

1. Every permanent sign, legally established prior to the adoption or amendment of this Ordinance that does not meet the height, size, area, or location requirements of this Chapter is deemed to be a nonconforming structure. A non-conforming sign shall not:
  - a. Be expanded, enlarged, or extended; or
  - b. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for 90 days or longer
2. A nonconforming sign may be maintained and repaired so as to continue its useful life
3. A nonconforming sign may be diminished in size or dimension, or the copy on the sign may be amended or changed, without adversely affecting the status of the sign as a nonconforming sign.

**Section 8. Severability and Captions.** This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**Section 9. Repeal.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**Section 10. Effective Date.** This Ordinance is ordered to take effect seven (7) days following publication of adoption in *Oceana's Herald-Journal*, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

ROLL CALL VOTE:

YES:

NO:

Declared adopted on: [\_\_\_\_\_].

\_\_\_\_\_  
John Hendrixon, Township Supervisor

\_\_\_\_\_  
Marilyn Glover, Township Clerk

- b. A billboard shall be located at least three hundred (300) feet from another billboard. This distance shall not be measured from across a street.
  - c. A billboard shall be at least two hundred (200) feet from any intersection.
  - d. Not more than three (3) billboards may be located per linear mile of a public street, regardless of the fact that such billboards may be located on different sides of the public street. The linear mile measurement shall not be limited to the boundaries of the Shelby Community where the particular road extends beyond such jurisdictional boundaries.
  - e. Billboard structures having more than one billboard face shall be considered as two billboards and shall be prohibited in accordance with the minimum spacing requirements set forth herein. The following billboard arrangements are considered one billboard:
    - (1) Double-faced billboard structures and V-type billboard structures having only one face visible to traffic proceeding from any direction on the road; or
    - (2) Billboard structures having tandem billboard faces with two parallel billboard faces side by side and facing the same direction.
4. Area: The surface display area (sign face) of any side of a billboard may not exceed three-hundred fifty (350) square feet. No billboard shall exceed twenty-five (25) feet in width.
5. Height:
- a. On a vacant lot, the top of the billboard shall not exceed twenty (20) feet above the average grade of the ground on which the billboard is located or the grade of the abutting public street, whichever is greater.
  - b. On a lot with a main building, the top of the billboard shall not exceed thirty-five (35) feet above the average grade of the ground on which the billboard is located or the grade of the abutting public street, whichever is greater.
6. Lighting: A billboard may be illuminated, provided such illumination is confined to the surface of the sign and is so located as to avoid glare, upward light or reflection onto any portion of an adjacent street or highway, property, the path of on-coming vehicles, or any adjacent premises. Lighting of a billboard shall be of a continuous light and shall not have a flashing, intermittent, rotating, oscillating or similar effect.
7. Setbacks: Billboards shall comply with setback requirements for principal buildings of the district in which it is located, as measured to the nearest part of the billboard.
8. A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces, which can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of the structure, continued structural soundness, and continued readability of message.
9. Billboards shall comply with all applicable provisions of the Highway advertising Act of 1972, as amended.

I. Nonconforming Signs

Pole	1 per lot, in lieu of monument	48 square feet	20 feet	Yes	5 feet from all property lines
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<sup>1</sup> One (1) monument, or pole sign is permitted per property, regardless of the number of businesses there, except that one (1) additional freestanding sign (monument or pole) may be erected per road frontage when the development has parallel frontage on more than one (1) major road or corner frontages on major roads totaling over five hundred (500) linear feet.

<sup>2</sup> The maximum area of a wall or awning sign may be increased to 15% if the building wall facing a public street is located at least 100 feet from a road or public right-of-way or 20% if the building wall facing a public street is over 300 feet from the road or public right-of-way.

6. In the IND Industrial district, the following signs are permitted:

Type <sup>1</sup>	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Wall or Awning	1 per building wall facing a public street	10% of the building wall area, not to exceed 75 sq ft	N/A	Yes	5 feet from all property lines
Monument	1 per lot	48 square feet	10 feet	Yes	5 feet from all property lines
Pole	1 per lot, in lieu of monument	48 square feet	20 feet	Yes	5 feet from all property lines

<sup>1</sup> One (1) monument, or pole sign is permitted per property, regardless of the number of businesses there, except that one (1) additional freestanding sign (monument or pole) may be erected per road frontage when the development has parallel frontage on more than one (1) major road or corner frontages on major roads totaling over five hundred (500) linear feet.

