

City Council Study Session Agenda

Monday, April 19, 2021 at 5:30 PM
27400 Southfield Road, Lathrup Village, Michigan 48076

ZOOM REMOTE MEETING INFORMATION

Webinar ID: 939 7579 3197

Password: 126481

CLICK HERE: [Online Zoom Link](https://zoom.us/j/93975793197?pwd=TFEvSmEyeEhCZFVNUWZwRFB5U09zQT09)

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Telephone: 646.558.8656 or 312.626.6799

CLICK HERE: [Public Comment Form Link](#)

In accordance with Emergency Orders issued by the Michigan Department of Health and Human Services, Oakland County, local officials, State of Michigan legislation, and City of Lathrup Village's Declaration of a Local State of Emergency (March 2020), that continues to exist and which allows for electronic meetings of public bodies, notice is hereby given that the City of Lathrup's City Council will be meeting electronically using www.Zoom.us for videoconference and public access.

1. **Call to Order**
2. **Discussion Items**
 - [A.](#) Police Space Study - Update
 - [B.](#) Sidewalk Replacement Program – Tree Root Policy
 - [C.](#) Culvert & Ditch – Payment Plan Proposal
 - [D.](#) Sign Ordinance
 - [E.](#) Ability to Levy City Taxes on Winter Tax Bill
3. **Mayor and Council Comments**
4. **Public Comments**
5. **Adjourn**



A HERITAGE OF GOOD LIVING

Dr. Sheryl L. Mitchell Theriot

City Administrator

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl Mitchell Theriot, City Administrator

DA: April 19, 2021

RE: Police Space Study - Update

City Council had approved retaining Redstone Architects, Inc. to conduct a study for making improvement to the first floor and basement of City Hall to meet the long-term needs of the Police Department.

The redesign concept includes:

- LOWER LEVEL
 - o Training area / break area for up to 8 people in lower level
 - o Storage room
- 1st FLOOR MAIN POLICE OFFICE
 - o Secured Entrance
 - o Sergeant's Office
 - o ADA restroom
 - o Storage/File Room
 - o Interview Room
- PARKING LOT
 - o Expand to accommodate 12 vehicles
 - o Security fence and card access gate
 - o 6 carports
 - o 3 electric charging stations
 - o Overhang at building entrance

Additional discussions for site improvements included having the Administration Front desk area reconstructed to be ADA accessible and install bullet-proof glass.

Estimated construction costs are \$932,030. "Soft-Cost Budget," such as professional fees is estimated at \$139,805.

Total estimated project cost is \$1.1 million.

Mr. Daniel Redstone and his team will present this information at the Study Session.

REDSTONE ARCHITECTS, Inc.

Law Enforcement • Public Safety • Justice



City of Lathrup Village Police Department Study April 19, 2021



**REDSTONE
ARCHITECTS, INC.**

Architecture • Planning • Interior Design

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Introduction:

The City of Lathrup Village has plans to improve its police facilities located on the lower and main levels of City Hall. The City selected Redstone Architects, Inc. (“Redstone”) to help identify the long-term space needs of the Police Department to identify how best to renovate the current space, which is obsolete and missing many elements needed to operate safely and efficiently.

The process began with a meeting with Police Chief Scott McKee, Sgt. Mike Zang, Daniel Redstone and Joel Galanty from Redstone Architects. The architects were provided with a tour of the building.

The City Hall Building, constructed around 1970, has long ago outgrown its police facilities. It was never designed to provide the proper separations between the public, staff and detainees. Because of the lack of space, detainees are held in the Berkley Public Safety facility, less than 3 miles away, but detainees are still brought to the Department to be interviewed.

Space Needs Assessments:

Working with Chief McKee and Sgt. Zang, Redstone developed a Space Needs Assessment (SNA) for the Police Department. As finalized, the SNA is about 3,200sf, not including some City Hall spaces not in the police wing. The main change is that to provide for police staff and normal operations, no detainees will be brought into the building itself.

The existing police department occupies approximately 1,650sf on the first floor, and a small amount of space on the lower level. Using the lower-level area immediately below the Department’s main level, we were able to develop a plan that provides for the needs of the Department in an efficient and secure manner.

Conceptual Design Effort:

The conceptual design effort consisted of a number of meetings and discussions with the Department. Based on the program, Redstone developed and initial block diagram and layout. A meeting with Chief McKee and Sgt. Zang was held to review them.

Based on comments received a second layout was developed and presented to the Department. This 2nd meeting resulted in a third layout based on an operational determination not to bring any detainees into the building, but to conduct all prisoner interaction at the Berkley Public Safety Building.



The updated concept plan was reviewed and accepted by the Department and presented to City Administrator Dr. Sheryl Mitchell on March 24, 2019. At that meeting three additional items were discussed. One was the desire to upgrade the City Hall Front Desk to a) be ADA assessable, and b) to be bullet resistant. This could easily be included in the scope of work for the police project.

A 2nd item was scheduling the construction. It is most efficient to do the construction in one phase to minimize the construction time duration and cost. The City needs to think how and where it might relocate the police department in the building during construction. There would be some relatively minor costs for this relocation.

A 3rd item discussed was the SNA's plan for accommodating training. The proposed plan will allow for training for up to eight people in the break area. For larger training events, we have proposed using the City Council Chambers. This would require adding a door to close off that space from the public space on the 2nd floor, with the department using the north fire stairs for access. In addition, we would need to add a small storage room for furniture.

SITE IMPROVEMENTS

The police parking area will be expanded to accommodate up to 12 vehicles. The parking lot is to be secured by a masonry-base and metal security fence and an electronically controlled, card-access security gate. The six proposed spaces closest to the building will have a carport with electrical capacity to charge equipment in patrol vehicles. In addition, the budget includes a Level-3 electric charging station which permits quick charging of a vehicle.

We also propose an overhang to protect the north police entry door from the weather.



PROJECT COSTS:

Redstone engaged O'Brien Construction Company to assist in developing a preliminary project construction cost budget. O'Brien estimates a five-month construction period.

The attached construction cost estimate is one part of the Project Cost. Additional items are Soft Costs, which include special equipment; Furniture, Fixtures and Equipment (FF&E); professional fees; and Owner costs such as financing costs.

The new construction budget includes the following items which were either not included at the March 24, 2021, for which budgets have, been provided by our security consultant:

- Electronic card and access controls for security gate and access doors (\$50,000)
- A/V Training Room Equipment (\$12,500)
- A commercial grade level-3 charging station vs. a level 1 charging station (+\$42,000)
- A/V equipment for Interview Room (\$5,000)
- Live Scan equipment (about \$35,000)
- Video Surveillance Budget increase

These adjustments increased our preliminary construction cost budget discussed in March from about \$710,000 to \$932,000.

We used a "soft-cost budget" equal to about 15% of the projected construction costs, somewhat lower than normal, due to significant FFE items included in the projected construction cost.

Police Area renovation	\$ 765,511*
Design/CM Contingency	\$ 97,272
Contractor's Overhead and Profit:	<u>\$ 69,247</u>
Total Construction Cost Projection	\$ 932,030

Soft Cost Allowance, including FFE, Professional Fees, Special Equipment, etc., Estimated at 15% (Some FFE items included in Construction Budget)	<u>\$ 139,805</u>
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TOTAL ESTIMATED PROJECT BUDGET: \$1,071,835*



* Does not include the following:

- Any remediation of hazardous/contaminated waste
- Utility Connection fees
- Exterior Building Work, including waterproofing of basement walls
- Any upgrades or replacement of emergency Power Generators/UPS Systems
- Gun Safes or Specialty Storage items
- Davis Bacon and/or union wage requirements
- Major replacements for HVAC equipment

City of Lathrup Village Police Department Study



APRIL 19, 2021

Study Goals

PROVIDE THE POLICE
DEPARTMENT WITH
SECURE, 21st CENTURY
SPACES NEEDS IN A
SECURE ENVIRONMENT

City of Lathrup Village Police Department Study

Lower-Level Plan:

- Male Locker Room- 16
- Female Locker Room- 5
- Break/Training Room
- Evidence Prep Area
- Property Room
- Armory (existing space)
- Storage (existing space)



City of Lathrup Village Police Department Study

Main-Level Plan:

