

**CITY OF UTICA  
COUNTY OF MACOMB, STATE OF MICHIGAN  
ARTICLE XV - SIGN REGULATIONS**

**Sec. 1500. - Statement of purpose.**

These regulations establish rules and standards for the construction, location, maintenance and removal of all signs except those exempted from regulation by this ordinance. Directional, emergency, or traffic related signs owned by city, county, state or federal government agencies are not regulated by this section. The execution of these regulations recognizes that the purpose of this chapter is to protect the interest of public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification and communication.

**Sec. 1501. - Exempt signs.**

The following shall be deemed to be excluded from the definition of "sign" as it applies to this ordinance:

1. Any single sign with an area of one square foot or less limited to two per premises.
2. Building markers, plaque signs, tenant directory signs, affixed restaurant menu signs, canopy signs pursuant to Section 1504.2, memorial tablets, historic designation signs or signs of a similar fashion.
3. Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal devices, or warnings at railroad crossings.
4. Signs required to be maintained by law or governmental order, rule or regulation; provided that they do not exceed 48 square feet.
5. Traffic control devices on private or public property, installed and maintained to comply with the Michigan Manual on Uniform Traffic Control Devices, and, if not, covered, with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.
6. Wall murals and similar graphics, subject to the review and approval of the city council.

**Sec. 1502. – Prohibited Signs**

It shall be unlawful for any person to erect, maintain, relocate or keep any sign as defined in this section.

1. A sign which copies or imitates or in any way approximates an official highway sign or carries the words "stop" or "danger;" or any sign which obscures a sign displayed by public authority for the purpose of giving traffic instruction or direction or other public information.
2. A sign which displays flashing or intermittent lights or lights of changing degrees or intensity unless each interval in the cycle is eight seconds or more and the sign does not constitute a traffic hazard.
3. A sign which obstructs any window or door opening used as a means of egress or prevents free passage from one part of a roof to any other part thereof. A sign which interferes with an opening required for legal ventilation.

4. A sign or illumination that causes any direct glare into or upon any building or property, other than the building or property to which the sign is accessory to.
5. Pennants, string flags, spinners, streamers and inflatable signs.
6. Except as may otherwise be provided in this section, no sign or any portion thereof shall be permitted which moves or assumes any motion constituting a nonstationary condition.
7. Abandoned signs.
8. Signs which are of a size, location, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal which obstruct the view in any direction at a street or road intersection.
9. Signs which contain statements, words, or pictures of an obscene, pornographic, or immoral character.
10. Signs which are painted on any fence.
11. Signs which emit audible sound, odor, or visible matter.
12. Marquee Signs.

### **Sec. 1503. – General provisions**

Except as otherwise provided, the following conditions shall apply to all districts and sign types:

1. *Applicability and effect.* Signs shall be permitted which are in accordance with:
  - a. The general provisions of the sign ordinance.
  - b. Section 201. Definitions.
  - c. Section 1504. Schedule of regulations.
  - d. The sign regulations for the district in which the sign is to be located.
  - e. All applicable provisions of the building and electrical codes of Utica as adopted, and all amendments thereto.
2. *Interpretation.* In this interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, and welfare.
3. *Existing agreements.* This ordinance shall not abrogate any private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards than such private agreements, the provisions and requirements of this ordinance shall govern.
4. *Substitution clause.* Noncommercial signs are allowed in all districts and may be substituted for any sign expressly allowed under this ordinance.
5. *Separability.* In accordance with the following, it is hereby declared that the several provisions of this ordinance are separable:
  - a. If any court of competent jurisdiction determines any provisions of this ordinance to be invalid, such determination shall not affect any other provision of this ordinance, not specifically included in the court's judgment order.

- b. If any court of competent jurisdiction determines any provision of this ordinance to be invalid as applied to any particular sign, such determination shall not affect the application of such provisions to any other sign not specifically included in the court's judgment order.
6. *Sign permits.*
- a. Prior to the erection or structural alteration of any sign, a building permit shall be secured from the city.
  - b. Application for initial sign permits shall be made upon forms provided by city and shall contain or have attached thereto the following information:
    - (1) Name, address, and telephone number of the applicant.
    - (2) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
    - (3) Position of the sign or other advertising structure in relation to nearby buildings or structures.
    - (4) Detailed sign plan in paper or electronic files (Adobe Acrobat PDF format) detailing the plans, specifications, building materials, method of construction and attachment to the building or to the ground.
    - (5) Name of person, firm, corporation or association erecting the structure.
    - (6) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
    - (7) Any building, electrical or structural permits required and issued for said sign. Application requesting the permits for the proposed sign must accompany the sign application.
    - (8) Such other information as the city shall require showing full compliance with the city ordinance.
  - c. Every applicant, before being granted a permit hereunder, shall pay to the city a permit fee for each sign or other advertising structure regulated by this chapter as may be established, by resolution, by the city council.
  - d. It shall be the duty of the city, upon the filing of an application for an erection permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all the requirements of this chapter and all other laws and ordinances of the city, the city shall then issue the erection permit. If the work authorized under an erection permit has not been completed within 12 months after date of issuance, the said permit shall become null and void.

