

## ARTICLE 20

### SIGN REGULATION

#### 2001 PURPOSE

It is necessary to regulate the location, size, placement, and certain features of signs in Whitehall Township to enable the public to locate goods, services, and facilities without difficulty and confusion, to encourage the general attractiveness of the community, and to protect property values therein. Accordingly, it is the intention of this Article to establish regulations governing the display of signs which will:

1. Promote and protect the public health, safety, comfort, morals and convenience;
2. Enhance the economy and the business and industry of the Township by promoting the reasonable, orderly, and effective display of signs, and thereby encourage increased communication with the public;
3. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision;
4. Reduce conflict among signs and light and between public and private environmental information systems;
5. Protect appropriately identified usages from too many and too large signs.
6. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs.

#### 2002 DEFINITIONS

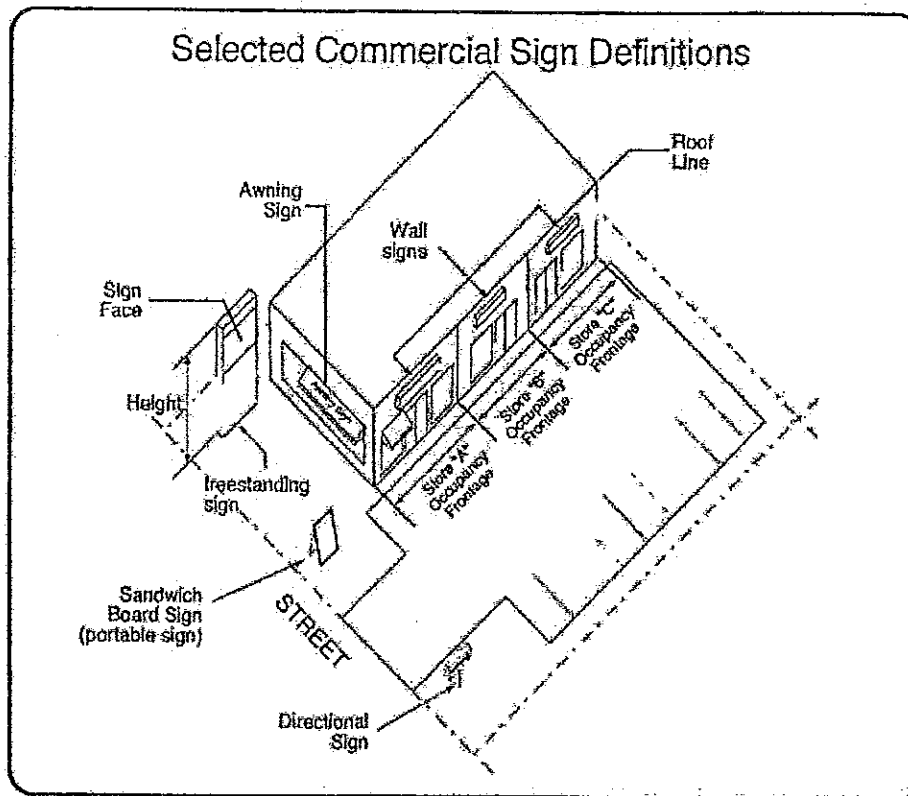
The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. **Abandoned Sign** - Any sign which no longer identifies or advertises a currently operating business, service, owner, product or activity and/or for which no legal owner can be found.
2. **Alteration** - As used in this article, the term "alteration" means any change in a sign; including, but not limited to, any change in a sign's dimensions, shape, area, height, number or orientation of sign faces, structural support, location on the property, materials or lighting. A change solely in the wording of the copy of a sign shall not constitute an "alteration" for purposes of this section, unless the result of the change would cause the sign to be reclassified to a type of sign subject to different or more restrictive regulation (e.g., a change from an on-premise to an off-premises sign).

