

An Ordinance to Amend Chapter 62 of the Code of Ordinances
for the Village of Ontonagon.

The Village of Ontonagon ordains, that Chapter 62 (Zoning) Section 62-3 (17) (Billboards and Signs) be repealed and replaced with a new Chapter 62 Section 62-3.1 (Signs) to read as follows:

62-3.1

(1) SHORT TITLE: This ordinance shall be known and may be cited as the Village of Ontonagon Sign Ordinance.

(2) INTENT: It is the intent of this ordinance to regulate signs in the Village of Ontonagon so as to protect public health and safety and to promote the public welfare. This is accomplished by regulating the size, placement, relationships, construction, illumination, and other aspects of signs in the Village. It is determined that such regulation is necessary for several reasons.

§ To enable the public to locate goods, services, and facilities without difficulty and confusion.

§ To prevent dangerous competition for attention between advertising signs and traffic control signs and signals.

§ To prevent signs which are potentially dangerous to the public due to structural deficiencies or disrepair.

§ To preserve the mental and physical well being of the public by preventing insistent and distracting demand for attention.

§ To assure the continued attractiveness of the community showing special concern for the value of its cultural and natural features.

§ To protect property values within the community.

It is further determined that signs which may lawfully be erected and maintained under the provisions hereof are consistent with customary usage and that signs which may not lawfully be erected or maintained under the provisions hereof are not consistent with customary usage, are an abuse thereof, and are an unwarranted invasion of legitimate business interests and or the public.

(3) DEFINITIONS: For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

All words used in the present tense shall include the future; all words in the singular number include the plural number and all words in the plural number include the singular number; and the word Abuilding@ includes Astructure@, Adwelling@ includes Aresidence@; the word Aperson@ includes Acorporation@; ACo-partnership@, as well as an Aindividual@ the word Ashall@ is mandatory and the word Amay@ is permissive; the word Alot@ includes the words APlot= or Aparcel@ or Asite@.

Terms not herein defined shall have the meaning customarily assigned to them; or as defined in the Building Code or Village Zoning Ordinance.

ALLEY: Any dedicated public right-of-way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

BILLBOARD: See Standard Outdoor Advertising Structure.

BUILDING CODE: The building code as currently enforced pursuant to the Laws of the State of Michigan.

BUILDING FRONTAGE: The distance between two parallel lines, drawn perpendicular to the edge of the right-of-way, which intersect with any part of the building. Where the building is located upon a curve, the lines shall be drawn perpendicular to a tangent drawn through the nearest point of the right-of-way for a convex curve and the furthest point of the right-of-way for a concave curve.

CANOPY: A permanent rooflike structure usually of metal, wood or glass, extending over an entrance, pedestrian walkway or window as a shelter.

ELECTRICAL CODE: The electrical code as currently enforced pursuant to the Laws of the State of Michigan.

ERECTED: Includes built, constructed, altered, reconstructed, moved upon or any physical operations on the premise required for construction. Excavation fill, drainage, installation of utilities and the like, shall be considered a part of erection.

FACE: The portion of a sign upon, against or through which the message is displayed or illustrated.

FLAG: A flexible piece of fabric or other material containing the official emblem of any unit or government.

FRONTAGE: A property line shall be said to be a property frontage whenever it is coterminous with the boundary of a public right-of-way. Where two or more frontages exist for the same parcel, one shall be selected by the property owner for the purpose of calculating permitted sign age.

GRADE: The average level of the finished surface of the ground adjacent to all exterior walls of a building or support structure more than five (5) feet from the right-of-way. For buildings closer than five feet to a right-of-way the grade is the curb elevation at the center of the building or support structure. If there is no curb, the Village shall establish the grade.

HEIGHT: The maximum vertical distance between a horizontal line drawn through the highest point of a sign or its supporting structures and a finished grade at the base of the sign.

MANSARD ROOF: A roof, or structure on a building imitating a roof, which is at an angle of 60 degrees or greater from the horizontal.