- e. All rights and privileges acquired under the provisions of this ordinance or any amendment thereto are mere licenses revocable at any time by the city council.
7. *Computations.* The following principles shall control the computation of sign area (sign face), height, bulk, and placement.
- a. *Computation of area of individual signs.* The area of any sign shall be calculated as the area that includes any shape, writing representation, emblem, or colors used to display the sign's intended message. This does not include any supporting structure, framework, bracing, or wall that otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
  - b. *Computation of area of multi-faced signs.* The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, or similarly so that both faces cannot be viewed from any one point at the same time, the sign area shall be computed by the measurement of one of the faces.
  - c. *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of 1) existing grade prior to construction; or, 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.
8. *Placement, height and number restrictions.*
- a. No sign may extend above any parapet or roofline except as provided herein this chapter.
  - b. No sign may be located within the clear vision area or in a location deemed to be obstructive to motorists and non-motorist's vision of traffic or of traffic control signals as identified by city officials.
  - c. Except as otherwise provided herein this chapter, all signs must be setback a minimum of five feet from the property line and a minimum of five feet from any access drive.
  - d. Except as may be otherwise provided herein this chapter, the following sign number standards shall be applied to each business and/or parcel:
    - (1) There shall not be more than one freestanding sign for any one business or parcel with frontage on a single public street or two

freestanding signs for anyone business or parcel with frontage on two or more public streets.

- (2) There shall not be more than three total signs allowed for any one business or parcel unless said parcel consists of a multitenant or strip commercial styled development in which case each tenant is permitted one sign per business space.
- e. In the case of multiple story buildings, the following regulations shall be applied:
- (1) Ground floor tenants shall place signs at the storefront level, below the expression line separating the ground floor from the upper floors.
  - (2) Upper story tenants may only display window signs. Such window signs shall comply with Section 1504.6 of the Ordinance.
  - (3) A directory sign shall be permitted at ground level entrances and are exempt from the counting of total number of signs permitted per business or parcel.
9. *Building identification.* All buildings, including residential, shall have permanent conspicuous addresses with text that is legible. Residential properties must have text that is at least four inches in height; all other properties must have text that is at least eight inches in height. The city may require supplemental building identification or modify the size or location of such identification as deemed necessary to insure that each and every building is properly identified.
10. *Changeable messaging center (electronic and non-electronic) and Electronic Display Screen.* The use of changeable messaging centers or electronic display screens are permitted in the design of monument and pylon signs provided:
- a. The changeable message component of the sign shall not exceed 50 percent or 30 square feet of the total sign area, whichever is more restrictive.
  - b. The electronic message or image shall not change more frequently than once every eight seconds. Changes between messages shall be accomplished within one second or less.
  - c. The sign shall not contain full motion video or moving images.
  - d. The image or message shall not flash or scroll. Flashing, blinking or other visual effects are prohibited.
  - e. The LED or other light source of the electronic message board shall not be illuminated beyond the default settings of the manufacturer's brightness or dimming controls, nor create cross-boundary glare or have characteristics that impair the vision of motorists or pedestrians, or create nuisance for surrounding parcels. Solid white display backgrounds are prohibited.

- f. The sign shall have automatic dimming capabilities that adjust to the brightness of the sign to the ambient light levels at all times of the day and night.
- 11. *Materials.* Materials chosen and design selected for signs shall be consistent with the architectural design of the building they identify. All signs shall be maintained in a condition similar to that which existed at the time of their erection. At the least, all signs and all awnings shall be kept clean, free of missing or loose parts, free of blistering or peeling paint, and without missing or obsolete sign panels.
- 12. *Abandoned Signs.* All signs that are obsolete, due to the discontinuance of the business or activity advertised thereon, shall be removed within 30 days of the closure of said business or activity.

**Sec. 1504 – Schedule of Regulations – Permitted Signs (non-temporary).**

(As defined under Section 201, Definitions).

