

VILLAGE *of* FRANKLIN

Ordinance No.: 2019-01

An Ordinance to amend Chapter 1474, Signs and Outdoor Display Structures, of part fourteen, title six of the Codified Ordinances of the Village of Franklin, Oakland County, Michigan, to modify regulations governing temporary signs, repeal conflicting ordinances, and prescribe a penalty for violations.

The Village of Franklin ordains:

Section 1.

Chapter 1474 of the Codified Ordinances of the Village of Franklin shall be amended, as follows:

Chapter 1474

Signs and Outdoor Display Structures

1474.01 Purpose

These regulations are intended to permit signs and other outdoor displays (referred to herein collectively as signs) that are needed for the purposes of identification or advertising, or, in the case of special displays, are intended to be decorative in nature, subject to the following objectives:

- (a) By reason of their size, location, spacing, construction or manner of display, signs shall not endanger life or limb, confuse or mislead drivers, obstruct vision necessary for traffic safety, or otherwise endanger public health or safety.
- (b) Signs should enhance the aesthetic appeal of the Village, including the preservation of its historic and cultural resources, scenic areas and viewsheds, and the dark night sky. Thus, these regulations are intended to:
 - (1) Regulate oversized signs that are out-of-scale with surrounding buildings and structures, and
 - (2) Prevent an excessive accumulation of signs that cause visual clutter.
- (c) The placement and design of signs should further the land use planning objectives of the Village. Signs should protect neighborhood character and the value of surrounding properties.

1474.02 Scope Of Requirements

It shall be unlawful for any person, firm, or corporation to erect, construct, affix, attach, relocate, or alter any sign in the Village of Franklin except in conformance with the provisions of this Article, subject to issuance of a permit by the Building Department, unless as otherwise provided herein.

1474.03 Definitions

The following definitions shall apply in the interpretation of this chapter:

- (a) **“Awning / canopy sign”** means a sign which is painted or printed on, or attached flat against the surface of an awning.
- (b) **“Banner sign”** means a sign made of fabric, cloth, paper, or other non-rigid material that is typically not enclosed in a frame.
- (c) **“Box type sign”** means an internally lit sign consisting of a box like framework on or within which is mounted a plastic or acrylic sign panel.
- (d) **“Cantilevered sign”** is a sign which hangs from a horizontal post that is projected from a single vertical support.
- (e) **“Clear vision triangle”** is a triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection. In the case of a driveway intersecting with a street, the triangular area shall be formed at the intersection of the street right-of-way line and the edge of an intersecting driveway at a distance of twenty-five (25) feet from their point of intersection.



Awning / Canopy Sign



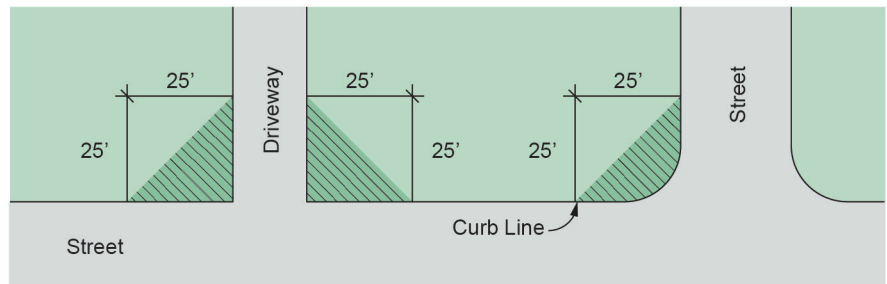
Box Type Sign



Banner Sign



Cantilevered Sign



Clear Vision Triangle

- (f) **“Directional sign”** means a sign that is intended to direct the flow of vehicular and pedestrian traffic to, from and within a lot or group of lots that together have coordinated parking, access, or other relevant development features.



Flag



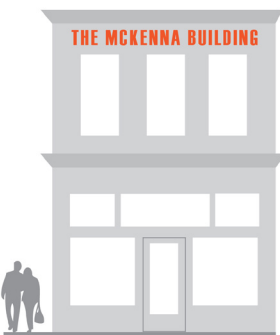
Ground Sign



Incidental Sign



Moving Sign



Nameplate Sign

- (g) **“Flag”** means an exhibit made of flexible material that is mounted on a pole and which represents or symbolizes an organization, group, cause, event, activity, or unit of government.
- (h) **“Ground sign”** means a freestanding sign supported by vertical posts or braces in or upon the ground, including cantilevered signs.
- (i) **“Historical marker”** means a sign erected to denote a significant or aesthetic historic site, building, or district as designated by the Historic District Commission.
- (j) **“Historic District Commission”** means the Commission established by Chapter 1230 of the Codified Ordinances of the Village of Franklin.
- (k) **“Incidental sign”** means a small sign, emblem, or decal designed and located to be read only by people within the site and generally not visible or legible from the road right-of-way or adjacent properties. Examples include, but are not limited to, credit card signs, signs on ATMs, signs indicating the hours of business, no smoking signs, signs used to designate restrooms, barrier-free signs, and other signs that provide information to be read nearby. The allowable square footage for incidental signs shall not count against total allowable sign area for any other permitted type of sign.
- (l) **“Interior sign”** means any sign which is located completely within an enclosed non-residential building and which is not visible from the road right-of-way.
- (m) **“Moving sign”** means a sign in which the sign itself or any portion of the sign moves or revolves. A “rotating” sign is a type of moving sign.
- (n) **“Nameplate sign”** means a sign that identifies the occupants of a building.
- (o) **“Noncommercial message sign”** means a sign that is not related to or connected with trade and traffic or commerce in general and includes, but is not limited to, signs expressing opinions or points of view and signs for noncommercial events.
- (p) **“Obsolete sign”** means any sign that no longer identifies a business or other use that is in operation, or that identifies any activity or event that has already occurred.



