all Zone Districts there shall be provided and maintained on the me premises with every building, or part thereof, hereafter ected, which is to be occupied for a use requiring the receipt or tribution in vehicles of materials or merchandise, off-street load-

Total Floor Area of the Billion floor area as follows free board floor area as follows free to an follows free board floor area as follows free board floor area as follows floor area as follows floor area as follows floor floor

feet
the space may occupy all or any part of the required open space
d may be partially or completely enclosed within a building or
closed within a uniformly painted solid board fence or masonry
occ of uniform appearance. Such fences shall conform to the reirements of Section 5.10 (F).

ion 6.3 PLANS OF REQUIRED OFF-STREET PARKING AND FF-STREET LOADING SPACES and man must be solentited to the Building Inspector showing how the quired parking and boaring spaces shall be arranged in the area pipiled for that jurpose, as to midicate sufficient space for parking aneuvers, as well as adequate ingress and egress to the parking loading area.

Section 6.4 CERTIFICATE OF OCCUPANCY AND USE

No Certificate of Occupancy and Use will be is-seed upon completion of any building or the extension or addition thereto unless and until all off-street parking and off-street leading space requirements, shown on the plans, or made a part of the building permit, shall be in lines and reads for some ments, shown on the plans, or mad shall be in place and ready for use

Section 6.5 REQUIRED IMPROVEMENTS AND MAINTENANCE

- sthads. The control tumpers some essential entering the problem of a stollows. From the foot lie line of the purking or storage Front. Where the front list line of a residential Zone Biseries directly across a street, a control humper shall have a minimum setback of two and one-shalf (2)21 feet from the front lot line of the parking or storage facility. Where the side tot line of the parking or storage facility about a residential Zone Bistract on the same side of the street in back of two and one-shalf (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of two and one-half (2)21 feet from the front lot line of the parking of two and one-half (2)21 feet from the front lot line of the parking of two and one-half (2)21 feet from the front lot line of the parking of two and one-half (2)21 feet from the front lot line of the parking of two and one-half (2)21 feet from the front lot line of the parking of two and one-half (2)22 feet from the front lot line of the parking of two and one-half (2)22 feet from the front lot line of the parking of two and one-half (2)22 feet from the front lot line of two and one-half (2)22 feet from the front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lot line of two and one-half (2)22 feet front lo

- the parking or storage facility t in the same block, a control setback of two and one-half
- line of the parking or storage Zone District in the same block is not contiguous to an alley, a a minimum setback of two and
- All walls and fences shall have a minimum height of five (5) feet above grade, except where the lot is contiguous to an

ORDINANCE NO. 529 CITY OF BIRMINGHAM, MICHIGAN

Ordinance to license and regulate the erection and mainten-signs in the City of Birmingham and to repeal Ordinance 1

THE CITY OF BIRMINGHAM ORDAINS:

ARTICLE II. DEFINITIONS.

Section 201— Assume the principal use of the Shall mean incidental to the principal use of the Shall mean incidental to the principal use of the Shall mean incidental use of the Shall mean the Shall me

Section 203—"INCOMBUSTIBLE MATERIAL" —
Shall mean any material which will not ignite at or below a temperature of twelve hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

Section 201—"ACCESSORY USE"-

Section 204—"PERSON"—

ARTICLE I. SHORT TITLE.
Ordinance shall hereafter be known and cited as the "Sign

this Ordinance, unless the context otherwise indi-

Sign-A structure or device that is arranged, intended, or used as an advertisement, announcement or direc-

in or upon the ground surface.

Marquee Sign-A display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.

Projecting Sign-Projecting sign means a sign which is affixed to any building or structure, other than a marquee, and any part of which extends beyond the building wall.

Roof Sign-A display sign which is erected, constructed and naintained above the roof of the building.

manner amove me root of the building, piperary Sign.—A display sign, banner or other advertising ice constructed of cloth, canvas, fabric or other light tem-ary material, with or without a structural frame, intended a limited period of display; including decorative displays holidays or public demonstrations.

all Sign-A display sign which is attached directly to the All signs except billhoards and

alley in the rear in which case such wall or fence shall be three (3) feet in height above grade.

- three (3) feet in height acree such wall or fence shall be?

 3. Streams on corner lots shall conform to the regulations of Issuering and corner lots shall conform to the regulations of Isphing—Property utilised for off-treet parking facilities during the hours of darkness shall be lighted. Lighting fixtures in conscious with the parking area shall not exceed an overall height identice of 42) feet above the surrounding ground level. The clicking of 42 feet above the surrounding ground level. The right in the parking area shall not evidential Zone District. Ingress and Egress. Adequate entrance to and exit from the districted parking and storage facilities shall be provided at least fixen a feet feet distant from any abutting residential Zone Dissection.
- Surfacing and Drainage. The off-street parking and sareas shall be surfaced and drained in conformance wiregulations imposed by any other existing City Ordinance.

