

## Chapter 20 SIGNS<sup>1</sup>

### **ARTICLE I. GENERAL PROVISIONS**

#### **Sec. 20-1. Preamble.**

The purpose of this chapter is to establish regulations and controls over the display of signs in the City of Sault Ste. Marie so as to protect the health, safety and general welfare of the people, prevent the obstruction of vision or confusion or misleading of traffic, provide for reasonable uniformity in advertising or sign display by class of use or zoning district and to promote the city's interest in enhancing property values and the attractive appearance of the city.

(Ord. No. 389-94, 12-19-94)

#### **Sec. 20-2. Scope.**

This chapter shall regulate the erection and maintenance of all signs in the City of Sault Ste. Marie, Michigan.

(Ord. No. 389-94, 12-19-94)

#### **Sec. 20-3. Definitions.**

The following definitions will apply in the interpretation, administration and enforcement of this chapter:

*Abandoned sign.* A sign which was erected on property in conjunction with a particular use which has been discontinued for a period of one hundred twenty (120) days or more, or a sign the content of which pertains to a time, event or purpose which no longer applies.

*Address sign.* A sign identifying a numerical designation commonly used to indicate the location of a building on a street.

*Awning.* A movable shelter supported entirely from the exterior wall of a building and which can be retracted, folded or collapsed against the face of the supporting building.

*Billboard.* A sign structure designed or intended to be used for posting, painting or otherwise affixing information advertising an establishment, merchandise, service or entertainment which is not sold, produced,

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<sup>1</sup>Editor's note(s)—Ord. No. 389-94, adopted Dec. 19, 1994, replaced and updated Ch. 20, §§ 20-1—20-90, to read as herein set out. Previously, Ch. 20 pertained to signs and derived from the Code of 1957; Ord. No. 25, adopted June 1, 1964; and Ord. No. 376-93, adopted Aug. 16, 1993. It should also be noted that numerous sections bore no history note.

Charter reference(s)—Authority to regulate signs, § 2.3(p).

Cross reference(s)—Advertising, Ch. 3; buildings and building regulations, Ch. 8; businesses and business regulations, Ch. 9; streets, sidewalks and other public places, Ch. 22; street name signs in subdivisions, § 23-67; zoning regulation of signs, App. A, § 10-1.17(1710).

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manufactured or furnished at the property on which the sign is located. A billboard may or may not have more than one face on the same structure.

*Canopy.* A permanently-roofed shelter covering a sidewalk, driveway or other similar area, which may be wholly supported by a building or may [be] wholly or partially supported by columns, poles or braces extended from the ground.

*Clearance.* The vertical distance from the lowest part of the sign face to the average ground level at the base of the sign.

*Development entry sign.* A sign identifying the name of a residential or industrial group of properties that constitute a unified development such as a subdivision.

*Directional sign.* A sign whose content identifies the entrances and exits of the premises.

*Directory sign.* A sign whose contents indicate the names of businesses and/or related customer services and facilities.

*Electronic message sign.* An electrical sign whose information can be changed or altered on a display composed of illuminated changeable segments.

*Flashing sign.* A lighted or electrical sign which emits light in sudden intermittent bursts.

*Freestanding sign (column sign, pole sign).* A sign solely supported by poles or braces in the ground.

*Ground sign.* A sign anchored to the ground similar to a freestanding sign but which has a monolithic or substantially uniform columnar line from grade to top of sign.

*Height of sign.* The vertical distance between the ground level at the base of the sign and the uppermost extremity of a sign.

*Incidental sign.* A small sign, emblem or decal providing incidental information about the use or service, such as credit card signs or a sign indicating hours of business.

*Marquee.* A permanent roof-like structure projecting over an entrance to a building.

*Marquee sign.* A sign attached to a marquee, canopy or awning.

*Nameplate.* A non-electric on-premises identification sign providing only the name, address and/or occupation of an occupant or group of occupants.

*Non-conforming sign.* A sign legally erected or displayed prior to the effective date of this chapter or subsequent amendments thereto which does not conform with the standards of this chapter.