3. **Awning** - Any retractable or fixed shelter constructed of non-rigid materials on a supporting framework that project from the exterior wall of a building.
4. **Awning Sign** - Any sign affixed flat against the surface of an awning.
5. **Balloon Sign** - Any sign composed of a non-porous bag of material filled with air or gas.
6. **Banner Sign** - Any fabric, plastic, or other sign made of non-rigid material without an enclosing structural framework.
7. **Billboard** - Any sign directing attention to a use, activity or product not located, sold, manufactured or processed on the premises on which the sign is located.
8. **Business Center** – An area designated for multiple businesses that are located within the same principal building on one parcel, such as a mall or plaza. These areas typically utilize one main entrance/exit.
9. **Business Sign** - Any sign, including a sign on the wall of a business, on which lettered, figured or pictorial material is displayed for advertising a business, service, entertainment or other enterprise conducted on the land where the sign is located, or products primarily sold, manufactured, processed or fabricated on such land.
10. **Community Special Event Sign** - Any temporary sign erected for thirty (30) days for the purpose of calling attention to special events of interest to the general public and which are sponsored by governmental agencies, schools, or other non-profit groups whose purpose is of a public, charitable, philanthropic, religious or benevolent nature. Community Special Event Signs shall be removed within three (3) days after the event.
11. **Construction Sign** - Any sign which identifies the owners, financiers, contractors, architects, and engineers of a project under construction.
12. **Directional Sign** - Any sign giving directions or instructions for vehicular or pedestrian circulation. A directional sign shall not contain advertising display copy.
13. **Directory Sign** - Any sign which displays names and/or location of occupants or users of a premise.
14. **Election Campaign Sign** - Any temporary sign erected for a limited period of time for purposes of political campaigns for public office, for elections on public questions or otherwise relating to public elections or public meetings held for the purpose of voting on or for public offices or public questions.
15. **Electronic Reader Board Or Changeable Message Sign** - Any permanent sign on which copy is changed manually, mechanically or electronically, including any electronically displayed sign.
16. **Freestanding Sign** - Any sign not attached to a building or wall and which is supported by one or more poles or braces which rests on the ground or on a foundation that rests on the ground.

17. **Governmental Sign** - Any sign erected or required to be erected by the Township, the County of Muskegon, by the state of Michigan or the Federal government.
18. **Ground Sign** - Any sign resting directly on the ground or on a foundation, or supported by short poles not attached to a building or wall, the bottom of which is no more than 24 inches above the finished grade.
19. **Incidental Sign** - Any sign that identifies street addresses, entrances and exits, safety precautions, identifying logos without text and other such incidental information, and which sets forth no other advertisement, including trespass signs or no hunting.
20. **Identifying Sign** - Any sign on the same premises it identifies which serves only to tell the name or use of any public or semipublic building or recreation area, club, lodge, church or institution, hotel, motel or similar business enterprise; or to inform the public as to the use of a parking lot.
21. **Illegal Sign** - Any sign which does not meet the requirements of this ordinance and which does not have a legal nonconforming status.
22. **Memorial Sign** - Any sign, tablet or plaque memorializing a person, event, structure or site.
23. **Mural** - Any design or representation painted or drawn on a wall which does not advertise an establishment, product, service, or activity.
24. **Nonconforming Sign** - A sign which was legally erected prior to the effective date of this section and does not have a legal nonconforming status.
25. **Off-premises Sign** - Any sign which relates to or advertises an establishment, product, merchandise, good, service or entertainment which is not located, sold, offered, produced, manufactured or furnished at the property on which the sign is located (including, but not limited to, billboards).
26. **On-premises Sign** - Any sign which pertains solely to the use of the property on which it is located such as to an establishment, product, merchandise, good, service or entertainment which is located, sold, offered, produced, manufactured or furnished at the property on which the sign is located.
27. **Portable Sign** - Any sign that is not permanent or affixed to a building or structure and by its nature may be or is intended to be moved from one location to another, whether rented or owned, including "A" frame signs or signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used for vehicular purposes in the normal day-to-day operations of the business.
28. **Projecting Sign** - Any sign which projects from and is supported by a wall of a building at any angle to the wall to which it is attached and does not extend beyond, into or over the street right-of-way.
29. **Reader Board** - Any portion of a sign on which copy is changed manually.

