-related, and dimensional parameters, nor a change or replacement of the sign's copy, without any other change to the sign, constitutes a sign alteration.

*Sign area* means the area of the sign face of a sign, expressed in terms of square feet.

*Sign clearance* means the elevation of the lowest point of the sign above the established grade of the sign.

*Sign face* means the surface of a sign upon which the copy of the sign is displayed.

*Sign height* means the elevation of the highest point of the sign, including its frame and support structure, above the established grade of the sign.

*Sponsor* means an individual or entity that has pledged its long-term support, whether financial or in-kind, in a written agreement for a term of not less than 24 consecutive months to:

(1) The premises on which the sign is located;

(2) A defined portion of the premises on which the sign is located; or

(3) A principal commodity, service, activity, or entertainment sold or offered at the premises on which the sign is located.

Whether or not such individual or entity conducts, sells, or offers its business, profession, commodity, service, or entertainment on the premises where the sign is located.

*Sponsorship sign* means a type of business sign that is intended to identify a sponsor of the premises, defined portion of the premises, or principal commodity, activity, or entertainment sold or offered at the premises, where the sign is located.

*Temporary sign* means a type of business sign that is intended to be displayed for a limited period of time.

*Tobacco product* means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Acts, being MCL 205.422.

*Wall sign* means a sign that is affixed to and supported by, or painted or projected upon, the exterior wall or parapet of a building or structure, with the orientation of the sign face oriented in a direction that is approximately parallel to the orientation of the façade of the wall or parapet.

*Painted signs and raceway signs* are types of wall signs. Wall signs are distinct from marquee signs.

*Window sign* means a sign that is:

(1) Affixed to, or painted on, the surface of an exterior window of a building or structure, and that does not completely cover or conceal the window; or

(2) Located in the interior of a building or structure within three feet of its perimeter, and is oriented toward, and is visible from, the exterior of the building or structure.

*Wrapped sign* means a sign containing a single sign face that covers portions of

two or more adjacent façades of a building or structure by way of wrapping around the corners or edges along which such façades abut.

**Sec. 4-1-2. Misdemeanor violation; aiding and abetting violation; continuing violation; penalties for conviction thereof.**

(a) It shall be unlawful for any person to violate any provision of this article or to aid and abet another to violate such provision.

(b) Any person who violates this article, or aids and abets another to violate such provision, may be issued a misdemeanor violation for each day that the violation continues.

(c) Any person who is found guilty of violating any provision of this chapter, or aids and abets another to violate such provision, shall be convicted of a misdemeanor for each violation that is issued and, in the discretion of the court, may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor violation that is issued.

**Sec. 4-1-3. Enforcement.**

This article shall be enforced by the Police Department.

**Sec. 4-1-4. Posting of advertising materials on public or private property.**

It shall be unlawful for any person to affix, fasten, post, paint, or otherwise place any advertising sign, advertising material, or other commercial message of any kind upon any public or private property, or cause or authorize the same to be done, without the authorization of the owner thereof, or its agent, provided that this section shall not apply to a public officer or employee in the performance of a public duty or a private person giving a legal notice.

**Sec. 4-1-5. Carrying or placing advertising materials on freeway overpass where visible from freeway prohibited.**

It shall be unlawful for any person to carry or place on any freeway overpass any advertising sign, advertising material, or other commercial message that would be oriented toward and visible to the occupants of vehicles on such freeway.

**Sec. 4-1-6. Publication of false, misleading advertising prohibited.**

(a) It shall be unlawful for any person, with intent to solicit, promote, sell, lease, loan, or otherwise dispose of any event, commodity, service, security, real or personal property, or any other thing of value, to circulate, disseminate, publish, or broadcast, or otherwise place or distribute, or to cause the same, any advertising sign, advertising material, or other com-

mercial message, whether printed or otherwise recorded, concerning such thing of value that contains any assertion, representation, claim, offer, or statement of fact that is knowingly false, deceptive, misleading, or otherwise calculated to cause injury or other disadvantage to its audience or any member thereof.

(b) Subsection (a) of this section does not apply to any owner, publisher, printer, agent, or employee of a newspaper, periodical, circular, radio or television station, or website who, in good faith and without knowledge of the false, deceptive, or misleading character thereof, publishes, causes to be published, or takes part in the publication of such advertising material.

**Sec. 4-1-7. Presumptions concerning identity of violator.**

With respect to the placement or distribution of any advertising sign, advertising material, or other commercial message that violates any provision of this chapter, a rebuttable presumption exists that the placement or distribution of such material is made with the consent of the promoter of the business, profession, commodity, service, or event that is the subject of the promotion by the material, regardless of its form.

**Secs. 4-1-8 — 4-1-30. Reserved.**

**ARTICLE II. DISTRIBUTION OF  
HANDBILLS, CIRCULARS,  
AND ADVERTISING CARDS**

**Sec. 4-2-1. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

(a) It shall be unlawful for any person to violate any provision of this article or to aid and abet another to violate such provision.

(b) Any person who violates this article, or aids and abets another to violate such provision, may be issued a misdemeanor violation for each day that the violation continues.

(c) Any person who is found guilty of violating any provision of this article shall be convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court, may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor violation that is issued.

**Sec. 4-2-2. Enforcement.**

This article shall be enforced by the Police Department.

**Sec. 4-2-3. Interfering with or impeding pedestrian or vehicular traffic, prohibited.**

It shall be unlawful for any person to place or distribute, or to cause the same of, any advertising sign, advertising material or other commercial message solicit-

ing any event, commodity, service, or other thing of value in any public right-of-way, so as to interfere with or impede any pedestrian, bicycle, or vehicular traffic along or within such right-of-way.

**Sec. 4-2-4. Solicitation at posted residential premises prohibited.**

It shall be unlawful for any person to solicit, deliver, circulate, distribute, or disseminate, or to cause the same of, any advertising sign, advertising material, or other commercial message to any residential premises upon which is conspicuously posted at or near the front entrance of the residence a notice that states "No Trespassing," "No Handbills," "Post No Bills," or any similar language.

**Secs. 4-2-5 — 4-2-30. Reserved.**

**ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND PROMOTION OF ALCOHOLIC LIQUOR AND TOBACCO PRODUCTS**

**Sec. 4-3-1. Purpose.**

(a) The primary purpose of this article is to promote the welfare and temperance of minors who are exposed to certain publicly visible advertisements of alcoholic liquor or tobacco products as defined in Section 4-1-1 of this Code, within the City, and to promote compliance with state law and this Code, which prohibit the use and consumption of alcoholic liquor and tobacco products by minors.

(b) The findings to support this article have been delineated in a resolution adopted by the City Council on July 7, 1989, and placed in the Journal of the City Council on Pages 1959 through 1963.

**Sec. 4-3-2. Misdemeanor violation; continuing violation; penalties for conviction thereof.**

(a) It shall be unlawful for any person to violate any provision of this article.

(b) Any person who violates this article may be issued a misdemeanor violation for each day that the violation continues.

(c) Any person who is found guilty of violating any provision of this article shall be convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court, may be fined up to \$500.00 and sentenced up to 90 days in jail, or both, for each misdemeanor violation that is issued.

**Sec. 4-3-3. Enforcement.**

This article shall be enforced by the Buildings, Safety Engineering, and Environmental Department.

**Sec. 4-3-4. Advertisement of alcoholic liquor or any tobacco product prohibited within a 1,000-foot radius of certain locations.**

(a) It shall be unlawful to advertise any

alcoholic liquor on an advertising sign within a 1,000-foot radius of any advertisement-sensitive property.

(b) It shall be unlawful to advertise any tobacco product on an advertising sign within a 1,000-foot radius of any advertisement-sensitive property.

**Sec. 4-3-5. Exceptions to prohibitions.**

The provisions of Section 4-3-4 of this Code shall not apply to:

(1) Any advertising sign that is adjacent to an interstate highway, freeway, or primary highway system within the City, and is regulated by the Michigan Highway Advertising Act of 1972, being MCL 252.301 *et seq.*

(2) Any advertising sign that advertises alcoholic liquor and is located on the premises of a convention facility, sports arena, or stadium.

**Sec. 4-3-6. Method for measurement.**

The spacing between an advertising sign that advertises alcoholic liquor or a tobacco product and an advertisement-sensitive property shall be measured radially as the length of the shortest straight line between the perimeter of the premises containing the advertising sign and the perimeter of the premises containing the advertisement-sensitive property.

**Sec. 4-3-7. Phase-out period.**

In the event a new advertisement-sensitive property is established subsequent to the effective date of the ordinance from which this article is derived, and is located within a 1,000-foot radius of an advertising sign lawfully advertising alcoholic liquor or a product, said advertising shall not be ordered removed until 60 days after the date of such establishment.

**Secs. 4-3-8 — 4-3-30. Reserved.**

**ARTICLE IV. REGULATION OF BUSINESS AND ADVERTISING SIGNS  
DIVISION 1. GENERALLY**

**Sec. 4-4-1. Purpose.**

(a) The sign regulations of this article are set forth in lieu of those regulations contained in Appendix H of the 2015 Michigan Building Code, under authority of Section H101.1.1.

(b) The sign regulations of this article are intended to balance public and private interests. The purpose of this article is to provide for a safe, well-maintained, vibrant, and attractive City, while accommodating the protected rights of individuals and entities to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information through signs, among multiple alternative channels for communication. The regulations contained in this article are narrowly tailored to serve multiple significant gov-



ernmental interests, including those listed in this section. In furtherance of these significant governmental interests, this article regulates various structural and dimensional standards of signs, including their construction, material, area, height, projection, illumination, location, and spacing, as well as their use and operation in specified locations, but does not regulate the message, content, or communicative aspect of signs, or distinguish between commercial and noncommercial speech.

(1) *General protection of public welfare:* To ensure that signs are located, designed, constructed, installed, maintained, and operated so as to protect and preserve the public peace, health, safety, and welfare of the people of the City;

(2) *Public safety:* To protect public health and safety by prohibiting signs that are structurally unsafe or poorly maintained, or that cause unsafe traffic conditions for nearby pedestrians, motorists, and properties. Signs that are poorly maintained or are otherwise structurally unsound pose physical dangers to the surrounding area and its occupants. Signs, through excessive number, size, illumination, or dynamic operation can create unsafe distractions. Signs can be confused with traffic signals, create unwarranted distractions, impede clear roadway sightlines, or otherwise create unsafe conditions for motorists, bicyclists, pedestrians, and others traveling along the public right-of-way. Signs that overly impact or encroach into public spaces through inappropriate sizing, projection, elevation, or illumination, among other aspects of their construction or operation, can impede the safe circulation of pedestrians, including their safe ingress and egress from buildings and other structures;

(3) *Neighborhood aesthetics and environment:* To protect aesthetic values of the City's neighborhoods and natural environments. The City's neighborhoods are characterized by their unique residential, commercial, and industrial uses, their architectural themes, and their historic legacies. Signs that do not comport with such unique characteristics can significantly impair the surrounding neighborhood's aesthetic value. Moreover, many of the City's neighborhoods contain outdoor public recreational spaces and natural environments. Signs that overly encroach upon such spaces through their construction or operation can significantly impede access to public outdoor recreation opportunities and undermine protection of the natural environment;

(4) *Facilitation of protected speech:* To

facilitate the conveyance of constitutionally protected speech through the use of signs as a means of communication;

(5) *Reduction of conflict:* To reduce the potential for conflict among signs, buildings, and other structures that seek to occupy, utilize, or access limited light, air, and open space resources. Signs that are excessive in size, scale, or intensity can interfere with other signs, thereby impairing their communicative value. Such signs can also interfere with neighboring buildings' access to air and natural light, and can interfere with their safe operation and the activities of their occupants; and

(6) *Business identification and promotion of local commerce:* To facilitate the identification of businesses and to promote local commerce at such places of business. Signs that effectively identify the presence of local businesses and that generally promote the products and services provided by such businesses can facilitate commercial activity and stimulate economic development. Additionally, wayfinding and other directional signage can facilitate the efficient flow of vehicular, bicycle, and pedestrian traffic. Conversely, signs that are excessive in size, scale, or intensity, or that conflict with each other or their surroundings, can impede such business identification and hinder local economic activity.

#### **Sec. 4-4-2. Blight violation.**

(a) In accordance with Section 41(4) of the Michigan Home Rule City Act, being MCL 117.41(4), and Sections 1-1-9(a)(3) and 3-2-1 of this Code, a violation of this article is deemed to be a blight violation.

(b) Any person who violates any section of this article may be issued a blight violation notice pursuant to Chapter 3 of this Code, *Administrative Hearings and Enforcement, and Administrative Appeals*, for each day that the violation continues.

(c) In accordance with Chapter 3 of this Code, *Administrative Hearings and Enforcement and Administrative Appeals*, any person who admits responsibility or is found to be responsible, through a blight violation determination, for a violation of this article shall be subject to a civil fine.

(d) Civil fines for any violation of this article shall be as follows:

(1) Business signs:

a. For any first offense: \$400

b. For any second offense: \$800

c. For any offense subsequent to a second offense: \$2,000

(2) Advertising signs:

a. For any first offense: \$600

b. For any second offense: \$1,200

c. For any offense subsequent to a second offense: \$3,000

#### **Sec. 4-4-3. Enforcement.**

This article shall be enforced by the Buildings, Safety Engineering, and Environmental Department.

#### **Sec. 4-4-4. Noncommercial messages.**

In order to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular noncommercial message over any other noncommercial message, any sign that is allowed under this Article may contain, in lieu of any other message, any otherwise lawful noncommercial message that does not contain a commercial message and that does not direct attention to a business, profession, commodity, service, or entertainment.

#### **Sec. 4-4-5. Computing sign area, height, and clearance.**

(a) The area of a sign is computed as follows:

(1) In general, the area of a sign is the entire area of a square, rectangle, or other regular geometric figure that reasonably contains the entire sign face and all of the sign's copy. Blank spaces between individual figures, letters, words, graphics, and other elements of a sign's copy are included in the computation of the sign's area. If a sign is enclosed in a frame or case, the area of the sign includes the area of the frame or case.

(2) The area of a double-face sign is the area of the largest of the sign's two faces.

(3) The area of a multiple-face sign is the sum of the areas of each sign face of the sign.

(4) The area of a painted sign includes the area of any background colors that are different from the color of the façade on which the sign is painted, if any.

(b) The height of a sign is computed as the difference in vertical elevation between the highest point of the sign, including its frame and support structure, and the established grade of the sign.

(c) The clearance of a sign is computed as follows:

(1) In general, the clearance of a sign is computed as the difference in vertical elevation between the lowest point of the sign, including its frame and support structure, if any, and the established grade of the sign.

(2) The clearance of a ground sign is computed as the difference in vertical elevation between the lowest point of the sign face, including its frame, but excluding its pole, monument, or other support structure, and the established grade of the sign.

(3) The clearance of a sign under which vehicular or pedestrian passage is possible, such as arcade signs and pro-

jecting signs, is computed as the difference in vertical elevation between the lowest point of the sign face, including its frame and support structure, if any, under which clear passage is possible, and the established grade underneath the sign.

(4) The clearance of a sign that is affixed to and supported by a building or other structure, such as wall signs and projecting signs, is computed as the difference in vertical elevation between the lowest point of the sign face, including its frame and support structure, if any, but excluding the building or structure to which the sign is affixed and supported, and the established grade of the sign.

#### **Sec. 4-4-6. Computing the measurement of spacing.**

Unless expressly specified otherwise, for the purposes of this article, spacing is computed either radially or linearly.

(1) Radial spacing between two points is computed as the length of the shortest straight line connecting the perimeters of the premises at which each point is respectively located, drawn without regard to any property lines, rights-of-way, or other features, whether natural or constructed, that such line may cross.

(2) Linear spacing between two points is computed as the length of the shortest line connecting the perimeters of each premises at which each point is respectively located, following the centerline of the right-of-way connecting each premises, without regard, unless expressly stated, to the side of the right-of-way on which each such premises may be located.

