

**TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN
ORDINANCE NO. 2021-07**

AN ORDINANCE AMENDING THE CODIFIED SCIO TOWNSHIP ORDINANCE BY AMENDING CHAPTER 36, SIGN REGULATIONS

The Board of Trustees of the Township of Scio hereby ordains:

Chapter 36, Sign Regulations of the Township of Scio Code of Ordinances is amended to add the following:

SECTION I: CHAPTER / SECTION 36-5 DEFINITIONS

REVISIONS TO SEC 36-5 – DEFINITIONS as follows:

Sign means any structure or part thereof, or device attached thereto or painted or represented thereon, or any material or thing, illuminated or otherwise, which is intended to communicate a message and, which is located upon any land or in any building. The following additional definitions shall apply in the regulation of signs:

- (1) *Abandoned sign.* A sign which no longer advertises or identifies a business, lessor, owner, or activity conducted upon or product available on the premises where such sign is displayed.
- (2) *Business center.* A group of two or more stores, offices, research, or manufacturing facilities which collectively have a name different than the name of any of the individual establishments and which have common off-street parking and entrance facilities.
- (3) *Canopy or marquee sign.* Any sign attached to or constructed within or on a canopy or marquee.
- (4) *District.* Zoning district as established by this chapter.
- (5) *Sign, Electronic Message (EMS).* A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, introducing any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays. The following additional definitions shall apply to an EMS:

Display Time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Dissolve: A mode of messaging transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

Dynamic Frame Effect: AN Electronic Message Sign frame effect in which the illusion of motion and/or animation is used.

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Frame: A complete, static display screen on an Electronic Message Sign.

Frame Effect: A visual effect on an Electronic Message Sign applied to a single frame. See also Dynamic Frame Effect.

LED: Light emitting diode.

Scroll: A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

Transition: A visual effect used on an Electronic Message Sign to change from one message to another.

Travel: A mode of message transition on an Electronic Message Sign in which the message appears to move horizontally across the display surface.

(6) *Freestanding sign.* A sign supported by a structure independent of any other structure.

(7) *Height of sign.* The vertical distance to the top edge of the copy area or structure, whichever is higher, as measured from the adjacent street grade.

(8) *Overlay district sign.* A sign located in the I-94 Overlay District.

(9) *Portable sign.* Any sign not permanently attached to the ground or a building.

(10) *Temporary sign.* A sign that is intended to be displayed for a limited period of time.

(11) *Wall sign.* A sign attached to or erected against the wall of a building with the face in a plane parallel to the plane of the building wall.

(12) *Window sign.* A sign installed on or in a window for the purposes of viewing from outside the premises. This term does not include merchandise located in a window.

SECTION II: ARTICLE XII

Revise Article XII Sign Regulations as follows:

SIGN REGULATIONS

Sec. 36-366. - Purpose.

- (a) The intent of this article is to regulate the location, size, construction, and manner of display of signs in order to minimize their harmful effects on the public health, safety, and welfare. While this article recognizes that signs are necessary to satisfy the needs of sign users for adequate

identification and communication, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of the business and residential areas of the Township, conflicts between different types of land use, reduction in traffic safety to pedestrians and motorists, and other impacts that are contrary to the purposes, intent, and interests identified in this section.

- (b) The principal features are the restriction of certain characteristics of signs and the restriction of the total sign area permissible per site. It is intended that the display of signs will be appropriate to the land, building, or use to which they are appurtenant. It is specifically intended, among other things, to avoid excessive competition and clutter among sign displays.
- (c) The following municipal interests are considered by the Township to be compelling government interests. Each interest is intended to be achieved under this Article in a manner that represents the least restrictive means of accomplishing the stated interest, and in all events is intended to promote an important government interest that would not be effectively achieved absent the regulations in this Article. Regulating the location, size, construction, and manner of display of signage in the most narrowly tailored manner represents the least restrictive means of addressing the targeted government interests of avoiding unsafe and nuisance-like conditions while maintaining and improving pedestrian and vehicular safety and efficiency; character and quality of life; economic development and property values; property identification for emergency response and wayfinding purposes; and unique character of areas of the Township.
 - (1) Public Safety. Maintaining pedestrian and vehicular safety are predominant and compelling government interests throughout the Township, with particular emphasis on the safety of pedestrians. The safety path and sidewalk network provides facilities for pedestrians situated between vehicular roads and private properties throughout the Township in areas of the Township without sidewalks or safety paths, pedestrians typically travel along the edge of the roadways.

