

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 13-03

**AN ORDINANCE TO AMEND CHAPTER 20, "SIGNS," OF APPENDIX
A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF
LOWELL**

Councilmember Ellison, supported by Councilmember Hall, moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment to Chapter 20 of Appendix A. Chapter 20, "Signs," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in its entirety to read as follows:

CHAPTER 20. SIGNS.

Section 20-1.- Intent and Purpose.

The purpose of this chapter is to regulate the size, number, location and manner of construction and display of signs in the city. This chapter is further intended to protect all zoning districts from visual chaos and clutter, eliminate distractions hazardous to motorists, protect uses from excessive signage, provide the ability for the public to identify premises and establishments, encourage the preservation of the city's historic and small-town character through sign design and enhance the aesthetics of the community.

Section 20-2. - Scope.

A. *Compliance.* It shall be unlawful for any person to erect, place, or maintain a sign in the city except in accordance with the provisions of this chapter.

B. *Permit required.* Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined from time to time by the city council. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs. A building permit application shall be submitted along with the supplementary material noted below.

C. *Plan required.* When a site plan is required pursuant to chapter 18 of the zoning ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, clearance between the ground and the bottom of the sign, sign illumination, sign location and setbacks from property lines, and other applicable

information to enable the city to determine compliance with the requirements of this chapter. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the building permit application. The zoning enforcement officer may require that additional information be illustrated on a plan or drawing to determine compliance with this chapter.

D. *Additional provisions.* In addition to the provisions of this chapter, provisions of section 11.5-6 of chapter 11.5 of the Code of Ordinances shall apply to signs located in a historic district. Sponsorship signs are permitted and governed by article IV of chapter 14 of the Code of Ordinances.

Section 20.03. - Definitions.

The following words shall have the meanings set forth in this section:

- A. *Changeable copy sign:* A sign that consists, in whole or in part, of a message or image that can be changed periodically, whether manually or by automatic or technical means.
- B. *Construction sign:* A sign which identifies the owners, financiers, contractors, architects, and engineers as well as the name of a project under construction.
- C. *Development sign:* A ground sign which identifies the name of a residential development and which is located at an entrance to the development for the purpose of assisting the public in determining the location of the development.
- D. *Directional sign:* A sign which gives directions, instructions, identifying logos without text, or facility information related to the use on the property on which the sign is located, such as parking or exit and entrance signs and which sets forth no other advertisement.
- E. *Freestanding sign:* A sign supported by one (1) or more up-rights, poles or braces placed in or upon the ground and not attached to any building and having a clear space of at least eight (8) feet from the ground to the bottom of the sign.
- F. *Government sign:* A temporary or permanent sign erected by the city, the State of Michigan or the federal government for the purpose of street direction or traffic control; to designate hours of activity or use of parking lots, recreational areas, governmental buildings or other public space; to recognize a historic landmark; or for other public purposes.
- G. *Ground sign:* A sign supported by a foundation or base which is at least half as wide as the sign which it supports when looking at the sign face, with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.
- H. *Human sign:* A sign which is held by or attached to a human for the purpose of advertising any goods, services, functions or specific business locations.

- I. *Incidental sign:* A sign that, when visible from the street, identifies a street address, entrances and exits, safety precautions, identifying logos, without text, and other such incidental information, and which sets forth no other advertisement. It may also refer to a sign which is not intended to be viewed from the street.
- J. *Marquee:* A permanent structure that projects from the exterior wall of a building.
- K. *Marquee sign:* A sign attached to a marquee, canopy, or awning projecting from and supported by a building.
- L. *Mean grade:* A reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five (5) feet from the lot line.
- M. *Memorial sign:* A sign, tablet, or plaque memorializing a person, event, structure or site.
- N. *Mural:* A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco or mosaic, but not including any commercial message or advertising.
- O. *Off-premise sign or billboard:* An outdoor sign advertising services, products, activities, persons or events which are not made, produced, assembled, stored, distributed, leased, sold or conducted upon the premises upon which the sign is located.
- P. *Placard:* A sign which provides notice of a public nature, such as "No Trespassing" or "No Hunting" signs.
- Q. *Political sign:* A temporary sign used in connection with a local, state or federal election, political topic or opinion, or referendum.
- R. *Portable sign:* A sign, usually of a temporary nature, not permanently anchored to the ground or to a building or structure, typically containing manually changeable copy, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.
- R. *Projecting sign:* A sign which projects from and is supported by the wall of a building.
- S. *Real estate sign:* A sign located on premises containing land or buildings for sale, rent or lease, or buildings under construction and intended for sale, rent or lease.
- T. *Roof line:* That line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.