(3) Notwithstanding Subsection (2) of this section, linear spacing between two advertising signs that are both (i) located within 3,000 feet of any point along the edge of the right-of-way of a freeway, and (ii) oriented towards and visible from the traveled roadway of such freeway is computed as the length of the shortest line connecting the perimeters of the premises at which each sign is respectively located, as such premises are projected perpendicularly on the edge of the right-of-way of the freeway, following the centerline of the right-of-way of the freeway, without regard to the side of the freeway on which each such premises may be located.

#### **Sec. 4-4-7. Prohibited signs.**

(a) The following signs are prohibited City-wide, unless expressly allowed in this chapter:

(1) Signs that substantially cover or conceal any architectural feature of a building;

(2) Wrapped signs operated as advertising signs;

(3) Signs that are illuminated by or

otherwise equipped with a strobe or flashing light, whether internal or external to the sign;

(4) Signs that are affixed to, painted on, or otherwise supported by any rock, tree, or other natural feature;

(5) Signs that are affixed to, painted on, or otherwise supported by a fence or screening wall;

(6) Any dynamic sign that is located on or otherwise affixed to a currently registered motor vehicle; or

(7) Signs that produce sound; that cause interference with radio, telephone, television, or other communication transmissions; that produce or reflect motion pictures, except where authorized as animated signs; or that emit visible smoke, vapors, particles, or odors.

(b) The prohibitions set forth in subsection (a) of this Section are subject to waiver under Section 4-4-22 of this Code.

#### **Sec. 4-4-8. Exemptions from chapter requirements.**

Notwithstanding the permit for installation required pursuant to Section 8-2-5 of this Code, the following are not subject to the requirements of this article:

(1) Any display that is painted on or otherwise affixed to a currently registered motor vehicle that is used for transportation purposes in the normal course of operation of a business or other establishment;

(2) Window displays of actual merchandise for sale;

(3) Displays that are carried on or by a person;

(4) Any notice alerting the public of the presence of an alarm, security, or surveillance system;

(5) Any notice warning against trespassing, soliciting, or other interference with the property owner's enjoyment of such owner's property;

(6) Alerts, announcements, warning, or other notices as may be required by applicable federal, state or local law for protection of the public peace, health, safety, and welfare;

(7) Building numbers that are not more than 12 inches in height and are displayed in accordance with Section 43-2-12 of this Code;

(8) Public service announcements promoting the protection of the public peace, health, safety, and welfare;

(9) Displays of official governmental, court, or public agency orders or notices;

(10) Displays of the flags, emblems, or official insignia of a national, state, or local political unit or any of its departments or agencies;

(11) Art murals;

(12) Heritage signs;

(13) Architectural and other lighting that is operated in accordance with the lighting standards set forth in this Code; and

(14) Any sign erected by a federal, state, or local governmental agency or authority.

#### **Sec. 4-4-9. Maintenance required.**

All signs must be maintained in good repair and clear of debris. Any sign that is not maintained in good repair shall be adequately repaired, replaced, or removed, along with its frame and supporting structure. A sign shall be considered to be not in good repair if the sign is:

(1) Weathered or faded;

(2) Ripped, torn, cut, cracked, tattered, or similarly damaged;

(3) Defaced or otherwise marked with graffiti;

(4) Insecurely or inadequately affixed or anchored to the wall, parapet, roof, marquee, awning, or ground to which it is attached or placed;

(5) Supported by one or more poles, pylons, bracings, rods, supporting frameworks, foundations, anchorages, or other supports, that are broken, damaged, or otherwise unsound or of inadequate capacity;

(6) Cracked or peeled, if painted; or

(7) Inoperative, broken, or otherwise damaged, if illuminated, dynamic, mechanical, or otherwise electrified.

#### **Sec. 4-4-10. Obsolete signs to be removed.**

(a) Any sign that constitutes an obsolete sign for at least 30 consecutive days, or any temporary sign that constitutes an obsolete sign for at least seven consecutive days, may be presumed by the City to have been abandoned, and shall, along with its framework and supporting structure, be removed by the owner of the premises on which the sign is located, or its agent, upon issuance by the Department of a correction notice to remove such sign. The presumption of abandonment may be overcome upon showing that the sign does not in fact constitute an obsolete sign and proof that the owner of the premises does not intend for the sign to constitute an obsolete sign.

(b) An obsolete painted sign may be considered to be removed if it is removed so as to expose the underlying unpainted surface or is completely painted over.

#### **Sec. 4-4-11. Signs on vacant buildings to be removed.**

(a) Any sign, along with its frame and supporting structure, located on a premises that contains a building or structure

that constitutes a vacant building, as defined in Section 8-15-9 of this Code, shall be removed by the owner of the premises on which the sign is located, or its agent, within 30 days upon issuance by the Department of a correction notice to remove such sign. Enforcement of this section shall be in accordance with the authority granted under Section 8-15-45 of this Code.

(b) The Department shall issue a blight violation under any of the following circumstances:

(1) If the owner fails to cure the violation within the applicable cure period after service of a correction notice; or

(2) When the owner disputes a violation identified on a correction notice; and

(3) When, in the Department's exercise of judgment and discretion pursuant to rules adopted by the Department, the violation is of such a nature as to be substantially serious, chronic, or willful.

(c) To the extent that a building, structure, or tenant space within a building or structure that is unoccupied, secured, legally permitted, and actively being marketed for occupancy does not constitute a vacant building and is not subject to Subsection (a) of this section.

**Sec. 4-4-12. Unused sign supports to be removed.**

(a) All poles, pylons, bracing, rods, supporting frameworks, foundations, anchorages, or other supports, including all associated electrical wiring, that does not actually support a legal sign face, shall be removed by the owner of the premises, or its agent, within 30 days of issuance by the Department of a correction notice to remove such supports.

(b) The Department shall issue a blight violation under the following circumstances:

(1) If the owner fails to cure the violation within the applicable cure period after service of a correction notice; or

(2) When the owner disputes a violation identified on a correction notice; and

(3) When, in the Department's exercise of judgment and discretion pursuant to rules adopted by the Department, the violation is of such a nature as to be substantially serious, chronic, or willful.

**Sec. 4-4-13. Right of entry by City to abate nuisance: obstruction of City officers and agents prohibited.**

(a) If the owner has not cured the violations within the cure period stated in a correction notice, then, in addition to powers granted elsewhere in this Code, including but not limited to Sections 8-15-40 and 8-15-42, the City may, through its authorized employees, agents, or contracted parties,

enter upon the premises and abate the nuisance by means determined by the City, unless the owner or operator has disputed the correction notice.

(1) A recipient of a correction notice may dispute such notice by contacting the Department in the manner specified in the correction notice, which shall be established by rule adopted by the Department. If notice of a dispute is allowed by telephone, the department shall establish a method to verify and track receipt of telephoned dispute notices.

(2) If a correction notice is disputed, the City's right of entry under this section shall be suspended until a blight violation proceeding has determined that a blight violation exists or a court has determined that a violation exists.

(3) If the recipient of the correction notice does not dispute it within the cure period, the opportunity to object to the City's entry to cure the violation and abate the nuisance is deemed waived.

(b) Upon a blight violation determination that the owner is responsible for a blight violation, the City, through its authorized employees, agents, or contracted parties, may enter upon the premises and abate the nuisance by means determined by the City.

(c) The authorized officers and agents of the City shall be granted free access to and from the property for the work necessary to accomplish the abatement of any violation of this article found to exist. No person shall obstruct or prevent such work.

**Sec. 4-4-14. Costs of abatement: collection of costs for city abatement of public nuisances.**

The full cost of abatement actions taken or caused to be taken pursuant to this article shall be paid by the owner. The City's costs, including administrative fees, labor, and materials, to secure compliance with a blight violation order or to abate a public nuisance under this article may be included in a blight violation determination. In accordance with Section 8-15-12 of this Code, the City may use all available remedies to secure compliance and payment, except where limited or prohibited by law.

**Sec. 4-4-15. Signs subject to additional governmental jurisdiction: submission of approvals as part of sign application.**

If, in addition to the jurisdiction of the Department, a sign is subject to the jurisdiction of any other federal, state, or local governmental agency or authority, the applicant for erection of the sign shall, as part of the application, provide copies of all other governmental approvals that may

be required. If such other approvals are subject to any conditions of approval, or other standards, then such standards shall be incorporated by reference into the permit. Those standards that are comparable and more restrictive than the standards set forth in this chapter shall supersede and shall be considered controlling under the permit. No standards imposed by other governmental agencies that are less restrictive than the standards set forth in this chapter may relieve any obligation to adhere to the standards set forth herein. Other governmental agencies with jurisdiction over signs include, without limitation:

(1) Signs located within a historic district as identified in Chapter 21, of this Code, *History*, are subject to approval by the Historic District Commission and subject to its existing procedures as set forth therein.

(2) Signs located in any freeway-adjacent area adjacent to a freeway within the jurisdiction of the State of Michigan are subject to approval by the Michigan Department of Transportation.

(3) Signs located within a City-controlled public right-of-way are subject to approval by the City's Department of Public Works.

**Sec. 4-4-16. Signs located near freeways; Department of Public Works approval required.**

(a) Approval by the Department of Public Works Traffic Engineering Division shall be required for the following:

(1) Any sign that is located within 125 feet of the edge of the traveled roadway of any freeway, or interchange ramps between freeways, used by traffic facing the display side of such sign or structure: and

(2) Any that is located sign within 25 feet of the right-of-way line of any freeway and is oriented toward and is visible from vehicles traveling on the freeway or interchange ramp.

(b) For each such sign, the Department of Public Works Traffic Engineering Division shall not approve the sign if it determines that the sign would create a visual distraction or other hazard to vehicular traffic traveling on the freeway or interchange ramp.

**Sec. 4-4-17. Sign erection or alteration to require new permit, sign operation or maintenance to require license.**

(a) It shall be unlawful to post, construct, erect, or otherwise display a sign without having first been issued a permit for such sign.

(b) It shall be unlawful to perform any sign alteration without having first been issued a permit for such sign. Any sign

alteration of an existing permitted sign shall require a new permit.

(c) A permit may be applied for under this section by submission of a form acceptable to the Department in accordance with Section 4-4-17 of this Code.

(d) It shall be unlawful to operate or maintain a sign without having first been issued a license for such operation. The term of any such license shall not exceed two years. The Department may require that a sign shall be subject to inspection as a precondition to issuance of any such license. A license may be applied for under this section by submission of a form acceptable to the Department.

(e) Notwithstanding Subsections (a) through (d) of this section, the following signs, if in compliance with applicable dimensional and operations standards of this article, are not subject to the requirements of this section:

(1) Portable temporary signs that are erected and displayed in accordance with Section 4-4-183(a)(3) of this Code; and

(2) Window signage on any premises that has cumulative window signage totaling less than ten square feet.

**Sec. 4-4-18. Establishment, approval, publication, and payment of fees.**

In accordance with Section 6-503(13) of the Charter, the Department shall establish fees, subject to approval by the City Council by adoption of a resolution, and collect such fees based upon the cost of issuance and administration of considering applications for permits to erect or alter an existing sign or for licenses to operate or maintain a sign. A fee shall be charged for each sign for which an application for permit or license is requested. Such fee shall be non-refundable. After adoption of a resolution by the City Council and approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:

(1) Published in a daily newspaper of general circulation and in the Journal of the City Council;

(2) Made available at the Department and at the Office of the City Clerk; and

(3) Reviewed by the Director of the Department at least once every two years.

**Sec. 4-4-19. Sign erection or alteration permit application requirements.**

(a) An application for the erection or alteration of any sign on a premises for which a permit is required by Section 4-4-17 of this Code shall be made on a form that is provided by the Department. Permit request for each sign shall require a separate application. The Department may accept an application only if it is complete,

unless otherwise specified in this Chapter. The Department shall consider an application to be complete only upon the applicant's payment of the required permit fee and submission of an application which provides all of the following information:

(1) The name and contact information of the applicant;

(2) The name and contact information of the owner of the premises, if different from the applicant;

(3) Written authorization by the owner for the applicant, if different from the owner, to submit the application on the owner's behalf;

(4) The name and contact information of the sign erection contractor that will erect the proposed sign for which the permit is sought;

(5) The number of the sign erection contractor's valid license, as issued by the Buildings, Safety Engineering, and Environmental Department's Business License Center;

(6) The address and parcel number(s) of the premises;

(7) The zoning district and sign district of premises;

(8) Proof of current ownership of the premises, as may be provided in the form of a deed, land contract or other valid and duly recorded instrument;

(9) A site plan to scale showing the existing conditions of the premises, including:

a. North arrow, legend, if applicable, with graphic and written scale;

b. Location map, showing the location of the premises;

c. Locations and names of all public rights-of-way, private roads, and railroads, as well as all existing pedestrian pathways and driveways, whether adjacent or interior to the premises;

d. Locations and outer perimeter dimensions of all existing buildings and other structures on the premises;

e. Locations of all existing signs; and

f. Location of proposed sign;

(10) The elevations of all buildings and other structures, including signs, on the premises, including:

a. Identification of the location and general orientation of the elevation;

b. A general depiction of the façade of each existing building and any other structure;

c. A general depiction of all existing signs, including applicable dimensions of height, clearance, and area;

d. A general design concept for the sign, including applicable dimensions of height clearance, and area; and

e. Total length in linear feet of the elevation(s) of each building or structure fronting a street.

(11) A summary of all existing and proposed signs, including for each such sign:

a. A description of the location of the sign, corresponding to the site plan identified in Subsection (4) of this section, including the setback from the closest right-of-way;

b. The purpose of the sign, such as for advertising or business signage purposes;

c. An indication of whether the sign is a new sign or an alteration of an existing sign;

d. The height, clearance, and area of the sign;

e. The type of construction of the sign;

f. The illumination of the sign, if any, including whether the illumination is internal or external and the type of illumination technology utilized;

g. The dynamic and animated operation of the sign, if any; and

h. All applicable sign specifications and calculations as provided in an engineer's report where applicable.

k. Description or identification of the current land use designation of the premises.

(12) Copies of all permits and other approvals by any other federal, state, or local governmental agency that may be necessary for construction, erection, or operation of the sign, including, but not limited to, approvals by the Michigan Department of Transportation, the Planning and Development Department, the Detroit City Planning Commission, the Detroit Historic District Commission, or the Detroit Department of Public Works.

(13) If the application is for a business sign subject to Division 3 of this Article:

a. Whether the sign constitutes any type of sign identified in Section 4-4-63 of this Code, such as a high-rise identification sign, a painted side-wall sign, a sponsorship sign associated with public art or a directional sign; and

b. Whether the premises is located in the Entertainment District, and if so, identification of the applicable zone thereof;

(14) If the application is for an advertising sign located outside the Central Business District subject to Division 4 of this article.

a. The name and contact information of the advertising partner of the applicant, if any; and

b. An affidavit, signed by a registered surveyor licensed in the State of Michigan, declaring whether or not any of the

features listed in Section 4-4-103 of this Code are located within any of the associated distances set forth therein, and if so, the exact distance of each such feature from the premises.

(15) If the application is for an advertising sign located in the Central Business District subject to Division 5 of this Article:

a. The name and contact information of the advertising partner of the applicant, if any;

b. Identification of the category of advertising sign, as described in Section 4-4-128 of this Code, for which the permit is being sought; and

c. Identification of the orientation of the façade of the building or structure to which the advertising sign is proposed to be erected.

(16) If the application is for a sign located in the right-of-way subject to Division 6 of this Article:

a. The name of right-of-way in which the sign is to be located;

b. The address of the premises adjacent to the point where the sign is to be located;

c. If the sign is to operate as a business sign, the name and address of the business;

d. If the sign is to operate as an advertising sign, a description and rendering of the freestanding structure of which the sign is to be a component; and

e. If the sign is to operate as an advertising sign, an affidavit signed by a registered surveyor licensed in the State of Michigan, declaring whether or not an advertising sign is located within 250 feet in the same right-of-way as the sign and oriented in the same direction as the sign, and if so, the exact distance of such sign from the sign.