Since most signage on the private properties is intended and designed to attract the attention of operators of motor vehicles, thereby creating distractions that can jeopardize traffic and pedestrian safety, this ordinance is intended to regulate signs so as to reduce such distractions and, in turn, reduce the risk of crashes, property damage, injuries, and fatalities, particularly considering the rate of speed at which the vehicles are traveling in the districts identified in this article.

This Ordinance is also intended to protect public safety by requiring signs that are poorly maintained and/or structurally unsafe to be repaired or removed to protect against fallen signs or deteriorating sign debris from entering improved roadways, sidewalks and safety paths and causing dangerous conditions for vehicular traffic and pedestrians.

- a. The Township encourages signage that will inform motorists and pedestrians of their desired destinations without conflicting with other structures and improvements. These interests are legitimately supported by limiting the maximum size of signage, providing setbacks, and specifying minimum-sized characters for efficient perception by motorists and pedestrians, while minimizing distractions that could put pedestrians at risk.
- b. In some circumstances, adjusting the size, setback, and other regulations applicable to signage may be important to avoid confusion and promote clarity where vehicular speeds vary on commercial/business thoroughfares.

- c. In multi-tenant buildings and centers, it is compelling and important to provide distinct treatment with a gradation of regulation for individual identification depending on base sign size, amount of road frontage, and the like, all intending to provide clarity to alleviate confusion and thus additional traffic maneuvers, provide a minimum size of characters to allow identification, and maintain maximum-sized overall signage to prevent line-of-sight issues.
 - d. Maximum size and minimum setback of signage is compelling and important to maintain clear views for both traffic and pedestrian purposes.
- (2) Character and Quality of Life. Achieving and maintaining attractive, orderly, and desirable places to conduct business, celebrate civic events, entertain people, and provide for housing opportunities is directly related to the stability of property values needed to provide and finance quality public services and facilities within the Township. This article intends to allow signs that are of sufficient, but not excessive, size to perform their intended function as necessary to provide and maintain the Township's character and support neighborhood stability. Signs that contribute to the visual clutter, contribute to the potential conflict between vehicular and pedestrian traffic, and distract from scenic resources and views, will be prohibited in efforts to preserve the character, aesthetic qualities, and unique experience within the Township. It is also the intent of this ordinance that signs will reflect the character of unique districts as may be established by the Township's Master Plan, other adopted plans, or this article and other parts of the zoning ordinance.
- (3) Economic Development and Property Values. The establishment of the restrictions in this article has a direct relationship to creating stability and predictability, allowing each private interest to secure reasonable exposure of signage, and thus promoting business success. The application of the restrictions in this article allows businesses to reasonably command attention to the content and substance of their messages while concurrently allowing the promotion of other visual assets, including (without limitation) landscaping and architecture, all of which contribute to economic development and property value enhancement.
- (4) Avoidance of Nuisance-Like Conditions. Due to the concentration of people and activities, there is a potential for, and it is a compelling interest to avoid, blight, physical clutter, and visual clutter in the Township. The result of these conditions leads to diminished property values, reduced attractiveness of the community, and reduced quality of life within the districts. Minimum regulations that substantially relate to signage are important and necessary for the maintenance and well-being of positive conditions, good character, and quality of life in the Township. Ultimately, these regulations are compelling and important for the protection of all police power values.
 - a. An excessive number of signs in one location creates visual blight and clutter, as well as confusion of the public. Thus, limiting the number of signs on properties, establishing setbacks from property lines, and requiring reasonable spacing between signs are compelling interests that can be directed with minimum regulation.
 - b. Signs that are too large can lead to confusion, undermine the purposes of the signs, and ultimately lead to physical and visual clutter. Establishing maximum sizes can be the subject of clear and effective regulations that address this compelling and important interest.