*Off-premises sign (non-accessory sign).* A sign which is located on property and transmits a message pertaining to a product, use, occupancy or function which is not located on the same property as the sign.

*On-premises sign (accessory sign).* A sign which identifies the occupant of the premises or relates to the use, business, or profession conducted, or to a commodity, service or entertainment sold, offered, or provided on the premises.

*Painted wall sign.* A sign which is applied with paint or similar substance on the surface of a wall.

*Portable sign.* A sign not permanently affixed, anchored or secured to the ground or a structure on the lot it occupies; including trailered signs, tripod signs, and sandwich board signs.

*Premises.* Contiguous real property, whether or not titled or recorded as one (1) or more than one (1) property description, held under common ownership.

*Projecting sign (overhanging sign).* A sign which is attached to and projects at approximately an angle of ninety (90) degrees from a building wall or other structure not specifically designed to support the sign.

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*Roof sign.* Any sign erected over or on the roof of a building or, in the case of a building with a mansard roof, a sign which is above the top edge line of the mansard roof.

*Temporary sign.* A sign intended to be erected or displayed for a limited period of time.

*Sign.* Any device, structure, fixture or panel which is displayed with words, letters, figures, emblems, symbols or designs thereon for the purpose of identifying, providing directions, or advertising any establishment, product, goods or services and which is clearly intended to be visible from the exterior of a building.

*Wall sign (flat sign).* A sign which is attached directly to a building wall or dropped roof and which does not extend more than twelve (12) inches therefrom, with the exposed face of the sign in a plane parallel to the building wall.

*Window sign.* A non-temporary sign which is applied, affixed or attached to the interior or exterior of any building window.

(Ord. No. 389-94, 12-19-94)

#### **Sec. 20-4. Measurement of sign area.**

For the purpose of this chapter, sign area shall be the computed area of the background upon which the lettering, insignia or other devices are placed, such background including any frame or other materials or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. Supporting structures shall not be included in the area computation unless utilized as part of the total display area. For signs having two (2) sides, including signs placed back to back or in a "V" shape not exceeding forty-five (45) degrees at the apex of the "V" when viewed from above, the maximum display area shall be permitted on both sides, and the total area of one (1) side shall be deemed to be the total sign area.

- (1) Where the display area is the face of a building or a sign that has open spaces between the letters or insignia, the total sign area shall be measured by multiplying the height of the letters or symbols by the distance between the outer edges of the two (2) furthestmost letters or symbols.
- (2) Where a sign includes an arch or decorative extension outside of the sign face, such arch, extension or similar sign decoration shall be deemed to be part of the total sign area, and shall be calculated as fifty (50) percent of the area resulting from multiplying the total extent of the extension from the main sign face by the distance between the outer edges of the furthest extensions (including any open spaces between the extensions).

(Ord. No. 389-94, 12-19-94)

#### **Sec. 20-5. Signs exempted from the provisions of this chapter.**

The following signs shall be exempt from the provisions of this chapter:

- (1) Signs erected by the state, county or city giving directions to streets, places of interest, controlling traffic, establishing conditions of use for streets or public areas, identifying streets or highways, public entry signs, or signs required to be maintained or posted by law, governmental order, rule or regulation.
- (2) Governmental use signs erected by governmental agencies to identify or designate hours of activity or conditions of use for parking lots, recreational areas, parks, governmental buildings or other public spaces.

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- (3) Historical or similar signs designating sites or buildings recognized by city, state or federal historical agencies, including historic landmarks, memorial plaques, cornerstones, or names of buildings when cut in the masonry surface or when constructed of bronze or other similar material.
  - (4) Essential service signs denoting utility lines, railroad lines, hazards or precautions.
  - (5) Public bulletin boards, or message boards or informational locator signs erected by a public agency.
  - (6) Signs erected by the city or a non-profit organization sponsoring an approved community event on city property.
  - (7) House numbers identifying the address of a parcel of land or building.
  - (8) Nameplates displaying the name of the occupant of a building not exceeding one (1) square foot in area.
  - (9) Placards posted to control or prohibit hunting or trespassing not exceeding one (1) square foot in area.
  - (10) Flags or emblems of governmental, civic, philanthropic, educational or religious organizations.
  - (11) Temporary window signs.

