



CITY OF MARINE CITY

Historical Commission Meeting Agenda

Guy Community Center, 260 South Parker Street
Regular Meeting: Tuesday, October 18, 2022; 5:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Chairperson Kim Turner; City Commissioner Brian Ross; Commissioners William Beutell, Suzanne Jenken, Rosalie Skwiers, Scott Tisdale, Andrew Pakledinaz; City Manager Holly Tatman
4. **COMMUNICATIONS**
5. **APPROVE AGENDA**
6. **PUBLIC COMMENT** *Anyone in attendance is welcome to address the Historical Commission. Please state name and limit comments to five (5) minutes.*
7. **APPROVE MINUTES**
 - A. Historical Commission Meeting – July 19, 2022
8. **UNFINISHED BUSINESS**
 - A. Progress Report – Creation of Historical District
9. **NEW BUSINESS**
 - A. Historic District Signage
10. **ADJOURNMENT**

**City of Marine City
Historical Commission Meeting
July 19, 2022**

A regular meeting of the Historical Commission was held on Tuesday, July 19, 2022 at 260 S. Parker Street, Marine City, MI 48039 and was called to order by Chairperson Kim Turner at 5:00 pm.

Present: Chairperson Kim Turner, City Commissioner Brian Ross, Commissioners William Beutell, Rosalie Skwiers, Scott Tisdale, Suzanne Jenken, Andrew Pakledinaz; City Manager Holly Tatman; City Clerk Shannon Adams

Approve Agenda

Motion by City Commissioner Jenken, seconded by Commissioner Ross, to approve the Agenda. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Skwiers, seconded by City Commissioner Tisdale, to approve the minutes from the June 1, 2022 Historical Commission Special meeting. All Ayes. Motion Carried.

Communications

None.

Public Comment

None.

Unfinished Business

None.

New Business

Creation of a Historical District

Chairperson Turner opened the discussion by explaining a vision that included creating a Historical District which would encompass the Nautical Mile District and South Water

Street. City Commissioner Ross explained that the Nautical Mile District was an overlay district recognized in the Master Plan.

City Commissioner Ross expressed the idea of creating a list of historically contributing properties within the existing Nautical Mile District and even extending the proposed district to the marina. The goal of the list would be to identify any property within it that was valued by the City and to encourage owners or potential buyers to preserve historical buildings rather than tearing them down. City Commissioner Ross explained that a specific historical district had requirements defined by the State that made it restrictive whereas his plan would be to attach a historically contributing property list to the Ordinance creating the Nautical Mile District.

Commissioner Jenken inquired as to what an overlay district meant. City Manager Tatman explained it was a district within the City with a special code but the underlying existing zoning requirements remained.

Commissioner Jenken questioned how the proposed district would be regulated. City Commissioner Ross explained that per the State of Michigan Historic Preservation Office (SHPO) if the identified area became a district, then there would be very restrictive zoning requirements pertaining to property development and that changes in the district would need to be approved by the Historical Commission. He stated that, in the past, the City had not in favor of that type of restrictiveness placed on properties.

Commissioner Beutell commented that a list was a nice idea, but did not prevent owners of historic properties from tearing down historic buildings. City Manager Tatman indicated that an Ordinance could be created with the list of identified properties attached to add requirements to the overlay district. She also explained that once the Ordinance went into effect, owners of properties in the district would have to submit a site plan to the Planning Commission to approve and sign off on changes.

Commissioner Pakledinaz indicated that the beginning step should be to create the list of historically contributing properties in order to decide whether to pursue an Ordinance. City Commissioner Ross suggested creating criteria for a historically contributing property and then divide the area amongst the Commissioners to make lists and take photos. City Commissioner Ross stressed the importance of the City being described by visitors and residents as having historic charm and that the list would convey that importance to owners and new buyers to encourage that they maintain and even revitalize their buildings to support that description.

Commissioner Pakledinaz questioned whether residential or just commercial properties would be included. City Commissioner Ross indicated that it was more difficult to get the residential areas included but that starting with the Nautical Mile District was easiest since it already existed.