- U. *Roof signs:* Any sign erected, constructed and maintained wholly upon or over the roof of any building with its principal support on the roof structure of such building.
- V. *Sandwich board sign:* A movable sign not secured or attached to the ground surface, constructed in such a manner as to form an “A” or tent-like shape.
- W. *Sign:* Any device or structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing which displays numerals, letters, words, trademarks, or any other representational use for direction or designation of any person, firm, organization, place, product, service, business, establishment, activity or industry, which is located upon any land or building, in or upon a window, or indoors in such a manner as to attract attention from outside the building.
- X. *Sign area:* The entire area within a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed.
- Y. *Street frontage:* The distance for which the front boundary line of the lot and the street line are coincident.
- Z. *Temporary sign:* A display, informational sign, banner or other advertising device with or without a structural frame and intended for a limited period of display.
- AA. *Vehicle sign:* A sign shall be considered a vehicle sign when the vehicle or trailer upon which the sign is painted or attached is parked or placed primarily for advertising purposes. Currently licensed commercial vehicles in general daily off-site use are not included as part of this definition.
- BB. *Wall sign:* A sign which is attached directly to or painted upon a building wall and which does not extend more than eighteen (18) inches therefrom with the exposed face of the sign in a plane parallel to the building wall.
- CC. *Window sign:* A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.

Section 20.04. - Signs prohibited.

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs, or signs in disrepair.
- B. Air-filled or gas-filled balloon signs.
- C. Signs with moving parts, audible signs, and/or flashing signs (except traffic control devices).
- D. Roof signs.

- E. Signs or illumination imitating or resembling official traffic or government signs or signals.
- F. Vehicle signs.
- G. Off-premise signs or billboards.
- H. Other signs not expressly permitted or which do not conform to the provisions of this chapter.

Section 20.05. - General sign provisions.

A. *Sign placement.*

- 1. Unless otherwise permitted, all signs shall be located on the same parcel for which the sign is intended to serve. The provisions of this article are not intended to conflict with provisions controlling signs regulated under the authority of the Highway Advertising Act of 1972, Act 106 of the Public Acts of Michigan of 1972, as amended, MCL 252.301, *et seq.*

No sign shall be located closer than two (2) feet to a public road right-of-way or property line; provided that the zoning enforcement officer or planning commission may approve a lesser setback upon finding that the proposed sign will not interfere with motorist or pedestrian visibility and safety. No sign shall overhang a public street right-of-way except as otherwise permitted; and all signs, including wall signs, shall have a minimum ground clearance of eight (8) feet above a sidewalk or walkway.

- 3. The requirements of Section 4.06 of the Code of Ordinances apply and no sign shall be placed within a clear vision area as defined therein. No exterior sign shall be located or erected in such a manner as to interfere with traffic visibility.
- 4. A wall sign shall not extend beyond the edge of the wall to which it is affixed. A wall, marquee or projecting sign shall not extend above the roof line of the building to which it is attached.
- 5. No light pole, utility pole, or other supporting member thereof shall be used for the placement of any sign unless specifically designed and approved for such use.

