

Chapter 85 - Signs

85.01.00 Administration

85.01.01 Title, Purpose and Severability

A. Short Title: This Ordinance shall be known as and may be cited as the City of Troy Sign Ordinance.

B. Findings and Purpose:

1. It is hereby determined that proliferation of signs in the City is unduly distracting to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct and warn the public. Too many signs can overwhelm the senses, impair sightlines and vistas, create feelings of anxiety and dismay, affect the tranquility of residential areas, impair aesthetics and degrade the quality of a community.
2. It is also determined that the appearance of the City is marred by proliferation of signs.
3. It is also determined that proliferation of signs restricts light and air.
4. It is also determined that proliferation of signs negatively affects property values. This Ordinance promotes safe, well-maintained, vibrant and attractive residential and business neighborhoods while accommodating the need for signs to function for the purposes for which they are intended.
5. It is also determined that the individual user's rights to convey a message must be balanced against the public's right to be free of signs which unreasonably compete with one another, distract drivers and pedestrians, and create safety concerns and confusion. This Ordinance is intended to balance the individual user's desire to attract attention with the citizens' right to be free of unreasonable distractions.
6. It is also determined that proliferation of signs results in an inappropriate use of land. The purpose of this Ordinance is to control the occurrence and size of signs in order to reduce the aforementioned negative effects.
7. It is also determined that there is a unique value to signs which provide a means of exercising constitutional freedom of expression.
8. It is also determined that the signs of least value to people within the City are those which carry commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located (off premise sign) or indicates the sale or rental of such premises.
9. It is further determined that off premise signs are unduly distracting to motorists and residents because of the periodic changing of the message on such signs and because such signs are generally larger and are predominantly located along busy highways where several businesses are located in close proximity to each other, thereby posing a greater risk to the City's interest in traffic safety and aesthetics. Additionally, off-premises signs can also deter the redevelopment of a parcel or limit the redevelopment potential of a site due to extended lease periods for off-premises signs.
10. It is further determined a proliferation of off premise signs creates confusion and the perception of visual clutter in conflict with one of the goals and themes of the

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City of Troy Master Plan. This Ordinance supports the purposes and recommendations of various area specific plans adopted in support of orderly development and ensures that signs are located, designed, constructed, installed and maintained in a way that protects life, health, property, and the public welfare.

11. It is also determined that the regulations contained in this Ordinance are the minimum amount of regulation necessary to achieve its purposes.
12. It is also determined that restrictions in this Ordinance on the size of signs, their height and placement on real estate, are the minimum amount necessary to achieve its purposes.

(Rev. 09-24-2018; Effective 10-04-2018)

- C. Severability: If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.02 Enforcement:

- A. This Chapter shall be administered and enforced by the Zoning Administrator as provided for in Chapter 3 of the Troy City Code.

(Rev. 06-07-2010)

- B. Responsibility of Compliance: The owner of any property on which a sign is placed, and the person maintaining said sign are equally responsible for the condition of the sign and the area in the vicinity thereof.

- C. Removal of Signs: Should any sign be found unsafe, insecure, improperly constructed or not in accordance with the requirements of this Chapter, the Sign Erector and/or Owner shall be required to make the sign safe, secure and otherwise in compliance with the requirements of this Chapter.

(Rev. 09-24-2018; Effective 10-04-2018)

- 85.01.03 Definitions: For the purpose of this chapter, certain terms, words and tenses used herein, shall be interpreted or defined as follows:

Amortization: Amortization refers to the grace period in which a sign that becomes nonconforming as a result of an amendment to this Chapter must be removed, which allows the owner of such sign to recoup their investment in the sign prior to its removal.

(Rev. 09-24-2018; Effective 10-04-2018)

Board of Appeals: Board of Appeals means the Building Code Board of Appeals.

Business Development: One or more uses within a building or buildings that share common parking facilities.

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Department: The Planning Department of the City of Troy, its officers, inspectors and other employees.

(Rev. 06-07-2010)

Display Time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

(Rev. 09-24-2018; Effective 10-04-2018)

Dissolve: A mode of messaging transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

(Rev. 09-24-2018; Effective 10-04-2018)

Dynamic Frame Effect: An Electronic Message Sign frame effect in which the illusion of motion and/or animation is used.