ARTICLE 7. MISCELLANEOUS SUPPLEMENTAL REGULA-T!ONS

ACCESS TO RESIDENTIAL PROPERTY

No residential banding shall be erected on any let a data from the start fifteen (5) bet upon a street or per-structed ensement of access connecting such lot with street or ensement shall have a minimum width of tw feet, except where such street or ensement of less wai to the indeption of the Ordinance at rivier to coming we diction of this Ordinance. Such badding shall not be per-turbation of the continuous transfer of the contraction of the street of the contraction of the contraction of the street or to strick ensemble the street of the street of the street or to strick ensemble the street of the street of

Section 7.2 DWELLING IN ACCESSORY BUILDING PROHIBITED

Section 7.4 ESSENTIAL SERVICES

Estential services shall be permitted as authorized and regulated by law and other ordinances of the City of Birmingham, it being the intention hereof to exempt such essential services from the application of this Onlinance.

Section 7.5 SALE OF CHRISTMAS TREES

Other provisions of this Ordinance not withstanding, Christmas trees may be stored, displayed and solid without the use of a building or other structures on on property within any Zone District designated as B4, B2, B3 or I Zone District.

as B-1, B-2, B-3 or 1 Zone CUSTIEL.

B. By churches, schools, or other non-profit organizations on property owned by such institution or organization in any Zone District.

or debris resulting from aforementioned use, and an signs in con-nection therewith, shall be removed from said property no later than the 26th day of December of the year the property is so used.

ARTICLE 8. NON-CONFORMING BUILDINGS AND USES

- Section 8.1 LIMITATIONS

 Any non-conforming building or use existing at the time of enact ment or amandment of this Ordinance may be continued if main tained in good condition, but:
- od condition, but; shall not be changed to another non-conforming use, permitted by the Board of Zoning Appeals, shall not be re-established after discontinuance for six
- tained in good condition, ma.

 A. The use shall not be changed to another non-conforming use except as permitted by the Board of Zoning Appeals.

 B. The cas shall not be reschabilished after discontinuance for six 16 months.

 C. The use or building shall not be extended or calarged.

 D. The six of the shall not be extended or calarged.

 D. The six of the shall not be extended in calarged and severity from the relation regarded after damage exceeding severity from the damage.

ARTICLE 9. ADMINISTRATION

ding or use which was not a legal non-conforming building under the provisions of Ordinance 221, and all amendments o, shall not be a non-conforming building or use permitted provisions of this Ordinance.

Section 9.2 ESTABLISHMENT OF ADMINISTRATIVE OFFICER

The proxisions of this Ordinarce shall be administered by the Buil ing Inspector or such other offsial so designated by the City Ma ager. The Building Inspector shall have the power to grant Zoni Ordinarce Compliance Permits and Certificates of Occupancy ar Use and to make inspections of buildings or premises necessary carry out his duties in the inforcement of this Ordinarch

Section 9.3 ZONING ORDINANCE COMPLIANCE PERMIT OR CER-

It shall be unlawful to change the type of use of land; or to change the type of use or type of occupancy of any building, or to extend any use on any lot outlit the Building Inspector has issued for such many use of any for the state of the successful of the successful type of the successful type

and piatforms which are attached to the sign structure.

Section 207—"SURFACE"—

Shall mean that part of the sign upon, against, or through which the message is displayed or illustrated.

message is displayed or illustrated.

Sertion 208—"YOTAL SURFACE AREA OF SIGN"—

The sum total of all exterior surfaces of the sign computed in sequence of the sign computed in sequence of the surface area shall be measured by multiply the height of the individual letters or combination of letters the distance between the outer edges of the two (2) furtherm letters.

MITTED IN P ZONE DISTRICTS. All signs permitted in those areas designated as P Zone Districts, as defined in the Zoning Ordinance of the City of Birmingham, shall meet the following special requirements:

Section 302—"AREA"— Signs shall not exceed nine (9) square feet in area nor an overa height above ground of nine (9) feet and shall not project beyon the property line.

MITTED IN B-1 ZONE DISTRICTS.

Section 402—"AREA"—
Signs shall not exceed four (4) square feet in area for any one sign.

MITTED IN B-2, B-3 AND I ZONE DISTRICTS

permitted in those areas designated as B-1 Zone Districts.

I in the Zoning Ordinance of the City of Birmingham, shall following special requirements: Signs shall be non-illuminated wall signs, installed and maintain on the front face of the building.

SPECIAL REQUIREMENTS FOR SIGNS PER-

Section 206-"STRUCTURAL TRIM"-

signs other than entrance, exit maintained in any P Zone District.