30. **Real Estate Sign** - Any temporary sign advertising the real estate upon which the sign is located as being available for sale, rent or lease.
31. **Residential Identification Sign** - Any permanent sign identifying or otherwise stating the name of a platted subdivision, site condominium development, manufactured home park, multiple-family development or other similar residential development.
32. **Roof Line** - The top edge of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.
33. **Roof Sign** - Any sign erected upon and above the roofline of a building.
34. **Sign** - Any device, structure, fixture or placard using graphics, symbols and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, commodity or activity, or displaying or depicting other information.



35. **Sign Owner** - The owner of a premise upon which a sign is located is presumed to be the owner of the sign unless facts are submitted to the Township showing other ownership.
36. **Temporary Sign** - Any sign erected for a specified period of time with the intent of being discontinued at the end of the designated time period.

37. **Wall Sign** - Any sign painted or attached directly to and parallel to the exterior wall of a building extending no greater than twelve (12) inches from the exterior face of the wall to which it is attached.
38. **Window Sign** - Any sign installed inside a window and intended to be viewed from the outside.
39. **Residential Garage/Yard/Estate Sale Sign** - Any temporary sign that identifies the location and/or occurrence of a Residential Garage/Yard/Estate sale.

## 2003 SIGNS PROHIBITED

The following types of signs are expressly prohibited:

1. Signs that have flashing, moving, oscillating or blinking lights, any visible moving part, visible revolving parts, or 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 natural wind currents, or that revolve or have other visible moving parts (excluding time temperature and barber shop poles signs).
2. 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 shocks to persons likely to come in contact with it.
3. Any sign which, by reason of its size, location, content, coloring, or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers or by obstructing or detracting from the visibility of any traffic sign or control device on public streets or roads.
4. Any sign which obstructs free ingress to or egress from a required door, window, fire escape, or other required exit way.
5. No sign shall be placed in, upon or over any public right-of-way, alley, or other public place, except as may be otherwise permitted by this article.
6. No light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved by permit for that use.
7. No commercial vehicles, which, in the opinion of the Zoning Administrator, have the intended function of acting as signs, shall be parked in any area abutting the street.
8. No wall sign shall extend beyond the edge of the wall to which it is affixed or extend above the roofline of a building.
9. Roof signs are prohibited.

10. Signs which make use of words such as "STOP," "LOOK," "DANGER," or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
11. Any sign or other advertising structure containing any obscene matter.
12. Any sign unlawfully installed, erected, or maintained.
13. Any other signs not expressly permitted by this Ordinance.
14. The Zoning Administrator or his/her agent may confiscate and retain any/all signs/banners/flags determined to be non-compliant to this article.

#### **2004 SIGN PERMIT REQUIRED**

1. A sign permit shall be required for the erection, use, construction or alteration of all signs, except for those exempted by the terms of this Article. For purposes of this Section, alteration of a sign shall mean any substantial change therein, but shall not include normal maintenance or repair thereof.
2. An application for a sign permit shall be made to the Zoning Administrator and shall include submission of such fee as may be required by resolution or other action by the Township Board. The application shall include the following:
  - a) Name, address and telephone number of the applicant and the person, firm or corporation erecting the sign.
  - b) Address or permanent parcel number of the property where the sign will be located.
  - c) Name, address, telephone number, and signed authorization of property owner where sign is to be erected.
  - d) Written approval of all adjoining property owners or businesses, on same side of street of a proposed new "off premises" sign installation, within 100 feet of the proposed sign installation, must be submitted by entity proposing the new "off premises" sign.
  - e) A sketch showing the location of the building, structure or parcel of land upon which the sign is to be attached or erected and showing the proposed sign in relation to buildings and structures, together with the depth of the parcel and setback from lot lines.
  - f) Two (2) scaled blueprints or drawings of the plans and specifications for the sign and information on the method of construction and attachment to structures or the ground.
  - g) Electrical specifications and diagrams as applicable.
  - h) Identification of the zoning district in which the sign is to be located, together with any other information which the Zoning Administrator may require in order to determine compliance with this Article.
3. All signs requiring electrical service shall be reviewed for compliance with the current Township electrical code.