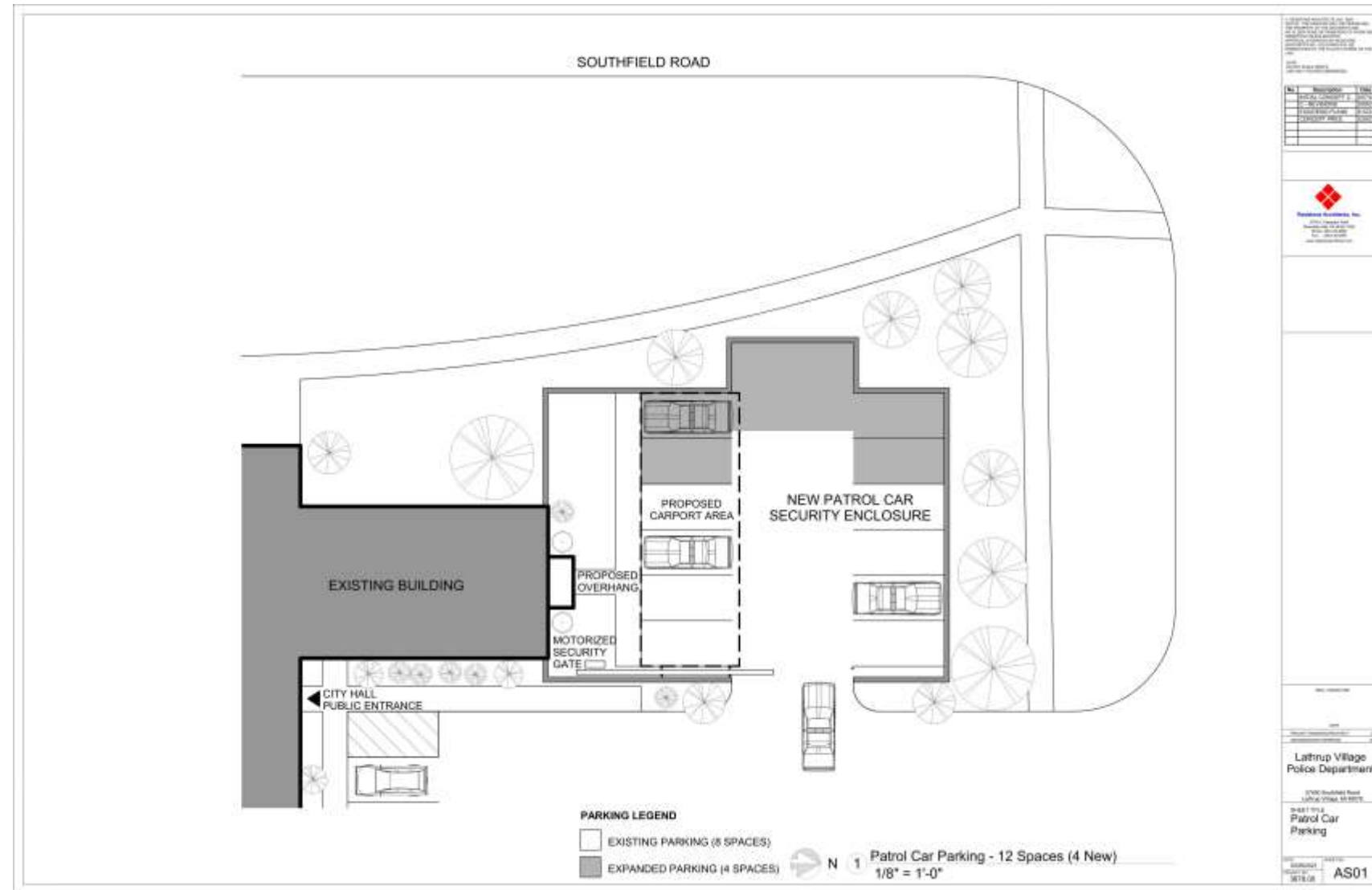
- Front Desk / Reception
- Interview Room
- Chief's Office
- Sgts. Office
- Report Writing
- Patrol Sgt.'s Office
- ADA Restroom
- Storage/File Room



City of Lathrup Village Police Department Study

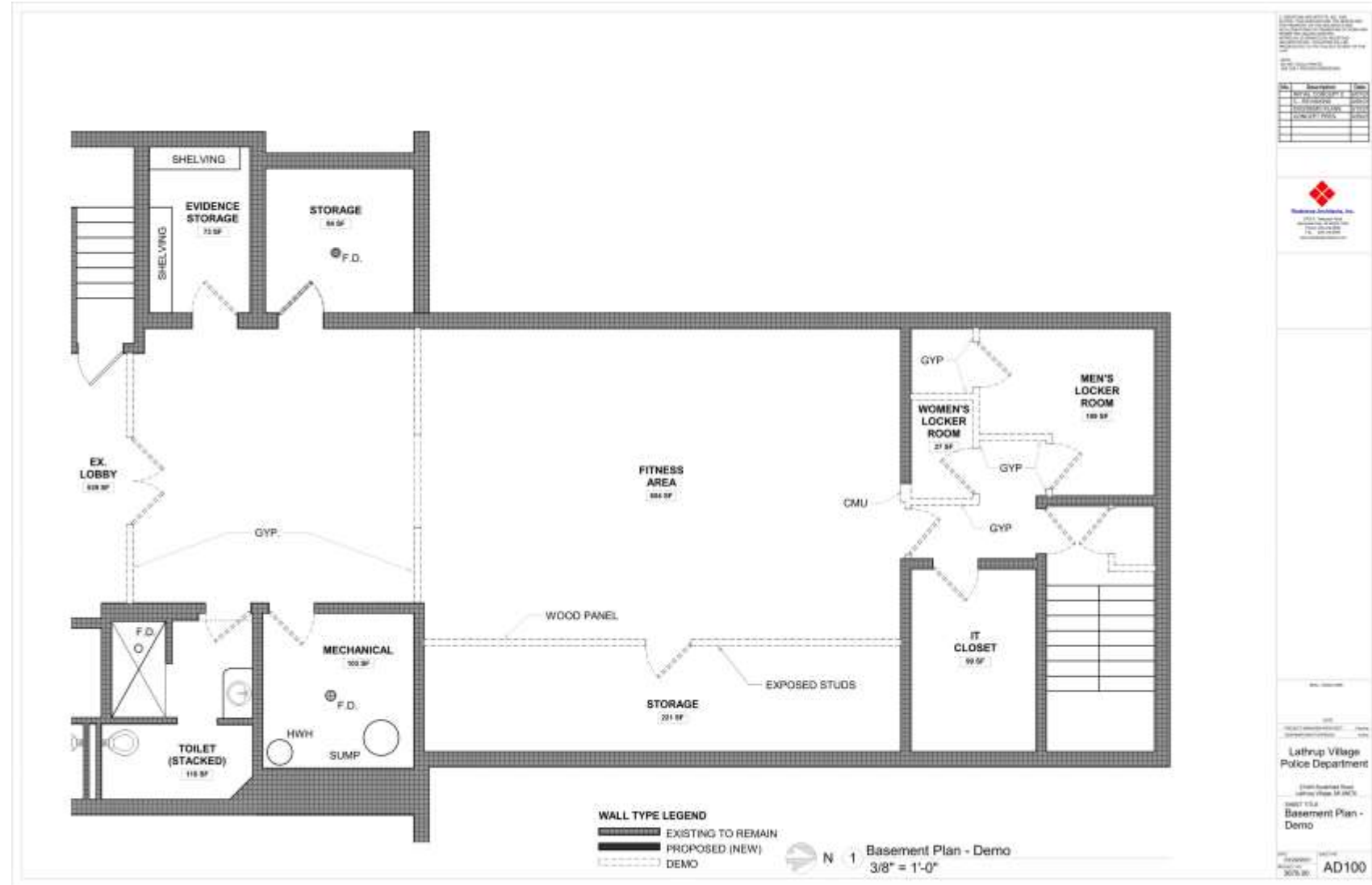
Site Plan

- Fenced and Secure Parking Area
 - 6 Covered Parking Spaces
 - 6 non-covered Spaces
 - Gated entry
 - Masonry and Metal Fencing
 - Electrical Service to Carport
 - Electric Vehicle Charging Station



City of Lathrup Village Police Department Study

Lower-Level Demolition Plan



Main-Level Demolition Plan



City of Lathrup Village Police Department Study

- **Cost Projections: O'Brien Construction Company**

- Construction Cost Projection (3,730sf + Site Work): \$ 932,030

- Includes:

- Exterior Masonry & Metal Security Enclosure
 - Card Access Electronic Gate & Access Door Controls
 - Commercial Grade Level-3 Electric Charging Station
 - Live Scan, Interview Recording and A/V Training Room Equipment
 - Furniture Allowance
 - Design and CM Contingency
 - Contractors Overhead and Profit

- Soft Costs, estimated at 15%: \$139,805

- Professional Fees
 - Owner Costs
 - FF & E not included in Construction Costs

- **TOTAL PROJECTED PROJECT COST** **\$1,071,835**



City of Lathrup Village Police Department Study

- **Exclusions:**

- Cost of temporary relocation of Police Operation during construction- Estimated at five to six months
- Davis-Bacon and/or Union wage requirements
- Hazardous Contaminated Materials handling
- Exterior Building Work (façade, roof, windows, etc.)
- Emergency Power Generator and/or UPS systems; new transformer
- Gun safes; specialty storage
- Replacement of existing HVAC or other major Systems replacement.



