

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, JANUARY 3, 2011 AT 7:00 P.M.

- 1) Call to Order**
- 2) Invocation**
Pastor Wayne Ondersma, The Dock Ministries.
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes** From the regular meeting of December 20, 2010.
- 7) Approval of Agenda**
- 8) Public Hearings**
7:01 p.m. To Consider an Application for Exemption of New Personal Property for Hamilton Truss, LLC.
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
 - a) Presentations
 1. WECO (Wyoming Employees Community Outreach), presented by Denny Pitchellis, Public Works.
 - b) Proclamations
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
- 12) Reports from City Officers**
 - a) From City Council
 - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**
- 15) Resolutions**
 - a) To Approve an Application for Exemption of New Personal Property for Hamilton Truss, LLC.
 - b) To Authorize Payment to the Michigan Department of Natural Resources and Environment (MDNRE) for the 2011 Annual NPDES Permit Fee
 - c) To Adopt the Public Housing Annual Plan for the Wyoming Housing Commission
 - d) To Establish Meeting Dates for City Council Committee of the Whole for 2011
- 16) Award of Bids, Contracts, Purchases, and Renewal of Bids and Contracts**
- 17) Ordinances**
 - a) Ordinance 1-11 To Amend Sections 90-791(6), 90-792, 90-794, 90-795, 90-796(2)(a)(1), 90-798, Table 90-799-2, Table 90-799-4, Footnotes to Table 90-799-4 and to Add Section 90-799(1)(c) of the Code of the City of Wyoming (Signs)
- 18) Informational Material**
- 19) Acknowledgment of Visitors**
- 20) Closed Session** (as necessary)
- 21) Adjournment**

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A NEW PERSONAL PROPERTY
EXEMPTION APPLICATION AND TO APPROVE A PROPERTY
TAX EXEMPTION AGREEMENT FOR HAMILTON TRUSS, LLC

Whereas, Act 328 of the Public Acts of Michigan of 1998, as amended MCL 211.9f (“Act 328”), authorizes the governing body of an “eligible local assessing district” to adopt a resolution to exempt from the collection of taxes under the Michigan General Property Tax Act all new personal property owned by an eligible business; and

Whereas, Hamilton Truss, LLC, a manufacturing eligible business under Act 328, has filed an application for Exemption of New Personal Property; and

Whereas, Hamilton Truss intends to acquire and install new personal property at its facility located at 5836 Clay Avenue, SW, in the City, said facility being located within an “eligible district” as defined in subsection 7(e) of Act 328; and

Whereas, the Wyoming City Council has determined that the acquisition and installation of new personal property by Hamilton Truss at its facility in the City will reduce unemployment, promote economic growth, and increase capital investment in the City; and

Whereas, before acting on Hamilton Truss’s application, the Wyoming City Council held a public hearing on January 3, 2011, at Wyoming City Hall, at which a representative of Hamilton Truss, the City Assessor and representatives of the effected taxing jurisdictions were given written notice and were afforded an opportunity to be heard; and

Whereas, the Wyoming City Council has determined to enter into a Property Tax Exemption Agreement with Hamilton Truss, in the form attached as Exhibit A (the “Agreement”), finding it to be in the best interests of Wyoming after considering all of the factors and issues recited in the Agreement.

Now, therefore, be it resolved as follows:

1. The Wyoming City Council finds and determines that the granting of the Exemption of New Personal Property under Act 328 to Hamilton Truss, LLC shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the City.
2. The Application for Exemption of New Personal Property filed by Hamilton Truss, LLC and dated December 7, 2010, for new personal property installed at 5836 Clay Avenue, SW, in the City of Wyoming by December 31, 2011, is hereby approved for a period of 8 years, subject to the terms and conditions of the Agreement.
3. The Agreement is approved in all respects. The Mayor and City Clerk are authorized and directed to execute the Agreement on behalf of the City.
4. The City Clerk is authorized and directed to file a copy of this Resolution and the fully executed Agreement with the Michigan Tax Commission.

5. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on the 3rd day of January, 2011.

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____

NEW PROPERTY TAX EXEMPTION AGREEMENT

This New Real Property Tax Exemption Agreement is made as of January 3, 2011, by the City of Wyoming, a Michigan municipal corporation, the principal business address of which is 1155 28th Street, SW, PO Box 905, Wyoming, MI 49509-0905 (the "**City**") and Hamilton Truss, LLC, a Michigan limited liability company, the principal business address of which is 146 East Washington Avenue, Zeeland, MI 49464 ("**Hamilton**").

RECITALS

- A. Hamilton desires to improve its facility located at 5836 Clay Avenue, SW, Wyoming, MI 49548 (the "**Hamilton Site**") and to install machinery and equipment at the Hamilton Site (the "**Personal Property**") beginning after January 3, 2011 with completion anticipated by April 30, 2011.
- B. The Personal Property is anticipated to cost \$450,000.00 and Hamilton anticipates to provide 40 new full-time equivalent jobs and transfer 26 existing jobs to the Site (the "**Hamilton Jobs**").
- C. Hamilton has applied for an exemption of personal property taxes on the Personal Property pursuant to 1998 PA 328, as amended, MCL 211.9f ("**Act 328**").
- D. For the reasons provided above, the City is amenable to granting a tax exemption on the Personal Property, but seeks assurance that the anticipated Hamilton investment and job growth occurs.

TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree:

- 1. Hamilton's Acknowledgements, Representations and Covenants. On or about December 7, 2010, Hamilton filed with the City an "Application for Exemption of New Personal Property," Michigan Department of Treasury Form 3427 (Rev. 5-06), seeking, pursuant to Act 328, an exemption of all personal property taxes that would otherwise be levied against the Personal Property (the "**Application**"). The City Council's approval of the Application at its meeting of January 3, 2011, was based in significant part on each of the following representations and covenants such that, if Hamilton had not made each of them, the City Council would not have approved the Application.
 - a. Hamilton expects to invest at least \$450,000.00 in acquiring and installing the Personal Property within the Hamilton Site.
 - b. Hamilton expects Hamilton Jobs to include at least 40 full-time equivalent jobs by April 2014, in addition to 26 jobs which will be transferred to the site.
 - c. Hamilton expects that all of the Hamilton Jobs will remain at the Hamilton Site for not less than 10 years.
- 2. Annual Certification and Record Keeping.
 - a. Hamilton will file a separate personal property statement in the form required under Michigan law for all Personal Property for each year that the exemption is in effect. These statements will be filed no later than February 20 following each year of the exemption.
 - b. Hamilton will keep sufficient personal property fixed asset records to determine which items of personal property on the Hamilton Site are covered by the exemption and which are not.
 - c. No later than February 20 following each year that the exemption is in effect, Hamilton will file an annual letter certifying as of the previous December 31 the number of full-time equivalent jobs at the Hamilton Site and an indication of the annual pay range (without revealing confidential information). The first letter will be due on February 20, 2011, and the last one will

be due on February 20 following the year in which the exemption expires or is terminated. Each letter shall include a certification that its contents are true to the best knowledge of the person signing the letter.