(Rev. 09-24-2018; Effective 10-04-2018)

Electronic Message Sign (EMS): A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

(Rev. 09-24-2018; Effective 10-04-2018)

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

(Rev. 09-24-2018; Effective 10-04-2018)

Frame: A complete, static display screen on an Electronic Message Sign.

(Rev. 09-24-2018; Effective 10-04-2018)

Frame Effect: A visual effect on an Electronic Message Sign applied to a single frame. See also Dynamic Frame Effect.

(Rev. 09-24-2018; Effective 10-04-2018)

Ground Sign: A freestanding sign supported by one or more uprights, braces, or pylons located in or upon the ground and not attached to any building.

Illuminance: The amount of light falling upon a real or imaginary surface, commonly called "light level" or "illumination". Measured in foot candles (lumens/square foot).

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(Rev. 09-24-2018; Effective 10-04-2018)

LED: Light emitting diode

(Rev. 09-24-2018; Effective 10-04-2018)

Major Thoroughfare: A street which is intended to serve a large volume of traffic for both the immediate area and the region beyond. Any street with a right of way existing or proposed, of one hundred twenty (120) feet or greater as designated in the City of Troy Master Plan.

(Rev. 09-24-2018; Effective 10-04-2018)

Off Premise Sign: A sign that may include a commercial message, and directs attention to any business, profession, product, activity, commodity, or service offered, sold, manufactured or furnished on property or premises other than that upon which the sign is located.

(Rev. 09-24-2018; Effective 10-04-2018)

Owner: A person, firm, partnership, association or corporation and/or their legal successors that own real property or personal property. For purposes of this Chapter, the term owner may also refer to a lessee in possession of the subject real or personal property.

(Rev. 09-24-2018; Effective 10-04-2018)

Person: Any individual firm, partnership, association or corporation and their legal successors.

Premise: A tract or parcel of land with the buildings thereon.

(Rev. 09-24-2018; Effective 10-04-2018)

Projecting Sign: A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structure, by more than twelve (12) inches.

Public Property: All publicly-owned property, including streets, rights-of-way, and everything affixed thereto and there over.

Road Closure Construction Sign: A sign permitted when road lane(s) adjacent to a property are closed, due to road construction activity, for a period of 30 or more calendar days.

(Rev. 06-07-2010)

Roof line: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, the deck line of mansard roofs, and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

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Roof Sign: A sign that is erected, constructed or maintained upon, and projects above or beyond the roof or parapet.

Scroll: A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

(Rev. 09-24-2018; Effective 10-04-2018)

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contain printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

(Rev. 09-24-2018; Effective 10-04-2018)

Sign Erector: Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.

Temporary Sign: A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood or other like material without a permanent foundation or otherwise permanently attached to the ground that appears to be intended or is determined by the Zoning Administrator to be displayed for a limited time.

(Rev. 09-24-2018; Effective 10-04-2018)

Transition: A visual effect used on an Electronic Message Sign to change from one message to another.

(Rev. 09-24-2018; Effective 10-04-2018)

Travel: A mode of message transition on an Electronic Message Sign in which the message appears to move horizontally across the display surface.

(Rev. 09-24-2018; Effective 10-04-2018)

Wall Sign: A sign attached to, painted on, or placed flat against the exterior wall or surface of any building, no portion of which projects more than 12 inches from the wall, and which may not project above the roof or parapet line.

Zoning Administrator: The City Manager or his/her designee, the person charged with the administration of this Ordinance.

85.01.04 Requirements for Permits

- A. Permit Required: It is unlawful for any person to erect, re-erect, alter or relocate any sign without obtaining a permit from the Zoning Administrator and paying the applicable permit fee, as set forth in Chapter 60 of the City Code.