The following chart specifies those districts where the following signs are permitted:

Sign Types	Zoning Districts							
	Residential: R1-A, R1-B, R-2, R-3	Office: O-1	Central Business: C-1	General Business: C-2	Downtown Mixed Use: DMXD	Mixed Use: MXD	Industrial: I	Vehicular Parking: P-1
Billboard	N	N	N	N	N	N	Y	N
Canopy	N	Y	Y	Y	Y	Y	Y	N
Changeable Messaging Centers	N *see 1503(3)g	Y	N	Y	N	Y	Y	N
Monument	N *see 1504 (3)f	Y	Y	Y	Y	Y	Y	N
Pylon	N	N	N	Y	N	Y	N	N
Wall	N	Y	Y	Y	Y	Y	Y	N
Window	N	Y	Y	Y	Y	Y	Y	N
Projecting/ Hanging	N	N	Y	Y	Y	Y	N	N

- 1. *Billboards (non-accessory signs).*
  - a. Shall not exceed 250 square feet in area.
  - b. Maximum height of a billboard shall not exceed 50 feet.
  - c. Shall not be less than 250 feet from any residential use.
  - d. Shall be at least 1000 feet from another billboard.
  - e. No digital billboards or electronic display screens are permitted within the City of Utica.

- f. Shall follow all Michigan Department of Transportation and Federal Highway Administration regulations where applicable.
2. *Awning and Canopy Signs.*
- a. Canopies shall not project more than eight feet into the right-of-way but in no case closer than six feet to the curb line, or 18 feet from the pavement edge in case the pavement is not curbed.
  - b. A minimum under clearance of the sidewalk of eight feet shall be maintained.
  - c. Canopies hereafter erected shall, whenever practicable, match the established under clearance, height and projection of canopies which exist on abutting parcels.
  - d. Sign lettering and logos shall not comprise more than 30% of the total exterior surface of an awning or canopy.
  - e. Awnings and canopies may not be back-lit or contain any other kind of interior illumination.
3. *Monument signs.*
- a. Shall not exceed a sign surface area of 75 square feet on lots with less than 200 feet of linear road frontage.
  - b. Lots exceeding 200 linear feet of road frontage shall not exceed a sign surface area of 100 square feet.
  - c. Except as may otherwise be provided herein, monument signs shall be set back a minimum of five feet from any property line.
  - d. Monument signs may not exceed a height of five feet in the DMXD District, and eight feet in height in all other permitted districts.
  - e. No use may have more than one monument sign unless the development is located on a corner lot that fronts more than one major thoroughfare. In such cases one monument sign may be permitted on each road thoroughfare.
  - f. Monument signs are permitted in Residential Districts for the following uses: parks, institutional, civic, and to identify entrances to apartments, condominiums and subdivisions.
    - (1) The maximum sign area of each sign shall not exceed 40 square feet.
    - (2) The maximum height shall not exceed five feet.
  - g. Monument signs are permitted to have a changeable messaging center adhering to the standards set forth in Section 1503 (10) a-g governing Changeable Messaging Centers (electronic and non-electronic).
4. *Pylon signs.*
- a. Shall not exceed a sign surface area of 50 square feet.
  - b. Except as otherwise provided herein, pylon signs shall be set back a minimum of five feet from any property line.

- c. Pylon signs may not exceed a height of 20 feet. Pylon signs located on property which abuts both a controlled access highway and state or federal numbered highway may be erected above the plane of the pavement of the highest road at the intersection, provided such sign does not exceed a maximum of 40 feet in height.
- d. Pylon signs are permitted to have a changeable messaging center adhering to the standards set forth in Section 1503 (10) a-g governing Changeable Messaging Centers (electronic and non-electronic).

5. *Wall signs.*

- a. Central business district (C-1), general commercial (C-2), office (O-1) and industrial (I) district requirements.
  - (1) Flat wall signs may not project above the roof or parapet line and may not project more than 14 inches beyond the face of the wall of the building.
  - (2) Wall signs shall be attached to, and be parallel to, the wall of the building.
  - (3) Wall signs shall be limited in number to one wall sign per business for each wall having an individual means of access or is oriented towards and is visible from a public right-of-way. The maximum size of any such sign shall not exceed 15 percent of the building facade or 200 square feet, whichever is more restrictive.
  - (4) In the instance of several tenants utilizing a common public entranceway, an individual wall sign may be permitted for each business, placed over the common entrance so long as the total square footage of said signs does not exceed 15 percent of the building façade or 200 square feet, whichever is more restrictive.
- b. Mixed use development (MXD) requirements.
  - (1) Flat wall signs may project above the roof or parapet line, though not more than 5 feet, and may not project more than 14 inches beyond the face of the wall of the building.
  - (2) Wall signs shall be attached to, and be parallel to, the wall of the building.
  - (3) Wall signs shall be limited in number to one wall sign per business for each wall having an individual means of access or is oriented towards and is visible from a public right-of-way. The maximum size of any such sign shall not exceed 15 percent of the building façade or 300 square feet, whichever is more restrictive.
- c. Downtown Mixed Use (DMXD) development requirements.