(17) If the application is for a temporary sign subject to Division 7 of this Article:

a. The number, date of issuance, and date of expiration of every temporary sign permit that has been issued in association with the premises, whether or not also associated with the applicant;

b. The date of the conclusion of the occasion to which the temporary sign is intended to direct attention;

c. If the temporary sign is to be associated with a premises that is listed as being for sale or lease, a copy of such listing; and

d. If the temporary sign is to be associated with a premises associated with an open building or construction permit, the number, issuance date, and expiration date of such permit.

(b) Submission of the name, address,

and contact information for any person as may be required under Subsection (a) of this section, shall be provided in accordance with the following:

(1) Where the person is an individual:

a. The person's full legal name, and any other name used by the person during the preceding five years;

b. The person's current mailing address, telephone number, and e-mail address; and

c. Written proof of age in the form of a driver's license, a picture identification document that is issued by a governmental agency and contains the person's date of birth, or a copy of a birth certificate accompanied by a picture identification document that is issued by a governmental agency.

(2) Where the entity is a partnership:

a. The legal name, and any other name, used by the partners during the preceding five year; and

b. The current mailing address, telephone number, and e-mail address for the entity.

(3) Where the entity conducts business under a trade or assumed name:

a. The complete and full trade or assumed name;

b. The county where, and date that, the trade or assumed name was filed;

c. The name of the person or persons doing business under such trade or assumed name, the manager, and other person or persons who are in charge; and

d. The current mailing address, telephone number, and e-mail address for the entity.

(4) Where the entity is a corporation:

a. The full and accurate corporate name;

b. The state and date of incorporation;

c. The full names and addresses of officers, directors, managers, and other persons with authority to bind the corporation; and

d. The current mailing address, telephone number, and e-mail address for the entity.

(5) The name, business address, and telephone number of the business.

(6) The name and business address of the statutory agent or other agent, who is authorized to receive service of process.

(c) Any information provided by the applicant in accordance with this section shall be supplemented in a form acceptable to the Department within ten business days of a change of circumstances that would render false or incomplete the information that was previously submitted. The requirement to provide supplemental

information shall be ongoing during the pendency of the application and the term of the permit, if issued.

**Sec. 4-4-20. Relation to other regulations.**

(a) In the event that the regulations set forth in this chapter are in conflict with, or otherwise differ from, comparable regulations set forth in any other chapter of this Code, the provisions of this chapter shall control, with the exception of regulations set forth in Chapter 50 of this Code. *Zoning* pertaining to the dimensional standards and other substantive requirements for signs located in a Planned Development (PD) District, Special Development District, Casinos (SD5) or in a Traditional Main Street Overlay (TMSO) area, in which case the more restrictive provision shall control.

(b) Nothing in this chapter shall exempt any sign from Special District Review, or any other procedural review requirements and associated design standards, set forth in Chapter 50 of this Code, *Zoning*, as may be applicable to signs located in a Planned Development (PD), Public Center (PC) District, Public Center Adjacent (PCA) District, Parks and Recreation (PR) District, Special Development District, Technology and Research (SD3), Special Development District, Riverfront Mixed Use (SD4), or Special Development District, Casinos (SD5).

**Sec. 4-4-21. Amortization.**

(a) Any sign for which a permit, grant, or other approval has been issued prior to the effective date of this ordinance, that is in compliance with all terms and conditions of such approval, but that does not conform to the provisions and standards of Chapter 4, Article 4, Divisions 2 through 7, shall not be subject to the dimensional standards and other substantive requirements of this Article until January 1, 2030. Upon such date, each such sign shall be subject to all applicable requirements set forth in this chapter, notwithstanding any permit grant, or other approval that has been issued under the authority of Chapter 50 of this Code, *Zoning*, or any provision allowing the persistence of any nonconforming use set forth in this Code.

(b) Any sign for which a permit, grant, or other approval has been issued under the authority of this chapter, that is in compliance with all terms and conditions of such approval, and that is rendered in violation of this chapter solely as a result of an amendment hereof, shall not be subject to the dimensional standards and other substantive requirements of this Article for a period of 10 years, commencing upon the effective date of such

amendment. Upon the completion of such period, each such sign shall be subject to all applicable requirements set forth in this chapter, notwithstanding any permit, grant, or other approval that authorizes anything to the contrary.

**Sec. 4-4-22. Waivers and adjustments to sign standards.**

(a) Any dimensional or operational standard or requirement set forth in this article may be subject to waiver or adjustment in accordance with the provisions of this section, except as expressly limited or prohibited. The Director of the Planning and Development Department or the Director's Designee, is authorized to serve as the administrator for waivers and adjustments.

(b) In accordance with Section 2-111 of the Charter, the Director of the Planning and Development Department or the Director's Designee, is authorized to promulgate rules for the administration of waivers and adjustments under this section.

(c) The owner of any premises may, upon petition to the Director of the Planning and Development Department or the Director's Designee, request the waiver or adjustment of any dimensional or operational standard or requirement set forth in this article, except as expressly limited or prohibited, with which the proposed signage for such premises may not strictly comply. Such petition shall consist of a completed application in a form acceptable to the Director of the Planning and Development Department, or the Director's Designee, an application for the erection or alteration of the proposed signage in accordance with Section 4-4-19 of this Code, and an application fee. Every petition shall be subject to a public hearing in accordance with the procedures and standards of this section.

(d) The Director of the Planning and Development Department, or the Director's Designee, shall charge a fee for the processing of any petition for waiver and adjustment under this Section. In accordance with Section 9-507 of the Charter, the Director of the Planning and Development Department, or the Director's Designee, shall establish a fee, subject to approval by the City Council by adoption of a resolution, and collect such fee based upon the cost of issuance and administration of considering petitions for waivers and adjustments. A non-refundable fee shall be charged for each premises for which a petition for waiver or adjustment of certain standards is requested, regardless of the number of specific standards or requirements for which a waiver or adjust-



ment may be requested. After adoption of a resolution by the City Council and approval of the resolution by the Mayor, the fees that are provided for in this subsection shall be:

(1) Published in a daily newspaper of general circulation and in the Journal of the City Council;

(2) Made available at the Planning and Development Department and at the Office of the City Clerk; and

(3) Reviewed by the Director of the Planning and Development Department at least once every two years.

(e) Not more than five business days following the date of the submission of a petition, the Director of the Planning and Development Department, or the Director's Designee, shall evaluate the petition, determine if it is complete or deficient, and inform the petitioner as to its status. If the petition is incomplete or otherwise deficient in any way, the Director of the Planning and Development Department or the Director's Designee, shall inform the petitioner of such deficiency and allow the petitioner to correct the deficiency within a specified period of time not to exceed 30 days. The Director of the Planning and Development Department, or the Director's Designee, shall dismiss any deficient petition that is not timely corrected. If the petition is complete and not deficient in any way, the Director of the Planning and Development Department, or the Director's Designee, shall assign a unique case number to the petition, and inform the petitioner of such case number and the date of the public hearing regarding the petition. The Director of the Planning and Development Department, or the Director's Designee, shall schedule each petition for the next available public hearing date, unless a later date is requested in writing by the petitioner, and shall schedule petitions for public hearing in the order in which they are deemed to be complete.

(f) Not less than 15 calendar days prior to the date of the public hearing for a petition, the Director of the Planning and Development Department, or the Director's Designee, shall issue public advisement of such hearing containing the following:

(1) Name of the petitioner;

(2) Address of the subject premises;

(3) Summary of the proposed signage at the subject premises for which a waiver or adjustment is sought, including a general description of the construction, area, height and illumination of each such proposed sign;

(4) Citation to the specific provisions of this article for which a waiver or adjust-

ment is petitioned and the strict standards and requirements set forth in such provisions as applicable to the proposed signage;

(5) Summary of the extent to which each proposed sign does not comply with the strict standards and requirements set forth in this article;

(6) The criteria by which a waiver or adjustment may be approved, as set forth in Subsection (i) of this section;

(7) The date, time, and location of the public hearing for the petition; and

(8) Advisement of the opportunity to attend the public hearing and to submit written comment regarding the petition, the name and contact information to which such comments can be submitted, and the date by which such comments must be received, including the location, mailing address, and email address to which such comments can be submitted.

(g) The Director of the Planning and Development Department or the Director's Designee, shall distribute any advisement required pursuant to Subsection (f) of this section by each of the following means:

(1) Publication in a newspaper of general circulation within the City;

(2) Publication on a page of the City's website associated with the Planning and Development Department for a period to conclude no sooner than the date of the public hearing;

(3) Mail or by personal service with proof of delivery to the owners and occupants of all buildings or structures of which any portion is located within 300 feet, measured radially, of the premises that is the subject of the petition. If a single building or structure within that area contains four or more dwelling units or tenant spaces, then notice may be sent to the owner of the building or structure with a request that such notice be distributed to all occupants;

(4) Mail, email, or personal service to the Buildings, Safety Engineering, and Environmental Department, the Department of Public Works, the City Planning Commission, and any other City department or agency that has made such request; and

(5) Causing the applicant to erect a posting at the premises that is the subject of the petition, at a location along the frontage of such premises, in a manner that is clearly visible from the adjacent street and in a form that is acceptable to the Director of the Planning and Development Department, or the Director's Designee, for a period to conclude no sooner than the date of the public hearing.

(h) The Director of the Planning and Development Department, or the Director's Designee, shall accept any written comment document, report, and other written information that pertains to the petition and is timely submitted to the Director of the Planning and Development Department, or the Director's Designee, prior to the conclusion of the public hearing from the City Planning Commission, any other City department or agency, or any other source, and shall make all timely submitted writings a part of the record regarding the petition.

(i) The Director of the Planning and Development Department, or the Director's Designee, shall conduct each public hearing regarding a petition for a waiver or adjustment at a public meeting in accordance with the Michigan Open Meetings Act 1976 PA 267, being MCL 15.261, *et seq.*, as amended, as well as with its general rules and procedures.

(j) The Director of the Planning and Development Department, or the Director's Designee, may approve a petition for a waiver or adjustment only upon finding that such waiver or adjustment satisfies all of the following:

(1) That, without the requested waiver or adjustment, the sign would be subject to one or more practical difficulties that would substantially hinder the communicative potential of the sign;

(2) That the requested waiver or adjustment is necessary to address all practical difficulties referenced in Subsection (j)(1) of this section, as no form of alternative signage in accordance with this chapter could effectively eliminate all such practical difficulties;

(3) That the requested waiver or adjustment would be sufficient to effectively eliminate all practical difficulties referenced in Subsection (j)(1) of this section;

(4) That the requested waiver or adjustment will not have a detrimental effect on the privacy, light, or air of the premises or neighboring premises;

(5) That the requested waiver or adjustment will not substantially affect the use or development of the subject premises or neighboring premises;

(6) That the requested waiver or adjustment will not substantially impair, detract from, or otherwise affect the aesthetic value of the subject premises or neighboring premises;

(7) That the requested adjustment will not in any way increase the potential for distraction to, obstruct the flow of, or otherwise harm pedestrians or motor vehicles passing within view of the sign; and

(8) The proposed signage for the subject premises, submitted as part of the application for the waiver or adjustment, is in general accord with the spirit and intent of the regulations set forth in this chapter.

The Director of the Planning and Development Department, or the Director's Designee, may approve a petition with conditions if it determines that satisfaction of such conditions are necessary to enable it to make all of the above-listed findings. All such conditions must be reasonably related to the scope of the petition and in proportion to the magnitude of the requested waiver or adjustment.

(k) Not more than 15 business days following the public hearing for a petition, the Director of the Planning and Development Department, or the Director's Designee, shall issue its written decision regarding such petition. Such written decision constitutes the final administrative decision of the Director of the Planning and Development Department, or the Director's Designee, on behalf of the Planning and Development Department regarding the petition. Each such written decision shall contain the following:

(1) All required contents of the public notice for the petition, as set forth in Subsection (f) of this section, except for the contents required under paragraph (f)(8).

(2) Summary of the record of the public hearing, including summaries of the testimony, written materials, and other information provided by the petitioner, summaries of the public comments, whether submitted in writing or in person, and other information pertinent to the administrative decision regarding the petition.

(3) The decision of the Director of the Planning and Development Department, or the Director's Designee, to approve, approve with conditions, or deny the petition.

(4) For any petition that is approved with conditions, all such conditions.

(5) Explanation of the basis for approval, approval with conditions, or denial, including discussion of the petition's satisfaction or failure to satisfy each of the specific findings listed in Subsection (j) of this section.

(6) For any petition that is approved, approved with conditions, or denied, notice of the opportunity to appeal the decision of the Director of the Planning and Development Department, or the Director's Designee, as authorized by Section 4-4-23 of this Code, and the deadline by which such appeal must be made, as well as a certificate of the right to appeal in a form acceptable to the Department of Appeals and Hearings.

(l) Upon issuance of its decision regarding a petition, the Director of the Planning and Development Department, or the Director's Designee, shall distribute such decision to each of the following:

(1) By mail, email, or personal service with proof of delivery to the petitioner, and any other attendee at the public hearing that has so requested.

(2) By publication on a page of the website of the City associated with the Planning and Development Department.

(3) By any other means that the Director of the Planning and Development Department, or the Director's Designee, may determine to be feasible and effective.

(m) The Director of the Planning and Development Department or the Director's Designee, shall cause a record of each petition to be kept in accordance with its general rules and procedures that shall include:

(1) The petition;

(2) Any public advisements issued regarding the public hearing for the petition;

(3) Any written comment, document, report, and other written information that is timely submitted prior to the public hearing regarding the petition;

(4) A transcript or other written or audio recording of the public hearing;

(5) The written decision of the Director of the Planning and Development Department, or the Director's Designee, regarding the appeal; and

(6) Any documents, materials, and other information regarding the petition that may have informed the decision of the Director of the Planning and Development Department, or the Director's Designee, regarding the petition.

(n) The specific terms and conditions of any waiver or adjustment granted under this section shall be incorporated into the terms and conditions of the permit for the sign. Such waiver or adjustment shall be valid only as applied to the permitted sign, and shall be subject to suspension, revocation, or denial of renewal under the same circumstances as the permit itself.

(o) Not later than January 31st of each year, the Director of the Planning and Development Department, or the Director's Designee, shall prepare and present to the City Council a report of the petitions submitted during the prior year. Each such report must identify the number of petitions submitted, the number of petitions that were approved, approved with conditions, and denied, and the locations of the premises for which petitions were submitted, summarize the provisions of this article for which waivers or adjust-

ments were requested, and make recommendations for amendment of this Article, as well as provide any other information that may reasonably be requested by the City Council.

(p) Nothing in this section shall grant any individual a right to receive advisement of a petition for waiver or adjustment to submit a comment regarding such petition, or to have any such comment admitted in the record for such petition. The failure or refusal of the Planning and Development Department to issue any advisement in any particular form, collect any comment, admit any comment in the record of an appeal, or take other action in strict accordance with Subsections (f) through (h) of this section shall not constitute deprivation of any right or duty owed.

#### **Sec. 4-4-23. Appeals of administrative decisions under this chapter.**

(a) In accordance with Chapter 3, of this Code, *Administrative Hearings and Enforcement*, and *Administrative Appeals*, Division IV, *Administrative Appeals*, as well as the rules of procedure promulgated thereunder, any appeal of an administrative decision made pursuant to Section 4-4-22 of this Code shall be made to the Department of Appeals and Hearings.

(b) Only the individual or entity that is subject to an administrative decision made pursuant to Section 4-4-22 of this Code, or any Individual or entity with a property interest within 300 radial feet of the property subject to the administrative decision made pursuant to Section 4-4-22 of this Code has the right to appeal such administrative decision. Such individual or entity may, by a writing in a form satisfactory to the Department of Appeals and Hearings, appoint an agent to serve as its authorized representative at its appeal.

#### **Sec. 4-4-24. Sign guidebook.**

Not later than the effective date of this ordinance, the Department shall prepare a sign guidebook containing pictures, graphics, workflows, sample applications and forms, and other information that may be convenient for the understanding, implementation, and enforcement of this ordinance. The Department may revise the guidebook as necessary. The Department may consult with the Planning and Development Department, the City Planning Commission, the Law Department, and any other City department for the purpose of creating the sign guidebook or any revision thereto. The Department shall make the current version of the Sign Guidebook available for public inspection, both through the City's website and at its principal offices without charge.