H. Billboards. Billboards are permitted only in the C-2 General Business and IND Industrial districts after a Sign Permit has been obtained. All billboards must comply with the following standards: *(amended 2015)*

1. A billboard may be considered a principal or accessory use and shall be located on a parcel that meets the lot area and width requirements of the district in which it is located.
2. In addition to the application requirements Section 13.05 C, an application for billboard approval shall also include the following:
  - a. Distances from existing billboards;
  - b. Locations of adjacent residential districts and uses.
3. Spacing
  - a. Billboard structures shall be located at least seventy-five (75) feet from any Residential District or use.



3. In R-1, R-2, R-3, and R-4 Residential zoning districts, the following sign is permitted for all institutional uses:

Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Monument	1 per lot	32 square feet	8 feet	No	N/A

4. In the C-1 Central Business district, the following signs are permitted:

Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Wall or Awning; OR	1 per building wall facing a public street	10% of the building wall area	N/A	Yes	N/A
Monument (on N. Michigan Ave. and Maple St. only)	1 per lot, in lieu of wall or awning sign	12 square feet	4 feet	Yes	Front Yard: 10 feet
Pole or Monument (2nd, 3rd, 4th, and 5th Streets only)	1 per lot, in lieu of wall or awning sign	24 square feet for pole sign; or 12 square feet for monument sign	15 feet for pole sign; or 4 feet for monument sign	Yes	Front Yard: 15 feet

5. In the C-2 General Business and C-3 Highway Commercial districts, the following signs are permitted:

Type <sup>1</sup>	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Wall or Awning	1 per building wall facing a public street	10% of the building wall area <sup>2</sup> but not to exceed 75 sq ft	N/A	Yes	5 feet from all property lines
Monument	1 per lot	48 square feet	8 feet	Yes	5 feet from all property lines



- a. A property owner may place one (1) temporary sign with an area no larger than six (6) square feet on a lot at any time, for a time period not to exceed 30 consecutive days.
- b. A property owner may place a temporary sign no larger than six (6) square feet in one (1) window on a lot at any time, for a time period not to exceed 30 consecutive days.
- c. In addition to the temporary signs permitted above, the following signs may also be permitted:
  - (1) One (1) temporary sign may be located on a lot when the owner consents and that lot is currently being offered for sale or lease and shall be removed no later than 30 days after completion of the sale or lease of the property.
  - (2) One (1) temporary sign not exceeding twelve (12) feet may remain on the lot or parcel during a time period of thirty (30) days prior to an election date to ten (10) days after the election date.

10. One (1) construction sign per site is permitted, subject to the following restrictions:

- a. Construction signs shall not be larger than thirty two (32) square feet and shall not exceed twelve (12) feet in height.
- b. Construction signs shall not be erected until a building permit has been issued for the building or project which is the subject of the proposed sign and construction activity has begun.
- c. Construction signs shall be removed immediately upon issuance of any occupancy permit for the building or structure which is the subject of the construction sign.

G. Signs Permitted in Each Zoning District. Within the zoning districts indicated, only the following types of signs are allowed with an approved sign permit, except as elsewhere permitted by this Ordinance:

1. In all zoning districts, the following signs are permitted for home occupations:

Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Wall	1 per lot	8 square feet		No	N/A
Freestanding <sup>1</sup> (Township only)	1 per lot	8 square feet	5 feet	No	N/A

<sup>1</sup> A freestanding sign shall only be permitted if the home occupation is located at least 75 feet from a public right-of-way.

2. In all zoning districts, the following sign is permitted at an entrance to a residential development:

Type	Maximum Number	Maximum Area	Maximum Height	Illumination Permitted?	Minimum Setback
Monument	1 per public road frontage; but not to exceed 2 signs total	32 square feet per sign	6 feet	No	N/A

