ORDINANCE 44.7

AN ORDINANCE OF THE CHARTER TOWNSHIP OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF LANSING, MICHIGAN, BE AMENDED BY ADDING TO AND AMENDING CERTAIN THE PROVISIONS OF CHAPTER 102 ("SIGN REGULATIONS") OF TITLE X ("BUILDING REGULATIONS") TO PROVIDE FOR THE REGULATION OF SIGNS AND OUTDOOR ADVERTISING STRUCTURES, AND THE ENFORCEMENT OF SUCH REGULATIONS: AMENDING SECTION 102-2 ("DEFINITIONS") TO ADD CERTAIN DEFINITIONS; AMENDING SECTION 102-5.2 ("APPLICATION"); AMENDING SECTION 102-5.4 ("INSPECTION"); AMENDING SECTION 102-5.5 ("PLANS AND SPECIFICATIONS"); AMENDING SECTION 102-7.3 ("SIGNS NOT PERMITTED"); AMENDING SECTION 102-18 ("TEMPORARY SIGNS"); AMENDING SECTION 102-22 ("ELECTRONIC CHANGEABLE MESSAGE SIGNS"); ADDING SECTION 102-25 ("KIOSKS"); ADDING SECTION 102-26 ("VIDEOBOARDS"); ADDING SECTION 102-27 ("CLEAR VISION AREA/TRIANGLE"); ADDING SECTION 102-28 ("WAYFINDING SIGNAGE PROGRAM"); ; TO REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

The Charter Township of Lansing, Ingham County, Michigan, ordains:

1. Section 102-2 ("Definitions") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended by adding the following definitions to that section:

Section 102-2. - Definitions.

Electronic changeable message sign. A sign whose informational content, copy and/or advertising message can be changed or altered by means of electronically-controlled electronic impulses. In contradistinction to videoboards defined below, electronic changeable message signs shall not, under any circumstances, display full motion images.

Kiosk. A multi-sided structure designed for the display of messages and other content including images which are intended to be viewed by and to be comprehensible to pedestrian passersby within 10 feet of the kiosk.

On-premises sign. A sign which pertains to the use of the premises on which it is located. In the case of a multi-establishment development where buildings are located on separate, adjacent parcels owned by the same entity, a pole or ground sign serving all tenants of the development will be considered "on premise".

Pole sign. A sign supported by one or more uprights, no larger than twenty inches wide, with all parts of display surface of the sign eight feet or more above the grade at the base of this sign.

Temporary sign. A sign, advertising banner (not including pennants or light pole banners eight feet or more above ground), flags with or without advertising or other advertising display, including balloons or other gas/air-filled figures, portable display signs, constructed of cloth, steel, paper, canvas, fabrics, plastics or other light, temporary material or combinations of material, with or without a frame, which are not bolted, wired or otherwise permanently fastened

or anchored to any building, structure, or ground plane and are otherwise designed to be displayed for a limited period of time only.

Videoboard. Electronic changeable message signs, video displays and other projection devices that are capable of displaying moving images similar to television images, by light-emitting diode or other technology, and that are intended for viewing by pedestrians from sidewalks and similar public and quasi-public spaces.

Wayfinding Sign or *Device*. Means non-commercial signs, landmarks or other visual graphic communication that are part of a coordinated program for the purpose of directing pedestrian and vehicular traffic to local destinations. Typical wayfinding signs include: gateways, vehicular directional, destination, parking lot identification, parking trailblazer, pedestrian directional, vehicular directional and pedestrian kiosk.

2. Section 102-5.2 ("Application") of Section 102-5 ("Plans, specifications and permits") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-5.2. Application. Application for a sign permit shall be made in writing on forms furnished by the clerk's office. Such application shall contain the address of the proposed sign as well as the name and address of the owner and the sign contractor or erector. The application must also include dimensions of the sign. A drawing must be submitted showing where the sign will be placed on the property and also the height and dimensions of the sign. Application requirements for installation or alteration of Videoboards and Kiosks shall include information as required by Section 102-26 and 102-25.

3. Section 102-5.4 ("Inspection") of Section 102-5 ("Plans, specifications and permits") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-5.4. Inspection.

(A) The building official will determine when inspections are necessary.

(B) Any sign or structure requiring any electrical work must be inspected by the electrical inspector. In the case of temporary signs that require any type of electrical connection, the apparatus used and the manner of connecting same must be inspected and approved by the building official.