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COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl Mitchell Theriot, City Administrator

DA: April 19, 2021

RE: Sidewalk Replacement Program – Tree Root

SIDEWALK REPLACEMENT PROGRAM – the 2021 project area is the residential area south of 11 Mile/I-696 and the commercial corridor of Southfield Road have been identified for this year's sidewalk program. An evaluation of the sidewalks is currently underway, with information be uploaded through a "Collector" application to a GIS system. Of approximately 60 sidewalk flags in this years sidewalk project area, 11 are raised in part due to city tree roots.

Instead of the Special Assessment Process, on the agenda is an Ordinance to amend the sidewalk ordinance to allow for notification to the property owner and allowing the owner a reasonable time (not less than 10 days) to complete the repairs. The typical flag costs \$125 - \$150 to replace.

If the repairs are not undertaken, the city can move forward with the repairs at city expense to address this as a public health and safety measure. The cost of the repairs shall be charged about the adjacent property owner.

For the 2021 Sidewalk program, it is being recommended to allow the property owners to contract for the repairs themselves; pay the full amount upon invoice; or divide the payments over 2 years (due December 1, 2021 and December 1, 2022). For any missed payments, the entire balance will be placed on the Summer Tax bill.

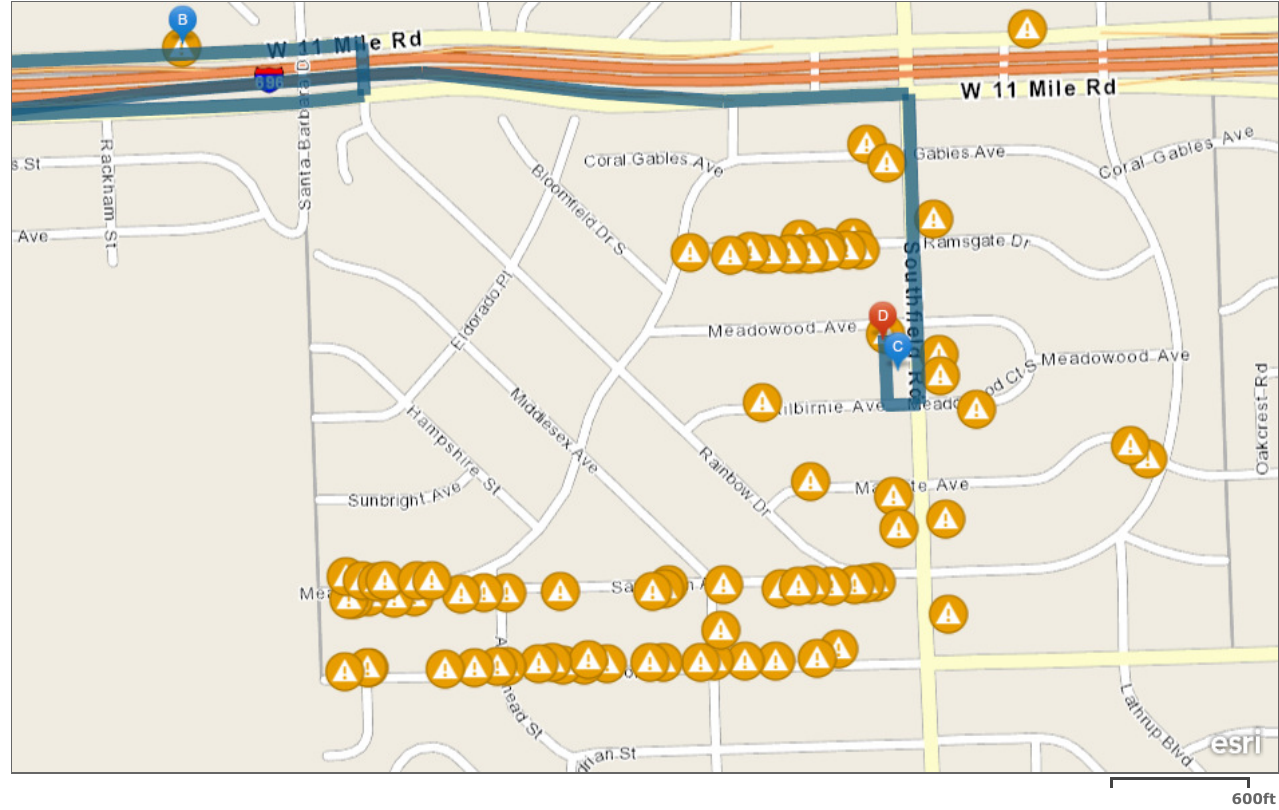
TREE ROOTS - It is recognized that many of the sidewalks are lifted up by the roots from City trees located in the easement area. The repair/replacement of the sidewalk is the responsibility of the property owner. Some of the sidewalk repairs may require the grinding of the tree roots, in order to help level the sidewalk flags. The additional cost for grinding the tree roots is estimated at \$100 each. This would normally also be the responsibility of the property owner adjacent to the raised sidewalk.

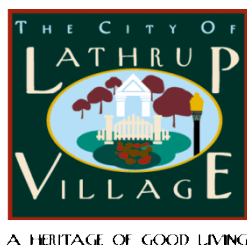
RECOMMENDATION: For the 2021-2023 Sidewalk Replacement Program, that the City of Lathrup Village assume the costs associated with grinding the roots of city trees that are impacting safe sidewalk conditions.

Suggested Motion:

Adopt Policy and Amend the 2021-2023 Sidewalk Replacement Program to reflect that the City of Lathrup Village will assume the costs associated with grinding the roots of city trees that are impacting safe sidewalk conditions.

FOR COLLECTOR - Lathrup Village Sidewalk Map





CITY OF LATHRUP VILLAGE

27400 Southfield Road
Lathrup Village, Michigan 48076
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www.lathrupvillage.org

SIDEWALK REPLACEMENT PROGRAM OUTLINE

- City Ordinance (Sec. 62.122) requires that sidewalks be maintained in a reasonable repair and a safe condition. Defects are required to be replaced or repaired by the abutting property owner
- The property owners abutting the sidewalks requiring repair/replacement have the option to either:
 - Do the work themselves or hire contractor for the repairs; requires obtaining a permit
 - Participate in the City Sidewalk Program (permit fees are waived); and either:
 - Pay the full amount upon notification of cost/invoice
 - Divide the payments over 2 years
- **3 Year Program***

Year	Residential Area	Business Area
Year 1 – 2021	South of I-696/11 Mile (east and west of Southfield Rd)	Southfield Corridor (from Lincoln to 12 Mile)
Year 2 – 2022	East of Southfield Rd	11 Mile Rd and 12 Mile Rd (East of Southfield Rd)
Year 3 – 2023	West of Southfield Rd	11 Mile Rd and 12 Mile Rd (West of Southfield Rd)

**Areas included in Years and 2 and 3 may be subject to change*

- **Sidewalk Flags** – sidewalk flag replacement cost will be based on prices provided by successful bid (estimated at \$125 - \$150)
- **Sidewalk Defect** – in accordance with the Sidewalk Replacement Program Marking Key identifying criteria for: stubbers, cracked, drainage, holes/pitting, scaling, slope, and other defects
- **Tree Roots** – the sidewalk repair/replacement may require the tree roots to be shaved in order to level the sidewalk flag. The cost (est. \$100) of grinding the tree roots only will be the responsibility of **City of Lathrup Village for duration of the 2021-2023 Sidewalk Program.**
- **Administration Fee** – 10% for participating in the city program (or as approved by Council)
- **Finance Charge** - 5% annual fee for carrying a balance (or as approved by Council)

Revised 4/19/2021

CITY OF LATHRUP VILLAGE SIDEWALK REPLACEMENT PROGRAM

Proposed Schedule

March– April 2021 – City staff will be marking flags which meet the criteria detailed in the Sidewalk Replacement Program Standard Operating Procedures. A request for Proposals (RFP) for cement contractors will be drafted and released by the end of April.

Early May 2021 – RFPs are due. The City contractor is selected, and a contract is drafted for consideration by City Council.

Late May 2021 – Letter to property owners with the amount owed and notice of public hearing.

May 17 or June 21, 2021 – The contract is presented to City Council for approval. There will also be a Public Hearing at this meeting.

June/July 2021 – Notice of bid award; signing of contract; pre-construction conference

July/August 2021 – Contractor to begin work.

September/October 2021 - completion of project

Should the property owner's sidewalk need repair or replacement, they will be given two options to ensure your sidewalk is safe and in compliance with the City's ordinances.

