

CITY OF ROGERS CITY  
STATE OF MICHIGAN  
ORDINANCE \_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-45, SUBSECTION E, NUMBER 12, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO REQUIRE THAT NONCONFORMING SIGNS, AS WELL AS ANY SUPPORTS, BRACES, GUYS, AND ANCHORS THAT ARE NONCONFORMING STRUCTURES, BE REMOVED IF THEY HAVE BEEN ABANDONED, AS DEFINED IN THE ZONING ORDINANCE, OR HAVE NOT BEEN USED IN 12 CONSECUTIVE MONTHS TO ADVERTISE AN EXISTING BUSINESS, SERVICE, COMMODITY, ACCOMMODATIONS, ATTRACTION, ENTERPRISE, OR ACTIVITY

THE CITY OF ROGERS CITY ORDAINS:

**Section 1.** Article 3 (General Provisions), Section 32-45 (Signs), Item E (General Sign Standards), Number 12 (Nonconforming signs), is amended as follows, with the language in green added to the text and the language in red eliminated from the text:

**12. NONCONFORMING SIGNS:**

- a. Nonconforming signs that were otherwise lawful on the effective date of this Zoning Ordinance may be continued.
- b. No person shall increase the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition. Nor may illumination be added to any nonconforming sign.
- c. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this section.
- d. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all provisions of this Zoning Ordinance. The remnants of the former sign structure not usable for a new conforming sign shall be removed within one hundred eighty (180) days. For purposes of this section, a nonconforming sign is considered destroyed if it is damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged.
- e. Subject to the other provisions of this section, nonconforming signs may be repaired, maintained, serviced or repainted if the framework and/or the size and/or shape of the sign remain unchanged. If such framework is altered or removed or the size and/or shape of the sign are altered, said sign must be changed to a conforming sign.
- f. If a nonconforming sign, other than an off-premise sign, **either meets the definition of "abandoned sign" included in Article 2 or fails for a continuous period of 12 months to legibly advertise within the sign area** ~~advertises~~ a business, service, commodity, accommodation, attraction, or other enterprise or activity that is ~~no longer~~ operating or being offered or conducted **on the property**, that sign, **including supports, braces, guys, and anchors that are nonconforming structures**, shall be removed by ~~the owner of the sign, the owner of the property where the sign is located, or~~ **the owner** of the sign, ~~the owner of the property where the sign is located, or~~ the party having control over such

sign within thirty (30) days ~~after such abandonment~~ of notification to do so by the Zoning Administrator

- ~~g-~~ If a nonconforming off-premise sign either meets the definition of “abandoned sign” included in Article 2 or fails for a continuous period of 12 months to legibly advertise within the sign area a business, service, commodity, accommodation, attraction, or other enterprise or activity that is operating or being offered, ~~remains “blank” for a continuous period of 180 days,~~ that off-premise sign, including supports, braces, guys, and anchors that are nonconforming structures, shall ~~be deemed abandoned~~ and, within 30 days of notification to do so by the Zoning Administrator ~~after such abandonment,~~ be altered to comply with this Zoning Ordinance or be removed by the ~~owner of the sign, the owner of the property where the sign is located, or the~~ persons having control over such sign. ~~For purposes of this section, a sign is “blank” if:~~

~~(1) It fails to advertise advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted;~~

~~(2) The advertising message it displays becomes illegible in whole or substantial part; or~~

~~(3) The advertising copy that either has been paid for by a party other than the sign owner or promotes an interest other than rental of the sign has been removed.~~

~~h. Subsections f and g above shall not apply to signs advertising seasonal businesses.~~

**Section 2.** If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

**Section 3.** The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

**Section 4.** A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

**Section 5.** This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

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Scott McLennan  
Mayor

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Terri Koss  
City Clerk