Chairperson Turner mentioned that SHPO was not a fan of having holes in a historic district and preferred them to be contiguous. City Commissioner Ross reminded the Commission that SHPO's requirements were such that if the property was designated historic it meant it was contributing in "as is" condition. Commissioner Jenkin stated that a historic district could have non-contributing elements and that they had to be defined in a list of properties as to what was contributing and what was non-contributing. City Commissioner Ross stated that not following the State's restrictive requirements for a historic district would make it easier to create a historically contributing area through an Ordinance as part of the Nautical Mile District. Chairperson Turner stated that the Commission could organize smaller groups and assign tasks related to identifying properties as historically contributing via email communication and that other willing parties could be recruited to help with the task.

Motion by Commissioner Ross, seconded by Commissioner Beutell, to work together to research and identify historically contributing structures within the Nautical Mile overlay district. All Ayes. Motion Carried.

Adjournment

Motion by Commissioner Beutell, seconded by Commissioner Skwiers, to adjourn at 5:45 pm. All Ayes. Motion Carried.

Respectfully submitted,

Shannon M. Adams
City Clerk

Clerk

From: Kim Turner <[REDACTED]>
Sent: Monday, October 10, 2022 9:48 AM
To: Clerk
Subject: Agenda item for Historic Commish

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Hi Shannon,

Agenda item 3, last one.

The board needs to develop guidelines for signage in the Historic district. This is the complete section on signs from the city codes and ordinances. Our board can start with these and add historic district specific conditions.

This should be added to the Historic District ordinance codes, when completed.

Please update the codes if there are any recent changes not currently on the website.

Again, let's get this process started and hopefully finished by the next board meeting in January.

Much obliged,

Kim Turner

§ 160.220 SIGNS.

(A) This section regulates signs in Marine City that are on lands open to the public, visible from public road rights-of-way, private roads, public facilities, trails open to the public, and navigable waterways. It is a basic tenet of this division that unrestricted signing does not benefit either private enterprise or the community-at-large. Depending on their size, numbers, and character, signs may attract or repel visitors, affect the visual quality enjoyed by daily residents, affect the safety of vehicular traffic, and define the character of the area. Thus aesthetic considerations impact economic values as well as public health, safety, and welfare. Therefore this division of this section sets standards for the following purposes:

- (1) Maintain and enhance the visual quality of the community.
- (2) Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and directional or warning signs.
- (3) Support and complement the land use objectives of the City Master Plan and this ordinance.
- (4) Protect and enhance economic viability by assuring that the city will be a visually pleasant place to visit or live.
- (5) Protect property values and private/public investments in property.
- (6) Protect views of the natural landscape and sky.
- (7) Avoid personal injury and property damage from structurally unsafe signs.
- (8) Provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention.
- (9) Reflect the primary purpose of signing as being the identification of a particular user or use on a property, but not necessarily every activity or service performed thereon.
- (10) Avoid excessive signing in order to give each business or use optimum visibility to passer-by traffic and if possible, prevent clutter, and to prevent 1 sign from blocking the view of another sign.
- (11) Achieve some uniformity and balance in the size, number and placement of signs.

(12) Accommodate special circumstances or events that may create a need for temporary signs for a limited and reasonable time period.

(B) It is, therefore, within the health, safety and welfare responsibility of the city that this section is promulgated.

(1) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SIGN. Any announcement, declaration, display, billboard, illustration and insignia when designed and placed so as to attract general public attention. **SIGN** shall include any banner, bulbs or other lighting devices, streamer, pennant, inflated or deflated membrane device, propeller, flag and any similar device of any type or kind whether bearing lettering or not.

1. **AWNING SIGN.** Any sign that is part of, or attached to, a canopy, awning or other fabric, plastic, or structural protective cover over a door, entrance, window or outdoor service area and which does not extend vertically or horizontally beyond the limits of the canopy. For the purposes of this definition, a canopy shall be defined as a shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework.

2. **BALLOON SIGN.** A temporary sign that is lighter-than-air or gas-filled attached by means of a rope or tether or other device to a definite or fixed location.

3. **BANNER SIGN.** A temporary sign of lightweight fabric or similar material that is attached to a building or other structure.

4. **GROUND SIGN.** A permanent display sign supported by 1 or more columns, uprights or braces or mounted directly in and upon the ground surface and having a height not in excess of 6 feet.

