

NOTICE TO RESIDENTS OF DEWITT CHARTER TOWNSHIP  
CLINTON COUNTY MICHIGAN

NOTICE OF ORDINANCE APPROVAL

Notice is hereby given that DeWitt Charter Township, upon first reading, has approved a proposed Ordinance Amendment 20-1 (as it relates to signs) as shown below:

**PREAMBLE**

AN ORDINANCE TO AMEND THE DEWITT CHARTER TOWNSHIP ZONING ORDINANCE; TO AMEND THE GENERAL REQUIREMENTS FOR SIGNS; TO REPEAL ORDINANCES IN CONFLICT HEREWITH; AND TO ESTABLISH AN EFFECTIVE DATE HEROF.

The DeWitt Charter Township is amending the Zoning Ordinance to include, based upon unanimous recommendation from the Planning Commission, Ordinance Amendment 20-1 (as it relates to signs).

A copy of the proposed Ordinance Amendment 20-1 is available for public inspection at the Planning Department in the Township Hall during regular office hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Second reading and opportunity for comment before the Township Board on Ordinance Amendment 20-1 shall be at 7:00 PM, on Monday, January 11, 2021, at the DeWitt Charter Township Hall, 1401 W. Herbison Road, DeWitt, MI 48820

DeWitt Charter Township will provide to individuals with disabilities, reasonable auxiliary aids and services which are needed to fully participate in any Township meeting providing a 72 hour notice is received by phone or in writing. Contact DeWitt Charter Township, Clerk's Office, 1401 W. Herbison Road, DeWitt, MI 48820, phone 517-668-0270, to request the necessary assistance.

Adam Cramton, Clerk  
DeWitt Charter Township  
[acramton@dewittwp.org](mailto:acramton@dewittwp.org)  
517-668-0270

DEWITT CHARTER TOWNSHIP  
CLINTON COUNTY, MICHIGAN

ORDINANCE NO. 20-1

**PREAMBLE**

**AN ORDINANCE TO AMEND THE DEWITT CHARTER TOWNSHIP ZONING ORDINANCE; TO AMEND THE GENERAL REQUIREMENTS FOR SIGNS; TO REPEAL ORDINANCES IN CONFLICT HERewith; AND TO ESTABLISH AN EFFECTIVE DATE HEREOF.**

The Charter Township of DeWitt, Clinton County, Michigan ordains:

**SECTION I. AMENDMENT OF DEWITT CHARTER TOWNSHIP ZONING ORDINANCE  
ARTICLE 5.0, "SITE STANDARDS" TO AMEND SECTION 5.4, "SIGNS."**

ARTICLE 5.0, "SITE STANDARDS," SECTION 5.4.B.2, "Application requirements," shall be and is hereby amended as follows:

**Section 5.4.B.2. Application requirements.**

2. Application requirements. An application for a sign permit shall be made to the community development department by submission of a form available in the department. The application shall include, or have attached to it, the following information:

- i. Name, address, and telephone number of the applicant.
- ii. Name, address, and telephone number of the property owner.
- iii. Name, address, and telephone number of the business owner.
- iv. Name, address, and telephone number of the contractor erecting the sign.
- v. Address of property where the sign is proposed to be located.
- vi. Sign type.

ARTICLE 5.0, "SITE STANDARDS," SECTION 5.4.C, "On-premises signs permitted; residential and agricultural zoning districts," shall be and is hereby amended as follows:

**Section 5.4.C. On-premises signs permitted; residential and agricultural zoning districts.**

C. On-premises signs permitted; residential and agricultural zoning districts.

1. Generally. On-premises signs shall be permitted in the residential and agricultural zoning districts, subject to meeting the requirements listed in Section 5.4.C.2 and Section 5.4.C.3. These specific requirements are intended to help preserve the character of neighborhoods and promote quality of life throughout the community.
2. Permitted signs.
  - i. Home occupation.
    - (1) One nonilluminated sign shall be permitted on the parcel for the purpose of advertising a registered home occupation.
    - (2) Said sign shall not exceed four square feet in area and may be a wall sign fixed flat against a building wall or a freestanding sign with a height of not more than four feet.
  - ii. Farm enterprise.
    - (1) A farm enterprise consisting of one or more contiguous parcels shall be permitted one freestanding sign for the purpose of advertising the farm. One additional sign shall be permitted for each distinct collection of farm buildings, provided that there shall not be more than one freestanding sign on a single parcel. Freestanding signs permitted in this section shall have a display area of not more than 34 square feet, and an overall height not to exceed eight feet.
    - (2) Wall signs shall also be permitted to be placed flat against a building for the purpose of identifying the owner, operator, and/or name of a farm enterprise. Such signs shall be permitted up to a size equivalent to 1.5 square feet for each one lineal foot of wall width. Wall signs shall not extend beyond the upper wall line, onto a roof, or onto any architectural feature intended to appear like a roof.

