



December 19, 2024

Detroit City Council
1340 Coleman A. Young
Municipal Center
Detroit, Michigan 48226

RE: Proposed ordinance to amend Chapter 4 of the 2019 Detroit City Code, *Advertising and Signs*, Article I, *Generally*

Honorable City Council:

Council Member Scott Benson and Council Member Angela Calloway have requested that the Law Department prepare an ordinance to amend Chapter 4 of the 2019 Detroit City Code, *Advertising and Signs*, by amending Article I, *Generally*, Section 4-1-1, *Definitions*; renaming Article III, *Protection of Minors Against advertisement and Promotion of Alcoholic Liquor and Tobacco Products*, to *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor, Tobacco Products, Marihuana Products, and Electronic Nicotine Delivery System Products*; amending, Section 4-3-1, *Purpose*; renaming Section 4-3-4, *Advertisement of alcoholic liquor or any tobacco product prohibited within a 1,000-foot radius of certain locations* to *Advertisement of alcoholic liquor or any tobacco product, marihuana product, or electronic nicotine delivery system product within 1,000-foot radius of certain locations*; Section 4-3-6, *Method of assessment*; Section 4-3-7, *Phase-out period*; to promote the welfare and temperance of minors and young adults exposed to certain publicly visible advertisement of marihuana products and electronic nicotine delivery system products.

A copy of the ordinance which has been approved as to form is attached for your review and consideration.

Respectfully submitted,

/s/ Vie Serifovski

Vie Serifovski

Senior Assistant Corporation Counsel

Enclosure

cc: Malik Washington, Mayor's Liaison

SUMMARY

This ordinance amends Chapter 4 of the 2019 Detroit City Code, *Advertising and Signs*, by amending Article I, *Generally*, Section 4-1-1, *Definitions*; renaming Article III, *Protection of Minors Against advertisement and Promotion of Alcoholic Liquor and Tobacco Products*, to *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor, Tobacco Products, Marihuana Products, and Electronic Nicotine Delivery System Products*; amending, Section 4-3-1, *Purpose*; renaming Section 4-3-4, *Advertisement of alcoholic liquor or any tobacco product prohibited within a 1,000-foot radius of certain locations* to *Advertisement of alcoholic liquor or any tobacco product, marihuana product, or electronic nicotine delivery system product within 1,000-foot radius of certain locations*; Section 4-3-6, *Method of assessment*; Section 4-3-7, *Phase-out period*; to promote the welfare and temperance of minors and young adults exposed to certain publicly visible advertisement of marihuana products and electronic nicotine delivery system products.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 4 of the 2019 Detroit City Code, *Advertising and*
3 *Signs*, by amending Article I, *Generally*, Section 4-1-1, *Definitions*; renaming Article III,
4 *Protection of Minors Against advertisement and Promotion of Alcoholic Liquor and Tobacco*
5 *Products*, to *Protection of Minors Against Advertisement and Promotion of Alcoholic Liquor,*
6 *Tobacco Products, Marihuana Products and Electronic Nicotine Delivery System Products*;
7 amending, Section 4-3-1, *Purpose*; renaming Section 4-3-4, *Advertisement of alcoholic liquor or*
8 *any tobacco product prohibited within a 1,000-foot radius of certain locations* to *Advertisement*
9 *of alcoholic liquor or any tobacco product, marihuana product, or electronic nicotine delivery*
10 *system product within 1,000-foot radius of certain locations*; Section 4-3-6, *Method of assessment*;
11 Section 4-3-7, *Phase-out period*; to promote the welfare and temperance of minors and young
12 adults exposed to certain publicly visible advertisement of marihuana products and electronic
13 nicotine delivery system products.