Option 1: Have the City's contractor perform the work. This avoids the cost of having to obtain a permit and will be based on the actual cost of the replacement work (at the City's volume discounted rate). Should they choose this option, the amount you are responsible for can either be paid up front or they will be billed when work is complete (**approximately October 2021**). They will have the option of making the payment over two years. Outstanding balances not paid by December 1, 2021, will be placed on the Summer 2022 tax bill.

Option 2: Perform the work yourself or hire a contractor of your choice. Should you choose this option, you must notify the City who your contractor is by June 11, 2021 and pull the required permits. If work is not completed by **August 31, 2021**, the City's contractor will do the work and you will be billed upon completion (approximately October 2021). Outstanding balances not paid by December will be placed on the Summer 2022 tax bill.

Updates and Project Information: The City has setup an Infrastructure project page on our website (www.lathrupvillage.org) to provide detailed information on the Sidewalk Replacement Program, upcoming capital improvement projects.

Questions: Please contact Susie Stec, Director – Community & Economic Development at sstec@lathrupvillage.org or 248.557.2600 ext.223.



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COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl Mitchell Theriot, City Administrator

DA: April 19, 2021

RE: Culvert & Ditch – Payment Plan Proposal

As part of the 2021-2023 Street Improvement Projects, it has been recommended that the adjacent non-functional ditch and culvert systems are replaced. The repair of the ditch system is crucial to obtaining the maximum life of the road and the most efficient use of tax dollars,

The costs for the repairs of the ditches and culverts are the responsibility of the property owner. This will be through establishing Special Assessment Districts (SAD), in most cases. The 2021 Street Improvement Project only has 8 residential properties that require the culverts to be replaced. Instead of establishing a SAD, the residents are being addressed through Code Enforcement, where they are being given the opportunity to either:

- Make the repairs themselves within 21 days of the notice
- Have the culvert repair, along with the remaining portions of the driveway approach, included with the street improvement. In which case they will be billed for the estimated costs.

The repair costs for these culverts range from \$1,767 to \$2,800. Some homeowners have expressed interest in entering into a multi-year payment arrangement.

Recommendation: To authorized a Culvert & Ditch Payment Plan that:

- Residents have the option to pay for the repairs themselves or pay the city for the entire amount upfront
- Allows residents to divide the costs over a maximum of 3 years
- Payments are due each year by December 1st.
- When payments not received by December 1st, the entire remaining balance will be placed on the special assessment rolls and Summer Tax Bill
- There will be an Administrative Fee of \$100 to establish the multi-year payment plans
- There will be an Administrative Fee of \$100 added for each year in which a balance is carried

Suggested Motion:

Approve the Ditch and Culvert Payment Plan as recommended.

<u>ITEM</u>	<u>UNIT</u>	<u>Unit Price</u>	Cambridge	Cambridge	Sunset	Avilla	Avilla	1Avilla	Avilla	Avilla
CULV, REM, LESS THAN 24 INCH	Ea	\$ 325.00	1	1	1	1	1	1	1	1
PAVT, REM, DRIVEWAY	Syd	\$ 9.00	23	13	15	5	18			18
CULV, CL F, 8 INCH (N12 OR CMP)	Ft	\$ 40.00	27	25	25	28	24	18	19	23
HMA SURFACE, REM, DRIVEWAY	Syd	\$ 9.00						18	13	
HMA, 36A	Ton	\$ 140.00						4	3	
DRIVEWAY, NONREINF CONC, 6 INCH	Syd	\$ 52.00	23	13	15	5	18			18
			\$ 2,808.00	\$ 2,118.00	\$ 2,240.00	\$ 1,750.00	\$ 2,383.00	\$ 1,767.00	\$ 1,622.00	\$ 2,343.00



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COUNCIL COMMUNICATION:

TO: Mayor Garrett and City Council Members

FR: Sheryl Mitchell Theriot, City Administrator

DA: April 19, 2021

RE: Sign Ordinance

Attorney and Planner have submitted an updated to the sign ordinance. Key features include:

- The addition of “backlit signs” in the “sign illumination” Section 52.23k
- For all sign uses, up to 3 square feet of temporary free standing or wall sign area is permitted at all times
- Free standing signs have a 65-day time limit
- Wall signs have a 28 day per year limit, with not one display period exceeding 14 days
- Temporary signs shall not be illuminated
- Building/Land sale signs – time limit is equal to for the temporary sign is equal to the time the property is listed for sale/lease

In October 2020, the Planning Commission reviewed the planned changes and added the following:

- Backlit signs are restricted to a 4” spread of illumination
- Clarification that non-residential temporary signs require permits
- For temporary signs, a rigid border for signs less than 6 square feet is not required
- Added 11- and 12-Mile Roads
- Wall signs shall not be painted directly onto a building; remove prohibited signs

SUGGESTED MOTION (Tentatively May 17, 2021)

Motion to Approve the 2nd Reading and Adoption of An Ordinance to Amend Article 2 Sign Ordinance of the City Code for the City of Lathrup Village

CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN
AN ORDINANCE TO AMEND ARTICLE 2 SIGN ORDINANCE,
OF THE CITY CODE FOR THE CITY OF LATHRUP VILLAGE.

An ordinance to amend the City of Lathrup Village Sign Ordinance to amend definitions related to signs and amend the Sign Ordinance with updated provisions and regulations relating to sign illumination and temporary signs.

THE CITY OF LATHRUP VILLAGE ORDAINS:

Section 52-21 Intent.

1. **Intent.** These regulations establish rules and standards for the construction, location, maintenance and removal of privately-owned signs. Directional, emergency, or traffic-related signs owned by city, county, state or federal government agencies are not regulated by this chapter.

The execution of these regulations recognizes that the purpose of this chapter is to protect the dual interest of the public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for identification, communication, and advertising. In order that such purposes can be achieved, the following objectives shall be applied for this chapter and any future additions, deletions and amendments:

- A. **General.** Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare
- B. **Public Safety.** Protect public safety by prohibiting signs that are structurally unsafe or poorly maintained; that cause unsafe traffic conditions through distraction of motorists, confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or sites
- C. **Protect Aesthetic Quality of Districts and Neighborhoods.** Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views; preventing intrusion of commercial messages into non-commercial areas; and eliminating signs and sign structures on unused commercial properties. Also, to avoid glare, light trespass, and skyglow through selection of fixture type and location, lighting technology, and control of light levels;
- D. **Free Speech.** Ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication;
- E. **Reduce Conflict.** Reduce conflict among signs and light and between public and private information systems
- F. **Business Identification.** Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
- G. **Foster Economic Development.** Ensure that signs are located in a manner that does not cause visual clutter, blight, and distraction, but rather promotes identification and communication necessary for sustaining and expanding economic development in the City.

- H. Recognize Unique Areas. Acknowledge the unique character of certain districts, e.g., the Village Center and Mixed Use districts, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas.

Section 52-22 Definitions

Abandoned sign means a sign which no longer advertises or identifies a business, lessor, owner, or activity conducted upon, or product available on or off the premises where such sign is displayed.

Add-on sign means a secondary sign that is attached to another sign, including a building sign, or to a sign support for another sign.

A-Frame sign – See “pedestrian sign”.

Ancillary sign is a sign that is secondary to the use of the building or business.

Animated sign is a sign that uses movement or change of lighting, including a flashing sign, to depict action or create the effect of a scene. Such a sign does not include changeable copy signs (see “Changeable Copy Sign”).

Banner means a temporary sign that is produced on a non-rigid surface on which copy or graphics may be displayed.

Billboard - See “off-premise sign”.

Blade sign means a sign that is suspended from an overhang, canopy, marquee, or awning and hangs perpendicular to the building wall. An 8-foot clearance is required between a blade sign and finished grade.

Building frontage is the portion of the side of a building occupied by a single business where the main entrance of the business is located. Only one entry can be considered the main entrance for the business.

Building façade is the portion of any exterior elevation of a building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.

Changeable copy sign means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter.

Channel letter sign means a sign comprising individual letters that are independently mounted to a wall or other surface and internally illuminated with a covered translucent face.

Cladding is a non-structural covering designed to conceal the actual structural supports of a sign.

Copy is the words, letters, numerals, figures, designs, symbols, insignia, trademarks, and background on a sign surface in either permanent or changeable form.

Copy area is the area of a sign that contains the copy, excluding any framing.

Display window means any glass or other translucent material comprising a panel, window or door through which a window sign would be visible to the general public from any sidewalk, street or other public place.

Feather (or flutter) sign means any sign that is comprised of material that is suspended or attached in such a manner from a pole or stake as to attract attention by waving and/or fluttering from natural wind currents. It also includes similar signs that do not move or flutter.

Flashing sign means illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use.

