

- **ARTICLE 1. - IN GENERAL**

- **Secs. 13.5—13.5-62 – Amended September 10, 2015 to Secs. 20-400**

**ARTICLE II. - SIGN REGULATIONS**

- **Sec. 20-400 A-1. Purposes.**

The purposes of these sign regulations are: To encourage the effective use of signs as a means of communication in the township; to maintain and enhance the aesthetic environment; to support the township's goals for residential and economic development; 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. This sign ordinance is adopted under the zoning authority of the township in furtherance of the more general purposes set forth in the zoning ordinance.

*(Ord. No. 63, § 1.1, 2-22-96)*

- **Sec. 20-400 A-2. Applicability—Effect.**

No sign may be erected, placed, established, painted, created or maintained in the township, except in conformance with this article.

*(Ord. No. 63, § 1.2, 2-22-96)*

- **Sec. 20-400 A-3. Definitions and Interpretation.**

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:]

*Abandoned sign* means a sign which no longer correctly directs or exhorts any person, advertises a bonafide business, lessor, owner, product or activity conducted, or product available on the premises where such sign is displayed.

*Alter* means to make any change beyond normal maintenance. (See definition "lot") This includes, but is not limited to, changes in size, shape, height or copy.

*Animated sign* means any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Area, sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This does 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.

Awning means a retractable or fixed shelter, projecting from and supported by the exterior wall of a building, constructed of materials on a supporting framework.

Awning sign means a sign painted on, printed on or attached flat against, the surface of an awning.

Banner means any sign of lightweight fabric or similar material that is mounted to a pole or building by a frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Beacon means any light with one (1) or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one (1) or more beams that rotate or move.

Building marker means any sign indicating the name of a building and date and incidental information about its construction; which sign is cut into a masonry surface or made of bronze or other permanent material.

Building sign means any sign attached to any part of a building, as contrasted to a freestanding sign.

Business means a separate business location, defined by walls, and having its own customer entrance. Multiple activities taking place in or various product lines offered within a particular building shall not be construed as separate business.

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

Canopy sign means a sign displayed and affixed flat on the surface of a canopy and which does not extend vertically or horizontally beyond the limits of the canopy.

Changeable copy sign means 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 article. 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 article.

*Commercial message* means any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

*Copy area* means the area, in square feet, of the smallest rectangle which describes the area enclosed by the actual lettering on the sign, not including the supporting structure or decorative embellishments thereof.

*Copy* means that part of a sign, consisting of letters, numbers, characters, diagrams, logos or other matter intended to communicate or transmit information to those observing the sign.

*Directly or indirectly illuminated* means, unless otherwise expressly stated, to be lighted by a stationary light source emitting a constant white light.

*Farm sign* means a sign erected on a premises where agricultural products are grown, raised, harvested or prepared for sale, which advertises the sale of the agricultural products at the premises.

*Flag* means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

*Freestanding sign* means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

*Incidental sign* means 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," "entrances," "telephone," and other 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.

*Indirectly illuminate* means illuminated with a light source so shielded as to illuminate only the surface of the sign.

*Institutional uses.* For purposes of this article, this shall identify institutional uses permitted in residential zoning districts. Such uses shall include, but are not necessarily limited to churches, schools, funeral homes and cemeteries.

*Lot* means a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as herein required. Such lot shall have direct frontage on an approved public street or on a private street where authorized by the zoning ordinance, and may consist of:

- (1) A single lot of record.

- (2) A portion of a lot of record.
- (3) A combination of contiguous lots of record, or contiguous portions of lots of record.
- (4) A parcel of land described by metes and bounds; or a lot or portion of a lot and parcel of land described by metes and bounds.
- (5) The condominium unit and limited common area in a site condominium.

Maintenance. For purposes of this article, the cleaning, painting, repair or replacement of defective parts of a sign in a manner which does not alter the basic copy, design or structure of the sign.

Marquee means 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 means any sign attached to, in any manner, or made a part of a marquee.

Multi-tenant sign means a single sign used by more than one (1) business.

Nonconforming sign means any sign that does not conform to the requirements of this article.

Pennant means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

Person means any association, company, corporation, firm, organization or partnership, singular or plural, or any kind.

Plaza/mini mall/strip mall means a building or group of buildings containing more than one (1) business.

Political sign means a sign relating to the election of a person or persons 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 means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be

transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicle parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

*Principal building* means the building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

*Projecting sign* means any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall.

*Residential sign* means any sign located in a district zoned for residential uses, RSA, RU-1, RU-2, RU-3 and RU-4 that contains no commercial message and conforms with all requirements of the zoning ordinance.

