

**VILLAGE OF ROSCOMMON
SIGN ORDINANCE
ORDINANCE # 25**

An Ordinance to regulate signs within the Village of Roscommon.

SECTION 1. TITLE

This Ordinance shall hereafter be known as the Village of Roscommon Sign Ordinance.

SECTION 2. DEFINITIONS

In interpreting the regulations of this ordinance the following definitions shall apply:

Area of sign- the entire area within a circle, triangle, rectangle, square or other shape which encloses the limits of writing, emblem, logo or any other figure or character together with any framing material excluding the structure necessary to support the sign.

Bench sign- a freestanding sign imprinted in a bench for seating that rests on the ground and is not directly attached to any surface.

Canopy- a permanent roof-like shelter that extends from part or all of a building face and is constructed of non-rigid material, except for supporting framework.

Canopy sign- a sign displayed and affixed flat on or incorporated into the surface of a canopy and does not extend beyond the limits of the canopy.

Directional sign- an on-premise sign giving directions, instructions or facility information and which may contain the name or logo of any establishment but no advertising copy. (e.g. parking, entrance, exit or identification of specific buildings within a complex)

Freestanding sign- a sign erected on a freestanding frame, mast or pole, and not attached to a building.

Height of sign- the vertical distance measured from the point of ground beneath the sign to the highest point of the sign or its projecting structure.

Illuminated sign- a sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light source shielded in such a way that no direct light from it is visible from a public right-of-way or adjoining properties.

Incidental sign- a sign, emblem or decal for the purpose of informing the public of facilities or services available on the premises. (e.g. credit card signs or hours of business)

Off Premise sign- a sign or structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the premise on which the sign is located. Bench signs are exempted from this definition.

Permanent sign- any sign permanently affixed to a building or the ground that relates directly to the use of the building or lot.

Premises- the contiguous land in the same ownership, which is not divided by a public street.

Public Right-of-Way- all right of ways within the Village of Roscommon.

Roof Line- the top edge of a roof or the top of a parapet, whichever forms the top line of a building silhouette.

Roof sign- a sign erected upon, against or directly above a roof, or on top of, or above the parapet of a building.

Sign- a structure, device, letter, word, model, banner, balloon, pennant, insignia, emblem, logo, painting, placard, flag or representation, illuminated or non-illuminated, which is visible from a public place, including, but not limited to, highways, streets, parks or other public property, or is on private property exposed to the public and directs attention to a product, service, place, activity, person, institution, business or solicitation.

Temporary sign- any sign that is not permanently affixed, including but not limited to banners, portable signs, sandwich signs, real estate signs, garage sale signs, political signs and displays. The following definitions shall pertain to temporary signs:

banner signs- signs that consist of banners, posters, pennants, ribbons, streamers or similar devices.

portable sign- any sign that rests on the ground or any other surface (excluding sandwich signs), is not directly attached to said surface and is designed to be transported from one location to another.

sandwich sign- a free-standing A-frame type sign that rests on the ground and is not directly attached to any surface, designed to be placed immediately outside of a business location and/or service.

real estate signs- a temporary sign advertising the real estate upon which the sign is located as being for sale, rent or lease.

garage sale/yard sale signs- a temporary sign or poster used for the primary purpose of directing attention to an individual or group sale of used goods and products at a private dwelling in a residential area for a limited period of time.

political signs- a temporary sign designed to advocate or oppose a candidate for political office or an issue to be determined at an official Federal, State, County, School or Municipal election.

wall sign- sign which is painted or attached directly to the exterior wall of a building and which does not project more than eighteen (18) inches from the exterior wall, with the face of the sign parallel to the wall.

SECTION 3. GENERAL REQUIREMENTS AND PROHIBITIONS

A person shall not erect or maintain a sign within the Village of Roscommon unless the sign is in full compliance with this ordinance and without first obtaining all required permits. No sign shall be allowed to obstruct or interfere with motor vehicle or pedestrian traffic, obscure line of sight at any intersection be place in any manner so as to be hazardous to the public.

SECTION 4. BENCH SIGN GENERAL REGULATIONS

The Village of Roscommon recognizes that bench signs are a unique asset of the local business community and should be addressed as such. Due to the nature of these signs, the following regulations apply:

1. Bench signs shall be constructed in a professional manner with finish materials made to withstand outside elements without changing appearance.
2. Shall be no more than ten (10) feet in length and shall not exceed four (4) feet in height at the highest point.
3. Shall be maintained in good repair in terms of structure and appearance.
4. Shall require a sign permit before being placed.

Each district shall address actual placement of bench signs within the specific district.

