

ARTICLE 17. SIGN STANDARDS

Section 17.01 Purposes

The purposes of these sign standards are: to encourage the effective use of signs as a means of communication in the community; to maintain and enhance the aesthetic environment; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

Section 17.02 Applicability and Effect

- A. Applicability.** A sign may be erected, placed, established, painted, created or maintained in Conway Township only in conformance with the standards, procedures, exemptions and other requirements of this ordinance.
- B. Effect.** The effect of this ordinance as more specially set forth herein is:
1. To establish a permit system to allow a variety of types of signs in commercial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance;
 2. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;
 3. To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way;
 4. To prohibit all signs not expressly permitted by this ordinance;
 5. To provide for the enforcement of the provisions of this ordinance.

Section 17.03 Definitions

The following terms, phrases, words and their derivatives shall have the meaning given herein:

Animated Sign (See Flashing Sign). Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Awning Sign (See Canopy Sign). A sign which is printed or otherwise affixed to an awning which may be rolled or folded up against the wall to which it is attached.

Balloon Sign. Any air or gas-filled object used as a temporary sign to direct attention to any business or profession or to a commodity or service sold, offered or manufactured, or to any festival or entertainment.

Banner Sign. Temporary signs produced on cloth, paper, fabric or other combustible material of any kind, either with or without frames. National state or municipal flags or the official flag of any institution or business shall not be considered banners.

Barn Mural. A sign painted on the wall area of a barn that is confined within the limits of the wall with the exposed face of the sign in a plane approximately parallel to the plane of such wall.

Billboard. A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises, wherein it is displayed or posted.

Break-away Sign Materials. Sign materials that are of a non-durable nature that would provide little resistance and would easily break if hit with a moving vehicle with little or no damage caused to the moving vehicle.

Building Sign. Any sign attached to any part of a building as contrasted to a freestanding sign. For purposes of this ordinance, building signs shall include: awning/canopy signs, identification signs, integral signs, incidental signs, marquee signs, projecting signs, roof and integral roof signs, wall, window and suspended signs.

Business Sign. A freestanding or ground sign related to the business, activity or service conducted on the premises upon which the sign is placed.

Canopy Sign (See Awning Sign). Any sign that is a part of or attached to an awning, canopy or other fabric, plastic, or structural protective cover over a door entrance, window or outdoor service area. A marquee is not a canopy.

Changeable Copy Sign. A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face of the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or

temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign for purposes of this ordinance.

Construction Sign. A temporary sign that bears the names and addresses of the project, contractors architects, developers, planners, financial institutions or engineers engaged in the construction project.

Entranceway Sign. A permanent, freestanding or ground sign that bears the name of an established residential or commercial development with multiple residential lots or commercial establishments.

Flashing Sign (See Animated Sign). Any sign, which by method or manner of illumination, flashes on or off, winks, or blinks with varying light intensity, shows motion or create the illusion of motion or revolves in a manner to create the illusion of being on or off.

Freestanding or Ground Sign. A sign supported directly by the ground or with support provided by uprights, braces, pylons or poles anchored in the ground that are independent from any building or other structure. For purposes of this ordinance, freestanding or ground sign shall include: billboards, incidental, monolith, entranceway and business signs.

Identification Sign. A sign which displays the name or address of a person or firm.

Illuminated Sign. A sign illuminated in any manner by an artificial light source.

Illuminated, direct external. Illumination or lighting that is separate from the sign but may or may not be attached to the sign and casts light upon the sign. Examples include flood or spotlights.

Illumination, Internal. Illumination or lighting that is inside a sign and shines through a plastic or other translucent outer covering of the sign.

Illumination, Neon. Illumination or lighting consisting of glass tubing, filled with neon gas, which glows when electric current is sent through it.

Illumination, Reflected. Illumination or lighting that is external to the sign but is an integral part of the sign, e.g., bulbs that spell out the sign message.

Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Integral Sign. A sign that may contain the name of the building, date of erection, or take the form of a monumental citation or commemorative tablet. The sign is often carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.

Marquee. Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign. Any sign attached to in any manner or made a part of a marquee.

Monolith Sign. A three-dimensional, self-supporting, base-mounted, freestanding sign, consisting of two (2) or more sides extending up from the base and upon which a message is painted or posted. A monolith sign may also consist of a base-mounted cylindrical structure upon which a message is painted or posted.

