

ORDINANCE #24-01-Z
AN ORDINANCE TO AMEND THE TEXT OF THE
LEXINGTON TOWNSHIP ZONING ORDINANCE TO
PROVIDE FOR THE PERMITTING OF TEMPORARY AND
PORTABLE SIGNS

THE TOWNSHIP OF LEXINGTON ORDAINS:

ARTICLE 1:

CHAPTER 2, Definitions, Section 2.2.0 - General Definitions, is hereby amended to add new definitions, and which shall read as follows:

13. Sign, Portable and Temporary: Any sign that is not attached to a building, wall or to approved in-ground supports, or any sign mounted to a portable chassis or trailer, other than motor vehicles. This shall include banners, pennants, posters, sandwich boards, yard signs, or displays constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or any other sign intended for a limited period of display. See Section 3.20.11 Requirements for Portable and Temporary Signs.

18. Sign, Banner: A temporary sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners for the purpose of this article.

19. Flag. Any fabric, banner, straight cut feather flag, or bunting containing distinctive colors, patterns, or symbols. Flags are typically supported on one side of the sign. This includes feather flags that may be attached to a sectional pole with either a base or have a spike on the bottom for the purpose of staking it into the ground. Flags are not considered air-activated signs for the purposes of this ordinance.

20. Sign, Sandwich Board. Any sign not permanently attached to the ground or other permanent structure, as a sign designed to be transported, including but not limited to signs transported by means of wheels; A- or T-frames; menu and sandwich boards; balloons, banners, air-activated sign, or umbrellas; and signs attached to or painted on stationary or abandoned vehicles parked and visible from the public road that are not used in the day-to-day operation of a business.

21. Sign, Yard. A small, temporary sign typically used for non-commercial purposes. Yard signs are characterized by a wire frame, non-durable message surface such as cardboard or paper, and are often inserted into a lawn with wire posts. Although variations exist to the materials of the frame and message board, a consistent physical characteristic is its temporary and disposable nature.

ARTICLE 2:

CHAPTER 3, General Provisions, Section 3.20.0 Advertising Structures, Signs, and Name Plates, is hereby amended to add new definitions, and which shall read as follows:

.06 Prohibited Signs

F. Projecting and roof signs as defined in Section 2.2.0. (~~143~~)-(15).

.07 Exempt Signs

The following listed signs are exempt and shall not be required to obtain a sign permit:

- A. Legal notices, identification, information, or directional signs erected or required by governmental bodies.
- B. On-premise wall signs not exceeding four (4) square feet of display area and pavement markings.
- C. Wall Signs one square foot in area or less in residential or agricultural districts.
- D. Markers authorized by the State of Michigan.
- E. Official public notices by any governmental agency not to exceed six (6) square feet of display area.
- F. Any sign, insignia, flag or pennant owned by and placed by a local, county, state or federal governmental agency, or a non-profit service club, not to exceed fifty (50) square feet of display area.
- G. Integrated architectural features of buildings, except letters, trademarks, or other clearly discernible commercial representation, which shall be regulated under this ordinance. Any moving sign parts or moving lights are prohibited.
- H. Portable and temporary sign as defined in Section 2.2.0.

.11 Requirements for Portable and Temporary Signs

Table 1. Size and quantity standards:

Sign Type	Zoning District	Maximum Display Area	Maximum Quantity of Signs
Banners	A-2, R-1, R-2, R-3, or LFRRR	Thirty-two (32) square feet	1 per lot.
	A-1, O, C, or I	Fifty (50) square feet	1 per business.
Flags	A-2, R-1, R-2, R-3, or LFRRR	Fifty (50) square feet	1 per lot.
	A-1, O, C, or I		3 per lot.
Sandwich Boards*	A-1, O, C, or I	Nine (9) square feet	1 per business.
Yard Signs	A-2, R-1, R-2, R-3, or LFRRR	Nine (9) square feet	Unlimited so long as total square footage does not exceed 32 square feet.
	A-1, O, C, or I	Thirty-Five (35) square feet	Unlimited so long as total square footage does not exceed 35 square feet.

* Signs may be displayed up to one hour before and after business hours.

- A. Time limitations.
 - a. Portable and temporary signs (as defined in Section 2.2.13) allowed at any time:
 - i. A property owner may place one yard sign with a sign face no larger than two (2) square feet on the property at any time.
 - ii. A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time.
 - b. One portable and temporary sign per 0.25 acre of land may be located on the owner's property for a period of thirty (30) days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located.

- c. One portable and temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign in a residential District on more than four days in a year and the days must be consecutive. For purposes of this Section 3.20.11 (B) a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.
 - d. Temporary and portable signs shall be removed within fourteen (14) days after the election, sale, rental, lease or conclusion of event which is the basis for the sign under Section 3.20.11 (B)(b) or if a different standard is required in Section 3.20.11 shall be removed within the time period required by that Section.
- B. Setbacks. Portable and temporary sign setbacks for all zoning districts shall adhere to Figure 11: Sign Setback and Height Requirements in Section 3.20.09.
 - C. Off-premise Portable or Temporary Signs. At up to 6 locations within the township, one off-premise yard sign, not to exceed eight (8) square feet each, may be erected. Signs facing in the same direction of travel shall be at least 1,000 feet apart. Permission from the property owner upon which said sign is to be placed shall be provided upon request by zoning administrator. Said signs shall not be located within a road right-of-way and are limited to 4 feet in height.
 - D. Condition. The township may require the removal of any portable or temporary sign found to be in physical disrepair or poor condition.
 - E. Illumination. Temporary signs shall not be illuminated in the Agricultural/Residential District (A-2), Low Density Residential District (R-1), Moderate Density Residential District (R-2), Medium Density Residential District (R-3), Lakefront Residential, Recreational, and Resort District (LFRRR).

.12 Substitution Clause

Noncommercial messages shall be permitted on any sign constructed or erected in compliance with this Ordinance.

ARTICLE 3 SEVERABILITY CLAUSE:

The various parts of this ordinance shall be deemed severable. Should any section, paragraph, or provision hereof be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held to be unconstitutional or invalid.

ARTICLE 4 REPEAL:

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict, to the extent that this ordinance conflicts with any other ordinance this ordinance shall control (supersede).

ARTICLE 5 EFFECTIVE DATE:

Public hearing having been held hereon, the provisions of this Ordinance shall take effect upon the expiration of seven days after publication, pursuant to the provision of Section 401 (6), Act 110 of the Public Acts of 2006, as amended.

ARTICLE 6 ADOPTION:

Made and passed by the Township Board of Lexington Township, Sanilac County, Michigan, on this **18th** day of **April, 2024**, A.D.

LEXINGTON TOWNSHIP


KATHERINE PARADOSKI, Township Clerk

Adoption Date: April 18, 2024

Publication Date: April 26, 2024

Effective Date: May 3, 2024