

## 9 – Signs and Billboards

### 9.1 Intent and Purpose

The intent of this article is to regulate the type, number, physical dimensions, erection and placement of signs in Hamilton Township. The purpose of these regulations is to:

- a. Promote the public health, safety, and welfare of residents and visitors;
- b. Reduce hazardous distractions to motorists, pedestrians, and air traffic;
- c. Protect commercial districts from visual clutter and chaos;
- d. Protect property values;
- e. Protect the rural character and natural beauty of Hamilton Township.

### 9.2 Definitions

- a. **Billboard:** A billboard is an outdoor sign, structure, or symbol advertising services or products which are not made, produced, assembled, stored, or sold upon or from the lot or premises upon which the billboard is located. Billboards are also known as “off-premise signs” and “outdoor advertising”.
- b. **Sign:** A sign is the use of any words, numerals, figures, devices, designs, or trademarks which constitute a name, identification, description, display, or illustration which is affixed or applied to or represented directly or indirectly upon a building structure, or zoning lot, and which directs attention to an object, product, service, activity, person, institution, organization, or business.
- c. **Sign Area:** The area of a sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semi-circle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas. For signs that consist of individual letters attached or painted on the wall of a building, with only the wall as background and no added decoration or border, the sign area shall be the geometrical shape formed by an imaginary line along the exterior perimeter of the work, or words as a whole. For purposes of computing sign area, only one side of a sign shall be used.
- d. **Canopy Sign:** A sign that is incorporated into the fabric or material of a canopy with the canopy being attached to an exterior wall or surface of a building. A canopy sign shall be considered a wall sign for purposes of determining sign area. In determining said area, only that portion of the canopy containing lettering or message shall be used as a basis for computation.
- e. **Directional Sign:** A sign directing and guiding vehicular or pedestrian traffic or parking, but bearing no advertising matter except for the “logo” of the business for which the directional signs are associated.
- f. **Flashing Sign:** Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times while in use.

- g. **Freestanding Sign:** A sign supported by one or more uprights, braces or pylons located in or upon the ground or to something requiring location on the ground. Freestanding signs are commonly referred to as “pole” signs. Freestanding signs include billboards.
- h. **Ground Sign:** A freestanding sign of limited height firmly attached to the ground throughout its base or supported by one or more uprights or braces which are typically less than two (2) feet in height when measured from the ground surface to the base of the sign. Ground signs are also commonly referred to as “monument” signs.
- i. **Illuminated Sign:** Any sign designed to give forth artificial light, or designed to reflect any such light given from any source which is intended to cause such light or reflection.
- j. **Political Sign:** Any sign displaying a message and/or image associated with an election, referendum, election campaign, or similar event.
- k. **Portable Sign:** Any sign constructed so as to be readily movable from one location to another and not permanently affixed to a building or the ground. Portable signs include “trailer” signs.
- l. **Real Estate Sign:** A sign advertising that the premises on which the sign is located is for sale, lease, or rent.
- m. **Wall Sign:** A sign attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than twelve (12) inches from the wall. (See also “canopy sign”.)

### 9.3 Billboards

Billboards are permitted *only* in those areas of the Township that are adjacent to state and/or interstate highways (M-61), and that are zoned Commercial or Industrial. Billboards erected in these areas shall conform to all requirements of the Highway Advertising Act (P.A. 106 of 1972, as amended) and the requirements of this Ordinance:

- a. **Maximum Sign Area:** A billboard shall have a sign area of no greater than 300 square feet.
- b. **Maximum Height:** A billboard shall have a height of no greater than 25 feet, as measured from the ground surface to the highest point of the sign, including any borders or trim.
- c. **Minimum Clearance:** A billboard shall have a minimum clearance of ten (10) feet between the ground surface and the lowest point of the sign.
- d. **Minimum Setback:** A billboard shall have a minimum setback of twenty-five (25) feet from a public street right-of-way line.
- e. **Minimum Spacing Standard:** A billboard shall not be established within one thousand (1,000) feet of another billboard on the same side of the road.

#### 9.4 Tourist-Orientated Directional Signs

As an alternative to conventional billboards, *tourist-oriented directional signs* (“*TODS*”) are permitted in Hamilton Township, subject to the following requirements:

- a. TODS may only be placed in areas where conventional billboards are not permitted.
- b. Each TODS shall be uniform in size and consist of a single panel that is two (2) feet high and six (6) feet long.
- c. The information displayed on a single panel shall be limited to the name of the business, a symbol or logo, directional arrow, and mileage to the establishment.
- d. The TODS must advertise a business, commodity, or service that is available within Hamilton Township.
- e. Four (4) individual sign panels are permitted per installation on a single set of posts.
- f. A TODS installation shall be located a minimum of two hundred (200) feet from a road intersection.
- g. A TODS installation shall not be established within one thousand (1,000) feet of another TODS installation on the same side of the road.
- h. All TODS installations shall comply with the General Sign Standards in Section 9.8.