(Rev. 06-07-2010)

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Exceptions:

1. Sign Permits shall not be required for street signs, which are erected by the City, State or Federal Government for street direction or traffic control.
2. Sign Permits shall not be required for signs located on the interior of buildings.
3. Sign Permits shall not be required for signs that are not visible from any adjacent right-of-way which do not exceed thirty-six square feet.
4. Sign Permits shall not be required for small ground signs for uses other than one and two family dwellings, as long as the signs are not more than two square feet in area.
5. Sign Permits shall not be required for temporary signs, as set forth in Section 85.03.02 of this Chapter.
6. Sign Permits shall not be required for flags that are allowed by Section 85.03.05.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Permit Application: Applications for sign permits shall be made upon forms provided by the Department and shall contain the following information:

1. Name, address and telephone number of applicant.
2. Name and address of the Sign Erector.
3. Location of the building or structure to which the sign is to be attached or lot where the sign is to be erected.
4. Position of the sign in relation to nearby buildings, structures, property lines, and existing or proposed rights-of-way.
5. The zoning district of the real property where the sign is to be located.
6. Plans and specifications for the proposed sign and the method of construction and attachment to the building or placement in the ground.

(Rev. 09-24-2018; Effective 10-04-2018)

7. If deemed necessary by the Zoning Administrator, stress sheets and calculations, bearing the signature and seal of a registered professional engineer or architect, which show the structure as designed for dead load and wind pressure, and demonstrate that the proposed sign will satisfy the regulations adopted by the City of Troy.

(Rev. 09-24-2018; Effective 10-04-2018)

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8. Such other information as the Zoning Administrator may require to demonstrate that the proposed sign would meet full compliance with this and other applicable laws of the City of Troy and the State of Michigan.

(Rev. 06-07-2010)

- C. Permit Fees: Permit fees are as set forth in Chapter 60 of the City Code.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.05 Prohibited Signs

- A. Signs in Right-of-Way: No sign shall be located in, project into, or overhang a public right-of-way or dedicated public easement, except as provided below:

1. Signs established and maintained by the City, County, State, or Federal Governments may be located in the right of way.
2. Banners for City sponsored events may be permitted on publicly owned property, subject to the approval of the City Manager.

(Rev. 09-24-2018; Effective 10-04-2018)

3. In its discretion, City Council may approve an agreement to allow residential development identification signs in the medians of boulevard entrance streets. Any such agreement shall require continuing liability insurance and also provide satisfactory maintenance of the sign, as well as any other condition that is deemed necessary by the Troy City Council to protect the right of way. The agreement must also indicate the City Council's approval of the proposed design and materials for the sign. The residential development identification sign shall not exceed five feet in height, and shall not be more than 50 square feet in area. The height of such signs shall not exceed 30" when located in the corner clearance area depicted in Figure 85.01.05 A.

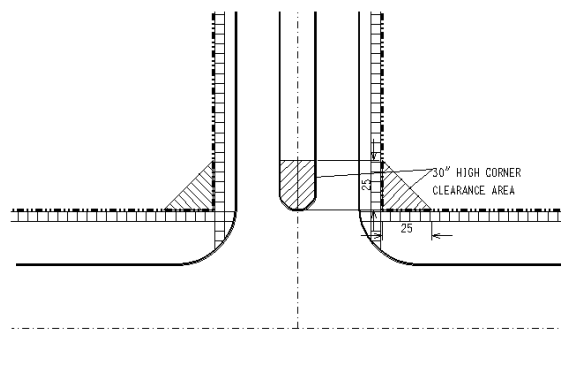


Figure 85.01.05 A

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- B. Corner Clearance: Signs higher than 30 inches shall be prohibited in the triangular area formed at the intersection of any two street right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection. No sign shall be located in that area, or project into, or overhang into the area.
- C. Roof Projecting Signs: Roof projecting signs are prohibited.
- D. Fire Escapes: No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- E. Support Location: No pole, cable or support of any nature shall be placed on any publicly owned property, street right-of-way, or proposed street right-of-way.
- F. Traffic Interference: No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
- G. Flashing Signs: Flashing or intermittent illumination of signs shall be prohibited.
- H. Off Premise Signs: Off premise signs are prohibited in all zoning districts. This prohibition is applicable only to signs displaying commercial messages.
(Rev. 09-24-2018; Effective 10-04-2018)