Halo sign means a sign illuminated such that light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter. Also known as a “backlit” sign.

Inflatable sign means a sign consisting of a balloon or other gas filled structure.

Marquee sign means 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 or building line.

Master sign plan means a plan designed to show the relationship of signs for any cluster of buildings or any single building housing a number of users or in any arrangement of buildings or shops which constitute a visual entity as a whole.

Monument sign means a sign extending upward from grade which is attached to a permanent foundation for a distance of not less than 50 percent of its length, and which may be attached or dependent for support from any pole, posts, or similar uprights provided such supports are concealed within the sign structure.

Neon sign (see “Outline Tubing Sign”).

Non-conforming sign means any sign which was lawfully erected prior to the effective date of this ordinance governing signs in the City of Lathrup Village but which is no longer in compliance with current ordinance standards.

Off-premises sign means a display sign that contains a message unrelated to or not advertising a business transacted or goods sold or produced on the premises on which the sign is located.

On-premises sign means a sign which advertises or identifies only goods, services, facilities, events, or attractions on the premises where located.

Outline tubing sign is a sign consisting of glass tubing filled with neon or other material, which glows when electric current is passed through it.

Pedestrian sign means a sign near street or sidewalk level, oriented and scaled to the pedestrian rather than the motorist. Such signs shall be self-supporting, as with an A-frame type sign, and not be permanently installed.

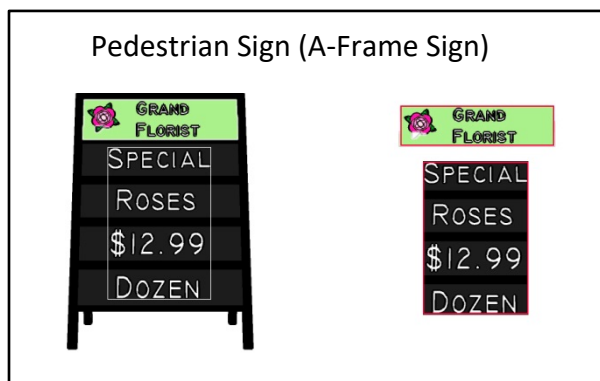
Pole sign means a permanent sign that is mounted on a freestanding pole(s) or other support that is placed on, or anchored in, the ground and that is independent from any building or other structure

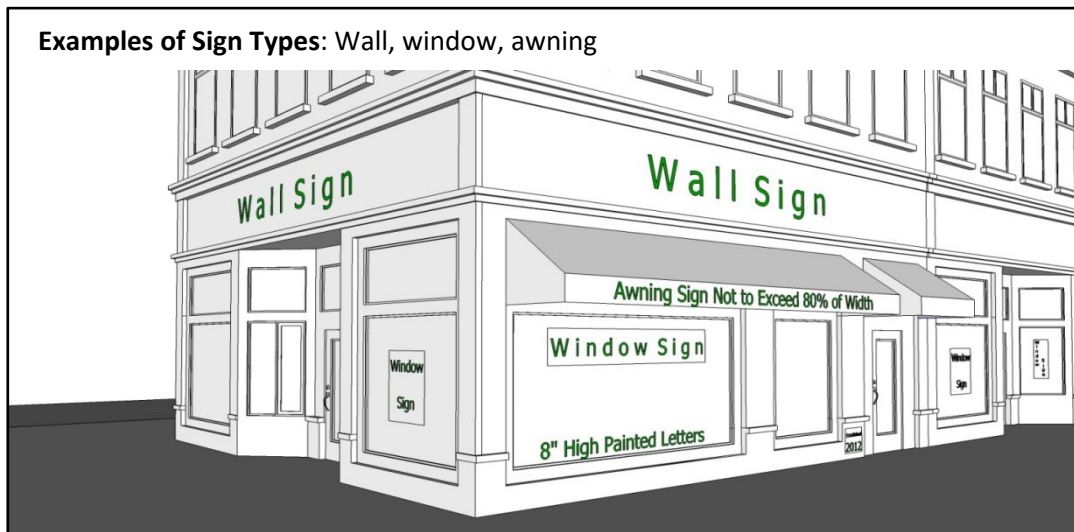
Projecting sign means a sign which is affixed to any building or structure other than a marquee, and any part of which extends beyond the building wall and the horizontal sign surface is not parallel to the building or structure.

Roof sign means any sign erected and constructed wholly on and over the roof of a building and supported by the roof structure.

Sign means any words, numbers, figures, presentations, designs, objects, trademarks, inflatables, announcements, pennants, emblems, banners, pictures or other symbols or similar devices which attract attention or make known such things as an individual, firm, profession, business, event, commodity or service and which are visible from the street, public right-of-way, or place that is open to the public, such as a private parking lots for shopping centers and office buildings. Sign shall include any structure designed to be used for such display. For the purpose of removal, such term shall also include sign supports. A sign shall not include any of the above that is customarily affixed to a person or clothing that is being actively worn by a person.

Sign area is the surface display area of a sign. The area of a sign shall be calculated by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, logo or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, except that lower case letters with ascenders and descenders that extend beyond the limits of the sign height by a maximum of 12 inches, will not be calculated into the total sign area (See graphic). In the case of a flat, 2-sided sign, the surface area of the sign shall only be calculated on one side of the sign. In the case of a multiple-faced sign, the area of all faces shall be considered as one surface (see graphic).





Sign height shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction; or (2) mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.

Temporary sign means a sign that is not attached to a permanent supporting structure on the real estate on which the sign is located and is intended to be displayed for a limited period of time.

Village center district shall mean the zoning district created by the City of Lathrup Village Zoning Ordinance.

Wall sign means a sign attached to or erected against the wall of a building with the face in a plane parallel to the plane of the building wall.

Window sign means a sign displayed and visible through building glass area from a sidewalk, street or other public place which may or not be, painted or affixed on the interior glass or other window material.



SUBDIVISION

Individual Copy on Freestanding Sign

Calculate sign area defined by imaginary panel drawn around outside of copy



SUBDIVISION

Copy on Oval Panel of Freestanding Sign

Calculate sign area defined by imaginary panel drawn around actual oval panel



SUBDIVISION

Individual Copy and Logo on Freestanding Sign

Calculate sign area defined by imaginary panel drawn around outside of copy and logo. Add together for total sign area



RESTAURANT

Individual Copy on Wall Sign – Letters Placed on Building

Calculate sign area defined by imaginary panel drawn around outside of copy

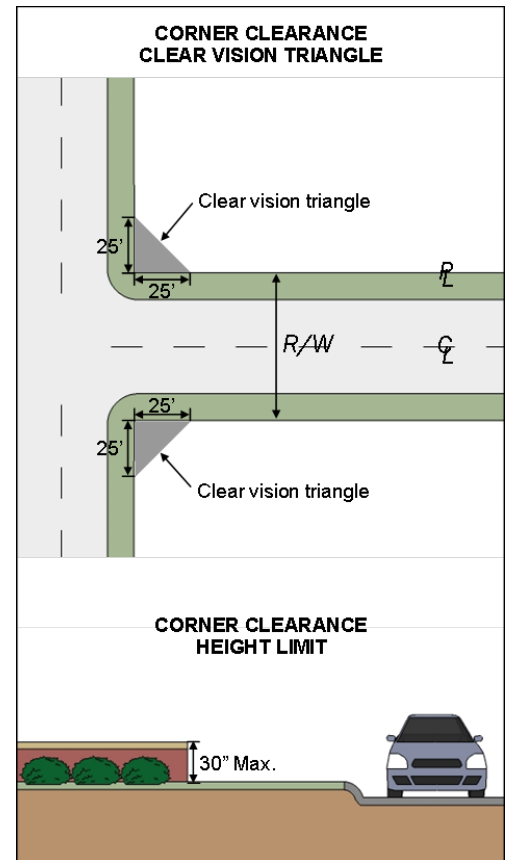
Sign Area Calculation Guidelines

cafe & bakery

Ascenders and Descenders Extending Up to 12 inches Beyond the Sign Area Rectangle Will Not Count Towards the Total Sign Area Calculation

Section 52-23 General Requirements

- A. All signs shall complement the building for which they are serving in terms of color, materials and design.
- B. A clear vision zone shall be free of all signs except public safety signs.
- C. No sign shall interfere with, obstruct the view of, or cause confusion with any authorized public sign, signal or device.
- D. All signs shall comply with the requirements of the City of Lathrup Village Building Code. All letters, figures, characters, insignia or representations upon any sign shall be safely and securely attached.
- E. If a property line, easement or right-of-way line is altered in a manner that affects the setbacks required by this Ordinance, a new sign permit or variance must be obtained.
- F. A sign requiring a permit may be relocated on the same premises provided that a new sign permit is obtained and all requirements are met.
- G. No sign shall be located in or project into a public right-of-way or private road or dedicated easement, except governmental signs and signs installed by the applicable road agency or utility company, or as otherwise expressly permitted in this section.
- H. Paper sheets shall not be applied in any manner to any sign or any building, except any allowed window signs as otherwise permitted in this Ordinance.
- I. Nothing in this ordinance shall be construed to prohibit non-commercial messages on signs that are otherwise allowed herein.
- J. No sign, sign structure or sign support shall project over the roof of any building, nor obstruct or obscure any building windows or significant architectural elements. All signs shall be maintained in good condition.
- K. Illumination.
 - a) Illuminating devices for signs shall comply with the City of Lathrup Village Electrical Code.
 - b) The light for any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness meet the requirements of Section 5.8 of the Zoning Ordinance.
 - c) The source of illumination may be internal or external but shall not be both internal and external. The source of the light shall not be exposed.
 - d) Glare control for sign lighting shall be achieved through the use of full cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, lumens, aiming angle, and fixture placement.
 - e) Backlit signs shall use only white light for illumination. Such signs shall spread their illumination a maximum of four inches beyond the sign elements.