#### 9.5 Zoning Permit Required

Unless a sign is exempt from permit requirements as specified in Section 9.6, a Zoning Permit must be obtained from the Township Zoning Administrator prior to the construction or placement of any sign.

#### 9.6 Signs and Activities Exempt from Permit

Subject to the standards as noted and other applicable ordinance requirements, the following signs and related activities are permitted by right and are exempt from the permit requirements of this Ordinance.

- a. **Temporary Construction Signs:**  
One (1) construction sign for each street frontage at a construction project, not to exceed thirty-two (32) square feet in sign area per sign. Such signs may be erected no more than thirty (30) days prior to commencement of construction and must be removed no longer than thirty (30) days after completion of construction.
- b. **Directional Signs:**  
On-premise directional signs, not to exceed four (4) square feet per sign, shall be permitted as a means of directing traffic to parking, loading, customer service, and related areas.
- c. **Political Signs:**  
Political signs shall not exceed thirty-two (32) square feet in area per sign. Such signs shall be placed only on private property and only with permission of the property owner. Signs must be removed within fourteen (14) days following the election or referendum.

- d. **Public Signs or Notices:**  
Public signs or notices of Hamilton Township, Clare County, the State of Michigan, or the United States of America may be erected as deemed necessary and appropriate by the unit of government.
- e. **Real Estate Signs:**
  - (1) For parcels less than two (2) acres, one (1) non-illuminated real estate sign not to exceed eight (8) square feet in area is permitted.
  - (2) For parcels two (2) acres or more, one (1) non-illuminated real estate sign not to exceed thirty-two (32) square feet in area, or one (1) non-illuminated sign per two hundred (200) feet of lot frontage provided the total area of all such signs shall not exceed thirty-two (32) square feet.
- f. **Name Plates:**  
One (1) nameplate sign per premises not to exceed four (4) square feet in sign area.
- g. **Home Occupation Signs:**  
One sign per dwelling unit not to exceed four (4) square feet in sign area.
- h. **Garage or Yard Sale Signs:**  
Two (2) signs not to exceed sixteen (16) square feet in sign area per sign. Signs shall be removed within twenty-four (24) hours after the sale.
- i. **Retail Fuel Pricing Signs:**  
Retail fuel pricing signs typically and historically displayed by service stations and convenience stores with fuel sales which indicate the per gallon and/or per liter price of fuel.
- j. **Corporate Logo Signs:**  
Corporation logo signs of less than five (5) square feet and independent of other advertising of messages. The number of such signs shall be limited to one (1) per street frontage.
- k. **Historic Sites:**  
Signs designating sites recognized by the State Historical Commission.
- l. **“No Hunting” and “No Trespassing” Signs:**  
Placards posted to control or prohibit hunting or trespassing on public or private property.
- m. **Replacement of Copy:**  
The replacement or changing of copy on an approved sign does not require a Zoning Permit. However, if the replacement creates a sign that violates the provisions of this Chapter, it shall be deemed a violation of this Ordinance and any Zoning Permit issued for the sign shall be invalidated.
- n. **Maintenance:**  
Painting, cleaning, light bulb replacement, and other normal maintenance or repair of a sign or its supporting structure does not require a Zoning Permit. However, any structural change or relocation of a sign or its supporting structure does require a Zoning Permit.

## **9.7 Prohibited Signs**

Signs listed in this section are prohibited in all zoning districts.

- a. Abandoned signs or signs in disrepair that have become safety hazards.
- b. Flashing and intermittently illuminated signs, provided however, time and temperature signs and similar signs displaying a genuine, non-commercial, public message may be permitted subject to Planning Commission approval.
- c. Portable Signs (Except on a Temporary Basis – Refer to Section 9.10).
- d. Signs, that by their location, cause a hazard to pedestrian or vehicular traffic by depriving the pedestrian or driver of a clear and an obstructed view of approaching, intersecting, or merging traffic.
- e. Except for billboards, signs advertising a commodity or service not available within Hamilton Township.
- f. Signs that do not comply with the building and Safety Codes of Clare County or Hamilton Township.
- g. Signs, other than public signs or notices, placed in a designated public right-of-way unless permission to authorize such placement has been given, in writing, by the public agency having jurisdiction over said right-of-way. A copy of such written permission shall be provided to the township prior to placement of such sign.
- h. Signs imitating or resembling official traffic or government signs or signals.
- i. Signs that by their location and character cause a hazard to air traffic.
- j. Signs, other than billboards, that do not advertise or identify a product, service, or establishment located on the parcel to which the sign is attached.