*Roadside Stand Sign* means a sign erected at a roadside stand or which advertises the location of a roadside stand. A roadside stand sign shall be limited to advertising the name of the stand, the agricultural products offered for sale, prices and hours of operation.

*Roof line* means either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette, and, where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

*Roof sign* means 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* means 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.

*Setback* means the distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

*Sign means* any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purposes of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

*Street* means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Strobe lights means a type of blinking or flashing light.

Street frontage means the distance for which a lot line of a zone lot adjoins a public street, from one (1) lot line intersecting such street to the furthest distant lot line intersecting the same street.

Suspended sign means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign means any sign that is used only temporarily and is not permanently mounted. A sign for which a building permit is not required.

Vehicles includes, but is not limited to automobiles, trucks, trailers, railroad cars, construction equipment and other such mobile equipment whose major legal purpose is other than the display of advertising.

Wall area means that area of an exterior wall starting at sidewalk level and extending up to the eaves on a vertical plane, and, in the case of a mansard roof, including the generally vertical surface on such roof.

Wall sign means any sign attached parallel to, but within twelve (12) inches of a wall or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only one (1) sign surface.

Wall sign, painted means any sign painted, drawn, stenciled, pasted or otherwise directly applied to the exterior of a building or structure.

Window sign means any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, event, commodity, sale or service, that is placed inside a window or upon the window panes or glass and is legible to off-premises traffic, pedestrian or vehicular.

Zone lot means a single parcel of land that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by the zoning regulations.

(Ord. No. 63, § 1.3, 2-22-96)

• **Sec. 20-400 A-4. Computations.**

(a) *Computation of area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof. The area will encompass the extreme limits of the writing, representation, emblem or other display, together with any

material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This will 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.

(b) *Computation of area of multifaced signs.* The sign area for a sign with more than one (1) 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, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces.

(c) *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 filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the 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.

*(Ord. No. 63, § 1.4, 2-22-96)*

- **Sec. 20-400 A-5. Design, Construction and Maintenance.**

All signs shall be designed, constructed and maintained in accordance with the following standards:

- (1) All signs shall comply with applicable provisions of the appropriate building and electrical codes used by the township at all times.
- (2) Except for banners, flags, temporary signs and certain nonpermanent window signs conforming in all respects with the requirements of this article, 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 constructed and maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code, at all times. Further, all signs and components thereof shall be kept in a neat, clean and attractive condition.

(Ord. No. 63, § 1.6, 2-22-96)

• **Sec. 20-400 A-6. Signs in Public Right Of Way.**

No signs shall be allowed in the public right-of-way, except for the following:

- (1) *Permanent signs.*
  - a. Permanent signs, including: 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.
  - d. Awning and suspended signs projecting over a public right-of-way in conformity with the conditions of division 2 of this article.
- (2) *Temporary signs.* Temporary signs meeting the following requirements/conditions:
  - a. In specific instances where there is insufficient privately owned property to effectively place a temporary sign. Under no circumstances, however, may the sign impede vision of traffic or other premises. The face of such sign shall be no closer than ten (10) feet from the road right-of-way line.
  - b. Such signs shall contain no commercial message, and shall conform to all requirements of this article.
- (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.
- (4) *Other signs forfeited.* Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the township shall have the right to recover from the owner or person placing such a sign the full cost of removal and disposal of such sign.

(Ord. No. 63, § 1.7, 2-22-96)



- **Sec. 400 A-7. Signs Exempt From Regulation.**

The following signs shall be exempt from regulation under this article:

- (1) Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance;
- (2) Any sign inside a building that is not legible from a distance of more than three (3) feet beyond the lot line of the zone lot or parcel on which such sign is located;
- (3) Works of art that do not include a commercial message;
- (4) Holiday lights and decorations with no commercial message, but only for sixty (60) days before and after the appropriate holiday; and
- (5) Traffic control signs on private property, such as "stop," "yield" and similar signs, the face of which meet department of transportation standards and which contain no commercial message of any sort.

*(Ord. No. 63, § 1.8, 2-22-96)*

- **Sec. 20-400 A-8. Signs Prohibited.**

All signs not expressly permitted under this article or exempt from regulation hereunder in accordance with the previous section are prohibited in the township. Such signs include, but not limited to:

- (1) Signs which consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or elements creating sound, except those exempt under the previous section, or as specifically permitted in commercial/temporary sign *section 1.5.10*.
- (2) Signs which incorporate flashing or moving lights.
- (3) Signs which obstruct the ingress to or egress from a required door, window, fire escape or other required exit way.
- (4) Signs which are unlawfully installed, erected or maintained.