(Ord. No. 389-94, 12-19-94)

## **Sec. 20-6. Prohibited signs.**

The following signs shall not be permitted or located within the city:

- (1) Any sign erected, constructed or placed within a public right-of-way, except as otherwise provided in this chapter.
- (2) Any sign which is not permitted by, or does not conform to the provisions of this chapter.
- (3) Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, context, coloring or manner of illumination; by obstruction of vision of drivers at any intersection, driveway or crosswalk; by obstructing or detracting from the visibility of any traffic sign or control device on a public street; by imitating or simulating any traffic control sign or device; or by confusing or misleading traffic.
- (4) Any sign which obstructs ingress or egress from a door, window, fire escape or other entrance or exitway.
- (5) Any sign or sign structure which is structurally unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance or abandonment, is not kept in good repair, or is likely to cause electrical shocks to persons likely to come into contact with it.
- (6) Any sign which is erected, painted or maintained on any tree, rock or other natural feature: fence, fence post, utility pole, bench, flower box or perimeter or privacy wall, except for city, state, county or utility company signs.
- (7) Any sign on a motor vehicle, trailer or other wheeled vehicle which is parked for the purpose of advertising a business, product or service.
- (8) Trailered, tripod, sandwich board and other portable business signs except as otherwise provided in this chapter.
- (9) Any sign which has any visible moving parts or visible motion. This section does not prohibit barber poles or a sign which rotates on a vertical axis.
- (10) Signs incorporating any flashing, moving or animated lights other than electronic message signs.

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(Ord. No. 389-94, 12-19-94)

### **Sec. 20-7. Signs in or over a public right-of-way.**

No sign shall be placed within or project over a public right-of-way except as set forth below:

- (1) Any sign erected by the state, county or city to control traffic or to provide directions to streets, places of interest, public or institutional facilities, or other public purposes as approved by the city.
- (2) Essential service signs denoting utility lines, railroad lines, hazards or precautions.
- (3) Projecting signs or the sign face of a freestanding sign as provided for in this chapter provided that the lowest part of such sign is no nearer the ground elevation than nine (9) feet.
- (4) Awnings. Canopies or marquees overhanging a public sidewalk, with or without a sign face, provided that awnings have no less than seven and one-half (7.5) feet of clearance, and canopies and marquees have no less than nine (9) feet of clearance, between the lowest projection of the awning, canopy or marquee and the surface of the public sidewalk.
- (5) Banners overhanging a right-of-way are permitted by non-profit organizations and service groups advertising community special events occurring in the city, subject to the approval of the city manager.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-8. Temporary signs.**

Temporary signs may be erected in accordance with the provisions of this section.

- (1) Sale, rent or lease signs erected to announce the sale or rental of property on which the signs are located, provided that such signs shall not exceed six (6) square feet in area for one- and two-family lots and buildings, thirty-two (32) square feet for subdivision developments containing a minimum of six (6) residential lots advertising building lots or dwellings for sale, thirty-two (32) square feet for multi-family or non-residential properties of one (1) acre or larger in size, and sixteen (16) square feet for all other properties.
- (2) One (1) construction sign, not exceeding sixty-four (64) square feet in area identifying the project, its owners, the architect, engineer, contractors, development agencies and financial institutions, etc., is permitted on the site under construction.
- (3) Temporary political signs or signs in connection with an election provided that such signs be removed within ten (10) days following that election day, and provided further that the maximum size for such signs be limited to eight (8) square feet for all residential zoning districts and thirty-two (32) square feet for all other zoning districts.
- (4) One (1) sign, not exceeding six (6) square feet in area, is permitted for a garage, rummage or estate sale or similar event, provided such sign is on the site of the sale, and provided that such sign may be erected and maintained for a period of not more than seven (7) days in any one ninety-day period.
- (5) On-site banners, pennants, spinners, streamers, string lights and the like may be permitted in connection with commercial promotional events for a period not to exceed thirty (30) days in any ninety-day period. Garlands, string lights and other related Christmas decorations are not limited or restricted by this provision.