Nonconforming Sign. Signs which are prohibited under the terms of this ordinance but were in use and lawful at the date of enactment of this ordinance.

Obsolete Sign. Signs that advertise a product that is no longer made or that advertise a business that has closed.

Pennant Sign. A sign or display consisting of long, narrow, usually triangular flags of lightweight plastic, fabric, or other materials, that may or may not contain a message, suspended from a rope, wire or string, usually in series, designed to move in the wind.

Political Sign. A temporary sign relating to the election of a person to public office or relating to a political party or relating to a matter to be voted upon at an election called by a public body.

Portable Sign. A temporary sign, which is not permanently affixed to a building face or to a pole, pylon, or other support, that is permanently anchored in the ground. A portable sign is capable of being moved from one location to another, and it is often capable of changeable copy face. Portable signs include, but are not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames, menu and sandwich board signs, and balloons used as signs.

Projecting Sign. Any sign affixed to a building or wall in such a manner that its leading edge extends beyond the surface of the building or wall.

Real Estate Sign. A temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.

Real Estate Development Sign. A sign informing when a subdivision or other real estate development will commence construction or will be available for occupancy or use on the premises upon which it is located.

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof Sign, Integral. Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Sandwich Sign. A temporary, portable sign consisting of two advertising boards laid back-to-back and at least partially supported by each other.

Sign. The display of any words, numerals, figures, devices, designs or trademarks to make known an individual, firm, profession, business, product or message and which is visible to the general public.

Street Furniture Sign. A sign structure which by its design invites, entices, encourages or makes it convenient or available to use by the general public for something more than mere visual attraction to its message. Street furniture signs include but are not limited to signage on benches and on table umbrellas used for outdoor, café-style dining.

Suspended Sign. A sign that is suspended from the underside of a horizontal plan surface and is supported by such surface.

Temporary Sign. A sign which is used only temporarily and advertises a private or public seasonal or special event, function or sale. Temporary signs are not permanently mounted. For purposes of this ordinance, temporary signs shall include: balloon, banner, construction, garage sale, political, portable and real estate signs.

Wall Sign. A sign fastened to or painted on the wall area of a building or structure that is confined within the limits of the wall with the exposed face of the sign in a plane approximately parallel to the plane of such wall.

Window Sign. Any sign that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Section 17.04 General Information

A. Ordinance Interpretation. The Zoning Administrator of Conway Township is charged with issuance of permits and enforcement of this Section.

B. Computations. The following principles shall control the computation of sign area and sign height.

1. **Computation of Area of Individual Signs.** The area of a sign with only one sign face shall be computed by measuring the smallest square, circle, rectangle, triangle or combination that encompasses the extreme limits of the writing, representation, emblem or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. The computation shall not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
2. **Computation of Area of Multifaced Signs.** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, the sign area shall be computed by the measurement of one of the faces.
3. **Computation of Height.** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filing, berming, mounding or excavating solely for the purpose of locating the sign.

In cases in which the normal grade cannot reasonably be determined, normal grade shall be equal to the elevation of the nearest crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

4. **Computation of Distance.** The distance between two (2) signs shall be measured along a straight line that represents the shortest distance between the two (2) signs. The distance between a sign and a parking lot or processing area shall be measured along a straight line that represents the shortest distance between the sign and the outer edge of the parking lot or processing area. The distance between a sign and a building or property line shall be measured along a straight

line that represents the shortest distance between the sign and the building.

5. **Computation of Maximum Total Permitted Sign Area for a Zone Lot.** The permitted sum of the area of all non-temporary individual signs on a zone lot shall be computed by applying the requirements of Table 4 of this ordinance.