14 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

15 **THAT:**

16 **Section 1.** Chapter 4 of the 2019 Detroit City Code, Article I, Section 4-1-1 and Article III,
17 Sections 4-3-4, 4-3-6, and 4-3-7 be amended, to read as follows:

18 **CHAPTER 4, ADVERTISING AND SIGNS**

19 **ARTICLE I. GENERALLY**

20 **Sec. 4-1-1. Definitions.**

21 For purposes of this chapter, the following words and phrases shall have the meanings
22 respectively ascribed to them by this section:

1 *Advertising sign* means a sign containing a commercial message that is intended to direct
2 attention to a business, profession, commodity, service, or entertainment, that is conducted, sold,
3 or offered elsewhere than on the premises where the sign is located, or that is only incidentally
4 conducted, sold, or offered on the premises where the sign is located.

5 *Advertisement-sensitive property* means a premises that is occupied by or used as any of the
6 following:

7 (1) A child-care home and center, which has the meaning as likewise defined in Section 50-
8 16-152 of this Code:

9 (2) A child-caring institution, which has the meaning as likewise defined in Section 50-16-
10 152 of this Code;

11 (3) A juvenile detention or correctional facility, which means a county facility or institution
12 operated as an agency of the county or the juvenile division of the probate court, or a
13 state institution or agency described in the Michigan Youth Rehabilitation Services Act,
14 being MCL 803.301 *et seq.*, to which a minor has been committed or in which a minor
15 is detained;

16 (4) A library, which means any designated public depository of books, periodicals, public
17 and/or historical records, or other reference materials within the City that is created
18 pursuant to Article VIII, Section 9, of the 1963 Michigan Constitution, and is operated
19 pursuant to Section 12 of the Michigan District Library Establishment Act, being MCL
20 397.182;

21 (5) A park, which means land that is improved or intended to be improved for active or
22 passive recreational uses, or is preserved as open space, and is under the jurisdiction and
23 control of the City, Wayne County, or the State of Michigan;

1 (6) A playfield, which means land that is designed for major field sports, such as baseball,
2 football, soccer, tennis, or softball, and which requires more area than is available on a
3 playground, is so designated, and is under the jurisdiction and control of the City, Wayne
4 County, or the State of Michigan;

5 (7) A playground, which means land that is designed and maintained primarily for the
6 recreational use of children aged up to 14 years, and is under the jurisdiction and control
7 of the City, Wayne County, or the State of Michigan;

8 (8) A playlot, which means land that is designed and maintained primarily for the
9 recreational use of small children aged up to eight years and is under the jurisdiction and
10 control of the City, Wayne County, or the State of Michigan;

11 (9) A recreation center, which means a facility that is created primarily to benefit minors
12 through the use of organized educational, social, or recreational activities and is under
13 the jurisdiction and control of the City, Wayne County, or the State of Michigan;

14 (10) A school, which means the buildings, grounds, and other facilities of any public, charter,
15 parochial, or private educational institution that has as its primary purpose the education
16 and instruction of children at the elementary, middle, junior, and senior high school
17 levels; and

18 (11) A youth activity center, which has the meaning as likewise defined in Section 50-16-462
19 of this Code.

20 *Alcoholic liquor* means any spirituous, vinous, malt, or fermented liquor, liquids, or
21 compounds, whether or not medicated, proprietary, patented, or any other designation, that contain
22 one-half of one percent or more of alcohol by volume, are fit for use as a beverage, and are defined

1 and classified by the Michigan Liquor Control Commission according to alcoholic content as being
2 beer, wine, spirits, alcohol, sacramental wine, brandy, mixed wine drink, or mixed spirit drink.

3 *Animated sign* means a type of dynamic sign in which the copy of the sign depicts motion or
4 automatically changes copy more frequently than once every eight seconds.

5 *Arcade sign* means a sign that is suspended underneath an awning, canopy, marquee,
6 overhang, or other element of a building or structure that forms a covered passageway for vehicles
7 or pedestrians.