- c. Requiring maintenance specifications for signs can minimize the creation of blight and clutter due to the deterioration of signs that are not durable or otherwise well-constructed, and such regulations would be consistent with construction codes for other structures.
 - d. There is a compelling governmental interest that signs avoid glare, light trespass, safety, and skyglow. The selection of proper fixture type(s) and location, use of supportive lighting technology, and control of light levels in a reasonable fashion is consistent with regulations that are narrowly tailored to achieve the Township's interests.
- (5) Property Identification for Emergency Response and Wayfinding Purposes. Locating a business or residence by police, fire, and other emergency responders can be a matter of life and death, and thus it is a compelling interest to ensure that proper, understandable, unambiguous, and coordinated signage be permitted and required, and specifications for such purposes can be accomplished in a simple and narrow manner. Wayfinding for vehicular and pedestrian purposes is also a compelling interest to avoid confusion in public rights-of-way, and unnecessary intrusions on private property. Sign specifications for such wayfinding can be coordinated with property identification for such emergency and other purposes.
 - (6) Maintaining Unique Character of Areas of the Township. Acknowledge the unique character of certain areas and districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas/districts.
 - (7) Protection of the Right to Receive and Convey Messages. The important governmental interests and regulations contained in this article are not intended to target the content of messages to be displayed on signs, but instead seek to achieve *non-speech* objectives. In no respect do the regulations of signage prohibit a property owner or occupant from an effective means of conveying the desired message. Nothing in this article is intended to prohibit the right to convey and receive messages protected by the First Amendment of the United States Constitution.

Sec. 36-367. - General sign regulations.

The following regulations shall apply to all signs in the township:

(a) *Illuminated signs.*

(1) General Standards.

- a. *Residential districts.* Only indirectly illuminated signs shall be allowed in any residential district provided such sign is so shielded as to prevent direct light rays from being visible from a public right-of-way or any adjacent residential property.
- b. *Commercial, wholesale-warehouse, office, research development and industrial districts.* Indirectly or internally illuminated signs are permitted provided such signs are so shielded as to prevent direct light rays from being visible from a public right-of-way or any adjacent residential property.

c. *Changes in intensity.* No sign shall have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color. Beacon lights or search lights shall not be permitted as a sign except as provided in section 36-373.

d. *Signs after hours.* In an effort to reduce glare created by signs in the evening after businesses are closed, signs shall be turned off 30 minutes after closing and may be turned on 30 minutes before opening. As an alternative, the owner may reduce the intensity of the illumination of the sign by at least 50%, 30 minutes after closing until 30 minutes before opening. Verification of sign dimming capability shall be provided to the Township as a part of the Zoning Compliance certificate.

e. *Mounting and shielding.* An external light source illuminating an exterior sign shall be mounted above the sign, shall be shielded so that the light source is not directly visible from any point on or above a horizontal plane extending from the light source and shall not be aimed or directed toward a residential building or another lot or toward a public right-of-way.

(2) Sign Illumination Standards – The illumination of all signs, including electronic message signs (EMS), shall not exceed 0.3 footcandles above ambient light levels based upon illumination measurement criteria set forth in Table 36-367(2) and Section 36-367(3).

Table 36-367(2) Sign Area Versus Measurement Distance	
Area of Sign Sq. ft.	Measurement Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100-
*For signs with an area in square feet other than those specifically listed in this table (e.g., 12 sq. ft., 400 sq. ft., etc.), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$	

(3) *EMS Illumination Measurement Criteria* - The illuminance of all signs shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance of an EMS shall be measured with the EMS off, and again with the EMS displaying a white image for a full color-capable EMS, or a solid message for a single-color EMS. All measurements shall be taken as close as practical to a perpendicular plane of the sign from the sign face at the distance determined by the total square footage of the sign as set forth in Table 36-367(2) Sign Area of a Sign versus Measurement Distance.