85.01.06 Inspections

- A. Concealed Work: In cases where fastenings are to be installed and enclosed in such a manner that the Inspector cannot easily remove material to see the fastenings and material used, the Sign Erector must advise the Zoning Administrator so that the inspection may be made before concealment.
(Rev. 09-24-2018; Effective 10-04-2018)
- B. Compliance Certification: All signs shall be inspected at original installation; if found to comply with this chapter, the sign shall be issued a certificate of compliance.
- C: Inspections of Existing Signs: The Zoning Administrator can inspect existing signs to determine compliance with the provisions of this chapter.
(Rev. 06-07-2010)

85.01.07 Non-Conforming Signs:

- A. Intent: It is the intent of this Chapter to encourage eventual elimination of signs that, as a result of an amendment to this Chapter, becomes non-conforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Chapter. It is the intent, therefore, to administer this

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Chapter to facilitate the removal of non-conforming signs while simultaneously avoiding any unreasonable invasion of established private property rights.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Continuance: A non-conforming sign shall be maintained in good condition. A non-conforming sign may be continued, but shall not be:

1. Replaced by another non-conforming sign; or
2. Structurally altered so as to prolong the life of the sign; or
3. Expanded; or
4. Re-established after damage or destruction to the sign, if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost of the sign.
5. Continued for more than eight (8) years after receiving notification that the sign does not comply with the size, height, and/or setback provisions of this Chapter as amended.

(Rev. 09-24-2018; Effective 10-04-2018)

C. Removal: A non-conforming sign shall be removed upon a showing that it is unsafe, unduly distracting to motorists or pedestrians, creates a traffic hazard, or reduces the effectiveness of signs needed to direct and warn the public.

(Rev. 09-24-2018; Effective 10-04-2018)

D. EMS Illumination Non-Conformity: Any sign existing as of the effective date of this subsection that exceeds the EMS illumination levels permitted under Section 85.03.06 shall be modified and/or adjusted and made to comply with the provisions of 85.03.06 within 30 days of the effective date of this subsection.

(Rev. 09-24-2018; Effective 10-04-2018)

E. For purposes of amortization, after the effective date of this subsection, the Zoning Administrator shall cause to be made a list of every existing sign that fails to comply with Section 85.01.05 H, and the size, height, and/or setback provisions of Chapter 85 as amended, and shall provide written notification to the permit holder of each such non-conforming sign describing the non-conformity and advising the permit holder that the sign may be continued for a period not to exceed eight (8) years from the date of such notification.

(Rev. 09-24-2018; Effective 10-04-2018)

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85.01.08 Appeals:

A. Procedure

1. Any person aggrieved by any decision, ruling or order from the Building Inspector, Zoning Administrator, or any other City official in connection with an application for a sign permit may appeal that decision to the Board of Appeals and request a variance from the requirements of this Chapter. The appeal shall be made by filing an application for a hearing with the Department. The application shall specify the grounds for the appeal. The Zoning Administrator shall transmit the application and all other documents relating to the appeal to the Board of Appeals. Upon receipt of the Appeal Application, the Building Inspector shall administratively establish a date of the Public Hearing. The public hearing shall be scheduled within 30 days of the receipt of a complete application or placed on the agenda of the next occurring agenda of the Board of Appeals, whichever is later, in order to meet the notice requirements set forth below.

(Rev. 09-24-2018; Effective 10-04-2018)

2. The Zoning Administrator shall notify all owners of real property within 300 feet of the real property that is proposed as the site of the sign subject to the appeal. The notice shall be sent by U.S. Mail to the owners at the address listed with the Troy Assessing Department, and shall be postmarked no less than 14 days before the date of the Public Hearing.

(Rev. 06-07-2010)

3. A final decision on an appeal shall be made by the Board of Appeals within 30 days of the public hearing, unless a final decision is tabled or postponed for the purpose of receiving additional information needed to make a final decision or if it is tabled or postponed at the request of the applicant.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Powers of the Board of Appeals

1. Subject to the provisions of the following subsection, the Board of Appeals shall grant specific variances from the requirements of this Chapter, upon a showing of each of the following:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. Exceptional characteristics of the property for which the variance is sought make compliance with the requirements of this Chapter substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation, and other similar characteristics; and

(Rev. 09-24-2018; Effective 10-04-2018)

- b. The characteristics which make compliance with the requirements of this Chapter difficult must be related to the premises for which the variance is sought, not some other location; and