C. Signs Permitted Without a Sign Permit. The following signs are permitted in various zoning districts without a sign permit. Such signs must abide by the illumination, construction and safety regulations of this ordinance and the following standards:

1. **Public Signs.** Signs of a noncommercial nature and in the interest of, erected by, or on the order of, a public officer in the performance of public duty, such as directional signs, regulatory signs, warning signs, and informational signs.
2. **Temporary Signs.** Signs which are used temporarily and advertise a private or public seasonal or special event, function or sale. Temporary signs are not permanently mounted and include the following:
 - a. **Non-Commercial Special Event.** Temporary signs announcing any public, charitable, educational, religious or other noncommercial event or function, located entirely upon the property on which such event or function is held. Such signs may be illuminated in accordance with the restrictions set forth in Subsection 17.04 (H). If building-mounted, such signs shall be flat wall signs and shall not project above the roofline. If freestanding, the height of any such sign shall be no more than twelve feet above normal grade.
 - b. **Commercial Use: Grand opening, promotional, banner and balloon signs.** Temporary signs of a commercial nature announcing grand openings or other special events or promotions. If affixed as an integral roof sign of a building or structure, no part of the sign shall be separated from the rest of the roof by a space of more than six (6) inches. All temporary commercial signs shall not exceed seventy-five (75) square feet in surface area.
 - c. **Political Campaign Signs.** Temporary signs announcing candidates seeking public political office. These signs shall be confined within private property

and shall not encroach into the visibility triangle at street intersections. In cases where a final election follows a primary election, those candidates who won in the primary election may continue to display their signs during the interim period and up to seven (7) days after the final election.

- d. Construction Signs. Temporary signs bearing only the names and addresses of the project contractors, architects developers, planners, financial institutions, or engineers engaged in the construction project and only during the time construction or development are actively underway.
- e. Real Estate Signs – Residential Districts. Temporary signs in residential districts, which are freestanding (such as lawn signs) or wall-mounted signs offering an open house on the premises or offering the premises on which they are located “for sale” or “for rent”, provided that there shall not be more than one (1) such sign per parcel, except that on a corner parcel two (2) signs, one (1) facing each street, shall be permitted..
- f. Real Estate Signs – Nonresidential Districts. Temporary signs which are freestanding or wall-mounted signs offering the premises on which they are located “for sale” or “for rent”, provided that there shall not be more than one (1) such sign per parcel, except that on a corner parcel two (2) signs, one (1) facing each street, shall be permitted. In the case of rental property, such signs shall be removed within thirty (30) days after final occupancy has been issued to the entire development.
- g. Real Estate Development Signs. Temporary signs which are freestanding (such as lawn signs) informing when a subdivision or other real estate development will commence construction or will be available for occupancy or use on the premises upon which the sign is located. There shall be not more than one (1) such sign per parcel, except that on a corner parcel two (2) signs, one (1) facing each street, shall be permitted. Such signs shall be removed within thirty (30) days after construction is complete or when a permanent entranceway sign is established.

- h. Garage Sale Signs. Temporary, freestanding signs advertising a garage sale or similar activity. Garage sale signs shall not be placed upon public property. Two signs advertising a garage sale are permitted to be placed upon private property with the consent of the owner of said property and shall be removed within twenty-four (24) hours of the conclusion of said garage sale or similar activity.

- i. Holiday Decorations or Displays. Temporary signs celebrating the occasion of traditionally-accepted patriotic or religious holidays, and special municipal and public school activities.