4. The Zoning Administrator shall issue a sign permit if all provisions of this Article and other provisions of this Ordinance and other applicable Township ordinances are satisfied. A sign authorized by such a permit shall be installed or shall be under construction within six (6) months of the date of issuance of the sign permit or the permit shall expire. A new permit may be issued upon the filing of a new application and payment of required fee.
5. Except as specifically excused hereinafter, no sign shall be constructed, erected, attached to a building, installed, structurally altered, or relocated prior to the issuance of a permit therefore by the Zoning Administrator.
6. No permit shall be required for any of the following:
  - a) Normal maintenance and repair.
  - b) Change of lettering or display panels.
  - c) Real estate signs.
  - d) Highway signs erected by the United States of America, the state, the county or the township.
  - e) Governmental-use signs erected by governmental agencies to designate hours of activity or conditions for use for parks, parking lots, recreational areas, other public areas, or for governmental buildings.
  - f) Flags and banners shall not exceed 35 square feet attached to the principal structure or a flag pole. No more than ten (10) shall be displayed for each special event. Shall be limited to the twenty-one (21) days immediately preceding the special event that is being advertised and shall be removed within forty-eight (48) hours of the conclusion of the special event that is being advertised.
  - g) Directional signs erected in conjunction with private, off-street parking areas, provided this sign does not exceed four square feet in area and is limited to traffic control functions only
  - h) Historic signs designating sites recognized by the state historical commission as Centennial Farms and Historic Landmarks.
  - i) Signs posted to control or prohibit hunting or trespassing within the township not to exceed three square feet.
  - j) Essential public service signs denoting utility lines, railroad lines, hazards and precautions.
  - k) Memorial signs or tablets which are either cut into the face of a masonry surface or constructed of bronze or other incombustible material when located flat on the face of a building.
  - l) One construction sign per project, of no more than 32 square feet in area, denoting architects, engineers, or contractors connected with the work under construction.
  - m) Signs for political advertising.

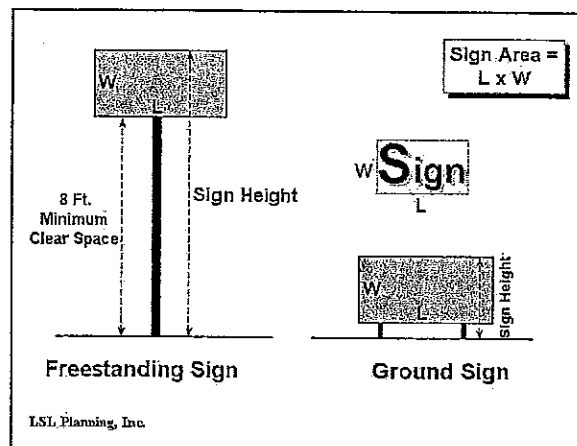
- n) Community special event signs.
  - o) Menu and order boards for drive-through facilities provided such signs shall be located on the interior of the lot and not legible from adjacent properties. The placement, size, content, manner of illumination and sound level of such signs shall not constitute a traffic or pedestrian hazard. Such signs shall be limited to four per establishment. Any proposal for signage not meeting these requirements shall be submitted to the planning commission for a decision.
  - p) Permanent signs on vending machines, gas pumps or ice containers.
  - q) Residential yard and garage sale signs of not more than four (4) square feet in size. Such signs shall be removed within twenty-four (24) hours after the event.
  - r) Incidental signs not exceeding one (1) square foot.
7. Signs for political advertising are permitted in all zoning districts provided they are temporary, not illuminated, and do not exceed 32 square feet in area per sign face. Such signs shall be removed within seven (7) days after the election with which the political sign is concerned.