(Rev. 09-24-2018; Effective 10-04-2018)

- c. The characteristics which make compliance with the requirements of this Chapter difficult shall not be of a personal nature; and

(Rev. 09-24-2018; Effective 10-04-2018)

- d. The characteristics which make compliance with the requirements of this Chapter difficult must not have been created by the owner of the premises, a previous owner, or the applicant; and

(Rev. 09-24-2018; Effective 10-04-2018)

- e. The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase congestion in public streets, or increase the danger of fire or endanger public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

(Rev. 09-24-2018; Effective 10-04-2018)

- 2. Limitation on Variances: In no case shall any variance be granted that would result in a sign that exceeds the height, size, or setback provisions of this Chapter by 25% or that would increase the number of signs permitted by this Chapter by more than 25%.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.09 Violations

- A. It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move, or convert any sign in the City of Troy, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter. Any person violating any of the provisions of this Chapter shall be responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy. Each day that a violation continues is deemed a separate Municipal Civil Infraction. Sanctions for each violation of Chapter 85 shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100. Any sign constituting an immediate hazard to health and safety is deemed a nuisance and may be removed by the Zoning Administrator at the expense of the owner of the sign or other responsible party, in the discretion of the Zoning Administrator.

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(Rev. 06-07-2010)

- B. Signs in Public Right-of-Way: In addition to the penalties prescribed in paragraph 85.01.09 A, any sign erected in violation of this Chapter may be removed by the Zoning Administrator or his/her authorized representative and stored in a safe location for at least 48 hours. During this period of time, the owner of the sign may obtain the sign from the Zoning Administrator upon request and payment of a fee of Fifty Dollars (\$50) for each sign to cover the costs of removal and storage. After 48 hours, the Zoning Administrator may dispose of the sign.

(Rev. 06-07-2010)

- C. Public Nuisance: Signs installed after the effective date of the adoption or subsequent amendment of this Chapter that are in violation of this Chapter are hereby declared to be public nuisances, and may be abated by the City. The City can take any legal action to abate the public nuisance. The collection of removal fees from the Owner, Sign Erector, or other responsible person shall not preclude the City from prosecuting the responsible person.

85.02.00 General Provisions

85.02.01 Construction Requirements

- A. Material Requirement: All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the Michigan Building Code and the requirements of this Chapter.
- B. Fastenings: All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the Sign Erector shall be repaired by the Sign Erector.
- C. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.
- (Rev. 09-24-2018; Effective 10-04-2018)
- D. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.
- E. Proximity to Electrical Conductors: No sign shall be erected so that any part, including cables, guys, etc, will be within six feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

85.02.02 Illuminated Signs:

- A. Illumination: Only listed electrical devices shall be used for the illumination of signs. These listed electrical devices shall be installed in accordance with the requirements of the regulations adopted by the City of Troy. No open spark or flame

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may be used for display purposes unless specifically approved by the Zoning Administrator.

(Rev. 06-07-2010)

B. Shielding from Residential Districts: Any lighting used to illuminate signs shall be directed away from and shall be shielded from any adjacent residential zoning districts and shall not adversely affect driver visibility on adjacent public thoroughfares.

C. Electronic message signs shall be permitted subject to the sign regulations set forth in Section 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

85.02.03 Identification of Sign Erector:

A. Sign Erector's Imprint: Every sign, other than temporary signs herein defined, must carry the identification of the Sign Erector, in clearly legible letters.

B. Re-hanging: In case of re-hanging or re-erection of any sign, the Sign Erector must place his/her identification and the date of the re-hanging on the sign.

85.02.04 Measurement of Signs:

A. Sign Area: For the purpose of this Chapter, the area of the sign shall include the total area within any circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame, ground sign support, or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, and is further calculated as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

1. Single Face Sign: For a single face sign, the area shall be computed as the total exposed exterior surface in square feet.

2. Multi-faced Signs: When the sign has two or more faces, the area of all faces shall be included in computing the area of the sign.

Exceptions:

1. For a sign that has two or more faces placed back to back, the area shall be computed as one-half the total exposed exterior surface area in square feet.

