

## NO. 2841

**AN ORDINANCE AMENDING SECTION 18.50A OF ARTICLE XVIII OF ORDINANCE NO. 543, AS AMENDED, KNOWN AND CITED AS “THE CITY OF LIVONIA ZONING ORDINANCE.”**

THE CITY OF LIVONIA ORDAINS:

Section 1. Section 18.50A of Article XVIII of Ordinance No. 543, as amended, is hereby amended to read as follows:

Section 18.50A Definitions Pertaining to Signs. The following definitions describe particular characteristics of certain words and phrases as used in the ordinance. All other words and phrases used herein shall adhere to the rules of language construction described in Section 2.01 of Ordinance No. 543.

1. Abandoned Sign. Any sign which no longer directs a person to or advertises a bona fide business, tenant, owner, product or activity conducted, or product available on the premises where such sign is displayed, or any sign pole, frame or structure no longer containing a sign, or any sign not repaired or maintained properly, after notice pursuant to the terms of the ordinance.
2. Area of Sign. The area of a sign, expressed in square feet, shall mean the entire area within any circle, triangle or rectangle or square enclosing the extreme limits of writing, representation, emblem or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. 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 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 as the area of the larger face if the two (2) faces are of unequal area.

3. Banner. A temporary sign made of cloth used in connection with some special event or promotion. Banners must be affixed to buildings or light poles and, if attached to a light pole, may not exceed three (3) feet in width or 15 square feet in area.
4. Billboard. A ground sign advertising a product, event, person, business or subject not related to the premises on which the sign is located.
5. Bulletin Board. A sign with temporary or replaceable letters or characters used to announce dates of functions or activities.
6. Business. Any legal use of a building other than for a religious institution, school, home occupation or residence by a person, firm or corporation. Although contained in the same building as another business and owned by the same person, an activity may be treated as a separate business if it is physically separated from, uses different personnel than, and provides different products or services than such other related business.
7. Business Center. A group of four (4) or more contiguous businesses or offices, research facilities or industrial facilities developed as a planned complex which collectively have a name different from the name of any individual business, are under common ownership or management and share a common parking area or otherwise present the appearance of one (1) development site.
8. Business Center Sign. A sign which gives direction, name and identification to a business center.
9. Business Sign. A sign which directs attention to a business or profession conducted, or to a product, service, or activity sold or offered upon the premises where such sign is located.
10. Construction Sign. A sign erected at a construction site identifying the architects, engineers, contractors or other parties responsible for a project, or identifying the intended purposes or uses of the building.
11. Department. The Inspection Department of the City of Livonia.

12. Development Site. A lot, combination of lots, or parcels of property when combined form a complete parcel of land for development purposes.
13. Directional Sign. A sign directing vehicular or pedestrian traffic to parking areas, loading areas, or to portions of a building.
14. Director. The Director of Building Inspection.
15. Entranceway Sign. A sign that designates the street entranceway to a residential or industrial subdivision from a public right-of-way.
16. Flag. A piece of cloth or bunting bearing the symbol of a nation, state, corporation or organization.
17. Flashing Sign. A sign that is intermittently illuminated or reflects light intermittently from either an artificial source or from the sun, or any sign which has movement of any illumination such as intermittent, flashing, or varying intensity, or in which the color is not constant, whether caused by artificial or natural sources.
18. Frontage. Expressed in lineal feet, the width of the first floor portion of a building occupied by a single business facing a street adjacent to the premises on which the business is located.
19. Ground Sign. A freestanding sign supported by one or more upright braces or poles of reasonable size necessary to support such sign, located in or upon the ground or to something requiring location on the ground, including a wall or pillar.
20. Group Identification Sign. A single sign or entranceway structure listing the names and addresses only of the establishments occupying a development or subdivision. The erection of such identification signs is so intended to assist the public in locating establishments within its immediate area and shall be placed upon property within the development or subdivision.
21. Height of a Sign. The vertical distance measured from the surface grade of the land beneath the midpoint of the face of the sign to the highest point of the sign or supporting structure without including any berm, landscaping, grading or other

artificially or unnaturally constructed raised portion of land at the point of measurement.

22. Identification Sign. A sign containing the name of a business operating on the premises, where located, the type of business, owner or resident, and/or the street address and sets forth no other advertisement display.
23. Marquee or Awning Sign. Any sign attached to, erected on or hung from an awning or a canopy. A canopy is a permanent roof-like shelter extending from part of or all of a building face over a public access area and constructed of the same material as the building. A sign on an awning shall be treated as a wall sign.
24. Master Sign Plan. A plan for signage used in a plaza, mall, business center, office complex, industrial complex, or shopping center indicating the location, style and maximum square footage of possible wall signage and the location and size of ground signs and all other signs on the development site.
25. Moving Sign. A sign that has motion either constantly or at intervals, or that gives the impression of movement through intermittent flashing, scintillating, or varying the intensity of illumination whether or not said illumination is reflected from an artificial source or from the sun. Such signs shall not include banners, pennants, spinners, streamers or barber poles.
26. Nameplate. A wall sign not exceeding one (1) square foot in area stating the name of a person, firm, or name or description of a certain permitted use.
27. Natural Materials. Substances determined to be "natural materials" for the purposes of this ordinance shall include, but not be limited to, wood, stone and brick. Substances specifically excluded from this definition are plywood, pressed board, drywall, wood or metal paneling, sheet metal, or any substances synthetically created in a manufacturing process. A natural material sign may only be illuminated by an indirect light source.
28. Non-Conforming Sign. Any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this ordinance, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this

ordinance, or a sign for which a permit was previously issued that does not comply with the provisions of this ordinance.