8 *Architectural feature* means a part, portion, or projection, other than a sign, of a building or
9 structure that contributes to its beauty, elegance, or architectural style, including, but not limited
10 to, arches, architectural grillwork, balconies, brackets, columns, corbels, cornices, dentils, doors,
11 jambs, lintels, masonry relief, medallions, moldings, pediments, pilasters, quoins, sills, window
12 rails, and windows, including glazings and surrounds, but does not include open spaces or other
13 voids in any façade of a multi-level parking structure.

14 *Art mural* means any image that is painted, projected, drawn, tiled, or similarly applied to a
15 building exterior, or to a material that will be mounted to the building exterior, for artistic purposes,
16 and does not contain any other type of commercial message, but does not constitute either an
17 advertising sign or a business sign.

18 *Awning sign* means a sign that is affixed to an awning or canopy, which, for purposes of this
19 definition, is a structure consisting of cloth, plastic, sheet metal or similar lightweight covering
20 over a structural framework that is affixed to a building and projects therefrom, whether
21 cantilevered from such building or supported by columns at additional points, but is not a marquee.

22 *Building frontage* means the portion of the building's façade that is visible as perpendicularly
23 projected along any public street or private street that is publicly accessible.

1 *Business sign* means a sign containing a commercial message that is intended to direct
2 attention to a principal business or principal commodity, service, or entertainment that is
3 conducted, sold, or offered on the premises on which the sign is located, or if the sign is located in
4 the right-of-way then on the premises adjacent to the location of the sign, at a scale and intensity
5 that is reasonably proportional to the degree of physical presence or economic activity of the
6 business, commodity, service, or entertainment at such premises. Identification signs and
7 sponsorship signs are types of business signs.

8 *Central Business District* means the portion of the City within the area bounded by the Detroit
9 River, and the center lines of Brooklyn Avenue (extended), West Jefferson Avenue, Eighth Street,
10 West Fort Street, Brooklyn Avenue, Porter Street, John C. Lodge Freeway (M-10), Fisher Freeway
11 (I-75), Third Street, Grand River Avenue, Temple Avenue, Fourth Street, Charlotte Street,
12 Woodward Avenue, Fisher Freeway (I-75), Chrysler Freeway (I-375), East Jefferson Avenue,
13 Rivard Street, Atwater Street, and Riopelle Street extended to the Detroit River.

14 *Copy* means the graphic or textual content or message displayed by a sign.

15 *Commercial message* means speech that, wholly or in part, is intended to propose a
16 commercial transaction regarding a business, profession, commodity, service, or entertainment
17 that is conducted, sold, or offered in any location, whether on the same premises as where the
18 message is offered or elsewhere.

19 *Construction site* means any area where construction or renovation is set to take place, with
20 the exception of residential construction or renovation involving four or fewer dwelling units.

21 *Department* means the Buildings, Safety Engineering, and Environmental Department, unless
22 otherwise expressly stated in this chapter.

1 *Development notification sign* means a posted temporary notice that informs the public of the
2 type of development taking place on the premises, the expected completion date for construction,
3 and the contact information of the developer.

4 *Directional sign* means a sign that is intended to identify points of ingress or egress on the
5 premises, orient pedestrians and vehicles within the premises, direct the flow of pedestrian or
6 vehicular traffic throughout and around the premises, or identify particular neighborhoods,
7 communities, or other identifiable areas of the City, and that is not an advertising or a business
8 sign.

9 *Double-face sign* means a sign with two sign faces, both of which are used as signs, for which
10 the least angle of intersection between the sign faces does not exceed 45 degrees.

11 *Dynamic sign* means any sign that features the ability, whether through digital or other
12 technological means, to automatically change the sign copy, at any frequency, without the need to
13 manually remove and replace the sign face or its copy. An animated sign is a type of dynamic sign.

14 *Electronic nicotine delivery system product* means products which are designed to deliver
15 nicotine, flavorings and other additives to the user via an inhaled aerosol including but not limited
16 to vapes, vaporizers, vape pens, hookah pens, electronic cigarettes, electronic pipes, hookahs, and
17 pipes.

