

ARTICLE XXV-B. GENERAL SIGN REGULATIONS

§ 50-142.5 DEFINITIONS.

(a) For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ATTACH or **INSTALL**. Any act associated with the placing of a sign such as to construct, erect, post, paint, glue, paste, print, staple, nail, stamp, tape, tack and the like.

SIGN. Any panel, painted, printed, plated, etched, routed, screened, cut, formed and the like, either illuminated or not illuminated, advertising or in concert with other advertising a name(s) or a person, firm, service, event, product or place or having any form of inscription, notice of publicity thereon. Included in this definition are signs commonly referred to as posters, placards, show bills, circulars, stickers, billboards and the like.

(b) For the purpose of this article, signs shall be divided into types listed below. Where applicable, the appropriate BOCA nomenclature is also given for the various types of signs.

<i>Article Types</i>	<i>BOCA Nomenclature</i>
1. Temporary sign	Temporary sign
2. Nameplates	—
3. Projecting and vertical signs	Marquee signs
4. Column signs	Ground signs
5. Roof signs	Roof
6. Poster signs	Poster panel or billboard
7. Portable signs	—
8. Special signs	—
9. Mobile/trailer signs	—

(Ord. 2504, passed 6-23-1975; Ord. 2726, passed 7-23-1979)

§ 50-142.6 GENERAL PROVISIONS.

(a) No sign shall be erected on or over public property within a distance of ten feet, measured horizontally, from any fire hydrant, traffic light, fire alarm box or street light pole, nor shall any sign be erected in any location where by reason of traffic conditions, fire, explosion hazard, it would imperil public safety or interfere with the functions of the Fire Department. No sign of Types 1, 3 and 4 shall be erected with its lowest point nearer than ten feet of the sidewalk grade; provided, however, that any sign attached to a canopy erected on or over public property pursuant to the Building Code, as amended, shall be a part of the canopy and shall comply with the clearance requirements for the canopy.

(b) No person shall attach any notice, sign, placard, carpet or other encumbrance or any tree, fountain, post, railing, fence or other structure in or surrounding any public park ground or boulevard.

(c) Between the street right-of-way line and a point seven feet behind this line it is the intent of this article to provide a minimum clear vision area in the space between 36 inches above grade and ten feet above grade, no part of any sign face, sign column or other sign appurtenances, including traffic, information signs, shall encroach into this clear vision area. Exceptions to this requirement would be when the existing building setbacks are less than seven feet, such are found along some parts of Fenton Road, Lewis Street and the like.

(d) The provisions of the BOCA Basic Building Code, having been adopted by the City of Flint, shall remain in full force and effect and are to be read in harmony with the provisions of this article to the extent feasible; provided, however, in the event of any conflicting provisions of this article with the BOCA Basic Building Code or any other ordinance now or hereafter in effect, the more restrictive provisions of the conflicting ordinance shall apply.

(e) Prohibited are signs which:

(1) Contain or are an imitation of an official traffic sign or signal or contain words such as "Stop," "Go Slow," "Caution," "Danger," "Detour," "Warning" or similar words, or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic;

(2) Are of a size, location, movement, content, coloring or manner of illumination, including but not limited to, flashing lights, which may be confused with or construed as a traffic-control device which hide from view any traffic or street sign or signal;

(3) Advertise any activity, business, product or service once conducted or available on the premises upon which the sign is located, but which is no longer conducted or available on the premises. The owner of the premises shall have such sign removed within 30 days after termination of the activity, business, product or service which this sign advertises. If the sign is not removed by the owner of the premises the Director of Building and Safety Inspection shall undertake to have the sign removed and the charges therefor shall be assessed against the property; or

(4) Contain statements, words or pictures of an obscene, indecent or immoral character, as such terms are defined by the provisions of this Code of ordinances and any other ordinance of the City of Flint dealing with obscenity.

(f) Illumination. All light sources used to illuminate signs shall be shielded in such a manner that passersby and building occupants within view of such signs will not be able to view the bare lamps of such illuminated signs. Signs with exposed lamps shall be approved by the Division of Building and Safety Inspection as to elements of glare. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic-control devices.

