

ARTICLE XVIII SIGNS

Section 18.01 - Description and Purpose. It is the intent of this Ordinance to regulate the size, location, and manner of display of exterior signs in the Village of Three Oaks. While it is recognized that signs are customarily for public information and for trade advertising, it is the intent of this Ordinance to ensure that they do not endanger the public health, safety or welfare or impair property values. All signs shall conform to all codes and ordinances of the Village, shall be properly erected and maintained, and, except where noted, shall require a zoning compliance permit issued by the Village Zoning Administrator before erection.

Section 18.02 - Exempted Signs. The following signs are exempt from the provisions of this Ordinance with respect to permits, heights, area and location, unless otherwise specified herein:

1. Signs erected for Minor Home Occupations as provided in Article XX, Section 20.02, and Major Home Occupations as provided in Section XX, Section 20.03.
2. Highway signs erected by the U.S. Government, State of Michigan, Berrien County, or the Village of Three Oaks.
3. Governmental use signs erected by governmental agencies to designate hours of activity or conditions of use for parks, parking lots, recreational areas, other public space, or governmental buildings.
4. Directional signs in conjunction with drives or off-street parking areas, provided any such sign does not exceed four (4) square feet in area, is limited to traffic control functions, and does not obstruct traffic vision.
5. Historic signs designating sites recognized by the State Historical Commission as Centennial Farms or Historic Landmarks.
6. Placards posted to control or prohibit hunting and/or trespassing within the Village
7. Essential service signs denoting utility lines, railroad lines, hazards, and precautions.
8. Memorial signs or tablets which are either (1) cut into the face of a masonry surface; or (2) constructed of bronze or other incombustible material when located flat on the face of a building.
9. Temporary signs advertising noncommercial rummage sales, garage sales, or other similarly used merchandise sales including bazaars and events held by not-for-profit, fraternal or religious organizations. These such signs shall be removed within three (3) days after the completion of such sales.
10. Special decoration displays or signs used for holidays, public demonstration or promotion of civic welfare or charitable purposes when authorized by the Zoning Administrator. In considering such authorization, the Zoning Administrator shall consider the following standards:
 - A. The size, character and nature of the display or sign.
 - B. The duration or time period during which the display or sign will be utilized.
 - C. The purpose for which the sign display is to be erected.
 - D. The arrangement made for the removal of the sign or display after the termination of its usefulness.
 - E. The effect of the proposed sign or display on light and air circulation for lots which are both adjoining and in the surrounding neighborhood for the proposed sign or display.

- F. Whether or not the sign or display will constitute a traffic hazard.
- G. The effect of the sign or display on the surrounding neighborhood.

Section 18.03 - Prohibited Signs. Any sign meeting the following specification is prohibited:

1. Automobiles, trucks, and truck trailers, farm or industrial machinery, airplanes or other vehicles of any sort, whether operable or inoperable, are not permitted as a sign or billboard in any zoning district in the Village. This provision shall not be interpreted to prohibit lettering or advertising on operable commercial vehicles.
2. Any sign or sign structure which is structurally unsafe or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or is not kept in good repair, or is capable of causing electrical shocks to persons likely to come in contact with it.
3. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers or by obstructing or detracting from the visibility of any traffic sign or control device on public streets or roads. In determining whether a sign may constitute a traffic hazard or interfere with traffic safety or visibility, the Zoning Administrator shall consider the following:
 - A. Height, area, supporting structure, and distance from ground level of the sign.
 - B. Lighting of the sign.
 - C. Location of the sign in relation to roads, drives, points of ingress and egress, parking areas, sidewalks and other vehicular or pedestrian access ways.
 - D. Location of the sign in relation to nearby buildings and structures.
 - E. Any sign which obstructs free ingress to or egress from required door, window, fire escape or other required exit-way.
 - F. Signs which make use of words such as "stop," "look," and "danger" or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
 - G. Any sign unlawfully installed, erected or maintained.
 - H. Any sign which is not accessory to the business being conducted on the property on which the sign is located, except as otherwise provided in the Ordinance.
 - I. Portable signs of any type.
 - J. Any sign projecting into a public right-of-way or dedicated easement, except those erected by the Village, County, State or Federal government, except when such building shall front the public right-of-way or dedicated easement line.

Section 18.04 - Temporary Signs. The following signs are permitted on a temporary basis and shall not require a zoning compliance permit:

1. Construction signs which identify the name of the building, the owner, architect, engineer, contractor, and other individuals involved with the construction, including the advertisement of a product or service during the period of construction. Each sign shall have a maximum surface area of thirty-two (32) square feet. They shall be

confined to the site for construction and shall be removed within fourteen (14) days following completion of construction activities.

2. Real estate signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed provided such signs do not exceed ten (10) square feet. Such signs shall be removed within fourteen (14) days after the sale, rental or lease.
3. Election campaign signs announcing candidate, political parties or election issues to be voted upon may be up to a total area of sixteen (16) square feet for each parcel of land. Such signs shall be confined to private property and shall be removed within fourteen (14) days following the election which they announce.