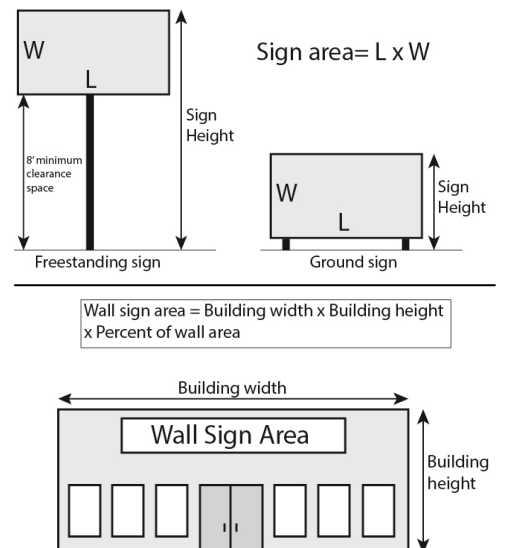
B. *Sign illumination.*

- 1. Unless otherwise specified in this chapter, all signs may be illuminated, except temporary signs and signs for home occupations.

Illumination shall not be flashing, blinking, intermittent, oscillating, or an on-and-off type of lighting. No sign shall utilize a revolving beacon light.

3. Illumination shall be arranged so that light is deflected away from adjacent properties and no direct sources of light shall be visible to any motorist or pedestrian located in the public right-of-way or from any adjacent property. Any external lighting of signs shall be facing downward or otherwise directed to illuminate only the sign face.
4. No sign illumination shall be so placed or designed to be confused with, or appear similar to, a highway sign or traffic safety device.
5. All lighting on the underside of a vehicle service station canopy shall be fully recessed. A maximum of twenty-five (25) percent of each canopy facade area may be internally illuminated. No portion of any canopy facade may be externally illuminated.
6. Internally lighted signs, electronic message boards, back-lit changeable copy signs and signs incorporating light emitting diode (LED), liquid crystal, video or other types of internally lighted systems shall be designed, shielded and oriented so as not to interfere with adjacent public rights-of-way or private property and such signs shall not emit light exceeding either ten (10) foot candles measured four (4) feet perpendicular to the sign face or one-half ($\frac{1}{2}$) foot candle measured at the property line of the adjoining privately-owned property.

- C. *Sign area and height.* Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two (2) feet apart from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or the area of the larger face if the two (2) faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two (2) for purposes of determining the maximum permitted sign area. Framed and structural members not bearing advertising matter shall not be included in computation of surface area; provided, that the base of a ground sign cannot exceed two (2) feet in height and the base and structural members of a freestanding sign cannot exceed fifty percent (50%) of the total area of the sign face.



The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.

- D. *Most restrictive sign requirements.* Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and

limitations of the defined sign types shall apply, as determined by the zoning enforcement officer.

- E. *Multiple tenant building.* For buildings with multiple tenants, sign areas for wall signs, projecting signs, and marquee signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall. Where a wall sign, projecting sign or marquee sign is permitted in a multi-tenant building or site, each individual establishment is permitted one (1) such sign subject to standards applying in the applicable zone district, in which case, wall surface applies to the wall surface of the individual establishment.
- F. *Maintenance of signs.* All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the building inspector or other person designated by the city. A sign which no longer serves the purpose for which it is intended or is abandoned or is not maintained in accordance with applicable regulations shall be removed by the owner of the sign or the owner of the property upon which the sign is located.

Section 20.06. - Signs not requiring permits.

- A. Signs shall not be erected without the issuance of a building permit, except for the following signs, provided that such signs comply with the provisions of this chapter:
 - 1. Government signs.