(b) *Measurement of sign area.* The area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all the display area of the sign and including all the elements of the matter displayed. Frames and structural members not bearing copy or display material shall not be included in computation of sign area. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except where two such faces are placed back-to-back, parallel to one another, and less than 24 inches apart, in which case the area of the sign shall be the area of one face.

(c) *Height of sign.* No freestanding sign shall exceed a height of 15 feet.

(d) *Setback requirements for signs.* Unless specified elsewhere in this article, all ground signs shall maintain a minimum 15-foot setback from all road rights-of-way and shall be located no closer than 15 feet from the edge of the principal entrance driveway and all property lines.

(e) *Flags in non-residential districts.* Flags shall be permitted in commercial, office, wholesale, and warehousing, research and development, and industrial zoning districts, subject to the following regulations:

- (1) The flags shall be located on the same lot as the business building or use.
- (2) Notwithstanding any other provision of this chapter, flags shall meet the yard requirements for signs and the height limits for structures in the zoning district in which located.
- (3) The area of each flag shall not be included in the sign area that is permitted on a lot.
- (4) Not more than one flag shall be permitted for each public road frontage of the lot on which located.
- (5) Flags located on the premises of new or used vehicle sales, not exceeding 18 square feet, and which are attached to existing parking light standards (one per standard) shall be permitted.

(f) *Flags in residential districts.* Flags for residential uses in residential districts shall not be regulated by this Chapter.

Sec. 36-368. - Signs permitted in all districts.

Subject to the other conditions of this chapter, the following signs shall be permitted anywhere within the township without permit.

- (a) Signs mounted to a wall, mailbox or lamppost not exceeding two (2) square feet in size located solely on single family residential structures;

- (b) Directional signs that are erected for the sole and express purpose of directing traffic flow on private property. Directional signs shall not exceed four (4) square feet in area and four (4) feet in height. Directional signs may be illuminated subject to the requirements set forth in Section 36-367(1).
- (c) Signs erected in public rights-of-way by public road agencies; and
- (d) Non-illuminated interior window signs, subject to the provisions of Section 36-371 (C).
- (e) Messages when carved into stone, concrete, or similar material or made of other permanent-type construction and made an integral part of the structure, of no more than fifteen (15) square feet in area.

Sec. 36-369. - Prohibited signs.

- (a) *Miscellaneous signs and posters.* Tacking, pasting, or otherwise affixing signs or posters that are visible from a public way, and located on the walls of buildings, barns, sheds, or on trees, poles, posts, or fences shall be prohibited. Nothing in this ordinance is intended to restrict or prohibit signs required by law to enforce property rights such as those required for impounding vehicles or prohibiting trespassing, soliciting, or hunting.
- (b) *Banners.* Banners, pennants, search lights, twirling signs, sandwich board signs, sidewalk, or curb signs, balloons, or other gas-filled figures shall be prohibited except as provided in section 36-373.
- (c) *Swinging signs.* Signs that swing or otherwise noticeably move as a result of wind pressure because of the manner of suspension or attachment shall be prohibited.
- (d) *Moving signs.* Except as otherwise provided in this section, any sign, or any portion thereof that moves or assumes any motion constituting a non-stationary or fixed condition shall be prohibited.
- (e) *Motor Vehicle Signs.* No person shall park any vehicle or trailer on a public right-of-way, public property, or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign. Currently licensed vehicles and trailers that have a sign painted upon them in a permanent manner shall be excluded from this provision.
- (f) *Portable signs.* Portable signs, not including any temporary sign permitted in section 36-373 shall be prohibited.
- (g) *Unclassified signs.* The following signs are prohibited:
 - (1) Signs that imitate an official traffic sign or signal which contain the words "Stop," "Caution," "Danger," "Warning," or similar words except as otherwise provided in this section.
 - (2) Signs that are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device, or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.
 - (3) Signs that contain statements, words, or pictures of an obscene or pornographic character.

