

ARTICLE 30

SIGNS

SECTION 30.01. PURPOSE.

Commerce Township is a unique community with conditions that dictate appropriate regulations of signs. Traffic congestion, proximity of buildings and structures to the road, narrowness of lots, and frequency of curb cuts affect traffic safety. Sign clutter exacerbates traffic safety concerns in these circumstances. Aesthetics is another concern, especially in residential areas and in and around areas that have been preserved in their natural state and/or as common land. These conditions call for restraint on the amount and size of signs.

Along corridors where traffic congestion is the norm, such as Haggerty Road, Union Lake Road, Maple Road, Pontiac Trail, M-5 and portions of 14 Mile Road, it is a goal to have clear, concise, and simple signs, so drivers do not have to take their eyes off of the road too long to read the signs. This goal is especially important along Haggerty Road and Union Lake Road, where lots are narrow, setbacks are minimal, and curb cuts are frequent and closely spaced.

Throughout much of the rest of the Township, aesthetics is a guiding interest in sign regulation. Commerce Township is blessed with beautiful unspoiled natural areas, such as: Proud Lake State Recreation Area, Bicentennial Park, Byer’s Homestead Park, Dodge 5 Park, Hickory Glen Park, Long Nature Park, Maple Glen Park, Mill Race Park, Richardson Park plus 11 public school parks, as well as multiple lakes and natural open areas scattered throughout the Township. These natural areas and lakes, which comprise approximately 31% of all Township land, are the backdrop to the many fine residential neighborhoods that are predominant through most of the Township. These neighborhoods, and much of the development in Commerce Township, are unusual because development is not ostentatious or overbuilt; rather the size and height of buildings are in scale with, and don’t overwhelm, their natural surroundings. The Township has historically limited building height to two stories and, in fact, the majority of the commercial buildings are one story in height. Again, scale becomes a principal guiding factor to sign regulations. It is a goal of this Article to ensure that signs are similarly in scale with their surroundings.

Visioning sessions conducted by the Township as a part of the development of its Master Land Use Plan identified “open space from the road” as a Township attribute that residents and officials are proud of. Conversely, “excess signage” was identified as something that respondents regretted. To that end, it is incumbent upon the Township, through its Zoning Ordinance, to impose standards that will result in maintenance of roadside open space and a reduction of excess signage. The Master Plan also calls for signage standards as relates to commercial development.

SECTION 30.02. GENERAL STANDARDS

To further this purpose, it is the intent of the Township and the purpose of this Article to permit signs and other outdoor displays, subject to the following standards and objectives:

1. Oversized signs that are out of scale with surrounding buildings and structures should be prohibited.
2. The placement and design of signs should further the land use planning objectives of the Township as set forth in this Ordinance.
3. Signs should be compatible with neighborhood character and should not adversely affect the value of surrounding properties.
4. Size and placement of signs should maintain and enhance the aesthetics of our community.
5. Size and placement of signs should enhance pedestrian and traffic safety.
6. Size, and time and manner of placement of signs should limit the intrusion of visual messages onto adjacent or nearby private property.
7. Size, construction materials, and time and manner of placement of signs should minimize their adverse effects on nearby public and private property.
8. Signs should be designed and placed in a manner that minimizes driver distraction.
9. Excess signage should be avoided.
10. Scenic views, natural landscapes, and areas of historical significance within the Township should be protected, preserved and enhanced.
11. The economic viability of the Township should be protected and enhanced by assuring aesthetic appeal for visitors, and residents.
12. The use of aesthetically pleasing Sign materials and colors should be promoted.
13. Obstacles, distractions, or traffic hazards which impair a traveler’s ability to see pedestrians, traffic signs, or vehicles should be avoided.
14. The right to enjoy scenic amenities should be preserved.
15. Public health, safety, and welfare should be preserved.
16. The effectiveness of necessary directional and warning signs should be enhanced.
17. Air movement and natural light shed should be preserved and enhanced.
18. Property values should be preserved.
19. The effectiveness of Permitted Signs should be ensured.
20. The blighting influence of signs should be reduced.
21. The night sky should be protected from stray lighting.
22. Adverse lighting or reflection should be avoided.
23. Signs should be structurally safe and secure.

These Standards are determined to be the minimum necessary to achieve the above stated purpose.

SECTION 30.03. REGULATIONS.

The following regulations apply to all signs except as otherwise provided herein:

- A. Construction and Maintenance.** All signs shall be constructed or installed in compliance with the State Construction Code, and other applicable building, fire, and electrical codes enforced by the Township; shall be maintained in good repair and working order; and shall present a neat and orderly appearance. Non-galvanized or corrosion-prone materials shall be painted as necessary to prevent corrosion.

All sign faces shall be smooth and no nails, tacks or wires shall be permitted to protrude from any sign. This shall not exclude the use of block letters, decorative elements or other devices that may extend over the top or in front of the sign structure.

No sign shall have wind actuated elements.

- B. Illumination.** Internal and external sign illumination shall be permitted, subject to the standards of Article 31 (Exterior Lighting) and the following (see illustration):

1. External sign illumination. External illumination of signs shall be permitted in any zoning district, provided that the light source(s) shall be fully shielded, directed towards the sign face, and designed to concentrate all light on the sign copy area.
2. Internal sign illumination. Signs accessory to non-residential uses in all zoning districts, except for the sites within the Commerce Village Overlay District, may be internally illuminated. Internal illumination of signs accessory to residential uses shall be prohibited.
3. Other Limitations. Sign illumination shall be further limited as follows:
 - a. Sign illumination shall be provided by electronic means or devices, and shall be continuous and without variance in intensity and, subject to Article 30, shall not be of a flashing, intermittent, moving or animated type.
 - b. Luminous tube lighting (neon, fluorescent or similar) shall not be directly visible from any road right-of-way or adjacent lot. Such lighting may be used as an indirect light source, or if shielded by translucent panels or similar methods.
4. Digital Signs. Images that change digitally shall be permitted only in the B, OR and I zoning districts, subject to the following conditions.
 - a. For digital billboard-type signs located in the I, Industrial zoning district along state highway M5, the rate of change between 2 static messages or images shall not exceed more than 1 change per 8 seconds, and each change shall be completed in 1 second or less. For all other digital signs, the rate of change between 2 static messages or images shall not exceed more than 1 change per

30 seconds, and each change shall be completed in 1 second or less. The change between images shall be instantaneous, with no fading, dissolving, or scrolling between sequential static images.