- L. Signs shall not have scrolling, blinking, flashing, animated or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color.

Sections 52-24 Sign Types Permitted by District

52-24. Sign Types Permitted by District				
A. Residential Districts (R-1, R-2, R-3). Permits required, unless otherwise noted				
Sign Type	Location	Max. Sign Surface Display Area	Max. Height	Number
Residential Use Monument Sign See Section 52-25.A.	At entrance road for subdivision development within boulevard median or 10 ft from street right-of-way line	32 sq ft per side	5 ft from ground level to top of sign	1 per subdivision development entrance

52-24. Sign Types Permitted by District				
B. Office Districts (O & GO). Permits required, unless otherwise noted				
Sign Type	Location	Max. Sign Surface Display Area	Max. Height	Number
Principal Wall Signs	On principal building façade to be placed at the sign band, when provided.	Setback from lot line from 0 to 100 ft: 10% of ground floor, street-facing building face up to 64 sq ft Setback more than 100 ft: 15% of ground floor, street-facing building face up to 64 sq ft	Not to exceed height of building	1 per business with individual exterior entrance or, if a common entrance is provided, one per building
Ancillary wall sign	At a building entrance	10 sq ft	Not to exceed height of building	1 per building
Monument sign See Section 52-25.A.	At the property entrance, setback 10 ft from street right-of-way line	32 sq ft per side	5 ft from ground level to top of sign	1 per parcel. 1 additional sign is permitted if the parcel has more than 100 feet of frontage on 11 or 12 Mile Roads provided

				they are separated by 100 ft. minimum.
Other signs	See Section 52-25.E			

52-24. Sign Types Permitted by District

C. Commercial Districts (CV). Permits required, unless otherwise noted

Sign Type	Location	Max. Sign Surface Display Area	Max. Height	Number
Principal Wall Signs	On principal building façade to be placed at the sign band, when provided.	0-100 ft setback from lot line: 10% of ground floor, street-facing building face up to a maximum of 64 sq ft 100+ ft setback from lot line: 15% of ground floor, street-facing building face up to a maximum of 64 sq ft	Not to exceed height of building	1 per street level business with principal building frontage. Corner buildings shall be permitted 1 on each frontage
Rear façade wall sign	On rear façade of building when parking provided in rear yard or when rear façade faces a street.	24 sq ft	Not to exceed height of building	1 per building
Ancillary wall sign	At a building entrance	10 sq ft	Not to exceed height of building	1 per building
Monument sign See Section 52-25.A	10 ft. from street right-of-way line	42 sq ft per side	6 ft from ground level to top of sign	One per parcel, except multiple-tenant building with 100 ft or more contiguous frontage on 11 Mile, 12 Mile or Southfield Roads may have two signs, separated by 100 ft. minimum

Other signs	See Section 52-25.E
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52-24 Sign Types Permitted by District

D. Pedestrian-Oriented Business Districts (MX and Village Center). Permits required, unless otherwise noted

Sign Type	Location	Max. Area	Max. Height	Number
Wall Sign	On principal building façade at the sign band	10% of ground floor street-facing building face up to a maximum of 64 sq ft.	Not to exceed height of building	1 per street level business with building frontage. Corner buildings shall be permitted 1 on each frontage
Projecting Sign or Blade sign See Section 52-25.D.	i. At least 8 ft. above ground level ii. No closer than 20 ft to another such sign iii. No higher than the 2nd floor of a multi-story building	16 sq. ft. total	4 ft. from bottom edge of sign	1 per occupant at street level
Window Sign— No permit required	In business windows	Ten (10) percent of the total glass area on that side of the building and on the floor where the sign will be located	—	—
Rear façade wall sign	On rear façade of building when parking provided in rear yard or when rear façade faces a street.	24 sq ft	Not to exceed height of building	1 per building
Monument sign (in MX district only)	10 ft minimum front and side yard setbacks	40 sq ft per side	5 ft from ground level to top of sign	1 per parcel
Temporary Pedestrian or A-Frame Sign — No permit required. See Section 52-25.C.	i. May be located in public right-of-way, but shall maintain 4 ft clear pedestrian area on sidewalks and be setback 4 feet from the back of curb. ii. No closer than 20 ft. from another such sign	6 sq ft per side	4 ft from ground level to top of sign	1 per business
Other signs	See Section 52-25.E			

Section 52-25. Additional Requirements for Sign Types that Require a Permit.

A. Monument Signs.

- i. The total area, including the sign and all supporting structure components for monument signs, shall be limited to no more than three times the size of the sign surface display area of the sign.
- ii. Unless a monument sign is mounted on a natural feature, such as a boulder, the monument sign shall have a minimum twelve (12) inch high base, constructed of clay brick or integrally colored concrete brick, stone, marble, decorative metal or other similar masonry materials.
- iii. The street number must be affixed on the sign face or on the supporting structure of monument signs and must be kept visible from the adjacent street. Street numbers must use minimum eight (8)-inch tall letters or characters. The street number does not count toward the total sign display area.
- iv. The minimum height of all letters and numbers on a monument sign shall be as follows:

Posted Roadway Speeds	Minimum Letter and Number Height
45 mph or greater	6 inches
30-40 mph	4.5 inches
25 mph or less	3 inches

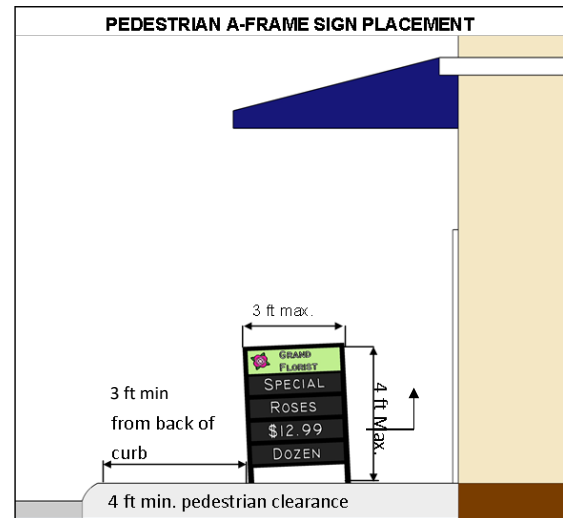
The height of letters and numbers on an incidental message or within a logo may be less than stated above, provided the primary message meets the above standards. In no case shall letters or numbers less than the above standards comprise more than ten percent of the total sign area.

B. Wall Signs.

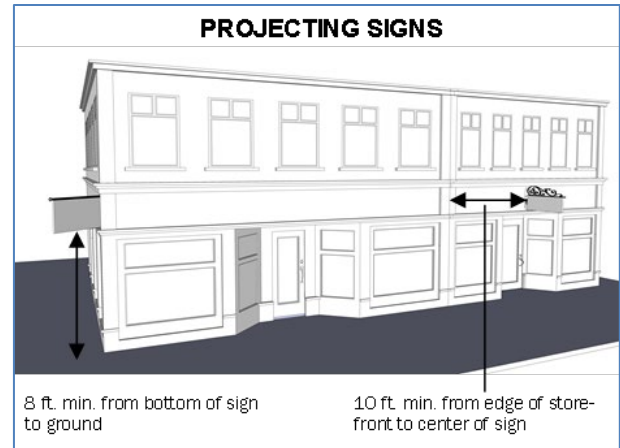
- i. Wall Signs shall be flush-mounted, shall not be mounted on the roof of any building and shall not project above the roofline. Wall Signs shall not cover any portion of a wall opening. Wall Signs shall not project beyond the top or ends of the wall to which they are attached; however, letters may extend beyond the top and in front of the advertising structure. Wall Signs shall not protrude more than twelve (12) inches measured from the wall to which it is attached.
- ii. Wall Signs shall be safely and securely attached to structural members of a building by means of metal anchors, bolts, or expansion screws. All wall sign anchoring devices shall meet the standards of the City Building Code. No nails, tacks, or wires shall be permitted to protrude from the front of any sign.
- iii. Wall Signs shall not exceed a width of more than two-thirds of the subject building frontage.
- iv. Any building or sign damage created due to the removal or replacement of a wall sign must be repaired.
- v. Wall Signs are not allowed on property used for single-family or duplex residential purposes.
- vi. Wall Signs shall not be painted directly on a building.