**Secs. 4-4-25 — 4-4-30. Reserved.**

**DIVISION 2.**

**GENERAL SIGN STANDARDS**

**Section 4-4-31. In General.**

(a) This division sets forth standards for individual signs, including permissible location, number, area, height, projection, clearance, illumination, and dynamic operation, based on the type of construction, material, placement, and technological capability of the sign.

(b) Any sign may be subject to additional regulations set forth elsewhere in this article based on its intended use as a business sign, advertising sign, or temporary sign, its location on a premises or in a right-of-way, or other applicable parameters.

(c) Adjustment or waiver made pursuant to Section 4-4-22 of this Code regarding the permissibility of any type of construction, material, placement, and technological capability of a sign, as set forth in Subsection (a) of any section of this Division, is prohibited.

**Sec. 4-4-32. Arcade signs.**

(a) *Permissibility.* Arcade signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, and high-density commercial/industrial sign districts.

(b) *Number.* Not more than one arcade sign is permissible at each point of ingress into or egress from a building or structure.

(c) *Area.* In high-density residential/mixed use sign districts, the area of any arcade sign must not exceed four square feet. In low-density commercial/institutional sign districts and high-density commercial/industrial sign districts, the area of any arcade sign must not exceed six square feet.

(d) *Clearance.* The clearance of any arcade sign must be not less than eight feet, six inches and such clearance must be unobstructed so as to allow the safe and efficient flow of pedestrian and vehicular traffic below the sign.

(e) *Illumination.* Any arcade sign may be illuminated, either internally or externally.

(f) *Dynamic operation.* No arcade sign may be dynamic.

**Sec. 4-4-33. Awning signs.**

(a) *Permissibility.* Awning signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, high-density commercial/industrial sign districts, and recreation/open space sign districts.

(b) *Number.* Not more than one awning sign is permissible for any awning.

(c) *Area.* In high-density residential/mixed use sign districts and recreation/open space sign districts, the area of an

awning sign must not exceed 40% of the area of the awning to which it is affixed. In low-density commercial/institutional sign districts and high-density commercial/industrial sign districts, the area of any awning sign must not exceed 60% of the area of the awning to which it is affixed.

(d) *Height.* The height of any awning sign must not exceed the height of the awning to which it is affixed.

(e) *Clearance.* The clearance of any awning sign must be not less than the clearance of the awning to which it is affixed.

(f) *Illumination.* Any awning sign may be illuminated, either internally or externally.

(g) *Dynamic operation.* No awning sign may be dynamic.

**Sec. 4-4-34. Double-face signs.**

(a) *Permissibility.* Double-face signs are permissible wherever a sign is permitted under this chapter.

(b) *Dimensional and operational parameters.* For all dimensional and operational parameters, including but not limited to number, area, height, clearance, illumination, and dynamic operation, each face of any double-face sign is subject to the standards set forth in this article that would apply as if the sign has only one face.

(c) *Number.* A double-face sign, including both sign faces, counts as one sign.

(d) *Area.* The area of a double-face sign is determined based on the area of the larger of the two faces of the sign.

(e) *Height.* The height of a double-face sign is determined based on the height of the higher of the two faces of the sign.

(f) *Clearance.* The clearance of a double-face sign is determined based on the clearance of the lower of the two faces of the sign.

(g) *Illumination.* A double-face sign is considered illuminated if either face of the sign is illuminated. A double-face sign is considered internally illuminated if either face of the sign is internally illuminated.

(h) *Dynamic operation.* A double-face sign is considered dynamic if either face of the sign is dynamic. A double-face sign is considered animated if either face of the sign is animated.

**Sec. 4-4-35. Dynamic signs.**

(a) *Permissibility.*

(1) Dynamic signs are permissible only in low-density commercial/institutional sign districts and high-density commercial/industrial sign districts. Dynamic signs may be animated only in the Central Business District.

(2) Dynamic business signs are subject to the additional regulations found in Section 4-4-66 of this Code.

(b) *Number.* Not more than one dynamic sign is permissible per premises, with the following exceptions:

(1) On any premises containing a multi-tenant building or structure that does not contain any residential dwelling units, not more than one dynamic sign is permissible for each ground floor tenant space.

(2) On any multi-building campus, the total number of dynamic signs must be not more than the total number of buildings on the campus.

(c) *Illumination.* Any dynamic sign may be illuminated, subject to the limits for illuminated signs set forth in Section 4-4-36 of this Code. Dynamic signs shall be constructed and otherwise equipped so as to effectively mitigate unreasonable night-glow, illumination spillover, and other forms of excessive illumination.

(d) *Computer Interface.* If a dynamic sign is operated by means of digital computer controls and associated software, the records of such controls, including records of the sign's illumination intensity, change cycle, display of animation, and hours of operation, must be available for inspection upon request by the Department. If such records are not made available within two business days following such request, the sign shall cease operation until such records are provided.

(e) *Hours of Operation.* Any dynamic sign that is located outside of the Central Business District must discontinue all dynamic operations between the hours of 2:00 a.m. and 6:00 a.m. During these hours, such signs may operate as static, internally illuminated signs.

(f) *No Undue Distraction.* Dynamic signs must not interfere with, obstruct, or otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

(g) *Dissemination of Public Emergency Communications.*

(1) In recognition that:

(i) The City has significant governmental interests in protecting its aesthetic values and in mitigating instances of visual blight, as well as in rapidly and widely disseminating information to the general public for purposes of prevention, mitigation, and response to public emergency circumstances that could be deleterious to the general health, safety, and welfare; and

(ii) The City manages a community messaging system to coordinate the widespread and rapid dissemination of emergency communications through a variety of means, including phone, text and email; and

(iii) Those dynamic signs that are operated for advertising purposes are particularly large and highly visible to significant numbers of motorists and pedestrians, and are equipped with technology that enables them to display new messages on an immediate basis and cycle through multiple messages in rapid succession; and

(iv) Due to their visibility and technology, dynamic advertising signs can, by their very nature, present distractions and other unsafe conditions for nearby pedestrians, motorists, and properties, but can also serve as an optimal platform for the dissemination of information regarding public emergency circumstances, which can serve to protect the health, safety, and welfare of those same pedestrians, motorists, and properties;

Any dynamic sign that is operated for advertising purposes by means of digital technology described in Subsection (d) of this section shall display emergency communications as part of the City's community messaging system in accordance with this Subsection.

(2) The owner of any sign that is subject to this subsection shall undertake all actions necessary to coordinate with the Detroit Homeland Security and Emergency Management Department to accept emergency communications and to display such communications on such sign.

(3) Each sign that is subject to this subsection shall display the copy of every emergency communication as disseminated by the Detroit Homeland Security and Emergency Management Department without modification or alteration. No sign shall have any obligation under this subsection to display any copy other than an emergency communication that is disseminated by the Detroit Homeland Security and Emergency Management Department as part of its community messaging system.

(4) Each sign that is subject to this subsection shall display emergency communications at regular intervals as part of its ordinary cycle. No sign shall have any obligation to display an emergency communication at any time period other than during or in anticipation of the associated emergency circumstance, and during such time period shall have no obligation to display such emergency communication for more than one-sixteenth of the total time of such sign's operation.

#### **Sec. 4-4-36. Illuminated signs.**

(a) *Permissibility.* Illuminated signs are permissible in all sign districts. Illuminated signs in low-density residential sign districts may be externally illuminated only.

(b) *Luminance.* The luminance of any illuminated sign is subject to the following limits:

(1) For any illuminated sign located in a low-density residential sign district or a recreation/open space sign district, luminance must not exceed 2,500 nits during the hours between 6:00 a.m. and the subsequent 10:00 p.m., and must not exceed 20 nits during the hours between 10:00 p.m. and the subsequent 6:00 a.m.

(2) For any illuminated sign located in a high-density residential/mixed use sign district, luminance must not exceed 3,500 nits during the hours between 6:00 a.m. and the subsequent 10:00 p.m. and must not exceed 40 nits during the hours between 10:00 p.m. and the subsequent 6:00 a.m.

(3) For any illuminated sign located in a low-density commercial/institutional sign district or a high-density commercial/industrial sign district, luminance must not exceed 3,500 nits during the hours between 6:00 a.m. and the subsequent 10:00 p.m., and must not exceed 80 nits if outside the Central Business District or 160 nits if inside the Central Business District during the hours between 10:00 p.m. and the subsequent 6:00 a.m.

(c) *Orientation.*

(1) Any internally illuminated sign that is within 150 feet of and visible from one or more residential dwelling units in a low-density residential sign district, a high-density residential/mixed use sign district, or a recreation/open space sign district must be oriented to direct light away from all such units.

(2) Any externally illuminated sign may be illuminated only by one or more steady, stationary, fully shielded light sources that are oriented solely toward the sign face.

(d) *No Excessive Illumination.* Illuminated signs shall be constructed and otherwise equipped so as to effectively mitigate unreasonable nightglow, illumination spillover, and other forms of excessive illumination.

(e) *No Undue Distraction.* Illuminated signs must not interfere with, obstruct, or otherwise distract from any traffic sign, signal, or device, and must not otherwise operate to cause undue distraction so as to impair the safe and efficient flow of pedestrian or vehicular traffic.

#### **Sec. 4-4-37. Marquee signs.**

(a) *Permissibility.* Marquee signs are permissible only in low-density commercial/institutional sign districts and high-density commercial/industrial sign districts.

(b) *Number.* Not more than one marquee sign is permissible on any single façade of a marquee.

(c) *Area.* The area of any marquee sign must not exceed the area of the façade of the marquee to which the sign is affixed.

(d) *Height.* The height of any marquee sign must not exceed the sum of the height of the marquee to which it is affixed plus one-half of the vertical dimension of the marquee façade.

(e) *Clearance.* The clearance of any awning sign must be not less than the clearance of the marquee to which it is affixed.

(f) *Projection.* No marquee sign may project out from any façade of a marquee.

(g) *Illumination.* Any marquee sign may be illuminated, either externally or internally.

(h) *Dynamic operation.* In any low-density commercial/institutional sign district or high-density commercial/industrial sign district outside the Central Business District, any marquee sign may be dynamic, but not animated. In the Central Business District, any marquee sign may be animated.

#### **Sec. 4-4-38. Mechanical signs.**

(a) *Permissibility.* Mechanical signs are permissible only in low-density commercial/institutional sign districts and high-density commercial/industrial sign districts, and therein such districts only as temporary signs subject to Division 7 of this Article.

(b) *Number.* Not more than one mechanical sign is permissible on any premises at any given time.

(c) *Area.* The area of any mechanical sign must not exceed 12 square feet.

(d) *Height.* The height of any mechanical sign must not exceed 10 feet.

(e) *Clearance.* Mechanical signs are not subject to any clearance requirement.

(f) *Illumination.* No mechanical sign may be illuminated, either internally or externally.

(g) *Dynamic operation.* No mechanical sign may be dynamic.

#### **Sec. 4-4-39. Monument signs.**

(a) *Permissibility.* Monument signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, high-density commercial/industrial sign districts, and recreation/open space sign districts.

(b) *Number.* Not more than one monument sign is permissible on any premises, with the exception that in any low-density commercial/institutional sign district or high-density commercial/industrial sign district, where the premises frontage exceeds 200 linear feet, not more than one monument sign is permitted for each 20 feet of premises frontage, provided that

no two monument signs on the same premises may be located within 200 feet of each other.

(c) *Area.* In any high-density residential/mixed use sign district or recreation/open space sign district, the area of each face of a monument sign must not exceed 12 square feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the area of each face of a monument must not exceed 20 square feet, except that for any multi-tenant shopping center located in a portion of a low-density commercial/institutional sign district designated in the Master Plan of Policies as retail centers (CRC), the area of each face of one monument sign must not exceed 150 square feet.

(d) *Height.* In any high-density residential/mixed use sign district or recreation/open space sign district, the height of any monument sign must not exceed six feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the height of any monument sign must not exceed ten feet, except that for any multi-tenant shopping center located in a portion of a low-density commercial institutional sign district designated by the Master Plan of Policies as retail centers (CRC), the height of a monument sign must not exceed 15 feet.

(e) *Clearance.* In any high-density residential/mixed use sign district or recreation/open space sign district, the clearance of any monument sign must be not more than two feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the clearance of any monument sign must not be more than four feet.

(f) *Illumination.* Any monument sign may be illuminated, either internally or externally.

(g) *Dynamic operation.* In any high-density residential/mixed use sign district or recreation/open space sign district, no monument sign may be dynamic. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district outside the Central Business District, any monument sign may be dynamic, but not animated. In the Central Business District, any monument sign may be animated.

#### **Sec. 4-4-40. Pole signs.**

(a) *Permissibility.* Pole signs are permissible only in low-density commercial/institutional sign districts and high-density commercial/industrial sign districts outside of the Central Business District, except that pole signs are not permissible on any premises located within a "traditional main

street overlay," as designated in Chapter 50 of this Code. *Zoning.*

(b) *Number.* Not more than one pole sign is permissible on any premises, with the exception that one pole sign is permitted for each 400 linear feet of premises frontage, provided that no two pole signs on the same premises may be located within 400 feet of each other.

(c) *Area.*

(1) In any low-density commercial/institutional sign district, the area of any pole sign that is utilized as a business sign in accordance with Division 3 of this article must not exceed 12 square feet.

(2) In any high-density commercial/industrial sign district, the area of any pole sign that is utilized as a business sign in accordance with Division 3 of this article must not exceed 20 square feet.

(3) Any pole sign that is utilized as an advertising sign in accordance with Division 4 or Division 5 of this article is subject to applicable area limitations set forth therein.

(d) *Height.*

(1) The height of any pole sign that is utilized as a business sign in accordance with Division 3 of this article and that is located along any frontage of a premises that abuts a right-of-way that is 80 feet or less in width must not exceed 15 feet.

(2) The height of any pole sign that is utilized as a business sign in accordance with Division 3 of this article, and that is located along any frontage of a premises that abuts a right-of-way that is more than 80 feet in width, must not exceed 25 feet.

(3) Notwithstanding paragraphs (1) and (2) of this subsection, in no case may the height of a pole sign that is utilized as a business sign in accordance with Division 3 of this article exceed the height of the tallest building or structure located on the premises on which the sign is located.

(4) Any pole sign that is utilized as an advertising sign in accordance with Division 4 or Division 5 of this article is subject to applicable height limitations set forth therein.

(d) *Setback.* Any pole sign that is utilized as a business sign in accordance with Division 3 of this article must be set back from the front of the premises on which it is located a distance equal to half of the height of the sign, measured from the outermost projection of any component of the sign.

(e) *Illumination.* A pole sign may be illuminated, either internally or externally.

(f) *Dynamic operation.* A pole sign may be dynamic, but not animated.

#### **Sec. 4-4-41. Portable signs.**

(a) *Permissibility.* Portable signs are

permissible in all sign districts, except that portable signs in low-density residential sign districts are permissible only as temporary signs. The permissibility of portable signs located in a public right-of-way is further subject to approval by the Department of Public Works, or other public agency with jurisdiction over such right-of-way.

(b) *Location.* Any portable sign must be located so as to avoid obstruction of or interference with the safe and efficient flow of pedestrian or vehicular traffic, or with the accessibility into or out of any building or structure. Additionally:

(1) No portable sign may be located less than ten feet, measured linearly along the same side of the right-of-way, from a driveway, cross walk, or other curb cut.

(2) No portable sign may be located less than 20 feet, measured linearly along the same side of the right-of-way, from another portable sign.

(3) No portable sign may be located less than six feet, measured radially, from any point of ingress or egress from a building or structure.

(4) No portable sign may be located on a sidewalk or other pedestrian pathway that is less than seven feet wide, or so as to restrict the width of any such pathway to less than seven feet wide at any point.

(5) Any portable sign in the right-of-way must be located on a paved sidewalk, and must not be located on a berm or other grassy or landscaped portion of such right-of-way.