SECTION 5. TEMPORARY SIGN GENERAL REGULATIONS

By definition, these signs are designed for use for specific periods of time and as such must meet the following regulations:

Banner signs- require a Temporary Sign Permit not to exceed seventy-five (75) square feet. Banner signs must be removed within seven (7) days after said event that is stated on the permit. No banner shall be displayed for more than a thirty (30) day period from the date the permit was issued. *(amended 6/13/11)*

Portable signs- require a Temporary Sign Permit not to exceed thirty-two (32) square feet. The permit for said sign is good for twelve (12) months from the date the permit was issued. *(amended 6/13/11)*

Sandwich signs- require a Temporary Sign Permit and subject to the following regulations:

1. Total sign area not to exceed six (6) square feet per side, overall width not to exceed two (2) feet and an overall height not to exceed four (4) feet.
2. Constructed in a professional manner with materials made to withstand elements and sturdy enough to remain upright in inclement weather
3. Placed within three (3) feet of business building location and shall not obstruct pedestrian traffic.
4. The permit for said sign is good for twelve (12) months from the date the permit was issued. *(amended 6/13/11)*

Real Estate Signs- not to exceed six (6) square feet in area. No sign shall be placed in the public right-of-way or on any utility pole. All such signs shall be removed within seven (7) days after the sale or lease has been consummated. A Temporary Sign Permit is not required.

Garage Sale/Yard Sale Signs- subject to the provisions of Village Ordinance 19 and the following regulations:

1. Signs may not exceed 18" by 18".
2. One (1) sign is allowed at the location of the sale no more than two (2) days prior to the actual dates of the sale and during the sale.
3. Two (2) lead-in signs may be placed on private property with the permission of the property owner on the dates of the sale only.
4. Signs are not to be placed on any utility pole or within the public right-of-way.

Political Signs- do not require a Temporary Sign Permit and are subject to the following regulations:

1. Political signs shall not be installed more than thirty-two (amended 6/23/08, effective 6/29/08) ~~(32) days before the election date~~ and must be removed within ten (10) days after the election to which they pertain.
2. Political signs may be located in the required front yard with the permission of the property owner, but shall not be located in any public right-of-way.

Section 6. PERMITTED SIGNS IN RESIDENTIAL 1 AND 2 DISTRICTS

Signs shall be permitted in Residential 1 and 2 Districts only as follows:

1. One nameplate sign per premises, in addition to a house number sign, not to exceed three (3) square feet in size, for the purpose of identifying the name of the owner or occupants. Nameplates attached to the primary residence may be illuminated with low voltage lighting source, not to exceed 40 watts. A sign permit is not required.
2. One professional nameplate sign per premises, in addition to a house number sign, not to exceed three (3) square feet in size, for the purpose of identifying a home occupation or other permitted uses in Residential 1 or 2 districts. Nameplates attached to the primary structure may be illuminated with low voltage lighting source, not to exceed 40 watts. A sign permit is not required.
3. Signs erected by an official government body or agency and deemed necessary for the protection of the public health, safety and welfare, or those signs required by law to be displayed.
4. One (1) non-illuminated temporary real estate sign.
5. One freestanding sign, not to exceed twelve (12) square feet nor six (6) feet in height or one (1) wall sign not to exceed twelve (12) square feet for the purpose of identifying the church, pastor and church activities located on the premises. Wall signs may be illuminated with low voltage lighting source, not to exceed 40 watts. Freestanding signs may be illuminated so that all lighting shall be completely shielded from the view of vehicular traffic and shall not be intermediate of flashing in nature.
6. Off premise signs may only be placed on property under direct control of a public entity and only when written permission has been secured from the Village of Roscommon.

7. All signs shall be maintained in good repair in terms of structure and appearance. Any sign which is applicable to a business which has been discontinued, shall be eliminated by the property owner within thirty (30) days after said discontinuance.
8. No person shall erect, place, structurally alter or add to any sign unless it is in accordance with this ordinance and without obtaining all required permits.

SECTION 7. PERMITTED SIGNS IN RESIDENTIAL 3 DISTRICT

Signs shall be permitted in Residential 3 District only as follows:

1. One nameplate sign per residence, including a house number sign, not exceeding three (3) square feet in size, for the purpose of identifying the name of the owner or occupants. Nameplates attached to the each residence may be illuminated with low voltage lighting source, not to exceed 40 watts. A sign permit is not required.
2. One professional nameplate sign per residence, including a house number sign, not to exceed three (3) square feet in size, for the purpose of identifying a home occupation or other permitted uses in Residential 3 district. Nameplates attached to the primary structure may be illuminated with low voltage lighting source, not to exceed 40 watts. A sign permit is not required.
3. Signs erected by an official government body or agency and deemed necessary for the protection of the public health, safety and welfare, or those signs required by law to be displayed.
4. One (1) non-illuminated temporary real estate sign.
5. One free-standing sign, not to exceed twelve (12) square feet nor six (6) feet in height or one (1) wall sign not to exceed twelve (12) square feet for the purpose of identifying church, pastor and church activities located on the premises. Wall signs may be illuminated with low voltage lighting source, not to exceed 40 watts. Freestanding signs may be illuminated. All lighting shall be completely shielded from the view of vehicular traffic and shall not be intermittent or flashing in nature.
6. One freestanding sign, not to exceed twelve (12) square feet nor six (6) feet in height for the purpose of identifying Multi-Family dwellings, Condominium complexes, Adult Foster Care Family homes or other multi family uses permitted. Freestanding signs may be illuminated so that all lighting shall be completely shielded from the view of vehicular traffic and shall not be intermediate of flashing in nature.
7. Off premise signs may only be placed on property under direct control of a public entity and only when written permission has been secured from the Village of Roscommon.

8. All signs shall be maintained in good repair in terms of structure and appearance. Any sign which is applicable to a business which has been discontinued, shall be eliminated by the property owner within thirty (30) days after said discontinuance.
9. No person shall erect, place, structurally alter or add to any sign unless it is in accordance with this ordinance and without obtaining all required permits.

SECTION 8. SIGNS PERMITTED IN DOWNTOWN COMMERCIAL DISTRICT

Signs, when erected or used on the building or exterior wall or otherwise used in Downtown Commercial District as permitted under the provisions of this ordinance, shall comply with the following requirements:

1. Only wall signs, canopy signs or projecting signs for the purpose of identifying the name of the person, business and/or services offered on the premises may be utilized.
2. Projecting signs are restricted to twelve (12) square feet and must be erected a minimum of fifteen (15) feet from any adjoining business. The bottom of any projecting sign must be a minimum of ten (10) feet from the ground or sidewalk level.
3. Portable and sandwich signs are allowed, but no sign shall be allowed to obstruct or interfere with motor vehicle or pedestrian traffic, or be hazardous to the public.
4. One (1) non-illuminated temporary real estate sign.
5. Illumination, if used, shall not be intermittent or flashing in nature. The direct source of all lights used for the illumination of commercial establishments or for the illumination display of merchandise shall be completely shielded from the view of vehicular traffic.
6. When more than one (1) business occupies a building, each business shall be allowed sign space based on the portion of the building occupied by each business.
7. In those instances in which a business building is located no closer than twenty (20) feet from the property line, one (1) freestanding sign is permitted when located in such a manner that no part extends closer than five (5) feet of the side or front property line. The total sign and supporting structure may have a height of twenty (20) feet above ground level and shall not exceed thirty-two (32) square feet in area.
8. All signs shall be maintained in good repair in terms of structure and appearance. Any sign applicable to a business which has been discontinued shall be removed within thirty (30) days after said discontinuance.

9. Signs erected by an official government body or agency and are deemed necessary for the protection of the public health, safety or welfare; or those required by law to be displayed are permitted.
10. No person shall erect, structurally alter, place, enlarge or add to any sign without prior approval of the Zoning Administrator, conforming to this ordinance and obtaining all required permits.
11. Off premise signs may only be placed on property under direct control of a public entity and only when written permission has been secured from the Village of Roscommon.

SECTION 9. PERMITTED SIGNS IN MIXED DEVELOPMENT DISTRICT

Signs, when erected or used in Mixed Development District as permitted under the provisions of this ordinance, shall comply with the following requirements:

1. The criteria for signs used in Mixed Development District shall be based on the current use of the property. Residential use shall adhere to Residential Sign criteria, Commercial use shall adhere to Commercial criteria, etc.

SECTION 10. PERMITTED SIGNS IN THE HIGHWAY COMMERCIAL DISTRICT AND INDUSTRIAL DISTRICT

Signs when erected or used in Highway Commercial or Industrial Districts as permitted under the provisions of this ordinance, shall comply with the following:

1. Wall signs, canopy signs and projecting signs shall be permitted subject to the same criteria as prescribed in Section 8.
2. One freestanding sign, not to exceed one hundred (100) square feet in area with a maximum height of thirty (30) feet shall be allowed for each business in a Highway Commercial or Industrial Zoning District. Such sign shall be located entirely on the business property and shall not be located nor extend into the public right-of-way.
3. Freestanding directional signs, not exceeding three (3) square feet in area, with a maximum height of four (4) feet, for the purposes of identifying parking lot entrances and/or exits are permitted.
4. No sign shall be allowed to obstruct or interfere with motor vehicle or pedestrian traffic, or be hazardous to the public.