Parapet



Pole Sign



Portable Sign (example)



Projecting Sign

- (q) **“Off premise commercial advertising sign”** means a sign that contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such a sign is located. Such signs include, but are not limited to, billboards, off-premise real estate signs and off-premise development signs.
- (r) **“On-premise commercial advertising sign”** means a sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where the sign is located. Such signs include, but are not limited to, on-site real estate signs, garage sale signs, and a sign advertising the contractor, developer, engineer, broker, architect, financial institution, or other commercial entity affiliated with a project under development and located on the same premises as the project under development.
- (s) **“Outline tubing sign”** means a sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it.
- (t) **“Outdoor sign”** means any letter, symbol, number, or other manmade installation regulated within this chapter, or combination of these, which is visible from the traveled portion of a public road.
- (u) **“Painted sign”** means any sign, which uses paint or other material directly applied upon the exterior surface of structure.
- (v) **“Parapet”** means the extension of a false front or wall above the roof line. Signs mounted on the face of the parapet shall be considered wall signs.
- (w) **“Personal expression sign”** means any sign that expresses an opinion, interest, or position.
- (x) **“Pole sign”** means a type of freestanding sign that is elevated above the ground on a single pole or post.
- (y) **“Portable sign”** means a sign which by its construction is intended to be moved from one location to another.
- (z) **“Projecting sign”** means a sign, other than a flat wall sign, that projects more than fifteen (15) inches from the face of the building or structure upon which it is located.



Roof Sign



Sandwich Board Sign

- (aa) **“Public sign”** means a sign erected in the public interest by or upon orders from a local, state, or federal public official. Examples of “public signs” include but are not limited to, memorial plaques and signs expressing matters of historical interest.
- (bb) **“Regulatory sign”** means a sign required by the Village of Franklin, Michigan Department of Transportation or the Road Commission for Oakland County for the purpose of directing or regulating traffic or identifying streets. Examples include, but are not limited to, legal notices, safety signs, and traffic signs.
- (cc) **“Roof line”** means the top edge of a roof or building parapet, whichever is higher, excluding cupolas, chimneys, and similar minor projections.
- (dd) **“Roof sign”** means a sign that extends above the roof line or is erected or constructed over the surface of the roof.
- (ee) **“Sandwich board sign”** means an advertising or business ground sign constructed in such a manner as to form an “A” or tent-line shape, hinged or not hinged at the top.
- (ff) **“Sign”** means any device, structure, fixture, display, or placard, which uses words, numbers, figures, graphic designs, logos or trademarks used for visual communication intended to attract the attention of the public for the purposes of informing or providing direction. Unless otherwise indicated, the definition of “sign” includes interior and exterior signs that are visible from any public street, sidewalk, alley, park, or public property.
- (gg) **“Sign Board of Appeals”** means the Village Zoning Board of Appeals and shall constitute the “Sign Board of Appeals” for the purposes of interpreting and carrying out the provisions of this chapter, except for those matters over which the Village Construction Board of Appeals has jurisdiction.
- (hh) **“Special display”** means a temporary outdoor display intended to be decorative in nature having no direct sales or advertising content, which is larger in area than other signs allowed in the zoning district. A “special display” includes, but is not limited to, holiday displays and promotions for non-profit, civic, public welfare or charitable purposes.



Vehicle Sign

(ii) **“Storefront”** means the front side of a store or store building facing a street, which shall apply to any non-residential use. In the case of a storefront within a multi-tenant building, storefront shall mean that portion of the façade that is rented, owned, or otherwise under legal control by the occupant of the storefront.



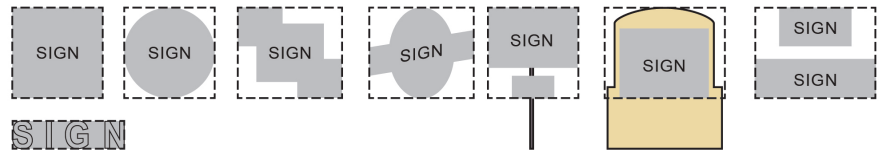
Wall Sign

(jj) **“Temporary sign”** means a sign that is displayed in accordance with the provisions of this chapter for a limited period of time. Examples of “temporary signs” include real estate signs, special displays, sandwich board signs, and signs that announce a community or civic event or other special events.