MARQUEE: See Canopy.

PENNANT: A flexible piece of fabric or other material designed to attract attention or convey information by means of lettering, logos, color or movement.

PLAQUE, COMMEMORATIVE: An inscribed tablet of brass or other non-corrosive metal or stone, identifying a place of historical or cultural significance.

RESIDENTIAL NAMEPLATE: A sign identifying a multiple family residential structure or identifying the occupants of one and two family structures.

SHOPPING CENTER: A shopping center shall mean a unified commercial development occupied by a group of five or more separate retail businesses occupying substantially separate divisions of a building or buildings fronting on a privately owned common mall or parking lot rather than a public street.

SIGN: A name, identification, image, description, display or illustration which is affixed to or located on, a piece of land, and which directs attention to an institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park or other public property. Customary displays of merchandise or objects and material placed behind a store window are not signs or parts of signs.

SIGN ADVERTISING: Any sign which identifies a product, or service or brand name offered to the

public.

SIGN, AREA OF:

1. The entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material or color forming an integral part of the display or use to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed.
2. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal size, or as the area of the larger face if the two faces are of unequal size. The spacing between the parallel faces of a ground or pole sign may be increased to three feet where there are only two supports. In no case shall a support have a greater cross sectional width than 36 inches.
3. Where a sign consists solely of lettering or other sign elements printed or mounted on a wall of a building without any distinguishing border, panel or background, any blank rectangular area which is more than ten percent of the area of the sign as otherwise computed shall be disregarded. All of the lettering and other sign elements printed or mounted upon a wall of a building without any distinguishing border, panel or background and pertaining to the same enterprise shall be treated as a single sign for purposes of area computation.

SIGN, FLEXIBLE: A sign made of fabric, plastic, or other flexible material, two-dimensional in nature.

SIGN, GROUND: A sign supported by one or more uprights or a base, the entire display area of which is no more than eight (8) feet from the ground.

SIGN, IDENTIFICATION: Any sign which bears the name of the structure, business or proprietor, on the site on which it is located.

SIGN, ILLUMINATED: A sign that provides artificial light through transparent or translucent material or is illuminated by a light from an exterior source.

SIGN, OFF PREMISE: A sign which advertises goods, services or attractions not available on the same site as the sign.

SIGN, ON PREMISE: A sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises. All other signs are off-premise signs.

SIGN, PERMANENT: A sign of durable construction and durable materials designed to remain in one location and position either through attachment to a building element or mounting on a standard secured to a below grade footing.

SIGN, POLE: A sign supported by one or more uprights or braces in or upon the ground.

SIGN, PROJECTING: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.

SIGN, SIDEWALK: A portable sign of A-frame construction used seasonally during hours a business is open and stored inside when not in use.

SIGN, TEMPORARY: A sign intended to be displayed for a limited period of time and one which is without permanent foundations or attached to a permanent building.

SIGN, WALL: A sign which is painted on or attached directly to a building wall with the face of the sign parallel to and extending not more than fifteen (15) inches from the face of the wall.

SITE: One or more lots under the same ownership or control which are proposed to the Zoning Administrator as a whole for the purpose of compliance with the requirements and regulations of the

Zoning Ordinance.

STANDARD OUTDOOR ADVERTISING STRUCTURE: A 300 square foot sign structure erected for the purpose of display of characters, letters or illustrations produced on paper sheets or painted on the surface of the structure and advertising goods and services not found on the premises.

STREAMER: See Pennant.

ZONING ORDINANCE: A chapter of the Village Code of Ontonagon, Michigan adopted pursuant to the authority and procedure established by Act 207 of Public Acts of 1921 as amended.

(4) RELATIONSHIP TO OTHER LAWS: Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations or restrictions imposed by any governmental authority through legislation, rule or regulation, the regulations, rules or restrictions which are more restrictive or which impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no sign shall be erected or maintained in violation of any state or federal law or regulation.