ARTICLE III.

mean any announcement, declaration, demonstration, display, article IV. SPECIAL REQUIREMENTS FOR SIGNS PERtration or insignia designed to attract public attention.

In all cases where a Certificate of Occupancy and Use is not required, application for a Zening Ordinance Compliance Permit shall be made, except for signs which are regulated by the Sign Ordinance. This application shall be made in writing to the Building Inspector of forms provided for that purpose.

A record of all such applications shall be kept on file by the Building Inspector of forms provided for that purpose.

ing Inspector.

Section 9.4 APPLICATION FOR ZONING ORDINANCE COMPLIANCE PERMIT
The Building Inspector shall require that every application for a
Zoning Ordinance Compliance Permit shall be accompanied by a
written statement and pains or plats showing the following in sufaction of the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the proposed work or use is in confinence with the confinence

A. The actual shape, beaution and dimensions of the lot.

B. The existing and intended use of the lot and of all buildings or
structures upon said to be.

times upon said lot, other information which may be essential for determining net the providents of this Ordinance are being observed, doing Inspector may accept a preliminary application and amber of submitted documents than time. Bitted above in swhere a basic calmination is desired should of proceeding their behinded work. If such preliminary application is desired in the best of Zoning Appells, flowever, the hudding results are submitted to the proposed of the processing the proposed of zoning Appells. However, the hudding result are considered to be the applicant despite violations of con-

ARTICLE 10. BOARD OF ZONING APPEALS

Section 10.1 CREATION OF BOARD OF ZONING APPEALS

Section 10.2 PROCEDURE OF BOARD OF ZONING APPEALS

Section 10.3 APPEALS, HOW TAKEN

ng of facts.

Appeals shall not have the power to change situation of any property, nor to make any time Ordinance, but only to net on those matance provides for an administrative review, on an special permit by said Board, and to

- wers.

 To hear and decide appeals where it is that there is error in any order, require or refusal, made by the Building Inspecialistrative official in carrying out or en-
- hear and decide, in accordance with the ince, requests for special exceptions, for
 - beliance.

 To authorize upon an appeal, a variance from the strict on of the previsions of the Ordinance, where, by reason total narrowness, shallowerses, shape or are of a specific property at the time of the enactment of this Ordinance, now of exceptional distantions or conditions of such piece of the control of the c the Orginary or experience of induce hardship upon one conventional of firether than the property of the Orginary of the Orgin

ance of the purpose of this Ordinance.

Board of Zouning Appeals shall have the power to permit the
tion and use of a building, or an addition to an existing buildtion and use of a building, or an addition to an existing buildtion and use of a public service corporation or for public utility purposes,
or a public service corporation or for public utility purposes,
or a public publ

REMEDIES

Section 11.1

Any person, firm or corporation violating any of the provision the Ordinanov shall, upon conviction, therefore, be fined not have record by bollar self-due nor more than One limited have recorded by the provision of the provision of the by imprisonment for a period of not to exceed meety (90) days each offens, or by both such fine and imprisonment in the discre-or of the Court.

ection 11.2.

Any building or structure which is erected, altered or converted, or any use of premises which is begun or changed subsequent to the time of passage of this Ordinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se. Section 11.3

Section 11.4

The right and remedies provided herein are cumulative and in addi-tion to any other remedies provided by law.

ARTICLE 12. AMENDMENTS

ection 12.1
The City Commission may, by Ordinance, amend, supplement or charge this Ordinance, provided, however, that a public hearing shall be held before any such amendment shall be passed, and provided farther, that not less than fitteen (15) days notice of the time and piace of such public hearing shall be given by publication in the official paper of the City, or a paper of general circulation in the citized paper of the City, and a hearing be granted to any person interested at the time

ection 12.2 All amendments to this Ordinance shall be on file in the City Coffice. The Ordinance effecting any amendment to the Zoning shall include the written description of the property that has zoned or re-zoned.

ARTICLE 13. REPEAL OF EXISTING ZONING ORDINANCE

An Ordinance adopted by the City Commission of the City of Birming-ham on the 8th day of February, 1937, entitled "Ordinance 221, City of Birmingtan Zoome Ordinance" and any or all amendments therete are heavy repealed. The repeal of the above ordinances does not affect or impair any act does, offense committed or right accruing, accrued

ARTICLE 15. SEVERANCE CLAUSE

Sections of this Ordinance shall be deemed to be severable and should any section or provision hereof be declared by the courts to be uncon-stitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part hereof other than the part so declared to be unconstitutional or invalid.

ARTICLE 16. WHEN EFFECTIVE

This Ordinance made and passed by the Commission of the City of Birmingham on this 31st day of March, A. D. 1958.

This Ordinance shall become effective upon the publication following the adoption thereof.

