

RILEY TOWNSHIP - ST. CLAIR COUNTY

ARTICLE IX
GENERAL PROVISIONS

SECTION 909. SIGNS:

An ordinance to regulate and control signs in the Township of Riley.

THE TOWNSHIP OF RILEY ORDAINS:

A. INTENT

The intent of this Ordinance is to create a comprehensive system of regulating signs to facilitate communication, to enhance the physical appearance of the Township, and to create a more attractive economic and business climate. It is intended by the provisions of this Ordinance to reduce signage and advertising distraction, to eliminate hazards caused by signs being too close to roads, to avoid confusion of conflicting adjacent signs, to protect property values, and to eliminate obsolete, non-conforming and deteriorated signs and to support and complement strategies of the Riley Township Master Plan. With these purposes in mind, it is the intention of this Ordinance to authorize the use of signs, which are:

- Compatible with their surroundings.
- Appropriate to the type of activity to which they pertain.
- Expressive of the identity of the proprietors or the development.
- Legible in the circumstances in which they are seen.
- Protect the public right to receive messages, especially non-commercial messages such as religious, political, economical, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- Prevent placement of signs, which will conceal or obscure signs of adjacent uses.
- Prevent off site signs from conflicting with land uses.
- Preserve and improve the rural atmosphere of the Township by encouraging signs of consistent size, which are compatible with and complimentary to related buildings and uses, and are harmonious with their surroundings.

The Riley Township Planning Commission may limit signs permitted by this Ordinance and Riley Township Zoning Board of Appeals pursuant to any reasonable conditions established by those bodies with regard to the granting of any special land use approval and/or variance notwithstanding any provision contained herein.

B. COMPLIANCE STATEMENT

All signs erected or located in the Township shall comply with the requirements of this Ordinance. No person(s) shall alter, resurface, connect, relocate, erect, place, or construct a sign, except as otherwise specified herein, unless a permit for said sign has been issued by the Township.

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C. APPLICATION PROCESS

1. Application: Written applications for sign permits shall be made on forms provided by the Township. The application shall be accompanied by and include the following information:
 - a) A scaled site plan (scale to be no less than 1 inch = 20 feet) showing the location of the sign and all structures located within two hundred (200') feet of the sign both on and off of the site.
 - b) The location of the sign in relation to all existing and proposed streets, parking areas, and site entrances within two hundred (200') feet.
 - c) A scaled drawing (scale to be no less than 1 inch = 1 foot) of the proposed sign specifying the height of the sign above the ground, the surface area and material of the sign, the lettering as it will appear on the sign, method of illumination, and any other information as the Township deems necessary to fully understand the sign application request.
2. Review: The Township shall review the application and supporting documentation (sign drawing, site plan, etc.) and any other pertinent information and determine the level of review/approval required. In addition to the Township, review may be required by the Riley Township Planning Commission for compliance with the requirements of the Riley Township Zoning Ordinances. The application may also be reviewed by the Township Building Inspector and/or the Electrical Inspector for compliance with Michigan Building Codes.
3. Approval: If the sign is determined to be in compliance with all applicable Ordinances and Codes by Riley Township a sign permit shall be issued.

D. GENERAL REGULATIONS

All signs in the Township shall comply with the following requirements:

1. Illumination: Illumination of signs shall be directed and/or shaded so as not to interfere with the vision of persons on adjacent streets or properties. Illumination shall be so positioned so that minimal light spills onto adjacent properties. There shall be no flashing, oscillating or intermittent type of illuminated sign or display nor shall there be movement of any nature in the lighting.

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- a) No illumination in excess of one-quarter (1/4) foot-candle power shall spill over onto property used for residential purposes or onto any property zoned for residential use. (Intensity to be measured at the residential property line or the residential zoning district line, whichever is closer to the sign.)
2. Right-of-way Encroachment: No sign, except those established and maintained by the Township, County, State or Federal Government, shall be located in, projecting into, or overhang a public road right-of-way.
3. Setbacks:
 - a) Road Setbacks: No sign shall be located within any road right-of-way.