- b. The maximum daylight sign luminance level shall not exceed 62,000 candelas per meter squared at 40,000 lux illumination beginning 1/2 hour after sunrise and continuing until 1/2 hour before sunset and shall not exceed 375 candelas per meter squared at 4 lux illumination at all other times.
- c. In addition to the above requirements, digital signs shall be configured to default to a static display in the event of mechanical failure. As used in this subsection the word static means an image that is motionless, and not flashing.
- d. The sign shall not vary light illumination and/or intensity, or have features with blinking, bursting, dissolving, distorting, fading, flashing, oscillating, rotating, scrolling, sequencing, shimmering, sparkling, streaming, traveling, tracing, twinkling, or simulated movement, or which convey the illusion of movement.
- e. All digital signs shall be located and oriented to direct light away from any residentially zoned or developed property and natural open space.
- f. No more than one digital sign shall be permitted on any lot or unified development site.

C. Measurement. The area of all signs shall be computed by measuring the area of the regular shaped envelope required to enclose the lettering, characters, and/or logo and the structures to which the lettering, characters, and/or logo are attached. This envelope shall be a simple closed curve such as a circle or oval, or shall be a rectangle or triangle. In the case of a wall sign consisting of open letters attached to the building, the envelope shall be around the letters having common heights. Capital letters, graphics and logos shall be boxed and added to the total.

Permitted areas for freestanding signs are stated as the area for each face of a two-sided sign where both faces are identical in size and content, and the plane of the surfaces of each side of the sign are no greater than twenty-four (24”) inches apart and are parallel or would intersect at an angle of not more than fifteen (15) degrees. Two-sided signs otherwise designed shall be considered a single face sign and the area shall be the total area of both faces. The permitted area per face for signs with more than two faces is determined by multiplying the maximum permitted area for the sign by two (2) and then dividing by the number of faces proposed. The poles or structure supporting a freestanding sign shall not be included in the measurement of sign area unless the poles or structures have printed material thereon or are of such a color or design as to act as a sign or to direct attention.

D. Projection of Signs. Wall signs may project up to twelve (12”) inches from the surface upon which they are mounted. Wall signs may not project above or beyond a roof or

parapet line. Freestanding roof signs are not permitted. Signs are not allowed to extend beyond the property line.

- E. Height of Signs.** The sign height is the distance from the average level of the ground or pavement directly below the sign to the highest point of the sign structure, including any supportive or decorative elements (see illustration). Ground signs shall not exceed six (6') feet in height, except that ground signs located within a corner clearance area as defined in Article 6, shall not exceed a height of thirty (30") inches. No wall sign shall extend above the eaves of a pitched roof or above the roofline of a flat or mansard roof. The ground or pavement below a sign shall not be artificially altered with the effect of increasing sign height.
- F. Setback.** Freestanding signs shall be setback a minimum of fifteen (15') feet from any setback line. No such signs shall overhang public property.
- G. Quantity.** Unless otherwise permitted or prohibited herein, no more than one (1) freestanding sign shall be permitted on any one (1) lot, or unified development site, such as a shopping center, which may contain multiple lots. On corner lots, one (1) free standing sign may be permitted on each road frontage unless otherwise prohibited herein.
- H. Prohibited Signs.** To better promote traffic safety, prevent blighting influences, promote desired community character, preserve the desired aesthetic atmosphere of the community, and otherwise accomplish the purposes set forth herein according to the standards and objectives enumerated herein, the following signs are prohibited:
1. Moving signs or animated signs, devices or figures.
 2. Inflatable devices such as balloons, product representations or similar devices, except as otherwise permitted in this Ordinance.
 3. Beacon lights or search lights.
 4. Off-premise signs such as billboards, unless otherwise permitted herein or subject to the provisions of Article 30
 5. Festoon signs, such as a hanging garland of flowers, leaves, papers, flags, pennants or streamers.
 6. Portable or temporary signs, including banners, except as specifically provided in this Ordinance.
 7. Signs painted on or attached to vehicles intended to be used for transportation but which are parked at such a location or in such a manner as to be intended or used for advertising purposes.
 8. Roof signs, being signs erected upon a roof, or wall signs projecting above the eaves of a pitched roof or above the roofline of a flat or mansard roof, except as specifically permitted in this Ordinance.

9. Projecting or overhanging signs may only be permitted for uses within the Commerce Village Overlay Area and Town Center Overlay as designated in this Ordinance.
10. Signs which contain words or representations of an obscene, indecent, or immoral character such as may offend public morals or decency.
11. Signs which are of a size, location, content, coloring, or manner of illumination which may be construed as a traffic control device; or which hide from view a traffic control device or contain the words “stop”, “go slow”, “caution”, “danger”, “warning”, or similar words.
12. Temporary signs such as “A” frame and tent signs, balloons, and other temporary displays and devices designed to attract the attention of a motorist, except as specifically permitted in this Ordinance.
13. Neon lights, string lights or other devices that are designed to outline all or part of a building, except holiday lights as regulated in Article 31.
14. Window signs, except as permitted in this Ordinance.
15. No sign shall be placed on public property or in the public right-of-way, except official signs.
16. Any sign, banner, or other advertising media attached to a tree or utility pole, except signs of a utility company.
17. Signs with missing letters, non-functioning illumination elements or peeling or faded paint, or which are worn or damaged or otherwise difficult to read.
18. Signs not maintained in compliance with issued permits.
19. Changeable copy signs, except as permitted in this Ordinance.
20. Pole or pylon signs.
21. No sign shall be placed within a corner clearance area as defined in Article 6.