(g) Signs are defined as structures and are subject to height limitations set forth herein.

(h) A sign not in conformance with this article shall constitute a nonconforming use of property. No nonconforming sign shall be replaced, restored, reconstructed, extended or substituted except in accordance with the provisions of this article.

(Ord. 2504, passed 6-23-1975; Ord. 2726, passed 7-23-1979; Ord. 3063, passed 7-11-1988)

Cross-reference:

Building Code, see §§ 11-1 et seq.

§ 50-142.7 TYPE 1, TEMPORARY SIGNS.

(a) This section is limited to signs maintained for a period of 60 days or less. Signs used for a longer period must conform to the requirements of a permanent sign.

(b) A cloth-type sign panel shall not exceed 30 square feet in area and shall be suspended by wire or rope securely anchored.

(c) The Division of Building and Safety Inspection may order any temporary sign in a dilapidated condition removed, regardless of the period of time since its installation.

(d) The term **TEMPORARY SIGN** shall include, but shall not be limited to, construction signs, real estate signs, political signs and overhead or suspended signs.

(e) There shall be one construction sign per project which may identify all of the architects, engineers, contractors and other individuals or firms involved with the construction at the site of the sign, and there may be one sign announcing the character of the building enterprise or the purpose for which the building under construction is intended, but neither of the signs shall include any advertisement of any product and each such sign shall be limited to a combined total maximum area of 64 square feet and shall be confined to the site of construction and shall be removed within 30 days after the beginning of the intended use of the project.

(f) Real estate signs shall be limited to a total area of six square feet, but the limit shall be increased to 32 square feet of total area in commercial and manufacturing districts. Such signs shall be removed within 20 days after the sale, rental or lease of the property.

(g) Political signs (temporary) shall be limited to a maximum size of six square feet in residential districts but the area limit shall be increased to 32 square feet of total area in commercial and manufacturing districts. This size provision shall not prohibit the use of permanent signs of any size or location legally authorized herein for political advertisement. Political signs (temporary) are exempt from the requirements for permits under the Basic Building Code; they are exempt from the requirements for installation by a licensed bonded sign hanger, and they are exempt from the requirements for authorization or ratification in writing of the owner of the property as required herein, however, oral permission shall be required. Such exception, however, shall not be construed to relieve the owner of the sign from responsibility for its erection, maintenance and safety. The earliest time that political (temporary) signs may be installed is 40 days before an election. Political signs (temporary) shall be removed within 20 days of the election. Nothing herein shall prohibit political signs for general election candidates to remain on location between the primary and general election.

(h) The attaching and removal of political signs and other signs of a temporary nature shall comply in all respects with subsections (a) through (f) of this section, and in addition, shall comply with the following provisions.

(1) *Location.* No person shall, by himself or herself or by another, attach any signs except such as may be expressly authorized by law on any street or sidewalk, or upon any public place or object in the City, or on any fence, building, or property belonging to the City, or upon any street, telegraph pole, electric light pole, or tower or any other utility pole, in or on any public tree, street or alley in the City. This section shall not prohibit the City from developing and leasing or licensing public property to a private person for advertising purposes.

(2) *Attachment of signs.* It shall be unlawful for any person, firm or corporation, except a public officer or employee in the performance of a public duty, or a private person in giving a valid legal notice, to attach any sign or notice of any kind upon any property, public or private, or cause or authorize the same to be done, without consent, authorization or ratification in writing of the owner, holder, occupant, lessee, agent or trustee thereof; provided, however, that this provision shall not apply to the distribution of handbills, advertisements or other printed matter that are not securely affixed to the premises.

(3) *Installation.* It shall be unlawful for any person, firm or corporation to install any signs or notice of any kind upon any property, private or public, or cause or authorize the same to be done unless the person, firm or corporation shall affix thereto on either lower corner a notice, in letters not less than one-quarter inch high, stating the name and address of the person, firm or corporation, engage in

or employed to do the physical installation of such signs.