- (5) Projecting signs.
- (6) Signs which have 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 normal wind currents, other than for the conveyance of noncommercial information which requires periodic change.
- (7) Signs that are mounted or displayed on a vehicle parked on private property or within a public right-of-way, when such vehicle is parked for the purpose of displaying a sign.
- (8) Signs painted directly upon walls, sidewalks or driveways.
- (9) Signs which are 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 or vehicles colliding with it.
- (10) Signs which, by reason of their size, location, context, coloring or manner of illumination may be confused with or construed as a traffic control sign; or which either hides from view any approved traffic or street sign or signal, confuses or misleads traffic, obstructs vision necessary for traffic safety or distracts from visibility of traffic signs.
- (11) Inflatable signs and tethered balloons.
- (12) Roof signs.

*(Ord. No. 63, § 1.9, 2-22-96)*

**Sec. 20-400 A-9. Permits Required.**

- (a) If a sign requiring a permit under any provision of this article 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 13.5-36](#)

(b) Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with [section 13.5-37](#)

(c) No signs shall be erected in the public right-of-way except in accordance with [section 13.5-32](#)

(d) No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this article (including those protecting existing signs) in every respect.

*(Ord. No. 63, § 1.10, 2-22-96)*

• **Sec. 20-400 A-10. General Permit Procedures.**

The following procedures shall govern the application for, and issuance of, all sign permits under this article.

- (1) *Applications.* All applications for sign permits of any kind shall be submitted to the building inspector or his designee on an application form or in accordance with application specifications published by the building inspector.
- (2) *Fees.* Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the governing body of the township from time to time by resolution.
- (3) *Completeness.* Within five (5) business days of receiving an application for a sign permit, the building inspector or designee shall review it for completeness. If the building inspector or designee finds that it is complete, the application shall then be processed. If the building inspector or designee finds that it is incomplete, he/she shall, within such five-business day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this article.
- (4) *Action.* Within seven (7) business days of the submission of a complete application for a sign permit, the building inspector or designee shall either: Issue the sign permit, if the sign(s) that is the subject of the application conforms in every respect with the requirements of this article; or reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this article. In case of a rejection, the building inspector or designee shall specify in the rejection the section or sections of the ordinance with which the sign(s) is inconsistent.

*(Ord. No. 63, § 1.11, 2-22-96)*

- **Sec. 20-400 A-11. Permits to Construct or Modify Signs.**

Signs as permitted in division 2 shall be erected, installed or created only in accordance with a duly issued and valid sign construction permit from the building inspector. Such permits shall be issued only in accordance with the following requirements and procedures:

- (1) *Permit for new sign or sign modification.* An application for construction, creation or installation of a new sign or for alteration/modification of an existing sign shall be accompanied by detailed drawings to show the dimension, design, structure and location of each particular sign. One application and permit may include multiple signs on the same zone lot at any time.
- (2) *Inspection.* The building inspector or his/her designee 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 when notified that construction has been completed. If construction is not completed within one (1) year, the permit shall lapse and become void. If the construction is complete, and in full compliance with this article and with building and electrical codes, the building inspector shall affix to the premises a symbol identifying the sign(s) and the applicable permit by number or other reference. If the construction is substantially complete but not in full compliance with this article and applicable codes, the building inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of giving notice for the deficiencies to be corrected.

(Ord. No. 63, § 1.12, 2-22-96)

- **Sec. 20-400 A-12. Sign Permits—Continuing.**

(a) *Lapse of sign permit.* A sign permit, whether the sign be conforming or non-conforming, shall also lapse if the business activity on the premises is discontinued and is not renewed within thirty (30) 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. Such signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which the sign may be found, within ten (10) days after written notification. Upon failure to comply with this notice within the time specified by the order, the building inspector or designee is hereby authorized to cause removal of the sign, and any expense incident thereto shall be paid by the owner of the building or structure to which the sign is attached.

(b) *Assignment of sign permits.* A current and valid sign permit for a conforming

sign shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the building inspector may require and paying any applicable fee. The assignment shall be accomplished by filing and shall not require approval.

*(Ord. No. 63, § 1.13, 2-22-96)*

- **Sec. 20-400 A-13. Temporary Sign Permits (Private Property).**

Temporary signs on private property shall be allowed only upon the issuance of a temporary sign permit, which shall be subject to the following requirements:

- (1) *Term.* A temporary sign permit shall allow the use of a temporary sign for a specified period not to exceed sixty (60) days in any one calendar year.
- (2) *Other conditions.* A temporary sign shall be allowed only in districts as outlined in division 2 and subject to all of the requirements for temporary signs as noted therein.