SECTION 30.04. SPECIAL PURPOSE SIGNS.

A. Real Estate “For Sale” or “For Rent” Signs.

1. **All districts except B, OR and I Districts.** “For Sale” or “For Rent” signs, not to exceed six (6) square feet in area, and advertising only the premises on which erected, shall be permitted in all zone districts.
2. **B, OR and I Districts.** Real estate signs which offer a parcel of nonresidential land or building for sale, rent, or lease shall be permitted, provided the following conditions are met:

- a. The sign advertises only the premises on which the sign is erected.
- b. The sign may be a wall and/or ground sign.
- c. The area of the sign shall be no larger than thirty-two (32) square feet.
- d. The sign shall be removed within thirty (30) days after sale or lease of property, or in the case of rental property, thirty (30) days after final occupancy has been issued to the entire development for the first time.

B. Development Sign. In developments under construction or residential developments not yet fully occupied, one (1) temporary non-illuminated ground sign announcing the pending development or the sale of dwellings or lots, having a total area not to exceed thirty two (32) square feet may be permitted until occupancy of the development or for a period of time not to exceed Four (4) years, whichever is less.

C. Non-Commercial or Personal Information Signs. Signs that express, promote, or inform the public on an idea, a position, or a matter of non-commercial or personal information shall be permitted only on private property. The use of public property or the right-of-way for the display of non-commercial or personal information signs is prohibited. The total amount of area used for non-commercial or personal information signs shall not exceed thirty two (32) square feet and may be placed anywhere on the lot except that such signs shall not be placed within any corner clearance area as defined in Article 6. Non-commercial or personal information signs shall not require a permit.

D. Site Entry Features with Signage. Site entry features with signage may be erected at the entrance to a residential subdivision, condominium or multiple-family development; elderly or senior housing development; manufactured housing park; or office, research or industrial park, subject to the following (see illustration):

Standards	Site Entry Features with Signage
Maximum number of permitted signs	Two (2) signs per entrance from a public road classified as a collector, arterial or thoroughfare by the transportation plans for the Road Commission for Oakland County or Michigan Department of Transportation.
Minimum required setbacks	Ten (10) feet from any road right-of-way or curblineline of any internal access drive.
Maximum sign area	32 square feet.
Maximum sign height	6.0 feet.
Method of illumination	External light sources only.

E. Special Event Signs.

The following temporary signs may be permitted with administrative approval:

1. Grand opening, special sale, going out of business sale, and similar events, for a period not to exceed: 1) fourteen (14) consecutive days, or 2) two seven (7) day periods. Buildings over 50,000 square feet in gross floor area may use their 14-day allotment in any increment of one day or greater, provided that each increment shall constitute a separate permit.
2. Off-site signs advertising an event hosted by a nonprofit organization. These signs shall be no larger than three (3) square feet and shall be limited to a maximum of ten (10) locations. A permit shall be obtained from the Building Department. Written approval from property owners for each location must be submitted at the time of permit application. These signs shall be limited to a period of fourteen (14) consecutive days of display per year. Nonprofit organizations located within the Township shall be permitted to erect banners across thoroughfares within the Township advertising one (1) special event per year and subject to any additional conditions which may be imposed by the Township Board and the Road Commission for Oakland County, where applicable.

F. Institutional Campus Signs.

1. Administrative Review. Because of the unique building relationships and the special needs of the campus visitors, signage will be permitted after review by the Building Director and the Planning Director. Sign determinations shall be based on the following:
 - a. Compatibility with their surroundings in terms of time, place or manner of construction.
 - b. Legibility in the circumstances in which they are seen.
 - c. Necessity in identifying building locations, activities, parking, handicapped facilities, and access information.
 - d. Relationship to the size and height regulations of other uses in a comparative manner.
2. Appeal. Any person or entity who is denied a request for an institutional campus sign may appeal to the Zoning Board of Appeals for determination. The Zoning Board of Appeals, in its discretion, and using the standards set forth in the Zoning Ordinance, may grant or deny the institutional campus signs.

- G. Road Closure Signs.** Temporary ground sign(s), not exceeding twelve (12) square feet, may be permitted by administrative approval by the Planning Director and Building

Director for businesses affected by the closing of the primary means of public access to a business. The number of signs, placement, length of display period and other conditions shall be determined based upon the following considerations:

1. Location of sign(s) with respect to the roadway and relationship of pedestrian and vehicular lines of sight.
2. Number of businesses affected.
3. Adequacy of public information messages.
4. Duration of road closure.
5. Approval by the Road Commission for Oakland County, if applicable.

H. Traffic Directional Signs – On-site. On-site traffic directional signs designed to provide traffic control and to direct the motorist to a particular service or access way are permitted. The size and location of the signs shall be oriented to afford the greatest legibility and ease of use for the driver.

I. Wall Signs Multiple-Exposure of Building Facades. The Planning Commission may allow one (1) additional wall sign for a building on non-residential property located on the corner of, or with exposure to, two (2) or more roads, for the purpose of identifying the business or building and ensuring safe driving conditions on adjacent roads, provided the following conditions are met:

1. Land use on the opposite side of the road from the sign is non-residential.
2. With conventional signage, identification of the building would be difficult from one (1) or more views.
3. The total area of the primary wall sign and the additional wall sign cannot exceed one square foot of signage per linear feet of building frontage, as measured on the elevation that corresponds to the address of the structure. The maximum total area of signage for all wall signs shall not exceed two hundred (200) square feet.
4. The additional sign shall be so located that identification of the building is visible from the non-residential public right-of-way from which it would otherwise be unidentifiable.

J. Automatic Teller Machine Signs. Automatic teller machine (ATM) identification signs shall be permitted, provided the signs are attached to the ATM and identify the owner of the ATM and those businesses whose ATM cards are accepted by the machine.

K. Awnings and Canopies. Signs on awnings and canopies in commercial, office, and industrial districts shall be permitted, subject to the following standards.