18 *Established grade* of a sign means the elevation of the grade of the premises, measured
19 underneath, at the base of, or in the immediate vicinity of, the sign, as established by the City.

20 *Externally-illuminated sign* means a type of illuminated sign that is illuminated by reflection
21 from a source of artificial light, which is not contained within the sign itself.

22 *Freeway* means, as defined in Section 2 of the Michigan Highway Advertising Act of 1972,
23 being MCL 252.302, a divided highway of not less than two lanes in each direction to which

1 owners or occupants of abutting property or the public do not have a right of ingress or egress to,
2 from, or across the highway, except at points determined by or as otherwise provided by the
3 authorities responsible for the freeway.

4 *Freeway-adjacent area* means the area measured from the edge of the right-of-way of a
5 freeway and extending 3,000 feet perpendicularly and then along a line parallel to the right-of-way
6 line.

7 *Freeway advertising sign* means an advertising sign located in a freeway-adjacent area, the
8 sign face of which is oriented toward and visible from the freeway.

9 *Graffiti* means unauthorized drawings, lettering, illustrations, or other graphic markings on
10 the exterior of a building, premises or structure that are intended to deface or mark the appearance
11 of the building, premises, or structure.

12 *Ground sign* means a sign that is freestanding and is supported by one or more structural
13 uprights, poles, braces, frames or solid foundations, which rest in or upon the ground. Monument
14 signs and pole signs are types of ground signs.

15 *Heritage sign* means an unilluminated painted sign that is either an advertising sign or
16 business sign, has been obsolete for a period of at least 50 years and that is registered with the
17 Department as such.

18 *High-density commercial/industrial sign district* means the portions of the City that are
19 designated in the Detroit Master Plan of Policies as major commercial (CM), special commercial
20 (CS), light industrial (IL), general industrial (IG), distribution/port industrial (IDP), or airport (AP)
21 as well as the entire portion of the City located within the Central Business District regardless of
22 Detroit Master Plan of Policies designation therein.

1 *High-density residential/mixed use sign* district means the portions of the City that are located
2 outside of the Central Business District, and are designated in the Detroit Master Plan of Policies
3 as medium-density residential (RM), high-density residential (RH), neighborhood commercial
4 (CN), or mixed residential-commercial (MRC).

5 *Hospital* means a facility primarily engaged in providing by, or under, the supervision of
6 physicians, medical services that includes inpatient acute care services to injured, disabled, or sick
7 persons.

8 *Identification sign* means a type of business sign that is intended solely to identify either a
9 principal business or profession, which is conducted on and physically occupies the premises
10 where the sign is located, or the name and street number of a building or structure on the premises.

11 *Illuminated sign* means a sign for which an artificial source of light is used in order to make
12 readable the sign's copy. Illuminated signs are either internally illuminated or externally
13 illuminated.

14 *Internally-illuminated sign* means a type of illuminated sign that is illuminated by direct
15 emission from a source of artificial light that is contained within the sign itself, including signs
16 that emit light through a transparent or translucent material component of the sign or any sign for
17 which the sign face is substantially composed of luminescent material.

18 *Low-density commercial/institutional sign district* means the portions of the City that are
19 located outside the Central Business District and are designated in the Detroit Master Plan of
20 Policies as mixed-town centers (MTC), institutional (INST), thoroughfare commercial (CT), retail
21 centers (CRC), or mixed residential-industrial (MRI).

1 *Low-density residential sign district* means the portions of the City that are located outside of
2 the Central Business District and are designated in the Detroit Master Plan of Policies as low-
3 density residential (RL) or low/medium-density residential (RLM).

4 *Marihuana product* means marihuana or any marihuana infused product, as defined by
5 Section 3 of the Michigan Regulation and Taxation of Marihuana Act, being MCL
6 333.27953(3)(h) and (n).