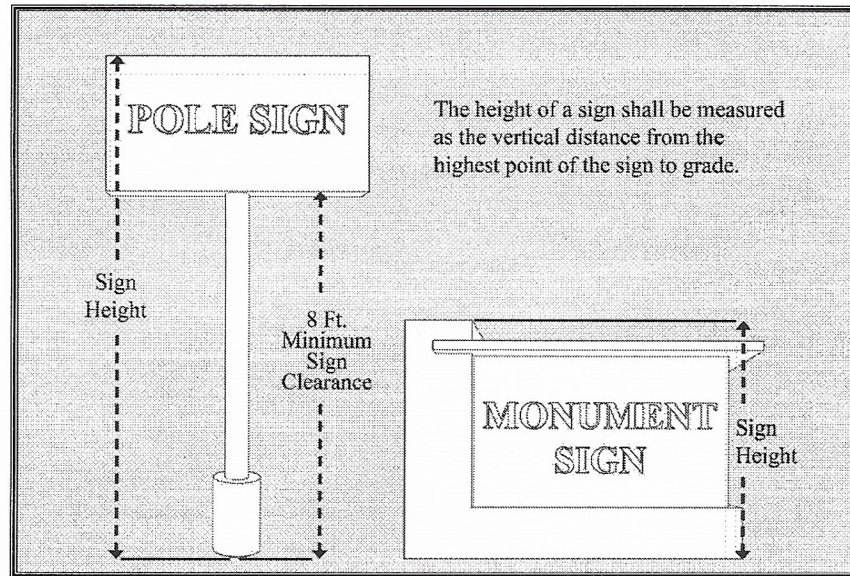
4. A sign using the words, "Stop", "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.
  5. A sign on parked vehicles where the sign is the primary use of the vehicle.
  6. Signs affixed to trees, shrubs, or similar natural features.
  7. Signs affixed to fences, utility poles, or structural elements not capable of supporting the signs.
  8. Roof signs.
  9. Signs located in, projecting into, or overhanging the public right-of-way or dedicated public easement, except:
    - a. Official traffic signs posted by a governmental agency;
    - b. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
    - c. Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the right-of-way; or
    - d. Any sign installed by a Community official or County Road Commission.
  10. Any sign which obstructs the ingress or egress from a required door, window, or other required exit.
  11. Temporary signs and devices including inflatable devices, pennants, pinwheels, searchlights or other devices with similar characteristics, except when used for periods not to exceed fifteen (15) days to announce an event. (amended July 2007)
- F. Exempt Signs. Except for the regulations of Section 13.05 D, the following signs shall be exempt from the provisions of this Ordinance:
1. Governmental signs.
  2. Signs erected by the Township, Village, county, state, or federal government for street direction or traffic control.
  3. Signs for essential public services denoting utility lines, railroad lines, hazards, and precautions, including flashing portable signs.
  4. Signs designating sites recognized by the State Historical Commission as Centennial Farms or Historical Landmarks.
  5. Memorial signs or tablets.
  6. Signs with an address and/or name of the owner or occupant, of not more than two (2) square feet in area, attached to a mailbox, light fixture, or exterior wall.
  7. Non-illuminated trespassing, safety, directional, caution or announcement signs or signs announcing the sale of produce each not exceeding two (2) square feet in area.
  8. Signs, pennants, flags, or banners used for holidays, public demonstrations for promotion of civic welfare, or charitable purposes wherein the same sign shall be used for not more than thirty (30) days.
  9. Non-illuminated temporary signs in accordance with the following requirements:



- c. The intensity and contrast of light levels on the electronic message board shall remain constant throughout the sign face. An electronic message board shall use automatic day/night dimming software or programming to reduce the illumination intensity of the sign at night.
  - d. The electronic message board shall not have flashing, blinking, or a similar effect and shall have a static display free of movement.
  - e. The message shall change no more frequently than once every six (6) seconds.
  - f. The brightness of an electronic message board, measured at the property line, shall not exceed 0.3 footcandles. An applicant proposing an electronic message board shall provide a photometric plan demonstrating compliance with this standard.
  - g. An electronic message board shall not be located within 100 feet of a parcel containing a residential principal use or a parcel in the AG, RR, R-1, R-2 or R-3 districts.
  - h. It shall be the responsibility of the owner on whose property the sign is located to present the Zoning Administrator documentation that the brightness of the electronic message board is compliant with this Ordinance within ten (10) days of installation.
- 5. Clear Vision Area. Signs shall not obstruct the clear view of traffic and no sign shall be placed in the clear vision area as described in Section 3.06 of the Ordinance nor in a similar clear vision area at the intersection of a public road with a driveway or private road.
  - 6. Except for governmental signs, no sign shall be placed in, or extend into, any public street right-of-way.
  - 7. All signs shall advertise only the business or activity conducted on the premises, with the exception of temporary signs and billboards.
  - 8. Installation and Maintenance. All signs and sign structures shall conform to all applicable codes adopted or enforced by the Shelby Community. Signs shall be installed in a workmanlike manner and be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frames, and fastenings free from deterioration, insect infestation, rot, rust, or loosening. All signs shall be kept neatly finished, including all metal parts and supports that are not galvanized or made of rust-resistant materials.
  - 9. Abandoned Signs. A sign that no longer serves the purpose for which it is intended, is abandoned, or is not maintained in accordance with applicable regulations of the Community shall be removed by the owner, or by the Township at the expense of such owner, within 30 days upon written notice by the Zoning Administrator.
  - 10. Substitution Clause. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
- E. Prohibited Signs. The following signs are expressly prohibited in all zoning districts:
- 1. A sign resembling the flashing lights customarily used in traffic signals, police, fire, ambulance, or rescue vehicle; signs which imitate official traffic directional signs or devices; or any sign that may obstruct a motorist's vision.
  - 2. Abandoned signs.
  - 3. Signs with flashing or moving illumination.