4. Section 102-5.5 ("Plans and specifications") of Section 102-5 ("Plans, specifications and permits") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-5.5. Plans and specifications. Before any permit is granted for erection or alteration of a sign, sign structure or outdoor display structure, plans and specifications shall be filed with the clerk's office, showing all dimensions including heights, materials, lighting, proposed location and required details of construction. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is erected. Plans and specifications provided by the applicant to the clerk's office for installation or alteration of Videoboards and Kiosks shall include information as required by Section 102-26 and 102-25.

5. Section 102-7.3 ("Signs not permitted") of Section 102-7 ("Unsafe and unlawful signs") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-7.3. Signs not permitted.

a. Signs which are abandoned.

b. Signs which are illegal under state laws and regulations.

c. Signs which are not in good repair.

d. Signs not securely affixed to a substantial structure.

e. Signs affixed to trees or utility poles.

f. Signs affixed to or painted on any fence, except for fencing around outdoor patio or eating areas.

g. Signs which have any visible moving parts, visible revolving parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, including intermittent electrical pulsations, or by action of normal wind currents except as permitted by and designed and installed in accordance with Section 102-26 and Section 102-25 .

h. Signs, other than those described in Section 102-26 and Section 102-25, which incorporate in any manner any flashing or moving lights.

i. Signs having flashing, blinking or running type lights are prohibited or signs that use running type lighting for informational change of copy except as permitted by and designed and installed in accordance with Section 102-26 and Section 102-25 .

j. Bench signs.

k. Streamers, strings of light bulbs, spinners or elements creating sound, except seasonal decorations and community event signs.

l. Signs which obstruct the ingress to or egress from a required door, window, fire escape, or other required exit way.

m. Roof signs.

n. Marquee signs.

o. Parapet signs.

p. Signs located in the street right-of-way, except those that are a part of and comply with an approved wayfinding implementing plan as described below in 102-28 *Wayfinding Signage Program.*

q. Any sign not expressly permitted by this chapter

6. Section 102-18 ("Temporary signs") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows;

102-18 Temporary signs

(A) Temporary signs that are intended for viewing by pedestrians only, and are placed on a paved area that is not a parking lot, road, or public sidewalk, will not require a permit. This exemption does not apply to temporary signs intended for vehicular traffic, or temporary signs

attached to a building or structure. Exempt signs will not be counted in the total number of temporary signs allowed, as long as they don't exceed one per 50 linear feet of the business's front façade. Each exempt sign is limited to twelve square feet in size.

(B) Duration of permits. Permits for temporary signs shall authorize the erection of said signs and their maintenance for a period not exceeding 90 days in any calendar year. Permits shall be issued for 30 consecutive days at a time. One Grand Opening temporary sign will be allowed upon issuance of a Township Business License for the first 30 days a business is open and will not count toward the annual allowance of 90 days. There will be no fee for the Grand Opening sign.

(C) Size. Temporary signs shall not exceed 32 square feet.

(D) Construction. Temporary signs may be constructed of wood, cloth, steel, paper, canvas, or plastic or combinations of material with or without a frame which are not bolted, wired, or permanently fastened to any building, structure, or ground plane.

(E) Erection. Temporary signs must be securely anchored, attached and supported in a safe manner.

(F) Illumination. Illumination will only be permitted during business hours and may not be flashing. All electrical power must be approved by the township building inspector.

(G) Number of temporary signs will be limited to one per business at any given time, except as noted in section (a) above.

(H) The message on temporary signs shall not advertise an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured, or furnished upon the property on which the sign is located.

(I)Temporary signs may not be attached to pole signs or ground signs or other permanent sign structures.

(J) A temporary sign shall be set back a minimum of ten feet from any property line.

7. Section 102-22 ("Electronic changeable message signs") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby amended as follows:

Section 102-22. - Electronic changeable message signs.

(1) Electronic changeable message signs shall not have any moving patterns of light, other than the transition between messages. Moving patterns of light shall include, but shall not be limited to, pulsating, flashing, scrolling, animation and/or blinking at any time. All lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously.

(2) The message on electronic changeable message signs shall not advertise an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured, or furnished upon the property on which the sign is located, except in cases where the sign is located in Planned Development greater than 100 acres, in which case an electronic changeable message sign may include messages advertising establishments, services, merchandise, uses, entertainment, activities, or products conducted,

sold, produced, manufactured or furnished within the Planned Development where the sign is located.

(3) No more than 60 percent of the maximum display area of a sign shall be devoted to an electronic changeable message sign, with a maximum size of 32 square feet, except as part of a Planned Development greater than 100 acres, in which case the maximum size will be 60% of the display area of an allowed sign but shall not to exceed 225 square feet.

(4) Electronic changeable message signs are not permitted on or as part of billboards and advertising signs.