2. For a sign that has two or more faces so arranged that the faces are greater than 24 inches from one another or such sign with any two faces that form a "V" is greater than 15 degrees, the area shall be computed as a single face sign.

3. Ground Signs: Support poles, bases, reveals, or similar components not exceeding 24 inches in thickness or depth shall not be included in the area computation.

(Rev. 09-24-2018; Effective 10-04-2018)

4. Wall Signs: When a sign consists solely of writing, representation, emblems, logos, or any other figure or similar character which is painted or mounted on the wall of a building or a self-supporting wall or fence, without distinguishing border, the area of such sign shall be computed as if it were framed by a border consisting of horizontal and vertical lines touching the outer limits of the sign and extending not more than one foot from smaller sign elements. However, in no instance shall there be any line having a dimension of less than one foot.

(Renumbered: 09-24-2018; Effective 10-04-2018)

- B. Sign Height: The height of the sign is measured from the ground to the highest point of the sign from the ground.

85.02.05 Allowable Signs:

- A. The Zoning District Regulations and Table 85.02.05 set forth the allowable signs in each zoning district. These are in addition to the signage that is exempted from permits by Section 85.01.04 A.

- B. Nothing in this Chapter shall be construed so as to prohibit ideological or non-commercial advertising on any sign on which commercial advertising is allowed.

- C. Specific Zoning District Regulations

1. R-1 One Family Residential and RT One Family Attached Residential Districts: Signs in R-1 and RT districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. For non-single family uses, one sign not to exceed 100 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. For one, two, and multiple family housing development entrances, a maximum of two signs not exceeding a total of 100 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. For one, two, and multiple family housing developments under construction, one sign not to exceed 100 square feet in area is

allowed until such time as a certificate of occupancy is issued for all units in the development.

(Rev. 09-24-2018; Effective 10-04-2018)

2. Multiple-Family, UR Urban Residential, MHP Manufactured Housing and C-F Community Facilities Districts: Signs in MF, UR, MHP and CF Districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One sign not to exceed 100 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional sign not to exceed 36 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or RT District.

(Rev. 09-24-2018; Effective 10-04-2018)

3. Office, OM Office Mixed Use and R-C Districts: Signs in O, OM, and RC districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign for each building in accordance with Table 85.02.05.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional ground sign for each building, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or RT district.

(Rev. 09-24-2018; Effective 10-04-2018)

4. CB, Community Business, GB General Business and PV Planned Vehicle Sales: Signs in CB, GB, and PV shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign in accordance with Table 85.02.05.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. The required setback for ground signs from adjacent residentially zoned property shall be the same as for buildings within the zoning district.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. An automobile dealership within the PV district shall be allowed one additional ground sign not to exceed thirty-six (36) square feet in area per side.

(Rev. 09-24-2018; Effective 10-04-2018)

- 5. IB, Integrated Industrial and Business District: Signs in the IB District shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign in accordance with Table 85.02.05.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. No sign shall be located closer than 50 feet to any property line of an adjacent R-1 or RT district.

(Rev. 09-24-2018; Effective 10-04-2018)

- 6. BB Big Beaver, MR Maple Road, and NN Neighborhood Node Districts: Signs in the BB, MR, and NN Districts shall be allowed as follows:

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(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign for each building in accordance with Table 85.02.06.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. Interior or exterior signs, including signs affixed to windows, must comply with the Transparency Requirements of the Zoning Ordinance.

(Rev. 09-24-2018; Effective 10-04-2018)

- e. One pedestrian-scaled wall sign or projecting sign per tenant, provided it does not exceed twelve square feet in area and does not project more than forty eight (48) inches from the wall.

(Rev. 09-24-2018; Effective 10-04-2018)

TABLE 85.02.05 STANDARDS FOR GROUND SIGNS			
Zoning District	Minimum Setbacks*	Maximum Height	Maximum Area
All R and C-F	10 ft.	12 ft.	See Section 85.02.05 C (1) & 85.02.05 C (2)
All CB, GB, BB, IB, MR, NN, O, R-C and-PV	0 ft.	10 ft.	50 sq. ft.
	20 ft.	20 ft.	100 sq. ft.