(4) *Removal.* The person, firm or corporation, whose name appears on the sign shall be responsible for the removal of such sign or notice and the same shall be removed from the property, private or public, within 20 days after the occurrence of the event for which the sign was installed.

(5) *Sale signs.* “For sale” signs of the so-called “garage sale,” “rummage sale,” “yard sale” or “antique sale” type shall be restricted to the property where the sale is being held and such sign shall remain posted no longer than nine days, nor more than two occasions within a 12-month period.

(Ord. 2504, passed 6-23-1975; Ord. 2726, passed 7-23-1979; Ord. 3254, passed 9-27-1993; Ord. 3305, passed 8-14-1995)

§ 50-142.8 TYPE 2, NAMEPLATES.

(a) Unless otherwise restricted by provisions of this article, nameplates for professional offices, apartment complexes, public and quasi-public buildings and institutions shall be sized in proportion to the building which they service. The Director of Building and Safety Inspection shall review the application for installation of nameplate signs and determine the appropriateness of the size of the sign.

(b) The Director of Building and Safety Inspection shall develop and publish guidelines for the size limitations of nameplates.

(Ord. 2504, passed 6-23-1975)

§ 50-142.9 TYPE 3, PROJECTING AND VERTICAL SIGNS.

(a) The term “projecting or vertical signs” shall apply to any sign projecting at an angle of 90 degrees, more or less, from the space of a wall with a frame or supporting member or cantilever-type construction. No portion of the sign shall project closer than two measured horizontally to the edge of a street with minimum vertical clearance of 16 feet over public driveways or alleys. No projecting or vertical sign shall have an area greater than 100 square feet; provided a projecting or vertical sign having an area greater than 100 square feet may be erected or altered upon application to and approval by the City Council.

(b) Any person desiring to erect or alter such a projecting or vertical sign having an area greater than 100 square feet shall make, or cause to be made, an application in writing, through the Division of Building and Safety Inspection, to the City Council, signed by the owner or person in control of the premises where the sign is proposed to be erected or altered, stating the location thereof. Upon its approval of the City Council, the application shall be referred to the Division of Building and Safety Inspection for a permit in accordance with and upon compliance with the provisions of this article.

(c) No person, company or corporation shall put up, erect, keep, use or maintain on or in any City sidewalk any post or fixture for the support of any sign, awning or advertisement, or for any other purpose, without having first obtained the permission of the City Council upon the recommendation of the Director of the Department of Public Works.

(Ord. 2504, passed 6-23-1975)

§ 50-142.10 TYPE 4, COLUMN SIGNS.

(a) The term “column sign” shall apply to any advertising panel supported by or suspended from a free standing column or columns. Each of these columns shall not have a projected width on a plane perpendicular with the front property line of more than 14 inches, nor a projected width on a plain parallel with the front property line of more than 21 inches. These maximum column size requirements may be waived when erected outside the clear vision area of § 50-142.6(c), or as modified. When more than one column is used, they shall be separated a distance of not less than 30 inches at a distance of five feet above grade. Column signs shall not be erected within two feet of an interior property line.

(b) Column signs may be erected outside private property lines on application to the Division of Building and Safety Inspection, giving location, with respect to property lines, fire hydrants.

(Ord. 2504, passed 6-23-1975; Ord. 3063, passed 7-11-1988)

§ 50-142.11 TYPE 5, ROOF SIGNS.

(a) The term “roof sign” shall apply to any advertising panel erected on the roof of a building or on a wall where the sign projects above the top of the wall.

(b) Roof signs shall be included in the height of the building for compliance with the height requirements of this article.

(Ord. 2504, passed 6-23-1975)

§ 50-142.12 TYPE 6, POSTER BOARDS.

(a) The term “poster board” shall apply to any advertising panel typically erected on a free standing framework independent of a building. Large poster boards are commonly referred to as “billboards.”

