

Chapter 35

SIGNS*

Sec. 35-1. Uniform Sign Code – Adoption.

A certain document, complete copies of which are on file in the office of the city clerk of the City of Benton Harbor for public use, inspection, and distribution, being marked and designated as “Uniform Sign Code” 1997. Edition, published by the International Conference of Building Officials, save and except such portions as are hereinafter deleted, modified or amended, be and the same is hereby adopted as the Sign Ordinance of the City of Benton Harbor to provide minimum standards to safeguard life, health, property and public welfare, by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures not located within a building; providing for the issuance of permits and collection of fees therefor; providing penalties for violations of such code; and the regulations, provisions, penalties, conditions, and terms of said Uniform Sign Code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof as if fully set out in this chapter.

Sec. 35-2. Same – Amendments.

The following sections and subsections of the code adopted by section 35-1 shall be amended, deleted or added as follows:

Section 103(c) is amended to read:

“Appeals and appeal procedure with reference to this code are governed by City Code of Ordinances Article II of Chapter 11.”

Section 103(d) (second paragraph) is amended to read:

“Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, and such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.” (Ord. of 5-24-71, § 2; Code 1972, § 8.53)

Sec. 35-3. Fees.

The following schedule of sign permit fees and plan checking fees is hereby adopted in accordance with Section 304 of the Uniform Sign Code:

- (1) Sign permit fee. A fee for each sign permit shall be paid to the building official for each permit required by this code in accordance with the following table:

Total Display Area of All Signs for a Single Business or Group of Signs on a Single Supporting Structure

	Non-Electric	Electric
50 square feet or less	\$5.00	\$15.00
More than 50 square feet	10.00	25.00

(2) Plan checking fees. Where plans and other pertinent information are required in accordance with Section 302 of the Uniform Sign Code, a plan check fee equal to one-half the sign permit fee shall be paid to the building official. (Ord. of 5-24-71 § 2; Code 1972, § 8.53; Ord. No. 560-87, 5-26-87)

Sec. 35-4. Bond for certain signs required.

Every person maintaining one or more electric or roof signs, weighing over one hundred (100) pounds or containing more than eight (8) square feet, shall file with the city clerk a bond approved by the city attorney and running to the city, in an amount of two thousand dollars (\$2,000.00) for each sign so installed, no bond, however, to exceed the sum of five thousand dollars (\$5,000.00), which bond of five thousand dollars (\$5,000.00) shall be sufficient for any number of signs to keep and save harmless the city from any damage of any nature whatsoever arising or resulting from any privileges granted or conferred by this Code. (Gen. Code 1946, Ch. 5, § 207.7; Code 1972, § 8.53)

Sec. 35-5. License, bond required.

No persons shall engage in the business of erecting, constructing or maintaining signs without first obtaining a license therefor. No such license shall be granted except upon certification of the building department, after investigation, that said applicant is properly qualified and equipped to engage in said business. The fee for such license shall be as prescribed in section 21-24 of this Code. Further, all sign erectors shall execute a bond to the city to be approved as to form by the city attorney and signed by the city clerk in the sum specified in section 21-24 conditioned that said sign erector will indemnify and save harmless the city from all liability for damages caused by any negligence in either the execution or protection of his work, or from any unfaithful or inadequate work done or by virtue of his license; and that said sign erector also conform to all conditions and requirements of this chapter. (Ord. of 7-19-82)

Cross reference – Licenses generally, Ch. 21.

Sec. 35-6. Political Campaign Signs

No person shall post or affix any political campaign sign, calculated to attract the attention of the public, to any lamppost, public utility pole or shade tree, or upon any public structure or building, except as may be authorized or required by law.

Signs advocating or opposing a candidate for public office or a position on an issue to be determined at the election, except as prohibited elsewhere in this ordinance, are permitted. Such signs shall be displayed no more than 60 days preceding the election and must be removed within 10 days following the election.

Political signs shall be permitted in the public right-of-way at the location of the voting place on the day of the election only. Such signs shall conform to local, state and federal election laws. Such signs shall not be placed in such positions as shall interfere with traffic sight lines. Such signs which do interfere with traffic sights shall be relocated or removed as determined by the Public Works Director or designee.