(5) SEVERABILITY: This ordinance and the various parts, sections, subsections, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, subsection, section, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section, or clause is adjudged unconstitutional or invalid as applied to a particular property, or other structure, it is hereby provided that the application of such portion of the ordinance to other property, buildings, or structures shall not be affected thereby.

(6) APPLICATION OF THIS ORDINANCE: No sign or part thereof may be constructed, erected, placed, altered or maintained within the Village of Ontonagon, except as specifically or by necessary implication, authorized by this ordinance.

(7) VESTED RIGHTS: Nothing in this ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular sign and this ordinance is hereby declared to be subject to subsequent amendments, change or modification as may be necessary to preserve or protect the public health, safety or welfare.

(8) EFFECTIVE DATE AND REPEAL OF PRIOR SIGN REGULATION: This ordinance shall take effect on _____ said date being 10 days after adoption of the Village Council and publication. Section 62-3 (17) of the Village of Ontonagon Zoning Ordinance, adopted on November 24, 1975 is hereby repealed as of the effective date of this ordinance. The repeal of the above section does not affect or impair any act done, offense committed or right occurring, accrued or acquired or liability, penalty forfeiture or punishment incurred prior to the time enforced, prosecuted, or inflicted.

(9) PERMITS REQUIRED:

(1) It shall be unlawful for any person to erect, relocate or structurally alter or repair, any sign or other advertising structure within the Village of Ontonagon, as defined by this ordinance without first obtaining a Sign Permit. All signs shall be subject to the Michigan State Building Code and Village of Ontonagon Zoning Ordinance, and all illuminated signs shall be subject to the provisions of the Michigan State Electrical Code. (See Section 15, for Maintenance exceptions which do not require a sign permit.)

(2) A Sign Permit shall be obtained from the Zoning Administrator prior to the issuance of a building

permit.

(3) Application for a Sign Permit shall be made upon forms provided by the Zoning Administrator and shall contain or have attached the following information:

1. Names, address, telephone number, and signature of the applicant (person or firm erecting the sign).
2. Name, address, telephone number and signature of the owner of the land on which the sign is to be erected.
3. A scale drawing showing the position of the sign in relation to hereby buildings, signs structures, and lot lines. All dimensions are to be included.
4. A copy of the plans, specifications and method of construction and attachment to the building or in the ground.
5. Such additional information as required by the Zoning Administrator to show full compliance with this and all other laws and ordinances of the Village.

(d) The Zoning Administrator shall review all applications for a Sign Permit as expeditiously as possible. Reasons for any denial shall be set forth in writing and shall include any changes which would make the plan acceptable. The applicant may appeal any denial to the Board of Appeals. No more than 10 days shall be required to review an application.

(10) EXCEPTIONS: Sign Permits shall not be required for the following signs provided that said signs meet all other requirements of this ordinance, including but not limited to those in Section 11.

Approval of the property owner is required prior to the erection of a sign. It is the responsibility of the party erecting the sign to determine if a building permit is required.

(4) No more than one real estate sign per site, not to exceed six (6) square feet in residential districts thirty two (32) squared feet in all other districts, which advertise the sale, rental, lease of the premise upon which the sign is located. The sign shall be removed within five days of the sale or rental.

(5) Political campaign signs may be erected up to forty five (45) days before an election. There shall be no limit in the number of such signs on each site. Such signs shall be removed within 5 days after the election.

(6) Residential nameplate not to exceed two (2) square feet in area.

(7) Temporary signs identifying construction sites for which a building permit has been issued. One sign per premises shall be permitted not to exceed 10 square feet for single family and two family structures or 64 square feet for all other structures. The sign shall be removed within 5 days after the occupancy of the structure.

1 Temporary signs identifying home improvement activities for which no permit is required. One on premise sign per premises not to exceed four (4) square feet, which may be in place while the work is in progress. In no case shall such sign be in place for more than 14 days.