*(Ord. No. 63, § 1.14, 2-22-96)*

- **Sec. 20-400 A-14. Non-Conforming Signs.**

- (1) *Nonconforming existing signs, permits and terms.* Sign(s) which were made nonconforming by the adoption of this article, may remain in place and be maintained, provided that no action is taken which increases the degree or extent of conformity.
- (2) Any person with a nonconforming sign in place, as of February 22, 1996, shall file with the township clerk, within ninety (90) days of the date of adoption of the section notice of the nonconforming sign, which shall include the following information: The name of the property owner where the sign is located, the address of the property, a brief description of the sign, including the dimensions of the sign, the information conveyed by the sign and the location of the sign on the property. The notice shall be dated and signed by the property owner. In the event, a dispute arises as to whether a particular sign constitutes a valid nonconforming use under the statute, and a notice has been filed with the clerk with respect to the sign, it will be presumed the sign was not in place as of the date this section was adopted [February 22, 1996] and the burden shall be upon the property owner to prove the sign constitutes a valid nonconforming use.

*(Ord. No. 63, § 1.15, 2-22-96; Ord. of 3-12-98)*

- **Sec. 20-400 A-15. Violations.**

Any of the following shall be a violation of this article and shall be subject to the enforcement remedies and penalties provided by this article, by the zoning 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 permit;
- (3) To fail to remove any sign that is installed, created, erected or maintained in violation of this article, or for which the sign permit has lapsed; or
- (4) To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this article.

Each sign installed, created, erected or maintained in violation of this article shall be considered a separate violation when applying the penalty portions of this article.

*(Ord. No. 63, § 1.16, 2-22-96)*

- **Sec. 20-400 A-16. Enforcement and Remedies.**

Any violation or attempted violation of this article or of any condition or requirement adopted pursuant hereto, may be abated or corrected, by injunction or other appropriate court order obtained in an appropriate proceeding filed by the township with the county circuit court. Further, in addition to any other remedy sought by the township, any violation of this article shall be deemed a civil infraction, which shall be governed by [section 13-81](#) et seq., of this Code. In any case where a person has been issued a civil infraction notice or citation for violation of this article, within twelve (12) months immediately preceding a second or subsequent violation of this article, the second or subsequent violation of the ordinance shall be a misdemeanor.

*(Ord. No. 63, § 1.17, 2-22-96)*

- **Sec. 20-400 A-17. Fee schedule.**

The fees for sign permits and plans for the period beginning April 1, 1996 (first day of budget year) shall be:

Sign permit, initial, including inspection, per zone lot or separate business .....50.00

Temporary sign permit, private property, per sign .....10.00

Garage sale/sign permit .....No charge

(Ord. No. 63, § 1.18, 2-22-96)

• **Sec. 20-400 A-18. Applications for Reconsideration, Conferences, Appeals, Variances.**

(a) *Application for reconsideration.*

(1) Any person aggrieved by a notice or order of the building inspector or designee issued in connection with any alleged violation of this chapter or of applicable rules and regulations issued pursuant thereto, may apply to the building inspector or designee for a reconsideration of such notice or order, if such application is made within five (5) working days after the notice or order has been issued.

(2) The building inspector or designee shall set a time and place for an informal conference on the matter within five (5) working days of the receipt of such application, and shall advise the applicant of such time and place in writing.

(3) At the informal conference, the applicant shall be permitted to present their grounds for believing that the notice or order should be revoked or modified to one (1) or more representatives of the building inspector.

(4) Within five (5) days following the close of the informal conference, the building inspector or designee shall give notice to the applicant whether or not he/she will modify or set aside the notice or order.

(b) *Sign board of appeals.* The township zoning board of appeals shall constitute a board of appeals for the purposes of this article.

(c) *Hearings.* Any person aggrieved by a notice or order of the building inspector or designee issued in connection with any alleged violation of the provisions of this chapter or any applicable rules and regulations pursuant thereto, may file with the board of appeals a petition setting forth their reasons for contesting the notice or order.

(d) *Petition filing.* Such petition shall be filed within ten (10) days after the notice or order is served on petitioner, except where the petitioner has made timely application to the building inspector or designee of his/her decisions upon the informal conference. The petition shall be accompanied by a fee of fifty dollars (\$50.00) paid to the building inspector.