- (4) Signs that are painted on or attached to any fence or any wall that is not a structural part of a building, except to identify a residence.
- (5) Signs that emit audible sound, odor, or visible matter.
- (6) Roof signs.
- (h) *Attached wall signs.* Signs attached to a wall of a building with the face of the sign in a plane that is not parallel to the plane of the wall to which it is attached shall be prohibited.

Sec. 36-370. - Permitted signs in recreation-conservation, residential and agricultural districts.

- (a) One sign shall be permitted for each public street frontage having a curb cut for a vehicle entrance, for an authorized nonresidential land use or lawful nonconforming use except a home occupation. Each sign shall not exceed 18 square feet in area.
- (b) One sign shall be permitted for a home occupation. The sign shall not exceed three square feet in area and shall be attached flat against the front wall of the building.
- (c) One sign shall be permitted for each public street frontage of an authorized residential land use including a subdivision, multiple-family building development, or a mobile home park. Each sign shall not exceed 18 square feet in area. Each sign shall be set back not less than fifteen (15) feet from the right-of-way line of any public street and shall not exceed four feet in height.

Sec. 36-371. - Permitted signs in commercial, office, and industrial districts.

Canopy or marquee signs, wall signs, and freestanding signs are permitted in all commercial, office and industrial districts subject to the following conditions:

- (a) Signs permitted for single buildings on developed lots or group of lots developed as one lot, not in a business center subject to subsection (2) of this section.
 - (1) *Area.* Each developed lot shall be permitted at least 80 square feet of sign for all exterior freestanding signs. The area of exterior attached wall and freestanding signs permitted for each lot shall be determined as two square feet of sign area for each one linear foot of building length which faces one public street. The maximum area for all exterior attached wall signs for each developed lot shall be 200 square feet. No freestanding sign shall exceed 100 square feet in area. No exterior wall sign for an occupant without ground floor frontage shall exceed 24 square feet in area.
 - (2) *Number.* Each developed lot shall be permitted one exterior freestanding sign. For developed lots with more than 450 feet of frontage (including total corner lot frontage), two exterior freestanding signs may be permitted. In the case where two freestanding signs are permitted the total area of all signs shall not exceed the area requirements of section 36-371(1)(a) above. All occupants without ground floor frontage shall be permitted one exterior attached wall sign. The total area of all exterior signs shall not exceed the total sign area permitted in subsection (1) of this section.
- (b) Signs permitted for a shopping center, office park, industrial park, or other integrated group of stores, commercial buildings, office buildings or industrial buildings, not subject to subsection (1) of this section.