Window Sign

(kk) **“Total surface area of a sign”** means, in the case of a double-sided sign, the sum total of both sides of the sign, all lettering, wording and accompanying designs and symbols together with the background whether open or enclosed on which they are displayed computed in square feet. In shall not include any supporting framework, decorative framing or bracing that is incidental to the display itself.



(ll) **“Vehicle sign”** means a sign on a bus, truck, trailer, or other vehicle while being operated and used for transport in the normal course of business.

(mm) **“Wall sign”** means any sign attached to, painted upon, or drawn upon an exterior wall of a structure that projects less than fifteen (15) inches from the face of the building or structure upon which it is located.

(nn) **“Window signs”** means signs that are located in or on a window and that are intended to be viewed from the outside. Window signs may consist of:

- (1) Signs that are applied directly to the inside or outside surface of a window; or
- (2) Opaque, translucent or transparent panels which are suspended or supported inside a display window and which are visible from the street.

1474.04 Plans, Specifications, and Permits

- (a) **Permits.** It shall be unlawful for any person to erect, alter, relocate, or structurally change a sign, unless specifically exempted by this chapter, without first obtaining a permit in accordance with the provisions set forth herein. A permit shall require payment of a fee, which shall be established by the Village Council.
- (b) **Application.** An application for a sign permit shall be made upon forms provided by the Building Department and shall contain or have attached thereto the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The location of the building, structure, or lot on which the sign is to be attached or erected.
 - (3) The position of the sign in relation to nearby buildings, structures, and property lines.
 - (4) Two (2) copies of plans showing the dimensions, materials, methods of construction, and attachment to the building, structure or ground.
 - (5) The name, address and telephone number of the person, firm, corporation or association erecting the sign.
 - (6) Information concerning required electrical connections.
 - (7) Written consent of the owner or lessee of the premises upon which the sign is to be erected.
 - (8) A site plan containing a schematic illustration of the sign drawn to scale showing the proposed location in relation to the building.
 - (9) Other information required by the Building Official to make the determination that the sign is in compliance with all applicable ordinances and regulations.
 - (10) For temporary signs, an application shall contain the proposed location of the sign(s), type of sign(s) and duration.
- (c) **Review of Applications.**
 - (1) **Building Official Review.** After receipt of an application and permit fee, the Building Official shall review said application to determine compliance with the Village Code.
 - (2) **Historic District Commission Review.**
 - A. All signs located in the Historic District of the Village of Franklin shall require the approval of the HDC. Prior to granting approval of a sign application, the HDC shall consider, among other things:

1. The effect the sign will have on the aesthetic value of the building or property upon which the sign is to be erected; and
 2. The relationship of the design of the sign to the exterior architectural features of the structure upon which the sign is to be erected.
- B. If the approval of the Historic District Commission (“the HDC”) is required, then approval by the Building Official shall be subject to HDC approval, and the Building Official shall refer the sign to the HDC for its review.
- C. HDC approval shall not be required for those signs deemed necessary for the public health, safety or welfare by the Village Council or for those temporary signs erected under the provisions of Section 1474.12.
- (3) **Village Council Review.** One temporary sign per event, not to exceed twelve (12) square feet per side and located on the applicant’s property shall not require Village Council approval; however, a permit is required.
- (4) **Issuance of a Permit.** Following review and approval of a sign application by both the Historic District Commission (where applicable) the Village Council (where applicable) and the Building Official, the Building Official shall have the authority to issue a sign permit.
- (5) **Validity of Permits.** Sign permits issued hereunder shall be valid for a period of six (6) months from the date of issuance. If the work authorized under the permit to construct a sign has not been completed within six (6) months after the date of issuance, then the permit shall become null and void. However, upon payment of a fee established by Village Council resolution for an extended permit, the period of time to construct the sign shall be extended for one (1) additional six (6) month period.
- (d) **Performance Bonds.** The Building Official may, to insure strict compliance with any regulation contained herein or required as a condition of the issuance of a permit, require the permittee to furnish a performance or surety bond, or cash bond at the discretion of the Building Official, executed by a reputable surety company authorized to do business in the State of Michigan in an amount determined by the Building Official to be reasonably necessary to insure compliance hereunder.
- (e) **Exception.** A sign shall not be enlarged or relocated except in conformity with the provisions set forth in this chapter for new signs, nor until a proper permit has been secured. However, a new permit shall not be required for ordinary servicing or repainting of an existing sign message, cleaning of a sign, or changing of the message on the sign where the sign is designed for such changes (such as numbers on a gasoline price sign). Furthermore, a permit shall not be required for certain exempt signs listed in Section 1474.10.

