

CHARTER TOWNSHIP OF GRAND RAPIDS

COUNTY OF KENT, MICHIGAN

At a regular meeting of the Township Board of the Charter Township of Grand Rapids, held in the Township Hall, 1836 East Beltline Avenue, N.E., Grand Rapids, Michigan, on the 6th day of March 2010, at 7:00 p.m.

PRESENT: DeVries, Hulbert, Merchant, Robinette, Saalfeld, VanPopering

ABSENT: Afendoulis

The following ordinance was offered by Member VanPopering and supported by Member Robinette.

ORDINANCE NO. 474

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE CHARTER TOWNSHIP OF GRAND RAPIDS**

WHEREAS, the stated purposes of the Township sign regulations, as set forth in Chapter 30 of the Zoning Ordinance, include the following: to prevent traffic hazards and pedestrian accidents caused by signs that obstruct vision or that distract or confuse vehicle drivers; to conserve and enhance the community character of the Township; to promote the economic viability of commercial areas by minimizing visual clutter and providing for proper placement of signs to safely direct motorists to their destinations;

WHEREAS, other stated purposes of the Township sign regulations include the balancing of the public's right to be informed and its desire to avoid visual pollution with the desires of businesses and others to communicate reasonably by the use of signs; and to maintain and enhance the Township's aesthetic environment in a manner consistent with the public health, safety and general welfare;

WHEREAS, certain signs or types of signs have features which tend to distract vehicle drivers and which are therefore a detriment to public safety and are a significant source of visual clutter within the Township, such as digital or electronic signs, and certain automatically changeable signs, especially those involving rapidly-changing lights, images, messages and other visible elements;

WHEREAS, electronic and similar signs are unusually bright or distinctive, even with relatively static images, and therefore are detrimental to traffic safety and detract from the Township's community character;

WHEREAS, businesses and other property owners and enterprises that use signs and other means for identification, advertisement and other communication to the public have a variety of readily available methods for such communication, other than the use of electronic signs or automatically changeable-copy signs; these include conventional signs with non-changing messages and images, local newspaper advertisement, radio and television advertisement, Internet websites and other commonly-used methods of communication for business and other purposes;

WHEREAS, a prohibition of electronic signs, automatically changeable-copy signs and other types of intrusive signs will directly advance the interest of the Township in preventing hazardous traffic conditions and in conserving and enhancing the Township's community character;

WHEREAS, prohibiting only certain characteristics or certain types of electronic signs and automatically changeable-copy signs would be significantly less effective in advancing the interest of the Township in preventing hazardous traffic conditions and in conserving and enhancing the Township's community character, and such a method of regulation would be more difficult for the Township to enforce effectively or impartially; and

WHEREAS, a prohibition of electronic signs and automatically changeable-copy signs for the purpose of advancing the public interest achieves an appropriate balance with the desires of commercial enterprises and others to advertise or communicate by means of signs, especially in view of the many alternate methods available for business communication, including the considerable variety of conventional signage permitted by the terms of Chapter 30 of the Zoning Ordinance.

Section 1. The Zoning Ordinance of the Charter Township of Grand Rapids is hereby amended by the amendment of Section 30.2 thereof, so as to add the following definitions in Chapter 30:

Section 30.2 Definitions. . . .

Digital or Electronic Sign. A sign that has an image, display or sign face that is projected or otherwise produced, in whole or in part, by the use of specialized technologies such as but not limited to light-emitting diodes (LEDs), liquid crystal display (LCD), plasma display panels, computer-generated imaging or similar technical or electronic means. Digital or electronic signs may be characterized by their unusual brightness and intensity of image, greater color spectrum, wide viewing angle, high contrast-ratio between the brightest and darkest parts of the sign image and other features that tend strongly to attract the viewer's attention to the sign.

Tri-vision Sign. A sign that has an image or images on a sign-display face that presents or is capable of presenting sequentially two or more separate images, in whole or in part, by means of components or devices such as rotating cylinders, slats that turn or twirl to change a sign image or other equipment, for the purpose of displaying a sign image for only a limited time, until the image changes to another image, on a generally continuous basis. The changing of sign images may be accomplished mechanically, or by specialized computer software or through other automatic measures.

Section 2. The Zoning Ordinance of the Charter Township of Grand Rapids is hereby amended by the amendment of Section 30.3 thereof, so as to read in its entirety as follows:

Section 30.3 Signs Prohibited. All signs not permitted by the terms of this Chapter are prohibited, except signs stated in Section 30.4 as exempt from the provisions of this Chapter. In addition, the following signs or types of signs are prohibited, except time and temperature signs and barber pole signs, which are permitted:

1. Strings of light bulbs (except customary holiday decorations), pennants, streamers, balloons, balloon signs, banners and flags (except non-commercial flags not used for commercial purposes).

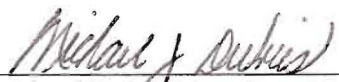
2. Portable signs, except portable signs permitted by the terms of this Chapter.
3. A sign, including a window sign, that has flashing, blinking, moving or oscillating lights.
4. A sign, including a window sign, that is, or has the appearance of being, animated or projected or that is intermittently illuminated.
5. A sign, including a window sign, that includes, in whole or in part, any scrolling, tracing, sequencing or otherwise moving, or apparently moving, lights, images, letters, figures, symbols or messages.
6. A digital or electronic sign; a tri-vision sign.
7. Any other sign that includes, in whole or in part, any message, image, lettering, figures, symbols, lights, illuminated element or other part or aspect that is sequenced, changed, animated, or that appears to change or move, by any means other than the periodic, manual changing of letters, numbers, icons, trade symbols, or other visible elements of a sign message, or other than the permitted physical removal and replacement of a sign or any part thereof.
8. Roof signs.
9. Pylon signs.
10. Off-premise signs, except for an off-premise non-commercial sign and an off-premise community special event sign.

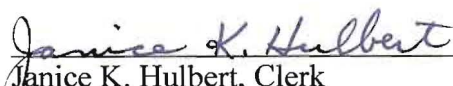
Prior subsection 7 is hereby deleted. It read as follows: "No sign shall contain any words, lettering, photographs, silhouettes, drawings, or pictorial representations of a sexually explicit manner."

AYES: DeVries, Hulbert, Robinette, Saalfeld, VanPopering


NAYS: Merchant

ORDINANCE DECLARED ADOPTED.


 Michael J. DeVries, Supervisor
 Charter Township of Grand Rapids


 Janice K. Hulbert, Clerk
 Charter Township of Grand Rapids

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Grand Rapids at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Janice K. Hulbert, Clerk
Charter Township of Grand Rapids