5. **MARQUEE SIGN.** A sign on or attached to a permanent overhanging shelter that projects from the face of the building and is supported entirely by the building.

6. **MURAL.** A work of art or architectural detail, generally directly painted on a portion of a permanent structure.

7. **PERMANENT SIGN.** A sign intended to be used indefinitely, or used indefinitely without change, in the same state or place.

8. **PORTABLE SIGN.** A sign and sign structure which is designed to facilitate the movement of the sign from one zoning lot to another or from one location to another on the site on which it is located. The sign may or may not have wheels, changeable lettering and/or hitches for towing. Portable signs shall include signs designed in an A-frame fashion, having back-to-back sign faces, or similar signs which are located outside of a business on a daily basis and which are not permanently attached to the ground.

9. **PROJECTING SIGN.** A sign which is affixed to any building or structure, other than a marquee, and any part of which extends beyond the building wall or structure more than 15 inches.

10. **POLE SIGN.** A display sign supported by 1 or more columns, uprights or braces in the ground surface and having a height in excess of 6 feet.

11. **TEAR DROP FLAG.** A temporary sign with or without characters, letters, illustrations, or ornamentalions applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing. **TEAR DROP FLAGS** are generally a single sign attached to a support post and typically having a dimensional ratio of at least 4 high to 1 wide. Such signs are also known as feather flags, windfeather flags, or bow flags.

12. **TEMPORARY SIGN.** A sign, display or other informational device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, which is intended for a limited period of display.

13. **WALL SIGN.** A display sign which is painted on or attached directly to the building wall.

SIGN, ACCESSORY. A sign which pertains to the principal use of the premises.

SIGN, NONACCESSORY. A sign which does not pertain to the principal use of the premises.

SIGN ALTERATION. The changing, enlarging or relocating of any sign, excluding the changing of movable parts of an approved sign that is designed for such changes or the repainting or reposting of original display matter, shall be deemed an alteration.

ERECT. To build, construct, attach, hang, place, suspend, affix or paint.

(2) *General requirements for all signs.* The following conditions shall also apply to all signs erected or located in any use district:

(a) All signs shall conform to all codes and ordinances of the city and, where required, shall be approved by the Building Inspector and a permit issued.

(b) No sign, except those established and maintained by the city, county, state or federal governments, shall be erected, located or placed in, project into or overhang a public right-of-way or dedicated public easement. The owner of any sign which has been removed by the city from the right-of-

way because it is in violation of this provision shall pay to the city the actual costs of removal and storage or charges of \$5 per day, whichever is greater. If the sign is not claimed within 5 days, it shall be destroyed.

(c) No sign otherwise permitted shall project above or beyond the maximum height limitation of the use district in which located.

(d) No sign above a height of 2 feet shall be located within, project into or overhang the triangular area formed at the intersection of street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection.

(e) Accessory signs shall be permitted in any use district and may be located in the required front yard except as otherwise provided herein.

(f) Non-accessory signs shall be permitted only in I districts.

(g) Illumination of signs shall be directed or shaded downward so as not to interfere with driver visibility, become hazardous to traffic or the vision of persons on adjacent streets or property. Flashing or intermittent type signs shall not be permitted.

(h) Any sign, including framing, now or hereafter existing, which no longer advertises a bona fide business conducted or a product or entertainment, service or commodity offered or sold on the lot, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign shall be found within 30 days after written notice from the Building Inspector. Notice shall be sent to the property owner of record, as indicated in city tax rolls, by certified mail. The owner may petition the Zoning Board of Appeals for temporary approval to install blank sign faces when it can be demonstrated that the sign structure is likely to be reused by a future business and the sign framework is in sound structural condition.

(i) Connections to an energy source for lighting shall be in accord with all codes of the city and shall not be exposed in any way that may constitute a safety hazard to the public.

(j) A minimum of five (5) feet of unobstructed pedestrian access along the sidewalk shall be maintained at all times.

(3) *Exempt signs.*

(a) Signs not exceeding four (4) square feet in area and four (4) feet in height, measured from grade, when located along the edge of a driveway and intended to be visible from a public road. Only one such sign may be allowed at each driveway access to a public road and no such sign shall be allowed within the public right-of-way.