- d. Any sign, including any awning to which a sign is affixed or displayed, not resting directly on the ground shall maintain a minimum clear space of eight feet from the bottom of the sign to the ground.

Figure 24: Sign Height



3. Lighting. Signs that are illuminated shall comply with the following standards:
- a. Illumination shall be by steady, stationary, shielded light sources directed solely at the sign or internal to the sign.
  - b. Illumination shall not be flashing, blinking, intermittent, changing in color, changing in intensity, or an on-and-off type of lighting.
  - c. Illumination shall be arranged so that light is deflected away from adjacent properties so that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way, street easement, or any adjacent property.
  - d. Internal Illumination. Only the only the sign face shall be illuminated and shall be opaque so that individual lamps are muted and cannot be distinguished behind the sign face.
  - e. External Illumination. Any external lighting of signs shall be downward facing, shielded, or otherwise directed to illuminate only the sign face.
4. Electronic message boards shall be permitted in C-1, C-2, and C-3 Commercial districts, subject to special land use review and approval and following requirements: (*amended 2016*)
- a. The electronic message board shall not occupy more than 50% of the total area of the sign or 24 square feet, whichever is less.
  - b. The message(s) displayed on the electronic message board shall pertain to the principal use of the lot or parcel on which it is located.

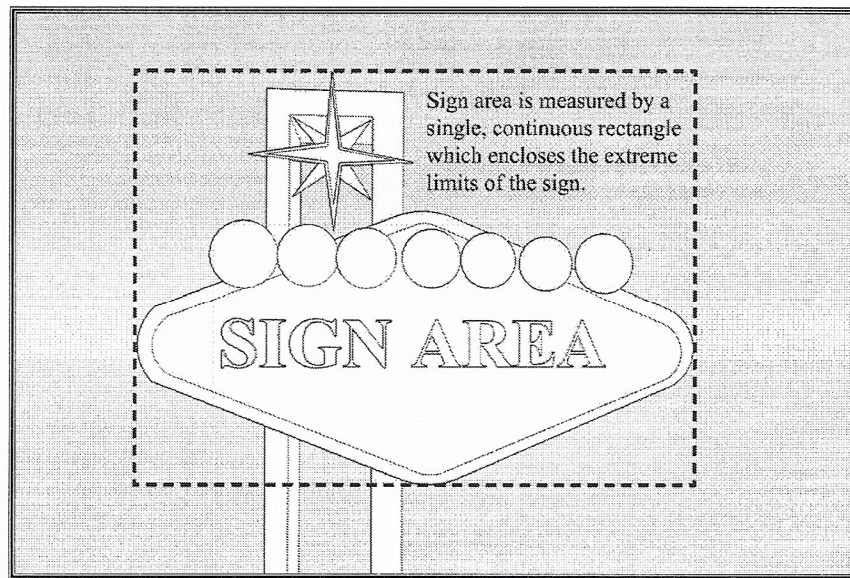


4. Expiration. An approved sign permit shall expire if the sign is not installed or under construction within six (6) months of the date of issuance of the sign permit. A new sign permit may be issued upon the filing of a new application and payment of the required fee. The Zoning Administrator may grant an extension of the sign permit not to exceed six (6) months if a substantial change in circumstances is found to warrant an extension.

D. Sign Regulations Applicable to All Districts

1. It shall be unlawful for any person to erect, place, maintain, or continue a sign upon any public lands in Shelby Township except in accordance with the provisions of this Ordinance.
2. Measurement of Signs
  - a. The area of a sign shall be measured as the area within a single, continuous rectangle that encloses the extreme limits of writing, representation, emblem, logo, and any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Such area shall exclude only the structure necessary to support the sign, unless the supports or uprights contain writing, representations, emblems, or any figure of similar character, in which case the area of such sign shall be computed within the total sign area.