3. Term, Termination and Extension.

a. Except as otherwise provided in this Section, this Agreement shall terminate two years after the last day the exemption is effective, on December 31, 2021.

b. The City Council may revoke the exemption if it determines that the Personal Property is not installed by December 31, 2011, or if Hamilton has failed to meet the employment goals as provided in this Agreement.

c. If, during the period of time including the term of this Agreement, Hamilton (i) moves more than 10% of the Personal Property outside the City, or (ii) moves from the Hamilton Site, or, (iii) fails to create or retain the promised jobs, then the City Council may require payment to the City and other taxing units of the taxes that would have been paid if the exemption had not been granted.

d. If the City Council wishes to consider a resolution seeking the revocation of the tax exemption, the City shall provide Hamilton written notice of and an opportunity to address the City Council prior to formally considering any such action.

4. Miscellaneous.

a. This is the entire agreement between the parties as to its subject. It may not be amended or modified except in writing signed by all the parties. It shall not be affected by any course of dealing and the waiver of any breach shall not constitute a waiver of any subsequent breach of the same or any other provision.

b. This Agreement and the rights and obligations under this Agreement are unassignable and non-transferable without the consent of the other party. It shall, however, be binding upon any successors or permitted assigns of the parties.

c. This Agreement shall terminate when all reimbursements required under this Agreement have been made or upon the expiration of the obligation to make such reimbursements, whichever occurs first.

d. To the extent permitted by law, the jurisdiction and venue for any action brought pursuant to, arising from or to enforce any provision of this Agreement shall be solely in the state courts in Kent County, Michigan and the prevailing party in any such action shall, in addition to any other remedy, be entitled to recover its costs, including, without limitation, actual, reasonable filing fees, legal fees, expert fees, discovery expenses and other costs incurred to investigate, bring, maintain or defend any such action for its first accrual or first notice thereof through all appellate and collection proceedings.

e. Notices shall be made by personal delivery or by FED EX, UPS or some other delivery service that provides notification to the sender of the delivery date and time sent to the address first given above or such other address as is provided by notice to the other party.

f. The City's ability to terminate the Exemption is the City's sole remedy against Hamilton for any breach of this Agreement or failure by Hamilton to achieve levels of job creation or capital investment.

The parties have signed this Agreement as of the date first written above.

CITY OF WYOMING

HAMILTON TRUSS, LLC

By: _____
Jack Poll, Mayor

By: _____
Its _____

By: _____
Heidi Isakson, City Clerk

Jack R. Sluiter, City Attorney

01/03/11
CWP/TK

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE PAYMENT TO THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT
(MDNRE) FOR THE 2011 ANNUAL NPDES PERMIT FEE

WHEREAS, Section 3120 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires that permittees with a National Pollutant Discharge Elimination System (NPDES) permit pay an annual fee based upon the discharge authorized in their NPDES permit, and

WHEREAS, the City of Wyoming currently holds an NPDES permit which authorizes a discharge of up to 24 MGD into the Grand River from the City's Clean Water Plant, and

WHEREAS, the City is being assessed a \$13,000.00 annual fee based on the flow rate, and

WHEREAS, the City has no option but to pay this fee or face penalties or the loss of the authorization to discharge into the Grand River, and

WHEREAS, funds for the 2011 MDNRE fee are budgeted in the Clean Water Plant account number 590-590-54300-956000, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby authorize payment of the 2011 annual NPDES fee to the Michigan Department of Natural Resources and Environment in the amount of \$13,000.00.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on the 3rd day of January, 2011.

Heidi Isakson
Wyoming City Clerk

Attachments: Memorandum
Invoice

Resolution No. _____

MEMORANDUM

TO: Bill Dooley – Director of Public Works
FROM: Tom Kent – Deputy Director of Public Works
DATE: December 21, 2010
RE: Clean Water Plant – Annual NPDES Permit Fee for 2011

Attached to this memo is an invoice from the MDNRE for the annual NPDES permit fee for the Clean Water Plant. The MDNRE is authorized by State law to charge National Pollution Discharge Elimination System (NPDES) permit holders an annual fee based upon the authorized discharge from the facility. The City of Wyoming Clean Water Plant has been issued a permit that authorizes a discharge of up to 24 MGD into the Grand River.

Based upon this flow rate, we are being assessed a \$13,000 annual fee, the same amount we were charged last year. We have paid this amount over the past several years and can expect to do so well into the future. We have no option in this regard as a failure to submit this fee will result in a permit violation and could result in penalties and ultimately in the loss of our NPDES permit altogether.

As in the past, we are requesting approval by City Council resolution to pay this fee prior to January 30, 2011 to avoid being charged a late fee. The City Council resolution is also attached to this memo.

Michigan Department of Natural Resources & Environment
Water Resource Division
National Pollutant Discharge Elimination System (NPDES) Discharge Permit
INVOICE

Issued under the authority of Public Act 451 of 1994, as amended.
Failure to submit payment by the date due will result in penalties as prescribed by law.



C0056635

Ref No: MI0024392

City of Wyoming
Accounts Payable
1155 28th Street, SW
Wyoming, MI 49509

Invoice Number: 678926
Invoice Date: December 16, 2010
Payment Due: January 30, 2011

City of Wyoming
Accounts Payable
1155 28th Street, SW
Wyoming, MI 49509

Please call (517)335-4129 if any contact or address corrections need to be made.
PAY ONLINE, visit <https://www.thepayplace.com/mi/deq/npdes>
Federal ID #38-6000134.