(5) Use of 2 or more successive screens or "sequencing" to convey a message that will not fit on one (1) screen shall be prohibited.

(6) The maximum amount of text-based information displayed shall be limited to the maximum number of words that a driver can reasonably be expected to read from a distance from the ECMS of 800 feet at a rate of 1 word per second. The following table provides examples of the maximum number of words on a sign for commonly encountered traffic speed limits.

Max Traffic Speed (MPH)	Traffic Speed (FT/S)	Time to Travel 800 Feet (in seconds)	Maximum # of Words in a Message
25	36.67	21.82	21
35	51.33	15.58	15
45	66.00	12.12	12
55	80.67	9.92	9
65	95.33	8.39	8
75	110.00	7.27	7

(7) Content displayed on an Electronic Changeable Message sign may not resemble or simulate any lights or official signage used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of emergency information described below in Section 102-22 (8).

(8) The Township may require emergency information to be displayed, within the appropriate message rotation, on Electronic Changeable Message signs. Such information includes: "Amber Alert emergency information or emergency information regarding terrorist attacks, or natural disasters." Such emergency information messages are to remain in rotation according to the designated issuing agencies' protocols.

8. Section 102-25 ("Kiosks") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby added as follows:

Section 102-25. – Kiosks

(A) Kiosks may only be installed and operated on property located in a PD zone and only in accordance with this Section 102-25 and Section 85-11.

(B) Kiosks may only be used for the purpose of advertising a business, product, service, activity, event, person or subject related to the premises on which the kiosk is located. With respect to a kiosk that is located within the Development District of the Lansing Township Downtown Development Authority, the term "premises," for the purposes of this section, means the geographical area in which the Lansing Township Downtown Development Authority exercises its authority as described in Section 110-3.
(C) Kiosks may utilize electronic changeable message signs and videoboards if the electronic changeable message sign or videoboard is integrated into the design of the kiosk.
(D) Kiosks must be spaced at least 100 feet apart unless closer proximity can be demonstrated to serve a public purpose.
(E) Kiosks shall not be illuminated by a detached, independent external light source.
(F) Kiosks shall be located within or along pedestrian walkways, plazas, and other areas designed for pedestrian travel and meeting in accordance with the following requirements:
1. an unobstructed pedestrian area or sidewalk with a minimum width of 10 feet shall be maintained on any side of a kiosk with a message area;
2. an unobstructed sidewalk width of seven feet shall be maintained on any side of a kiosk without a message area;
3. an unobstructed pedestrian area or sidewalk with a minimum width of 10 feet is maintained between any side with a message area and the back of curb of any adjacent road, drive, or parking facility;
4. the distances referred to above shall be measured from the surface of the display at a 90 degree angle across the entire display.
(G) Kiosks require building permits and all other applicable trades permits.
(H) Kiosks may not exceed 7 feet in height and 35 square feet per side.
(I) Content displayed on the kiosk shall be sized appropriately for view by pedestrian passersby within 10 feet of the kiosk. Kiosks shall not display messages intended for, or that could distract the attention of motorists.
(J) Township staff shall review the design of the kiosk for architectural consistency with existing buildings and structures as well as any design guidelines set forth by the approved PD zone in which the kiosk is located.
(K) No more than 10 square feet of each side of any Kiosk may be used for electronic changeable message signs or videoboard.

9. Section 102-26 ("Videoboards") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby added as follows:

Section 102-26. –Videoboards

(A) Videoboards may be permitted only in the PD zone and only in accordance with Section 102-26 and Section 85-11.

(B) Videoboards may display moving patterns, images, text animation, and video content similar to television images only in accordance with the following standards, restrictions and requirements:

1. No more than one videoboard with a display area of more than 35 square feet shall be located within 700 feet of another videoboard with a display area of more than 35 square

feet. Kiosks as described by Section 102-25 that utilize a videoboard are exempt from this restriction.

2. A videoboard shall not obscure or in any way detract from prominent architectural and design features of a building or structure on which the videoboard is located. Videoboards shall be designed so that they are integrated into the overall design of the building or structure and compliment architectural details such as the overall mass and dimensions of the building to which it is affixed; the size, position and dimensions of openings including doors and windows.

3. Size. A videoboard may have a maximum of 625 square feet in effective area.

4. Where a videoboard is located within 300 feet of any traffic signal, all applications for a Sign Permit for a videoboard must include a report from a traffic engineer stating that the placement of the sign will not interfere with the effectiveness of a traffic signal within 300 ft of the sign. At no time and in no way shall messages displayed on a videoboard be intended and designed for viewing by motorists traveling on an arterial or more heavily travelled road.
5. Content displayed on a videoboard may not resemble or simulate any lights or official signage used to control traffic in accordance with the MUTCD unless such content is directly related to the dissemination of emergency information described below in Section 102-26 (B)6.
6. The Township may require emergency information to be displayed, within the appropriate message rotation, on videoboards. Such information includes: "Amber Alert emergency information or emergency information regarding terrorist attacks, or natural disasters." Such emergency information messages are to remain in rotation according to the designated issuing agencies' protocols.