Signs erected by an essential public service establishment denoting utility lines, railroad lines, hazards, and precautions, including portable flashing signs.
 - 3. Real estate signs advertising premises for sale, rent, or lease when not more than thirty-two (32) square feet in area and eight (8) feet in height for a commercial or industrial zoned property, or six (6) square feet in area and four (4) feet in height for other zoned properties. A real estate sign shall be located on the property that is for sale, rent, or lease. One (1) sign per property street frontage shall be permitted.
 - 4. For non-residential projects, a construction sign not exceeding thirty-two (32) square feet in area and having a height not greater than eight (8) feet. There shall be only one construction sign for a development or project. Construction signs shall not be erected until a building permit has been issued and the sign shall be removed immediately upon issuance of a certificate of occupancy. For residential projects, a construction sign not exceeding twenty-four (24) feet in area and having a height not greater than six (6) feet, shall only be erected upon city approval of the project and shall be removed within one (1) year of issuance of the first building

permit for a dwelling or structure, or upon the erection of a development sign, whichever occurs first.

5. Memorial signs not larger than twelve (12) square feet in area which are either (a) cut into the face of a masonry surface or (b) constructed of bronze or other incombustible material when located flat on the face of a building.
6. Holiday lights, murals, works of art, and decorations with no commercial message.
7. Placards not exceeding two (2) square feet in area.
8. Incidental signs or directional signs up to six (6) square feet in area. If intended to be viewed from the street, only those signs which, in the opinion of the zoning enforcement officer, are necessary to indicate entrances, exits, safety precautions, street addresses, including identifying logos without text, and other such incidental language shall be permitted. Incidental signs and directional signs shall not contain a commercial message.
9. A temporary sign used to advertise a garage sale or estate sale on residential property, graduation party or similar temporary event, not to exceed six (6) square feet in area. Such sign shall be removed immediately after the completion of the event. Such sign shall be placed within the property line of the premises on which said sale or event is conducted and shall be removed immediately after the completion of the sale or event.
10. Political signs shall be permitted in all zoning districts and there shall be no limit to the number of signs, provided that the cumulative square footage of signage shall not exceed thirty-two (32) square feet per lot in nonresidential districts and twelve (12) square feet per lot in residential districts. Political signs shall not be greater than six (6) feet in height in nonresidential zoning districts, or greater than four (4) feet in height in residential zoning districts, and signs shall not be located in a manner which may obstruct vision of vehicular or non-motorized traffic on any street. Political signs erected in connection with an election or referendum shall not be erected more than ninety (90) days prior to such event and must be removed within ten (10) days following such event.
11. A home occupation shall be permitted one (1) two (2) square foot wall sign.
12. Window signs, provided that window signs shall not cover more than fifty percent (50%) of the windows on any building wall.
13. Flags or insignia of any nation, state, county, city, community organization, or educational institution, no larger than five (5) feet by

eight (8) feet; provided that no more than one (1) such flag shall be permitted on each lot or parcel of land for every twenty (20) linear feet of street frontage. Flags shall not contain a commercial message. The maximum sign height of flagpoles shall be thirty-five (35) feet.

14. Notwithstanding any other conflicting provisions contained in this Chapter 20, sandwich board signs shall be permitted, and only permitted, in C-2 - Central Business District zone districts. A sandwich board sign area shall not exceed (a) twelve (12) square feet per side, (b) a height of four (4) feet and (c) a width of three (3) feet and shall not in any way be illuminated. A sandwich board sign shall not be permanently moored or anchored to any other object or structure, but shall be designed or weighted to prevent instability or movement by wind or other natural forces. A sandwich board sign may only be placed in front of the facade of the building front of the business or establishment whose information the sign pertains during the hours the business or establishment is open to customers, patrons or the public. Only one (1) sandwich board sign shall be permitted for each business or establishment. All sandwich board signs shall be placed in alignment with city light poles and tree grates and so as not to block neighboring sandwich board signs or unreasonably interfere with pedestrian traffic.
15. One (1) human sign is permitted per lot at any given time, provided that the human sign does not block the sidewalk.

Section 20.07. - Supplementary signs.

In addition to the signs permitted and regulated in this chapter, the signs listed below shall be permitted in accordance with the following standards:

- A. *Temporary signs.* Temporary signs shall be permitted on land zoned C-1 – Neighborhood Business District, C-2 – Central Business District, C-3 – General Business District, PF – Public Facilities District, I-L – Light Industrial District and I – Industrial District, as follows:
 1. Only one (1) temporary sign shall be permitted for each separate establishment located on a parcel of land.