#### 2005 LEGAL NONCONFORMING SIGNS

1. **Continuance** - Notwithstanding any other provision of this article to the contrary, a permanent sign which was erected legally and which lawfully exists at the time of the enactment of this chapter, but which does not conform to the height, size, area or location requirements of this chapter, is deemed to be nonconforming and may continue to be used subsequent to that time, as provided by this section.
2. **Loss of legal nonconforming status** - A legal nonconforming sign shall immediately lose its legal nonconforming designation if:
  - a) The sign is altered in any way in structure or copy (see definition of "alteration", section 2002-2), which tends to or makes the sign less in compliance with the requirements of this article than it was before the alteration;
  - b) The sign is relocated to a position making it less in compliance with the requirements of this article;
  - c) The sign is replaced; or
  - d) On the happening of any one of subsections (1), (2) or (3), the sign shall be immediately brought into compliance with this article with a new permit secured therefore, or shall be removed.
3. **Legal nonconforming sign maintenance and repair** - Routine repair to maintain a nonconforming sign in a safe and aesthetic condition exactly as it existed at the time of the enactment of this article and so as to continue the useful life of the sign shall not constitute an alteration for purposes of this chapter. If damaged, a legal nonconforming sign may be restored to the condition exactly as it existed immediately prior to the damage or destruction if the estimated cost of restoration does not exceed 50 percent of the estimated replacement cost as determined by the township; based on a written



estimate from a licensed sign contractor. If the estimated cost of restoration exceeds 50 percent of the estimated replacement cost, the right to continue using the nonconforming sign shall thereupon terminate and the sign shall be brought into full compliance with all applicable provisions and requirements of this chapter prior to further use.



## 2006 MEASUREMENT OF SIGNS

1. The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
2. The area of a freestanding, ground, or projecting sign that has two (2) or more faces shall be measured by including the area of all sign faces, except if two (2) faces are placed back-to-back and are of equal size, the area of the two (2) back-to-back faces shall be counted as one (1) face. If the two (2) back-to-back faces are of unequal size, the larger of the two (2) sign faces shall be counted as the one (1) face.
3. The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the average grade of the ground immediately beneath the sign, whichever is less.

## 2007 REGULATIONS APPLICABLE TO ALL DISTRICTS

The following sign regulations are applicable to all Districts:

1. All ground, wall and freestanding signs may include reader boards.
2. Any sign, including awnings to which signs are affixed or displayed; not resting directly on the ground shall maintain a minimum clear space of eight (8) feet from the bottom of the sign to the ground.
3. Political signs shall be removed by the candidate or candidate's designee within seven (7) days after the official election or referendum to which the sign pertains.
4. Real estate signs shall be removed within five (5) days after completion of the sale or lease of the property.
5. Construction signs are permitted within any District, subject to the following restrictions:
  - a) Construction signs shall be no larger than thirty-two (32) square feet and not