29. Off-Premise Sign. A sign which contains a message unrelated to a business or profession conducted on the subject property, or to a commodity, service or activity not sold or offered upon the premises where such sign is located.
30. Outline Tubing Sign. An arrangement of tubes or bands of light that outline and call attention to a window or other building feature or certain features of an advertising device such as individual letters, figures, shapes or words commonly referred to as a neon sign.
31. Owner. A person, firm, partnership, association or corporation and/or their legal successors.
32. Pennant. A narrow triangular cloth of the general type which is sometimes associated with naval signaling.
33. Political Sign. A sign announcing the candidacy of a person running for public office or relating to a political party or issues to be voted upon at an election or other information pertinent thereto but excluding official election notices.
34. Portable Sign. A sign that is freestanding, not permanently anchored or secured to either a building or the ground, including but not limited to "A" frame signs, commonly called sandwich signs, "T" frame signs or any other sign which by its description or nature may be, or is intended to be, moved from one location to another.
35. Poster Panel. A device used to draw attention to matters ordinarily temporary or transitory in nature announcing price changes, bargains, loss leaders, and is accessory to the property upon which such sign is located.
36. Premises. Any contiguous real property under common management or ownership.
37. Prohibition. A sign not expressly permitted is prohibited.
38. Projecting Sign. A sign which is affixed to any building or structure other than a marquee and projects in such a way that the message is not parallel to the wall to which it is attached.

39. Public Sign. A sign, noncommercial in nature, including but not limited to the following: legal notices, historic site designations, municipal facility directional or identification signs, street or traffic signs, railroad crossings, danger and other emergency signs as may be authorized by the City of Livonia or any Federal, State or County agency having jurisdiction over the subject matter of the sign.
40. Pylon Sign. A type of ground sign with a clear space of more than six (6) feet between the bottom of the face of the sign and the grade.
41. Real Estate Development Sign. A temporary non-illuminated business sign placed on the premises of a subdivision or other real estate development to advertise the development and provide information relative to availability while the development site is under construction.
42. Real Estate Sign. A temporary non-illuminated sign pertaining to the sale, lease or rental of a single lot or parcel or existing building situated thereon.
43. Regional Center. A planned complex of buildings containing a total gross leasable area of five hundred thousand (500,000) square feet or more and sharing a common parking area.
44. Required Announcement Sign. A temporary ground sign announcing to the general public a pending request for a lot split or rezoning of the property upon which the sign is displayed.
45. Roof Sign. A sign which is attached to a building and any part of which extends or projects above or beyond the roof or parapet.
46. Seasonal Decorations. Signs of a decorative nature not used for any commercial purpose and commonly associated with any national, local or religious holiday.
47. Sign. A name, identification, description, display, light, balloon, flag, pennant, streamer, banner, illustration, letter, numeral, work, model, logo, trademark, representation or device of any kind whatsoever, which is affixed to, or painted, or otherwise located or set upon or in a building, structure or piece of land and which directs attention to an object, product, place, activity,

person, institution, organization or business and which is visible from any public street, sidewalk, alley, park or public property. The definition includes interior and exterior signs but not signs primarily directed at persons within the premises of the sign owners and does not include goods displayed in a store window.

48. Sign Erector. Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.
49. Sign Setback. The distance measured from the portion of the sign structure nearest to the property lines or public rights-of-way. For the purpose of this measurement, the property lines and public right-of-way lines extend vertically and perpendicularly from the ground to infinity.
50. Temporary Sign. A display, information sign, or banner with or without a structural frame intended for a limited period of display including decorative displays for holidays or public demonstrations, civic projects, or other special events of a temporary nature, but shall not include real estate signs.
51. Trailer Sign. A sign calling attention to special events, sales, services, products, or new attractions and is portable by virtue of being part of a trailer, attached to wheels, or towed by a vehicle.
52. Variable Electronic Message Sign. A light emitting diode (LED), digital or other similar sign such as, but not limited to, a liquid crystal display sign, fiber optic sign, or plasma display screen sign, the content of which can be electronically changed by remote or automatic means without altering the face of the sign. A sign or portion of a sign on which the message or display is an electronic indication of fuel price is an example of a variable electronic message sign.
53. Wall Sign. A sign attached to, inscribed or painted on, or placed flat against the exterior surface of any building or the vertical face of a "mansard roof," no portion of which projects more than twelve (12) inches from the wall and which may not project above the roof or parapet line. The roof line meaning the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and the average height between eaves and ridge boards for gable, hip and gambrel roofs. Unless otherwise

permitted, wall signs are prohibited from being erected on the sides of buildings and are required to be located on the front facade, and in no event shall there be more than one (1) sign on the building front of each occupant or tenant.

54. Window Sign. A sign which is applied, affixed, or attached to the interior of any building window or which is displayed through the glass area so as to be visible from the exterior of the building.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

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The above ordinance was passed at the regular meeting of the Council of the City of Livonia held Wednesday, September 9, 2009, at 8:00 p.m.

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Linda Grimsby, City Clerk

The foregoing ordinance was authenticated by me on this 10<sup>th</sup> day of September, 2009.

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Jack E. Kirksey, Mayor

Approved as to form:

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Donald L. Knapp, Jr., City Attorney  
Dated: September 10, 2009