* Indicates setback from existing street right-of-way, or from planned right-of-way (as indicated in Master Thoroughfare Plan), whichever is greater.

(Rev. 09-24-2018; Effective 10-04-2018)

85.03.00 General Exceptions: The regulations of this Chapter shall be subject to the following exceptions.

85.03.01 Special Event Signs

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- A. Signs that will be displayed for a period of seven (7) consecutive days or less are allowed as long as a Special Event Sign permit is issued. The application for a Special Event sign permit shall be submitted to the Zoning Administrator, and shall include the following:

(Rev. 09-24-2018; Effective 10-04-2018)

1. Plans indicating the following:
 - a. Site layout (building location, parking, etc.)
 - b. Number, size and location of proposed signs, including banners, flags, cold air balloons, and other forms of signage.
2. Documentation detailing desired dates for the placement of the Special Event signs.
(Rev. 09-24-2018; Effective 10-04-2018)
3. If the applicant for the Special Event Sign permit is not the property owner of the site where the signage is proposed to be located, then the written approval of property owner must be submitted with the application.
4. The required application fee, as set forth in Chapter 60 of the Troy City Code.

Exception: All fees for a Special Event sign application shall be waived for all non-profit applicants who provide satisfactory proof of the non-profit status to the Zoning Administrator.

- B. A Special Event Sign permit shall be issued for not more than seven (7) consecutive days within any twelve (12) month period.
- C. No more than four off-site signs related to a Special Event may be permitted. Such off-site signs shall each be limited to six (6) square feet in area. Applicant must also submit written approval from the owners of properties where the off-site Special Event Signs are proposed to be located. This permission must be provided prior to the issuance of a permit.

85.03.02 Temporary Signs

- A. Temporary signs as defined in Section 85.01.03 are allowed without a permit subject to the following:
1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed fourteen (14) square feet. The maximum size of individual temporary signs shall not exceed six square feet in area. Temporary signs shall not be higher than forty-two (42) inches above average mean grade of the yard on which it is placed.

Exceptions:

- a. For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 10 feet in height.
- b. One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 15 square feet of sign area per acre of land or 15 square feet of sign area per 100 lineal feet of thoroughfare frontage. In no case shall the sign be allowed to exceed 100 square feet of sign area or be more than 10 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

2. Location of Temporary Signs:

- a. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
- b. Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway and shall not be located in a dedicated right-of-way.
- c. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
- d. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
- e. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
- f. Signs shall be located so as to comply with the corner clearance requirements of Section 85.01.05 B.
- g. Temporary signs shall not be illuminated except as provided in Section 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

3. Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease.

(Rev. 09-24-2018; Effective 10-04-2018)

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85.03.03 Road Closure Construction Signs

One sign, not exceeding 36 square feet in area, shall be permitted for each owner or tenant of a building located on property adjacent to a road lane that is closed due to construction activity for a period of 30 or more calendar days. Ground signs shall not exceed 10 feet in height and shall be located outside of the right-of-way. Wall signs shall be placed flat against the exterior surface of the building, shall not project more than 12 inches from the building surface, and shall not project above the roof or parapet line. Signs shall be removed upon the opening of all road lanes adjacent to the property.

(Renumbered: 09-24-2018; Effective 10-04-2018)

85.03.04 Signs on Motor Vehicles

A. No person, corporation, partnership or other legal business entity shall attach a sign to a motor vehicle, trailer, or other mobile structure where the primary use of such structure is to provide a base for such sign or to constitute the sign itself. This provision shall not be interpreted to prohibit identification signs on vehicles used for normal business purposes, nor shall it be interpreted to prohibit bumper stickers.

(Rev. 09-24-2018; Effective 10-04-2018)

B. No person shall place a sign on a motor vehicle offered for sale or trade except as follows:

1. Properly licensed auto dealerships and properly licensed used car lots may place signs on motor vehicles located on the dealership lot.

2. The owner of a motor vehicle may place a sign on or within the vehicle provided:

a. The vehicle is located only on the vehicle owner's residential property; and

b. Not more than one vehicle with a sign is displayed on the residential property.