(e) *Time of hearing—Notice.* Within forty-five (45) days after receipt of a valid petition, the board of appeals shall conduct a hearing. The building inspector or designee shall set the time and place of such hearing, and at least ten (10) days prior to the hearing date serve petitioner and the board of appeals with notice thereof in the manner provided for service of notice by subsection (j)(1) of this section.

(f) *Action of board of appeals.*

- (1) The board of appeals shall have the power to modify or reverse, wholly or partly, the notice or order, and may grant an extension of time for the performance of any act required of not more than three (3) additional months, where the board of appeals finds that there is practical difficulty or undue hardship connected with the performance of this chapter or by applicable rules or regulations issued pursuant thereto, and that such extension is in harmony with the general purpose of this chapter to secure the public health, safety and welfare.
- (2) The board of appeals shall return a decision upon each case within sixty (60) days after a request or appeal has been filed, unless a further time is agreed upon with the parties concerned. Notwithstanding the foregoing sentence, the board may, in appropriate cases, be permitted an extension of time after hearing the case, in which to make its decision provided such extension shall not exceed thirty (30) days. Any decision of the board shall not become final until the expiration of five (5) days from the date of entry of such order unless the board shall find that the immediate effect of the order is necessary for the preservation of the property or personal rights and shall so certify on the record.
- (3) The concurring vote of a majority of the members of the board of appeals shall be necessary to reverse, wholly or partly, or modify any order, requirement, decision or determination of the building inspector or designee, or to decide in favor of the applicant any matter upon which they are required to pass or to effect any variation in this chapter.
- (4) After a variance has been denied in whole or in part by the board of appeals, then such application shall not be resubmitted for a period of one (1) year from the date of the last denial, provided however, that a denied variance may be reconsidered by the board of appeals when, in the opinion of the building inspector, or the board of appeals newly discovered evidence or changed conditions warrant such reconsideration.



(g) *Scope of hearing.* At the hearing, the petitioner shall be given an opportunity to show cause why the notice or order should be modified or withdrawn, or why the period of time permitted for compliance should be extended.

(h) *Stay.* An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector or designee certifies to the board of appeals, after the notice of appeal shall have been filed with him/her that by reason of facts stated in the certificate, an emergency exists, in which case the proceedings shall not be stayed, except by a restraining order or by the circuit court, following timely notice of application therefor, to the building inspector or designee.

(i) *Variations.* A variance may be allowed by the board of appeals only in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal supports all the following affirmative findings:

- (1) That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the township.
- 2 That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, or mere inability to attain a higher financial return.
- (3) That allowing the variance will result in substantial justice being done, considering the public benefits identified to be secured by this chapter, the individual hardships that will be suffered by a failure of the board of appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent and purpose of this chapter.

The above findings of fact shall be made by the board of appeals, which is not empowered to grant a variance without an affirmative finding of fact in each of the categories above. Every finding of fact shall be supported in the record of the proceedings of the board.

Nothing contained herein shall be construed to empower the board of appeals to substantially change the terms of this chapter, or to significantly add to the types of signs permitted on any premises.

(j) *Appeal procedure.*

- (1) The board of appeals shall give due notice of all hearings to all owners of record of real property within three hundred (300) feet of the premises in question; such notice

shall be delivered personally or by first class mail addressed to the respective owners at the address given in the last assessment roll.

(2) All persons shall be required to appear in person or to be represented by a duly authorized agent.

(3) The board of appeals shall prepare an official record for each appeal and shall base its decision on this record. The official record shall include the relevant administrative records and administrative orders issued herein relating to the appeal.

*(Ord. No. 63, § 1.19, 2-22-96)*

- **Secs. 13.5-44—13.5-55. - Reserved.**
  
- **DIVISION 2. - SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS**
  
- **Sec. 20-400 A-19. General provisions.**

(a) Corner clearance. No sign or structure appurtenant to a sign shall obstruct vision above a height of three (3) feet from the established street grades within the triangular area formed at the intersection of the street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of thirty (30) feet from their point of intersection.

(b) Building markers or memorial signs or tablets denoting the name or date of erection of a building when cut into any masonry surface or when constructed of bronze or other noncombustible material, are permitted in all districts without a permit.

(c) Flags bearing the official design of a unit of government, education institution, or civic league or organization, fraternal benefit societies, order or association, or any organization operated exclusively for religious, charitable, scientific, literary or education purposes, are permitted in all districts without a permit.

(d) It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent or immoral matter.

(e) Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of pedestrian or vehicular traffic on the adjacent street or adjacent property owners.