1474.05 Inspection and Maintenance

- (a) **Inspection of New Signs.** All signs for which a permit has been issued shall be inspected by the Building Official during the construction phase, and immediately after the completion of construction to assure that the sign has been constructed in compliance with the Village Code. It shall be the responsibility of the applicant to notify the Building Official of the date of commencement and the date of completion of the construction of the sign. The Building Department shall notify the applicant in writing of any violations of any chapter of the Village Code in the construction of the sign. If, within fourteen (14) days of written notice, sent by first class mail, the applicant has failed to take steps to correct the violation, then the Building Department may cause such sign to be removed at the expense of the owner.
- (b) **Inspection of Existing Signs.**
 - (1) The Building Official may inspect any sign regulated by this chapter to ascertain whether it is secure and whether it is in need of painting, repair or removal.
 - (2) If the Building Official does not approve said sign because it is unlawfully installed, not secure or is in need of repainting, repair, or removal, then the Building Official shall send written notice by first class mail to the owner of the property stating the reasons why the sign failed to pass inspection. If, within fourteen (14) days of receiving written notice, the owner has failed to take steps to correct the violation, then the Building Official shall send written notice to remove the sign within fourteen (14) days. If, after expiration of the additional fourteen (14) day period the owner does not comply with the request of the Building Department, the Building Department may cause such sign to be removed at the expense of the owner. The fourteen (14) day period to correct violations may be extended at the discretion of the Building Official due to weather-related restrictions.
- (c) **Correction of Unsafe or Unlawful Signs.** When any sign becomes unsecured, dilapidated, in danger of falling, or otherwise unsafe in violation of any of the provisions of this chapter or any other ordinances of the Village of Franklin, then the owner thereof, or the firm maintaining the sign, or the person in control of the premises, shall make the sign safe and secure by completing any necessary reconstruction or repairs or by entirely removing the sign. If actions to correct the violations are not completed within fourteen (14) days after receiving written notice from the Building Official, then the Building Department may cause such sign to be removed at the expense of the owner.

1474.06 Removal of Obsolete Signs

Any obsolete sign shall be removed by the owner, agent, or person having use of the building, structure or activity. Within fourteen (14) days after vacating a commercial establishment, the proprietor shall be responsible for removal of all commercial advertising signs in conjunction with the business. Fourteen (14) days after vacating a commercial establishment, commercial advertising signs are considered off-premise and are subject to applicable off-premise commercial advertising sign regulations and if not found to conform may be removed at the expense of the owner.

1474.07 Nonconforming Signs

- (a) **Amortization of Nonconforming Signs.** Nonconforming permanent signs shall be removed or brought into compliance with ordinance requirements whenever a permit is required for the modification or replacement of said signs.
- (b) **Repairs and Maintenance.** Nonconforming signs shall be kept in good repair. Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than fifty percent (50%) of the sign's prior fair market value, exclusive of foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or, repair or replacement of electrical wiring or electrical devices.
- (c) **Modifications to the Principal Building.** Whenever the principal building on a site on which a nonconforming sign is located is modified to the extent that site plan review and approval is required, the nonconforming sign shall be removed.
- (d) **Additional Signs.** No additional signs shall be permitted on a lot or building while a nonconforming sign exists on the lot or building.
- (e) **Change in Occupancy or Business License.** If, at any given location, there is a change in the occupancy or business license, all nonconforming signs shall be removed.
- (f) **Fees.** There shall be no plan review fee charged to an applicant for a new sign when the owner voluntarily proposes to remove a nonconforming sign.

1474.08 Appeal to the Sign Board of Appeals

- (a) The Sign Board of Appeals shall be established for the purposes of interpreting and carrying out the provisions of this chapter, except for questions of construction requirements for which the Construction Board of Appeals shall have jurisdiction.

(b) **Appeal.**

- (1) **Application by Aggrieved Person.** Any person aggrieved by a notice or order of the Building Official issued in connection with any alleged noncompliance with or violation of this chapter or any applicable rules and regulations pursuant to this chapter may appeal to the Sign Board of Appeals by filing with the Village Clerk an application, on a form provided by the Village, to appeal setting forth reason for contesting the notice or order.
- (2) **Application Filing.** The application to appeal must be filed within twenty (20) days after issuance of the notice or order being contested.
- (3) **Time of Hearing.** Within forty-five (45) days after filing of an application to appeal, the Sign Board of Appeals shall conduct a hearing. The Village shall set the time and place of the hearing and notify the applicant at least fifteen (15) days prior to the hearing date.

(c) **Action of Sign Board of Appeals.**

- (1) **Power.** The Sign Board of Appeals shall have the power to modify or reverse, wholly or partly, the notice or order given under this chapter, grant variances and grant extensions of time for the performance of any act where the Sign Board of Appeals finds such extension is in harmony with the general purpose of this chapter to secure the public health, safety and welfare.
- (2) **Necessary Vote.** The concurring vote of a majority of the members of the Sign Board of Appeals shall be necessary to reverse, wholly or partly, or modify any order, requirement, decision or determination of the Building Official or to decide in favor of the applicant any matter upon which it is required to pass or to grant any variance to the requirements of this chapter.
- (3) **Period of Validity.** No order or variance of the Sign Board of Appeals permitting the erection or alteration of a sign, except for an interpretation made by the Sign Board of Appeals shall be valid for a period longer than six (6) months from the date of approval, unless a permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- (4) **Site Plan Transferability.** A variance granted shall be valid only under a site plan or layout of the property which was considered by the Sign Board of Appeals. A variance granted shall run with the land and shall be transferable to a new owner.
- (5) **Reconsideration.** After a variance has been denied in whole or in part by the Sign Board of Appeals, such application shall not be resubmitted for a period of one (1) year from the date of the last denial. However, a denied variance may be reconsidered by the Sign Board of Appeals when, in the opinion of the Sign Board of Appeals, newly discovered evidence or materially changed conditions warrant such reconsideration.