1. Coverage.

The total area of the lettering and logo shall not exceed twenty-five (25%) of the total area of the awning or canopy that is visible from the road.

2. Compliance with Size Requirements for Wall Signs.

The area of signs on awnings or canopies shall be counted in determining compliance with the standards for total area of wall signs permitted on the parcel.

3. Projection.

Limitations imposed by this Ordinance concerning projection of signs from the face of a wall or building shall not apply to awning and canopy signs, provided that such signs shall comply with the setback requirements for the district in which they are located.

SECTION 30.05. DISTRICT STANDARDS.

A. Signs in R, RM, and MHP Districts. The following signs shall be permitted in all R, RM, and MHP zone districts:

1. One family and two family residential dwellings with approved home occupations shall be permitted one (1) non-illuminated wall sign not exceeding a total area of (1) square foot mounted to the wall of the principal building.
2. Multiple family residential uses and non-residential uses shall be permitted one (1) ground sign not to exceed a total area of thirty-two (32) square feet in size.
3. Non-residential and institutional uses such as schools, churches, municipal buildings, public recreation facilities, group day care homes, child care centers, plant material nurseries, hospitals and public riding stables shall be permitted one (1) freestanding ground sign not to exceed thirty two (32) square feet in total area for each lot or unified development site and further shall be permitted one (1) wall sign as provided in Article 30. Institutional campus signs shall comply with Article 30.
4. A bed and breakfast facility is permitted one (1) wall or ground sign with a total area not to exceed twelve (12) square feet.

B. Signs in SP Districts. The following signs shall be permitted for uses within an SP zone district:

1. Freestanding Signs. One (1) ground sign not to exceed a total area of thirty-two (32) square feet for each lot or unified development site.
2. Wall Signs: One (1) wall sign not to exceed one (1) square foot for each linear foot of building frontage identifying the building name.

C. Signs in O Districts. The following signs shall be permitted for uses within an O zone district:

1. Wall or Freestanding Signs. One (1) ground sign not to exceed thirty-two (32) square feet in area for each lot or unified development, identifying the building name or address, or one (1) wall sign, not to exceed one (1) square foot for each foot of linear building frontage identifying the building name only.
2. Window Signs. Window signs are not permitted in the O zone district.

D. Signs in B, OR, and I Districts. The following signs shall be permitted for uses within B, OR, and I zone districts:

1. Freestanding Signs. One (1) ground sign for each frontage on a major thoroughfare not to exceed thirty-two (32) square feet in area for each lot or unified development site, except as follows:
 - a. For retail shopping centers with floor areas exceeding one hundred twenty thousand (120,000) square feet one (1) ground sign not to exceed thirty two (32) square feet in area for each lot or unified development site may be permitted only upon approval of the Planning Commission under the provisions of Article 35, Site Plan Review, provided that it is determined that such signage would not detract from the established or natural character of the area. In making its decision, the Planning Commission shall consider whether the proposed sign will exceed existing structure elevations and whether the proposed sign will obstruct the light or view of adjacent properties.
 - b. Where more than one (1) tenant shares a building, only one (1) freestanding sign shall be permitted.
 - c. The maximum height of freestanding signs shall be six (6) feet.
2. Wall Signs. Wall signs shall be permitted provided that the following conditions are met:
 - a. One (1) wall sign not to exceed a total area of one (1) square foot for each one (1) lineal foot of building frontage shall be permitted for each building. Where more than one (1) tenant shares a building, one (1) wall sign shall be permitted per tenant, provided that the total area of all signs shall not exceed one (1) square foot of sign area per one (1) lineal foot of building frontage. The maximum area for any single sign shall not exceed two hundred (200) square feet except that a building located more than six hundred (600') feet from the frontage road may be identified by letters up to five (5') feet in height with a total sign area greater than two hundred (200) square feet, but not greater than the area required to enclose those letters, and in no event greater than the lesser of five hundred (500) square feet or one (1) square foot for each one (1) lineal foot of building frontage. For buildings having less than

twenty (20) lineal feet of building frontage, a sign not to exceed twenty (20) square feet is permitted. A building having corner lot frontage on two (2) public roads shall have only one (1) wall sign. A building with over two hundred (200) lineal feet of building frontage that has a secondary tenant (as defined herein) may have up to two (2) additional wall signs on the addressed side of the building not to exceed twenty (20) square feet per secondary tenant provided that the total sign area does not exceed the maximum sign area permitted, as described above.

b. Wall signs shall be permitted on those sides of buildings not adjacent to a road under the following conditions:

i. On the rear door of any building or unit in a multiple tenant building, one (1) wall sign not to exceed a total area of two (2) square feet shall be required on the door to identify the occupant and address for emergency personnel or deliveries. Such sign shall not be internally illuminated.

ii. A building in a B zone district with more than one (1) tenant will be permitted one (1) wall sign for each tenant not having exterior walls adjacent to the road, which sign shall be located on the wall not adjacent to the road but adjacent to an on-site parking lot and enclosing the main public entrance for each such tenant. The total area of such signs shall not exceed one (1) square foot for each lineal foot of building frontage on the side of the building facing the parking lot.

iii. Wall signs shall not extend beyond the parapet top or above the front, side, or rear elevation of the building.

iv. The maximum horizontal distance of the sign shall not exceed three-fourths (3/4) of the width of the building or portion thereof to be occupied by the applicant.

v. Wall signs may be internally illuminated.

3. Window Signs. Window signs will be permitted for each building or for each tenant in a multiple tenant building. The total area of such window signs shall be limited to twenty-five (25%) percent of the area of each section of window in which the signs will be placed but at no time shall such window signs exceed fifty (50) square feet for buildings having windows on two (2) or more facades. Window signs do not require a permit.

a. Window signs may be internally illuminated.

b. Window signs shall be considered temporary signs. If window signs are to be displayed longer than thirty (30) days a permit is required. The date of

installation shall be noted on the sign in lettering clearly visible from the outside of the building.