(e) Special decorative displays used for holidays, public demonstrations or promotion of civic welfare or charitable purposes, on which there is no commercial advertising, providing the jurisdiction is held harmless for any damage resulting therefrom.

(f) Any sign or notice required by state, federal or local laws.

(g) On premise signs of a non-advertising, non-identification nature designed exclusively to control access or use, to warn or to direct traffic or pedestrians when based on the following table:

Site Area Sq Ft of Signage per 1000 Maximum size of
Sq Ft of site area Any one sign

Under 50,000 sq ft .75 sq ft/1000 sq ft 4 sq ft
50,000 to 100,000 sq ft .50 sq ft/1000 sq ft 8 sq ft
100,000 to 200,000 sq ft .35 sq ft/1000 sq ft 16 sq ft
over 200,000 sq ft .15 sq ft/1000 sq ft 20 sq ft

(h) Any number of official governmental unit flags may be located on any site. Only one corporate flag or pennant may be displayed. Support structures shall meet the requirements of either pole or projecting signs.

(i) Commemorative plaques which are firmly attached to a structure.

(11) REGULATIONS APPLICABLE TO ALL SIGNS:

(8) It shall be unlawful to place a sign or handbill on any property without the approval of the property owner. No signs or handbills shall be posted on any tree or utility pole.

(9) No signs shall be located on any street or street corner which would obscure the vision of drivers using said streets, or conflict with traffic control signs or signals in any location. No sign shall obstruct the vision of drivers at any driveway, parking lot or other route providing access to any land use.

(10) No sign shall be illuminated by other than electrical/solar means. All flood or spot lighting for illumination of signs shall be directed away from and shall be shielded from any residential districts. Illumination shall be so arranged as to not adversely affect driver visibility on adjacent thoroughfares.

(11) No signs except time and temperature signs shall have blinking, fluttering lights, exposed bulbs or other illuminating devices which have a changing light intensity or brightness of color, with the exception of electronic message centers which shall be allowed in the Business District.

(12) Prior to the erection of a sign overhanging a public right-of-way, the person erecting such sign shall receive the approval of the proper governmental agency (village, county, or state) having jurisdiction over such right-of-way.

(13) No signs other than traffic control or directional signs erected by a unit of government shall be allowed on any right-of-way. Portable sidewalk signs shall be permitted when they meet the requirements of Section 62-3.1(12)(f) and (g).

(14) No sign shall be mounted on a roof; a mansard roof shall be considered a wall for the purpose of applying this regulation.

(15) No signs in residential zoning districts may be closer to side or rear lot lines than specified in the minimum yard requirements of the Schedule of Regulations for the district in which they are located.

(16) Swinging movements of signs shall be permitted only on under-canopy signs designed to a pedestrian scale. The rotation of signs and any form of animation or moving device are prohibited.

(17) Portable or moveable signs are prohibited with exception of sidewalk signs and Anew business@ signs as permitted in Section 62-3.1(11)(l). All other signs must be permanently and securely attached to a below ground footing.

(18) Any portion of a sign may be of the changeable copy type provided that all changeable characters are securely attached to the face of the sign.

(19) Strings of Pennants are prohibited. (See also Exemptions) A portable, movable sign may be erected for a two week period at the opening of a new business or to identify a construction site. At no time may flashing lights be used on portable signs.

(12) REGULATIONS BASED UPON SIGN TYPE:

(20) Pole Signs:

1 It shall be unlawful to erect any portion of a pole sign to a height of greater than 30 feet above the level of the nearest street in the general business and industrial districts. The maximum height for all other districts shall be 20 feet above the height of the nearest street.

2 There shall be a minimum unobstructed distance of 10 feet between the bottom of any display area and the ground for any sign located at the right-of-way. For every 2.5 feet the sign is set back from the right-of-way. The base of the display area may be lowered by one foot.