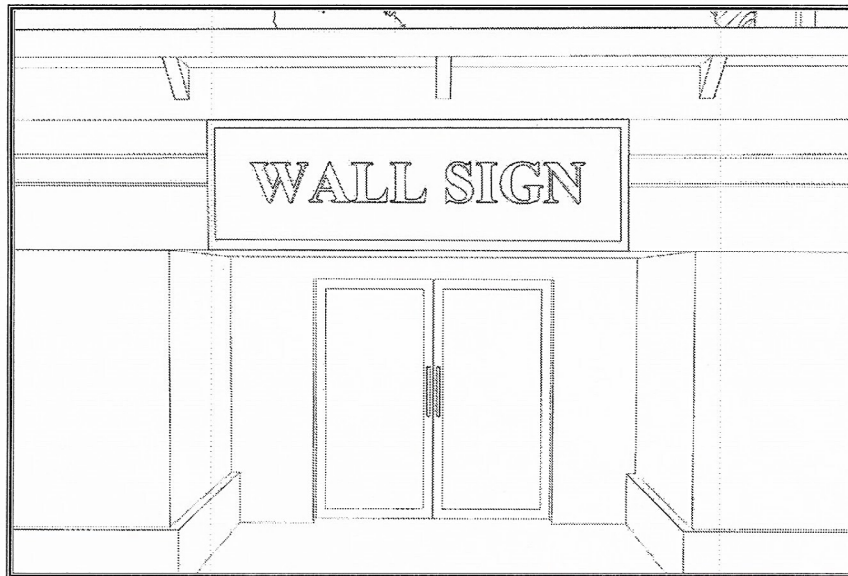
Figure 23: Sign Area



- b. Where a sign has two (2) or more faces, sign area shall be measured by including the area of all sign faces, except that if two (2) sign faces are placed back to back and are of equal size, the area of the two (2) back to back faces shall be counted as one (1) face. If the two (2) back to back faces are of unequal size, the larger of the two (2) sign faces shall be counted as one (1) sign face.
- c. The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the average grade of the ground immediately beneath the sign, whichever is less.

WALL SIGN. A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve (12) inches from the building or structure.

Figure 22: Wall Sign



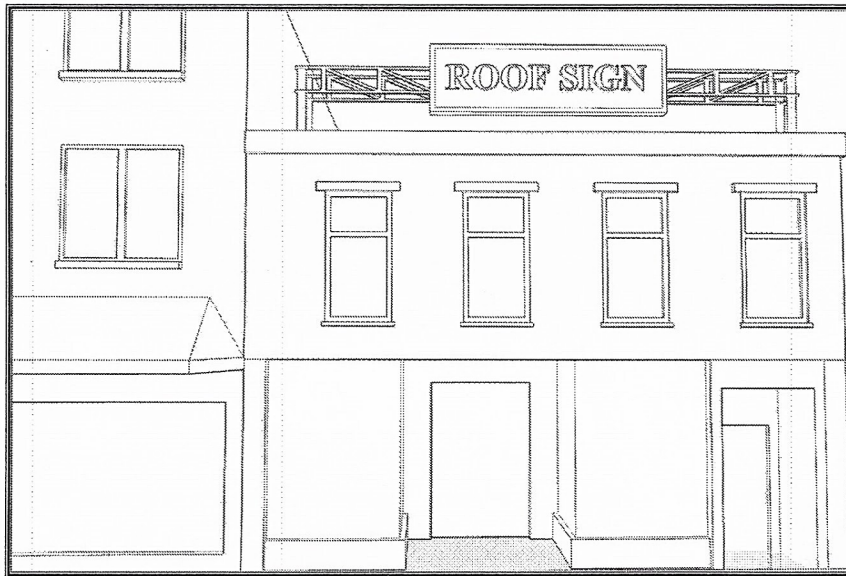
C. Permit Required

1. Unless otherwise provided by this Ordinance, a sign permit shall be required for all new signs, sign replacements, or alterations to existing signs. No permit is required for the normal maintenance or repair of a sign; for the change of copy on painted, printed, or changeable copy signs; or signs exempted under Section 13.05 F.
2. An application for a sign permit shall be made to the Zoning Administrator and shall include payment of a fee as established by resolution or other action by the Township Board. The application shall include the following:
  - a. A completed application on a form provided by the Township or Village, as applicable.
  - b. A sketch plan with the sign drawn to scale showing the sign's proposed location, relation to buildings and structures on the site, required setbacks from lot lines, specifications for the sign (area, height, lighting, etc.), and information on the method of construction and attachment to structures or the ground.
  - c. Sufficient other details to demonstrate that the proposed sign, including structural and electrical components, shall comply with the provisions of this Ordinance. Copies of any other required permit, such as an electrical permit, shall be submitted to the Zoning Administrator.
  - d. Any other information which the Zoning Administrator may require in order to determine compliance with this Ordinance.
3. The Zoning Administrator shall issue a sign permit if all provisions of this Section 13.05, other provisions of this Ordinance, and other applicable ordinances are satisfied.



**ROOF SIGN.** A sign which is erected, constructed, and maintained upon or above the roof, or parapet wall, to which it is connected.