- (1) *Freestanding signs.* Each business center shall be permitted one freestanding sign. Each sign shall be permitted to display up to four (4) messages. The maximum permitted sign area shall be determined as one square foot for each one linear foot of building which faces one public street. The maximum area for each freestanding sign shall be 200 square feet. Individual tenants of a business center shall not be permitted to have a freestanding identification sign. For business centers with more than 450 feet of frontage (including total corner lot frontage), two exterior on-site freestanding signs may be permitted. In the case where two freestanding signs are permitted the total area of all signs shall not exceed the area requirements of this section.
 - (2) *Wall signs.* Each business in a business center with ground floor frontage shall be permitted exterior wall signs. The sign area for such exterior wall signs shall be computed as one square foot for each one linear foot of building frontage occupied by the business. All businesses without ground floor frontage shall be permitted one combined exterior wall sign not more than 24 square feet in area. Business centers that face both a street and parking lot (two facades) may have 165% of the total sign space allowed with no single sign to exceed one square foot for each one linear foot of building frontage occupied by the business.
 - (3) *Office and Industrial_Park signs.* A freestanding sign may be installed at the entrance to an office and industrial park. Office and Industrial_Park signs shall be no higher than six feet above the height of the public road at the point of the centerline most closely adjacent to the sign not to exceed 48 square feet.
- (c) Window signs shall be permitted and shall not be included in total sign area computation if said signs do not occupy more than 25 percent of the total window area of the floor level on which displayed or exceed a total of 200 square feet for any one building. If window signs occupy more than 25 percent of said window area or exceed a total of 200 square feet or any one building, they shall be treated as exterior signs and shall conform to subsections (1)a and (2)b of this section.
 - (d) No canopy or marquee sign shall extend into a public right-of-way except by variance granted by the zoning board of appeals. In granting such a variance the board of appeals shall ensure that the requirements of section 36-375 are complied with; that the minimum clearance of such sign is eight feet measured from the sidewalk surface to the bottom edge of the sign; that the sign does not obstruct pedestrian or vehicular view; and that the sign does not create a hazard for pedestrian or vehicular traffic.
 - (e) Service station signs. Notwithstanding any of the provisions of this article, no signs shall be located on fuel pump islands, except those constituting an integral part of the pump or those required by state law or regulation.
 - (f) Electronic Message Signs. Electronic message signs, where permitted, shall be subject to the following standards and requirements:
 - (1) General Standards.
 - A. Electronic message signs shall only be permitted in the Jackson Road Overlay District (JROD).
 - B. The area devoted to an electronic message sign (EMS) shall not exceed twenty-five percent (25%) of the permissible ground sign area.

C. The ground sign in which the EMS is incorporated shall be in complete conformity with the ground sign requirements of the district in which the premise is located. All other signs shall conform to the requirements of the district in which the premise is located.

D. There shall be no window sign permitted, maintained, or installed on a premise with an EMS.

E. The EMS must comply with all sign display and illumination standards in Section 36-367(a).

(2) Message Display and Communication Requirements:

A. The display time of an EMS shall not be less than two (2) minutes per message display.

B. The transition or change of message shall appear instantaneous without the use of special effects such as dissolve or fade.

C. An EMS shall not exhibit any characteristics of movement or flashing and shall not use techniques defined as dynamic frame effect, scroll, or travel.

D. No EMS message display shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light or have the brilliance or intensity that will interfere with any official traffic sign, device, or signal.

E. An EMS shall be limited to a dark background with lighter letters. A white or bright background with dark letters shall not be permitted.

F. An EMS shall not include any audio message or audible sound.

(3) Miscellaneous Requirements.

A. No EMS shall be permitted to operate unless it is certified as follows and equipped with all of the following mechanisms, programming, and equipment in proper working order at all times:

1. A default mechanism that will cause the EMS to revert immediately to a default static display to zero lumens if the EMS or any component thereof malfunctions.

2. A non-glare panel covering the electronic changeable copy display or other equivalent method approved by the Township to substantially reduce glare.

3. A sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions.

4. A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness, illumination, and display standards established in this article and that

the preset levels are protected from end user manipulation by password protected software or other method with certification shall be provided to the Township.

5. The owner or controller must either turn off or adjust the sign to meet the brightness and illumination standards set forth in Section 36-367(a). The adjustment must be made within twelve (12) hours of a notice of non-compliance from the Township.

Sec. 36-372. - I-94 Sign Restriction Overlay.

