

VILLAGE OF CASS CITY  
PROPOSED ORDINANCE NO. 216  
AN ORDINANCE TO AMEND THE CASS CITY CODE OF ORDINANCES,  
CHAPTER 46, ZONING, ARTICLE IV, SECTION 479, SIGNS

THE VILLAGE OF CASS CITY ORDAINS:

The Village Council of Cass City hereby amends the Village Ordinance, Chapter 46, Zoning, Article IV, Section 479, Signs to include the following:

**Section 1. Add “Abandoned and obsolete sign” to subsection (b) Definitions**

*Abandoned or obsolete sign* means any sign or window decal that identifies a business that is no longer in operation or identifies an activity or event that has already occurred. This provision shall not apply to permanent signs accessory to businesses that are open only on a seasonal basis, provided that there is a clear intent to continue operation of the business.

**Section 2. Amend subsection (c) General Provisions to include**

(13) Abandoned or obsolete signs shall be removed by the owner of the property within 30 calendar days of the cessation of operation, activity or event, or within 30 days from the date this amendment is enacted, whichever occurs later.

a.) The owner of the property may be granted a time extension to comply, contingent upon the approval of a written request submitted to the Zoning Administrator. The Zoning Administrator may request additional information and proposed timelines from the property owner.

(14) This ordinance applies to any sign or window decal that identifies a business that ceased operation before this amendment was enacted or that identifies an activity or event occurred before this amendment was enacted.

**Section 3. Amend subsection (e) Administration and enforcement to include**

(8) Any owner that fails to remove an abandoned or obsolete sign pursuant to this ordinance will be in violation and will receive a notice from the ordinance enforcement officer to remove the sign. Failure to remove the abandoned or obsolete sign within 14 days from the date of the notice will result in fines and penalties as set forth in (k) Violations; municipal civil infraction.

#### **Section 4. Add subsection (k) Violations; municipal civil infraction**

##### **(k) Violations; municipal civil infraction**

- (1) Any person, firm, corporation, or entity of any kind found violating the provisions of this article is responsible for a municipal civil infraction, subject to payment of a civil fine of not more than \$100.00, plus costs and other sanctions, for each violation (as authorized by chapter VI, section 2, of the General Law Village Act, Public Act No. 3 of 1895 (MCL 66.2), and the Village Municipal Civil Infraction Ordinance, article II of chapter 20).
- (2) Repeat offenses at the same address under this article shall be subject to increased fines as provided by this section. As used in this section, the term "repeat offense" means a second or any subsequent violation of the same requirement or provision of this article for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this article shall be as follows:
  - a. The fine for any offense which is a first repeat offense at the same address shall not be more than \$150.00, plus costs.
  - b. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall not be more than \$250.00 each, plus costs.
- (3) The ordinance enforcement officer is designated as the authorized village official to issue municipal civil infraction citations for violations of this article, as provided by the Village Municipal Civil Infraction Ordinance, article II of chapter 20. As used in this article, the term "ordinance enforcement officer" means the village official, employee, agent or other entity assigned to perform the functions and tasks assigned by this article to the ordinance enforcement officer.
- (4) In addition to any remedies available at law, the village may bring an action for an injunction or other process against any person to restrain, prevent or abate violation of this article.

#### **Section 5. Validity and Severability.**

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