- (6) **Certificates of Approval.** In authorizing a variance or extension, the Sign Board of Appeals may attach conditions it determines to be reasonable, necessary or appropriate to further the purposes and spirit of this chapter and to protect the public health, welfare and safety.
- (d) **Stay.** An appeal made under this section shall stay all proceedings in furtherance of the action appealed from unless the Building Official certifies to the Sign Board of Appeals, after the application to appeal has been filed, that a dangerous condition or emergency exists, in which case the proceeding shall not be stayed except by a restraining order or by the circuit court.
- (e) **Standards for Variance.**
 - (1) **Findings of Fact.** A variance to this chapter may be granted by the Sign Board of Appeals when it determines competent material and substantial evidence presented supports all the following affirmative findings:
 - A. **Special Conditions.** That special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not generally applicable to other lands, structures or buildings in the same district;
 - B. **Unreasonable Limitation.** That literal interpretation or application of the provisions of this chapter would unreasonably prevent, limit or obscure the placement of a sign on the property or adversely affect vehicular or pedestrian traffic;
 - C. **Substantial Justice.** Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by the chapter, the individual difficulties that will be suffered by a failure of the Sign Board of Appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will be not contrary to the public purpose and general objectives and spirit and intent of this chapter.
 - (2) **Support of Findings.** The findings of fact in subsection (1) of this section shall be made by the Sign Board of Appeals, which is not empowered to grant a variance without an affirmative finding of fact in each of the categories listed in subsection (1) of this section. Every finding of fact shall be supported in the record of the proceedings of the Sign Board.

1474.09 Conflicts With the Zoning Code

Whenever any provisions of the Zoning Code (Part Twelve, Title Four of the Codified Ordinances) imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of this chapter, the provisions of the Zoning Code shall govern.

1474.10 Permitted Exempt Signs

A sign permit shall not be required for the following signs, which shall be permitted subject to applicable provisions herein:

- (a) **Address Numbers.** Address numbers with a numeral height of no greater than twelve (12) inches for residences and businesses.
- (b) **Nameplate Signs.** Nameplates identifying the occupants of the building, not to exceed two (2) square feet.
- (c) **Regulatory Signs.**
- (d) **Signs for the Public Health, Safety and Welfare.** Signs deemed necessary for the public health, safety and welfare by the Village Council.
- (e) **Vehicle Signs.** The primary use of the vehicle displaying the sign shall not be for the purposes of promoting a commercial or non-commercial entity on the premises where the vehicle is parked.
- (f) **Flags.** Flags, subject to the following conditions:
 - (1) **Location.** Flags and flagpoles shall not be located within any right of way.
 - (2) **Heights.** Flag poles shall have a maximum height of 30 ft.
 - (3) **Number.** No more than two (2) flags per lot in residential districts, no more than three (3) flags per lot in all other districts.
 - (4) **Size.** Maximum flag size is 24 sq. ft. in residential districts, 35 sq. ft. in all other districts.
 - (5) **Commercial Messages.** Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the flag shall be included in, and limited by the computation of allowable area for, signs on the property.
 - (6) **Noncommercial Messages.** Flags up to three sq. ft. in area containing noncommercial messages are considered Personal Expression Signs and are regulated in accordance with 1474.10(g).
- (g) **Personal Expression Signs.** Personal expression signs shall not:
 - (1) Exceed three (3) sq. ft. in area per side;
 - (2) Contain messages that are commercial in nature;
 - (3) Be illuminated.

- (h) **Incidental Signs.** Incidental signs of any sign type of a commercial nature, not exceeding a sum total of two (2) sq. ft. in area and directed only at persons on the premises.
- (i) **Interior Signs.**
- (j) **Historic Markers.** A maximum of one (1) historic marker, in the form of a wall plaque or ground sign, is permitted to designate a building as a historic structure, or to designate historic property, subject to Historic District Commission approval.
- (k) **Directional Signs.** Directional signs:
 - (1) Shall not exceed four (4) square feet in area or four (4) feet in height.
 - (2) May be located in the front setback area, provided they are set back at least ten (10) feet from the road right-of-way.
 - (3) When located in the Historic District, directional signs must also receive approval from the HDC.

1474.11 Prohibited Signs

The following signs are prohibited:

- (a) Any sign not expressly permitted.
- (b) Any sign, which by reason of its position, shape, wording, location or color, obstructs the vision of drivers or of pedestrian traffic.
- (c) Signs which incorporate flashing, blinking, or moving lights.
- (d) Moving signs, including any sign that has any visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including electric pulsations or movement caused by normal wind current.
- (e) Any sign or structure which:
 - (1) Is structurally unsafe;
 - (2) Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;
 - (3) Is capable of causing electrical shock; or
 - (4) Is not kept in good repair, such that it has broken parts, missing letters, or non-operational lights.