4. Projecting Signs. For uses within the B Districts, projecting signs in lieu of a wall sign shall be permitted in the Commerce Village Overlay District, subject to the following standards (see illustration):
 - a. Such signs shall be secured to the building by metal anchors, bolts, supports, rods or braces, and shall be located away from the wall at least six (6) inches. No part of the projecting sign structure shall project above the roof.
 - b. Such signs shall have its lower edge at a minimum distance above grade of eight (8) feet.
 - c. Such signs shall project from the wall at an angle of 90 degrees.
 - d. One (1) projecting sign shall be permitted per use, with a maximum sign area of twenty (20) square feet per sign face.
 - e. Projecting signs may extend out from the building wall a maximum of four (4) feet or thirty-three percent (33%) of the sidewalk width, whichever is less.
5. Additional signs permitted. The following signs shall be permitted without special approval. Unless otherwise specified, the area of the sign shall not be included in the total signage permitted.
 - a. Time/Weather/Stock Market Signs. Time, weather, or stock market signs shall be permitted. The area of these signs shall be included within the maximum sign area permitted on the site.
 - b. Gasoline Price Signs. Gasoline price signs shall be permitted in conjunction with the on-site retail sale of gasoline, provided the following conditions are met:
 - i. There shall be no advertising media on the sign other than the owner/corporation name in letters occupying a total space no larger than one (1) square foot.
 - ii. Only one (1) double faced sign shall be permitted per road frontage.
 - iii. The area of each face shall not exceed twelve (12) square feet.
 - c. Gasoline Pump Toppers. One additional sign shall be permitted to be affixed to the top of each gasoline pump at an Automobile Fueling Station, subject to the following conditions:
 - i. The sign shall not exceed two (2) square feet in area.

- ii. The total number of pumps notwithstanding, the total area of all such signage on any property shall not exceed twenty (20) square feet.
 - iii. All such signs shall conform in all other respects to the standards imposed by this Ordinance, including but not limited to, standards for illumination.
 - iv. Digital signs may display moving images and video, provided that the displays are oriented and/or screened such that the image shall not be visible from any road right-of-way. The provisions of Article 30 notwithstanding, digital pump topper signs may display off-premises advertising, or non-commercial content, subject to the general standards and regulations set forth in Article 30 above.
- d. Help Wanted Signs. Signs which advise of open employment positions at the sign location are permitted under the following conditions:
- i. The sign shall be limited to a total area of five (5) square feet.
 - ii. The signs shall be permitted only for the time the positions are open and shall be removed upon the filling of the open positions.
 - iii. The sign may be affixed to a window, the frontage wall or an existing ground sign.
- e. Telephone Signs. One (1) telephone sign for each outdoor phone is permitted. Said sign shall be affixed to the phone enclosure and shall be no larger than two (2) square feet in total area.
- f. Portable Signs. Portable signs are permitted on either private property or the public sidewalk, subject to the following conditions:
- i. No sign shall be placed within a distance of ten (10) feet from any fire hydrant, or in any location where it would imperil public safety, as determined by the Building Director, or his/her designee, or interfere with the function of the fire department.
 - ii. Portable signs shall not interfere with vehicle access, pedestrian movement or wheelchair access to, through or around a site.
 - iii. Portable signs shall not be attached to a tree, light pole, traffic sign or other sidewalk obstruction.
 - iv. Portable signs shall not be located on any publicly owned property or within any public road right-of-way.

- v. Portable signs shall be removed when weather conditions create potentially hazardous conditions.
- vi. If public improvements or utility work necessitates the removal of a portable sign, the owner shall remove the sign immediately upon request. If the owner fails to remove the sign, the Township, its agents or representatives, may remove the sign, and the owner will forfeit all rights to its return.
- vii. There shall be a maximum of one (1) portable sign per business per road frontage.
- viii. All portable signs shall be located a minimum of 25 feet from any other portable sign.
- ix. When a portable sign is located on a sidewalk or similar pedestrian access area, a clear path of five (5) feet must be maintained at all times.
- x. Each sign shall be placed outside only during the hours when the business is open to the general public, and shall be stored indoors at all other times.
- xi. Portable signs shall not have more than two (2) sign faces.
- xii. The following design requirements shall apply to all portable signs:
 - 1. Portable signs shall be made of wood or decorative metal or other comparable, weather proof high quality material, with cast iron or decorative metal brackets.
 - 2. The use of paper or cloth is not permitted unless located within a glass or plastic enclosure. Plastic, high density foam board, OSB or similar materials are prohibited unless approved by the Building Director and Planning Director.
 - 3. Portable signs on wheels and the use of plastic sign bases and frames shall be prohibited.
 - 4. Portable signs that incorporate banners, flags, balloons, streamers, or pennants shall be prohibited.
 - 5. Portable sign lettering, excluding that which is part of the business logo, shall be between 2 to 4 inches high.
 - 6. Changeable letters or individually applied changeable marquee letters shall be prohibited.
 - 7. Temporary hand lettering will be allowed only on a chalk or white board section of a sign in “Daily Specials” or

- “Sale Today” type applications. This chalk or white board section may be on one or both sides of the sign.
8. Portable sign designs shall be uncluttered and have minimal text; logos and graphics are encouraged and are not subject to the aforementioned lettering height maximum of 2”-4”.
 9. The business name lettering and/or logo shall be neatly painted, raised, or routed onto the sign.
 10. Portable signs shall not be illuminated or have any moving parts or other electronic devices.
 11. The sign shall be kept in good repair at all times.
- xiii. No portable sign shall exceed an overall height of forty-five (45) inches or an overall width of twenty-four (24) inches. The maximum height of the sign area shall be thirty-six (36) inches. Sign supports may be a maximum of nine (9) inches in height. The maximum sign area per portable sign is six (6) square feet.
 - xiv. No portable sign shall be permitted referring to off-premise locations or activities.
 - xv. Portable signs must receive a permit from the Township Building Department. Permits are valid for a period not to exceed twelve (12) months.
- g. Off-Premises Signs. Off-Premises Signs are signs that display messages related to activity, whether commercial or not, that does not occur at the location of the sign, such as a billboard.
- i. In the study and preparation for regulation of signs in Commerce Township, the following considerations and conclusions have been made: a) traffic volumes on main thoroughfares that form commercial and industrial corridors in the Township are often seriously congested; b) commercial and industrial development has occurred on generally narrow lots with minimal setbacks; c) the many signs in the Township, both conforming and non-conforming, have contributed to the confusing and often dangerous traffic conditions; d) off-premise signs, especially billboards of typical size and/or height which are out of scale with development in the township and have the potential to hinder traffic safety and aesthetic values in the Township; e) off-premise signs detract from the community’s residential/lakefront image; f) the aesthetic impact of off-premise signs impresses heavily on the enjoyment and value of property and on the general welfare; g) off-premise signs would be detrimental to the appearance and other aesthetic objectives of the Township.