*(Ord. No. 63, § 1.5, 2-22-96)*

• **Sec. 20-400 A-20. Residential RSA (SFR), RU-1 (TFR)—Permanent signs.**

(a) On premises used or occupied as a single- or two-family residence, there shall be permitted one (1) nonilluminated wall or freestanding residential sign not to exceed one (1) square foot in area. Permit is not required.

(b) On single-family or two-family development premises, there shall be permitted one (1) directly or indirectly illuminated development entry wall sign or freestanding sign at each entrance of a subdivision. Freestanding signs shall be set back so that the face of the sign is not less than ten (10) feet back from right-of-way line, and shall not exceed four (4) feet in height. The area of such sign shall not exceed twelve (12) square feet. Permit is required.

(c) A single-family residence, where a home occupation is conducted in accordance with township ordinances is permitted one (1) non-illuminated sign not exceeding two (2) square feet in area, and mounted flat against the wall of the dwelling. Permit is required.

(d) On premises used to grow, raise, harvest or prepare agricultural products for sale, there shall be permitted one (1) non-illuminated farm sign not to exceed twelve (12) square feet.

(e) On premises used to grow, raise, harvest or prepare agricultural products for sale on which there is located a roadside stand or with respect to an off-site roadside stand, there shall be permitted one (1) on-site and two (2) non-illuminated roadside stand signs not exceeding four (4) square feet. Prior permission shall be obtained from the owner of any property on which a sign is posted. The signs shall be temporary and shall be removed at the close of the period of permitted operation of the roadside stand.

*(Ord. No. 63, § 1.5.1, 2-22-96)*

• **Sec. 20-400 A-21. Residential RU-2 (MD), RU-4 (MHP)—Permanent signs.**

(a) On premises used or occupied as a medium density multiple family, planned unit development or mobile home residence, there shall be permitted one (1) non-illuminated wall or freestanding residential sign not to exceed one (1) square foot in area. Also, there shall be permitted on multifamily developments, necessary non-illuminated incidental signs that do not exceed two (2) square feet in area and four (4) feet in height, except where exceeded by state law such as handicapped parking signs. Permit is not required.

(b) On MD, PUD or MHP development premises, there shall be permitted one (1) directly or indirectly illuminated entry wall sign or freestanding sign at each entrance of a subdivision or park. Freestanding signs shall be set back so that the face or any part of the sign is not less

than ten (10) feet back from right-of-way line, and shall not exceed four (4) feet in height. The area of such sign shall not exceed twelve (12) square feet. Permit is required.

*(Ord. No. 63, § 1.5.2, 2-22-96)*

- **Sec. 20-400 A-22. Residential RU-3 (HD)—Permanent signs.**

(a) On premises used or occupied as a high density multifamily residence, there shall be permitted one (1) non-illuminated wall or freestanding residential sign not to exceed one (1) square foot in area. Also, on HD development premises, there shall be permitted necessary incidental signs that do not exceed two (2) square feet in area and four (4) feet in height, except where exceeded by state law such as handicapped parking signs. A permit is not required.

(b) On high density multifamily development premises, there shall be permitted one (1) directly or indirectly illuminated development entry wall sign or freestanding sign at each entrance of the complex. Freestanding signs shall be set back so that the face or any part of the sign is not less than ten (10) feet back from right-of-way line, and shall not exceed four (4) feet in height. The area of such sign shall not exceed twelve (12) square feet. Permit is required.

*(Ord. No. 63, § 1.5.3, 2-22-96)*

- **Sec. 20-400 A-23. Residential, Institutional Uses Permitted in Residential Zoning Districts—Permanent Signs.**

(a) Where institutional uses are permitted in a residential zoning district, there shall be permitted one (1) residential sign which may be directly or indirectly illuminated not to exceed thirty-two (32) square feet in area. In the case of a freestanding sign, such sign shall not exceed fifteen (15) feet in height, and shall be set back so that the face or any part of the sign is not less than ten (10) feet back from right-of-way line. A permit is required.

(b) Also, there shall be permitted necessary nonilluminated incidental signs that do not exceed two (2) square feet in area and four (4) feet in height, except where exceeded by state law such as handicapped parking signs.

*(Ord. No. 63, § 1.5.4, 2-22-96)*

- **Sec. 20-400 A-24. Residential, Fraternity/Sorority Houses in Residential Districts.**

(a) Where fraternity or sorority houses are permitted in a residential zoning district, there shall be permitted one (1) residential sign, which may be directly or indirectly illuminated, not to exceed twelve (12) square feet in area and four (4) feet in height.