- (a) *Intent.* The Intent of the I-94 Sign Restriction Overlay is to promote safety and quality community aesthetics along the I-94 corridor by limiting the size and number of signs placed in proximity of the interstate right-of-way.
- (b) *Location.* The provisions of the I-94 Sign Restriction Overlay shall apply on private property within 100 feet of the right-of-way of Interstate I-94, regardless of the underlying Zoning District. The Overlay provisions shall only apply within the 100-foot area. The remainder of the lot shall not be subject to the Overlay.
- (c) *Relationship to Other Regulations.* All regulations of this Article shall apply within the Overlay, in addition to the regulations of the Overlay itself. In the event of a conflict, the more restrictive regulation shall govern.
- (d) *Regulations.* Signs within the I-94 Sign Restriction Overlay shall be permitted only in accordance with the following regulations:
 - (1) Signs within the Sign Restriction Overlay shall be permitted in C-3, I-1, and I-2 zoning districts, and shall be considered the principal use of such lots. Signs shall not be placed on a lot with any other building thereon, and no other structure shall be placed on a lot where such sign is located.
 - (2) Where two or more signs within the Sign Restriction Overlay are located along the frontage of a street or highway, they shall be not less than 1,000 feet apart. The double face (back-to-back) of a V-type structure shall be considered a single sign provided the interior angle of such signs does not exceed 20 degrees.
 - (3) The total surface area, facing in the same direction, of any Signs within the Sign Restriction Overlay, shall not exceed 300 square feet. Signs may be single- or double-faced and shall contain no more than two faces, or panels.
 - (4) Signs within the Sign Restriction Overlay shall not exceed 20 feet in height from ground level.
 - (5) Signs within the Sign Restriction Overlay shall not be erected on the roof of any building nor have one sign above another.
 - (6) Signs within the Sign Restriction Overlay shall meet the standards found in section 36-367(1)(c) of this article with regard to illumination.

Sec. 36-373. - Temporary signs.

- (a) Standards for All Temporary Signs.

- (1) Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display.
 - (2) The maximum display time of temporary signs is 30 days unless additional time is granted under subsection 3 below. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days between display of a temporary sign on the same property.
 - (3) In recognition that there is a need for additional expression of speech prior to a scheduled election, the following applies for a period of sixty (60) days prior to and three (3) days after a Township-designated election day on which there is at least one ballot item: the maximum allowable area of temporary signs shall be increased to sixty-four (64) square feet per premise in all districts. The maximum area of an individual sign remains as stated in Section (b) below.
- (b) Specific Standards.
- (1) For new residential developments one sign for each public street frontage of a recorded subdivision or development shall be permitted. Each sign shall not exceed 18 square feet in area. Each sign shall be removed within one year after the initial sale, lease, or rental of 90 percent of all lots or units within said subdivision or development.
 - (2) One sign shall be permitted on sites under construction, such sign shall not exceed 24 square feet in area, and not more than one sign shall be permitted on a site. Signs shall have a maximum height of ten feet and shall be confined to the site of the construction, construction shed or construction trailer and shall be removed within 14 days after the issuance of a certificate of occupancy.
 - (3) Temporary signs for an event or function, shall be permitted. Maximum sign area shall not exceed 24 square feet. Signs shall be allowed for up to seven (7) days prior to the event or function and one (1) day after it is over. These temporary signs are allowed no more than 21 days in a calendar year. If building-mounted, signs shall be flat wall signs and shall not project above the roofline. If ground-mounted, signs shall not exceed six feet in height. Signs shall be set back in accordance with section 36-367(4).
 - (4) Banners, pennants, searchlights, balloons, or other gas-filled figures shall be permitted at the opening of a new business in a commercial or industrial district, for a period not to exceed 14 consecutive days. Such signs shall not obstruct pedestrian or vehicular view and shall not interfere in any way with safe traffic flow.
 - (6) In residential districts one temporary sign, located on the property that is for sale, lease or rent and not exceeding six square feet in area shall be permitted. In all other zoning districts one sign located on property for sale, lease or rent shall be permitted, provided it does not exceed 32 square feet in area and is set back in accordance with section 36-367(4). If the lot has multiple frontages, one additional sign not exceeding six square feet in area in residential districts or 32 square feet in area in all other districts shall be permitted. Under no circumstances shall more than two such signs be permitted on a lot. A sign permit shall not be required for these types of signs.

Sec. 36-375. - Nonconforming signs.