C. Temporary Pedestrian or A-Frame Signs:

- i. A-Frame Signs shall be permitted in the following districts: MX and Village Center Districts.
 - ii. The area of the A-frame sign shall not exceed six (6) square feet per side or a total of 12 sq ft total.
 - iii. One (1) such sign shall be permitted per customer entrance or per on-site business, whichever is less.
 - iv. The sign height of the sign structure shall be no greater than four (4) feet and the width shall be no greater than three (3) feet.
 - v. The sign shall not be illuminated in any manner.
 - vi. The sign shall be located a minimum of three (3) feet from the back of street curb and it shall not be located in a manner as to interfere with vehicular or pedestrian traffic flow or visibility. A four (4) ft minimum pedestrian clearance area is required.
 - vii. The sign is permitted only during operating business hours or from the hours of 6:00am to 10:00pm, whichever is less, and must be stored inside when the establishment is not open to the general public.
 - viii. A-Frame signs shall be spaced a minimum of 20 feet apart.
 - ix. The sign must be professionally constructed of weather-proof, durable material, and kept in good repair.
 - x. The sign shall have a black or silver/gray frame. Changeable message panels shall be either professionally printed or white changeable letters shall be used on a black or dark color background. A "blackboard-style" message area, similar to those used for daily restaurant specials, may all be used for all or a portion of the sign area.
 - xi. The signs shall not be illuminated, nor shall they contain moving parts, or have balloons, windsocks, pinwheels, streamers, pennants, or similar adornment attached to them.
- D. Projecting Signs.** Projecting signs are for the primary benefit of pedestrians and are encouraged to be decorative in design. Such signs shall only be permitted under the following provisions:
- i. Projecting signs shall only be permitted in the MX and Village Center districts.
 - ii. Projecting signs shall be placed on the sign band, when provided, unless a wall sign prohibits placement there.



- iii. Projecting signs shall be a minimum of 8 feet above ground level, shall be placed no closer than 20 feet from another projecting sign (measured center of sign to center of sign), shall be no taller than 4 feet above the bottom edge of the projecting sign, shall be no greater than 16 square feet in area, and shall project no farther than 4.5 feet from the façade.
- iv. Projecting signs shall be placed no closer than 10 feet to the horizontal edge of the storefront façade associated with the subject establishment provided; however, that this subsection shall not apply to the corner portion of a corner building.
- v. Projecting signs shall have a maximum depth (thickness) of 2 feet; however, up to 33 percent of the sign may be up to 4 feet thick in order to provide for creative sign design.
- vi. Support structures for projecting signs shall be constructed of a material and color to match the sign and complement the building.



E. Other Signs.

- i. **Outline Tubing Sign:** Outline tubing signs are limited to two square feet and one per business.
- ii. **Parking of Vehicles Displaying Signs.** Mobile signs are prohibited. Commercial vehicles and trucks 1) displaying signs that are typically found on said vehicles and 2) that have a primary function of carrying goods or people, not advertising, may be permitted to park on the site of the principal use provided parking shall be in a rear or interior side yard.

F. Temporary Signs. Temporary signs shall be permitted as follows:

52-25 F. Maximum Area per Sign Face, Maximum Height, and Allowed Type of Temporary Signs				
District	Permitted Types	Maximum Area of All Temporary Signs by Type	Maximum Area of Any Individual Sign	Maximum Height (Freestanding)
(1) Residential (no permits required)	Freestanding	24 square feet, except that an additional 6 square feet of signage is permitted when a property is available for sale or lease.	6 square feet	5 feet

	Wall ¹	3 square feet per building in single family residential districts; 12 square feet per building in multiple family residential districts.	3 square feet in single family districts; 12 square feet per building in multiple family residential districts	
(2) Non-Residential	Freestanding	32 square feet, except that an additional 12 square feet of signage is permitted when a property is available for sale or lease.	32 square feet	6 feet
	Wall ¹	20 square feet	20 square feet	

¹The display period for temporary wall signs shall be limited to a total of twenty-eight (28) days per calendar year. Such signs shall not be displayed for any continuous period greater than fourteen (14) days. After this time expires, the sign shall be removed. See Section 52-27 for permit requirements.

- i. Freestanding temporary signs shall be setback five feet from all property lines. The maximum display time of freestanding temporary signs is 65 days. After this time expires, the sign shall be removed. Once the temporary sign is removed, there shall be a gap of at least thirty (30) days between display of the same temporary sign on the same zoning lot.
- ii. Notwithstanding the above, 3 square feet of temporary freestanding or temporary wall sign area is allowed on each zoning lot at any time and without expiration of display time. The area of this sign is counted towards the area maximum in Table 8.A.
- iii. When all or a portion of a building or land area on a zoning lot is listed or advertised for sale or lease, the maximum display time for temporary signs shall be the duration the building, building unit or land is listed or advertised for sale or lease. Once a building unit is leased or sold, the sign shall be removed if it has been displayed for more than 65 days. In all cases, the sign area limits in the Table 8.A. shall apply.
- iv. Temporary signs shall be constructed of durable, all-weather materials and designed to remain in place and in good repair so long as they remain on display; provided, however, that each zoning lot may have one temporary freestanding sign up to three square feet constructed of any non-illuminated material. All temporary freestanding signs larger than six square feet shall have a frame or rigid border.
- v. Temporary signs shall be subject to the maintenance standards of this section.

52-26 Signs Not Requiring a Permit.

- A. Changing advertising copy on an approved sign

- B. Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure.
- C. **Traffic control signs on private property**, such as "Stop," "Yield," restricted parking, and similar signs, the face and size of which meet traffic engineering standards.
- D. **House number signs**. A sign bearing the house number shall not exceed two square feet in area and shall be illuminated only by the reflector method, placed behind the building line and erected so that the light source is not visible from outside the premises.
- E. **Signs** up to one per non-residential driveway, limited to two square feet per sign and a maximum height of two and one-half feet.
- F. Signs up to two (2) square feet, limited to one for each occupant of a multi-tenant building at each entrance.
- G. **Window signs**. Window signs shall be permitted for non-residential uses. Window signs on a building side shall not exceed ten (10) percent of the total glass area on that side of the building and on the floor where the sign will be located. Window signs shall include permanent and temporary decals and static vinyl clings that are visible from the exterior. Such signs shall be calculated on the full extent of the graphic representation, regardless of its opacity.
- H. **Flags**: Flags of any country, state, municipality or similar entity shall be displayed on a flagpole or similar support, setback a minimum of 5 ft from any property line. The maximum height shall not exceed 30 feet. The total number of flags on any lot shall not exceed four (4).

Section 52-27 Permitting - Sign Permit Application Requirements.

- A. Sign permits shall be issued by the Planning and Zoning Administrator or his/her designee upon approval of a written application. Where electrical permits are required, they shall be obtained at the same time as the sign permit.
- B. The permit application shall identify the following:
 - i. Name and address of the sign owner and the property owner
 - ii. Name and address of the person who will erect the sign
 - iii. Location of the sign
 - iv. Drawing in color showing design, size, height, materials
 - v. Topography of land in the parcel
 - vi. Any other pertinent information the Administrator may require to ensure compliance with the ordinances of the City.
 - vii. Fees for sign permits shall be set by the City Council.
 - viii. A sign permit shall expire if the sign for which the permit was issued has not been erected within six (6) months of issuance of the permit.
 - ix. All plans shall address the removal of all previously installed signage and repairs to mounting surfaces impacted by previous mountings.
- C. The Planning and Zoning Administrator or his/her designee shall consider and deny, approve, or approve with conditions, all sign applications for which an application is made and a review fee is

paid. The Planning and Zoning Administrator may initiate a review by the Downtown Development Authority, if the site falls within the DDA district.