**Figure 20: Roof Sign**



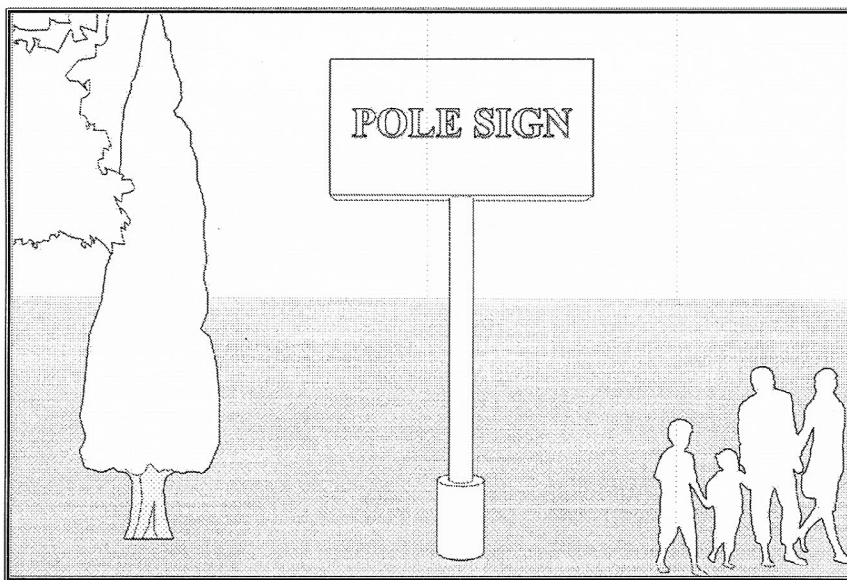
**WINDOW SIGN.** A sign that is applied or attached to the exterior or interior of a window or located in such a manner within a building that it can be seen from the exterior of the structure through a window.

**Figure 21: Window Sign**



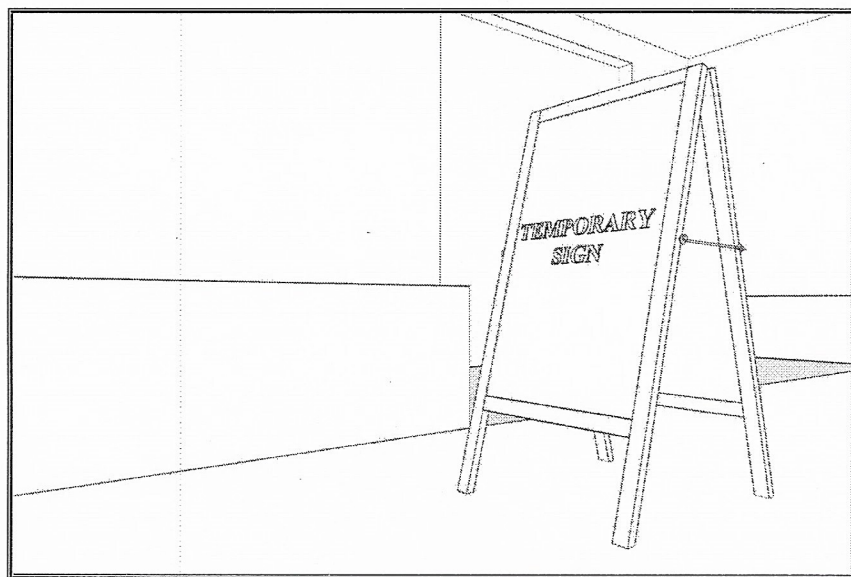
**POLE SIGN.** A freestanding sign which is supported by one (1) or more uprights in permanent footings with all parts of the display surface of the sign eight (8) feet or more above the grade at the base of the sign.

**Figure 18: Pole Sign**



**TEMPORARY SIGN.** A sign which is not permanently affixed to a building, structure, or the ground, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