(b) Signs not exceeding two (2) square feet in area and six (6) feet in height, measured from grade, when located along the edge of, and intended to be visible from, an internal access driveway, internal pedestrian walkway, or off-street parking space.

(c) Non-illuminated wall signs, not exceeding two (2) square feet in display surface area and not exceeding one (1) per street frontage.

(d) Memorial signs or tablets which are either cut into the face of a masonry surface or constructed of bronze or other noncombustible material when located flat on the face of a building.

(e) Traffic, or other municipal signs, also private traffic control signs which conform to the requirements of the Michigan *Manual of Uniform Traffic Control Devices* .

(f) Signs located on properties registered as a National or State Historic Site, when in compliance with the Michigan State Historic Preservation Office's standards for National or State Historic Site plaques.

(g) Signs located on properties owned or controlled by essential service providers and generally required by federal or state laws or for public safety purposes.

(h) Signs required to be erected to meet federal or state laws when in compliance with the sign design and placement specifications of such federal or state laws.

(i) Non illuminated window signs, each not exceeding six (6) square feet in display area. Illuminated window signs, not exceeding two (2) square feet in display area and not more than two (2) such signs per frontage, may also be allowed. The total area of all window signs in a single window shall not cover more than twenty-five (25) percent of the area of such window.

(j) Flags, provided no more than three (3) flags are allowed per property and no single flag shall exceed fifteen (15) square feet in area. Flags may either be attached to ground-mounted flag poles anchored in concrete or affixed to a building. The height of the flag pole shall not exceed the height restriction of the zoning district in which it is located. Flags, whether ground-mounted or wall-mounted, shall be grouped in a single area of the site or building.

(k) Decorative holiday displays.

(l) Public artwork or murals with no commercial message.

(4) *Permitted signs by zoning district.*

(a) *R-1 A, R-1B, R-M and MHP district sign types allowed.*

1. One (1) wall and one (1) ground sign, or combination thereof, may be permitted for any permitted non-residential use or lawful nonconforming use within a residential district. Such sign shall not exceed twenty (20) square feet in surface area and six (6) feet in height.
2. One (1) sign per street frontage may be permitted by Zoning Administrator approval to be placed flat against a building within an apartment complex provided that it shall not exceed twelve (12) square feet in surface display area. Such a sign may be illuminated provided that the source of the light is not visible beyond the property lines of the parcel upon which it is located.
3. permanent ground sign may be permitted by Zoning Administrator approval for each separate street frontage occupied by a subdivision, apartment, multi-family development or condominium complex or for each means of entrance to the subdivision, apartment, multi-family development or condominium complex from a public road, provided that the sign and structure shall be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. No such sign shall exceed twenty (20) square feet in area and six (6) feet in height.

(b) *B-1, B-2, W-M and P-I district sign types allowed.*

1. *Ground sign.*
 - a. One ground sign shall be permitted per lot. However, if a lot fronts on 2 or more collector or arterial streets, a ground sign may be permitted for each such frontage, provided that such signs are separated by a minimum distance of 150 feet at any point on the sign.
 - b. Except as permitted above, not more than 1 ground sign may be erected accessory to any one development, regardless of the number of buildings, separate parties, tenants or uses contained therein.
 - c. For any frontage where a ground sign is permitted, such ground sign may be used in lieu of a pole sign, but not in addition to a pole sign.
 - d. Except as provided below, a ground sign shall have a sign area of not more than 1 square foot of sign area (per sign face) for each 3 lineal feet of street frontage up to a maximum of 50 square feet for a single face and 100 square feet for a total of all sign faces.
 - e. A ground sign shall not exceed 6 feet in height above the average grade of the immediately adjacent land upon which it is located.
 - f. The distance measured between the principal sign faces of any ground sign shall not exceed 18 inches at any point.
 - g. A ground sign shall be at least 10 feet from a building wall.
 - h. The minimum required setback for a ground sign from the property line separating the lot from the street shall be as follows:

Height of ground sign	Setback
Less than 2 feet	3 feet
At least 2 feet but less than 3 feet	6 feet
At least 3 feet but less than 4 feet	9 feet
At least 4 feet but less than 5 feet	12 feet
At least 5 feet but less than 6 feet	15 feet

- i. A ground sign shall be setback at least 3 feet from all other property lines, except that when abutting a residential district or residential use, it shall be setback a distance not less than its height.
 - j. Ground signs may be substituted for an equal number of pole signs. In such cases, ground signs may be increased in area by up to 20% from that permitted above.
 - k. Ground signs may be illuminated as required by division (B)(2)(i).
2. *Awning and marquee signs.*
 - a. Such signs may not project more than six feet into the public right-of-way nor be erected closer than three feet to any street curbline.
 - b. Any text, logos or other graphic representation qualifying as a sign which is placed on a canopy or marquee shall be included within the calculation of total permissible wall sign area.

c. A minimum clearance of eight (8) feet for canopies and ten (10) feet for marquees shall be maintained from ground level.

d. Canopies and marquees shall be permitted to be backlit only on those sides of the building which contain a public entryway or those having a pedestrian sidewalk immediately adjacent to the building.

e. Letters on a canopy or marquee sign shall not exceed twelve (12) inches in height.

f. The entire canopy shall be considered a wall sign when a translucent fabric canopy with signage is internally illuminated.

3. *Pole sign.*

a. Not more than 1 pole sign may be erected accessory to any 1 development regardless of the number of buildings, separate parties, tenants or uses contained therein.

b. It shall be unlawful to erect any pole sign to a height greater than 30 feet above the level of the street upon which the sign faces. The distance from the ground to the bottom shall be not less than 8 feet, and the sign shall be so erected as not to obstruct traffic vision.

c. Pole signs may be illuminated as required by division (B)(2)(i).

d. All pole signs shall be securely built, constructed and erected upon posts and standards at least 42 inches below the material surface of the ground and shall be embedded in concrete. Wood or wood products shall be of wolmanized or equal treatment.

e. All letters, figures, characters, items or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any sign shall be safely and securely built or attached to the sign structure. Loose or missing letters, figures, characters or items shall constitute a maintenance violation.

f. The distance measured between the principal faces of any pole sign shall not exceed 18 inches.

g. Sign height, setback and size for pole signs.

Maximum Height (feet)	Minimum Setback Required (feet)	Maximum Area* of Single Sign Face (in square feet)
13	13	50
14	18	56
15	20	62
16	22	68
17	24	74
18	26	80
19	28	86
20	30	92
21	32	98
22	34	104
23	36	110
24	38	116
25	40	122
26	42	128
27	44	134

4. *Wall signs.*

a. Wall signs may be provided on all street sides, front sides or parking lot sides of a building, and the total surface area of all wall signs shall not exceed 10% of the area of the front elevation

(including doors and windows) of the principal building or 3 square feet for each lineal foot of building frontage, or 100 square feet, whichever is less. Where a single principal building is devoted to 2 or more or commercial uses, the operator of each such use may install a front wall sign. The maximum area of each such sign shall be determined by determining the proportionate share of the front face (including doors and windows) of the principal building occupied by each such use and applying the proportion of the total sign area permitted from the front wall of the building; or the per cent agreed to by the occupants, total not to exceed the above area limitations. It is the responsibility of the applicant to provide the required information when applying for a sign permit.

b. The sign may be illuminated as required by division (B)(2)(i).

c. All wall signs of a greater area than 50 square feet shall have a have a surface or facing of noncombustible material.

d. Limitation on placement. No wall sign shall cover wholly or partially any wall opening nor project beyond the ends or top of the wall which attached.

e. No wall sign shall have a greater thickness than 12 inches measured from the wall to which it is attached to the outermost surface. Wall signs may project over the public right-of-way not to exceed 12 inches, provided clearance of not less than 7 feet 6 inches is maintained below the sign if the sign projects more than 4 inches. The sign shall not project above the roof line.

f. All wall signs shall be safely and securely attached to structural members of the building by means of metal anchors, bolts or expansion screws. In no case shall any wall sign be secured with wire, strips of wood or nails. The method of attachment shall be stated on the permit application. All plans for the erection of signs shall be submitted to the Building Inspector for review and approval and shall be further subject to all codes and ordinances of the city.