(c) *Number.* Not more than one portable sign is permissible for any premises, with the following exceptions:

(1) On any premises containing a multi-tenant building, not more than one portable sign is permissible for each ground floor tenant space.

(2) On any multi-building campus, not more than one portable sign is permissible for each building within the campus.

(d) *Area.* In any low-density residential sign district, high-density residential/mixed use sign district, or recreation/open space sign district, the area of any portable sign must not exceed six square feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the area of a portable sign must not exceed ten square feet.

(e) *Height.* In any low-density residential sign district, high-density residential/mixed use sign district, or recreation/open space sign district, the height of a portable sign must not exceed three feet. In any low-density commercial/institutional sign district or high-density commercial/industrial

sign district, the height of a portable sign must not exceed four feet.

(f) *Material.* Portable signs must be constructed of durable material and construction, and must be reasonably able to withstand deterioration, damage, or destruction due to inclement weather; the forces of wind, rain, and snow; pedestrian and vehicular traffic; and other impacts.

(g) *Illumination.* In any low-density residential sign district, high-density residential/mixed use sign district, or recreation/open space sign district, no portable sign may be illuminated. In any low-density commercial/institutional sign district, or high-density commercial/industrial sign district, any portable sign may be illuminated, either internally or externally, but only if such illumination is powered by an internal battery power source that is self-contained within the sign structure.

(h) *Dynamic operation.* No portable sign may be dynamic.

#### **Sec. 4-4-42. Projecting signs.**

(a) *Permissibility.* Projecting signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, high-density commercial/industrial sign districts, and recreation/open space sign districts.

(b) *Location.* Projecting signs must be located so as to be not less than 15 feet, measured linearly along the same side of the street, from any other projecting sign.

(c) *Number.* Not more than one projecting sign is permissible on any premises, with the following exceptions:

(1) On any premises containing a multi-tenant building or structure, not more than one projecting sign is permissible for each ground floor tenant space.

(2) On any multi-building campus, not more than one projecting sign is permissible for each building.

(d) *Area.* In any high-density residential/mixed use sign district or recreation/open space sign district, the area of a projecting sign must not exceed six square feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the area of a projecting sign must not exceed 12 square feet.

(e) *Projection.* In any high-density residential/mixed use sign district or recreation/open space sign district, the projection of a projecting sign must not exceed three feet. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the projection of a projecting sign must not exceed four feet.

(f) *Height.* The height of any projecting sign must not exceed the height of the roof



line of the building or structure to which the sign is affixed.

(g) *Clearance.* The clearance of any projecting sign must be not less than eight feet and six inches, and such clearance must be unobstructed so as to allow the safe and efficient flow of pedestrian and vehicular traffic below the sign.

(h) *Illumination.* Any projecting sign may be illuminated, either internally or externally.

(i) *Dynamic.* In any high-density residential/mixed use sign district or recreation/open space sign district, no projecting sign may be dynamic. In any low-density commercial/institutional sign district or high-density commercial/industrial sign district outside the Central Business District, any projecting sign may be dynamic, but not animated. In the Central Business District, any projecting sign may be animated.

#### **Sec. 4-4-43. Raceway signs.**

(a) *Permissibility.* Raceway signs are permissible only in high-density residential/mixed use sign districts, low-density commercial/institutional sign districts, high-density commercial/industrial sign districts, and recreation/open space sign districts.

(b) *Number.* Not more than one raceway sign is permissible for any façade of the building or structure to which the sign is affixed, except for any multi-tenant building or structure, not more than one raceway sign is permissible for each ground floor tenant space.

(c) *Area.* The area of any raceway sign must not exceed one square foot per linear foot of building frontage along the façade of the building or structure to which the sign is affixed.

(d) *Height.* The height of a raceway sign must not exceed the height of the roof line or parapet of the building or structure to which it is affixed.

(e) *Clearance.* The clearance of a raceway sign must not be less than eight feet and six inches.

(f) *Color.* The raceway of any raceway sign must be painted or otherwise colored to match the color of the façade of the building or structure to which it is mounted.

(g) *Illumination.* A raceway sign may be illuminated, either internally or externally.

(h) *Dynamic operation.* No raceway sign may be dynamic.

#### **Sec. 4-4-44. Roof signs.**

(a) *Permissibility.* Roof signs are permissible only on buildings or structures of at least ten stories located in low-density commercial/institutional sign districts and high-density commercial/industrial sign districts where no high-rise identification signs are present on any premises.

(b) *Number.* Not more than one roof sign is permissible on any premises.

(c) *Area.* If the clearance of the roof sign is greater than 100 feet and less than 200 feet, the area of the sign must not exceed two square feet per linear foot of building width. If the clearance of the roof sign is less than 300 feet but not less than 200 feet, the area of the sign must not exceed three square feet per linear foot of building width. If the clearance of the roof sign is not less than 300 feet, the area of the sign must not exceed four square feet per linear foot of building width. For purposes of calculating the area of any roof sign in accordance with this subsection, building width must be measured at the roofline of the building.

(d) *Height.* The height of any roof sign must not exceed the lesser of (1) the maximum permissible height of a building or structure for the premises on which the sign is located, or (2) 15 feet above the height of the roofline or parapet of the building or structure to which the sign is affixed.

(e) *Clearance.* The clearance of any roof sign must be not less than the height of the roofline or parapet of the building or structure to which the sign is affixed.

(f) *Illumination.* Any roof sign may be illuminated, either internally or externally.

(g) *Dynamic operation.* No roof sign may be dynamic.

#### **Sec. 4-4-45. Wall signs.**

(a) *Permissibility.* Wall signs are permissible in all districts.

(b) *Number.* In any low-density residential sign district, not more than one wall sign is permissible on any premises. In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, high-density commercial/industrial sign district, or recreation/open space sign district, not more than one wall sign is permissible for any façade of a building or structure with the exception that on any premises containing a multi-tenant building or structure, not more than one wall sign is permissible for each ground floor tenant space.

(c) *Area.*

(1) In any low-density residential sign district or recreation/open space sign district, the area of any wall sign must not exceed 10% of the area of the façade to which it is affixed.

(2) In any high-density residential/mixed use sign district, the area of any wall sign must not exceed 40% of the area of the façade to which it is affixed.

(3) In any low-density commercial/institutional sign district or high-density commercial/industrial sign district, the

area of any wall sign must not exceed 60% of the area of the façade to which it is affixed.

(d) *Height.* The height of any wall sign must not exceed 40 feet, or the height of the roof line or parapet of the building or structure to which the sign is affixed, whichever is less.

(e) *Illumination.* In any low-density residential sign district or recreation/open space sign district, any wall sign may be illuminated externally only. In any high-density residential/mixed use sign district, low-density commercial/institutional sign district or high-density commercial/ industrial sign district, any wall sign may be illuminated, either internally or externally.

(f) *Dynamic operation.* Any wall sign located outside the Central Business District may be dynamic, but not animated. Any wall sign located inside the Central Business District for which internally illumination is permissible may be dynamic and up to 25% of the area of any such wall sign may be animated.

**Sec. 4-4-46. Window signs.**

(a) *Permissibility.* Window signs are permissible in all sign districts.

(b) *Number.*

(1) In any low-density residential sign district or recreation/open space sign district, not more than one window sign is permissible on any premises.

(2) In any high-density residential/ mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, not more than one window sign is permissible for any window of a building or structure, with the exception that, for any building or structure of which first floor façade is constructed with glass panels, the permissible number of window signs must not exceed one sign per six feet in linear width of such glass paneling.

(c) *Area.*

(1) In any low-density residential sign district or recreation/open space sign district, the area of any window sign must not exceed 25% of the area of the window in which the sign is affixed.

(2) In any high-density residential/ mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, the area of any window sign must not exceed 25% of the area of the window, or 50% of the area of the window if the window sign is constructed of vinyl mesh or other semi-transparent material; and the cumulative area of all window signs located on the building or structure must not exceed 80 square feet.

(d) *Height.* In any low-density residential sign district or recreation/open space sign district, the height of any window sign must not exceed the second story of the building or structure to which it is affixed. In any high-density residential/mixed use sign district, low-density commercial/ institutional sign district, or high-density commercial/industrial sign district, the height of any window sign must not exceed the fourth story of the building or structure to which it is affixed.

(e) *Illumination.* In any low-density residential sign district or recreation/open space sign district, no window sign may be illuminated. In any high-density residential/ mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, any window sign may be illuminated, either internally or externally.

(f) *Dynamic operation.* In any high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, a window sign may be dynamic only if located in the second, third, or fourth story. In no case may a window sign be animated.

**Secs. 4-4-47 — 4-4-60. Reserved.**

**DIVISION 3. REGULATION OF BUSINESS SIGNS**

**SUBDIVISION A. GENERALLY**

**Sec. 4-4-61. Applicability.**

The regulations set forth in this division shall apply to all business signs, regardless of location, within the City.

**Sec. 4-4-62. Limitation on maximum aggregate business sign area.**

(a) In general, the maximum permissible aggregate area for all business signs, including sponsorship signs, identification signs, and directional signs located on a single premises is:

(1) For any premises in a low-density residential sign district that contains a single-family, two-family, or multi-family residential building or structure with not more than four dwelling units, six square feet.

(2) For any premises in a low-density residential sign district that is not identified in Subsection (a)(1) of this section, and in any high-density residential/ mixed use sign district, low-density commercial/institutional sign district, or recreation/open space sign district, the greater of:

a. 2.6 square feet per linear foot of building frontage not to exceed 500 square feet; or

b. One square foot per linear foot of premises frontage, not to exceed 500 square feet.

(3) In any high-density commercial/industrial sign district, three square feet per linear foot of building frontage, provided that the maximum permissible aggregate area in any such district located outside the Central Business District, shall not exceed 500 square feet.

(4) Notwithstanding other applicable limitations set forth in this section, on any casino premises, four square feet per linear foot of building frontage is permissible.

(b) For any corner premises that fronts onto a freeway, major thoroughfare, or secondary thoroughfare, the maximum permissible aggregate area as determined in Subsection (a) of this section shall be calculated, and shall apply, separately for each frontage of the premises. For any corner premises that does not front onto a freeway, major thoroughfare, or secondary thoroughfare, the maximum permissible aggregate area for the entire premises as determined in Subsection (a) of this section shall be calculated based only on the longest frontage of the premises.

(c) Adjustment under Section 4-4-22 of this Code of the standards and requirements set forth in this section is limited to 25% of such standards.

**Sec. 4-4-63. Additional aggregate business sign area allowances.**

(a) Notwithstanding the aggregate business sign area limits set forth in Section 4-4-62 of this Code, additional aggregate area for business signs is permissible in the following circumstances and subject to the following limits:

(1) *High-rise identification signs.* On any building or structure located within the Central Business District that does not contain a roof sign and for which the height of the roofline or parapet exceeds 100 feet, not more than two high-rise identification signs are permissible, subject to the following:

a. The minimum clearance of each sign must be 100 feet;

b. The maximum area of any sign is determined by its clearance and the linear width of the building façade to which the sign is affixed, measured at the height of the sign, as follows:

(i) For any sign with a clearance of at least 100 feet but less than 200 feet, the area of the sign must not exceed two square feet per linear foot of building width;

(ii) For any sign with a clearance of at least 200 feet but less than 300 feet, the area of the sign must not exceed three square feet per linear foot of building width; or

(iii) For any sign with a clearance of at

least 300 feet, the area of the sign must not exceed four square feet per linear foot of building width;

c. Not more than one high-rise identification sign may be located on any façade of a building or structure;

d. Not more than two high-rise signs may be located on any premises; and

e. Any high-rise identification sign may be illuminated, either internally or externally, but may not be dynamic.

(2) *Painted side-wall signs.* On any building or structure that is not more than two stories and that is adjacent to a surface parking lot or other property that does not contain a permanent building or structure, such that the side façade of the building is exposed, not more than one sign is permissible on such side wall, subject to the following:

a. The sign must be a painted sign;

b. The sign may be either non-illuminated or illuminated externally;

c. The height of the sign must not exceed the height of the first story of the building or structure; and

d. The area of the sign must not exceed 500 square feet, excluding the area of any windows, doors, or other openings in the façade.

(3) *Sponsorship signs associated with public art.* On any premises that contains a work of public art that is located on the exterior of the property, such as an art mural or sculpture, the cost of which is sponsored, not more than one sponsorship sign recognizing such sponsorship is permissible, subject to the following:

a. The sign must be located proximate to the work of public art;

b. The sign must be constructed as a wall sign or monument sign;

c. The height of the sign must not exceed the lesser of: half the height of the work of public art or 15 feet;

d. The sign may not be illuminated; and

e. The area of the sign may not exceed 5% of the area of the associated work of public art, but in no case more than 300 square feet. The area of the work of public art consisting of a mural or other two-dimensional form should be computed as if it is a sign, in accordance with Section 4-4-5 of this Code. The area of the work of public art consisting of a sculpture or other three-dimensional form should be computed as the product of its height and one-quarter of its perimeter at its base.

(4) *Directional signs.* On any premises not containing a single-family or two-family dwelling, additional directional signage is permissible, subject to the following:

a. On any premises in a low-density

residential sign district, not more than two additional square feet, which may not be illuminated, is permissible.

b. On any premises in a high-density residential/mixed use sign district or recreation/open space sign district, not more than four square feet of directional signage, which may be illuminated, but may not be dynamic in operation, is permissible.

c. On any premises in a low-density commercial/institutional sign district or high-density commercial/industrial sign district, not more than ten square feet of directional signage, which may be illuminated and may be dynamic, but not animated, in operation, is permissible.

d. On any premises containing a parking structure, no more than two directional signs may be located at each point of ingress or egress, not more than 12 square feet each, which may be either internally or externally illuminated, and may be dynamic but not animated

e. Nothing in this subsection shall limit any premises from utilizing any portion of its permissible aggregate business sign area, as determined in accordance with Section 4-4-62 of this Code, for purposes of directional signage.

(b) Adjustment or waiver under Section 4-4-22 of this Code of the standards and requirements set forth in this section is prohibited.

**Sec. 4-4-64. Business signs on multi-tenant buildings and multi-building campuses.**

(a) On any premises containing a multi-tenant building or structure, the maximum aggregate business sign area for the premises as set forth in Section 4-4-62 of this Code, and any additional aggregate business sign allowances as set forth in Section 4-4-63 of this Code, may be allocated among the various tenants as may be determined by the building owner, or its agent, and each tenant, provided that such allocation is reasonably proportional to the relative degree of each tenant's physical occupation and economic activity at the premises.

(b) On any multi-building campus, the maximum aggregate business sign area for the premises as set forth in Section 4-4-62 of this Code, and any additional aggregate business sign allowances as set forth in Section 4-4-63 of this Code, may be allocated among the various buildings and open spaces within the campus as may be determined by the owner of the campus or its agent.

**Sec. 4-4-65. Restrictions on location of business signs on specified premises.**

(a) In general, a business sign may be

affixed, or otherwise placed at any location on a building, structure, or other portion of the premises, unless expressly restricted by this chapter.

(b) Notwithstanding Subsection (a) of this section, the location of any business sign is restricted to certain locations based on the type of premises, as follows:

(1) On any multiple-story building or structure located in a low-density residential sign district, the height of any business sign must not exceed the height of the first story of the building or structure. On any other multiple-story building or structure, the height of any business sign, other than a high-rise sign allowed under Section 4-4-63 of this Code or a roof sign, must not exceed 40 feet.

(2) On any premises that operates as a commercial parking lot as defined in Section 32-1-1 of this Code, not less than one business sign must be located at each point of ingress into the lot for purposes of compliance with Section 32-1-20 of this Code. On any such premises located in the Central Business District, any ground sign must be constructed as a monument sign.

(3) Any ground sign located on a corner premises must be set back at least 15 feet from the corner formed by the intersection of any two rights-of-way adjacent to the premises.

**Sec. 4-4-66. Dynamic business signs.**

(a) On any premises located outside of the Central Business District for which dynamic signs are permissible, not more than 25% of the maximum permissible aggregate area, as calculated in accordance with Section 4-4-62 of this Code, for the premises, may be dynamic.