TABLE 1
REQUIREMENTS FOR TEMPORARY SIGNS THAT ARE
PERMITTED WITHOUT A SIGN PERMIT

Requirements for Signs That Are Permitted Without a Sign Permit	Maximum Copy Area	Minimum Setback	Maximum Height	Illumination	Number Of Signs	Sign Type Allowed	Allowed Time Duration
<u>Construction:</u> All Zones	16 sq ft for remodeling 32 sq ft for new construction	10 feet	10 feet	Non-illuminated	1 per street frontage	Freestanding/ All Ground	Only during active construction
<u>Real Estate:</u> Residential Zones	6 sq ft per sign	0	6 feet	Non-illuminated	1 per street frontage	Freestanding/ Ground, Wall	Up to 30 days after sale or rental up to 30 days after full occupation of entire development.
Other Zones	32 sq ft per sign	10 feet unless a wall sign	8 feet or 10 for wall mounted				
<u>Development Sign:</u>	32 sq ft per sign	10 feet	8 feet	Non-illuminated	1 per Street Frontage	Freestanding/ Ground	Only during active construction
<u>Holiday Decorations/ Displays:</u>	Non Applicable	0	No limit	Non-illuminated Reflected Internal Direct	No Limit	N/A	Normal Holiday Period
<u>Commercial Use:</u> Grand Opening	75 sq ft	10 feet for ground signs	No limits For integral roof and wall signs. Ground signs – 30 feet above normal grade	Non-illuminated Reflected Internal Direct	No limit	Freestanding/ Ground, Integral, Roof, Wall, Portable, Banner	No more Than 3 times per year; no more than period of 7 days.
<u>Commercial Use:</u> Promotional	75 sq ft	10 feet for ground signs	As specified for grand opening	Non-illuminated reflected	1 per principal building	Freestanding/ Ground, Integral, Roof, Wall Portable, Banner	As specified for grand opening
<u>Commercial Use:</u> Balloon Signs	75 sq ft	Height of balloon from ground	30 feet above roofline or if affixed to ground, no more than 30 feet above normal grade	Non-illuminated Reflected	One	Balloon	As specified for grand opening
<u>Non-Commercial Special Event:</u>	32 sq ft per sign	7 feet	12 feet	Non-illuminated Reflected Internal	1 per street frontage	Freestanding/ Ground, Wall, Portable, Banner	30 days prior to event, 7 days after event
<u>Garage Sales:</u>	6 sq ft	0 feet	6 feet	Non-illuminated	2 signs on priv. property	Freestanding/ Ground, Wall	Up to 24 hrs after event
<u>Political Campaign:</u>							
Residential Zone	8 sq ft	10 feet	10 feet	Non-illuminated	No limit	Freestanding/ Ground	60 days prior to election, 7 days after election
Commercial Zone	32 sq ft	10 feet	10 feet				
<u>Window:</u>							
Residential Zones	10% of window area	Not applicable	Not applicable	Non-illuminated	1 (res)	Window	No time duration limit
Other Zones	25% of total window area				No limit (other)		
<u>Identification signs:</u>							
All Zones	1 sq ft	Not applicable	Not applicable	Non-illuminated	1 per principal building	Wall, Window	No time duration limit
<u>Flags:</u>							
Residential Zone	24 sq ft	10 feet	25 foot pole	Non-illuminated	1	Flags	No time duration limit
Non-Residential Zone	60 sq ft	10 feet	40 foot pole	Non-illuminated	No more than 4		

3. Integral signs. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
4. Private Traffic Direction signs. Incidental signs directing traffic movement onto a premise or within a premise not exceeding four (4) square feet in area for each sign.
5. Identification Signs. Signs bearing only property numbers, post box numbers, names of occupants of premises, professional or other identification of premises not having commercial connotations.
6. Flags. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and other flags adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
7. Window Sign(s).
8. Signs on a bus, truck, trailer or other vehicle while operated and used for transport in the normal course of a business.
9. Incidental signs that are accessory to parking areas.
10. Any sign which is located completely within an enclosed building and which is not visible from outside the building.

D. Signs Prohibited in All Districts. Unless otherwise permitted by this ordinance, by variance or by legal nonconforming status as provided in this ordinance, the following signs shall not be permitted.

1. Signs which imitate an official traffic sign or signal or which contain the words “stop”, “go slow”, “caution”, “danger”, “warning” or similar words.
2. Signs which are of a size, location, movement, content, coloring or manner of illumination which may be confused with or constructed as a traffic-control device or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.

3. Signs in any public right-of-way, except as provided in subsection 17.04(C) and 17.05(B).
4. Obsolete signs which advertise an activity, business, product, or service no longer produced or conducted on the premises upon which the sign is located. Where the owner or lesser of the premises is seeking a new tenant, such signs may remain in place for not more than thirty (30) days from the date of vacancy.
5. Signs which are posted or attached to utility poles or signs, trees, fences, rocks or in an unauthorized manner to walls or other signs.
6. Signs advertising activities which are illegal under federal, state or city laws or regulations.
7. Any sign displayed on an automobile, truck or other motorized vehicle when that vehicle is used primarily for the purpose of such advertising display.
8. All portable or nonstructural signs except for purposes according to subsection 17.04(C)(2)(a), (b). For purposes of this ordinance, a sign shall be considered nonstructural if it has no permanently mounted, self-supporting structure or is not an integral part of a building to which it is accessory.
9. Roof signs except any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.
10. Flashing signs with moving or blinking lights or signs with exposed incandescent light bulbs.
11. Any sign which has any visible moving parts, visible revolving parts, visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations or by action of normal wind current except for time, temperature and stock market signs as provided in this ordinance, but including animated signs.
12. Strings of lights or pennants used for commercial purposes.
13. Street furniture signs.