Section 18.05 - General Conditions. Except as otherwise provided, the following conditions shall apply in all districts:

1. Prior to the erection or structural alteration of sign, a zoning compliance permit shall be secured from the Zoning Administrator. A scale drawing of the outside dimensions of the sign or the total area encompassed by a line around all lettering or symbols shall be presented to the Zoning Administrator so that he may insure that the provisions of the Ordinance are met. Evidence shall also be presented to the effect that the sign will be securely attached to the building or supporting structure and will not present a hazard. For freestanding pylon signs, a site development plan of the intended location of the sign and a scale drawing of the total sign structure shall also be presented to the Zoning Administrator.
2. No sign projecting into public right-of-way or dedicated easement, except those erected by the Village, County, State or Federal government, except when such buildings shall front the public right-of-way or dedicated easement line.
3. Signs may be illuminated provided the source of light (e.g incandescent bulb) other form of light source) is not visible from any street or adjoining property and that the source of light not emit more than 2,300 lumens and not project more than one (1) foot candle of illumination beyond the property line onto any abutting property.
4. All signs and sign structures shall be properly maintained and kept in a good state of repair.
5. The provisions of this Section are not intended to conflict with provisions controlling signs regulated under the authority of Pubic Act 106, 1972, the Highway Advertising Act, as amended.

Section 18.06 - Signs in the Residential Districts. In the R-1A, R-1B, R-2, R-3, R-4 and R-5 Districts, only the following signs shall be permitted:

1. One (1) bulletin board for churches or public buildings not to twelve (12) square feet in area when located at least twelve (12) feet from all property lines.
2. One (1) professional, home occupation or announcement sign not to exceed two (2) square feet in area and attached flat against the building.
3. One (1) temporary, unlighted real estate sign not to exceed ten (10) square feet in area advertising the sale, rental or lease of the premises on which it is maintained. Provided clear vision corners are maintained, temporary unlighted real estate signs may be located on premises other than those being offered for sale, rental or lease.
4. Two (2) subdivision signs for each residential subdivision, provided no sign shall exceed sixteen (16) square feet in area. In addition, one (1) sign not over sixteen (16) square feet in area announcing the opening or sale of lots in a legally approved subdivision may be temporarily erected on each plat or development, provided the location of such sign is approved by the Zoning Administrator for a duration not to exceed one (1) year.

5. One (1) wall sign located on the premises of a legal nonconforming use not to exceed twenty (20) square feet in area.
6. Two (2) signs, of a combined area of not more than thirty-two (32) square feet, in area advertising the name and/or activities of other permitted nonresidential uses. Said signs shall be located on the same parcel as the use it is advertising.

Section 18.07 - Signs in the Commercial Districts. In the C-1 Commercial and C-2 Central Business districts only the following signs shall be permitted:

1. Signs shall be limited to one (1) flat wall sign or one (1) sign on each face of a marquee of each business establishment and one (1) freestanding sign or overhanging sign placed anywhere on the premises of a business establishment or composite of businesses under a single ownership by an individual person, firm or corporation, provided said sign is for the purpose of identifying only the services, articles or products which are offered for sale within the building or buildings on the premises and provided that any illuminated sign contains a source of light that is not visible. Further, said freestanding sign shall not be located closer to adjacent properties than a distance equal to its height.

In the case of wall or marquee signs, the maximum area of the sign shall not be more than one hundred (100) square feet.

Any other permitted sign shall not exceed one hundred (100) square feet in area.

2. Billboards are permitted as a principal use subject to the provisions of Public Act 106, 1972, the Highway Advertising Act, as amended.

Billboards not regulated by Public Act 106, 1972, as amended, shall be regulated as follows:

- A. They shall be located a minimum of two hundred (200) feet from adjacent property lines;
- B. They shall be located a minimum of three hundred (300) feet from other freestanding signs or billboards;
- C. They shall be located a minimum of twenty-five (25) feet from the road right-of-way;
- D. They shall not exceed four hundred (400) square feet in area; and,
- E. They shall not exceed thirty (30) feet in height.

Section 18.08 - Signs in the Industrial Districts. In the I Industrial District only the following signs shall be permitted:

1. Signs shall be limited to one (1) flat wall sign and/or one (1) sign not exceeding two hundred (200) square feet placed anywhere on the premises which shall indicate or identify only the name of the use. Said sign shall not be located closer to adjacent properties than a distance equal to its height. Such signs may be illuminated, provided the source of light is not visible and complies with Section 15.02.
2. Billboards are permitted as a principal use subject to the provision of Public Act 106, 1972, the Highway Advertising Act, as amended.

Billboards not regulated by Public Act 106, 1972, as amended, shall be regulated in accordance with the provisions of Article XXIII.

Section 18.09 - Signs in the Cluster Development and Planned Unit Development Districts. In the Cluster Development and Planned Unit Development overlay districts, signs shall be regulated according to the provisions of the original zoning district classification or most nearly appropriate to the uses proposed within the Cluster Development or Planned Unit Development as deemed appropriate by the Planning Commission.