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- (6) One (1) sign, not exceeding thirty-two (32) feet in area, identifying or announcing a single celebration, project or endeavor for any charitable, educational or religious institution, located entirely within the premises of that institution, is permitted for a maximum of thirty (30) days.

(Ord. No. 389-94, 12-19-94; Ord. No. 462-02, § 1, 11-4-02)

**Secs. 20-9—20-19. Reserved.**

## **ARTICLE II. SPECIFIC REGULATIONS**

**Sec. 20-20. Reserved.**

**Sec. 20-21. Residential district signs.**

Accessory signs for legally permitted uses in the RSV, R-I, R-IA, R-2, RM-1, RM-2 and R-3 zoning districts are permitted and regulated as follows, subject to the issuance of a sign permit as set forth in this chapter:

- (1) For home occupations permitted in a residential district, one (1) non-illuminated wall sign not to exceed four (4) square feet in area.
- (2) For tourist homes, tourist rooms or nursery schools, one (1) sign not exceeding six (6) square feet in area nor six (6) feet in height, provided that such sign may have exterior illumination when such illumination is screened from abutting residences. No sign may be erected nearer the front lot line than one-half (½) of the required front yard setback nor nearer the side lot line than the side yard setback.
- (3) For permanent development entry signs to a residential subdivision, one (1) ground sign not exceeding thirty-two (32) square feet in area, provided that such sign may have exterior illumination when such illumination is screened from abutting residences.
- (4) For an apartment complex of four (4) or more units, or a fraternity or sorority house recognized by Lake Superior State University, one (1) identification sign not exceeding sixteen (16) square feet in area, provided such sign may have exterior illumination when such illumination is screened from abutting residences.
- (5) For schools, churches, golf courses, hospitals, convalescent homes, funeral homes, museums, art galleries, airports and private and institutional recreation areas as may be permitted in one (1) or more of the residential districts, one (1) sign not exceeding thirty-two (32) square feet, provided such sign may have interior illumination, or exterior illumination when such illumination is screened from abutting residences.

(Ord. No. 389-94, 12-19-94)

**Sec. 20-22. Commercial district signs.**

Accessory signs for legally permitted uses in the B-1, B-2, B-3, T, O-S or P zoning districts are permitted and regulated as follows subject to the issuance of a sign permit as set forth in this chapter:

- (1) *Number and type of signs:* Each premises occupied by a business in a business zoning district is permitted the following signs, subject to the conditions and regulations controlling each type of sign:
  - a. All roof, marquee, canopy, projecting, window, nameplate and/or painted signs.