3 Pole signs in any business or industrial district that are within 100 feet of a residential district must be reduced in height 10% for each 10 feet less than 100 feet they are located from the residential district.

(b) Ground Signs:

1 No ground sign shall be located closer than 25 feet to any intersection of a right-of-way with another right-of-way or with the pavement of any driveway or alley.

2 No sign shall be located closer to a side lot line than the distance specific for side yards in that district by the Zoning Ordinance.

3 For every two square feet of sign, one square foot of planting or lawn must be provided and maintained, at the base of the sign.

4 No portion of a ground sign may exceed eight (8) feet in height.

5 For every additional ten feet that a sign is set back from the required front yard, the area of the ground sign may be increased by 10%. The required landscaping at the base of the sign must be provided for the increased sign area. This increase in sign size shall not apply to off premise signs.

6 Ground signs placed in any business or industrial district may not be located within 100 feet of a residential district, measured along right-of-way lines.

(c) Wall Signs:

1 No wall sign shall cover, wholly or partially, any wall opening nor shall any sign project beyond the ends or top of the wall to which it is attached.

2 A wall sign shall not project more than 15 inches from the wall.

(d) Projecting Signs:

1 No portion of a projecting sign shall be less than ten feet above grade.

2 The distance between a projecting sign and the wall to which it is attached may not be greater than two feet.

3 All projecting signs shall be designed, installed and erected in such a manner that there shall be no visible angle iron or wire support structures above the roof line or parapet.

4 A sign may project three inches for each linear foot of distance to the nearest side lot line, provided that in no instance may a sign project more than eight feet from any structure not be located closer than two feet measured horizontally from any established curb.

5 No sign may project over an alley or private access lane.

6 No sign shall be located closer than 10 feet to any intersecting rights-of-ways.

7 A projecting sign may not extend above the top of the wall on which it is attached by more than 6 feet, but in no case shall more than 20% of the sign area be above the top of the wall.

(e) Canopy and Marquee Signs:

1 Canopy and marquee signs shall not be placed less than ten feet above the sidewalk and shall not be located closer than two feet, measured horizontally from an established curb.

2 Signs attached to the face of a marquee or canopy which are parallel to the flow of traffic shall meet the requirement of wall signs.

i) The sign may not project more than six inches from the face of the canopy.

ii) The sign may not exceed three feet in height.

3 Signs attached to the sides of a marquee or canopy which are not parallel to the flow of traffic shall meet the requirements of projecting signs.

4 Where signs are suspended under canopies or marquee, the following conditions shall apply:

i) Signs shall not be greater than six square feet.

ii) There shall not be more than one such sign per business or office.

iii) Signs shall be no less than nine feet above the sidewalk not located closer than two feet measures horizontally from any established curb.

iv) Signs may swing provided that the distance between the top of the sign and the under side of the canopy or marquee is not greater than four inches.

v) Signs shall be perpendicular to the flow of pedestrians.

(f) Sidewalk Signs:

1 Sidewalk signs shall be permitted from May 1 through October 31 during the hours a business is open to the public, but in no instance may a sign be placed on the street earlier than 8:00 am nor later than 10:00 pm.

2 Sidewalk signs shall be of A-frame construction with a minimum base spread of two feet. The maximum height shall be four feet. The maximum width shall be three feet. The sign shall be sturdy and stable.

3 The surfaces of sidewalk signs shall be durable. Copy may be painted or printed on the surface. Loose paper faces shall not be permitted. Sidewalk signs shall not be illuminated by any means except natural light and existing street lights.

4 A minimum of seven feet of unobstructed sidewalk must remain between the sign and adjacent buildings.

5 Signs shall not be permitted on State Highway right-of-way in violation of the Federal Highway Beautification Act of 1964.

6 The owner of the sign and the owner of the site upon which it is located shall assume all liability for damage and injury caused by the sign.