- (f) Any sign erected on a tree, fence, or utility pole, except regulatory signs or signs specifically permitted by the Village of Franklin, the Road Commission for Oakland County, the Michigan Department of Transportation, or other governing body with jurisdiction over a road right-of-way.
- (g) Obsolete signs, as specified in Section 1474.06.
- (h) Signs affixed to a parked vehicle or truck trailer, which is being used principally for advertising purposes, rather than for transportation purposes.
- (i) Any sign unlawfully installed, erected or maintained.
- (j) Roof signs.
- (k) Signs affixed to street furniture, such as benches and trash receptacles, except signs of an area not greater than one (1) sq. foot indicating the servicing company owning such street furniture.
- (l) Off-premise advertising signs.
- (m) Internally illuminated signs.
- (n) Exposed neon tubing and other types of outline tubing signs including LED or similar lighting.
- (o) Signs painted directly onto a building surface.
- (p) Box type signs.
- (q) Cylindrical signs.
- (r) Banners, pennants, spinners, and streamers, unless specifically permitted elsewhere in this chapter.
- (s) Any sign that is erected, constructed, or maintained so as to obstruct a fire escape, required exit, or window or door opening used as a means of access to or egress from a structure.
- (t) Any sign that covers significant architectural features.
- (u) Alley signs (signs that project beyond public alley lines).
- (v) Any sign that is attached in a manner that interferes with an opening required for ventilation, except that signs may be erected in front of transom windows when not in violation of the provisions of this chapter.

1474.12 Temporary Signs

Temporary signs shall be permitted as specified in the table at the end of this Article, subject to the following:

- (a) **Location.** Temporary signs may be located in the required setback area, provided the applicant has obtained permission from the property owner. No temporary sign or special display shall be located within the road right-of-way or on public property and may not obstruct the vision of drivers or detract from the visibility of any traffic sign or traffic control device.
- (b) **Types.**
 - (1) **Special displays.** A special display may be illuminated between the hours of 7:00 a.m. and 11:00 p.m.
 - (2) **Banners.** Commercial banners shall promote goods and services available on the premises of the advertising establishment. Banners shall be securely attached to a building and/or structure and shall not be freestanding.

1474.13 Construction and Design Standards

- (a) **General Requirements.** All signs shall be designed and constructed in a safe and stable manner in accordance with the Village's adopted building and electrical codes. All electrical wiring associated with a ground sign shall be installed underground.
- (b) **Building Code.** All signs shall be designed to comply with the minimum requirements set forth in the adopted building code.
- (c) **Framework.** All signs shall be designed so that the supporting framework is contained within or behind the face of the sign or within the building to which it is attached so as to be totally screened from view.
- (d) **Freestanding Sign Configurations.** The following types of freestanding signs shall be permitted: cantilevered sign, two-post style, vertical ground mounted style, and horizontal ground mounted style.
- (e) **Materials.** Signs shall be constructed of wood, glass, masonry, or cast metal or high density urethane which must be painted and is intended to mimic wood. Prohibited materials include sheet plastic, plastic substrates, interior grade woods, unlaced plywood, sheet metal, neon and LED.
 - (1) Sandwich board frame structures shall be constructed exclusively of dark colored wood or similar synthetic material, with chalkboard or other hard surfaced material for the face areas of the sign.

- (f) **Color.** One color shall be used for the background field on a multi-tenant sign. Fluorescent and day-glo colors are prohibited.
- (g) **Design.** Signs and supports shall be designed so that they are compatible with the architecture and color of the building, and where applicable, with the Historic District. Refer to “Signage Guidelines” prepared by the Village of Franklin for design recommendations in the Historic District.

1474.14 Illumination

- (a) **General Requirements.** Signs shall be illuminated only by a steady, stationary, shielded electric light source directed solely at the sign and obscured from public view. All electrical devices and wiring shall be installed in accordance with the requirements of the Michigan Electrical Code, as adopted in Chapter 1428.
- (b) **Non-Glare Shielded Lighting.** Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded so as not to project onto adjoining properties or thoroughfares.
- (c) **Traffic Hazards.** Sign illumination that could distract motorists or otherwise create a traffic hazard shall be prohibited.
- (d) **Internal Illumination.** Internal illumination of any sign is prohibited.
- (e) **Neon.** No neon is permitted; including reverse channel set neon where the neon tubing is hidden is permitted.

1474.15 Location

- (a) **Within a Public Right-of-Way.** No sign shall be located within, project into, or overhang a public right-of-way, except as otherwise permitted herein.
- (b) **Sight Lines for Motorists.** Signs shall comply with the requirements for unobstructed motorist visibility, including maintenance of the Clear Vision Triangle, by leaving the area between two and one-half feet in height and seven feet in height clear of obstruction.