7 *Marquee sign* means a sign that is affixed to and supported by a marquee, which, for the
8 purposes of this definition, is a permanent roof-like shelter that is constructed of wood, steel, glass,
9 or other durable materials, is supported by and extends from a building façade, and is cantilevered
10 without support at additional points over a point of ingress and egress to the building. Marquee
11 signs are distinct from awning signs, projecting signs, and wall signs.

12 *Master Plan of Policies* means the current version of the Detroit Master Plan of Policies as
13 adopted under authority of the Michigan Planning Enabling Act, being MCL 125.3801 *et seq.*, and
14 Section 8-101 of the Charter.

15 *Mechanical sign* means a sign that features automated mechanical rotation, revolution,
16 waving, flapping, or other physical movement of the sign or any of its components without causing
17 a change to the sign's copy.

18 *Minor* means an individual under 18 years of age.

19 *Monument sign* means a type of ground sign that is supported primarily by an internal
20 structural framework concealed in an opaque covering or solid structural foundation with no air
21 space between the ground and the sign face.

22 *Motion* means the depiction of movement or change of position of copy and includes, but is
23 not limited to, dissolving or fading text or images; travelling or running text or images; sequential

1 text; graphic bursts; lighting that resembles zooming, twinkling or sparkling; changes in light or
2 color; transitory bursts of light intensity; moving patterns or bands of light; expanding or
3 contracting shapes; or any similar visual effects.

4 *Multi-building campus* means a premises that contains multiple buildings, structures, or other
5 facilities that are interconnected by a series of private roads, pathways, open spaces, or other
6 internal networks, all of which are utilized for a single common purpose, such as multi-building
7 universities, hospitals, or cultural institutions.

8 *Multiple-face sign* means a sign with three or more sign faces.

9 *Obsolete sign* means a sign that is intended to direct attention to a business, profession,
10 commodity, service or entertainment, which is no longer conducted, sold, offered, or otherwise
11 available for purchase or patronage.

12 *Orientation means*, for any sign face, wall, façade, or other two-dimensional vertical surface,
13 the direction of a horizontal projection of the line that is perpendicular to such surface.

14 *Owner of the premises* means, with respect to a premises, building or structure, any individual
15 who, or entity which, has legal or equitable title or other interest, whether in whole or in part, to
16 the premises, building, or structure, respectively, but does not include such individual's or entities'
17 affiliates, subsidiaries, members, partners, or shareholders. Any premises, building, or structure
18 can have one or multiple owners.

19 *Painted sign* means a sign that is painted upon a wall or other exterior surface of a building
20 or structure and that is not an art mural.

21 *Permit* means a permit issued by the Department for the construction or erection of a new
22 sign, or the alteration of an existing sign, under the authority provided for in Chapter 8 of this

1 Code, *Building Construction and Property Maintenance*, unless otherwise expressly stated in this
2 chapter.

3 *Pole sign* means a type of ground sign that is supported by one or more exposed uprights,
4 poles or braces, which rest in or upon the ground with air space between the ground and the sign
5 face.

6 *Portable sign* means a sign that is designed to be moved easily and that rests upon, but is not
7 permanently affixed to, the ground.

8 *Premises* means a parcel, or collection of parcels, and adjoining property that are generally
9 under common ownership, whether publicly or privately owned, constituting a single building,
10 structure, or development, including private streets, pathways, and other open spaces, but
11 excluding public rights-of-way.

12 *Premises frontage* means the sum of the length of all lot lines of the premises abutting any
13 public street or private street that is publicly accessible.

14 *Projecting sign* means a sign that is affixed to and supported by any exterior wall or parapet
15 of a building or structure and projects outward from such wall or parapet with the orientation of
16 the sign face or faces being in a direction that is approximately perpendicular to the orientation of
17 the façade of the wall or parapet. Projecting signs are distinct from marquee signs.