(g) Flexible Signs:

1 Signs of fabric, thin plastic, or other flexible material may be erected as pole, ground or wall signs provided that all requirements for those type of signs are met.

2 The outer perimeter of the flexible sign shall be held taut. No ropes or guy wires may be fastened so as to cause a hazard.

3 Flexible signs shall be removed at the first evidence of wear or deterioration.

(13) SIGNS PERMITTED BY ZONING DISTRICT: District designations shall be determined from the Official Zoning Map.

(21) Residential Districts:

1 For each residential unit in a Residential District, one name plate not exceeding two square feet shall be permitted.

2 For all conditional uses in the Residential District including home occupations, group day care facilities and duplexes there shall be permitted one ground sign, not to exceed 25 square feet, and/or one wall sign not to exceed a combined area of 50 square feet. Day care centers in any district shall

be permitted to erect a four square foot nameplate.

3 Multiple Family Development: One sign not to exceed two (2) square feet for the purpose of identifying an office located on the site, plus:

i) One sign not exceeding two (2) square feet for each development containing four or fewer dwelling units.

ii) For each development containing more than four (4) but fewer than 50 dwelling units, one sign not to exceed ten (10) square feet shall be permitted.

iii). For each development containing fifty or more dwelling units, one sign not to exceed 20 square feet shall be permitted for each driveway providing access to the site. Said signs must be within 50 feet of the driveway and any not be within 100 feet of another such sign on the same site.

4 For each subdivision, signs advertising lots for sale may be erected and maintained until 80% of the lots are sold. The sign shall not be erected within 100 feet of an occupied residence.

i) One sign not exceeding 32 square feet in area shall be permitted for subdivisions with 20 or less lots.

ii) One or two signs not to exceed 64 square feet total area shall be permitted for subdivisions with more than 20 lots.

5 There shall be no off-premise signs.

(b) Industrial and Business Districts:

Business/Industrial signs are permitted only for such business/industry physically located within the corporate limits of the Village of Ontonagon.

1 Total sign area shall be calculated as follows for establishments located in the Industrial and Business Districts.

i) Where one establishment occupies a site, one square foot of sign area shall be allowed per foot of site frontage.

ii) Where two or more establishments occupy the same site, each establishment shall be allocated one square foot of sign area per foot of adjusted site frontage. Adjusted site frontage is the ratio of the floor area occupied by the establishment to the total floor area of the site times the site frontage. In no case, including new establishments being added to previously developed sites, shall the total sign area exceed one square foot per foot of site frontage.

2 Only on-premise signs shall be permitted in the Industrial and Business districts. However, single owners of multiple businesses (all located within the corporate limits of the Village of Ontonagon) may be treated the same as in (b)4 below..

3 In no instance shall an establishment occupying all or part of the floor area of a site be restricted to less than 40 square feet of signage, except that no site occupied by more than one tenant be allowed more than 80 square feet or the total area of sign age allowed for the site, whichever is greater.

4 Signs allocated to tenants of a shopping center shall be restricted to businesses which have a separate entrance providing public access to their premises. The formula for such businesses shall be the same as found in Section 13(b)1. However, these businesses shall be restricted to wall signs and canopy signs. In addition to the signs permitted above, one free standing shopping center identification sign shall be permitted. The area of the sign shall be 1/1000th of a square foot of signage for each square foot of gross leaseable floor area in the shopping center. This freestanding identification sign shall not exceed 30 feet in height and in no case shall the area exceed 300 square feet, nor shall the sign be restricted to less than 40 square feet.

5 For each office structure containing more than one occupant office, a directory sign containing the names of all offices may be located at each common public entrance to the structure. Said directory signs shall not be larger than two square feet for each establishment, with maximum size of 20 square feet for each directory.