## **9.8 General Sign Standards**

- a. Illumination, if permitted, shall be by a non-flashing reflective light. The source of illumination shall be shielded from direct view of adjacent properties.
- b. All signs shall be subject to the Building and Safety Codes of Clare County and Hamilton Township.
- c. All signs shall be set back a minimum of ten (10) feet from all lot lines, except where otherwise required by this Ordinance.
- d. No sign shall exceed the height limitation of the district in which it is located or as otherwise regulated by this Ordinance; provided, however, that ground mounted signs shall not exceed six (6) feet in height.
- e. Freestanding signs shall have a minimum clearance of ten (10) feet between the ground surface and lowest point of the sign.
- f. No signs shall be placed in required clear vision areas.

- g. No person shall erect or relocate or cause to be erected, any sign or billboard without first obtaining a Zoning Permit.
- h. No person shall repair or alter, or cause to be repaired or altered, any sign or billboard without obtaining a Zoning Permit if one-half (1/2) of the replacement value of the sign or billboard will be exceeded.

### **9.9 Agricultural Zoning District (A-1 District)**

Signs as permitted by Section 9.6 and 9.8 are permitted along with signs permitted by this section, as follows:

- a. One (1) on premise, non-illuminated, sign of not more than thirty-two (32) square feet advertising a permitted non-residential use or an authorized special use.
- b. One (1) on-premise, non-illuminated, sign displayed on a seasonal basis advertising the sale of farm produce to the general public. The sign shall not exceed sixteen (16) square feet in sign area and shall be displayed only during the seasonal period of time which sales occur. The sign shall be removed within fourteen (14) days of the closure of the public sales.

### **9.10 Residential Zoning Districts (R-1, R-2, R-3 and PUD Districts)**

Signs as permitted by Section 9.6 and 9.8 are permitted along with signs permitted by this section, as follows:

- a. One (1) on-premise, non-illuminated, sign of not more than thirty-two (32) square feet advertising a permitted non-residential use or an authorized special use.
- b. Ground signs located at the entrance to platted subdivisions, residential site condominiums, multiple family housing developments, mobile home parks, or residential PUD's. No more than one sign not exceeding thirty-two (32) square feet in area, nor more than six (6) feet in height may be erected at any single entrance.
- c. Directional signs in parking areas, provided no single sign exceeds two (2) square feet in area.

### **9.11 Commercial Zoning District**

Signs as permitted by Section 9.6 and 9.8 are permitted along with signs permitted by this section, as follows:

- a. One freestanding sign per establishment or use, not exceeding one hundred (100) square feet in area, nor more than twenty-five (25) feet in height.

The lowest point of freestanding signs shall not be less than ten (10) feet above ground level.

No portion of a freestanding sign shall be located closer than ten (10) feet to any property line.

- b. Wall signs, provided that such signs do not exceed ten (10) percent of the area of the wall face upon which the sign or signs are attached or painted, or one hundred (100) square feet, whichever is greater. Wall signs shall be attached and parallel to the face of the building wall.

- c. Signs may be attached to or painted on a marquee or canopy, provided that such signs are at least ten (10) feet above grade.
- d. No sign shall project above the roof line of the building to which it is attached.
- e. One portable sign not to exceed thirty-two (32) square feet, provided:
  - (1) The sign must meet required setbacks.
  - (2) The sign shall be properly anchored and wired and shall meet all County and Township Building and Safety Codes.
  - (3) The continuous length of display during any period shall not exceed thirty (30) days. Moreover, there shall be a minimum of thirty (30) days between display periods, and not more than one hundred eighty (180) total days of display in a year.
  - (4) The sign shall possess a nameplate or other such identification area indicating the name, address, and telephone number of the sign owner.
- f. Pennants and banners may be displayed on commercial property of a retail sales nature provided:
  - (1) The continuous length of display during any period shall not exceed thirty (30) days. Moreover, there shall be a minimum of thirty (30) days between any display period, and not more than one hundred eighty (180) total days of display in a year.
  - (2) Pennants and banners shall be securely anchored.
- g. Ground signs not exceeding thirty-two (32) square feet in area nor six (6) feet in height.

### **9.12 Non-Conforming Signs**

A non-conforming sign or sign structure existing and in place as of the date of the enactment of this Article may continue to have the copy or message on the sign changed and may also have normal maintenance performed. However, a non-conforming sign existing on the day of enactment of this Chapter *shall not*:

- a. Be changed to another non-conforming sign;
- b. Be structurally altered so as to prolong the life of the sign or change the shape, size, location, type, or design of the sign;
- c. Be re-established after the activity, business, or use to which it relates has been discontinued for thirty (30) days or longer; or
- d. Be re-established after damage by any means if the damage is in excess of the State Equalized Value (SEV) of the sign, as determined from its most recent assessed valuation.