1474.16 Measurement

- (a) **Sign Area.** Sign area shall be computed as follows:
 - (1) **General Requirements.** Where a sign consists of a generally flat surface or sign face on which lettering and other information is affixed, the sign area shall be computed by measuring the entire face of the sign.
 - (2) **Individual Letters.** Where a sign consists of individual letters and logo affixed directly to a building, the area of the sign shall be computed by measuring the area of the envelope required to enclose the lettering and logo.
 - (3) **Ground Sign.** The area of a ground sign shall be computed by measuring the entire vertical surface of the face upon which the letters and logo are attached. In the case of a double-faced ground sign, each side shall be measured separately and the sum total of both sides of the sign, shall be the total surface area of the sign. Sign height shall be measured as the distance from the average level of the ground or pavement directly below the sign (sign grade) to the highest point of the sign structure, including any supportive or decorative appendages, without including any berm, landscaping, grading, or artificially or unnaturally constructed raised portion of land at the point of measurement.
- (b) **Setback and Distance Measurements.** The distance between a sign and the property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the property line.

1474.17 Residential District Signs

The following signs shall be permitted in all districts zoned for residential use, as specified in the table at the end of this Article, subject to the following:

- (a) **Non-Residential Uses in a Residential District.** On-premise commercial advertising signs, subject to the following standards:
 - (1) **Number.** One (1) sign shall be permitted per establishment.
 - (2) **Size.** The maximum size for each such sign shall be twenty (20) square feet.
 - (3) **Location.** Ground signs may be located in the front yard, provided that no portion of any such sign shall be located closer than ten (10) feet to the existing or planned right-of-way.
 - (4) **Height.** The maximum height of such signs shall be six (6) feet.
- (b) **Temporary Signs.** Temporary signs shall be permitted in accordance with Section 1474.12.

1474.18 Nonresidential District Signs

The following signs shall be permitted in districts zoned for nonresidential use, as specified in the table at the end of this Article, subject to the following:

- (a) **Signs for Residential Uses in a Nonresidential District.** Signs for residential uses in a nonresidential district shall be governed by the sign regulations for residential district uses set forth in Section 1474.17.
- (b) **Limit in Number.** For each business, only one of the following signs (wall sign, awning sign, or projecting sign) shall be permitted:
 - (1) **Wall Signs.** Wall signs shall be permitted in nonresidential districts subject to the following regulations:
 - A. **Number.** For each business, one (1) wall sign shall be permitted per storefront.
 - B. **Size.** The total area of a wall sign shall not exceed .75 square feet for each linear foot of the building façade associated with the subject storefront or thirty-six (36) square feet, whichever is less.
 - C. **Location.** Wall signs may be located on each side of a building with street frontage. No wall sign shall be erected to extend above the top of a wall, or beyond the ends of the wall to which the sign is attached.
 - (2) **Awning / Canopy Signs.** Signs on awnings / canopies shall be permitted, provided the lettering shall not exceed nine (9) inches in height and must be in proportion to the building, covering no more than twenty five percent (25%) of the awning or canopy face upon which it is attached. Lettering shall be permitted on the vertical face of the valance only. No other advertising, logos, or lettering shall be permitted elsewhere on the awning / canopy.
 - (3) **Projecting Signs.** Projecting signs shall be subject to the following regulations:
 - A. **Size.** Nine (9) square feet per side.
 - B. **Height.** Not less than eight (8) feet from the ground if hung in an area where pedestrians will pass underneath.
 - C. **Projection.** No more than forty-two (42) inches from the face of the building or structure upon which it is located.

- (c) **Ground Signs.** Ground signs shall be permitted in nonresidential districts subject to the following regulations:
 - (1) **Number.** One (1) ground sign shall be permitted per parcel. If a non-residential use within a second principal building or an accessory building is located at the rear of the property on the same parcel, at least fifty feet (50') from the public right-of-way so it does not front directly on a street, then one (1) additional sign may be permitted if there is a demonstrated need and it is not detrimental to the character of the area.
 - (2) **Size.** The total area of the ground sign shall not exceed forty-eight (48) square feet. No single surface area of a sign shall exceed twenty-four (24) square feet. No single dimension (height or width) shall exceed six (6) feet.
 - (3) **Multi-Tenant Buildings.** With respect to multi-tenant buildings, only one (1) ground sign is permitted, whether for use by one or more of the individual tenants.
 - (4) **Location, Setback from the Right-of-Way.** Ground signs may be located in the front yard, provided that no portion of any such sign shall be located closer than five (5) feet to the existing or planned right-of-way. Signs shall not be located in a street right-of-way.
 - (5) **Height.** The face of a ground sign shall not exceed eight (8) feet above the average ground level of land upon which it is located.
- (d) **Window Signs.** Temporary and permanent window signs shall be permitted on the inside in nonresidential districts provided that the total combined area of such signs shall not exceed twenty percent (20%) of the total window area, exclusive of incidental signs.
- (e) **Temporary Signs.** Temporary signs shall be permitted in accordance with Section 1474.12.