(c) Special requirements for Industrial and Business Districts:

1 B-1 Business Districts:

i) Height and Area:

A. Pole Signs – not to exceed 20 feet in height nor 40% of the permitted sign area for the site.

B. Projecting Signs – not to exceed 24 square feet in area.

C. Ground Signs – not to exceed 50 square feet in area.

D. Wall Signs – no size restriction except as established in Section 13(b)1.

E. Sidewalk Signs – width shall not be greater than three feet, height shall not be greater than four feet, base width shall not be less than two feet. Sidewalk signs are not permitted after November 1 and before May 1 of each year.

ii) In no case shall the total area of all signs on a site exceed that permitted in Section 13(b)1.

iii) Number: Not more than two of any combination of pole, ground, projecting or sidewalk sign per site. A flexible fabric sign may be erected as a pole, ground or wall sign.

2 Industrial Districts:

i). Height and Area:

A. Pole Signs – not to exceed 30 feet in height or 300 square feet in area.

B. Projecting Signs – not to exceed 24 square feet in area.

C. Ground Signs – not to exceed 150 square feet in area.

D. Wall Signs – no size restriction except as established in Section 13(b)1.

ii) In no case shall the total area of all signs on a site exceed that permitted in Section 13(b)1.

iii) Number: Not more than one pole or ground sign per 300 feet of site frontage with not more than three projecting signs and with no restrictions on the number of wall signs per site.

iv) No standard outdoor advertising structure may be erected within the corporate limits of the Village of Ontonagon.

A. A conditional sign permit may be obtained from the Village Planning Commission using the guidelines of the Zoning Ordinance for determining the appropriateness of the requested location with respect to the residential or non-commercial use of an area and the introduction of sign age into areas dominated by recreational/tourist/natural scenic qualities.

(d) Municipally Owned Outdoor Athletic Facilities in all districts:

1 An amateur athletic organization may erect advertising signs on the field where its games are played. Said signs are subject to the following conditions:

i) Height and Area

A. Ground signs may not exceed eight (8) feet in height or thirty-six (36) square feet per sign.

B. Wall signs may not exceed eight (8) feet in height or thirty-six (36) square feet sign.

C. Pole signs are not permitted.

D. Illuminated signs are not permitted.

ii) The number of signs may not exceed twenty (20) per field.

iii) Only the side of the sign facing the playing field may contain advertising. The other side must be painted a neutral color.

iv) Signs may be present only during the season of play of the organization erecting the sign.

2 Exemptions

i) Lighted scoreboards which may be illuminated only during time of organized play. Said scoreboards may not exceed 200 square feet in size and may be no taller than 20 feet in height.

(14) NON-CONFORMING SIGNS AND ABANDONED SIGNS: Non-conforming signs are those which do not comply with size, placement, construction or other provisions or regulations of this ordinance but which were lawfully established prior to the adoption of this ordinance. It is the intent of this ordinance to discourage the continuance of non-conforming signs and to encourage their removal by whatever lawful means available.

(22) The display face of a non-conforming sign may be modified as necessary to renew or update the message.

(23) Non-conforming signs shall not be structurally altered or repaired so as to prolong the life of the sign or so as to change the shape or size of the sign.

(24) Non-conforming signs requiring structural repair to make them safe shall be removed.

(25) Abandoned signs shall be removed by the property owner within 30 days.

1 Any sign which pertains to an event, time or purpose which has not applied for 30 days shall be deemed to have been abandoned.

2 Any sign which is located on property which becomes vacant and unoccupied or is applicable to a business which has been temporarily suspended because of a change in ownership or management, shall not be deemed abandoned unless the property remains vacant or the business remains inactive for a period of six months.

(e) Changes or additions shall not be made to any signs on a site so as to increase their total non-conformity.

(15) MAINTENANCE: Every sign shall be maintained in safe structural condition at all times, including the replacement of defective parts and peeling, faded or broken display faces and structural members.

(26) The repainting of any portion of a sign structure, or the periodic changing of a bulletin board or billboard panel or the renewing of copy which has been made unacceptable or unusable by ordinary wear shall be permitted on all signs. No permit shall be required.