14. A rotating search light or similar device which emits beams of light.
15. Any sign or sign structure which is structurally unsafe or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment or is not kept in good repair or is capable of causing electrical shock to persons likely to come in contact with it.
16. Any sign which obstructs a window, door or other opening that could be used for fire escape.
17. Any sign unlawfully installed, erected or maintained.
18. Signs in violation of Section 17.06.

E. Removal of Prohibited Signs in Public Places. The Zoning Administrator shall have the authority to remove and discard any sign determined to be in violation of the preceding section and to be located upon public property.

F. Removal of Obsolete Signs. In the event a business ceases operation for a period of time in excess of thirty (30) days, the sign owner or lessee, or the property owner, shall immediately remove any sign identifying or advertising said business or any product sold by said business. This requirement shall not apply when under the provisions of this ordinance, an existing conforming sign may be altered to advertise a new business or product sold by a new business, and there is evidence that this new business will be in operation on the premises within thirty (30) days. Upon failure of sign owner or lessee, or property owner, to comply with this subsection, the Zoning Administrator shall issue a written notice to the sign owner and any lessee and to the property owner, which shall state that such sign shall be removed within ten (10) days. If the sign owner or lessee or property owner, fails to comply with such written notice to remove, the Zoning Administrator is hereby authorized to cause removal of such sign, and any expense incidental to such removal shall be charged to the owner of the property, upon which the sign is located and shall constitute a lien upon the property. For the purpose of this subsection, the word “remove” shall mean:

1. The sign face, along with posts columns or supports of freestanding signs shall be taken down and removed from the property.
2. The sign face and supporting structures of building signs shall be detached from the building and removed from the property.

3. The sign face of “painted wall signs” shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question.

G. Nonconforming Signs. For the purpose of this subsection, a non-conforming sign shall be defined as a sign existing at the effective date of this ordinance which could not be built under the terms of this ordinance.

1. **Change in Business.** All on-site non-conforming signs prohibited by the provisions of this Ordinance shall be removed or shall be altered to conform to the provisions of this Ordinance when the nature of the business conducted or the name of the business on the premises changes and the sign is changed or modified either in shape, size or legend.
2. **Enlargement or Alteration.** A non-conforming sign may not be enlarged or altered in a way which would increase its non-conformity. Should any non-conforming sign be damaged by any means to an extent or more than fifty percent (50%) of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provision of this Ordinance.

H. Illumination. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Light shall not shine or reflect in an offensive manner on or into residential structures, including motels. Permanent signs in residential zones (R Residential and AR Agricultural Residential) may contain internal or direct external sign illumination; however, neon illumination is prohibited. Permanent signs in the C Commercial zone may contain internal, direct external or reflected sign illumination, however, neon illumination is prohibited.

Section 17.05 Permitted Signs by Type and Zoning District

A. Permits Required. If a sign requiring a permit under the provisions of this ordinance is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 17.06. Furthermore, the property owner shall maintain, at all times, a sign permit for such sign in accordance with Section 17.06. No signs shall be erected in the public right-of-way except in accordance with Section 17.05(B) and the permit requirements of Section 17.06, unless otherwise provided.

KEY TO TABLES 2 THROUGH 4

On tables which are organized by zoning district, the headings have the following meanings:

R - All Residential Districts (R, AR, and MHP districts); C - Commercial and Industrial Districts

TABLE 2 (a)
PERMITTED SIGNS BY TYPE AND ZONING DISTRICT

<u>Sign Type:</u>	<u>R:</u>	<u>C:</u>
<i><u>Freestanding/Ground:</u></i>		
Billboards	N	N
Business	S	S
Incidental (b)	P	P
Monolith	N	S
Entranceway	S	S
<i><u>Buildings:</u></i>		
Integral (d)	P	P
Awning/Canopy	N	S
Identification (c)	P	P
Incidental (b)	N	P
Marquee	N	N
Projecting	N	S
Roof	N	N
Roof, Integral	N	S
Suspended	N	S
Wall	N	S
Window	P	P
<i><u>Miscellaneous:</u></i>		
Flag (e)	P	P
Barn Mural or Identification Sign	P (g)	N