- ii. Off-Premises Signs shall be allowed only in areas along state highway M5, in the Industrial (I) district, provided that the following conditions are met:
 - 1. The sign shall not exceed two hundred (200) square feet in total area to be calculated in accordance with the system of measurement found within this Ordinance.
 - 2. The sign shall not exceed thirty (30) feet in height and shall provide for a minimum of twelve (12) feet of clearance measuring from the ground to the bottom of the sign face. The ground or pavement below the sign shall not be artificially altered with the effect of increasing the overall sign height.
 - 3. No sign shall be located within three hundred (300) feet of any commercial or industrial structure.
 - 4. The sign shall not be within three thousand (3,000) feet of another billboard style sign on the same side of the road, whether or not the other sign displays on- or off-premises messaging.
 - 5. The sign shall not be within three thousand (3,000) feet as measured parallel to the right-of-way of another billboard style sign on the opposite side of the road, whether or not the other sign displays on- or off-premises messaging.
 - 6. The sign shall not be erected within five hundred (500) feet of any area zoned R, RM or MHP.
 - 7. The sign shall not be erected within five hundred (500) feet of any residential structure, church, school, park or residentially zoned property.
 - 8. No sign shall be erected within one hundred (100) feet of any on-premise freestanding sign.
 - 9. No sign shall be erected within five hundred (500) feet of an interchange or intersection at grade or a railroad/highway crossing. For interchanges or intersections, such five hundred (500) feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way.
 - 10. The sign shall not be positioned so that it interferes with the light, sight lines, or visibility necessary for safe traffic flow and viability of local business.
 - 11. Any illumination used on the sign shall prevent light from being directed onto any residential or commercial structure or any portion of the road.

12. Except for images that change digitally according to the following subsection, the sign must display static messages images.
 13. Images that change digitally are permitted provided that the rate of change between 2 static messages or images does not exceed more than 1 change per 8 seconds, each change is completed in 1 second or less, and the maximum daylight sign luminance level does not exceed 62,000 candelas per meter squared at 40,000 lux illumination beginning 1/2 hour after sunrise and continuing until 1/2 hour before sunset and does not exceed 375 candelas per meter squared at 4 lux illumination at all other times. In addition to the above requirements, digital signs shall be configured to default to a static display in the event of mechanical failure. As used in this subsection the word static means an image that is motionless, and not flashing.
 14. The sign shall not vary light illumination and/or intensity, or have features with blinking, bursting, dissolving, distorting, fading, flashing, oscillating, rotating, scrolling, sequencing, shimmering, sparkling, streaming, traveling, tracing, twinkling, simulated movement, or convey the illusion of movement. No sign shall have wind actuated elements.
- iii. A permit shall be required for any off-premise sign. A performance guarantee in an amount established by the Township Fee Ordinance shall be required to insure removal of the sign upon the expiration of the permit. Such performance guarantee shall be forfeited if the sign is not removed upon expiration of the permit. Commerce Township, its representatives or employees may remove any sign for which the permit has expired, without further notice or hearing. The property owner, lessee, and permittee shall be jointly and severally responsible for all costs, in excess of the forfeited performance guarantee, associated with the removal, storage, and disposal of a removed sign. No new sign permits, building permits or occupancy permits shall be issued for the subject location until all such costs have been paid.

SECTION 30.06. SIGN PERMIT.

It shall be unlawful for any person to erect, alter or relocate any sign, sign structure or sign area subject to permit or approval under the provisions of this Article, without first obtaining appropriate permit(s) and/or approvals from the Township and paying the required permit fee according to the Fee Ordinance adopted by the Township Board.

A. Sign Permits.

Except as otherwise provided herein, no sign shall be erected without a valid sign permit. Sign permit applications are submitted to the Building Department and reviewed for ordinance compliance by the Planning Department.

For new developments, sign location shall be shown on site plans and building elevations and shall be approved by the Planning Commission

Application fees for sign permits are set forth in the Township Fee Ordinance and shall be paid prior to the issuance of a permit. Permits shall not be required for “for sale”, “for rent”, employment, non-commercial or personal information, and directional signs.

B. Required Information for Sign Permit Applications.

The following shall be provided with any sign permit application:

1. Application information. Permit applications shall include the following information:
 - a. The name, address, and telephone numbers for the applicant, property owner, and sign contractor; street address or property location where the sign is to be located; and written consent of the property or sign owner to perform the proposed work.
 - b. Where a proposed sign would encroach into a road right-of-way, copies of permits or approvals from the Township Board and any other agency with jurisdiction.
 - c. Any other information required by the Building Director to show full compliance with this Ordinance.
2. Plot plan. A plot plan shall include a parcel survey, easements, dimensions, locations of all structures, and all existing and proposed signs on the lot or unified development parcel. If building-mounted signs are proposed, elevation drawings of all buildings on the site shall be provided showing all existing and proposed building-mounted signs.
3. Sign details. Specifications and drawings showing the materials, design, dimensions, structural supports, and method of illumination.
4. License and insurance. Every person who engages in the business of erecting, altering or dismantling signs in the Township shall first submit proof of appropriate licenses or certifications.
5. Removal agreement or performance guarantee. The Building Director may require a signed removal agreement or performance guarantee to guarantee the future removal of a sign.