5. *Mural signs.* Mural signs which contain commercial messages, or images or messages which are associated with or related to a business, may be allowed after review and approval by the Planning Commission and are further subject to the following:

a. Only one wall of a building or structure may be used for the mural. The portion of the wall occupied by the mural shall not be greater than twenty-five percent (25%) of the total wall area.

b. Murals shall only be permitted on the side or rear walls of buildings.

c. Murals shall be allowed only on building walls that do not contain wall signs on the same wall as occupants of the building.

d. Murals depicting offensive or obscene materials, or partially nude or seminude persons, shall be prohibited.

e. Materials utilized in painting a mural shall have proven durability and shall be maintained or removed if not maintained.

f. The unauthorized inscribing, spraying of paint, or making symbols using chalk, dye, ink, paint, spray paint or similar materials on public or private places, structures, or other surfaces shall not be permitted.

(c) *I-1 and I-2 District sign types allowed.* All sign types allowed and as controlled for business districts, plus the following: non-accessory signs shall be permitted but shall not be located closer than 200 feet to any public right-of-way line or district zoned for residential use and provided further that there shall be not less than 1,000 feet between signs located on the same side of a right-of-way. In any I-1 District non-accessory signs shall not exceed 150 square feet in size on any one face, nor likewise, 350 square feet in any I-2 District. The height of any sign shall not exceed 30 feet.

(d) *NM-Nautical Mile District.* In addition to the requirements of this section, for uses located in the Nautical Mile overlay district, signs shall also conform to the provisions set forth herein.

(5) *Prohibited signs.* The following signs are prohibited within the city:

(a) String lights used in connection with business premises, other than holiday decorations;

(b) Any sign unlawfully installed, erected or maintained;

(c) Signs erected on any post tree, utility pole, public right-of-way or dedicated public easement or other object within any area, whether public or private;

(d) Any sign or banner erected upon or across any public right-of-way or dedicated public easement except by permission of the City Commission;

(e) Signs which incorporate in any manner any flashing lights;

(f) Any sign or other advertising structure upon which is displayed any obscene, indecent or immoral matter;

(g) Rotating signs;

(h) Signs on park-type benches;

(i) Any sign on the roof of any building;

(j) *Vehicles used as signs:* any sign on a motor vehicle or trailer which is parked in front of or at a business, or in such a manner that is visible from a public street or from a residential zoning district; and

(k) Any sign type that is not defined within this chapter shall be subject to review and approval by the city.

(6) *Temporary and portable signs.*

(a) Temporary signs, as defined herein, may be allowed within the R-IA, R-1B, R-M and MHP Districts, provided the following requirements are met. Portable signs, as defined herein, are not allowed within the R-IA, R-1B, R-M and MHP Districts.

1. No more than one (1) temporary sign may be allowed per street frontage. Up to one (1) additional temporary sign per street frontage is allowed during any of the below listed time periods:

a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election.

b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site.

c. During the time period where the property is actively listed for sale.

2. Temporary signs shall not exceed 6 square feet of display area and 4 feet in height.

3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.

4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.

(b) Temporary signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:

1. No more than one (1) ground-affixed temporary sign and one (1) building-affixed temporary sign may be allowed per street frontage. Up to one (1) additional ground-affixed or building-affixed temporary sign per street frontage is allowed during any of the below listed time periods:

a. During the time period starting when an election ballot has been certified by the County Clerk and extending 7 days after an election.

b. During the time period noted on a building permit issued by Marine City allowing for construction activities to occur on the site.

c. During the time period where the property is actively listed for sale.

2. Temporary signs affixed to the ground shall not exceed 16 square feet of display area and 10 feet in height. Temporary signs affixed to a building shall not exceed 20 square feet of display area nor more than 10 feet in any single dimension.

3. Temporary signs must be safely affixed, properly maintained and not allowed to become unsightly through disrepair or action of the elements.

4. The location of any sign permitted by this section shall not interfere with pedestrian traffic, driver safety, or handicap access.