E. EXEMPTIONS

The following signs are exempt from application and permit requirements of Section C, but must comply with all setback requirements of Section D and the following standards:

1. Political Signs: Signs advocating or opposing candidates or ballot issues shall not be displayed longer than ninety (90) days before the election and no more than ten (10) days after the election for which the signs were erected.
2. Bulletin Boards: Bulletin Boards shall not exceed one hundred (100) square feet in size and ten (10') feet in height from finish grade, for public, charitable, educational or religious institutions, when the bulletin board is located on the premises of said institutions. Minimum fifty (50') foot setback requirement from all property lines, and shall not be located within any road right-of-way.
3. Temporary Construction Signs: Signs shall not exceed sixteen (16) square feet in any Residential District (AR), River Conservation District (RC) and Medium Residential District (R-1) or thirty-two (32) square feet in any Commercial District (EC). All signs shall be removed prior to the issuance of the Certificate of Occupancy/Use Permit being issued.
4. Residential Real Estate Signs: Temporary real estate for sale signs not exceeding thirty-two (32) square feet in size may be permitted on any residentially zoned parcel offered for sale. All such signs shall be removed within ten (10) days following the sale of the property.

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5. Non-Residential Real Estate Signs: Shall be permitted when located on the land or buildings intended to be rented, leased or sold. Such signs shall not exceed thirty-two (32) square feet in size for any given lot or building. All signs shall be placed a minimum of fifty (50') feet from any property line or shall not be located within any road right-of-way. All signs shall be removed within ten (10) days after the property has been sold, rented, or leased.
6. Directional Signs: Directional signs not exceeding eight (8) square feet in area may be permitted on any site for orientation purposes. No advertising or logo shall appear on such signs.
7. Agricultural Produce Signs: Shall be permitted in any agricultural / residential zoned district (AR). All signs shall be placed a minimum of fifty (50') feet from any property line or shall not be located within any road right-of-way.
8. Garage Sale and Estate Sale Signs: Signs shall not exceed six (6) square feet in size, six (6') feet in height from finish grade and must be entirely on private property. Sign shall be erected no more than ten (10) days before date of sale and must be removed within two (2) days after the sale.
9. Help Wanted Signs: Signs shall not exceed six (6) square feet in size and six (6') feet in height from finish grade.
10. Community Special Event Signs: May be used for thirty (30) days before the event and shall be removed within forty-eight (48) hours after the event. Signs shall not exceed forty-five (45) square feet in size. Signs shall not be located within any road-right-of-way, unless approved governing government agency (P.H. 6/13/2011; Adopted 10/4/2011; Published 10/13/2011)
11. Residential Identification Sign: Sign shall not be located within any road-right-of way.

F. AGRICULTURAL AND RESIDENTIAL DISTRICT REQUIREMENTS (AR)

1. Residential Special Approval Use Signage: One sign of a double-faced design not to exceed six (6) square feet in area shall be permitted in a residential/agricultural district (AR) for a Special Approval Use. All signs must meet the

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setback/intersection requirements of Section D(3)(a) of this ordinance. Height of sign shall not exceed six (6) feet from finish grade. Sign requires approval by the Zoning Administrator and must meet requirements of Section C Application Process. No illumination will be permitted.

2. Residential Development Identification Signs - Temporary: One (1) accessory freestanding ground sign is permitted during the development of a residential project. The building official may issue a permit to the project builder, for the temporary use, for a period not to exceed twelve (12) months. Additional twelve (12) month extension(s) may be granted. All such signs shall not exceed thirty-two (32) square feet. The sign shall not exceed eight (8') feet in height from finish grade. No illumination will be permitted.
3. Residential Site Condominium or Platted Development Entrance Identification Signs - Permanent: In all residential/agricultural districts (AR) one (1) monument development identification sign may be permitted for Site Condominium or Platted Developments. It shall be limited to the principal entrance to the finished development. The sign shall not exceed ninety-six (96) square feet in size, eight (8') feet in height as measured from the established finished grade. The sign must meet the setback/intersection requirements of Section D (3) (a) of this ordinance. The property upon which the sign is to placed shall be owned or leased by the applicant or the development and evidence of such shall be provided for Township review. Sign may require a building permit where structural requirements mandate, and must meet the requirements of Section C Application Process. No illumination will be permitted.

G. COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICT REQUIREMENTS

1. Office Signs: In all office areas with uses located on individual lots, the wall sign shall not cover more than thirty-three (33%) percent in square footage of the total square footage of the wall on which the sign is being placed, but in no case shall it be larger than one hundred (100) square feet. A permitted freestanding sign shall not exceed one hundred (100) square feet and ten (10') feet in height from finish grade. A free-standing sign shall be a minimum of fifty (50') feet to any adjacent residential district (AR). For all office areas that have uses grouped in an office building, a pylon or pole sign may be permitted in order to accommodate a listing of all occupants of that building. The directory of occupants shall be designed as an integral part of the pylon/pole sign and be uniform in size,

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appearance, surface material and color.

2. Commercial Signs: All local business areas located in the Extensive Commercial (EC) District, on individual lots, the wall sign shall not cover more than thirty-three (33%) percent in square footage of the total square footage of the wall on which the sign is being placed, but in no case shall it be larger than one hundred (100) square feet. A permitted freestanding sign shall not exceed twenty (20') feet in height from finish grade. A free-standing sign shall be a minimum of fifty (50') feet to any adjacent residential district (AR) on the same side of the road. For all local business areas grouped in a shopping center, the wall sign shall be no larger than thirty-three (33%) of the total square footage of the wall on which the sign is being placed, but in no case shall it be larger than one hundred (100) square feet. The permitted freestanding sign shall not exceed one hundred (100) square feet. A directory of the occupants of the center shall be designed as an integral part of the freestanding sign and be uniform in size, appearance, surface material, and color. Any Commercial Business within one half (1/2) mile of Interstate I-69 located in the Extensive Commercial (EC) District may be permitted a freestanding sign with a maximum height of sixty (60') feet with an adequate fall zone.
3. Billboard Signs and Non-accessory signs: Billboards and non-accessory signs shall be located in the Extensive Commercial (EC) District. Can be spaced no closer than one thousand (1000') feet between signs on the same side of the right-of-way. A free-standing sign shall be a minimum of fifty (50') feet to any adjacent residential district (AR). A permitted billboard sign and non-accessory sign shall not exceed a maximum height of fifty (50') feet.
4. Industrial Signs: One (1) sign may be permitted on any industrially developed site, located in the Industrial District (LII). Sign shall not exceed a maximum area of one hundred (100) square feet, and twenty (20') feet in height from finish grade. One (1) additional sign, not to exceed a maximum area of sixteen (16) square feet and four (4) feet in height, may be permitted for each access drive to the site. A free-standing sign shall be a minimum of fifty (50') feet to any adjacent residential district (AR). Such signs may be located adjacent to the access drive.
5. Awning Signs: Which may or may not advertise the business or service provided for identity purposes and/or used for weather protection.
6. Canopy Signs: Which may or may not advertise the business or service provided

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for identity purposes and/or used for weather protection.

7. Murals: Allowed on one side of the building. Mural shall require prior approval from the Planning Commission and the Riley Township Board.
8. Special Event Signs: A sign used to advertise a special event in a Commercial District (EC) District only. The sign can be used for thirty (30) days before the event and must be removed within twenty-four (24) hours after the event. Signs must meet the requirements of Sections C and D. Applicability to be determined by the Riley Township Zoning Administrator. Sign shall not exceed forty-five (45) square feet in size and twenty (20') feet in height from finish grade.