SECTION 30.07. NONCONFORMING SIGNS.

All existing signs that do not conform to the provisions of this Article and Ordinance shall be permitted to continue as nonconforming signs until removed or altered, at which time they shall conform to the provisions of this Article and Ordinance. Nonconforming signs shall be subject to the following:

A. Good Working Order.

Nonconforming signs shall be maintained in accordance with the requirements for all signs specified in Article 30 (General Standards and Regulations). Nonconforming signs shall be maintained with all necessary structural and decorative parts, including but not limited to supports, sign frame, and electrical equipment. All sign copy areas shall be intact and illuminated signs shall be capable of immediate illumination.

B. Servicing.

Painting, servicing, cleaning or minor repairs to a nonconforming sign shall be permitted, provided that the sign is restored to its original design and all work is in compliance with the requirements for all signs specified in Article 30 (General Standards and Regulations).

C. Alterations.

Alterations to nonconforming signs shall be prohibited, except as follows:

1. Sign copy area. The sign copy area of a nonconforming sign may be altered, including replacement of sign panels and changes to the sign copy, provided that the degree of nonconformity is not increased, and provided that any sign illumination is brought into compliance with the provisions of Article 30 (Illumination).
2. Billboard signs. A nonconforming billboard sign may be altered, including replacement of sign panels and changes to the sign copy, provided that the sign area, width and height are not altered, and provided that, if necessary, any sign illumination is brought into compliance with the provisions of Article 30 (Illumination).
3. Sign frame or structural elements. Alterations to the sign frame or structural elements of a nonconforming sign shall be permitted, subject to the following:
 - a. The sign shall be brought into compliance with the maximum sign height and sign area standards for the location and type of sign, as specified in this Article.
 - b. Existing sign wiring and ground sign support structures may be re-used, provided that permitted alterations will not increase any nonconformity caused by inadequate sign setback.

SECTION 30.08. SIGN REMOVAL BY TOWNSHIP ACTION.

A. Abandoned or Unlawful Signs.

The Building Director shall have the authority to determine whether a sign is unlawful or has been abandoned, as defined in Article 2 (Definitions) of this Ordinance, subject to appeal by an aggrieved person, to the Zoning Board of Appeals. The Building Director may order the removal of such signs in accordance with the following:

1. Determination. Written notification of the determination and any order for removal shall be provided by certified mail to the owner, operator or person having beneficial use of the property upon which the sign is located.
2. Removal. Abandoned or unlawful signs shall be removed by the Owner within 30 days after notification of a determination and order for removal by the Building Director. All support structures and components shall be completely removed.
 - a. Failure to remove the sign within 30 days after notice shall constitute grounds for the Township to seek Circuit Court approval to remove the sign at the property owner's expense.
 - b. The owner shall reimburse the Township for removal costs, including legal expenses, or the Township may place a lien on the property for necessary removal expenses.

B. Damaged Signs.

Signs determined to be in a damaged condition by the Building Director shall be repaired or removed by Owner within 15 days after notification to Owner by certified mail.

1. If such action is not taken by the owner, operator or person having beneficial use of the property where the sign is located, the Building Director shall have the authority to order the repair or removal of the damaged sign.
2. The owner shall reimburse the Township for repair or removal costs, including legal fees and expenses, or the Township may place a lien on the property for such expenses.

C. Unsafe Signs.

The Building Director may order the removal of any sign determined to be unsafe without prior notice.

1. After removal, the Building Director shall notify the property owner by certified mail of the action taken and the reasons for the action. If the owner does not reclaim the removed sign within fifteen (15) days of the date of notice, the Township may dispose of the sign.

2. The owner shall reimburse the Township for removal, storage, and disposal or reclamation costs, including legal fees and expenses, or the Township may place a lien on the property for such expenses.

D. Nonconforming Signs.

The elimination of nonconforming signs in the Township is hereby declared to be for a public purpose and for a public use. The Township may purchase nonconforming signs for the purpose of removal, or may initiate condemnation proceedings for nonconforming signs determined to be in violation of Article 30 (Nonconforming Signs) requirements.

E. Temporary Signs.

Temporary signs affixed within a road right-of-way or corner clearance area, without a valid permit, or after permit expiration may be removed by the Township without notice. Signs removed shall be discarded.

SECTION 30.09. EXCEPTIONS.

The Zoning Board of Appeals (ZBA) shall have the authority to grant an exception from the strict application of these regulations, provided that such relief may be granted without substantially impairing the intent of this Article. Application and consideration of sign exceptions shall be in accordance with the following procedures and standards:

A. Applications and Review Procedures.

Any party who has been denied a permit for a proposed sign may file a request for an exception to this Article with the ZBA. Applications for exceptions from one (1) or more provisions of this Article shall be submitted in accordance with Article 41 (Applications).

Applications for sign exceptions shall be considered by the ZBA per the procedures specified in Article 41 (Zoning Board of Appeals). Following a public hearing the ZBA shall consider the standards of this Section and any other factors deemed relevant in determining whether to grant an exception to particular requirements of this Article.

B. Exception Standards for Signs.

The ZBA shall consider the following standards while reviewing any application for an exception from one (1) or more provisions of this Article.

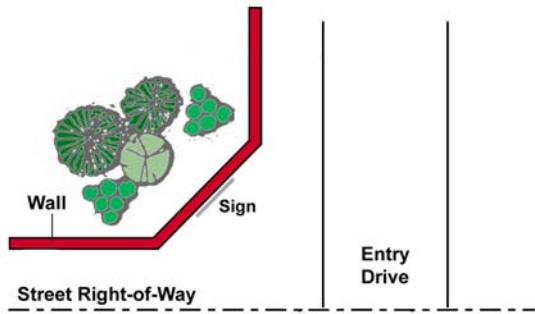
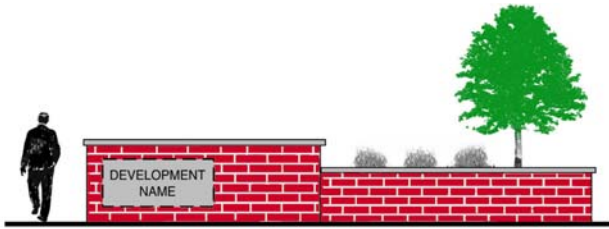
1. Obstructions. Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger public health or safety.
2. Visibility. A conforming sign would be blocked from the sight of passing motorists due to existing buildings, trees or other obstructions.
3. Site features. Construction of a conforming sign would require significant tree removal or extensive topographic changes.