A temporary sign shall be displayed for not more than sixty (60) days (whether or not consecutive) in a calendar year.
 3. A temporary sign shall not be larger than thirty-five (35) square feet and shall not be illuminated.
 4. A temporary sign shall include any other or subsequent temporary sign of generally similar appearance, nature and purpose, as compared to the temporary sign initially permitted under the terms of this section 20.07. Accordingly, an applicant shall not seek to extend the time limitation of

the display of a temporary sign by the attempted display of a different, though similar, temporary sign following the maximum permitted period of display of a permitted temporary sign.

5. A permit for a temporary sign shall be required. An application for the permit, including an application fee as set by the city council from time to time, shall be submitted and include the following:

- (a) An accurate sketch indicating the exact dimensions of the sign, its height, the structure upon which it will be placed, its location in relation to buildings, property lines, driveways and off-street parking areas, and such other information as may be required by the zoning enforcement officer in order to assure that the temporary sign shall comply with the applicable requirements of this chapter.
- (b) A statement signed by the applicant listing specifically the days or the span of consecutive days during which the sign will be displayed and the date or dates on which the sign will be removed and, if applicable, the subsequent date or dates on which the sign will be re-installed and again removed, during the calendar year.
- (c) A listing and description of the other temporary signs, if any, located on the property at the time of the application.

B. *Portable signs.* In the C-3 – General Business District, I-L – Light Industrial District, I – Industrial District, and PF – Public Facilities District, one (1) portable sign may be erected in lieu of a temporary sign, subject to the provisions in subsection A above, provided, that only one (1) is permitted per lot at any given time, and, provided, further, that the portable sign shall not exceed thirty-five (35) square feet in area. In addition, notwithstanding the provisions of subsection A above, a portable sign shall not be displayed for more than seven (7) consecutive days and not more than three (3) times in any calendar year.

C. *Changeable copy signs.* All or a portion of a ground or freestanding sign may be a changeable copy sign in compliance with all of the following requirements, provided, that a changeable copy sign is not permitted in any residential zoning district except when used to advertise a city, county, state or public school facility:

1. The area of a changeable copy sign shall be included in the applicable maximum ground or freestanding sign area limitation and the area of a changeable copy sign shall not exceed fifty percent (50%) of the applicable maximum permitted ground or freestanding sign area.

A changeable copy sign shall not change its message, image or other graphic material with such frequency as to be flashing or oscillating, whether in whole or in part. For purposes hereof, a flashing or oscillating

sign shall include not only a sign having a message or image that changes with high rapidity, but shall also include a sign having a message or image that changes with a frequency such as to serve as a means of attracting attention to the sign or the land use, rather than for the purpose of providing identification or information. The message, image or other graphic material of a changeable copy sign shall change no more frequently than six (6) seconds and each change shall occur in one (1) second or less.

3. The message, image or other graphic material of a changeable copy sign shall, when changing, appear only in its entirety or shall appear in successive letters, words or other graphic elements from left to right only. The message, image or other graphic material shall not appear to flash, move from the center of the sign outward, move from the corners of the sign inward or demonstrate any other unusual movement, oscillation or method of appearance.

Section 20.08. - Permitted signs by zoning district.

- A. The following sign types shall be permitted in accord with the following regulations, in the SR – Suburban Residential District, R-1 – Residential District, R-2 – Residential District, R-3 – Residential District, and MHP Manufactured Home Park District:

1. The following sign is permitted identifying the name of a permitted residential development:

Type	Maximum Number	Maximum Sign Area	Height
Development	1 per lot or parcel	20 square feet	6 feet

2. The following sign is permitted identifying the name of a permitted non-residential use:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	20 square feet	6 feet

- B. The following sign types shall be permitted in accord with the following regulations, in the C-1 – Neighborhood Business District, and PF – Public Facilities District:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall or Marquee	1 per building wall facing a parking lot or public street	15% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05. A. 4.