Section 52-28 Prohibited Signs. The following signs are prohibited:

- A. Add-on signs
- B. Animated signs
- C. Beacon lights
- D. Banners (except street banners advertising community/special events)
- E. Feather and flutter signs
- F. Festoons
- G. Inflatable signs
- H. Mirrors or mirrored signs
- I. Moving signs
- J. Obsolete signs
- K. Pennants
- L. Pole signs
- M. Roof signs
- N. Snipe signs

Section 52-29 Non-conforming Signs

- A. A non-conforming sign may remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare, except as provided in subsection F, Amortization, below.
- B. If the property upon which the sign is located is vacant and the previous use is abandoned, the entire sign (including above-ground base, height, poles, size, wires, panels and any other element) shall be removed within 30 days of the property becoming abandoned.
- C. A non-conforming sign shall not:
 - i. Be relocated, expanded or changed, except as to periodic message changes.
 - ii. Be structurally altered so as to prolong the life of the sign or to change the shape, size, type, placement or design of the sign.
 - iii. Be altered or repaired after being damaged if the repair or the re-erection of the sign would cost more than fifty percent (50%) of the cost of a similar sign.
- D. For the purpose of this Section of the Ordinance, the terms "altered", "repaired", "changed" and "expanded" shall not include normal maintenance, reducing the copy area, changing copy, changing ornamental molding, frames or other such features or landscaping below the copy area, installing or changing electrical wiring.

- E. If a property line, easement or right-of-way line is altered that affects the setbacks required by this Ordinance, the owner of the sign, building or property shall either (1) remove the non-conforming sign, (2) conform with this Ordinance, or (3) apply for a variance.
- F. Amortization. Any existing sign that does not comply with all of the provisions of this Article 2, Sign Ordinance, on the effective date of the ordinance:
 - i. Shall not be changed to another type of sign which is not in compliance with this chapter.
 - ii. Shall not be structurally altered so as to prolong the life of the sign or so to change the shape, size, type, or design of the sign.
 - iii. Shall not have its face or faces changed unless the sign is brought into conformance with the requirements of this chapter, or unless the sign is an off-premises sign or billboard constructed to permit a change of face.
 - iv. Shall not be re-established or otherwise used, after the activity, business or usage to which it relates has been discontinued for a period of 90 days or longer.
 - v. Shall not be re-established after damage or destruction if the estimated expense of reconstruction exceeds 50% of the appraised replacement cost as determined by the building official.
 - vi. Shall not ever be placed, maintained, or displayed by someone other than the person who owned the premises on the date of adoption of the ordinance from which this chapter is derived.
 - vii. Shall not be placed, maintained, or displayed by any person or entity on or after December 31, 2020.

Section 52-30 Maintenance.

- A. Damaged or Abandoned Signs.
 - i. Signs which are broken, torn, bent or whose supports are broken, bent or damaged, and signs that are not reasonably level and plumb shall be repaired and installed in a manner prescribed by the Enforcement Officer and / or Building Official, but in no case shall repair requirements exceed building code requirements and the original condition of the sign and/or its supports.
 - ii. Abandoned signs shall be removed or put into service. Removal of such signs shall include removal of the poles and/or supports.
- B. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code. Failure to comply with this section may result in action by the Enforcement Officer or Building Official to rescind the permit with subsequent removal of the entire structure.
- C. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 successive days.
- D. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than 30 successive days, unless determined by the Building Official to pose a safety hazard, in which case immediate action may be required.

- E. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.
- F. An internally illuminated sign shall not be allowed to stand with only partial illumination for a period of more than 30 successive days.

Section 52-31 Enforcement

- A. The Building Department, Police Department or agent(s) designated by the City shall remove a sign immediately and without notice if the condition of the sign presents an immediate threat to public health, safety or welfare, with all costs to remove assessed against the responsible person.
- B. The Building Department, Police Department or agent(s) designated by the City shall remove a temporary or movable sign if it violates the terms of this ordinance.
- C. In addition, the enforcement and penalty provisions of the Zoning Ordinance apply to signs.

Section 52-32 Appeals & Variances

- A. An appeal may be taken to the city zoning board of appeals by a person aggrieved, or by an officer, department, board, or bureau of the city. An appeal shall be taken within a time as shall be prescribed by the board by general rule, by the filing with the officer or body from whom the appeal is taken and with the board of a notice of appeal specifying the grounds for the appeal. The officer or body from whom the appeal is taken shall immediately transmit to the board, all the papers constituting the record upon which the action appealed from was taken.
- B. Effect of appeal. An appeal stays all proceedings in furtherance of the action appealed from unless the officer or body from whom the appeal is taken certifies to the board, after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would in the opinion of the officer or body cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by the circuit court, on application, on notice to the officer or body from whom the appeal is taken and on due cause shown.
- C. Hearings and notices. The board shall fix a reasonable time for the hearing of the appeal and give due notice of the appeal to the persons to whom real property within 300 feet of the premises in question is assessed, and to the occupants of single- and two-family dwellings within 300 feet, the notice to be delivered personally or by mail addressed to the respective owners and tenants at the address given in the last assessment roll. If a tenant's name is not known, the term "occupant" may be used. Upon the hearing, a party may appear in person or by agent or by attorney. The board shall decide the appeal within a reasonable time.
- D. Board decisions. The board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make an order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer or body from whom the appeal is taken.

- E. Practical difficulties or unnecessary hardship. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this chapter, the board may in passing upon appeals vary or modify its rules or provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures or the use of land, buildings or structures, so that the spirit of this chapter shall be observed, public safety secured, and substantial justice done.
- F. Finality of decisions. The board is empowered to grant rehearings on any appeal for any of the reasons authorizing relief from a judgment or order of the circuit courts of this state. Subject to this provision, board decisions shall be final, and subject only to judicial appeals as provided by law. In the event of a judicial appeal, the board shall comply with any judicial orders any may take any action authorized by law pursuant thereto.

Section 52-32. Liability insurance.

- A. Liability insurance for signs. If any monument or wall sign is suspended over the right-of-way of a public street or property, or if the vertical distance of such sign above the street is greater than the horizontal distance from the street, as to be able to fall or be pushed onto public property, then the owner of such sign shall keep in force a public liability insurance policy, approved by the city attorney, in the amounts set by resolution of the city council. The policy shall indemnify the owner from all damage suits or actions of every nature, brought or claimed against the owner, for or on account of injuries or damages to persons or property received or sustained by any person through any act of omission or negligence of the owner, his/her agents or employees regarding such sign.
- B. Liability insurance for sign erectors. Every person, before engaging in or continuing in the business of erecting, repairing or dismantling signs, boards or other display signs in the city, shall first furnish the city a public liability insurance policy approved by the city attorney, in the amounts set by resolution of the city council. The policy shall indemnify the erector from all damage suits or actions of every nature brought or claimed against the erector for or on account of injuries or damages to persons or property received or sustained by any person through any act of omission or negligence of the erector, his/her agents or employees in the erection, repair or dismantling of any sign, board or other display sign. The policy shall contain a clause whereby the policy cannot be cancelled until after a written notice of intention to cancel has been filed with the city clerk at least ten days prior to the date of cancellation. The policies shall be renewed annually on or before the first day of May of each year and certificates of renewal or new policies shall be filed with the city clerk.

PART 2.

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining

sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the City of Lathrup village without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To this end, the provisions of this Ordinance are hereby declared severable.

PART 3.

All other Ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance, are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulation of the City, the provisions of this Ordinance shall be deemed to control.

PART 4.

This Ordinance shall become effective upon final adoption and publication of the same in the manner prescribed by law.

This Ordinance was introduced on _____, by _____; Notice of Public Hearing was published on _____. A Public Hearing was held, the title having been read and the Ordinance considered, on motion to adopt by _____, seconded by _____, a record vote was taken and the following result was had:

YEA:

NAY:

ABSENT:

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the _____ day of _____.

ATTEST:



A HERITAGE OF GOOD LIVING

Dr. Sheryl L. Mitchell Theriot**City Administrator**

City of Lathrup Village

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COUNCIL COMMUNICATION:**TO:** Mayor Garrett and City Council Members**FR:** Sheryl Mitchell Theriot, City Administrator**DA:** April 19, 2021**RE:** Ability to Levy City Taxes on Winter Tax Bill

A discussion was requested to identify what change would be required in order for the City to be authorized to levy taxes on the winter tax bill.

The Center Charter provides:

Section 9.15. - Taxes Due: Notification Thereof:

City taxes shall be due on July first of each year. The Treasurer shall not be required to call upon the persons named in the city tax roll, nor to make personal demand for the payment of taxes, but he shall (a) publish, between June fifteenth and July first, notice of the time when said taxes will be due for collection and the penalties and fees for late payment of same, and (b) mail a bill to each person named in said roll, but in cases of multiple ownership of property only one bill need be mailed.

Failure on the part of the Treasurer to publish said notice or mail such bills shall not invalidate the taxes on said tax roll nor release the person or property assessed from the penalties and fees provided in this chapter in case of late payment or nonpayment of the same.

Editor's note— Taxes are now due on December 31. See MCL 211.40, 211.2(2), MSA 7.81, 7.2, (2).