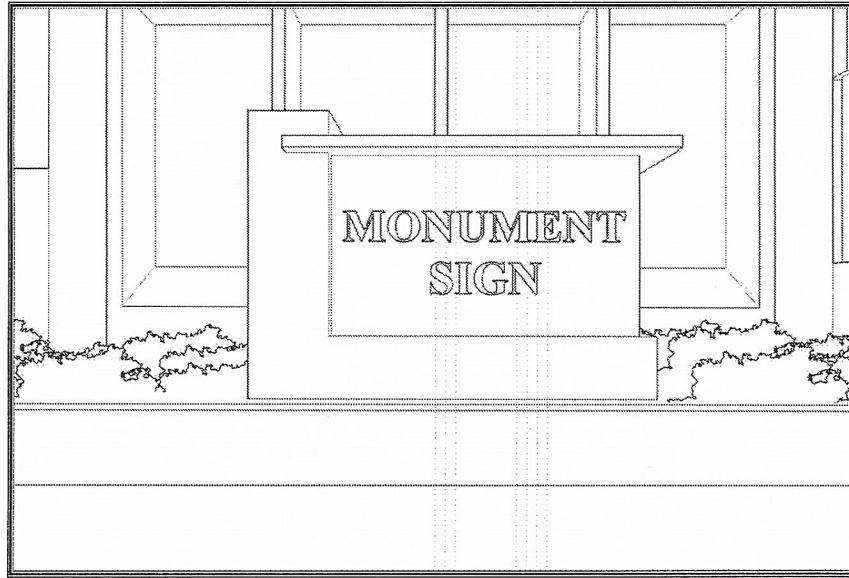
**Figure 19: Temporary Sign**





**MONUMENT SIGN.** A freestanding sign affixed to the ground with short supporting uprights, braces, or some other base with a full footing on the ground where the display surface is less than four (4) feet above the grade to the bottom of the display area.

**Figure 17: Monument Sign**

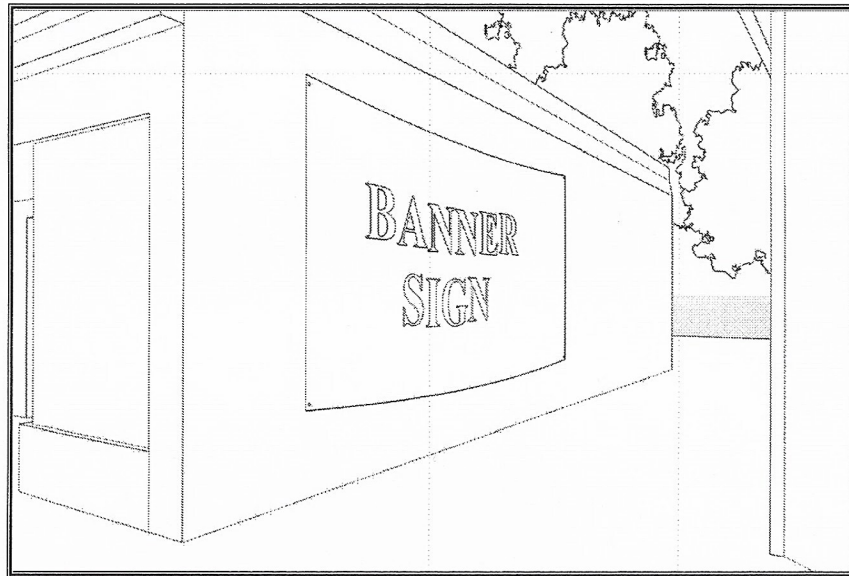


**OFF-PREMISE SIGN.** A sign located on a different parcel of land, lot, or premise than the location of the business, product, service, event, person, or subject being advertised.

**PENNANT.** A series of small, often triangular, tapering flags made of lightweight plastic, fabric, or other similar material often designed to move in the wind and used in multitudes as a device to call attention to a land use or activity.

**BANNER.** A temporary sign made of natural, flexible, synthetic, plastic, or other non-rigid material with or without a structural frame. Banner signs do not include pennants or flags.

**Figure 16: Banner Sign**



**BILLBOARD.** A sign structure which exceeds one hundred (100) square feet advertising a service, commodity, or establishment that is not sold, produced, manufactured, or furnished at the property on which the sign is located.

**ELECTRONIC MESSAGE BOARD.** A sign with a fixed or changing display or message composed of a series of lights that may be changed through electronic means, including an automatic lamp bank or mechanical means, e.g., electrical or electronic time and temperature units.

**FREESTANDING SIGN.** Any non-movable sign not affixed to a building and either supported by one (1) or more poles or braces, or attached directly to the ground.

**GOVERNMENT SIGN.** A sign that is constructed, placed, or maintained by the federal, state, or local government, or a sign that is required by the federal, state, or local government. Signs otherwise required by the state or federal government are also considered government signs (e.g., signs required for safety warnings, traffic control signs, etc.)

**ILLUMINATED SIGN.** Any sign designed to give forth artificial light, either internally through from a light source within such sign or externally by a light source aimed at its surface and shielded so that no direct rays are visible from any public right-of-way or from abutting property.