(b) The maximum permissible aggregate area that may be dynamic is subject to adjustment under Section 4-4-22 of this Code, not to exceed 40%.

(c) Permitting for any dynamic business sign is subject to review by the Department of Public Works Traffic Engineering Division and its finding that the placement of the proposed sign on the premises will not impair the safe and efficient flow of pedestrian or vehicular traffic, in accordance with Section 4-4-35(f) of this Code.

**Secs. 4-4-67 — 4-4-80. Reserved.**

**SUBDIVISION B.**

**ENTERTAINMENT DISTRICT**

**Sec. 4-4-81. Purpose.**

The purpose of the Entertainment District is to leverage the display of vivid and dynamic signage to foster a vibrant and exciting entertainment-based area within the City. Signage regulation in the Entertainment District is intended to be

less restrictive than in surrounding areas in order to allow for signs that are larger, higher, more brightly illuminated, and more dynamic than what is permissible elsewhere. To achieve this purpose without negatively impacting the surrounding area, the Entertainment District is structured in multiple zones, such that the most intense signage is contained in the District's core areas, which are most effectively screened from properties outside of the District. For zones in which signage is anticipated to be more visible from outside the District, signage regulations are relatively more restrictive.

**Sec. 4-4-82. Entertainment District; boundaries and zones.**

(a) The Entertainment District consists of the area within the boundary beginning at the intersection of the Southbound Fisher Freeway Service Drive and Woodward Avenue and continuing to Sproat Street, then to Clifford Avenue, then to the Southbound Fisher Freeway Service Drive, then to Woodward Avenue, then to the Northbound Fisher Freeway Service Drive, then along the westerly line of the parcel known as 28 W. Montcalm Street, then along the westerly line of the parcel known as 2211 Woodward Avenue, then along the westerly line of the parcel known as 2125 Woodward Avenue, then along the westerly line of the parcel known as 54 W. Elizabeth Street then along the westerly line of the parcel known as 25 W. Elizabeth Street, then along the east-west alley parallel to and south of W. Elizabeth Street to the easterly line of Witherell Street, then to Broadway Street, then to Randolph Street, then to E. Lafayette Street, then to Southbound Chrysler Service Drive, then to Gratiot Avenue, then to Brush Street, then to Beacon Street, then to St. Antoine Street, then along the northern line of the parcel known as 1900 St. Antoine Street, then along the easterly line of the parcel known as 2000 St. Antoine Street, then to Montcalm Street to the easterly line of the parcel known as 430 East Fisher Freeway, then to the Northbound Fisher Freeway Service Drive, then to Woodward Avenue, excluding the church located at 50 E. Fisher, and then to the point of beginning.

(b) The Entertainment District comprises four unique zones, each described as follows:

(1) *Zone 1: Entertainment Core.* The entertainment core consists of the premises, or frontages thereof, that abut Witherell Street between Adams Avenue and Montcalm Street, Montcalm Street between Witherell Street and Brush

Street, Brush Street between Montcalm Street and Beacon Street, and Adams Avenue between Montcalm Street and Brush Street.

(2) *Zone 2: Theater District.* The theater district consists of the premises, or frontages thereof, that abut Montcalm Street, Columbia Street, and Elizabeth Street, each between the western boundary of the Entertainment District and Witherell Street, Woodward Avenue, between the east-west alley parallel to and south of West Elizabeth Street and the Southbound Fisher Freeway Service Drive; Broadway Street between Witherell Street and John R Street; Madison Street between Witherell Street and Brush Street; Brush Street between Mechanic Street and Beacon Street; and Henry Street between Park Avenue and Clifford Avenue.

(3) *Zone 3: Woodward North Corridor.* The Woodward north corridor consists of Woodward Avenue between the North Fisher Freeway Service Drive and Sproat Street.

(4) *Zone 4: Entertainment Buffer.* The entertainment buffer consists of the premises, or frontages thereof, within the Entertainment District that are not included in the entertainment core, the theater district, or the Woodward north corridor.

(c) Adjustment or waiver under Section 4-4-22 of this Code of the boundaries set forth in this section is prohibited.

**Sec. 4-4-83. Entertainment core; purpose and sign regulations.**

(a) The entertainment core is intended to provide a maximally vibrant and energetic and well contained space through high-intensity signage. Oversized, intense, and dynamic signs, including animated signs, are encouraged. All dynamic signage must be screened from the surrounding area by intervening buildings or structures to minimize light spillover.

(b) Notwithstanding regulations set forth in this chapter that may be more restrictive, signs located in the entertainment core are subject to the following:

(1) The maximum permissible aggregate area for all signs on any premises is 15 square feet per linear foot of building frontage.

(2) Dynamic signs are permissible without limitation as to their number or individual size. The minimum clearance of any dynamic sign must be not less than ten feet, and the maximum height of any dynamic sign must be not more than 40 feet. Dynamic signs are permissible at any location where the sign is oriented toward,

and reasonably screened by, a building or other opaque structure, the height of which is not less than the height of the sign. Dynamic signs may operate as such without time restrictions. The illuminance of any dynamic sign must not exceed 3,500 nits.

(3) A sign may cover or conceal architectural features, provided that, if a sign covers a window, it must be constructed of vinyl mesh or other semi-transparent material.

**Sec. 4-4-84. Theater district; purpose and sign regulations.**

(a) The theater district is intended to accommodate and encourage large mar-quees, projecting signs, and other vibrant signage typical of signature live theater venues. Context-appropriate dynamic and illuminated signs are also encouraged.

(b) Notwithstanding regulations set forth in this chapter that may be more restrictive, signs located in the theater district are subject to the following:

(1) The maximum permissible aggregate area for all signs on any premises is six square feet per linear foot of building frontage.

(2) Dynamic signs, but not animated signs, are permissible without limitation as to their number or individual size. The minimum clearance of any such sign must be not less than ten feet, and the maximum height of any such sign must be not more than 40 feet. Dynamic signs, but not animated signs, are permissible at any location where the sign is oriented toward, and reasonably screened by, a building or other opaque structure, the height of which is not less than the height of the sign. Any such sign may operate as such only during the hours between 6 a.m. and the subsequent 2 a.m. During all other hours, the sign may only operate as a static sign.

(3) A sign may cover or conceal architectural features, provided that, if a sign covers a window, it must be constructed of vinyl mesh or other semi-transparent material.

(4) Roof signs are permissible in any number.

**Sec. 4-4-85. Woodward north corridor: purpose and sign regulations.**

(a) The Woodward north corridor is intended to allow large projecting and dynamic signs, with sensitivity to the residential premises located adjacent to the Entertainment District. Pedestrian-friendly signage and context-appropriate illumination are encouraged. Dynamic signs, but not animated signs, are permissible on a limited basis.

(b) Notwithstanding regulations set forth in this chapter that may be more

restrictive, signs located in the Woodward north corridor are subject to the following:

(1) The maximum permissible aggregate area for all signs on any premises is three square feet per linear foot of building frontage.

(2) Dynamic signs, but not animated signs, are permissible without limitation as to their number or individual size. The minimum clearance of such sign must be not less than ten feet, and the maximum height of such sign must be not more than 25 feet. Any dynamic sign may operate as such only during the hours between 6 a.m. and the subsequent 2 a.m. During all other hours, the sign may only operate as a static sign.

(3) A temporary sign may cover or conceal architectural features, provided that, if a sign covers a window, it must be constructed of vinyl mesh or other semi-transparent material.

**Sec. 4-4-86. Entertainment buffer: purpose and sign regulations.**

(a) The entertainment buffer is intended to be a vibrant, pedestrian-oriented retail, restaurant, and bar district that is sensitive to surrounding residential areas. Pedestrian-friendly signage and context-appropriate illumination are encouraged. Dynamic signs, but not animated signs, are permissible on a limited basis. The entertainment buffer is also designed to screen the intense signage of the Entertainment Zone from, and minimize light spillover into, adjacent areas.

(b) Notwithstanding regulations set forth in this chapter that may be more restrictive, signs located in the entertainment buffer are subject to the following:

(1) The maximum permissible aggregate area for all signs on any premises is 4.5 square feet per linear foot of building frontage.

(2) Dynamic signs, but not animated signs, are permissible without limitation as to their number or size. The minimum clearance of any such sign must be not less than ten feet, and the maximum height of any such sign must be not more than 40 feet. Any dynamic sign may operate as such only during the hours between 6 a.m. and the subsequent 2 a.m. During all other hours, the sign may operate only as a static sign.

**Secs. 4-4-87 — 4-4-100. Reserved.**

**DIVISION 4. REGULATION OF  
ADVERTISING SIGNS  
LOCATED OUTSIDE THE  
CENTRAL BUSINESS DISTRICT**

**Sec. 4-4-101. In general.**

The regulations set forth in this division

pertain to all advertising signs located within the boundaries of a premises outside of the Central Business District.

**Sec. 4-4-102. Permit for new or altered advertising signs.**

No permit may be issued by the Department for the construction and erection of a new advertising sign, or for the alteration of an existing advertising sign, except upon approval of a waiver of such prohibition in accordance with Section 4-4-22 of this Code, as well as satisfaction of each of the following:

(1) Finding by the Department of Public Works Traffic Engineering Division that the placement of the advertising sign on the premises will not impair the traffic safety of motorists and pedestrians, and if the sign is proposed to be operated as a dynamic sign, such finding must specifically address the impact of the proposed operation of the sign;

(2) Finding by the Planning and Development Department that the placement of the advertising sign on the premises will not be detrimental to environmental aesthetics by obstructing views of significant architectural or natural features;

(3) Finding by the Chief Financial Officer, based on an investigation to be completed in accordance with Section 2-113 of the Charter, that neither the applicant nor the owner of the premises to which the sign is sought to be placed, if different from the applicant, is in arrears to the City for any unpaid, outstanding, or delinquent property tax, income tax, personal tax or special assessments;

(4) Finding by the Department that neither the applicant nor the owner of the premises to which the sign is sought to be placed, if different from the applicant, is the subject of any outstanding violations of this Code, including, but not limited to, violations of:

(i) Any provision of Chapter 8, *Building Construction and Property Maintenance*, including verification of a valid final certificate of occupancy and current certificate of compliance, and is not the subject of any outstanding fines or violations.

(ii) Any provision of Chapter 50, *Zoning*, of this Code, including verification that the specific land use for its intended location has been established by the City in the respective zoning district, and, where the premises is governed by a zoning grant, has obtained a valid annual certification of maintenance of zoning grant conditions;

(5) Finding by the Department that the sign, as proposed, will be in compliance with all spacing, setback, height, clear-

ance, size, and other dimensional and operational standards set forth in this division; and

(6) Submission of copies of all permits and other approvals by any other federal, state, or local governmental agency that may be necessary for construction, erection, or operation of the sign, including, but not limited to, approval by the Michigan Department of Transportation or the Detroit Historic District Commission.

**Sec. 4-4-103. Spacing requirements.**

No advertising sign located outside of the Central Business District may be permitted if:

(1) The proposed advertising sign is neither dynamic nor internally illuminated, and the premises on which the sign is located is 1,000 feet or less, measured linearly, from any premises that contains another advertising sign that is also neither dynamic nor internally illuminated and is oriented in the same direction as the sign;

(2) The proposed advertising sign is neither dynamic nor internally illuminated, and the premises on which the sign is located is 1,750 feet or less, measured linearly, from any premises that contains another advertising sign that is either dynamic or internally illuminated and is oriented in the same direction as the sign;

(3) The proposed advertising sign is dynamic or internally illuminated, and the premises on which the sign is located is 1,750 feet or less, measured linearly, from any premises that contains another advertising sign that is oriented in the same direction as the sign;

(4) The premises on which the proposed advertising sign is located is 500 feet or less, measured linearly, from a premises that contains a hospital, as defined in Section 4-1-1 of this Code, or a school or educational institution, museum, park, playground, or other outdoor recreation facility, as such terms are defined in Article XVI of Chapter 50;

(5) The premises on which the proposed advertising sign is located is 500 feet or less, measured radially, from a historic district identified in Chapter 21, *History*, of this Code;

(6) The actual location of the proposed advertising sign is 125 feet or less, measured radially from the nearest point of the sign, from the edge of the traveled roadway of any freeway, or interchange ramp between freeways, used by traffic traveling in the direction opposite the orientation of the sign;

(7) The actual location of the proposed advertising sign is 25 feet or less, meas-

ured radially from the nearest point of the sign, from the boundary line of any freeway, or interchange ramp between freeways, used by traffic traveling in the direction opposite the orientation of the sign;

(8) The premises on which the proposed advertising sign is located is 125 feet or less, measured radially, from any premises that contains one or more residential dwelling units, whether or not such dwelling units are occupied; or

(9) The premises on which the proposed advertising sign is located is within any low-density residential sign district or recreation/open space sign district.

(10) The premises on which the proposed advertising sign is located is within 200 feet, measured radially, from any point of the shoreline of the Detroit River.

**Sec. 4-4-104. Setbacks.**

Advertising signs must be set back at least five feet, measured from the outermost projection of any component of the sign, from any boundary of the premises on which the sign is located.

**Sec. 4-4-105. Height and clearance.**

(a) The height of any advertising sign shall not exceed 35 feet, with the exception of any freeway advertising sign, the height of which shall not exceed 45 feet.

(b) The clearance of any advertising sign shall be at least 15 feet.

(c) The height and clearance requirements set forth in Subsections (a) and (b) of this section are subject to any general standards based on the type of construction of the sign, as set forth in Division 2 of this article, that are more restrictive.

**Sec. 4-4-106. Area.**

(a) The area of any advertising sign is subject to the following:

(1) If the sign is a freeway advertising sign and is oriented toward a freeway, the area of the sign must not exceed 672 square feet.

(2) If the sign is located on a premises that abuts one or more rights-of-way other than a freeway, each of which is not less than 80 feet in width, the area of the sign must not exceed 378 square feet.

(3) If the sign is located on a premises that abuts a right-of-way other than a freeway, any one of which is less than 80 feet in width, the area of the sign must not exceed 250 square feet.

(b) The area requirements set forth in Subsection (a) of this section are subject to any general standards based on the type of construction of the sign, as set forth in Division 2 of this article, that are more restrictive.

**Sec. 4-4-107. Landscaping.**

On any premises on which an adver-

tising sign is the only structure, the perimeter of the premises abutting a right-of-way, with the exception of points of ingress and egress to and from the premises, must be landscaped with shrubs, bushes, and other vegetation to provide a continuous screening of such premises, to a depth of five feet in from such perimeter, and to a height of not less than 30 inches. Such landscaping must be maintained in good health and quality, and any vegetation that cannot be so maintained must be replaced.

**Sec. 4-4-108. Department of Public Works adjustment.**

All spacing, setback, height, clearance, area, and other dimensional and operational standards set forth in this division are subject to additional restrictions, beyond the standards set forth in this chapter, by the Department of Public Works Traffic Engineering Division if it finds that more restrictive standards are necessary to mitigate any potential impairment to the traffic safety of motorists and pedestrians.

**Sec. 4-4-109. Adjustment or Waiver prohibited: limited.**

(a) Adjustment or waiver under Section 4-4-22 of this Code of the standards and requirements set forth in Section 4-4-102 of this Code is prohibited.

(b) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional standards set forth in Sections 4-4-103 through 4-4-107 of this Code is limited to 10% of each such standard.

**Secs. 4-4-110 — 4-4-120. Reserved.**

**DIVISION 5. REGULATION OF ADVERTISING SIGNS LOCATED IN THE CENTRAL BUSINESS DISTRICT**  
**Sec. 4-4-121. Purpose.**

The Central Business District is characterized by a degree of density, height, scale, and diversity in the built environment, a concentration of historic and otherwise architecturally significant buildings and structures, and an intensity of vehicular and pedestrian traffic and activity that is unique within the City. The Central Business District also features continuous and extensive evolution in its built environment, through the development and redevelopment of new and existing buildings, structures, open spaces, and rights-of-way, such that the potential suitability of particular spaces for advertising signage over time is necessarily limited. As a result, in furtherance of the significant governmental interests set forth in Section 4-4-1 of this Code, the regulation of advertising signs in the Central Business District merits heightened standards and stricter requirements, as well as



the ability to revise the implementation of such standards and requirements on a periodic basis, than might be necessary in other areas of the City. The purpose of this division is to set forth such standards and requirements for advertising in the Central Business District.