P = Allowed without sign permit (f)

S = Allowed only with sign permit

N = Not allowed

Table 2a Notes:

- a. This table applies to signs of a non-temporary nature.
- b. No commercial message of any kind allowed on sign if such message is legible from any location off the zone lot on which the sign is located.
- c. Only address and name of occupant allowed on sign.
- d. May include only building name, date of construction or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- e. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States and any other flag

adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 40 (residential)/60 (non-residential) square feet in area and shall not be flown from a pole the top of which is more than 25 (residential)/40 (non-residential) feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.

- f. The conditions of Section 17.04(C) of this ordinance apply.
- g. Permitted only in the AR Agricultural Residential District.

TABLE 3 (a)
NUMBER, DIMENSIONS AND LOCATION
OF INDIVIDUAL SIGNS BY ZONING DISTRICT

Individual signs shall not exceed the applicable maximum number dimension or setbacks shown on this table.

Sign Type:	<u>R:</u>	<u>C:</u>
<i><u>Freestanding/Ground:</u></i>		
Area (square feet)	6	80
Height (feet)	5	24 (b)
Setback (sq.ft.)(c)	2	5 (b)
Number Permitted		
Per Zone Lot	1	NA
Per Feet of Street Frontage (d)	NA	1 per 200
<i><u>Building:</u></i>		
Area (max. sq. ft)	4	NA
Wall Area (percent)	NA	15%
Vertical Clearance (feet)		
From Sidewalk, Private Drive or Parking	NA	9
From Public Street	NA	12

Table 3a notes:

- a. This table applies only to signs of a non-temporary nature requiring a sign permit.
- b. Maximum sign height is twenty-four (24) feet, and minimum setback is five (5) feet; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes.
- c. In addition to the setback requirement on this table, signs shall be located such that there is at every street intersection a clear view between height of three (3) feet and ten (10) feet in a triangle formed

by the corner and points on the curb thirty (30) feet from the intersection or entranceway.

- d. Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one (1) street frontage.
- e. The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is more nearly parallel.

TABLE 4 (a)
MAXIMUM TOTAL SIGN AREA PER ZONE LOT
BY ZONING DISTRICT

	R:	C:
Maximum Number of Total Square Feet	10	200

Table 4a notes:

- a. This table applies only to signs of a non-temporary nature requiring a sign permit.
- B. Signs in the Public Right-of-Way.** No signs shall be allowed in the public right-of-way, except for the following:
 - 1. Permanent Signs. Permanent signs, including:
 - a. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;
 - b. Bus stop signs erected by a public transit company;
 - c. Informational signs of a public utility regarding its poles, lines, pipes or facilities; and
 - d. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Section 17.05 and Tables 2-4 of this ordinance.
 - 2. Temporary Signs. Temporary signs for which a permit has been issued in accordance with Section 17.06, which shall be issued only for signs meeting the following requirements:

- a. Such signs shall contain no political message;
 - b. Such signs shall contain no commercial message except for that of a seasonal agricultural commercial nature, a community festival or event;
 - c. Such signs shall have a maximum height of five (5) feet and be no more than two (2) square feet in area each;
 - d. Signs shall be properly maintained and shall be constructed of break away materials; and
 - e. No more than four (4) signs shall be permitted for each use.
3. Emergency Signs. Emergency warning signs erected by a governmental agency a public utility company or a contractor doing authorized or permitted work within the public right-of-way.

Section 17.06 Permits and Fees

- A. Sign Permits.** Unless otherwise provided, no sign shall be erected, constructed, replaced, modified, repainted or otherwise displayed, unless a permit authorizing the same has been issued by the Zoning Administrator and a permit fee has been paid in accordance with the fee schedule adopted by resolution of the Conway Township Board.
- B. Required Permit Information.** All requests for sign permits shall be submitted to the Township clerk. Any electrical permit required must be issued by the Livingston County Building Department. A submitted request shall contain the following minimum information:
1. Name, address and telephone number of the applicant.
 2. Location of building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected.
 3. Position of the sign or other advertising structure in relation to nearby buildings or structures, including dimensional data.
 4. Two (2) blueprints or ink drawings of the plans specifying the method of construction and attachment to the building or in the ground.