- exceed eight (8) feet in height.
- b) Construction signs shall not be erected until a building permit has been issued for the project that is the subject of the proposed sign and construction activity has begun.
    - c) Construction signs shall be removed immediately upon the issuance of any Occupancy Permit for the building or structure that is the subject of the construction sign.
6. Community Special Event Signs sponsored by government or nonprofits, including banner signs, are permitted in any District, subject to the following restrictions:
- a) No more than ten (10) signs shall be displayed for each special event. The signs may be located either on or off the lot on which the special event is held.
  - b) The display of the signs shall be limited to the twenty-eight (28) days immediately preceding the special event that is being advertised.
  - c) The signs shall have a maximum size of thirty-two (32) square feet in area, and a maximum height of five (5) feet and shall be set back from any side or rear property line a minimum of fifteen (15) feet.
  - d) The signs shall be removed within forty-eight (48) hours of the conclusion of the special event that is being advertised.
7. Directional signs are permitted subject to the following restrictions:
- a) A directional sign may contain a logo of an on-premise establishment, but no advertising copy.
  - b) No sign shall exceed six (6) square feet in area or four (4) feet in height.
  - c) Directional signs shall be limited to traffic control functions only the number and location of signs shall be determined by the Zoning Administrator.
8. Garage sale, yard sale, basement sale, estate sale, open house and similar signs relating to residential use are permitted subject to the following restrictions:
- a) Three (3) signs per sale is permitted and set back a minimum of five (5) feet from any property line.
  - b) The sign shall not exceed six (6) square feet in area.
  - c) The sign shall be erected no more than two (2) days prior to the day(s) of the sale and shall be removed within one (1) day after the completion of the sale.
9. Temporary and portable signs are authorized through an approved Whitehall Township Permit, and subject to the following restrictions:
- a) No more than one (1) sign shall be displayed on the premises. Any sign shall be located on the same lot as the business to which the sign pertains.
  - b) The display of signs shall be limited to seven (7) days in any thirty (30) day period and no more than fourteen (14) days in any six (6) month period.
  - c) Signs shall have a maximum size of thirty-two (32) square feet in area, and a maximum height of six (6) feet and shall be set back from any property line a minimum of fifteen (15) feet.
  - d) Signs shall not be located in any required parking space or located so as to interfere with the vision of motorists or pedestrians, as determined by the Zoning Administrator.
10. Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other

conditions that impairs legibility or intelligibility. Broken or damaged parts of signs shall be repaired as soon as possible after the damage has occurred.

11. Sign supports, braces, guys and anchors shall be maintained in a manner as not to cause a hazard.

**2008 DISTRICT SIGN REGULATION**

Signs in each District shall be subject to the following regulations (requirements are maximum requirements unless otherwise stated):

<b>A, AA, AM, F, FR, and OC DISTRICTS – PERMITTED SIGNS</b>		
<b>Ground signs for residential subdivisions, private street entrances to public streets when serving more than three (3) dwelling units, manufactured home parks, multiple family complexes, farms, private schools, or other non-residential uses allowed in the Districts</b>		
Number	1 per major entrance of the development	
Size	32 sq. ft.	
Location	Minimum of 5 feet from any property line	
Height	6 feet	
<b>Wall signs for home occupations</b>		
Number	1 per lot or parcel	
Size	4 sq. ft.	
Location	10 feet from any property line or on the wall of a dwelling facing the street.	
<b>Wall signs for non-residential uses</b>		
Number	1 per street frontage	
Location	On wall of building facing street not exceeding 10% of the front wall area, not to exceed 200 square feet.	
<b>Political signs</b>		
Size	32 square feet ((Must be removed within (7) seven days after election))	
Location	Minimum of 5 feet from any property line	
Height	8 feet	
<b>Real estate signs</b>		
Number	1 per lot or parcel; plus 1 for the waterfront side of lots with waterfront frontage	
	Unoccupied properties or lots	6 square feet

Size	Vacant lots or parcels over 1 acre	16 square feet
Location	Minimum of 5 feet from any property line	
Height	6 feet	
<b>B, and M BUSINESS/LIMITED INDUSTRIAL DISTRICTS – PERMITTED SIGNS</b>		
<b>Ground or free-standing signs</b>		
Number	1 per lot or parcel or business.	
Size	One-half square foot of sign area for each linear foot of one road frontage not to exceed 200 square feet.	
Location	Minimum of 10 feet from any property line and separated from any other sign by a minimum of 10 feet	
Height	10 feet in the M District and 20 feet in the B District	
<b>Wall signs</b>		
Number	1 per street frontage or parking lot frontage	
Size	10% of the wall area facing the street	
Location	On wall of building facing street and/or parking area	
<b>Political signs</b>		
Size	32 square feet ((Must be removed within (7) seven days after election))	
Location	Minimum of 5 feet from any property line	
Height	8 feet	
<b>Real estate signs</b>		
Number	1 per property	
Size	16 square feet	
Location	Minimum of 5 feet any property line	
Height	8 feet	