**Sec. 4-4-122. Advertising permit required.**

(a) It shall be unlawful for any person to construct, erect, attach, affix, post, place, display, maintain, or alter any advertising sign located on a premises within the Central Business District without having first obtained an advertising permit from the Department, and maintaining such permit in good standing.

(b) During the amortization period set forth in Section 4-4-21 of this Code. Subsection (a) of this section shall not apply to any advertising sign located on a premises within the Central Business District that has, prior to the effective date of this ordinance, been issued a permit for such sign under Chapter 50, *Zoning*, of this Code, has not been abandoned or otherwise lost its nonconforming status, and is in full compliance with such permit.

**Sec. 4-4-123. Term and reapplication: renewal permitted in certain circumstances.**

(a) An advertising permit issued under this division is valid for a term not to exceed ten years, commencing on the date of issuance of the first advertising permit issued under Subsection 4-4-122(a) of this Code. Upon the conclusion of its term, an advertising permit shall automatically expire and become invalid, and the permittee or its agent shall immediately remove the advertising sign that is permissible under such permit, unless the permittee secures a new permit for the same sign for an immediately subsequent term or renewal of the permit as provided for in Subsection (b) of this Section.

(b) If, as of a date not less than 30 days following the application date established in Section 4-4-125(c) of this Code, the sum of (i) the number of all new applications for an advertising permit and (ii) the number of all existing valid advertising permits, is cumulatively less than the maximum number of permissible advertising permits as set forth in Sect. 4-4-125(d) of this Code, then an existing advertising permit issued under this division may be renewed. Renewal of an existing valid advertising permit shall be made by application in the form and in accordance with the procedures for an application of a new advertising permit set forth in this Code. Otherwise, no existing advertising permit may be renewed. Such determination shall

be made separately for advertising permits for local and super advertising signs. However, even if an existing advertising permit is not renewable, nothing in this section shall prevent the advertising permittee for such permitted advertising sign to apply for a new advertising permit for the same type of advertising sign at the same location under the procedures set forth in this Code.

**Sec. 4-4-124. Findings as prerequisite for issuance of advertising permits.**

(a) No permit may be issued by the Department for the construction and erection of a new advertising sign, or for the alteration of an existing advertising sign without satisfaction of each of the following findings:

(1) Finding by the Department of Public Works Traffic Engineering Division that the placement of the advertising sign on the premises will not impair the traffic safety of motorists and pedestrians;

(2) Finding by the Chief Financial Officer, based on an investigation to be completed in accordance with Section 2-113 of the Charter, that neither the applicant nor the owner of the premises to which the sign is sought to be placed, if different from the applicant, is in arrears to the City for any unpaid, outstanding, or delinquent property tax, income tax, personal tax, or special assessments;

(3) Finding by the Department that neither the applicant nor the owner of the premises to which the sign is sought to be placed, if different from the applicant, is the subject of any outstanding violations of this Code, including, but not limited to, violations of:

(i) Any provision of Chapter 8, *Building Construction and Property Maintenance*, including verification of a valid final certificate of occupancy and current certificate of compliance, and is not the subject of any outstanding fines or violations;

(ii) Any provision of Chapter 50, *Zoning*, of this Code, including verification that the specific land use for its intended location has been established by the City in the respective zoning district and, where the premises is governed by a zoning grant, has obtained a valid annual certification of maintenance of zoning grant conditions;

(4) Finding by the Department that the sign, as proposed, will be in compliance with all spacing, setback, height, clearance, size, and other dimensional and operational standards set forth in this division;

(5) Finding by the Fire Marshall that the premises, including all buildings and struc-

tures thereon, are not in violation of any applicable provision of Article I of Chapter 18. *Detroit Fire Prevention and Protection Code*, and that the placement of the advertising sign on the premises will not cause any such violation; and

(6) Submission of copies of all permits and other approvals by any other federal, state, or local governmental agency that may be necessary for construction, erection, or operation of the sign, including, but not limited to, approval by the Michigan Department of Transportation or the Detroit Historic District Commission.

(b) If any department identified in Subsection (a) of this Section determines that an inspection of the premises is reasonably necessary in order to make the requisite findings, it shall cause an inspection to be made of the premises and shall document such inspection as part of its findings.

(c) Each department identified in Subsection (a) of this Section shall submit its findings in writing to the Department without undue delay.

**Sec. 4-4-125. Buildings. Safety Engineering, and Environmental Department issuance of advertising permits.**

(a) Not more than 60 days after the effective date of this ordinance, the Director of the Department shall establish a transition period, the duration of which must not exceed two weeks, to enable and facilitate the efficient and effective transition to the regulations contained in this chapter. During this transition period, the owner of any premises located in the Central Business District to which a permit has been validly issued under Chapter 50, *Zoning*, of this Code to display advertising on the premises may, in its sole discretion, voluntarily and intentionally abandon such permit, and, upon submission of a complete application as set forth in Section 4-4-19 of this Code, shall be issued an advertising permit for such premises.

(b) Not more than 60 days after the effective date of this ordinance, the Director of the Department shall establish a date, to occur not less than two weeks following the conclusion of the transition period established under Subsection (a) of this section, on which the Department will commence accepting applications for advertising permits.

(1) The Department shall review and decide upon such applications in the order that they are received, until the applicable advertising permit cap identified in Subsection (d) of this section is satisfied.

(2) If an application is incomplete or otherwise deficient in any way, other than for a failure to provide copies of all permits

and other approvals in accordance with Section 4-4-19(a)(12) of this Code, the Department shall notify the applicant of such deficiency and allow the applicant to correct such deficiency within a specified period of time, not to exceed 15 days. The Department shall deny any deficient petition that is not timely corrected.

(3) If an application is incomplete solely due to its failure to provide copies of all permits and other approvals in accordance with Section 4-4-19(a)(12) of this Code, the Department may conditionally approve the application, subject to the requirement that copies of all such approvals be submitted to the Department within 30 days following the date of such conditional approval. Upon the applicant's satisfaction of such requirement, the Department may approve the application and issue an advertising permit. Upon the applicant's failure of such requirement, the Department shall consider its conditional approval to have lapsed and shall deny such application. Nothing in this subsection shall be construed as obligating the Department to conditionally approve an application that it determines should otherwise be denied.

(4) The Department shall not approve any application that is submitted subsequent to the final application that, upon its approval, is permissible under the applicable advertising permit cap identified in Subsection (d) of this section. The Director of the Department may maintain a waitlist of such applications, and may consider such applications, in the order submitted, as additional advertising permits become available under the applicable cap for the remainder of the current term, as set forth in Section 4-4-123 of this Code. All applications placed on the waiting list shall be denied upon expiration of the current advertising permit term.

(c) Not more than nine years following the date established by the Director of the Department under Subsection (b) of this section, the Director shall establish a new application date for any subsequent advertising permit terms, and shall accept and review applications and issue permits for such term in the same manner as set forth in Subsection (b) of this section.

(d) The Department shall not allow more than 25 advertising permits for local advertising signs in compliance with Section 4-4-128(b) of this Code, and not more than 45 advertising permits for super advertising signs in compliance with Section 4-4-128(c) of this Code, as each category of advertising signs is described in Section 4-4-128 of this Code, to have been issued and remain valid at any one time.

**Sec. 4-4-126. Transfer of advertising permit.**

Any advertising permit issued under this division may be transferable to a new owner of the premises or advertising partner, but shall not be transferable to another premises, or to another location on the same premises.

**Sec. 4-4-127. Alteration prohibited.**

(a) No sign that is permitted under this division may be altered in any way. Any advertising permit for an advertising sign that has been altered is subject to immediate revocation by the Department.

(b) Subsection (a) of this section does not prohibit the periodic changing of the copy of a permitted sign from time to time.

**Sec. 4-4-128. Sign standards.**

(a) Any advertising sign located on a premises in the Central Business District must comply with all applicable standards for either local advertising signs or super advertising signs, as set forth in this section, and shall be categorized as such.

(b) The standards applicable to any local advertising sign are as follows:

(1) *Construction:* Any local advertising sign must be constructed as either a wall sign or a painted sign.

(2) *Number:* Any premises may display not more than one local advertising sign, except for premises that display a super advertising sign, which may not display any local advertising sign.

(3) *Area:* The area of any local advertising sign must not exceed 80% of the area of the façade to which it is affixed, but in no case greater than 700 square feet if the sign is constructed as a wall sign, or 875 square feet if the sign is constructed as a painted sign.

(4) *Height:* Notwithstanding the limitations found in Section 4-4-45(d) of this Code, the height of any local advertising sign must not exceed 60 feet.

(5) *Clearance:* No local advertising sign is subject to any minimum clearance standard.

(6) *Illumination:* Any local advertising sign may be externally illuminated, but must not be internally illuminated, with the exception of advertising signs located in the Entertainment District, which may be illuminated in accordance with the standards set forth in Division 3, Subdivision B of this article.

(7) *Dynamic operation:* No local advertising sign may be dynamic, with the exception of advertising signs located in the Entertainment District, which may be dynamic in accordance with the standards set forth in Division 3, Subdivision B of this article.

(8) *Location:* No local advertising sign may be located within 200 feet, measured

radially from any point of the sign, of any point of the shoreline of the Detroit River.

(c) The standards applicable to any super advertising sign are as follows:

(1) *Construction:* Any super advertising sign must be constructed as either a wall sign or a painted sign.

(2) *Number:* Any premises may display not more than one super advertising sign, except for premises that display a local advertising sign, which may not display any super advertising sign.

(3) *Area:* The area of any super advertising sign must be greater than 700 square feet and must not exceed 80% of the area of the façade to which it is affixed, but in no case more than 5,000 square feet if the sign is constructed as a wall sign or 6,250 square feet if the sign is constructed as a painted sign.

(4) *Height:* The height of any super advertising sign must not exceed the height of the roof line or parapet of the façade to which it is affixed.

(5) *Clearance:* The clearance of any super advertising sign must be no less than ten feet.

(6) *Illumination:* Any super advertising sign may be externally illuminated, but must not be internally illuminated, with the exception of advertising signs located in the Entertainment District, which may be illuminated in accordance with the standards set forth in Division 3, Subdivision B of this article.

(7) *Dynamic operation:* No super advertising sign may be dynamic, with the exception of advertising signs located in the Entertainment District, which may be dynamic in accordance with the standards set forth in Division 3, Subdivision B of this article.

(8) *Location:* No super advertising sign may be located within 200 feet, measured radially from any point of the sign, of any point of the shoreline of the Detroit River.

(d) Any sign that is in compliance with all applicable standards set forth in Subsection (b) of this section for either local advertising signs or super advertising signs shall be categorized as such. Any sign that is not in compliance with all applicable standards for either local or super advertising signs is impermissible.

**Sec. 4-4-129. Mitigation of harmful visual aesthetics created by Super Advertising Signs through promotion of public art.**

(a) In acknowledgment that:

(1) The City has a significant governmental interest in protecting its aesthetic values and in mitigating instances of visual blight;

(2) Signs, by their very nature, wherever located and however constructed, can be perceived as an aesthetic harm through their imposition of negative visual aesthetics;

(3) Because of the Central Business District's role as the City's primary hub of activity, the aesthetic harm created by signs in the Central Business District is imposed on all businesses and individuals who may live, work, do business, recreate, or visit therein, or travel through the Central Business District, and compromises their overall aesthetic experience of the City on a citywide basis;

(4) The magnitude of any given sign's negative visual aesthetics can depend on various dimensional and operational parameters, such as its area, construction, illumination, and dynamic operation, that serve to increase its visibility;

(5) The magnitude of a sign's negative visual aesthetics can also depend on its location proximate to certain properties, such as schools, outdoor recreation facilities, historic districts, freeways, and residential properties, that are particularly sensitive to such negative visual aesthetics;

(6) The negative visual aesthetics of a sign can, based on such dimensional and operational parameters, become so great as to outweigh any positive consequences that the sign might provide, including the facilitation of protected speech and the promotion of local commerce; and

(7) The City may, through the exercise of its legitimate police powers in furtherance of its significant governmental interests, mitigate the particularly negative visual aesthetics of the most visually impactful signs without compromising the positive consequences of such signs by promotion, construction, and maintenance of elements that serve to improve visual aesthetics to a proportionate degree, including the public display of art murals and other forms of public art;

(b) The Department is authorized to evaluate each application for a permit for a super advertising sign and determine whether such proposed sign will, based on the following criteria, impose negative visual aesthetics of such magnitude that mitigation through the display of one or more art murals and other public art may reasonably be necessary. The Department shall make any such determination based on its evaluation of each of the following criteria:

(1) The construction of a sign, whereby a wall sign is deemed to have negative visual aesthetics of greater magnitude than a painted sign;

(2) The area of the sign, whereby a larger sign is deemed to have negative visual aesthetics of greater magnitude than a smaller sign;

(3) The height of the sign, whereby a taller sign is deemed to have negative visual aesthetics of greater magnitude than a shorter sign;

(4) The illumination of the sign, whereby an internally illuminated sign is deemed to have negative visual aesthetics of greater magnitude than an externally illuminated sign;

(5) The dynamic operation of the sign, whereby a dynamic sign is deemed to have negative visual aesthetics of a greater magnitude than a static sign;

(6) The proximity of the sign to a property containing a school, educational institution, or park, playground, or other outdoor recreation facility, whereby a sign that is located adjacent to and oriented towards any such property is deemed to have negative visual aesthetics of a greater magnitude than a sign that is not;

(7) The proximity of the sign to a historic district identified in Chapter 21, *History*, of this Code, whereby a sign located in a historic district or adjacent to and oriented towards a historic district is deemed to have negative visual aesthetics of a greater magnitude than a sign that is not;

(8) The proximity of the sign to a freeway or interchange ramp between freeways, whereby a sign located adjacent to and oriented towards a freeway or interchange ramp is deemed to have negative visual aesthetics of a greater magnitude than a sign that is not;

(9) The proximity of the sign to a property containing one or more residential dwelling units, whereby a sign located adjacent to and oriented towards any such property is deemed to have negative visual aesthetics of a greater magnitude than a sign that is not; and

(10) Any other dimensional, operational, or locational characteristic of the sign, other than the possible copy of such sign, that could foreseeably impact the magnitude of the sign's negative visual aesthetics.

For every application for a permit for a super advertising sign, the Department shall document in writing its evaluation of each of the criteria listed in this Subsection and its determination as to the need for mitigation of the sign's negative visual aesthetics, if any. The Department shall make such documentation available to the applicant upon request.

(c) Upon its determination that mitiga-

tion of the negative visual aesthetics imposed by a proposed super advertising sign for which a permit is applied will be necessary, the Department may request payment of a monetary contribution by the applicant, in an amount to be determined by the Department in accordance with the limitations set forth in this section, as a prerequisite to issuance of a permit for such sign. Such contribution need not be submitted prior to the Department's evaluation of the application for a super advertising sign permit, but must be submitted prior to the Department's issuance of such permit.

(d) The Department may make any determination pursuant to its authority established in Subsections (a) and (b) of this section in consultation with the City's Director of Arts and Culture, and the director of any department or agency that it may desire, or any such director's designee.

(e) To ensure a reasonable nexus between the proposed super advertising sign's negative visual aesthetics and the City's mitigation thereof, the Office of the Chief Financial Officer shall establish a special purpose account, to be known as the "Detroit Public Art Fund", for contributions made pursuant to Subsection (b) of this section. The Department shall deposit all such funds directly into such account promptly upon receipt. The City's Office of Arts and Culture shall have authority to make any disbursements from such account and all such disbursements shall be solely for purposes of the commission, construction, siting, display, and maintenance of art murals and other public art that is fairly anticipated to improve overall visual aesthetics in the City, and no funds in any amount may be disbursed from such account for any other purpose, including any expenses of the City in administering such account or other general operations, except if reimbursement of such funds shall be made in accordance with Subsection (g) of this section.