5. Additional requirements for specific temporary sign types: The following specific sign types shall require permit approval by the Zoning Administrator for specified time periods which, in total, do not exceed 60 days in any one calendar year:

a. Banners, provided they are affixed to a building wall, over a permanent sign, or by other means necessary so long as the banner is stationary and safely supported.

b. Tear drop flags.

(c) Portable signs, as defined herein, may be allowed within the B-1, B-2, W-M, P-1, I-1 and I-2 Districts, provided the following requirements are met:

1. Such signs may be located outside for display only during regular business hours.

2. No more than 1 portable sign may be allowed per street frontage.

3. Portable signs shall not exceed 9 square feet of display area and 4 feet in height.

4. Portable signs must be properly maintained and not allowed to become unsightly through disrepair or action of the elements.

5. The location of portable signs shall not interfere with pedestrian traffic, driver safety, or handicap access.

(7) *Nonconforming signs.*

(a) All existing signs that do not conform to the provisions of this chapter shall be permitted to continue as nonconforming signs until such time as they are removed or until any changes are necessary, at which time they shall conform to the provisions of this chapter. The provisions of this division shall not apply to electrical maintenance and repainting.

(b) A nonconforming use shall not be permitted to add additional signs to the building or premises other than those existing. Signs on nonconforming uses shall be maintained in good repair or be removed, and such removal shall be conditional to divisions (B)(9) and (10) hereof.

(c) No permits for the installation, erection or placement of any new signs shall be issued while a nonconforming sign or an unlawful sign remains in use upon the same premises.

(8) *Enforcement.* This section shall be enforced by the Building Inspector or any employee designated by the City Commission.

(9) *Unsafe, damaged and unlawful signs.* Signs shall be subject to inspections, and when the condition of a sign is questionable, the owner or occupant shall obtain a professional engineer's report, certifying the condition of the sign. Failure to submit the report and make any specified corrections is a direct violation which will result in court action and order for the sign removal.

(10) *Sign maintenance.* The Building Inspector may forward to the prosecutor a violation report seeking a court order for the maintenance of the sign.

(a) *Maintenance.* All signs, including those for which a permit is not required, together with all their supports, braces, guys and anchors, shall be maintained in good working order and when not galvanized or constructed of approved corrosion resistant, noncombustible materials shall be painted when necessary to prevent corrosion. The exteriors of all signs, supporting members, painted surfaces, advertising materials and lettering shall be kept painted and in good repair so as to present a neat and orderly appearance and so as not to create visual blight within the city. All bulbs or component parts of the sign, including the electrical switches, boxes and wiring used in the illumination of the sign, must be well and in good repair. Loose or missing letters, figures, characters or items shall constitute a maintenance violation. Signs which lack maintenance shall be removed.

(b) *Housekeeping.* It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.

(11) *Sign permits required.* It shall be unlawful for any person to erect, repair, paint, alter or relocate any sign within the city, as defined in this section, without first obtaining a permit from the Building Inspector, with the exception of the following:

(a) *Signs for which a permit is not required.*

1. Exempt signs listed in division (B)(3).

2. Temporary signs as regulated by division (B)(6), unless otherwise specified therein.

(b) *Application for sign permit.* Applications for permits shall be made upon forms provided by the Building Inspector 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 and location of the sign or other advertising structure in relation to nearby buildings or structures;

4. Two blueprints or drawings of the plans and specifications and methods of construction and attachment to the building or in the ground;

5. Name of person, firm, corporation or association erecting the structure and as required by division (B)(2)(a) above;

6. Written consent of the owner where the sign is to be erected on vacant land;

7. In all cases where wiring is to be used in connection with the structure, it shall comply with the city's Electrical Code. The Electrical Inspector shall approve and affix his or her signature to the permit if it is deemed necessary by the Electrical Inspector;

8. Insurance policy or bond as required by division (B)(2)(a) of this section; and

9. Such other information as the Building Inspector shall require to show full compliance with this section and all other ordinances of the city.

(c) *Sign permit fee.* It shall be unlawful for any person to erect or alter any sign, except those signs specifically exempted herein, unless a permit shall first have been obtained from the Building Inspector for such erection or alteration and a permit fee paid to the city according to the schedule as shall be established from time to time by resolution of the City Commission.