1474.99 Penalty

Violations of this chapter shall be municipal civil infractions subject to penalties, sanctions and remedies prescribed in Section 202.99 of the Codified Ordinances. Temporary signs found to be in violation of this chapter shall be subject to a fine payable to the Village of Franklin in the sum of fifty dollars (\$50.00) for the first violation and one hundred dollars (\$100.00) for a second violation. Upon finding of a third violation, the sign owner shall be deemed chronically noncompliant and the sign(s) shall be immediately removed by the sign owner upon being notified by the Police Department or Village Administrator or confiscated by the Police Department or Village Administrator. If any confiscated sign is not claimed and collected by the owner and all associated fines and costs associated with confiscation of said sign are not paid within fourteen (14) days, it shall be destroyed, and the sign owner's permit to display such a sign shall be revoked for a period of not less than one (1) year from the date of the last violation, and a new application and permit shall be required if a temporary sign is sought to be displayed again.

Temporary Sign Regulations

(Permits required for all signage below except when specifically noted)

Sign Type	Permitted Zoning Districts	Number	Dimensional Standards (Maximums)	Duration
Portable Ground ¹ : Non-Commercial Message	All	One (1)	Maximum Size Per Side: 4 sq. ft. Height: 6 ft.	90 days in a calendar year ²
Portable Ground: Off Premise ³	All	One (1)	Maximum Size Per Side: 3 sq. ft. Height: 3 ft.	Up to 4 non-consecutive days per month; must remove daily
Portable Ground: On Premise	Commercial	One (1)	Size: 12 sq. ft. Height: 4 ft.	90 days in a calendar year; must remove daily, by close of business
Portable Ground: On Premise	Non-Residential Use in Residential Zoned District	One (1)	Size: 12 sq. ft. Height: 4 ft.	90 days in a calendar year; must remove daily, by close of business
Sandwich Board	All	One (1)	Maximum Size Per: 6 sq. ft. Height: 3 ft.	90 days with unlimited permit renewals in a calendar year. Must remove daily by close of business.
Banner	All Commercial	Two (2) ⁴	Size: 12 sq. ft. Height: 4 ft.	90 days in a calendar year; Must remove daily, by close of business
Special Displays Nonresidential	Residential	One (1)	See Section 1474.12 for standards	—
Special Displays Residential	Residential		See Section 1474.12 for standards	—

¹ No permit required.

² Can apply for an additional 90 days with permit, no limit to consecutive permits.

³ No permit required.

⁴ Two (2) banners signs per establishment may be permitted, provided one is located on the premise and one is located off-premise.

Permanent Sign Regulations

(Permits required for all signage below except when specifically noted)

Residential Zoned Districts

Sign Type	Number	Dimensional Standards (Maximums) ⁵	Location Standards	Additional Standards
On-Premise Commercial Advertising Signs	One (1) per establishment	Size: 20 sq. ft. Height: 6 ft.	May be located in the front yard, but not closer than 10 ft. to existing or planned right-of-way	—
Temporary Signs	See standards in Temporary Sign Regulations Table.			

⁵ Maximum dimensional standard is listed, unless otherwise noted.

Non-Residential Zoned Districts

Sign Type	Number	Dimensional Standards (Maximums)	Location Standards	Additional Standards
Wall Signs	One (1) per establishment	Size: 24 sq. ft. Projection: 9 in.	One (1) per road frontage Sign may not extend above the top or beyond the edges of the attached wall	—
Awning / Canopy Signs ⁶		Lettering Height: 9 inches 25% of total awning or canopy face area	Lettering permitted on vertical face of the valance only	No other advertising, logos, or lettering permitted on awning / canopy
Projecting Signs	One (1) per establishment	Size, with pedestrian passage underneath: 7.5 sq. ft. Size, with no pedestrian passage underneath: 9 sq. ft. Height: 8 ft. min. from ground if in area where pedestrians pass underneath	—	—
Ground Signs	One (1) per establishment ⁷	Size, total: 48 sq. ft. (includes both sides) Size, single side: 24 sq. ft. Height & Width: 6 ft.	May be located in the front yard, but not closer than 5 ft. to existing or planned right-of-way	Multi-tenant buildings must have one (1) shared ground sign
Window Signs	—	20% of total window area	—	—
Temporary Signs	See standards in Temporary Sign Regulations Table.			

⁶ Signs for residential uses in non-residential districts shall be governed by the sign regulations of Residential Zoned Districts.

⁷ If a non-residential use within a second principal building or an accessory building is located at the rear of the property on the same parcel so it does not front a street, then one (1) additional sign may be permitted if there is a demonstrated need and it is not detrimental to the character of the area.

Section 2.

Severability

This ordinance and each Chapter, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable; and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3.

Repeal, Effective Date, Adoption.

- (1) **Repeal.** All regulatory provisions contained in other Village ordinances which conflict with the provisions of this ordinance are hereby repealed.
- (2) **Effective Date.** This ordinance shall become effective upon its publication on January 27, 2019.
- (3) **Adoption.** This ordinance was adopted by the Village Council of the Village of Franklin at a meeting thereof held on January 14, 2019.

Pamela J. Hansen, President

Village of Franklin

Certificate

I, Eileen Pulker, Village of Franklin Clerk, do hereby certify that the foregoing is a true and complete copy of an ordinance, the original of which is on file in my office adopted by the Village Council of the Village of Franklin at a meeting thereof held on January 14, 2019.

Eileen Pulker, Clerk

Village of Franklin