ARTICLE 5.0, "SITE STANDARDS," SECTION 5.4.E, "Temporary signs," shall be and is hereby amended as follows:

**Section 5.4.E. Temporary Signs.**

E. Temporary signs. Signs for use over a limited period of time shall be permitted, provided the requirements of this section are met. Such signs shall comply with the placement standards listed in Section 5.4.D.7 and Section 5.16, but shall be exempt from the design standards listed in Sections 5.4.D.7.i and ii. Temporary on-premise signs shall be allowed for a maximum of three 30 day periods for a total of 90 days per calendar year, unless approved by the zoning official. Any temporary on-premise sign located on a property shall not exceed the maximum area or height, unless specifically stated within this ordinance. A temporary sign permit shall be required unless specifically stated within this ordinance. Temporary on-premises signs shall be permitted in accordance with the following schedule and subject to building code and zoning requirements:

Zoning District/Use	Maximum Area (sq. ft.)	Maximum Height (sq. ft.)
Agricultural (A)	34	8
Single-Family Residential, Mobile Home Park (R-1 to R-6, MHP)	4	4
Multiple Family Residential (M-1 to M-4)	10	6
Institutional	34	8
Commercial, Office, and Industrial (BC, BL, BSC, IP, IH, IL, OP, PO, POD)	32	10

ARTICLE 5.0, "SITE STANDARDS," SECTION 5.4.G, "Exemptions from requirements for sign permit," shall be and is hereby amended as follows:

**Section 5.4.G. Exemptions from requirements for sign permit.**

G. Exemption from requirements for sign permit. The following shall be exempt from the requirement to obtain a sign permit:

1. No hunting, no trespassing signs and On-premises directional signs not exceeding four square feet in area.
2. Signs located in the interior of buildings.
3. Any identification or address sign affixed to a wall, mailbox, post, lamp post, or pillar; and which is not larger than two square feet in display surface; and not for the purpose of advertising a home occupation.

4. Traffic control or other municipal signs such as, but not limited to, directional signs placed in rights-of-way, legal notices, railroad crossing signs, danger and other temporary emergency signs.
5. Memorial signs or tablets, names of buildings, and dates of erection, when cut into any masonry surface or when constructed of bronze or other non-combustible material.
6. Flags.
7. Change of copy on any sign designed for periodic changes, such as message board signs and billboards.
8. Signs located on the premises of a farm that identify and advertise seed, fertilizer, herbicide, pesticide, feed, feed supplements, livestock, or agricultural test plots that do not exceed six square feet in display area.
9. Historical markers describing designation by a state or federal agency of a historic site or structure that do not exceed 18 square feet. Such signs shall include, but not be limited to, Michigan Centennial Farm signs.
10. Family names, farm names, or agricultural icons, such as farm implements, livestock, or field crops, patterned in the roof shingles of a farm structure.
11. Signs improve the community aesthetic character, place-making, or promoting a community message that adds community value subject to administrative approval by the Planning Department.
12. Temporary event signs that will be utilized for a period not to exceed 30 days for said event shall, with administrative approval by the planning department, not require sign permits, provided they are placed the required distances from the road right of way as required by Section 5.16 of the zoning ordinance. The planning department shall advise of required setback requirements at the time of administrative review of the size of and type of sign proposed. Off premise signs qualifying under this section are permitted.

ARTICLE 5.0, "SITE STANDARDS," SECTION 5.4.H, "Prohibited signs," shall be and is hereby amended as follows:

**Section 5.4.H. Prohibited signs.**

H. Prohibited Signs.

1. Any sign which, by reason of its size, location, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of

drivers, or by obstructing or detracting from the visibility of any traffic control device on public streets and roads.

2. Signs that would interfere with, mislead or confuse traffic, including signs that simulate or could be confused with the lighting of emergency vehicles or traffic signals.

3. Signs and sign structures that are no longer in use as originally intended or have been abandoned; or are structurally unsafe, constitutes a hazard to safety and health, or those not kept in good repair.

4. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.

5. Any sign or other advertising structure containing any obscene, indecent or immoral matter as defined by the zoning official. Per the following U.S. Supreme Court cases, *Miller v. California*, 413 U.S. 15, 24-25 (1973); *Smith v. United States*, 431 U.S. 291, 300-02, 309 (1977); and *Pope v. Illinois*, 481 U.S. 497, 500-01 (1987), any advertising structure containing any obscene, indecent, or immoral matter shall be defined as follows. Any material that satisfies this three-pronged test may be found obscene, indecent, or immoral.

i. Whether the average person, applying contemporary adult community standards, finds that the matter, taken as a whole, appeals to prurient interests (i.e., an erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion);

ii. Whether the average person, applying contemporary adult community standards, finds that the matter depicts or describes sexual conduct in a patently offensive way (i.e., ultimate sexual acts, normal or perverted, actual or simulated, masturbation, excretory functions, lewd exhibition of the genitals, or sado-masochistic sexual abuse); or

iii. Whether a reasonable person finds that the matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.

## **SECTION II. OTHER ORDINANCE PROVISIONS**

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency. Except as provided in Sections I above, all other provisions of the DeWitt Charter Township Zoning Ordinance (as previously amended) shall remain in full force and effect.

**SECTION III. 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.

**SECTION IV. EFFECTIVE DATE.**

This amendatory Ordinance shall become effective immediately upon its passage, publication and recording by the DeWitt Charter Township Clerk as required by law.

First Reading:	<u>Nov 23, 2020</u>
First Publication:	<u>Nov 29, 2020</u>
Second Reading:	_____
Second Publication:	_____
Effective Date:	_____

\_\_\_\_\_  
Rick Galardi, Supervisor

\_\_\_\_\_  
Adam Cramton, Clerk

I, Adam Cramton, Clerk of the Charter Township of DeWitt, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. \_\_\_\_, duly adopted by the Board of Trustees of the Charter Township of DeWitt, Clinton County, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2020, and that the same was posted and published as required by law on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Adam Cramton, Clerk