18 *Public art* means an outdoor art mural, sculpture, or other permanent or semi-permanent
19 installation that is constructed and maintained for artistic purposes and intended to be visible to or
20 accessible by the general public and that does not contain any type of commercial message.

21 *Raceway sign* means a type of wall sign in which individual letters, graphics, and other copy
22 elements are separate structural components that are connected by a common component, referred

1 to as a raceway, which provides structural support for, and electrical or mechanical operation of,
2 the sign.

3 *Recreation/open space sign district* means the portions of the City that are located outside of
4 the Central Business District and are designated in the Detroit Master Plan of Policies as regional
5 parks (PR), recreation (PRC), private marinas (PMR), or cemetery (CEM).

6 *Roof line* means the uppermost line of the roof of a building or, in the case of an extended
7 façade or parapet, the upper-most point of said façade or parapet.

8 *Roof sign* means a sign that is affixed to and supported by the roof of a building or structure,
9 the height of which extends above the highest point of the roofline of the building or structure.

10 *Sign* means any structure containing a visual display, or painted or projected image, that is
11 oriented toward and visible from any public or private right-of-way or public property and that is
12 intended to announce, identify, inform, or direct attention. A sign can be located on the exterior of
13 a building or other structure or in the interior of a building if within three feet of the building's
14 perimeter and visible from the building's exterior.

15 *Sign alteration* means a change of the size, shape, area, height, location, illumination,
16 dynamic operation, construction, fabrication, material, or any other operational, construction-
17 related, or dimensional parameter of an existing sign. Neither the maintenance of a sign within its
18 existing operational, construction-related and dimensional parameters, nor a change or
19 replacement of the sign's copy, without any other change to the sign, constitutes a sign alteration.

20 *Sign area* means the area of the sign face of a sign, expressed in terms of square feet.

21 *Sign clearance* means the elevation of the lowest point of the sign above the established grade
22 of the sign.

23 *Sign face* means the surface of a sign upon which the copy of the sign is displayed.

1 *Sign height* means the elevation of the highest point of the sign, including its frame and
2 support structure, above the established grade of the sign.

3 *Sponsor* means an individual or entity that has pledged its long-term support, whether financial or
4 in-kind, in a written agreement for a term of not less than 24 consecutive months:

5 (1) To the premises on which the sign is located;

6 (2) To a defined portion of the premises on which the sign is located; or

7 (3) To a principal commodity, service, activity, or entertainment sold or offered at the
8 premises on which the sign is located.

9 Whether or not such individual or entity conducts, sells, or offers its business, profession,
10 commodity, service, or entertainment on the premises where the sign is located.

11 *Sponsorship sign* means a type of business sign that is intended to identify a sponsor of the
12 premises, defined portion of the premises, or principal commodity, activity, or entertainment sold
13 or offered at the premises, where the sign is located.

14 *Temporary sign* means a type of business sign that is intended to be displayed for a limited
15 period of time.

16 *Tobacco product* means any cigarette, cigar, non-cigarette smoking tobacco, or smokeless
17 tobacco as defined in Section 2 of the Michigan Tobacco Products Tax Acts, being MCL 205.422.

18 *Wall sign* means a sign that is affixed to and supported by, or painted or projected upon, the
19 exterior wall or parapet of a building or structure, with the orientation of the sign face in a direction
20 that is approximately parallel to the orientation of the façade of the wall or parapet.

21 *Window sign* means a sign that is:

22 (1) Affixed to, or painted on, the surface of an exterior window of a building or structure
23 and that does not completely cover or conceal the window; or

1 (2) Located in the interior of a building or structure within three feet of its perimeter and
2 that is oriented toward and that is visible from, the exterior of the building or structure.

3 *Wrapped sign* means a sign containing a single sign face that covers portions of two or more
4 adjacent façades of a building or structure by way of wrapping around the corners or edges along
5 which such façades abut.