(b) Freestanding signs shall be set back so that the face or any part of the sign is not less than ten (10) feet back from right-of-way line. Permit is required.

*(Ord. No. 63, § 1.5.5, 2-22-96)*

• **Sec. 20-400 A-25. Residential, All Districts—Temporary Signs.**

All temporary signs, except political signs, must bear the name and address of the person causing the sign to be erected. No temporary signs are permitted in the public right-of-way.

- (1) There shall be permitted in all districts, non-illuminated political signs not exceeding twelve (12) square feet in area and four (4) feet in height. Signs must be removed within fourteen (14) days after the election for which they are erected.
- (2) There shall be permitted in all residential districts, one (1) nonilluminated contractor sign per premises during the period of construction. Signs shall not exceed twelve (12) square feet in area and four (4) feet in height. Signs must be removed immediately upon completion of the project. A permit is not required.
- (3) There shall be permitted in all residential districts, one (1) nonilluminated real estate sign (private or realty) per premises, not to exceed twelve (12) square feet in area and four (4) feet in height. Such signs shall be removed within seven (7) days after the sale, lease or rental of the property upon which erected. A permit is not required.
- (4) There shall be permitted in all residential districts, one (1) nonilluminated personal sign not to exceed six (6) square feet in area and four (4) feet in height, noting a personal event such as a birthday or graduation. Such sign shall be removed the day following the event for which the sign was erected and shall not be displayed for a period exceeding two (2) days. A permit is not required.
- (5) There shall be permitted in all residential districts, nonilluminated signs for religious or nonprofit events. Such signs shall not exceed twelve (12) square feet in area and four (4) feet in height, shall be removed within two (2) days after the event for which they are erected, and shall not be displayed for a period exceeding fourteen (14) days. A permit is not required for on-premises signs, but a permit is required for off-site signs. A maximum of ten signs are permitted per event.
- (6) There shall be permitted in all residential districts, non-illuminated signs for residential sales, such as, but not limited to, produce, rummage/garage sales. Such signs shall not exceed six (6) square feet in area and four (4) feet in height. All such

signs shall have the date of the sale as part of the text and shall be removed within two (2) days after the event for which the signs were erected. A maximum of five (5) signs are permitted per sale. A permit is required.

*(Ord. No. 63, § 1.5.6, 2-22-96; Amd. of 11-14-96, § 2)*

• **Sec. 20-400 A-26. Commercial—General provisions.**

(a) All premises used or occupies for commercial purposes in any commercial district shall be permitted the following:

- (1) Two (2) signs, one of which may be freestanding, so long as they meet all the requirements set forth in this article.
- (2) One (1) additional non-freestanding sign at the second entrance if the premises has frontage on more than one (1) street, alley or parking lot.
- (3) One (1) non-illuminated wall or window identification sign not exceeding two (2) square feet in area to identify multiple or hidden entrances.
- (4) Incidental non-illuminated signs as required, not to exceed two (2) square feet in area and four (4) feet in height, except where required by state law such as handicapped parking signs.

(b) In the case of plazas or mini-malls, a multi-tenant sign may be applied for which would identify the complex and list all the businesses contained therein. Individual freestanding signs are not permitted. Each individual business shall be permitted a separate wall, window, awning, canopy or marquee sign to identify itself.

(c) In no case shall the height of a sign exceed the setback so as to prevent its falling onto an adjacent piece of property.

(d) Premises which have no street frontage of their own may, with permission from the owner of the property that has frontage on the nearest street, apply for a joint sign. Such sign, while it must meet all other requirements of this article, may have an area that is one and one-half (1½) times the maximum square footage normally permitted.

*(Ord. No. 63, § 1.5B, 2-22-96)*

• **Sec. 20-400 A-27. Commercial, C-1, M-1, M-2 Permanent Signs.**

On premises used or occupied for commercial purposes in C-1 (local commercial) district or M-1 (light manufacturing) district, or M-2 (heavy manufacturing) district, there shall be permitted: As set forth in the general provisions, a premises shall be permitted a maximum of two (2) signs selected from options 1, 2, 3 and 4, except in the case of a second entrance, where one (1) additional wall or window sign is permitted.