Invoice Item

NPDES Annual Permit Fee for MI0024392 Designated Name: Wyoming WWTP

Quantity	Unit Cost	Total Cost
1	\$13,000.00	\$13,000.00

Payment Due: January 30, 2011

Total:	\$13,000.00
Tax:	\$0.00
Total Invoice:	\$13,000.00

PAY ONLINE, visit <https://www.thepayplace.com/mi/deq/npdes>
MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE OF MICHIGAN
TO ENSURE PROPER CREDIT, SEND THIS PORTION WITH PAYMENT TO:
Michigan Department of Natural Resources & Environment
Cashiers Office - NP1
PO Box 30657
LANSING, MI 48909-8157
C0056635 Ref No: MI0024392

INVOICE NO:
678926
WB NP1

For Cashier's Use Only:

(Please note or make any mailing corrections below)
City of Wyoming
Accounts Payable
1155 28th Street, SW
Wyoming, MI 49509

RESOLUTION NO. _____

RESOLUTION TO ADOPT THE PUBLIC HOUSING ANNUAL
PLAN EFFECTIVE APRIL 1, 2011 FOR THE
WYOMING HOUSING COMMISSION

WHEREAS, the Wyoming Housing Commission developed the April 1, 2011 Public Housing Annual Plan; and

WHEREAS, the Plan was distributed to the Board of Commissioners and Resident Advisory Board and was on display for general comment for 45 days; and

WHEREAS, the Wyoming Housing Commission held a public hearing on the Plan on December 21, 2010; and

WHEREAS, the Board of Directors of the Wyoming Housing Commission adopted the Plan on December 21, 2010; now, therefore,

BE IT RESOLVED that the City Council of the City of Wyoming does hereby approve the Wyoming Housing Commission Public Housing Annual Plan effective April 1, 2011

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas _____ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a regular session held on January 3, 2011.

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. 21-10

Resolution to Adopt the PHA Plan Effective 04/01/2011

WHEREAS, at the regular meeting of the Wyoming Housing Commission, on December 21, 2010, the Public Housing Annual Plan for 4/1/2011 was presented to the Commission for review, and

WHEREAS, the plan has been distributed to the Board of Commissioners, the Resident Advisory Board, and on display for general comment for 45 days,

WHEREAS, a public hearing was held on December 21, 2010 to discuss the plan,

WHEREAS, the plan was reviewed by the city attorney,

WHEREAS, HUD requires the plan to be submitted by January 14, 2011,

BE IT RESOLVED, that the Wyoming Housing Commission does hereby approve the 4/1/2011 Public Housing Annual Plan.

Commissioner Sally Karasiewicz moved, seconded by Commissioner VanDuren, that the above resolution to approve the plan be adopted.

Motion carried 5 Yeas, 0 Nays

I hereby certify that the Wyoming Housing Commission adopted the foregoing Resolution, at a regular session held on the 21st day of December 2010.

Rebeca Geerling, Executive Director
Wyoming Housing Commission

5.2	<p>Goals and Objectives. Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>The goals and objectives in the last five year plan and what was accomplished follows:</p> <ol style="list-style-type: none"> 1. Implement a Public Housing Homeownership Program. <i>The PH plan was approved by HUD on March 16, 2006. The Wyoming Housing Commission has sold one home through this program.</i> 2. Implement a Section 8 Homeownership Program. <i>The HCV Homeownership Program was approved by HUD on November 16, 2005. The WHC currently has two families receiving homeownership subsidy and possibly three more. Thirty-six 36 families working toward homeownership.</i> 3. Improve the SEMAP from 82% to 90% or better. <i>SEMAP scores improved: 2005 – 89%; 2006 – 83%; 2007 – 100%; 2008 – 100% and 2009- 97% and 2010 100 % was accomplished.</i> 4. Improve the PHAS status from Troubled 58% to 80% or better within one year and improve to 90% or better within five years. <i>2005 – 87%; 2006 – NA; 2007 – 88%; 2008 & 2009 – Not scored advisory.</i> 5. Use the PH Housing reserves for property betterment, including windows, furnaces and converting/developing three units to meet the ADA requirements. <i>The Wyoming Housing Commission uses its reserves and CFP funds for operation and property betterment. We have replaced furnaces and boilers over the past five years. Our funding is inadequate to have converted three units to ADA compliant. Estimated costs were around \$170,000. The WHC has applied for a supplemental grant specifically targeted to unit conversion.</i> 6. Use the Section 8 Reserves toward initiating the Homeownership Program and to provide adequate staffing and training. <i>The Administrative Fees Reserve has been used to pay for staff, staff training and assist with the homeownership program. The Wyoming Housing Commission operates homeownership programs in both the Public Housing and Section 8 Programs.</i> 7. Increase the number of families participating in the Family Self-Sufficiency Program. <i>In 2005, the WHC had 17 families participating; 2006 – 14; 2007 – 21; 2008 – 25; 2009 – 76. The mandatory slots are now at 125.</i> <p>Goals and Objectives for the next five years:</p> <ol style="list-style-type: none"> 1. Achieve/Maintain standard performer for SEMAP and PHAS or higher. 2. Maintain public housing vacancy at 3% or less. 3. Complete 100% of emergency work orders within 24 hours. 4. Utilize the 98% of the voucher allocation or budget authority. 5. Apply for any additional vouchers, which may become available. 6. Increase public housing unit inventory to the extent possible (upon funding & property availability) 7. Support families in their goal to obtain homeownership by having a minimum of five combined closings in both homeownership programs. 8. Increase the number of FSS participants to 125. 9. Incorporate office renovation and/or reconfigure office work space to accommodate expanding WHC staff, along with office equipment.
6.0	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p>There have been no revisions to the PHA plan since its last submission. The Administrative Plan and Admissions & Continued Occupancy Plan have had no major revisions since the last submission of the Annual Plan. However, the Wyoming Housing Commission intends to update both the Admissions and Continued Occupancy Plan and the Administrative Plan as statutory and regulatory changes occur.</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p>The PHA plan is located at the PHA’s Administrative Offices and on the City of Wyoming’s Website under the Housing Department at www.wyomingmi.gov.</p>

7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>Not applicable.</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p>Please see obligated and expenditure reports for all opened Capital Fund grants.</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>Please see enclosure.</p>
8.3	<p>Capital Fund Financing Program (CFFP).</p> <p><input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>The Wyoming Housing Commission maintains a separate Public Housing and Section 8 Waiting List. The Public Housing total of applicants on the is 617. A total of 509 (82%) applicants are extremely low income; 95 (15%) applicants are very low income; and, 12 (2%) applicants are low income. The racial make-up of the applicants includes: 117 (19%) White, 457 (75%) Black, 0 (0%) American Indian/Alaska Native and 46 (7%) Hispanic. are 140 families with disabilities. The Public Housing waiting lists remains closed.</p> <p>The (HCV)Section 8 total of applicants on the is 202. A total of 202 (64%) applicants are extremely low income; 111 (35%) applicants are very low income; and, 5 (2%) applicants are low income. The racial make-up of the applicants includes: 79 (25%) White, 207 (65%) Black, 2 (1%) American Indian/Alaska Native and 31 (10%) Hispanic. There are 108 families with disabilities. The Section 8 waiting list opened in September 2010 for a two week period.</p> <p>The WHC used the Consolidated Plan of the City of Wyoming in formulating its own plan and also provides input to the City when it develops its Consolidated Plan.</p>
9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>The Wyoming Housing Commission's strategy for addressing housing needs includes:</p> <ul style="list-style-type: none"> • Reducing unit turnover time in Public Housing. • Increase Section 8 lease-up rates by utilizing payment standards that will enable families to find suitable housing in the jurisdiction. • Employ an admission preference in public housing that targets working families. • Affirmatively market to local non-profit agencies that assist families with disabilities. • Counsel Section 8 residents as to location of units outside of areas of poverty of minority concentration and assist them to locate those units. • Encourage all Section 8 voucher holders to participate in the Family-Self Sufficiency Program • Apply for any vouchers that WHC may be eligible. • Expand our inventory in public housing as the budget and availability permits.