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- b. One (1) ground or freestanding sign.
  - c. Directional signs adjacent to each entrance or exit to a parking lot.
  - d. One (1) portable sign on a temporary basis.
  - e. Incidental signs.
- (2) *Wall, roof, marquee, canopy, projecting, window, nameplate and/or painted signs:*
- a. Maximum sign area for the total of all wall, roof, and/or painted signs shall not exceed three (3) square feet for each front foot of building face on a public street. In the B-2 district, no projecting sign shall exceed eighteen (18) square feet in area.
  - b. For roof signs, the maximum elevation above the roof or parapet for flat roofs, or above the eave for sloping roofs is four (4) feet. All roof signs shall be parallel to the face of the building.
  - c. The maximum elevation of the top of any sign above ground level shall not exceed twenty (20) feet.
  - d. A building fronting on more than one (1) public street may erect and maintain signs totalling three (3) square feet for each front foot of building face on each street, provided each building face is limited to a maximum of three (3) square feet of sign for each front foot of building facing such street.
  - e. Signs may be erected on any building wall, subject to the total maximum sign area for the building and for any one (1) wall as set forth herein.
  - f. No projecting sign, marquee, canopy or awning shall project horizontally from the face of a building for a distance greater than two-thirds ( $\frac{2}{3}$ ) the width of a sidewalk it overhangs, or four (4) feet in the B-2 district, ten (10) feet in all other districts, whichever is less, and must be set back a minimum of three (3) feet from the edge of the travelled way or road shoulder; provided that in cases where street trees have been planted or are planned to be planted by the city, no signs shall extend within a five-foot radius from the trunk of the tree.
  - g. No projecting sign, marquee, canopy or awning shall project horizontally from the face of a building for a distance greater than two-thirds ( $\frac{2}{3}$ ) the width of a sidewalk it overhangs, or ten (10) feet, whichever is less, and must be set back a minimum of three (3) feet from the edge of the travelled way or road shoulder; provided that in cases where street trees have been planted or are planned to be planted by the city, no such signs shall extend within a five-foot radius from the trunk of the tree.
- (3) *Ground or freestanding signs:*
- a. The maximum size of a ground or freestanding sign shall be as follows:
    - 1. For properties located in the B-1, O-S or P districts, a maximum size of sixty (60) square feet in sign area.
    - 2. For properties located in the B-2, B-3 or T districts, unless otherwise provided, and businesses located in an industrial district, a maximum size of one hundred (100) square feet in sign area.
    - 3. For properties located in the B-3 district and fronting on the I-75 business spur between the centerline of 16th Avenue and the I-75/Three Mile Road interchange, or on Three Mile Road between the I-75/Three Mile Road interchange and 14th Street West, or abutting the I-75 freeway, a maximum size of one hundred thirty-two (132) square feet in sign area for the first fifty thousand (50,000) square feet of building floor area, and an additional one (1)

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square foot for each additional one thousand (1,000) square feet of retail building floor area up to a maximum of three hundred fifty (350) square feet.

- b. A ground or freestanding sign shall not be nearer than three (3) feet from any property line.
  - c. Not more than one (1) ground projecting or freestanding sign may be erected accessory to any building, structure or shopping center regardless of the number of separate parties, tenants or uses contained therein on a single property or development, provided, however, where the property or development abuts two (2) streets, one (1) ground or freestanding sign is permitted for each such street frontage.
  - d. No ground or freestanding sign having a surface area of sixty (60) square feet or greater shall be erected within one hundred fifty (150) feet of another ground or freestanding sign having a surface area of sixty (60) square feet or greater on the same side of the street.
  - e. No freestanding sign shall exceed thirty (30) feet in height provided that in the case of a building, structure or shopping center with a total ground floor building floor area of one hundred twenty thousand (120,000) square feet or more, the freestanding sign shall not exceed forty (40) feet in height.
- (4) *Directional signs:*
- a. Directional signs or symbols pertaining to safety or movement on private property, such as "entrance," "exit," and the like, are permitted subject to a maximum size of six (6) square feet per sign.
  - b. Private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices are permitted.
- (5) *Portable signs:*
- a. One (1) portable sign not exceeding thirty-two (32) square feet in area, may be placed for a period not to exceed thirty (30) days in any ninety-day period.
  - b. A portable sign must be located on the commercial property and not interfere with any vision clearance nor cause any traffic hazard.
  - c. The portable sign shall not use flashing lights, flashing or moving arrows, or other intermittent lighting.
- (6) *Incidental signs:*
- a. Incidental signs are permitted which do not exceed two (2) square feet per sign which contain only noncommercial messages including designation of restrooms, telephone location and direction of door openings.
  - b. Gasoline service stations may display customary lettering or other insignia on a gasoline pump not exceeding a total of three (3) square feet per pump. Directional signs or lettering displayed over entrance doors or bays such as "lubrication," "repairs," "mechanic on duty" or the like are permitted, provided that the total area of each such sign does not exceed six (6) square feet in area.
  - c. Credit card signs.

(Ord. No. 389-94, 12-19-94; Ord. No. 510-09, § 1, 9-21-09)



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## Sec. 20-23. Industrial district signs.