WILLIAM E. ROBERTS, Mayor

IRENE E. HANLEY, City Clerk

Section 502—"WIND PRESSURE AND DEAD LOAD REQUIRE-

MENSY—

III stems shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of surface area and shall be constructed to receive designed and produce of the Building Code or other Ordinances of the City of Birmingham. ARTICLE VI. SPECIAL REQUIREMENTS FOR SIGNS PER-

Section 503—"NUMBER, DATE AND VOLTAGE TO BE ON SIGN"— Every sign hereafter erected shall have placed in a conspicuous place thereon, in letters not less than one half inch in height, the date of erection, the permit number and the voltage of any electrical apparatus used in connection therein.

MENTS

ection 304—"ILLUMINATION PERMITTED"...

Reflectors, lights and other forms of illumination shall be permit on all signs. All illumination shall be concentrated on the area as to prevent glare upon the street or adjacent property.

"OBSTRUCTIONS TO DOORS, WINDOWS AND FIRE

Section 506—"SIGNS NOT TO CONSTITUTE A TRAFFIC HAZARD"—

HAZARD: In standard to the intersection of any streets in its standard to the intersection of any streets in its standard to the standard to

in such manner as to interfere with, missead or confuse traffic.

Section SO7—"FACE OF SIGN SHALL BE SMOOTH"—

No mails, tacks or wires shall be permitted to protrade in or from
the front or any sign. This shall not exclude, however, the use of
block letters, electrical reflectors or other devices which may extend
over the top and in front of the advertising structure.

Section 508—"OBSCENE MATTER PROHIBITED"-

shall be unlawful for any person to display upon any ther advertising structure any obscene, indecent or

Section 509-"REMOVAL OF CERTAIN SIGNS"-

Any sure except billboards, now or hereafter existing which no longer to the product of the product of the product sold, shall be taken down and removed by the owner, as product sold, shall be taken down and removed by the owner, as product sold, shall be found within thirty (30) days after written notice from the Building Inspector. ARTICLE V. GENERAL REQUIREMENTS FOR SIGNS PERgns permitted in those areas designated as B-2, B-3 and I Zone cts, as defined in the Zoning Ordinance of the City of Birming-shall meet the following general requirements:

It signs except billhourds and temporary signs shall advertise business transacted or goods sold or produced on the premises.

Section 510—"PUBLIC RIGHT-OF-WAY"—
No sign in these districts shall be erected or placed in the public right-of-way nor be allowed to project further than eighteen (18) inches into the public right-of-way. The owner of any sign which

has been removed from the right-of-way in violation of this provision shall pay to the City the sum of Five Bollars (\$5.00) before recovering said sign. If any sign is not claimed within thirty (30) days, is shall be destroyed.

MITTED IN B-2, B-3 AND I ZONE DISTRICTS. gns permitted in those areas designated as B-2, B-3 and I Zone icts, as defined in the Zoning Ordinance of the City of Birming-shall meet the following special requirements:

Section 601—"GROUND SIGNS"—

tion 601—"GROUND SIGNS"—

"Ty ground sign over fifty (50) square feet in total surface area and or more than sight (5) feet in height shall have a surface area of the surface area of the surface and surface area of the surface and surface or facing to the surface or facing of incombustible material.

LETTERS, ETC., TO BE SECURED, All letters, figures, characters of the presentations in culcust or irregular form, maintained surface are facing to the surface or facing surface and surface are surface or facing surface and surface are surface and surface and surface are surface are surface and surface are surface and surface are surface and surface are surface are surface are surface are surface and surface are surface a

- structure.

 HEIGHT AND AREA LIMITATIONS. Is shall be unlawful 'to creet any ground sign the height of which is greater than teenty (20) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such the sign faces, or above the adjoining ground level, if such the sign faces, or above the adjoining ground level, if such have a single surface area exceeding one hundred (100) square feet for signs of two ground sign and two hundred (200) square feet for signs of two ground signs of two ground signs of the same parcel of property as the building or use to which it is accessory.
- is accessory.

 A PROJECTION A ground sign may extend eighteen (18) inches into the public right-of-way provided the lower edge thereof into the public right-of-way provided the lower edge thereof.

 C ANCHORAGE AND SUPPORT.

 C ANCHORAGE AND SUPPORT around level.

 ANCHORAGE AND SUPPORT around the shall be securely built, constructed and erected upon one and standards sunk at least three (3) feet below the material surface of the ground imbedded in concrete, Such supports shall be so constructed as to meet the requirements of Section 502 of this Ordinance.

- Ordinance.

 ecition 602—"WALL SIGMS"

 a. MATERIALS. REQUIHED. All wall signs of a greater area than fifty (50) sequer feet, shall have a surface or facing of incombustible material.

 b. LMITATION ON PLACEMENT. No wall sign shall cover wholly or partially any wall opening, mor project beyond the ends or top of the control of the contro