10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>See 5.2</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p><i>Substantial Deviation from the 5-Year Plan</i> The Wyoming Housing Commission’s (WHC) Definition of Substantial Deviation and Significant Amendment or Modification is as follows:</p> <ul style="list-style-type: none"> • changes to rent or admissions policies or organization of the waiting list; • additions of non-emergency work items (items not intended in the current 5-Year Action Plan) or change in use of replacement reserve funds under the Capital Fund; and • any change with regard to demolition or disposition, designation, homeownership programs or conversion activities. <p><i>Significant Amendment or Modification to the Annual Plan</i> The Wyoming Housing Commission’s (WHC) Definition of Substantial Deviation and Significant Amendment or Modification is as follows:</p> <ul style="list-style-type: none"> • changes to rent or admissions policies or organization of the waiting list; • additions of non-emergency work items (items not intended in the current Annual Statement) or change in use of replacement reserve funds under the Capital Fund; and • any change with regard to demolition or disposition, designation, homeownership programs or conversion activities.
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11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>
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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

RESOLUTION NO. _____

RESOLUTION TO ESTABLISH MEETING DATES
FOR THE CITY COUNCIL COMMITTEE
OF THE WHOLE FOR 2011

WHEREAS, Public Act 267 of 1976 requires that the meeting dates of the City Council be publicly posted, listing the dates, times and places of all the regularly scheduled meetings for the 2011 calendar year; and

WHEREAS, the City Council desires to establish a regular schedule of Committee of the Whole meetings on the second Monday of each month at 5:30 p.m. in the West Conference Room at City Hall; now, therefore

BE IT RESOLVED that the Wyoming City Council meetings of the Committee of the Whole will be held on the second Monday of each month at 5:30 p.m. in the West Conference Room at City Hall, 1155 28th Street SW.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on the 3rd day of January, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Resolution No. _____

**SCHEDULED COMMITTEE OF THE WHOLE MEETING DATES OF THE
WYOMING CITY COUNCIL FOR THE YEAR 2011**

ALL MEETINGS BEGIN AT 5:30 PM AND ARE HELD IN THE WYOMING CITY HALL
LOCATED AT 1155 28TH ST SW, WYOMING, MICHIGAN IN THE WEST CONFERENCE
ROOM.

THE COMPLETE ADDRESS OF WYOMING CITY HALL IS 1155 28TH STREET SW, P.O.
BOX 905, WYOMING, MICHIGAN 49509-0905.

WORK SESSION MEETING DATES

MONDAY, JANUARY 10, 2011

MONDAY, FEBRUARY 14, 2011

MONDAY, MARCH 14, 2011

MONDAY, APRIL 11, 2011

MONDAY, MAY 9, 2011

MONDAY, JUNE 13, 2011

MONDAY, JULY 11, 2011

MONDAY, AUGUST 8, 2011

MONDAY, SEPTEMBER 12, 2011

MONDAY, OCTOBER 10, 2011

MONDAY, NOVEMBER 14, 2011

MONDAY, DECEMBER 12, 2011



MAYOR
Jack A. Poll

AT-LARGE COUNCILMEMBER
Sam Bolt

AT-LARGE COUNCILMEMBER
Dan Burrill

AT-LARGE COUNCILMEMBER
Kent Vanderwood

1ST WARD COUNCILMEMBER
William A. VerHulst

2ND WARD COUNCILMEMBER
Richard K. Pastoor

3RD WARD COUNCILMEMBER
Joanne M. Voorhees

CITY MANAGER
Curtis L. Holt

December 27, 2010

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to amend Zoning Code Chapter 90 Article XXIII
pertaining to temporary signs.

Recommendation: To approve the subject amendments.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on December 21, 2010. Staff had the following comments:

On March 16, 2010 the Planning Commission considered Zoning Code amendments pertaining to the regulation of pedestrian signs. At that meeting, a few business owners took this opportunity to address the Planning Commission and voice their displeasure with the City's restrictions on banners, pennants and streamers. Their desire was to return to the prior City standards, in effect before January 2009. The Planning Commission requested staff prepare the applicable amendments for their review. On April 20, 2010 the Planning Commission recommended the requested temporary sign amendments to the City Council.

Subsequently, the City Council appointed a Sign Ordinance Review Committee of residents, public officials and business representatives to review and recommend sign ordinance amendments. The committee met regularly over the following months, completing their charge on October 6, 2010.

The committee forwarded their recommendations to the City Council on October 11, 2010. Upon review, the City Council directed the proposed amendments to the Planning Commission for evaluation and recommendation.

The attached table summarizes the major proposed amendments to the Zoning Code, along with the final text prepared by the City Attorney. The amendments provide greater options to businesses in promoting their goods, specials and events. Overall, the temporary sign provisions are significantly more liberal than those of nearby communities, and are more generous than what has been permitted

in Wyoming over the last few decades. The underlying theme in the development of the amendments was to accommodate the perceived needs of the business community during these difficult economic times.

The Development Review Team suggested the Planning Commission recommend the subject Zoning Code amendments, as proposed by the Sign Ordinance Review Committee, to the City Council. It was noted that the proposed temporary sign provisions would supersede the prior amendments recommended to the City Council on April 20, 2010.

At the public hearing, three speakers expressed their desire for the proposed temporary sign provisions, citing their advantage to businesses. Chief Carmody spoke to his concern in allowing pedestrian (human) signs and their potential distraction to motorists. A motion was made by Weller, supported by Bueche, to recommend to City Council approval of the Zoning Code amendments. After discussion, the motion was approved 5-3 (Spencer, Postema and Woodruff).

Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of December 21, 2010.

Respectfully submitted,



Timothy Cochran, City Planner
Planning and Development Department

cc: Curtis Holt, City Manager
Rebecca Rynbrandt, Director of Community Services

The following table summarizes the major amendments to the Sign Ordinance as recommended by the Sign Committee. All signs shall be in good repair.