(f) To ensure rough proportionality between the proposed super advertising sign's negative visual aesthetics and the City's mitigation thereof, the contribution associated with any sign shall not exceed an amount equal to the greater of:

(1) An amount, equal to two dollars if the super advertising sign is proposed to be internally illuminated, one dollar if the super advertising sign is proposed to be a wall sign, and 80 cents if the super advertising sign is proposed to be a painted sign, for each square foot of the proposed super advertising sign, for each year of the term of the permit for which application is made; or

(2) An amount equal to the expected cost, as the Department may reasonably determine, for the commission and installation of an art mural of an area equal to (i) 200% of the area of the proposed super advertising sign if such sign is proposed to be internally illuminated, (ii) the area of the proposed super advertising sign if such sign is proposed to be constructed as a wall sign, or (iii) 80% of the area of the proposed super advertising sign if such sign is proposed to be constructed as a painted sign, as well as the cost of the maintenance thereof for a period equal to the term of the super advertising permit for which application is made.

(g) The Department shall cause all contributions made pursuant to this section for the purpose of mitigating the aesthetic harm of any super advertising sign to be disbursed for a purpose allowed by this section no later than the termination date of the permit for such sign.

(h) If the Department denies an application for a super advertising sign permit for which a contribution has been made, the Department shall refund such contribution to the applicant. If a permit for a super advertising sign has been issued and a contribution for such sign has been made, and such permit has been revoked in accordance with Section 4-4-127 of this Code prior to the completion of its term, no refund of such contribution may be made.

**Sec. 4-4-130. Adjustment or waiver prohibited.**

Adjustment or waiver under Section 4-4-22 of this Code of the dimensional standards set forth in this division is prohibited.

**Secs. 4-4-131 — 4-4-160. Reserved.**  
**DIVISION 6. REGULATION OF**  
**SIGNS IN THE RIGHT-OF-WAY**

**Sec. 4-4-161. In general.**

The regulations of this division shall apply to any sign that is constructed, erected, posted, or otherwise placed in any location within the right-of-way that is subject to the jurisdiction and control of the City.

**Sec. 4-4-162. Department of Public Works approval required.**

No sign that is subject to the regulations of this division may be permitted unless authorized by the Department of Public Works as a legal encroachment in the right-of-way. A copy of the valid encroachment permit for the sign must be submitted as part of the application for construction or erection of the sign. All conditions of approval, dimensional or operational standards, and other standards set forth in the encroachment permit

shall be incorporated by reference into the permit, and compliance with all such standards shall be a condition of approval for such permit. Any standards set forth in the encroachment permit that are more restrictive than comparable standards set forth in this chapter shall control.

**Sec. 4-4-163. Business signs located in the right-of-way.**

Any sign located in the right-of-way that is intended to direct attention to a principal business or principal commodity, service, or entertainment that is conducted, sold, or offered on the premises adjacent to which the sign is located shall be considered to be a business sign associated with such premises and shall be subject to all applicable regulations of this article.

**Sec. 4-4-164. Directional signs located in the right-of-way.**

Any directional sign located in the right-of-way for the purpose of identifying particular neighborhoods, communities, or other identifiable areas of the City shall be subject to the following:

(1) *Construction.* Any directional sign located in the right-of-way must be constructed as a monument sign.

(2) *Number.* Not more than one directional sign, or one pair of identical directional signs, may be located at any point in a right-of-way or within any intersection of two or more rights-of-way.

(3) *Area.* The area of a directional sign, or aggregate area of a pair of identical directional signs, located in the right-of-way must not exceed 12 square feet.

(4) *Height.* The height of a directional sign located in the right-of-way must not exceed eight feet six inches.

(5) *Clearance.* The clearance of any directional sign located in a right-of-way must be not less than two feet.

(6) *Illumination.* Any directional sign located in the right-of-way may be either non-illuminated or externally illuminated.

**Sec. 4-4-165. Advertising signs located in the right-of-way.**

Any advertising sign located in a right-of-way is subject to the following:

(1) *Permissibility.* Advertising signs located in the right-of-way are not permissible in low-density residential sign districts or any portion of a right-of-way that is immediately adjacent to, and is on the same side of the street as, a low-density residential sign district.

(2) *Construction.* Any advertising sign located in the right-of-way must be constructed as a component of a larger free-standing structure, such as a newsstand, bus or transit shelter, bench, or bicycle docking station, that provides a non-

advertising purpose for the benefit of pedestrian or vehicular traffic utilizing the right-of-way, provided that the sign is constructed as an integral component of such structure and does not rest upon such structure's roof or project out from the façade of any such structure.

(3) *Area.* The area of an advertising sign located in the right-of-way shall not exceed 18 square feet if illuminated, or 24 square feet if not illuminated.

(4) *Height.* The height of an advertising sign located in the right-of-way shall not exceed eight feet, six inches.

(5) *Illumination.* An advertising sign located in the right-of-way may be illuminated, either internally or externally. All sources of illumination for an externally illuminated sign must be fully contained in the frame or case that holds the sign.

(6) *Dynamic operation.* An advertising sign located in the right-of-way may be dynamic, but shall not be animated.

(7) *Spacing.* No advertising sign located in the right-of-way may be permitted to be placed 250 feet or less, measured linearly in the direction of the orientation of the sign, from any other advertising sign that is located in the same right-of-way and oriented in the same direction. Such spacing standards shall apply to signs on both sides of any right-of-way that allows for vehicular traffic to travel in one direction, and shall apply to signs only on the same side of a right-of-way that allows for vehicular traffic to travel in two directions.

**Secs 4-4-166 — 4-4-180. Reserved.**

**DIVISION 7. TEMPORARY SIGNS**

**Sec. 4-4-181. In general.**

The regulations set forth in this division are applicable to any temporary sign that may be constructed, erected, posted, or otherwise placed in any location.

**Sec. 4-4-182. Limitations on number, area, and term.**

(a) Not more than one temporary sign may be permitted on any one premises at any one time, except that, for a multi-tenant building or structure, one, but not more than one, temporary sign may be permitted for any one ground floor tenant at any one time.

(b) No premises, or ground floor tenant space in a multi-tenant building or structure, may be issued more than two permits for a temporary sign within any calendar year.

(c) On properties in a low-density residential sign district, the area of any temporary sign shall not exceed six square feet. On properties in a high-density residential/mixed use sign district or a recreation/

open space sign district, the area of a temporary sign shall not exceed one square foot per linear foot of building frontage, but in no case less than 6 square feet and no greater than 12 square feet. On properties in a low-density commercial/industrial sign district or a high-density commercial/ industrial sign district, the area of any temporary sign shall not exceed one square foot per linear foot of building frontage, but in no case less than 12 square feet and no greater than 32 square feet.

(d) Any temporary sign may be permitted only until the conclusion of the occasion to which it is intended to direct attention, upon which date the permit shall expire. No temporary sign may be permitted for a period of time exceeding 90 days.

(e) Adjustment or waiver under Section 4-4-22 of this Code of the dimensional standards set forth in sections 4-4-103 through 4-4-107 of this Code is limited to 25% of such standards.

**Sec. 4-4-183. Additional temporary sign allowances.**

(a) Notwithstanding the limitations set forth in Section 4-4-182 of this Code, additional temporary signage may be permitted for any premises, or ground floor tenant space of a multi-tenant building, under each of the following circumstances:

(1) *Premises listed as being for sale or lease.* For any premises, or ground floor tenant space within a multi-tenant building, that is unoccupied and being actively marketed for sale or lease, one additional temporary sign for each building frontage is permissible. Any such sign may be permitted only for the period during which the premises is unoccupied and being actively marketed for sale or lease. On properties located in a low-density residential sign district or recreation/open space sign district, the area of any such sign must not exceed six square feet. On properties located in a high-density residential/mixed use sign district, low-density commercial/institutional sign district, or high-density commercial/industrial sign district, the area of any such sign must not exceed 32 square feet or, if such sign is located on a ground floor window, the area of such window.

(2) *Premises with Open Building or Construction Permit.* For any premises, or ground floor tenant space within a multi-tenant building, that is unoccupied and is validly permitted under Chapter 8 of this Code, *Building Construction and Property Maintenance*, or undergoing preconstruction activities associated with such permitting, for construction of a new building or structure or complete renovation or

redevelopment of an existing building, structure, or ground floor tenant space, additional temporary signage for each building frontage is permissible. Such signage may be permitted only for the period during which the permit associated with the preconstruction, construction, renovation, or redevelopment activities remains valid, and shall automatically expire upon issuance of a certificate of occupancy, whether temporary or final, for the premises or tenant space. The aggregate area of all such signage on any premises is subject to the maximum aggregate sign area for the premises, as determined under Section 4-4-62 of this Code. Any such signage may be placed on a screening fence that is erected to cordon off the construction, renovation, or redevelopment site, notwithstanding the prohibition set forth in Section 4-4-7(5) of this Code or, if located on a ground floor tenant space, may be located in a window, notwithstanding the standard for window signs set forth in Section 4-4-46(c) of this Code.

(3) *Portable temporary signs.* For any premises located in a low-density residential sign district or high-density residential/mixed use sign district that is currently occupied, whether wholly or partially, for residential purposes, portable temporary signs, in any number but not exceeding six square feet in area for any single sign or 18 square feet in aggregate area for all signs, are permissible. Such signage is permissible only during the period commencing 30 days prior to the date of any federal, state, or local primary election and concluding seven days after the date of the subsequent general election. Any such sign must be set back from the front of the premises not less than five feet.

(b) Adjustments and waiver under Section 4-4-22 of this Code of the dimensional standards set forth in the section is prohibited.

**Sec. 4-4-184. Temporary sign copy.**

(a) No temporary sign may be permitted for changeable copy. The copy of any permitted temporary sign shall remain constant and shall not change at any time during the term of the permit.

(b) Nothing in Subsection (a) of this section may be construed as regulating the copy of a temporary sign in any way or as any other form of content-based regulation, but may be construed solely regulating the ability to change such copy during the term of the temporary sign permit.

(c) Nothing in Subsection (a) of this section may be construed as prohibiting

any maintenance, repair, or replacement of a temporary sign, or any of its components, as may be necessary to keep such sign in good repair in accordance with Section 4-4-9 of this Code, including the replacement of a damaged sign face with a new sign face containing the same copy.

**Sec. 4-4-185. General temporary sign standards.**

Any temporary sign that is permissible under this division is subject to the following standards:

(1) *Placement.* Any temporary sign shall be located so as to avoid obstruction of or interference with the safe and efficient flow of pedestrian and vehicular traffic, or impact the accessibility of ingress or egress of any building or structure. A temporary sign located in the public right-of-way is further subject to approval by the Department of Public Works, or other public agency with jurisdiction over the right-of-way in which the sign is to be located.

(2) *Material.* Temporary signs shall be constructed of durable material and construction, and shall be adequately secured so as to be reasonably able to withstand deterioration, damage, or destruction due to inclement weather, the forces of wind, rain, and snow, and other impacts.

(3) *Good repair.* Any temporary sign shall be maintained in good repair in accordance with Section 4-4-9 of this Code.

(4) *Illumination.* Any temporary sign may be externally illuminated, but shall not be internally illuminated.

(5) *Dynamic.* A temporary sign may be dynamic only where an identical permanent sign of the same construction, location, and other physical parameters may be dynamic, but under no circumstances may a temporary sign be animated.

(6) *Additional standards.* Any temporary sign is further subject to all general sign standards set forth in Division 2 of this article, based on the type of construction or operation of the temporary sign, unless comparable standards set forth in this division are more restrictive.

**Sec. 4-4-186. Removal of temporary signs.**

(a) Any temporary sign, along with its frame and supporting structure, shall be removed by the owner of the premises on which such sign is located, or its agent, within 24 hours after expiration of its permit.

(b) Any temporary sign, along with its frame and supporting structure, that is not maintained in good repair shall be removed by the owner of the premises on which such sign is located, or its agent,

within 24 hours after receiving a correction notice to remove such sign, in accordance with Section 4-4-9 of this Code.

(c) Any temporary sign, along with its frame and supporting structure that becomes obsolete shall be removed by the owner of the premises on which such sign is located, or its agent, within 24 hours after becoming obsolete, in accordance with Section 4-4-10 of this Code. A temporary sign becomes obsolete immediately upon the conclusion of the occasion to which such sign is intended to draw attention.

(d) The Department shall issue a blight violation under the following circumstances:

(1) If the owner fails to cure the violation within the applicable cure period after service of a correction notice;

(2) When the owner disputes a violation identified on a correction notice; and

(3) When, in the Department's exercise of judgment and discretion pursuant to rules adopted by the Department, the violation is of such a nature as to be substantially serious, chronic, and/or willful.

**Secs. 4-4-187 - 4-4-200. Reserved.**

**ARTICLE V. DEVELOPMENT  
NOTIFICATION SIGNS**

**Sec. 4-5-1. Definitions.**

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Construction site* means any area where construction or renovation is set to take place, with the exception of residential construction or renovation involving four or fewer dwelling units.

*Development notification sign* means a posted temporary notice that informs the public of the type of development taking place on the premises, the expected completion date for construction, and the contact information of the developer.

**Sec. 4-5-2. Misdemeanor violation; continuing violation; penalty for conviction thereof.**

(a) It shall be unlawful for any person to violate any provision of this article.

(b) Any person who violates this article may be issued a misdemeanor violation for each day that the violation continues.

(c) Any person who is found guilty of violating any provision of this article shall be convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court, may be fined up to \$500.00 for each misdemeanor violation that is issued.

**Sec. 4-5-3. Enforcement.**

This article shall be enforced by the Buildings, Safety Engineering, and Environmental Department.



**Sec. 4-5-4. Posting of development notification sign required.**

A properly posted development notification sign is required for any construction site that is at least 10,000 square feet in area and that otherwise requires a building permit.

**Sec. 4-5-5. Development notification sign specifications; content; maintenance.**

(a) The dimensions for a development notification sign must be at least four feet in height and six feet in width, with letters of text that are a minimum of one inch in height and of a legible font and color contrast.

(b) All development notification signs shall be made of durable, weatherproof, and flame retardant materials.

(c) A development notification sign shall display, at minimum, the following content:

(1) A rendering or site plan of the proposed development;

(2) A title stating "Work in Progress" and specifying the type of structure being built, for example, commercial, manufacturing, retail, office, hospital, or school;

(3) The expected project completion date;

(4) The name, address, and telephone number of the owner of the property, corporation, or registered agent; and

(5) The building permit number or a copy of the building permit.

(d) Development notification signs shall be maintained so that the sign remains legible, securely attached, and free of sharp edges, protruding nails, or similar hazards.

**Sec. 4-5-6. Placement of development notification sign.**

A development notification sign shall be placed on the fence on each perimeter facing a public street or highway. If the development site is not fenced, then a devel-

opment notification sign shall be fixed into the ground at each perimeter facing a public street or highway. All development notification signs shall be placed at a height of four feet from the ground, measured from the bottom edge of the development sign.

**Sec. 4-5-7. Duration of posting.**

(a) Development notification signs must be posted within 30 days of receipt of a building permit for the site, and must remain posted until a certificate of occupancy is issued.

(b) Development notification signs must be removed within 30 days of issuance of a certificate of occupancy.

**Section 4-5-8. Complaints.**

Complaints regarding a development property without a development notification sign posted may be made to the Department. The Department shall investigate complaints to determine compliance with this article.

**Secs. 4-5-9 — 4-5-20. Reserved.**

**Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

**Section 3.** All ordinances or parts of ordinances that conflict with this ordinance are repealed.

**Section 4.** In accordance with Section 4-118(3) of the 2012 Detroit City Charter, where the ordinance is passed, it shall be published forthwith and become effective on December 9, 2020.

(J.C.C. P.)

Passed: February 18, 2020  
Approved: June 9, 2020  
Published: June 15, 2020  
Effective: August 14, 2020  
December 9, 2020

JANICE M. WINFREY  
City Clerk