Accessory signs for legally permitted uses in the I-1 and I-2 zoning districts are permitted and regulated as follows, subject to the issuance of a sign permit as set forth in this chapter:

- (1) Industrial uses:
  - a. Total area for wall, marquee, canopy, nameplate and/or painted signs, is a maximum of one hundred fifty (150) square feet of area for each building face fronting on a public street. Signs may be erected on any building wall subject to the total maximum sign area for the building and for any one (1) wall as set forth herein.
  - b. One (1) ground or freestanding sign with a maximum area of one hundred (100) square feet located no nearer than three (3) feet from any property line, nor higher than thirty (30) feet.
  - c. Directional signs or symbols pertaining to safety or movement on the property, such as "entrance," "exit," "loading," "receiving" and the like, are permitted subject to a maximum size of six (6) square feet per sign.

- (2) *Business uses in an industrial district:*

Business uses shall conform to the provisions of section 20-22. "Commercial district signs."

(Ord. No. 389-94, 12-19-94)

## Sec. 20-24. Non-accessory signs and billboards.

Billboards are permitted in the I-1 and I-2 zoning districts subject to the following conditions, and subject to the issuance of a sign permit as provided in this chapter:

- (1) For properties fronting on the I-75 Freeway between the International Bridge and Three Mile Road, no billboard shall exceed a sign area of six hundred seventy-two (672) square feet nor exceed a height of forty (40) feet.
- (2) For all other properties, no billboard shall exceed a sign area of three hundred (300) square feet nor exceed a height of thirty (30) feet.
- (3) No billboard shall be located nearer than one hundred fifty (150) feet to any residential zoning district.
- (4) No billboard shall be located closer than five hundred (500) feet to the nearest existing billboard on the same side of the street.
- (5) No billboard shall be located nearer than three (3) feet from any property line.

(Ord. No. 389-94, 12-19-94)

## Sec. 20-25. Illumination.

Unless otherwise provided in this chapter, signs may be provided with interior or exterior illumination subject to the following:

- (1) No illumination shall be permitted which casts glare upon any portion of any residential premises or residential zoning district.
- (2) The provisions of this section shall apply not only to exterior signs, but also to interior signs which are designed or placed to be visible from the exterior of the building.

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(3) No sign shall contain any moving, flashing or animated lights except electronic message signs.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-26. Special cases.**

- (a) Signs utilizing unusual foundations or mountings (such as vehicles or equipment), or which are attached to or painted on such unusual structures or mountings, may be permitted subject to the decision of the city manager and based on his findings that such sign meets the general intent and the size, area, height and location criteria established for more conventional signs in the same zoning district, and that such sign will not impair the property values of adjacent parcels nor adversely affect the general health, safety and public welfare of the community. The manager may impose such conditions on any approval of such a sign as he deems necessary, to insure reasonable equivalence with more conventional signs.
- (b) In cases where more than one (1) business utilizes a common vehicular entrance or exit and/or traffic control and safety are affected, the city manager may authorize one (1) or more directional signs, subject to a maximum of six (6) square feet per sign, even though such sign or signs may be off-premise to the property it is directing to.
- (c) Notwithstanding the sign size limitations in section 20-22(c) "Commercial district signs", the city manager may permit an increase in the maximum size of a freestanding sign to one hundred fifty (150) square feet for freeway service uses such as restaurants, motels, gasoline service stations, duty-free shops and the like where such use either abuts or is within seven hundred fifty (750) feet of the centerline of the freeway and such sign would be visible from the freeway.

(Ord. No. 389-94, 12-19-94)

### **Secs. 20-27—20-29. Reserved.**

## ***ARTICLE III. EXISTING SIGNS***

### **Sec. 20-30. Nonconforming signs.**

Signs lawfully erected prior to adoption of this chapter which do not meet the standards of this chapter may be continued if properly repaired and maintained as provided in this chapter and continue to be in conformance with other city ordinances. Such signs are nonconforming signs.

- (1) Any nonconforming sign shall not be enlarged, reworded, redesigned or altered in any way except to bring it into conformity with the provisions of this chapter, provided that a business which continues in the same location providing substantially the same services or products as the business to which the nonconforming sign is accessory, may alter such nonconforming sign to reflect the changed name of the business. Such alteration may only change the face of the sign and may not replace any structural members holding, anchoring or framing the face.
- (2) Any such sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed fifty (50) percent of the replacement value of the sign at the time of the destruction or damage, shall not be repaired or replaced except in conformity with the provisions of this chapter.