4. Scale. A sign that exceeds the allowable height or area standards of this Article would be more appropriate in scale to the building, site frontage, or the neighborhood.
5. Aesthetics. The exception shall not adversely impact the character or appearance of the building, lot, or the neighborhood.
6. Minimal. The exception shall be the minimum necessary to allow reasonable use, visibility or readability of the sign.
7. Intent. The exception shall not significantly impair the intent and purpose of this Article.

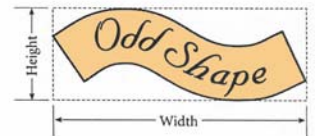
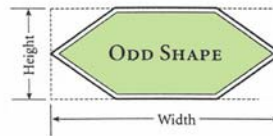
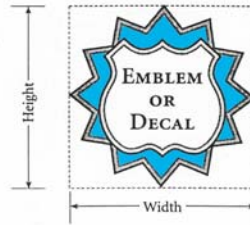
C. Findings and Conditions.

In a motion granting or denying a sign exception, the ZBA shall state the specific grounds for the decision, which shall be supported by specific findings of fact. The ZBA may attach conditions to a sign exception approval in accordance with the intent and purpose of this Article.

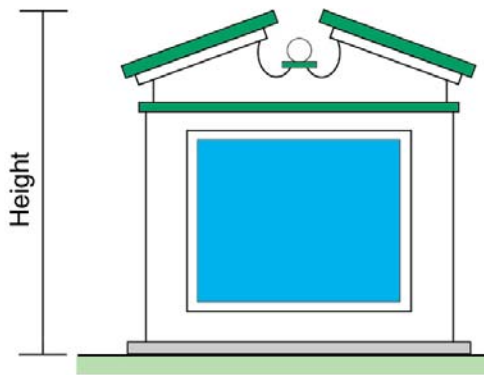
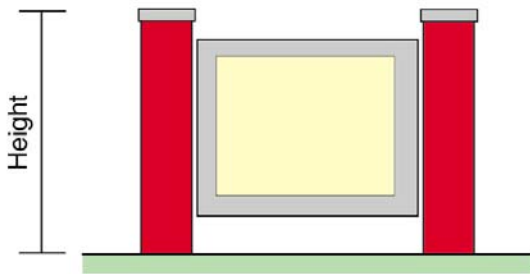
ILLUSTRATIONS



Site Entry Feature with Signage



Computation of Sign Area



Sign Height

ILLUSTRATIONS



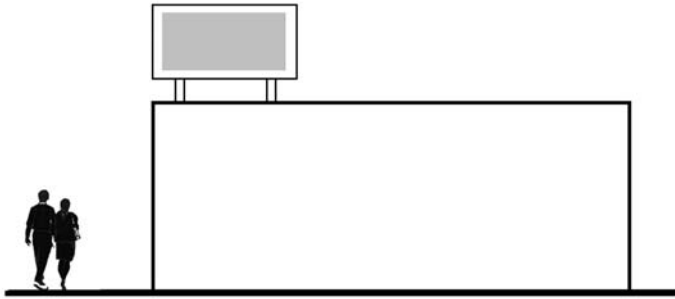
External illumination only



Internal illumination permitted

Sign Illumination

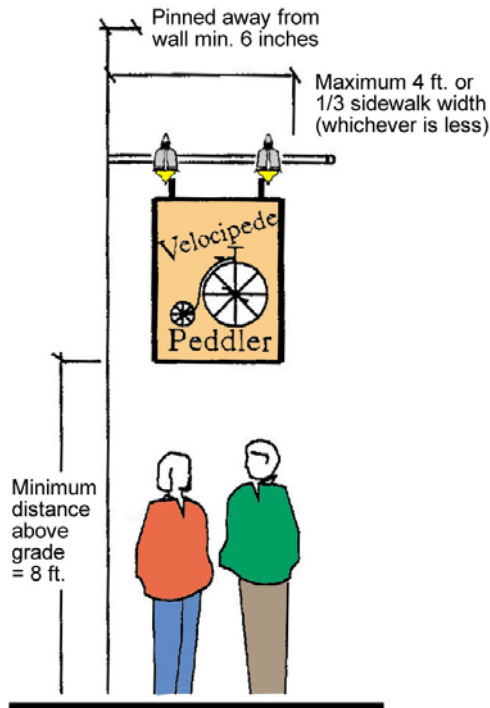
ILLUSTRATIONS



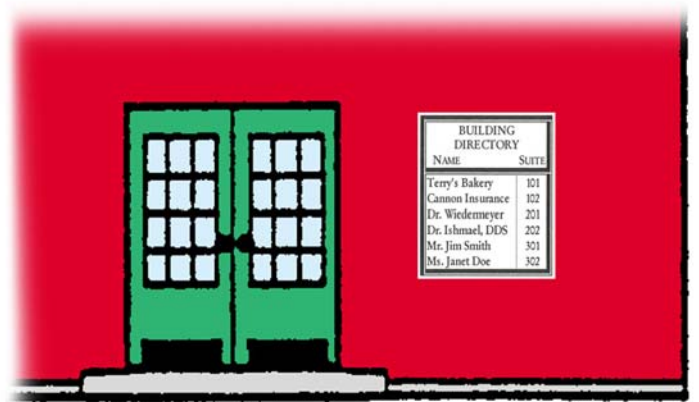
Roof Sign



Portable Signs



Projecting Sign Detail



Building Directory

ILLUSTRATIONS