6 **ARTICLE III. PROTECTION OF MINORS AGAINST ADVERTISEMENT AND**
7 **PROMOTION OF ALCOHOLIC LIQUOR, ~~AND~~ TOBACCO PRODUCTS,**
8 **MARIHUANA PRODUCTS, AND ELECTRONIC NICOTINE DELIVERY**
9 **SYSTEM PRODUCTS**

10 **Sec. 4-3-1. Purpose.**

11 (a) The primary purpose of this article is to promote the welfare and temperance of
12 minors who are exposed to certain publicly visible advertisements of alcoholic liquor , ~~or~~ tobacco
13 products , marihuana products or electronic nicotine delivery systems products as defined in
14 Section 4-1-1 of this Code, within the City, and to promote compliance with state law and this
15 Code, which prohibit the use and consumption of alcoholic liquor , ~~and~~ tobacco products ,
16 marihuana products, and electronic nicotine delivery system products by minors.

17 (b) The findings to support the welfare and temperance of minors exposed to certain
18 publicly visible advertisements of alcoholic liquor or tobacco products in this article have been
19 delineated in a resolution adopted by the City Council on July 7, 1999, and placed in the Journal
20 of the City Council on Pages 1959 through 1963.

21 (c) The findings to support the welfare and temperance of minors exposed to certain
22 publicly visible advertisements of marihuana products or electronic nicotine delivery systems

1 products in this article have been delineated in a resolution adopted by the City Council on
2 November 19, 2024 and became effective on December 4, 2024.

3 **Sec. 4-3-4. Advertisement of alcoholic liquor or any tobacco product , marihuana product,**
4 **or electronic nicotine delivery systems product prohibited within a 1,000-foot radius of**
5 **certain locations.**

6 (a) It shall be unlawful to advertise any alcoholic liquor on an advertising sign within
7 a 1,000-foot radius of any advertisement-sensitive property.

8 (b) It shall be unlawful to advertise any tobacco product on an advertising sign within
9 a 1,000-foot radius of any advertisement-sensitive property.

10 (c) It shall be unlawful to advertise any marihuana product on an advertising sign
11 within a 1,000-foot radius of any advertisement-sensitive property.

12 (d) It shall be unlawful to advertise any electronic nicotine delivery systems product
13 on an advertising sign within a 1,000-foot radius of any advertisement-sensitive property.

14 **Sec. 4-3-6. Method for measurement.**

15 The spacing between an advertising sign that advertises alcoholic liquor, or a tobacco
16 product, marihuana product, or an electronic nicotine delivery systems product and an
17 advertisement-sensitive property shall be measured radially as the length of the shortest straight
18 line between the perimeter of the premises containing the advertising sign and the perimeter of the
19 premises containing the advertisement-sensitive property.

20 **Sec. 4-4-7. Phase-out period.**

21 (a) In the event a new advertisement-sensitive property is established subsequent to
22 the effective date of this article, which was August 13, 1999, and is located within a 1,000-foot

1 radius of an advertising sign lawfully advertising alcoholic liquor or a tobacco product, said
2 advertising shall not be ordered removed until 60 days after the date of such establishment.


3 (b) In the event a new advertisement-sensitive property is established subsequent to
4 the effective date of the amendment to this article, which was _____, and is located
5 within a 1,000-foot radius of an advertising sign lawfully advertising a marihuana product or
6 nicotine delivery systems product said advertising shall not be ordered removed until 60 days
7 after the date of such establishment.

8 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
9 repealed.

10 **Section 3.** This ordinance is hereby declared necessary for the preservation of the
11 public peace, health, safety, and welfare of the people of the City of Detroit.

12 **Section 4.** Where this ordinance is passed by a two-thirds majority of City Council
13 Members serving, it shall be given immediate effect and shall become effective upon publication
14 in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is
15 passed by less than two-thirds majority of City Council Members serving, it shall become effective
16 30 days after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

Approved as to form:



Conrad L. Mallett
Corporation Counsel