Temporary Sign Type	Existing Ordinance	Proposed Amendments
Wall mounted banner	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to building height – maximum of 30 days – permit required	Allowed to be up to 15% (and / or in combination with window signs) of a wall frontage – up to building height – 12 weeks per year – permit required
Ground mounted banner – Non residential districts	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to 4 ft. in height – maximum of 30 days – permit required	One banner is permitted for each 100 feet of frontage or portion thereof – 16 sq. ft. and 12 ft. in height - no permit required - two additional banners are allowed by permit for up to two weeks and four times annually
Ground mounted banner – Residential districts	Prohibited	One banner is permitted for each drive access – 16 sq. ft. and 12 ft. in height – no permit required – prohibited on single family lots
Window signs	Up to 25 % of individual windows – no permit required	Up to 15% (and / or in combination with wall mounted banners) of total wall frontage – no permit required
Streamers and pennants	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to building height - permit required	Allowed up to a two week period and four times annually – no size limits and up to building height – permit required
	Allowed only as part of a	Up to 50 balloons allowed without permit –

Balloons	grand opening or going out of business sale – 16 sq. ft. maximum 24 inches and up to building height – permit required	maximum 24 inches and up to building height or 35 ft. whichever is less-- additional balloon displays allowed by permit two week period and four times annually
Pedestrian signs	Prohibited – except as costumed with no signage	Allowed by annual permit – excessive driver distraction prohibited- - 16 sq. ft. and 8 ft. in height

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTIONS 90-791(6), 90-792,
90-794, 90-795, 90-796(2)(a)(1), 90-798, TABLE 90-799-2,
TABLE 90-799-4 AND FOOTNOTES TO TABLE 90-799-4
AND TO ADD SECTION 90-799(1)(c)
TO THE CODE OF THE CITY OF WYOMING**

THE CITY OF WYOMING ORDAINS.

Section 1. That Section 90-791(6) is hereby amended to read as follows:

Section 90-791. Purpose.

- (6) Preserve and improve the atmosphere of the City by encouraging signs of consistent size and/or nature which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings; and

Section 2. That Section 90-792 is hereby amended to read as follows:

Section 90-792. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (1) **Accessory Sign:** A sign that pertains to the use of the premises on which it is located.
- (2) **Animated Sign:** A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.
- (3) **Awning:** A roof-like structure attached to the side of a building that is intended to provide shelter from the elements over a doorway, window or other parts of a building façade. An awning may or may not be designed to be retractable, generally consists of thin or non-rigid materials and is generally fashioned upon a metal structure that is not an integral part of the building.
- (4) **Awning Sign:** A sign which is painted on, printed on, or attached flat against the surface of an awning, including any writing, representation, symbol, logo or any other figure or similar character intended to be part of the display. The presence of any of the above shall cause the entire awning structure to be considered an awning sign.
- (5) **Back Lit Sign:** A sign illuminated by an internal light source or lighting behind the sign lettering. An example of a back lit sign is a ground sign that is illuminated by several fluorescent bulbs located within the sign cabinet.
- (6) **Banner Sign:** A sign made of fabric, cloth, paper, or other taut material that is typically not enclosed in a frame. A ground mounted banner is attached to a pole, frame or fence or any other similar device. A wall mounted banner is attached to a building. Nongovernmental flags shall be considered banners.
- (7) **Billboards:** See "Off-Premise Advertising Sign."

- (8) **Community Special Event Sign:** A temporary sign announcing a specific event of interest to the general public sponsored by a public, quasi-public, civic, religious, or non-profit organization.
- (9) **Construction Sign:** A sign that identifies the owner, lender, contractor, architect, and/or engineer associated with a project under construction.
- (10) **Directional Sign:** A sign, typically installed at the driveway opening, to direct traffic flow, regulate traffic operations, and provide information to motorists entering and exiting a site in conformance with the Michigan Manual of Uniform Traffic Control Devices.
- (11) **Erect:** To build, construct, attach, hang, place, suspend or affix.
- (12) **Flashing Sign:** A sign that contains an intermittent or sequential flashing light source.
- (13) **Freestanding Sign:** A sign attached to the ground by means of a base or pole.
- (14) **Front Lit Signs:** A sign illuminated by an external light source. An example of a front lit sign is a ground sign that is illuminated by a spot light located in front of and directed toward the sign.
- (15) **Gasoline Price Sign:** A sign that is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign.
- (16) **Ground Sign:** A three-dimensional, base-mounted freestanding display sign, that is supported by uprights or braces in or upon the ground surface or mounted on a base, and consisting of two (2) or more sides extending up from the base, and upon which a message, business, group of businesses or center name is affixed.
- (17) **Illegal Sign:** A sign which does not meet the requirements of this Article and which has not received legal nonconforming status.
- (18) **Incidental Sign:** A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.
- (19) **LED.** Light Emitting Diode (LED) utilizing technology of diodes arranged in pixels to create narrow spectrum light, sometimes called electroluminescence.
- (20) **Mansard:** A slope roof or roof-like facade.
- (21) **Manual Changeable Copy Sign:** A sign on which the message is changed manually through the manipulation of individual letters.
- (22) **Marquee:** A permanent roof-like structure or canopy, supported by and extending from the face of the building, generally constructed to be an integral part of the building.
- (23) **Menu Board (Options Board):** A freestanding sign oriented to the drive-through lane for a restaurant or other business offering drive-through services that advertises the merchandise or services available, and which has no more than twenty (20) percent of the total area of the sign utilized for business identification. The sign may also incorporate a speaker for ordering items.
- (24) **Moving Sign:** A sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" is a type of moving sign. Such motion does not refer to the method of

changing the message on the sign. Moving signs include any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current.

