

09/14/2007

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 134-7 AND 134-180 OF CHAPTER 134, SIGNS, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO PROVIDE THAT HELP WANTED SIGNS HAVING A SIGN AREA OF NOT MORE THAN SIX (6) SQUARE FEET DO NOT REQUIRE A SIGN PERMIT, TO PERMIT HOSPITALS TO HAVE TWO (2) CHANGEABLE LETTER OR LIGHT-EMITTING DIODE MESSAGE SIGNS, TO REPEAL CONFLICTING ORDINANCES AND TO PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 134-7 of Chapter 134, of the Code of Ordinances, shall be amended, as follows:

Sec. 134-7. Exemptions.

The following signs shall not require a permit:

- (1) *Addressing numbers.* Numbers attached to any building wall or any freestanding sign for purposes of address location.
- (2) *Certain premises signs; for sale and help wanted signs.* Signs having an area of not more than six square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of property or traffic or parking thereon, announcing help wanted or advertising the premises for sale or rent.
- (3) *Community activity/event sign.* Community activity/event signs erected with permission on private property to advertise community activities or events sponsored by non-profit community service organizations, provided that the organization sponsoring the activity shall provide written notification to the building department of the dates of the activity or event at least 14 days prior to the event. Signs may be erected ten days prior to the date of the activity or event and shall be removed within two days after the activity or event. One sign not larger than 16 square feet and a maximum height of seven feet may be placed where the activity is taking place. Additional signs no larger than six square feet in size and four feet in height shall be allowed. These signs shall be limited to one sign per lot frontage and further limited to no more than 25 signs per activity or event. This exemption shall be restricted to two activities or events per calendar year for each non-profit community service organization.
- (4) *Flags.* The flag of any civic organization, municipal, state or nation respectfully displayed including one flag, not exceeding 24 square feet, bearing the official design insignia, name or logo of the on-premises business subject to the following conditions: Flags shall be attached to freestanding flagpoles. Placement of flagpoles shall not impede vehicular or pedestrian traffic. Flags may not project beyond the property lines, and flags

shall not project into the existing or proposed right-of-way. All flags shall be maintained in good repair free of tearing, fraying or other deterioration.

(5) *Garage sale signs.* Garage sales signs advertising a garage sale at a residence may be erected on or off the premises where the sale occurs, provided that all signs are erected on private property. A sign erected off the premises shall be on private property with the approval of the owner of the property. Garage sale signs shall not be located within public road rights-of-way or on other publicly owned property. Each garage sale shall be limited to one sign located on the premises and one sign located off of the premises, with each sign not to exceed six square feet in area and four feet in height. Signs advertising a garage sale shall not be erected for more than 12 days in any calendar year per garage sale location. This subsection shall also apply to yard sales, basement sales, rummage sales, moving sales, estate sales or other similar sales when conducted at a residence.

(6) *Gasoline pump signs.* Gasoline pump-mounted signs of no more than three square feet per pump and projecting no higher than two feet above top of pump.

(7) *Historic signs.* Historic marker signs indicating only the date of erection of a building and having an area not exceeding six square feet.

(8) *Holiday lights.* Holiday lights and decorations.

(9) *Identifying signs.* Labels identifying the source, brand name or manufacturer of merchandise exhibited for sale, none of which exceed two square feet.

(10) *Model Signs.* One sign per building model not to exceed six square feet or maximum height of five feet.

(11) *Official signs.* Signs posted by duly constituted public authorities in pursuance of their public duties.

(12) *Open house sign.* One off-premises sign for each roadway leading from a major thoroughfare into the location or subdivision where the property being advertised is located. Sign(s) are limited to six square feet with a maximum height of five feet and may be displayed only between the hours of 11:00 a.m. to 5:00 p.m. These signs may not be located in the public right-of-way.

(13) *Political signs.* Political, ideological or expressive signs advocating or opposing a candidate for public office, an ideology or a position on an issue. On election day, political signs must be located at least 100 feet from and not more than 200 feet from any entrance to a building in which a polling place is located.

(14) *Premises identifying signs.* Signs having an area of not more than two square feet, the message of which is limited to conveying the name of the premises, the name of the owner of the premises and the name of the occupant of the premises.

(15) *Premises signs with limited visibility.* Signs which are visible only from the premises on which they are located.

(16) *Real estate signs (one-family residential).* One on-premises real estate sign per one-family residential frontage advertising the premises for sale, rent or lease; no greater than six square feet and a maximum height of five feet.

(17) *Roadside stands and Christmas tree sales signs.* On-premises signs for roadside stands and Christmas tree sales, which are otherwise under permit issued by the city, with a maximum of one sign per road frontage, and no larger than 12 square feet in area or greater than seven feet in height.

(18) *Service station price signs.* Signs no more than 12 square feet in area which display only the price of motor vehicle fuel and type of fuel and further limited to one per road frontage and located on the same sign structure as the premises identification sign. Service station price signs shall comply with the height and setback limitations in the table in section 134-181.

(19) *Truck signs.* Signs located on the rolling stock of common carriers or on motor vehicles or trailers bearing current license plates and in operable condition which are traveling or lawfully parked upon public highways or lawfully parked upon any premises they are servicing or based at, where the primary purpose of such parking is not the display of any sign and where the number of vehicles bearing a sign of any one advertiser does not exceed one plus one more for each 25,000 square feet of area of the premises.

(20) *Window signs.* Window signs, where permitted, that encompass not more than 20 percent of the area of the window shall be exempt. The area of any window signs exceeding 20 percent of the total window area shall be deducted from the allowable sign area of the premises.

Section 2. Section 134-180 of Chapter 134, of the Code of Ordinances, shall be amended, as follows:

Sec. 134-180. Signs permitted for hospitals.

The following signs shall be permitted for hospitals that provide 24-hour personal medical and surgical care:

(1) One monument sign of 150 square feet and seven feet in height when placed in front of the hospital from where it is addressed. These signs shall not be located in the proposed or existing road right-of-way and shall maintain corner clearance requirements.

(2) One additional monument entrance sign of 20 square feet, seven feet in height per major road frontage to identify the driveway or emergency entrance location. The signs shall not be located in the proposed or existing road right-of-way and shall maintain corner clearance requirements.

(3) Three hundred square feet of wall mounted sign area with no single sign to exceed 100 square feet in area and not extend above the parapet line where it is mounted. A greater single sign area may be approved by the sign board of appeals if the sign board determines more sign area is necessary to reasonably ensure visibility for the health, safety and welfare of the general public.

(4) Two changeable letter or light-emitting diode (LED) message signs up to 32 square feet each when placed on the same sign structure as the monument signs permitted in this section.

Section 3. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 4. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefor shall be punishable by a civil fine of not more than \$500.

Section 5. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, 2007, following its publication in the *Rochester Eccentric* on _____, 2007.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on Wednesday, _____.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON WEDNESDAY, _____, 2007.

Jane Leslie, City Clerk
City of Rochester Hills