H. MAINTENANCE OF SIGNS

If upon inspection by the Township, a sign is found to be unsafe, insecure, corroded, subject to corrosion or otherwise poorly maintained, then the owner shall repair the sign by completing any necessary reconstruction, repairs, painting or other improvements in accordance with the following timetable: unless the sign is required to be removed by non-conforming regulations herein:

1. If the Township determines that the sign is an immediate threat to the safety of persons or property nearby, all required action to correct the defect shall be taken within forty-eight (48) hours from the time of notification in writing from the Township, provided that the sign can be cordoned off or adequately secured during the intervening time so as to remove any immediate threat to safety. If such sign cannot be cordoned off or secured so as to eliminate any immediate threat to safety of persons or property, then all required action to correct the defect shall be made immediately.
2. If the Township determines that the sign is not an immediate threat to the safety of persons or property, all required action to correct the defect shall be made within thirty (30) days after notification in writing from the Township. The Township may extend the thirty (30) day timetable if temperatures below fifty-five (55°) degrees Fahrenheit prevent painting, or if the defects involved are minor, not generally noticeable to the public, and not a hazard to public safety.
3. If defects are not corrected within the specified time limits, the Township may remove, or cause to be removed, such signs at the expense of the sign owner or tenant to whom the sign applies. Such expenses shall be paid within thirty (30) days after receiving notification of such expenses from the Township. Such

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notification shall be made by First Class Mail. Any expenses, which are not paid, shall be assessed on the tax billing for the property on which the sign is located.

I. EXISTING SIGNS

Any sign already existing on the effective date of this Ordinance or any applicable amendment which is not in compliance with the provisions of this Ordinance, shall be subject to the following regulations:

1. Any sign in the Agricultural Rural Residential District (AR), which is a non-conforming sign, shall be taken down and removed by the owner, agent, or person responsible for the sign within thirty (30) days after written notification from the Township.

Any sign in the Extensive Commercial District (EC) which advertises a business no longer being conducted, or a product no longer being sold on the property, the information on the sign shall be removed by the owner, agent, or person having the beneficial use of the building, or structure or land within thirty (30) days from the date of written notice from the Township.

2. Removal of Signs: Whenever a sign is removed or is required to be removed for safety purposes by this Ordinance or by order of the Building Official or other Township Official, the entire sign structure, including fastenings and anchorage's, shall be removed. The Township shall have the authority to remove the entire sign structure, if the owner or persons in possession of said sign fails to comply with the Building Official or other Township Officials order. The cost of the removal shall then be charged to the land owner and/or person in possession of the building. Any expenses which are not paid, shall be assessed on the tax billing for the property on which the sign is located.
3. Legally existing non-conforming signs see Section 904.

J. PROHIBITED SIGNS

The following signs are prohibited:

1. Any sign not expressly permitted.
2. Any sign or sign structure which:
 - a) Is structurally unsafe.

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- b) Is not kept in good repair, such as, but not limited to, that it has broken parts, missing letters, or non-operational lights.
- c) Obstructs free access or egress from any building.
- d) Makes use of words "Stop" or "Danger" or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
- e) In any way simulate or could be confused with the lighting of emergency vehicles or traffic signs.
- f) Are painted on or attached to street furniture, but not limited to, such as benches or trash containers. Township Wide Garbage Company trash cans and dumpsters are exempt.
- g) Interfere with the clear vision area for motorist, bicyclists and pedestrians or interfere with motorists' vision of regulatory signs, traffic control devices or street signs.

K. VIOLATIONS

1. Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than five hundred (\$500.00) dollars and the costs of prosecution or by imprisonment in the County Jail for a period not to exceed ninety (90) days for each offense, or by both such fine and imprisonment at the discretion of the Court, together with the costs of such prosecution.
2. The Township of Riley Ordinance Enforcement Officer or designated officials by the Riley Township Board are authorized to issue Notices for violations of this Ordinance.