- (25) **Moving Image Sign:** An electronic changeable message sign that includes the presentation of text, animation, pictorials and graphics that are displayed, or are capable of being displayed, in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving text or objects, moving patterns or bands of light, or expanding or contracting shapes. This does not include signs that indicate only time, temperature or date, or a flashing sign as herein defined.
- (26) **Mural:** A design or representation which is painted or drawn on the wall of a structure and which does not advertise a business, product, service, or activity.
- (27) **Nameplate:** A on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.
- (28) **Neon Sign:** A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it.
- (29) **Nonconforming Sign:**
A sign that is prohibited under the terms of this Article, but was erected lawfully and was in use on the date of enactment of this Article, or amendment thereto. OR
A sign that does not conform to the requirements of this Article, but for which a variance has been granted.
- (30) **Obsolete Sign:** A sign that advertises a product that is no longer made or that advertises a business that has closed.
- (31) **Off-Premise Advertising Sign:** A sign that contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such sign is located. A "Billboard" is a type of off-premise advertising sign.
- (32) **On-Premise Advertising Sign:** A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where the sign is located.
- (33) **Parapet:** The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.
- (34) **Pedestrian Sign.** A temporary sign, including by way of example, placards, sandwich boards or costumes held or worn by a person, displayed to passing motorists along major streets, and calling attention to a business, product, service, or event.
- (35) **Pole Sign:** A type of freestanding sign that is elevated above the ground on poles or braces and not attached to any building or other structure.
- (36) **Political Sign:** A sign expressing a political opinion or message or relating to matters to be voted on in a local, state, or national election or referendum.
- (37) **Primary Sign:** A sign which has as its principal purpose the advertisement of the use or business conducted on the property.

- (38) **Projecting Sign:** A sign other than a flat wall sign that is affixed to a building or structure, any part of which extends perpendicular more than twelve (12) inches beyond the building wall.
- (39) **Public Sign:** A sign erected in the public interest by or upon orders from a local, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.
- (40) **Real Estate Sign:** An on-premise temporary sign which makes it known that real estate upon which the sign is located is for sale, lease, or rent.
- (41) **Real Estate Development Sign:** A temporary sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) that is under construction on the parcel on which the sign is located. The sign may also identify the designer, contractors and subcontractor, and material suppliers participating in construction on the property on which the sign is located.
- (42) **Roof Line:** The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.
- (43) **Roof Sign:** A display sign that is erected, constructed and maintained above the parapet or the roof line of a building.
- (44) **Secondary Sign:** A sign on the same property as a Primary Sign that serves a secondary purpose other than advertising the business or service conducted on the property.
- (45) **Sign:** Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk, alley, park, or public property, but not signs which are primarily directed at persons within the premises upon which the sign is located.
- (46) **Sloping Roof Sign:** a sign mounted on a mansard roof or other roof surface that exceeds forty-five (45) degrees in angle relative to horizontal and which is not erected, constructed or maintained above the roof line of a building.
- (47) **Streamers and Pennants:** A long narrow line of material, comprised of numerous small flags or strips of material, of various shapes and sizes and used for ornamentation and/or attraction. String lights shall not be considered streamers or pennants.
- (48) **Surface:** The part of the sign upon, against or through which the message is displayed or illustrated.
- (49) **Temporary Sign:** A display sign, banner or other advertising device not constructed or intended for long term use constructed of cloth, canvas, paper, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display.
- (50) **Trailer Sign:** A sign of light construction capable of being moved from one location to another usually (but not always) mounted to a chassis with wheels, used for directing attention to a business, commodity, service or entertainment that is conducted, sold or offered on the premises.

- (51) **Vehicle Sign:** a sign painted or mounted on the side of a vehicle, including signs on the face of a truck trailer.
- (52) **Wall Sign:** A display sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof or parapet shall be considered wall signs. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall also be considered wall signs.
- (53) **Window Sign:** A sign located in or on and affixed to a window, which is intended to be viewed from the outside.

Sec. 3. That Section 90-794 is hereby amended to read as follows:

Section 90-794. Exempt Signs.

The following signs are specifically exempt from the permit requirements of this Article, provided such signs are outside of the public street right-of-way and are located to ensure adequate sight distance.

TABLE 90-794: EXEMPT SIGNS	
Type of Sign	Requirements
Address Sign	Numeral height no greater than six (6) inches for residences and eighteen (18) inches for businesses.
Athletic Field Signs	Signs in athletic fields on school properties, not exceeding thirty-two (32) square feet in display area, not permanently affixed, and oriented away from public streets. These may be off-premise signs.
Barber Pole	No greater than twenty-four (24) inches in any dimension
Bulletin Board	Not over twenty (20) square feet in area for public, charitable or religious institutions; provided that if such signs are electrically illuminated an electrical permit must be obtained.
Community Special Event Sign	May include ground or wall signs, banners, pennants, or similar displays. The number, size and height of such signs shall be subject to Chief Building Official approval. Permitted for 14 days prior to and for duration of the event and not to exceed a total of 30 days. City authorized banners may be displayed with no maximum duration.
Device Sign	Permanent signs on vending machines, fuel dispensing unit, or ice containers indicating only the contents of such devices, provided that the sign area of each device shall not exceed three (3) square feet in area, limit of one (1) sign per vending machine, fuel dispensing unit, or ice container.
Flag	The maximum height of the flagpole is thirty-five (35) feet, measured from the average surrounding grade. A maximum of three (3) flags comprised of national, state and one community, school, university or corporate are allowed per lot. All other flags shall be regulated as banners. Flags may not exceed sixty (60) square feet in area per flag.
Garage, Yard, and Estate Sale	Garage sale and estate sale signs announcing the sale of household goods, provided the following: there is only one (1) sign per premises; that they are on-premise only, entirely on private property; that they do not exceed six (6) square feet in area; they are removed within one (1) business day after the

TABLE 90-794: EXEMPT SIGNS	
Type of Sign	Requirements
	announced sale; and may be placed no more than six (6) days per calendar year.
Historic Marker	Historical marker including plaques or signs describing a property's official designation as a historical site or structure and containing narrative, not exceeding twelve (12) square feet in area;
Employment Sign	"Help wanted" signs soliciting employees for the place of business where posted, provided that the maximum area for all such signs shall be six (6) square feet with a maximum height of four (4) feet.
Incidental Sign	Incidental signs not exceeding a total of two (2) square feet, a total of two (2) signs per business indicating acceptance of credit cards, the location of public telephones, restrooms, restrictions on smoking and restrictions on building entrances or describing business affiliations and are attached to a permitted sign, exterior wall, building entrance or window.
Interior Sign	Any sign which is located completely within an enclosed building, and which is not visible from outside the building.
Memorial Sign	Memorial signs or tablets not exceeding four (4) square feet in area, having the name of the building and/or the date of erection and cut, cast or engraved into a masonry or metal surface and made an integral part of the structure.
Nameplate	Signs identifying the occupants of the building, the professional or home occupation, provided such sign shall not exceed two (2) square feet in area; the sign must be attached to an exterior building wall.
Painted wall sign	Signs painted on the exterior surfaces of a building or structure and less than twelve (12) square feet in area. Such signs shall not have raised borders, letters, characters, decorations or lighting appliances
Political sign	Limited to six (6) square feet in residential districts; 32 square feet in non-residential districts per street frontage. No more than one (1) sign per candidate or issue. Political signs shall be removed within five (5) days after the election.
Real Estate Sign	<ul style="list-style-type: none"> a. sign shall be no taller than four (4) feet in Residential Districts and eight (8) feet in Non-Residential Districts; b. one (1) sign permitted per lot. However, two (2) signs are permitted if the lot is a corner lot; c. size of each sign to be a maximum of six (6) square feet for residential properties, ten (10) square feet for multiple-family properties, and thirty-two (32) square feet for non-residential properties; d. sign not to be affixed to other signs, utility poles, fire hydrants or trees; e. sign must be located at least five (5) feet from the public right-of-way; and, f. sign to be removed within five (5) days of the property's sale or lease.
Real Estate Open House Sign (on-premise)	<ul style="list-style-type: none"> a. only one (1) on-premise; b. each sign shall be a maximum of six (6) square feet in size and four (4) feet in height above grade; c. signs shall not to be affixed to other signs, utility poles, fire hydrants or trees; and d. signs shall not be located in the public right-of-way.