7. Operational Standards--Display. All videoboards:

a. must contain a default mechanism that freezes an image in one position in case of a malfunction or deactivates the display in its entirety

b. must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:

(i) the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then

(ii) the dimming level, multiplied by .0039 equals the brightness level; then

(iii) the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.

c. must be turned off between 1:00 a.m. and 6:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday. Videoboards may be

required to be turned off earlier in instances where a videoboard faces a residential land use including overnight accommodations like hotels.

d. may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.

e. must have a full color display able to display a minimum of 281 trillion color shades.

f. must be able to display a high quality image with a minimum resolution equivalent to the following table:

Videoboard Sign Resolution Chart:

Viewing Distance in Feet	Maximum Pixel Size
36 to 45 feet	12 mm to 16 mm
Over 45 feet	14.25 mm to 19 mm

g. Light intensity. Before the issuance of a videoboard sign permit, the applicant shall provide written certification from the sign manufacturer that:

(i) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in the table in Subparagraph 5.b; and

(ii) the light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the zoning administrator; and
(iii) the sign's light intensity has been factory pre-set not to exceed 7,000 nits

h. Changes of text messages, not containing video, must comply with the following:

(i) Any messages that display text must be displayed for a minimum of five seconds.

(ii)Changes of text-based messages not containing video content must be accomplished within two (2) seconds.

(iii) Changes of text-based messages not containing video content must occur simultaneously on the entire sign face.

(iv) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(v) Ticker tape streaming is permitted at all times when the videoboard is operating. Ticker tape streaming must be located within the bottom 10 percent of the effective area.

i. Malfunction. The videoboard operator must respond to a malfunction or safety issue within one hour after notification.

8. Videoboards may only be used for the purpose of advertising a business, product, service, activity, event, person or displaying information related to the premises on which the videoboard is located. With respect to a videoboard that is located within the Development District of the Lansing Township Downtown Development Authority, the term "premises," for the purposes of this section, means the geographical area in which the Lansing Township Downtown Development Authority exercises its authority as described in Section 110-3. Further, videoboards may broadcast or display Federal Communications Commission (FCC) regulated television, satellite and/or cable programming, including the commercial advertising that is incorporated in such programming, notwithstanding the prohibition against off-premise advertising on videoboards.

10. Section 102-27 ("Clear Vision Area/Triangle") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby added as follows:

Section 102-27 Clear Vision Area/Triangle

No sign shall encroach upon the clear vision area or triangle that exists at the intersection of roadways, drives, etc. The clear vision triangle shall be determined using one of the following methods:

(A) A line shall be drawn extending 20 feet away from the corner of the property line nearest the intersection (this point shall be considered the point of origin) along the property line adjacent and parallel to the outer edge (typically the edge of pavement) of the outer most travel lane; a second line extending 20 feet away from the same property corner (the point of origin) shall be drawn perpendicular to the first line; a third line which will form the hypotenuse shall be drawn connecting the termini of these 2 lines. The resulting triangular area is the clear vision triangle and shall be free of visual obstructions between the heights of 3 and 8 feet.

(B) Alternatively, an applicant may undertake a "sight distance" study to determine the most effective location and dimensions of site triangles. Any such study shall be consistent with AASHTO and other accepted best practices for calculating intersection and stopping sight distances. For intersections without traffic control, -approach sight triangles shall be determined; for intersections with traffic control, departure sight triangles shall be determined.

11. Section 102-28 ("Wayfinding Signage Program") of Chapter 102 ("Sign Regulations") of Title X ("Building Regulations") is hereby added as follows:

Section 102-28 Wayfinding Signage Program

Wayfinding signs will be permitted according to an implementing plan approved by the Township Board of Trustees.

12. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

13. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

14. Effective Date. This Ordinance shall take effect 30 days after its enactment and publication as required by law.

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Kathleen M. Rodgers, Supervisor
Charter Township of Lansing

I, Susan L. Aten, Clerk of Charter Township of Lansing, hereby certify that the foregoing is a true copy of the original of Ordinance No. 44.7, enacted by the Charter Township of Lansing Board of Trustees at a regular meeting on June 4, 2013.

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Susan L. Aten, Clerk
Charter Township of Lansing