(b) Poster boards or billboards, being principal uses advertising a product or service not found on the premises, shall not restrict the view of on-premises advertising and thus shall have no part of the sign face, sign column or other sign appurtenance located closer than seven feet to a street right-of-way line nor closer than two feet to the nearest side lot line. The Director of the Division of Building and Safety Inspection shall establish building lines on streets where no plat restrictions exist. All poster boards shall be erected on structural

steel frames anchored to the ground by concrete piers.

- (c) Poster boards may be erected no closer than 300 feet to a residentially zoned district.

(Ord. 2504, passed 6-23-1975; Ord. 3063, passed 7-11-1988; Ord. 3281, passed 10-24-1994)

§ 50-142.13 TYPE 7, PORTABLE SIGNS.

The term "portable sign" shall apply to an unlighted advertising panel supported on a base not exceeding 100 pounds in weight. These signs shall not exceed nine square feet in area. No portable sign shall be placed in a public right-of-way, street, alley or parkway (the area between the sidewalk and curb) sidewalk or path. No portable sign shall be placed or maintained in any location which shall cause or create a dangerous or hazardous condition.

(Ord. 2504, passed 6-23-1975; Ord. 2726, passed 7-23-1979)

§ 50-142.13.1 MOBILE/TRAILER SIGNS.

Any sign on a motor vehicle or trailer which is parked on the premises for the sole purpose of advertising a business or product or service of a business located on the premises or abutting the premises is prohibited, except that a changeable message advertising panel mounted on a vehicle or free standing is permitted under the following conditions.

- (a) The sign shall not have any flashing lights.
- (b) No exposed lamps or bulbs are permitted.
- (c) The signs shall not exceed 32 square feet in sign face area.
- (d) Each individual business premises or location shall be limited to the use of one such sign on one occasion in each calendar year, the occasion not to exceed 60 consecutive days.

(Ord. 2726, passed 7-23-1979)

§ 50-142.14 TYPE 8, SPECIAL SIGNS.

(a) The term "special sign" shall apply to any advertising display such as goods, merchandise, devices, illuminating device, or any other display for advertising purposes placed out of doors and not otherwise provided for in this article. Special signs shall comply with the general provisions of § 50-142.6 hereof.

(b) The Director of the Division of Building and Safety Inspection shall make and enforce such regulations necessary to insure safe and secure structures, properly located, to safeguard life and property rights and to protect the public interest.

(Ord. 2504, passed 6-23-1975)

§ 50-142.15 MAINTENANCE OF SIGNS; PRIVILEGE FEES.

- (a) Responsibility for keeping signs in good repair and in good condition rests entirely with the owner or owners of the sign.

(b) Owners of signs of Type 3 and 4 where located on public property, shall pay the City an annual privilege fee plus a fee per square foot of area of one side of sign. The fees shall be established from time to time by resolution of the City Council, kept on file by the City Clerk, and contained in Appendix A of the City Code. Provided that, if the owner is a person, organization or corporation organized and doing business exclusively for a charitable purpose, then and in that event the owner shall not be required to pay the annual privilege fee provided for herein.

(c) Annual privilege fees shall be payable on or before May 1 of each year at the Division of Building and Safety Inspection. Persons with delinquent sign privilege fees shall be charged a service charge of 1.5% per month beginning 30 days after the due date.

(d) Charges for use of the City property for signs shall be a lien thereon and during the month of April of each year the Director of Building and Safety Inspection shall certify any such charges which, as of April 1 of that year, have been delinquent six months or more to the City Assessor, who shall enter the same upon the City tax roll of that year against the premises to which the City property was used for the sign, and the charges shall be collected and the lien shall be enforced in the same manner as provided with respect to taxes assessed upon the roll; provided, that when a tenant is responsible for payment of any such charges and the City Council is so notified in writing with a true copy of the lease of the premises attached (if there is one), then no such charge shall become a lien against the premises from and after the date of the notice. However, in the event of the filing of the notice, the owner of the premises shall cause the sign to be removed and no permit shall be issued for the erection of a sign on City property for the premises until the delinquent charges have been paid and a one- year advance deposit is made.

(Ord. 2504, passed 6-23-1975; Ord. 3428, passed 2-8-1999)