- (1) One (1) internally or externally illuminated freestanding sign per premises with more than two hundred (200) feet of street frontage. Such sign shall not exceed eight (8) feet in height and thirty-two (32) square feet in area, and shall be set back so that the face or any part of the sign is at least ten (10) feet from the nearest existing road right-of-way line. Permit is required.
- (2) Up to two (2) wall signs, which may be internally illuminated not exceeding thirty-two (32) square feet in area. Permit is required.
- (3) Up to two (2) window signs, which may be internally illuminated not exceeding twenty-five (25) percent of the area of the window containing the sign. Permit is required.
- (4) One (1) awning, canopy or marquee sign, which may be internally illuminated not exceeding fifty (50) percent of the portion of the surface area containing the sign. One (1) non-illuminated suspended sign not exceeding one (1) square foot in area may be hung for identification. Permit is required.

*(Ord. No. 63, § 1.5.7, 2-22-96)*

• **Sec. 20-400 A-28. Commercial, C-2—Permanent Signs.**

On premises used or occupied for commercial purposes in the C-2 (central commercial district), there shall be permitted: As set forth in the general provisions, a maximum for two (2) signs selected from options 1, 2, 3 and 4 shall be permitted per premises, except in the case of a second entrance, where one (1) additional wall or window sign is permitted.

- (1) One (1) internally or externally illuminated freestanding sign per premises with more than two hundred (200) feet of street frontage. Such sign shall not exceed fifteen (15) feet in height and sixty-four (64) square feet in area, and shall be set back so that the face or any part of the sign is at least fifteen (15) feet from the nearest existing road right-of-way line. Permit is required.
- (2) Up to two (2) wall signs, which may be internally illuminated not exceeding one (1) square foot per linear foot of frontage, but not to exceed a maximum of sixty (60) square feet in area. Permit is required.

(3) Up to two (2) window signs, which may be internally illuminated not exceeding twenty-five (25) percent of the window area containing the sign. Permit is required.

(4) One (1) canopy, awning or marquee sign, which may be internally illuminated not exceeding fifty (50) percent of the portion of the surface containing the sign. Permit is required.

Also, one (1) non-illuminated suspended sign, not exceeding one (1) square foot in area may be hung for identification. This shall not be considered when counting the number of signs per premises. Permit is required.

*(Ord. No. 63 § 1.5.8, 2-22-96)*

• **Sec. 20-400 A 29. Commercial, C-3—Permanent Signs.**

On premises used or occupied for commercial purposes in the C-3 (shopping center) district, there shall be permitted: As set forth in the general provisions, a maximum for two (2) signs selected from options 1, 2, 3 and 4 shall be permitted per premises, except in the case of a second entrance, where one (1) additional wall or window sign is permitted.

(1) One (1) internally or externally illuminated freestanding sign per zone lot or premises with more than two hundred (200) feet of street frontage. Such signs shall not exceed twenty-five (25) feet in height and eighty (80) square feet in area, and shall be set back so that the face, or any part of the sign is at least twenty-five (25) feet from the nearest existing road right-of-way line. Permit is required.

(2) Up to two (2) wall signs, which may be internally illuminated not exceeding one (1) square foot per linear foot of frontage, but not to exceed a maximum of sixty (60) square feet in area. Permit is required.

3 Up to two (2) window signs, which may be internally illuminated not exceeding twenty-five (25) percent of the window area containing the sign. Permit is required.

4 One (1) awning, canopy or marquee sign, which may be internally illuminated not exceeding fifty (50) percent of the portion of the surface containing the sign. Permit is required.

Also, one (1) non-illuminated suspended sign, not exceeding one (1) square foot in area may be



hung for identification. This shall not be considered when counting the number of signs per premises. Permit is required.

In the case of a plaza or mini-mall, there shall be permitted one (1) directly or indirectly illuminated freestanding sign which would identify the complex and all the businesses contained therein. Individual freestanding signs are not permitted. Each individual business shall be permitted one (1) separate wall, window, canopy, awning or marquee sign conforming to the requirements established earlier in this section.

*(Ord. No. 63, § 1.5.9, 2-22-96)*

• **Sec. 20-400 A-30. Commercial, All Districts—Temporary Signs.**

On premises used or occupied for commercial purposes in all commercial districts, there shall be permitted:

- (1) One (1) non-illuminated temporary sign not exceeding five (5) feet in height and thirty-two (32) square feet in area.
  - a. Such sign shall not have exposed or protruding wheels.
  - b. Such sign may be displayed up to sixty (60) days in any one year.
- (2) Permit is required for any temporary sign, and must be renewed annually.
- (2) Two (2) signs which consist of banners, pennants, posters or ribbons which are used for grand openings. Such signs shall be displayed only during the event or ten (10) days, whichever is shorter. Permit is required.

*(Ord. No. 63, § 1.5.10, 2-22-96)*