(d) *Sign permit revocable at any time.* All rights and privileges accrued under the provisions of this section or any amendment thereto are mere licenses and may be revoked upon the violation of any of the conditions contained herein. If the work authorized under an erection permit has not been completed within 6 months after the date of issuance the permit shall become null and void and a new permit shall be necessary to continue the project. Partially completed signs, if abandoned, shall be removed by the erector upon notice from the Building Inspector.

(e) *Permit number.* Every sign hereafter erected shall have placed in a conspicuous place thereon, in letters not less than 1/2 inch in height, the date of erection, the permit number and the voltage of any electrical apparatus used in connection therewith.

(12) *Substitution clause.* The owner of any sign which is otherwise allowed under this section may substitute noncommercial copy in lieu of any other commercial or noncommercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage on a lot or allow the substitution of an off-site commercial message in place of an on-site commercial message.

(13) *Severability clause.* If any part, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this section is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the section.
 (Prior Code, App., § 1310) (Ord. 97-4, passed 8-7-1997; Am. Ord. 08-05, passed 10-2-2008; Am. Ord. 11-04, passed 8-4-2011; Am. Ord. 2018-007, passed 9-20-2018; Am. Ord. passed 10-21-2021)
 § 160.221 OBSCURING WALLS AND FENCES.

(A) For those Use Districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential district an obscuring masonry wall as set out below:

<i>Minimum Wall or Fence Use</i>	<i>Height Required</i>
<i>Minimum Wall or Fence Use</i>	<i>Height Required</i>
P-1 Vehicular Parking District	6' high masonry wall
Off-Street Parking Area (Other than P-1 Districts and not including One-Family Residential Districts)	6' high masonry wall
B-1, B-2, or W-M Districts	6' high masonry wall
I Districts—Open storage area, loading or unloading areas, service areas	6' to 8' high masonry wall
Hospital, ambulance and delivery areas	6' high masonry wall
Utility buildings, stations and/or substations except that in cases where all equipment is contained within a building or structure constructed so as to be similar in appearance to the residential building in the surrounding area, the board of appeals may waive the wall requirements	6' high masonry wall
All sites located in the R-M, B-1, B-2, W-M, I-1 and I-2 Districts shall enclose all trash collection sites utilizing dumpsters and/or 4 or more trash containers	6' high masonry wall with enclosed gate for access

(B) Required walls and fences shall be located on the lot line except where utilities interfere and except in instances where this chapter requires conformance with front yard setbacks. Required walls may, upon approval of the Board of Appeals, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the Board of Appeals in reviewing the request.

(C) (1) The walls and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this chapter and except the openings as may be approved by the Building Inspector. All walls herein required shall be constructed of materials approved by the Building Inspector, to be durable, weather resistant, rust proof and easily maintained and wood or wood products shall be specifically excluded.

(2) Masonry walls shall be erected on a concrete foundation which shall have a minimum depth of 42 inches below a grade approved by the Building Inspector and shall be not less than 4 inches wider than the wall to be erected.

(3) Masonry walls may be constructed with openings above 32 inches above grade provided such openings are not larger than 64 square inches and do not comprise more than 1/3 of the total area of that part of the wall located more than 32 inches above grade.

(D) (1) The Board of Appeals may waive or modify the foregoing requirements where cause can be shown that no good purpose would be served, provided that in no instance shall a required wall be permitted to be less than 4 feet in height.

(2) In consideration of requests to waive wall requirements between nonresidential and residential districts, the Board shall refer the request to the Planning Commission for a determination.

(3) In such cases as the Planning Commission determines the residential district to be a future nonresidential area, the Board may temporarily waive wall requirements for an initial period not to exceed 12 months. Granting of subsequent waivers shall be permitted, provided that the Planning Commission shall make a determination as hereinbefore described, for each subsequent waiver prior to the granting of such waiver by the Board.

(E) A permit shall be required prior to the erection of an obscuring wall or fence in accordance with § 156.20 of this code.

(Prior Code, App., § 1311) (Ord. 83-9, passed 11-3-1983; Am. Ord. 87-5, passed 5-7-1987; Am. Ord. 2019-002, passed 2-21-2019)