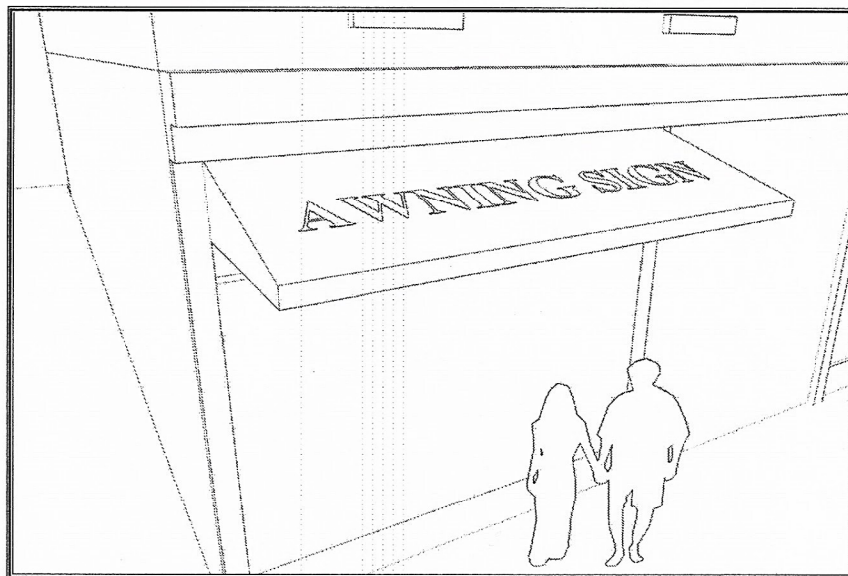
B. Definitions

**SIGN.** Any individual announcement, declaration, demonstration, display, illustration, insignia, surface or space that is affixed to, located on, painted, illuminated, or otherwise depicted on any structure, land, interior or exterior of a building in view of the general public for identification, advertisement or promotion of the interests of any person.

**ABANDONED SIGN.** A sign that no longer identifies or advertises a current business, service, owner, product, or activity conducted on the premises; a sign for which no legal owner can be found; or a sign that is dilapidated beyond repair.

**AWNING SIGN.** A sign which is part of, hung from the underside of, or attached to, a marquee, canopy, awning, or other covered structure projecting from and supported by a building, and which does not project horizontally beyond or vertically above the marquee, canopy, or covered structure.

**Figure 15: Awning Sign**



**SHELBY TOWNSHIP**  
**OCEANA COUNTY, MICHIGAN**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE SHELBY COMMUNITY ZONING ORDINANCE; TO AMEND SECTION 2.19 PERTAINING TO THE DEFINITION OF SIGNS; TO AMEND SECTION 5.04(A) PERTAINING TO SIGNS IN THE AG DISTRICT; TO AMEND SECTION 6.05 PERTAINING TO SIGNS IN THE RR, R-1, R-2, AND R-3 DISTRICTS; TO AMEND SECTION 7.04(B) PERTAINING TO SIGNS IN THE R-4 DISTRICT; TO AMEND SECTION 8.04(D) PERTAINING TO SIGNS IN THE C-1, C-2, AND C-3 DISTRICT; TO AMEND SECTION 9.03(D) PERTAINING TO SIGNS IN THE IND DISTRICT; AND TO AMEND SECTION 13.05 PERTAINING TO SIGNS.

**Section 1. Amendment of Section 2.19.** Section 2.19 of the Shelby Community Zoning Ordinance is amended such that the definition of "Sign" and all subsequent subsections (a) through (u) are deleted

**Section 2. Amendment of Section 5.04.** Section 5.04 of the Shelby Community Zoning Ordinance is amended such that section 5.04(A) pertaining to Signs is deleted in its entirety and subsequent sections are renumbered.

**Section 3. Amendment of Section 6.05.** Section 6.05 of the Shelby Community Zoning Ordinance is amended such that Section 6.05 is deleted in its entirety.

**Section 4. Amendment of Section 7.04.** Section 7.04 of the Shelby Community Zoning Ordinance is amended such that Section 7.04(B) is deleted in its entirety.

**Section 5. Amendment of Section 8.04.** Section 8.04 of the Shelby Community Zoning Ordinance is amended such that Section 8.04(D) is deleted in its entirety.

**Section 6. Amendment of Section 9.03.** Section 9.03 of the Shelby Community Zoning Ordinance is amended such that Section 9.03(D) is deleted in its entirety.

**Section 7. Amendment of Section 13.05.** Section 13.05 is amended to read in its entirety as follows:

**SECTION 13.05        SIGNS**

- A. Purpose. The sign provisions of this Ordinance are intended to regulate the size, number, location, and manner of display of signs in the Community, consistent with the following purposes:
1. To protect the safety and welfare of residents; to conserve and enhance the character of the Community; and to promote the economic viability of commercial and other areas by minimizing visual clutter.
  2. To prevent traffic hazards and pedestrian accidents caused by signs which obstruct vision or are distracting or confusing.
  3. To promote uniformity in the size, number, and placement of signs within zoning districts.
  4. To promote the identification of establishments and premises in the Community.