- (1) The wall sign dimensional and placement standards as regulated by Section 1504(5)a of this ordinance shall be applied to all DMXD sign applications.
- (2) Signs shall be integrated with the building architecture in terms of size, shape, color, character, materials and lighting so that signs are compatible with the overall building design.
- (3) Signs shall be constructed using durable, high-quality architectural materials. Examples of materials include but are not limited to, treated wood, metal, stone such as slate, marble, sandstone, brick or gilded or sandblasted glass.
- (4) Sign colors shall blend with the building and storefront colors by selecting from complementary color ranges. Florescent or neon colors, or over-scaled letters shall not be used.
- (5) Back-lit, halo-lit illumination, or reverse channel letters with halo illumination are recommended for lighting purposes. Such signs convey a subtle and attractive appearance and are legible using a warm light, similar to sunlight. Lighting of signs shall avoid creating glare or light distribution that adversely affects motorists or pedestrians or surrounding properties.
- (6) For all newly constructed or exteriorly renovated buildings, an overall building sign design plan demonstrating the proposed aesthetic and structural qualities of the sign shall be approved by the Historic District Commission and the City Planning Commission.

d. Painted wall signs are subject to the dimensional requirements of the district that the parcel falls within.

6. *Window Signs.*

- a. Window signs may be permitted on the building's primary or secondary store fronts. Window signs will be exempt from the calculation of the total number of signs allowed per business and/or parcel referenced in Section 1503.8(d) so long as the window sign does not exceed 50% of the total building window façade. If a window sign exceeds 50% of the total building window façade, the window sign will count as one of the three total permitted signs referenced in Section 1503.8(d).

7. *Projecting/Hanging signs.*

- a. A projecting/hanging sign is a sign that is affixed to the face of a building or structure that projects in a perpendicular manner from the wall or surface of the building. The following standards shall be applied to the design and regulation of said window signs:

- (1) A projecting sign shall be small in scale, no greater than eight square feet in area, and provide for a minimum vertical clearance of eight feet and maximum vertical clearance of ten feet between the lowest point of the sign and the sidewalk
- (2) Mounting and hanging hardware shall be both attractive and durable, resistant to weathering, fire hazard and corrosion.

**Sec. 1505 – Schedule of Regulations – Permitted Temporary Signs.**

*Temporary Sign:* a free-standing sign, banner or other device, constructed of cloth, canvas, fabric, plastic, wood, paper or other material, with or without a structural frame, or any other sign intended for a limited period of display.

1. No permit shall be required for signs enumerated as follows by this paragraph. Such exemptions, however, shall not be construed to relieve the owner of the sign from responsibility for its proper location, erection and maintenance. The following shall be applicable to all exterior temporary signs:
  - a. Temporary signs(s) may be located only on private property with the property owner's permission.
  - b. Temporary signs(s) shall be setback not less than 5 feet from any property line, and in a manner so as not to project into or overhang any public right of way, driveway or sidewalk.
  - c. The location of a temporary signs(s) shall not impede on-site or off-site vehicular or pedestrian traffic.
  - d. *Size (area) limitations:* the total combined area of all temporary signs shall not exceed twelve (12) square feet.
  - e. *Height limitations:* No sign shall be greater in height than three (3) feet in residential districts and five (5) feet in all other districts.
  - f. *Number of signs:* One (1) or more temporary signs for each address may be displayed, up to the maximum permitted twelve (12) square feet in sign area.
  - g. *Method of display:* Signs shall not be attached to any building, utility pole, street sign, traffic signal pole, street light, hydrant or tree. Signs shall not block visibility at intersections, sidewalks or driveways. Signs shall be securely fastened to the ground.
  - h. *Prompt removal of damaged signs:* Signs are considered damaged if faded, rusting, or are unsecure in nature. Damaged temporary signs shall be replaced, repaired or removed promptly.
2. Temporary signs that exceed the standards described in Sec. 1505.1 (a-h) will require a permit and approval from Utica City Council. A comprehensive sign plan containing dimensions, location and timeframe must be submitted to the City of Utica.