- C. The following sign types shall be permitted in accord with the following regulations, in the C-2 – Central Business District:

Type	Maximum Number	Maximum Sign Area	Height	Location
Projecting	1 per building wall facing a parking lot or public street	20 square feet	See Section 20.05. A. 4	Cannot extend more than 5 feet from building wall
Wall or Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05. A. 4.	

- D. The following sign types shall be permitted in accord with the following regulations, in the C-3 – General Business District:

Type	Maximum Number	Maximum Sign Area	Height
Ground or Freestanding	1 per street frontage; provided, that a double-frontage lot is permitted only 1 freestanding sign	48 square feet, or 32 square feet if the lot has a street frontage of 66 feet or less	6 feet for a ground sign and 20 feet for a freestanding sign
Wall or Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05. A. 4.

1. Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or freestanding sign; one (1) collective ground or freestanding sign may be used subject to the standards above, provided that a collective ground or freestanding sign shall be permitted a maximum sign area of 72 square feet.
- E. The following sign types shall be permitted in accord with the following regulations, in the I – Industrial District:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall	1 per building wall facing a public street	5% of the wall surface or 50 square feet, whichever is less	See Section 20.05. A. 4.

Section 20.09. - Construction and maintenance.

- A. All signs shall be constructed and maintained in accordance with the latest version BOCA National Building Code adopted by the city.
- B. Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- C. All signs, sign supports, frames, braces, wiring, guys and anchors shall not be maintained in such a manner which, in the opinion of the zoning enforcement officer, has the potential to create a hazard for pedestrians and vehicles.

- D. Signs shall not become unsightly through disrepair or action of the elements. Internal framing, light fixtures and bulbs, and wiring shall not be exposed to the elements.
- E. All signs shall be designed to ensure a dead load and wind pressure in any direction of not less than thirty (30) pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile. Temporary signs, portable signs, or signs made of cloth, fabric, lightweight plastic, or other easily combustible material, or which are produced or originally constructed to flutter in the wind, as determined by the zoning enforcement officer, shall not be placed or left as permanent signs.

Section 20.10. - Nonconforming signs.

- A. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the standards of this ordinance and any applicable amendment thereto may be continued, except as hereinafter provided. No nonconforming sign shall:
 - 1. have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 - be structurally altered so as to change the shape, size, type or design of the sign; or
 - 3. be reestablished or continued after the activity, business, or use to which it applied has been discontinued for at least ninety (90) days.
- B. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the size limitations of this ordinance and any applicable amendment thereto may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least thirty-three (33) percent smaller in area than the original nonconforming sign.
- C. No sign shall be required to be removed which was erected in compliance with this ordinance if such sign becomes nonconforming due to a change occurring after the adoption of this ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- D. If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this ordinance and any applicable amendment thereto.

Section 20.11. - Discontinuance or abandonment.

Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of at least ninety (90) days, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this ordinance and any applicable amendment thereto. All costs of removal shall be at the property owner's expense.

Section 2. Publication. After its adoption, the City Clerk shall publish this ordinance, or a summary thereof, as permitted by law, along with the date of its adoption, in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 3. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in a newspaper of general circulation in the City.

YEAS: Councilmembers Schwab, Hall, Schrauben, Ellison and Mayor Hodges.

NAYS: Councilmembers none.

ABSTAIN: Councilmembers none.

ABSENT: Councilmembers none.

ORDINANCE DECLARED ADOPTED.

Dated: August 5, 2013

Betty R. Morlock
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the “City”), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on August 5, 2013, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents, was published in the *Lowell Ledger*, on August 7, 2013. I further certify that the above ordinance was entered into the Ordinance Book of the City on August 5, 2013, 2013, and was effective August 17, 2013, ten (10) days after publication.

Dated: August 5, 2013

Betty R. Morlock
City Clerk