5. Name of person, firm, corporation or association erecting the structure.
 6. Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
- C. Completeness.** Within fourteen (14) days of receiving a request for a sign permit, the Zoning Administrator shall review it for completeness. If the Zoning Administrator finds that it is complete, the permit request shall then be processed. If the Zoning Administrator finds that it is incomplete, the Zoning Administrator shall, within such fourteen (14) day period, send to the applicant a notice of the specific ways in which the permit request is deficient, with appropriate references to the applicable sections of this ordinance.
- D. Action.** Within thirty (30) days of the submission of a complete request for a sign permit the Zoning Administrator shall either:
1. Issue the sign permit, if the sign that is the subject of the request conforms in every respect with the requirements of this ordinance; or
 2. Reject the sign permit if the sign that is the subject of the request fails in any way to conform to the requirements of this Ordinance. In case of a rejection, the Zoning Administrator shall specify in the rejection the section or sections of the ordinance with which the sign is inconsistent.
- E. Permits to Construct or Modify Signs.** Signs identified as “S” on Table 2 shall be erected, installed or created only in accordance with a duly issued and valid sign construction permit from the Zoning Administrator. Such permit shall be issued only in accordance with the following requirements and procedures:
1. A permit request for construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by information detailed in Section 17.06(B). One permit request, and issued permit, may include multiple signs on the same zone lot.
 2. The Zoning Administrator shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month after the issuance of such permit or at such earlier date as the owner may request. After inspection, the Zoning Administrator shall make one of the following determinations:

- a. If the sign construction is not substantially complete at the time of inspection, the permit shall lapse and become void.
- b. If the sign construction is complete and in full compliance with this ordinance and with the building and electrical codes, the Zoning Administrator shall identify the sign as complete and acceptable on the permit.
- c. If the sign construction is substantially complete but not in full compliance with this ordinance and applicable codes, the Zoning Administrator shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. In addition, a re-inspection fee will be charged. If the deficiencies are not corrected by such date, the permit shall lapse.

F. Sign Permit – Continuing. The owner of a zone lot containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. An issued sign permit shall remain valid until such time as a sign requires substantial modification or becomes obsolete.

G. Lapse of Sign Permit. A continuing sign permit shall lapse automatically if the sign requires substantial modification or if the business license for the premises lapses, is revoked, or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of thirty (30) days or more and is not renewed within ten (10) days of a notice from the Township to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

H. Assignment of Sign Permits. A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business for the same premises, subject only to the status of the sign remaining the same. If a sign require modification or replacement in the transfer of property of a business establishment, then the provisions of Section 17.06(E) apply.

I. Permits for Signs in the Public Right-of-Way. Permits for temporary private signs in the public right-of-way shall be issued in accordance with the following conditions:

1. Term and number of permits. The term of such a permit shall be sixty (60) days. No more than one (1) permit for temporary signs shall be issued to any applicant in any calendar year.
 2. Number of signs. No more than four (4) signs may be erected under one permit.
 3. Identification of permitted signs. Each sign erected under such a permit shall contain the authorized signature of the Zoning Administrator or his/her representative, authenticating the sign and giving the number of the permit and date of issuance.
 4. Other conditions. In addition to applicable fees otherwise payable, the applicant shall post a bond of twenty-five (\$25) dollars for each authorized temporary sign. Such bond shall be held to ensure the removal of the signs and shall be refundable upon return of the actual signs to the Conway Township hall. Signs shall not be destroyed and shall be returned to the applicant after they have been viewed as proof of removal. A bond on any sign shall be forfeited after seventy-five (75) days of the issuance of the permit if the sign is removed by the Zoning Administrator after the sixty (60) day permit has lapsed.
- J. Fees.** Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the governing body of the Conway Township Board, from time to time by resolution.

Section 17.07 Designs, Construction and Maintenance

- A. Standards.** All signs shall be designed, constructed and maintained in accordance with the following standards;
1. All signs shall comply with applicable provisions of the building code and the electrical code of Livingston County. The Zoning Administrator may require the permittee to supply any and all information necessary to insure that the sign is being built or is to be built, erected or constructed in a safe and lasting manner.
 2. Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.