3. Human Directional Signs require a permit from the City of Utica and are limited to the following districts: central business district (C-1), general commercial (C-2), and mixed use development (MXD).
  - a. Limited to 4 events per calendar year.
  - b. Display period not to exceed 15 consecutive days.
  - c. Human directional signs shall be limited to one individual per business.
  - d. Human directional signs shall be exclusively located on the establishment's property, and must be setback a minimum of five feet from the property boundary.
  - e. Human directional signs shall be positioned outside of the public right-of-way and shall not impede pedestrian or vehicular traffic.
4. Vehicular signs: It shall be prohibited to park, place or store a vehicle or trailer on which there is a vehicular sign on private or public property for the purposes of advertising a business or products or for the purpose of directing people to a business or business activity.
  - a. *Presumption.* There shall be a presumption that the above subsection (4) has been violated if the motor vehicle sign is visible from the street and one or more of the following circumstances exists:
    - (1) The motor vehicle is attached to a vehicle or trailer that is unregistered or not operable.
    - (2) The vehicular sign is larger in any dimension than or extends beyond any surface of the vehicle or trailer to which it is attached.
    - (3) The vehicular sign is attached to a vehicle or trailer that is parked or stored in a public right-of-way or an area not designed, designated, or commonly used for parking.
    - (4) The vehicular sign is attached to a vehicle or trailer that is regularly parked or stored in a "front yard" or "side yard", as such terms are defined in section 201, that abuts a street, when there are other areas of the property designed or available for the parking or storage of the vehicle or trailer that are not visible from the street or do not abut streets.
    - (5) The vehicular sign is attached to a vehicle or trailer that is regularly parked or stored within 50 feet of a street when there are other areas of the property designed, designated, or available for the parking or storage of the vehicle or trailer that are more distant from the street or not visible from the street.
  - b. *Rebuttal presumption.* The presumption set forth in subsection (a) above, may be rebutted by evidence showing all of the following:

- (1) The vehicle is temporarily parked in a particular location in the course of conducting personal activities or business activities that involve loading or unloading of goods for customers, providing services to off-site customers, conducting off-site business, or engaging in work breaks.
- (2) The activities in subsection (1) above, are being actively undertaken during such periods of parking.
- (3) The activities in subsection (1) above, require the presence of the vehicle for purposes of transporting equipment, people, supplies and/or goods necessary for carrying out such activities.
- (4) The activities in subsection (1) above, are not, other than incidentally, related to advertising, identifying, displaying, directing or attracting attention to an object, person, institution, organization, business, product, service, event or location.

Sec. 1506. – Nonconforming signs.

Subject to the remaining restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this article may be continued.

1. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such manner as to aggravate the nonconforming condition, nor may illumination be added to any nonconforming sign.
2. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this article.
3. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this chapter, and the remnants of the former sign structure shall be cleared from the land. For purposes of this section, a nonconforming sign is "destroyed" if damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged.
4. The message of a nonconforming sign may be changed so long as this does not create any new nonconformities (for example, by creating an off-premises sign under circumstances where such a sign would not be allowed).
5. Subject to the other provisions of this section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed 50 percent of the present day replacement cost of the sign.
6. If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed

within 30 days after such abandonment by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

7. If a nonconforming non-accessory sign (billboard) remains blank for a continuous period of 90 days, that billboard shall be deemed abandoned and shall, within 30 days after such abandonment, be altered to comply with this article or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign. For purposes of this section, a sign is "blank" if:
  - a. It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or
  - b. The advertising message it displays becomes illegible in whole or substantial part; or
  - c. The advertising copy paid for by a party other than the sign owner or promoting an interest other than the rental of the sign has been removed.

\_\_\_\_\_  
Mayor of Utica

\_\_\_\_\_  
Date

I, \_\_\_\_\_, the undersigned Clerk of the City of Utica hereby certify that the foregoing ordinance was duly adopted by the City Council for the City of Utica at a regularly scheduled council meeting held on \_\_\_\_\_, 2019, by the following votes of the membership thereof:

Motioned by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

I, the undersigned Clerk of the City of Utica, do hereby certify that on \_\_\_\_\_, 2019, the foregoing ordinance, or summary thereof, was duly published in \_\_\_\_\_, a newspaper having general circulation within the City of Utica.

\_\_\_\_\_  
City of Utica Clerk

\_\_\_\_\_  
Date