5. Illumination, if used, shall not be flashing or intermittent illumination. All lights used for the illumination of signs, commercial establishments or displays shall be completely shielded from the view of vehicular traffic.
6. Off premise signs may only be placed on property under direct control of a public entity and only when written permission has been secured from the Village of Roscommon.
7. All signs shall be maintained in good repair in terms of structure and appearance. Any sign applicable to a business which has been discontinued shall be removed within thirty (30) days after said discontinuance.
8. Signs erected by an official government body or agency and deemed necessary for the protection of the public health and welfare: or those signs required by law to be displayed are permitted.
9. No person shall erect, structurally alter, place or add to any sign without prior approval of the zoning administrator, conforming to this ordinance and obtaining all required permits.

SECTION 11. EXEMPTIONS

The following signs are exempt from the provisions of this ordinance except for construction and safety requirements and those requirements contained below:

PUBLIC SIGNS- Signs of a non-commercial nature and in the public interest, erected by, or by order of a public officer, such as safety signs, trespassing signs, danger signs, traffic signs, memorial plaques, signs of historical interest and the like.

INTEGRAL- Names of buildings, dates of construction or dedication, monumental citations, commemorative tablets and the like, when carved in stone, concrete or similar material or made an integral part of the structure.

SECTION 12. EXISTING SIGNS

All signs not in compliance with the provisions of this ordinance on its effective date may be continued subject to the following provisions:

1. REMOVING OR RECONSTRUCTING SIGNS- Any sign or substantial part thereof, which removed or destroyed for any cause or reason, may not be re-erected, reconstructed, rebuilt or relocated unless it is made to comply with all requirements of this ordinance and other Village ordinances that may apply.

2. REPAIR OF UNSAFE SIGNS- This section shall not be construed to prevent the maintenance, repair or restoration to a safe condition an existing sign when damaged by storm or other accident beyond the control of the owner.
3. RELOCATING SIGNS- Any sign that is moved to another location on the same premises or to another premises shall be considered a new sign and must be made to comply with this ordinance.

SECTION 13. SIGN PERMITS AND PERMIT FEES

A person who desires to construct any sign regulated by this ordinance shall first apply for a sign permit on a form obtained from the Village. The permit shall be approved or denied in writing within thirty (30) business days after proper receipt of the application. All signs, existing and proposed, must appear on the application and a blueprint or drawing of all signs showing verbiage must be submitted with the application. If the application is approved, the permit shall be issued, upon payment by the applicant, of a permit fee as set by Village Council resolution.

After construction of any sign the permit holder shall contact the Village. The Village will inspect the sign to verify the sign meets the criteria on the permit. Any person found in violation of the terms of the application shall be subject to the penalties described herein.

SECTION 14. PENALTIES

Any person violating any provisions of this Ordinance shall be responsible for a civil infraction. The penalty for the first offense shall be \$30.00 and for the first repeat offense, \$50.00. Repeat offenses shall be defined as a violation of said ordinance which has been ticketed for within the past 5 days. For any second or subsequent repeat offense, the fine shall be no more than \$100.00. It shall be the duty of the Village Manager, or authorized representative, to enforce the provisions of this Ordinance. If, after investigation, the Village Manager, or authorized representative, determines that a violation of this Ordinance exists, he shall be authorized to issue a municipal civil infraction citation to any person, firm, or corporation that is responsible for violating the provisions of this Ordinance. Service of said civil infraction citation or civil infraction notice shall be made in accordance with MCL 600.8707, Public Act 12 of 1994.

Permitting a violation of the Ordinance on private premises is hereby declared to constitute a nuisance per Se. Upon application to any court of competent jurisdiction, the Court may order the nuisance abated and/or the violation restrained and enjoined. The enforcement of the Ordinance by abatement of any nuisance by the enforcing officer or by application to any court of competent jurisdiction for abatement by judicial decree or writ shall not preclude enforcement of the Ordinance by the issuance of a municipal civil infraction and the imposition of fine and costs. Complaint for violation of this Ordinance and the imposition of fine or imprisonment as herein provided.

SECTION 15. SEVERABILITY AND SAVING CLAUSE

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

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 16. Effective Date

This Ordinance shall become effective in the Village of Roscommon following adoption by the Village Council and two weeks after publication.

Adopted: May 29, 2003
Published: June 8, 2003
Effective: June 23, 2003

VILLAGE OF ROSCOMMON
Sign Ordinance #25 Amendment

The Roscommon Village Council amended Section 13 of Sign Ordinance #25 to read:

Section 13: Appeal

Appeal of any section of this ordinance or of any decision of the Zoning Administrator may be brought to the Village Council. The Village Council may grant an appeal from requirements and specifications of this ordinance or the decision of the Zoning Administrator only upon finding that there are practical difficulties or unnecessary hardships in applying the terms of this ordinance.

Adopted: April 13, 2009
Published: April 19, 2009
Effective: April 19, 2009