Nonconforming signs shall not:

- (a) Be reestablished after the activity, business, or usage which is located on the same premises has been discontinued for 90 days or longer.
- (b) Be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, or design of the sign.
- (c) Be reestablished after damage or destruction, if the estimated expense of reconstruction exceeds 50 percent of the replacement cost as determined by the building inspector.

Sec. 36-376. - Permits.

- (a) A permit shall be required to erect or replace a sign, or to change the copy of a sign, unless otherwise specified herein. The application shall be made by the owner of the property, or authorized agent, thereof, to the township zoning official.
- (b) An application for a sign permit shall contain the following:
 - (1) The applicant's name and address in full, and a complete description of the relationship to the property owner.
 - (2) If the applicant is not the property owner, the signature of the property owner concurring in submittal of the application.
 - (3) The address of the property.
 - (4) An accurate scale drawing of the property showing location of all buildings and structures and their uses, and location of the proposed sign.
 - (5) A complete description and scale drawing of the sign, including all dimensions and the area in square feet.
- (c) All signs shall be inspected by the township zoning official for conformance to this chapter prior to placement on the site.
- (d) A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit. Said sign permit may be extended for a period of 30 days upon request by the applicant and approval of the zoning inspector.
- (e) Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure, unless a structural or size change is made, shall not require a sign permit.
- (f) Signs for which a permit is required shall be inspected periodically by the zoning official for compliance with this chapter and other laws of the township.

Sec. 36-377. - Removal of signs.

- (a) The zoning official shall order the removal of any sign erected or maintained in violation of this chapter except for legal nonconforming signs. Thirty days' notice in writing shall be given to the owner of such sign or of the building, structure, or premises on which said sign is located to remove the sign to comply with this notice or the township shall remove the sign.

- (b) If it reasonably appears that the condition of a sign is such as to present an immediate threat to the safety of the public, the township shall provide ten (10) days' notice in writing to the owner of such sign or of the building or structure or premises upon which the sign is located ordering repair or removal of the sign. Thereafter, the township may repair or remove the sign. Any cost of repair or removal incurred by the township shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the manner of taxes and such charge will be a lien on the property.
- (c) A sign shall be removed by the owner or lessee of the premises upon which the sign is located within 30 days after the business or activity is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the township shall remove it in accordance with the provisions stated in section 36-377(b). These removal provisions shall not apply where a subsequent owner or lessee conducts the same type of business and agrees to maintain the signs provided the signs comply with the other provisions of this chapter.

SECTION III. Inconsistencies Repealed:

Any and all other ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION IV. Severability:

Should any section, clause or paragraph of this Ordinance be declared by court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part hereof other than the part declared to be invalid.

SECTION V. Saving Clause:

That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION VI. Effective Date:

The provisions of this Ordinance are hereby ordered to take effect seven (7) days following publication in a newspaper of general circulation within the Township. This Ordinance is hereby declared to have been adopted by the Scio Township Board of Trustees in a meeting duly called and held on September 28, 2021.

**TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN**

William Hathaway, Township Supervisor

ADOPTED: September 28, 2021
PUBLISHED: October 20, 2021
EFFECTIVE: October 27, 2021

Jessica M. Flintoft, Township Clerk

CERTIFICATION

I, Jessica M Flintoft, Clerk of the Township of Scio, County of Washtenaw, Michigan, do hereby certify that the foregoing is a true and complete copy of Township Ordinance number 2021-07, an amendment to Code of Ordinances of the Township of Scio, and was adopted by the Scio Township Board of Trustees on the 28th day of September 2021, and given publication in the SunTimes and Washtenaw Legal News, newspapers of general circulation, on the 20th day of October 2021. The following members of the Scio Township Board of Trustees voted as follows in connection with this resolution to adopt the above amendatory ordinance.

AYES: Hathaway, Palmer, Flintoft, Courteau, Jerome, Knol, Vogel

NAYS: None.

ABSENT: None.

ABSTAIN: None.

In witness hereof, I have hereunto affixed my official seal this 15th day of October 2021

Jessica M Flintoft, Clerk
Township of Scio