(27) The replacing or repairing of non-structural portions of a sign shall not require a permit.

(28) Structural alteration, repair or replacement shall require a permit.

(16) SIGN REMOVAL:

(29) The sign official shall order the removal of any signs erected in violation of this ordinance.

(30) The Sign Official shall notify the property owner by first class mail describing the sign and specifying the violation involved.

(31) The property owner shall remove said sign or initiate an appeal within 15 days of receipt of the letter. An appeal stays all proceedings unless the official from whom the appeal is taken certifies to the Board of Appeals that a stay would cause imminent peril to life or property.

(32) If at the expiration of the time limit in said notice, the owner has not complied with the requirements thereof, or appealed the decision of the Sign Official, then the Sign Official shall carry out the requirements of the notice. The costs of such abatement may be charged against the premises and the owner thereof in accordance with the provisions of Section 1-10 of the Village Code.

(17) DANGEROUS SIGNS: In the case of a sign which presents imminent danger to life or property the sign owner, or if he cannot be reached, a responsible city official must take immediate action as is necessary to remove the danger.

(18) ADMINISTRATION:

(33) The Village Manager shall appoint a Sign Official who shall be responsible for the administration of this ordinance. The Sign Officer shall have all administrative powers not specifically assigned to some other officer or body.

(34) The Sign Official shall review all applications and site plans for compliance with the provisions of this ordinance or any written order from the Board of Appeals or Planning Commission. He shall have no power to vary or waive ordinance requirements.

(35) The Sign Official shall keep records of all official actions, all of which shall be a public record.

(36) The Sign Official shall have the power to make inspections of buildings and premises necessary to carry out his duties in the enforcement of this ordinance.

(37) The Sign Official shall collect such permit and inspection fees as determined by the Village Council.

(38) If the Sign Official shall find that any of the provisions of this ordinance are being violated he shall notify, in writing, the person responsible for such violation indicating the nature and location of the violation and ordering the action necessary to correct it. He shall order discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of the provisions of this ordinance.

(39) The Sign Official shall forward an analysis of site factors and other information pertaining to any appeal or request to the appropriate body. The analysis may include a recommendation for action.

(19) APPEALS:

(40) The Board of Appeals as provided in the Zoning Ordinance shall constitute the Board of Appeals to pass on matters pertaining to the terms of this ordinance. The term of office, quorum, meetings, records and procedure shall be as specified in the Zoning Ordinance.

(41) Any person aggrieved or the head of any agency of the municipality may take appeal to the Board of Appeals from any decision of the Sign Official.

(42) Appeals to the Board of Appeals must be accompanied by such fees as established by resolution of the Village Council. No activity on an application or appeal shall commence until said fee has been paid.

(43) Whenever any condition or limitation included in a variance, it shall be conclusively presumed that the authorizing Board of Appeals considered such condition or limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision thereof, and to protect the public health, safety and welfare, and that the board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.

(20) ENFORCEMENT

(44) False statements: Any sign permit based on any false statement in the application or supporting documents is absolutely void ab initio and shall be revoked. No sign permit shall remain valid if the use or structure it authorizes becomes non-conforming. The Sign Official shall not refuse to issue a sign permit when conditions imposed by this and other Village Ordinances are complied with by the

applicant despite violation of contracts, such as covenants or private agreements which may occur upon the granting of said permits.

(45) Violations and Penalties: Any person who violates any provision of this ordinance or any amendment thereto, or who fails to perform any act required hereunder or does any prohibited act, shall be guilty of a civil infraction. Each and every day on which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Any violation of this ordinance is hereby declared to be a public nuisance per se.

(46) Procedure for reporting violations: Apparent violations may be reported to the Sign Official or to the Village Office by any citizen.

That the Ontonagon Village Clerk is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted shall take effect and be in full force and effect immediately upon the date of its publication.

ORDINANCE DECLARED ADOPTED. Date: March 27, 2006