TABLE 90-794: EXEMPT SIGNS	
Type of Sign	Requirements
Real Estate Open House Sign (off-premise)	a. only two (2) signs placed off-premise and one (1) on-premise; b. each sign to be maximum of four (4) square feet in size and three (3) feet in height above grade; c. signs not to be affixed to other signs, utility poles, fire hydrants or trees; d. person or firm placing the signs shall obtain the written permission from the owner or occupant of all properties on which such signs are placed; e. signs allowed for a maximum of eight (8) hours per day; and f. sign to be removed within one (1) hour following closing of open house.
Religious Symbols	Recognized religious symbols such as, but not limited to, crosses, crucifixes, Star of David, and statuary.
Traffic Control Sign	Traffic or other municipal signs, legal notices, danger signs and such temporary emergency or non-advertising signs, or private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices and as may be approved by the Chief Building Official
Vehicle Sign	Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the primary use of the vehicle displaying the sign shall not be for the purpose of advertising a business on the premises where the vehicle is parked.
Warning Sign	Warning signs, such as no trespassing, high voltage, or dangerous animals; provided such signs shall not exceed two (2) square feet in area and shall be spaced no closer than one hundred (100) feet apart. Governmental agencies and public utilities shall be exempt from these limitations.

Section 4. Section 90-795 is hereby amended to read as follows:

Section 90-795. Prohibited Signs.

Unless otherwise permitted elsewhere in this Article, the following signs are prohibited in all districts:

TABLE 90-795: PROHIBITED SIGNS
Any sign not expressly permitted.
Balloons exceeding twenty-four (24) inches in diameter or other inflated advertisements, or any structure held erect or partially erect by stationary or moving air, except those less than 24 inches in diameter specifically permitted in 90-799-4.
Flags, except that a flag of any nation, government or political subdivision is permitted, not exceeding sixty (60) square feet in area, except as specifically permitted in 90-799-4.
Flashing or Intermittent Lighting, except Moving Image signs, as permitted in this Article.
Illegal Signs. Any sign unlawfully installed, erected, or maintained.
Moving Signs, except Moving Image signs, as permitted in this Article
Obsolete Signs.
Projecting Signs
Roof Signs, not including sloping roof signs.
Signs on public property without express permission of the City, including signs mounted to power poles, etc.
Signs that Obstruct Access. Signs which obstruct free access or egress from any building.

Signs that Confuse Traffic. <ol style="list-style-type: none">Any sign that makes use of the words “stop”, “look”, or “danger”, or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.Signs that are representations of traffic control devices or signals, such as stop signs, railroad crossings, etc.Signs that in any way simulate or could be confused with the lighting of emergency vehicles or traffic signals; there shall be no red, yellow, or green illumination on any sign located in the same line of vision as a traffic control system, nor interference with vision clearance along any highway, street, or road or at any intersection of two or more streets.
Street Furniture Signs. Signs on street furniture, such as benches and trash receptacles.
String Lights. String lights used for commercial purposes, other than holiday decorations between Thanksgiving and New Years day.
Unsafe Signs. Any sign or sign structure that: <ol style="list-style-type: none">is structurally unsafe;constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;is capable of causing electric shock to person who comes in contact with it; oris not kept in good repair, such that it has broken parts, missing letters, missing panels, or non-operational lights or is sagging, frayed or faded.
Vehicle Signs where the primary purpose of the vehicle (including any trailer) is advertisement

Section 5. That Section 90-796(2)(a)(1) is hereby amended to read as follows:

(2) **Measurement of Signs.**

a. **Sign Area.**

- Sign area shall be measured as the square footage of the sign face within a single, continuous perimeter composed of any straight line or geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. However, for ground mounted signs, the sign base shall be calculated as part of the sign area and for pole signs, any supports or shrouds whose width exceeds eighteen (18) inches, shall be calculated as part of the sign area. Pole shrouds shall be painted a neutral color and may only have address numbers placed thereon.

Section 6. That Section 90-798 is hereby amended to read as follows:

Section 90-798. Specific Sign Requirements: Residential Districts

Signs for residential and non-residential uses in the Residential Districts are subject to the following:

- Sign Setbacks for All Uses:** All signs in a Residential District shall be set back a minimum of five (5) feet from any property line and shall be located so that clear vision is maintained at all intersections (see Section 90-61).
- Adjacent to properties within a Residential District:**
 - Non-illuminated signs: Ten (10) feet from any side or rear property line in an adjacent residential district.

- b. Illuminated signs: Twenty-five (25) feet from any side or rear property line in an adjacent residential district.
- (3) **Real Estate Development and Construction Signs:** Real estate development signs or construction signs shall not exceed thirty-two (32) square feet in area or ten (10) feet in height. No more than one (1) real estate development sign or construction sign shall be permitted per use. Real estate development signs and construction signs may not be illuminated.
- (4) **Ground Mounted Banners:** One banner, a maximum of 16 sq. ft. and 12 feet in height, shall be permitted in all residential districts, for each street entrance of a parcel. Ground mounted banners on single family residential lots are prohibited. Permits are not required.
- (5) **Illumination of Signs in Residential Districts:**
 - a. Signs permitted in Residential Districts may be front lit only illuminated, unless otherwise prohibited.
 - b. Signs for home occupations may not be illuminated.
- (6) **Specific Sign Requirements by Use:** For uses in Residential Districts, the following signs shall be permitted, subject to the requirements of Table 90-798:

Section 7. That Table 90-799-2 is hereby amended to read as follows:

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS								
Sign Type & Requirement (P =Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Manual Changeable Copy Sign as part of a Wall, Pole or Ground Sign	P	P	P	P	P	P	P	P
Maximum Number (per use)	1	1	1	1	1	1	1	1
	A Manual Changeable Copy Sign is not permitted on a sign that also has a moving image display or a time and temperature sign							
Maximum Area	No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Time & Temperature Sign as a part of a Wall, Pole or Ground Sign	P	P	P	P	P	P	P	P
Maximum Number (per use)	1	1	1	1	1	1	1	1
	A Time and Temperature Sign is not permitted on a sign that also has a moving image display or a manual changeable copy sign							
Maximum Time & Temp. Area	No more than 40% of the allowed area of a pole or ground sign or 30%							

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS									
Sign Type & Requirement (P =Permitted NP = Not Permitted)		Zoning District							
		B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
		of the allowed area of a wall or projecting sign							
Minimum Display Time Maximum Time & Temp. Area		The time and/or temperature message shall be displayed for a minimum of seven (7) seconds before changing No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Moving Image Sign as a part of a Wall, Pole or Ground Sign		NP	P	P	P	NP	P	P	P
Maximum Number per lot		NP	1	1	1	NP	1	1	1
Maximum Moving Image Display Area		No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Directional Sign		P	P	P	P	P	P	P	P
Maximum Number (per entrance/exit)	Per Driveway	1	1	1	1	1	1	1	1
	Site Interior	As approved on the site plan by the Building Official							
Maximum Area (square feet)		6	6	6	6	6	6	6	6
Maximum Height (feet)		3	3	3	3	3	3	3	3
Window Sign (Permanent)		P	P	P	P	P	P	P	P
Maximum Total Area for Window Signs (temporary and permanent)	Percent of wall frontage area	The total of all window signs and banners shall not exceed fifteen percent (15%) of the total wall frontage area per business.							
Menu Board or Options Board		P	P	P	P	P	NP	NP	NP
Maximum number per use		One menu/options board and one pre-menu/options board							
Maximum height (feet)		Seven (7)							
Maximum area (square feet)		The menu/options board shall not exceed 44 square feet; the pre-menu/options board shall not exceed 16 square feet							
Location Maximum Total Area for Window Signs Percent of Window Area		Signs shall not be located in the front yard; nor shall the display be visible from any principal street; nor shall the signs be closer than 100 feet to any Residential District							

Section 8. That Table 90-799-4 is hereby amended to read as follows:

- (4) **Temporary Sign Requirements.** Temporary signs shall be permitted in the nonresidential districts per Table 90-799-4:

TABLE 90-799-4: TEMPORARY SIGNS – NON RESIDENTIAL DISTRICTS							
Temporary Sign	Type of Sign Permitted	Max. Size	Max. Height	Max. Number	Setback	Permit Required	Permitted Duration
Trailer Sign	As defined	40	6 ft.	1	(b)	Y	(g)
Construction Sign	Ground or Wall	32 sq. ft. (a)	10 ft.	1	(b)	Y	Date of building permit to 1 week after the last construction trade has left
Window Sign (Temporary)	Paper or Fabric	(e)(i)				N	No maximum (f)
Real Estate - sale or lease of individual business or lot	Ground or Wall	32 sq. ft.	6 ft.	1 (c)	(b)	N	During periods of rent, lease, sale or availability
Real Estate Development Sign	Ground	32 sq. ft.	10 ft.	1 (c)	(b)	N	Until 75% of the units or sq. ft. of project are sold and/or leased, whichever comes first
Ground Mounted Banner	Ground	16 sq. ft.	12ft	(h)	(b)	N(h)	(h)
Wall Mounted Banner	Wall	(i)	Building height	(i)		Y	(i)
Streamers and Pennants	As defined		Building height		(b)	Y	(i)
Balloons	As defined	24 inches each	Building height or 35 ft., whichever is less	50(k)	(b)	N(k)	(k)
Pedestrian Sign	As defined	16 sq. ft.	8 ft	1(l)	Must be on private property	Y(l)	(l)
Community Special Event Sign	(d)				(b)	Y	Up to 3 weeks prior to event and not to exceed a total of 30 days

Section 9. That the footnotes to Table 90-799-4 are hereby amended to read as follows:

Footnotes to Table 90-799-4:

- a. In the case of maintenance or repair (e.g. roofing, windows, or siding), the maximum sign area shall be six (6) square feet.
- b. The temporary sign shall be set back at least five (5) feet from any public right-of-way line, easement or private street and twenty-five (25) feet from any residential district property line, and shall be placed to ensure clear sight distances at all intersections.
- c. On a corner parcel two (2) signs, one (1) facing each street, shall be permitted.
- d. Community special event signs may include ground signs and/or displays or wall signs, banners, pennants, or similar displays; the number, size and height of the sign(s) shall be subject to Chief Building Official approval.
- e. The total of all window signs, temporary and permanent, shall not exceed fifteen percent (15%) of the total wall frontage area.
- f. Temporary window signs that are faded, yellowed, ripped, non-taut or otherwise damaged shall be removed immediately.
- g. Trailer Sign Requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street
- h. One ground mounted banner shall be permitted per parcel for each 100 feet of frontage or portion thereof. Two additional ground mounted banners shall be allowed by permit for up to a two week period and up to four times annually. Ground mounted banners shall be taut and kept in good repair, or shall be removed.
- i. Wall banners shall comprise a maximum of fifteen percent (15%) of the wall frontage area for each business served. The total wall frontage area comprised of both window signs and wall banners may not exceed fifteen percent (15%). Wall banners are permitted by permit for a maximum of 12 weeks per year. Permits may be obtained for one week, or consecutive weeks thereof. Wall banners shall be taut and kept in good repair, or shall be removed.
- j. Streamers and pennants are allowed per parcel by permit for up to a two week period and up to four times annually. Property owner or landlord approval is required for multiple tenant properties. Streamers and pennants shall be taut and kept in good repair or shall be removed.
- k. A maximum of 50 balloons are allowed per parcel without permit. Additional balloon displays are permitted by permit for up to a two week period and four times annually.
- l. One (1) pedestrian sign is permitted for each parcel, or up to two on multiple tenant properties, each with an annual permit. Property owner approval is

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required. Excessive driver distraction is prohibited and shall not constitute an unreasonable hazard to the public.

Section 10. That Section 90-799(1)(c) is hereby added to the Code to read as follows:

Section 90-799(1)(c). Window signs: See Table 90-799-2

Section 11. This ordinance shall be in full force and effect on the ____ day of _____, 2011.

I hereby certify that the above-entitled Ordinance was adopted by the City of Wyoming at a _____ session of the City Council held on the _____ day of _____, 2011.

Heidi A. Isakson
Wyoming City Clerk

Ordinance No. _____