(Ord. No. 389-94, 12-19-94)

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**Sec. 20-31. Unsafe and unlawful signs.**

When any sign becomes unsecured, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this chapter, the owners thereof or the person or firm maintaining the sign shall, upon written notice of the administrating official, forthwith in the case of immediate danger and in any case within not more than ten (10) days, make such sign safe, eliminate the dangerous condition, or shall remove it.

(Ord. No. 389-94, 12-19-94)

**Sec. 20-32. Abandoned signs.**

An abandoned sign, including any support pole, mounting base, mounting brackets, etc., must be removed by the owner of the property upon which the sign is located.

(Ord. No. 389-94, 12-19-94)

**Sec. 20-33. Maintenance of signs.**

The owner of any sign shall ensure that such sign be kept in good repair and shall provide that such sign is properly painted or otherwise cleaned and washed, and that all parts and supports of said sign be cleaned or painted, unless the same are galvanized or treated to prevent rust.

(Ord. No. 389-94, 12-19-94)

**Secs. 20-34—20-39. Reserved.**

***ARTICLE IV. SIGN ERECTOR LICENSES<sup>2</sup>***

**Sec. 20-40. Chapter 14 applicable.**

The provisions of chapter 14, insofar as the same may be applicable and not in conflict, shall apply to and govern the issuance of any license under the provisions of this article.

(Ord. No. 389-94, 12-19-94)

**Sec. 20-41. Sign erector's license required.**

It shall be unlawful for any person to engage in the business of erecting, altering or removing, or installing signs for which permits are required by this chapter without first obtaining a license therefor and paying the fee required by section 14-6, provided, however, that a sign erectors's license shall not be required for the following signs:

- (1) Painted wall signs;

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<sup>2</sup>Cross reference(s)—Licenses and permits, Ch. 14.

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- (2) Interior window signs;
  - (3) Portable signs;
  - (4) Non-electric directional signs;
  - (5) Non-electric wall signs having a sign area of sixteen (16) square feet or less; and/or
  - (6) Non-electric ground or freestanding signs having a sign area of sixteen (16) square feet or less and an overall height of six (6) feet or less.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-42. Scope.**

The license to engage in the business of erecting signs shall be known as a sign erector's license and shall only be issued to those persons who show sufficient knowledge and experience to satisfy the building department as to their ability to erect signs in a safe and substantial manner in accordance with the provisions of this chapter.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-43. Examination, approval.**

No license shall be issued under this article until such applicant, or the partners, proprietors or officer in charge where the applicant is other than an individual, shall have been examined by the chief inspector as to the applicant's qualifications, and the chief inspector has approved such qualifications in writing.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-44. Proof of insurance.**

No sign erector's license shall be issued until the applicant provides proof of insurance, naming the city as additionally insured. The types and limits of such coverage shall be determined by the city clerk. The city shall be held harmless from any costs, damages or expense of any kind whatsoever which may be suffered by the city, or which may be put to, or which may accrue against it by charging to or recovering from the city from or by reason of the granting of the permission to erect such signs, or by reason of any acts or things done under or by the authorizing or permission granted to erect such signs in the city, or by reason of the negligence, failure or refusal of any person to comply with all the provisions of this chapter applicable to such signs. At any time the insurance of any sign erector lapses, the sign erector's license automatically becomes invalid or void.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-45. Changes.**

Holders of a sign erector's license shall notify the building department of any change in address and where a firm or corporation, of any change in ownership or management.