3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this ordinance at all times.
- B. Sign Identification.** Every sign hereafter permitted shall show the permit number in a conspicuous place thereon, which is visible to the Zoning Administrator and is readable by them from the ground.
- C. Premises Maintenance.** All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof in clean, sanitary and inoffensive conditions and free and clear of all obnoxious substances, rubbish and weeds.
- D. Unsafe and Unlawful Signs.** If the Zoning Administrator shall find that any sign regulated herein is unsafe or insecure, is a menace to the public, is abandoned or maintained in a dilapidated condition or has been constructed or erected or is being maintained in violation of the provisions of this ordinance, they shall give written notice to the applicant and property owner thereof. If the applicant or property owner fails to remove or alter the sign so as to comply with the standards herein set forth within ten (10) days of the date of written notice, such sign may be removed or altered to comply by the Zoning Administrator. Any expense incidental to such removal or alteration shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property.

The Zoning Administrator may cause any sign which is in immediate peril to persons or property to be removed summarily without notice. Such signs are hereby declared to be a public nuisance. When any sign is removed summarily without notice the owner or lessee thereof shall have the right to a post-seizure administrative hearing before the ZBA, to determine whether there was a probable cause to remove the sign.

Section 17.08 Sign Appeals

- A. Zoning Board of Appeals.** The ZBA shall hear and decide appeals where it is alleged by the appellant that there is an error in any order requirement, permit, decision or refusal made by the Zoning Administrator or any other administrative official in carrying out or enforcing any provisions of Article 17 Sign Standards. The ZBA shall also hear requests for variances from the literal provisions of this ordinance for the erection of a new sign.
- B. Interest in Sign.** Any member of the Township Board who shall have direct or indirect interest in any sign or in any decision relating to such sign, which shall be the subject matter of, or affected by, a decision of the Township Board, shall be disqualified from voting on

any decision or voting in any proceeding of the Township Board in connection therewith.

- C. Appeals.** An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies in writing to the ZBA that by reason of facts stated in writing, this sign would in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order granted by the Board or by a Court of record, on notice to the Zoning Administrator and on due cause shown. The ZBA shall fix a reasonable time for the hearing of the appeal, give seven (7) days public notice thereof by publication in a newspaper of general circulation in the Township, such costs to be borne by the applicant, give due notice to the parties in interest, and decide the appeal within a reasonable time. At the hearing, any party may appear in person, by agent or by attorney.
- D. Variances.** The ZBA shall hear requests for variances from the literal provisions of this ordinance for the erection of a new sign in instances where strict enforcement of this ordinance would cause practical difficulties due to circumstances unique to the individual sign under consideration, and grant such variance only when it is demonstrated that such action will be in keeping with the spirit and intent of this ordinance.
1. The Board shall not permit as a variance, the erection or continuance of a sign which is prohibited by this ordinance.
 2. The Board may impose reasonable conditions in the granting of a variance to insure compliance and to protect adjacent property. A violation of such conditions shall constitute a violation of this ordinance.
- E. Appeals from the Zoning Board of Appeals.** Any person or persons aggrieved by any decision of the Board may seek review by a court of record of such decision, in the manner provided by the laws of the state.

Section 17.09 Violations, Enforcement and Remedies

- A. Violations.** Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided by this ordinance, and by state law.
1. To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located.

2. To install, create, erect or maintain any sign requiring a permit without such a permit.
3. To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located.
4. To fail to remove any sign that is installed, created, erected or maintained in violation of this ordinance, or for which the sign permit has lapsed.
5. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this ordinance.
6. Each sign installed, created, erected or maintained in violation of this ordinance shall be considered a separate violation when applying the penalty portions of this ordinance.

B. Enforcement and Remedies. Any violation or attempted violation of this ordinance or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of Article 17 shall be considered a violation of the Zoning Ordinance of Conway Township. The remedies of Conway Township shall include the following;

1. Issuing a stop-work order for any and all work on any signs on the same zone lot;
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;
3. Imposing any civil infraction penalties that can be imposed directly by Conway Township under the Zoning Ordinance or any other ordinance.

C. Applicable to Owner or Tenant. The owner, and also, if applicable the tenant of any building, structure, premises or part thereof, who commits, participates in, or maintains such violation may be liable for such offense pursuant to this ordinance or any other ordinance.