(Rev. 09-24-2018; Effective 10-04-2018)

3. The owner of non-residential property may place or allow to be placed a sign on or within the vehicle provided that not more than one vehicle is displayed on the nonresidential property

(Rev. 09-24-2018; Effective 10-04-2018)

C. Proof that the vehicle described in the citation issued for violating this Section was parked in violation of this Section, together with proof that the defendant named in

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the citation was at the time of the cited parking the registered owner of the vehicle constitutes a presumption that the registered owner is responsible for the violation.

(Renumbered; Rev. 09-24-2018; Effective 10-04-2018)

D. Signs on motor vehicles allowed under this Section do not require permits.

(Renumbered; Rev. 09-24-2018; Effective 10-04-2018)

85.03.05 Flags

(Renumbered: 06-07-2010)

A flag adopted by the federal government, a state government, or the local government may be displayed under the law that adopts its use and as provided below in the following subsections:

(Rev. 09-24-2018; Effective 10-04-2018)

A. In residentially zoned districts, two flags and one flag pole may be displayed. Each flag may not exceed 15 square feet in area and the flag pole may not exceed 25 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

B. In nonresidential zoned districts, 4 flags and two flag poles may be displayed. Each flag may not exceed 15 square feet in area and the flag poles may not exceed 30 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

C. One small flag of no more than one square foot in area may be attached to vehicles on display for sale or rent at vehicle sales and service establishments. Such flags must be no higher than two feet above the height of the vehicle as if it were displayed at grade level.

(Rev. 09-24-2018; Effective 10-04-2018)

D. Flags allowed under this Section do not require permits.

(Rev. 09-24-2018; Effective 10-04-2018)

85.03.06 Electronic Message Signs:

A. Where Permitted:

1. Electronic Message Signs (EMS) shall be permitted solely as a ground sign subject to the requirements of the zoning district in which it is located. However, only one (1) EMS shall be permitted per premise.

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2. EMS shall be subject to the maximum height and area requirements set forth in Section 85.02.05, provided that the EMS portion of any ground sign shall not exceed fifty (50) square feet.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Illumination:

1. No such electronic changeable copy sign shall display an illuminative brightness of such intensity or brilliance that it impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle;
2. EMS illumination shall not exceed 0.3 foot candles above ambient light levels based upon EMS illumination measurement criteria set forth in Section 85.03.06 B (3) and Table 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

Area of Sign sq. ft.	Measurement (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126

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170	130
180	134
190	138
200	141

*For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc.), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$

3. EMS Illumination Measurement Criteria: The illuminance of an EMS shall be measured with an illuminance meter set to measure foot candles accurate to at least two decimals. Illuminance shall be measured on all sides, at night, with the EMS off, and again with the EMS displaying a white image for a full color-capable EMS, or a solid message for a single-color EMS. Sign measurements shall be taken at night. All measurements shall be taken as close as practical to a perpendicular plane of the sign, measured at a height of 60 inches, at the distance determined by the total square footage of the EMS as set forth in the accompanying Sign Area of a Sign versus Measurement Distance table.

(Rev. 09-24-2018; Effective 10-04-2018)

C. Message Display and Communication:

1. The display time of an EMS shall not be less than one minute per message display.
2. The transition or change of message shall appear instantaneous without the use of special effects such as dissolve or fade.
3. An EMS shall not exhibit any characteristics of movement or flashing and shall not use techniques defined as dynamic frame effect, scroll, or travel.
4. No EMS message display shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light or have the brilliance or intensity that will interfere with any official traffic sign, device or signal.
5. An EMS shall not include any audio message.

(Rev. 09-24-2018; Effective 10-04-2018)

D. Miscellaneous:

1. No sign shall be permitted to operate unless it is equipped with:
 - a. A default mechanism that will cause the sign to revert immediately to a black screen if the sign or any component thereof malfunctions.

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- b. A non-glare panel covering the electronic changeable copy display or other equivalent method approved by the city to substantially reduce glare.
 - c. Dimming Capabilities: All permitted EMS shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions.
 - d. A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness and display standards established herein and that the preset levels are protected from end user manipulation by password protected software or other method.
2. The owner or controller of said electronic changeable copy sign must adjust the sign to meet these brightness standards in accordance with this chapter. The adjustment must be made immediately upon notice of non-compliance from the City.