(Ord. No. 389-94, 12-19-94)

### **Secs. 20-46—20-49. Reserved.**

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(Supp. No. 49)

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## **ARTICLE V. CONSTRUCTION REQUIREMENTS**

### **Sec. 20-50. Application of city building code.**

In the absence of provisions governing details of construction of signs in this chapter, the provisions of the applicable standards in the building codes adopted by or applying to construction in the city (state construction code, existing structures code, mechanical code, and electrical code) shall apply. Unless otherwise provided, in those instances where there is a conflict between construction requirements, the more restrictive requirements shall apply.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-51. Protection of public in erection or removal; permit to barricade street.**

Before starting the erection or removal of any sign erected upon or over a street, alley, sidewalk or public place, or which involves the use of a street, alley, sidewalk or public place to achieve access to the sign, the sign erector shall protect the public from possible danger in connection with such sign work by adequately barricading the portion of the street, alley, sidewalk or public place to be used in erecting or removing such sign. A permit for such work in the public right-of-way, including any barricading, shall first be obtained from the city engineer.

(Ord. No. 389-94, 12-19-94)

### **Secs. 20-52—20-59. Reserved.**

## **ARTICLE VI. ADMINISTRATION AND ENFORCEMENT**

### **Sec. 20-60. Administration.**

The provisions of this chapter shall be administered by the city manager or by such department of the city as he may delegate for such work, such department head to be the administrating official of this chapter.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-61. Permits required.**

Except as provided in section 20-41, no permit for the erection or alteration of a permanent sign shall be issued to any person who is not a licensed sign erector under this chapter. No person shall erect or alter any sign without first obtaining a permit from the administrating official, except that no permit shall be required for the erection or alteration of the following types of signs:

- (1) Signs exempted from the provisions of this chapter.
- (2) Temporary signs as enumerated in section 20-8, provided that such signs are nonetheless required to meet the provisions of this chapter as set forth in section 20-8 "Temporary signs."

(Ord. No. 389-94, 12-19-94)

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### **Sec. 20-62. Application.**

Application for sign permits shall be made upon forms provided by the administrating official and shall contain or be accompanied by such plans, drawings and specifications as are necessary to advise the administrating official of the type, size, shape, location, construction and materials of the proposed sign and the building, structure or premises upon which it is to be placed.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-63. Fees.**

A fee as established from time to time by the city commission, shall accompany the application.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-64. Enforcement and penalties.**

- (a) It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move or convert any sign in the City of Sault Ste. Marie, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this chapter. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-6 of the general provisions of the city Code. A separate offense shall be deemed committed upon each day during or when a violation occurs or continues. Any sign constituting an immediate hazard to health and safety shall be deemed a public nuisance and may be removed by the administrating official at the expense of the owner of the sign and assessed under the provisions of the city Code; and provided further, that any other sign unlawfully erected, altered, or maintained may be removed by the administrating official at the expense of the sign owner and assessed under the provisions of the city Code after said sign owner has been ordered in writing to remove said sign and has refused to do so without providing justification for so refusing at a hearing to be held by the administrating official. The city attorney may apply to a court of appropriate jurisdiction for an order requiring the removal of a sign in violation of this chapter.
- (b) In addition to the penalties prescribed in paragraph (a), any sign erected in violation of this chapter in a public right-of-way may be removed by the administrating official and stored in a safe location for at least seventy-two (72) hours. During this period of time the owner of the sign may obtain his sign upon request and payment of a fee as established by the city commission for each sign to cover the costs of removal and storage. After seventy-two (72) hours, the administrating official may dispose of the sign.

(Ord. No. 389-94, 12-19-94)

### **Sec. 20-65. Appeals.**

Any person aggrieved by any decision, ruling or order from the administrating official, may appeal to the city manager. Appeals shall be taken within ten (10) days after the occurrence of the event which forms the basis for the appeal, by filing in writing a request for appeal. Upon a finding of just cause resulting from unique circumstances affecting the property, development, or sign, the city manager may permit a variance to the strict provisions of this chapter, provided that:

- (1) The variance would not be contrary to the public interest or general purpose and intent of this chapter.
- (2) The variance does not adversely affect properties in the immediate vicinity of the proposed sign, and
- (3) The variance is not contrary to a zoning ordinance provision.

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Any such order permitting or denying the request may be appealed to the city commission, such appeal to be filed in writing within ten (10) days after the decision of the city manager. The decision of the city commission shall be final.