

CHAPTER 19

SIGNS

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19.01 PURPOSE.

The purpose of this chapter is to provide minimum standards to safeguard life, health and property and promote public welfare and Village aesthetics by regulating and controlling the design, area, number, quality of material, construction, location, electrification, installation and maintenance of all signs referred to hereunder. It is not the intent of this chapter to inhibit or stifle the use of innovative concepts, imagination or originality in designing signs to be erected in the Village. For this reason, special exceptions may be granted under the provisions of Section 19.21.

19.02 DEFINITIONS.

SIGN. Any medium, including its structure and component parts, which is used or intended to be used to attract attention for advertising or identification purposes.

SIGN, COMMERCIAL. Any sign which directs attention to a business, commodity, product, service, entertainment or attraction which is conducted, manufactured, produced, sold, offered or existing.

SIGN, DETACHED. Any sign not supported by or attached to any side of a building or structure. (See Section 19.09.)

SIGN, FLAT. Any sign the back of which is attached flat against any side of a building or structure and which does not extend outward more than 9”.

SIGN, ILLUMINATED. A sign in which the source of illumination is an integral part of the sign. Floodlights illuminating the sign do not convert the sign to an illuminated sign within the meaning of this chapter, but such illumination nevertheless shall be subject to the provisions of the Village Electrical Code. Illumination allowed hereunder, including floodlight illumination, shall be of such nature as to illuminate only the immediate area of the sign, concentrating light within or upon the sign without radiating light upon adjacent public or private property so as to interfere with the comfort and repose of those residing in the neighborhood dwellings; an illuminated sign shall be limited to approved internal illumination.

SIGN, PAINTED. A sign painted upon the side of any building or upon any structure for which no separate background structure is used. Identification or advertising painted upon an awning or canopy shall be considered a painted sign hereunder.

SIGN, PROJECTING. Any sign attached to any side of a building or structure and which extends outward more than 6”. Canopies and awnings shall not be considered projecting signs but shall be maintained in accordance with the provisions of this chapter and shall be subject to the provisions of Section 19.08.

SIGN, SKELETON CUTOUT LETTER. A sign composed of letters so constructed and assembled as to use no other structure for background other than the building or structure itself. The area shall be determined by multiplying the extreme horizontal dimension by the average height of the letters; in the case of a vertical skeleton cutout letter sign, the area shall be measured by using the extreme vertical and horizontal dimensions of the letters.

SIGN, TEMPORARY COMMERCIAL. Any commercial sign which is erected or displayed for less than 14 days and shall be limited to those advertising special events, sales, promotions and similar matters. (See Section 19.13.)

19.03 PERMIT REQUIRED.

No person shall place, erect, alter or relocate within the Village any sign as defined in this chapter without first obtaining a permit and paying the fee required hereunder, unless excepted herein. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and permit fees required thereunder.

19.04 APPLICATION FOR PERMITS.

Application for a permit hereunder shall be made on the forms provided by the Building Inspector and shall contain or have attached thereto the following:

- (1) Name, address and telephone number of the applicant.
- (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected.
- (3) Position of the sign in relation to nearby buildings or structures.
- (4) A scale drawing of such sign on which is indicated the dimensions, the materials to be used, the type of illumination to be installed and the method of construction and attachment.
- (5) Name of person erecting the sign.
- (6) Written consent of the owner of the building, structure or land to which the sign is to be erected.
- (7) Any electrical permit required and issued for such sign.
- (8) Insurance policy or bond as may be required hereunder.

- (9) Permit fee, if required.
- (10) Such other information as the Building Inspector shall require to show full compliance with this and all other ordinances of the Village and laws of the state.

19.05 PERMIT ISSUED IF APPLICATION IN ORDER.

The Building Inspector, upon filing of an application for a sign permit, shall examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign and if it shall appear that the proposed sign is in compliance with all the requirements of this chapter and all the laws of the state and the ordinances of the Village, he shall issue or cause to be issued the permit, but subject to the provisions of Section 19.07. Prior to issuing a permit, the Building Inspector shall determine whether or not the proposed sign would be referred to the Plan Commission for consideration and recommendation in accordance with the authority granted under Section 19.07(7). If the work authorized under a permit has not been completed within 3 months after the date of issuance, it shall become null and void.

19.06 PERMIT FEES.

The applicant shall pay a permit fee of \$10 which shall accompany the application and which shall be received before a sign permit is issued. No permit shall be required if the applicant is an educational, religious, charitable, philanthropic or other similar organization of a nonprofit nature.

19.07 GENERAL REQUIREMENTS.

- (1) Commercial signs shall be permitted only on the premises on which the business, commodity, product, service, entertainment or attraction to which they relate is conducted, manufactured, produced, sold, offered or existing. All other commercial signs not located on such premises shall be prohibited. Such commercial signs as are herein permitted shall be permitted to be located only in the business district.
- (2) Allowable commercial signing for businesses located on the first floor of any building or structure shall be determined in accordance with the following table and further conditions contained herein. In addition, ½ sq. ft. of commercial signing area shall be allowed for every foot the building or structure occupied by the sign applicant is set back behind the required front setback.

<u>Length of Facade *</u>	<u>Allowable Sq. Ft. of Signing Area</u>	<u>Length of Facade *</u>	<u>Allowable Sq. Ft. of Signing Area</u>
15'	31	85'	74
20'	36	90'	76
25'	40	95'	78
30'	44	100'	80
35'	47	105'	82
40'	51	110'	84
50'	57	120'	88
55'	59	125'	90
60'	62	150'	98
65'	64	175'	106
70'	67	200'	114
75'	69	225'	120
80'	72		

* Length of facade means length of side of that portion of the building or structure occupied by the sign applicant, adjacent and parallel to any public street.

- (3) When a building contains offices or business establishments above the first floor, one additional commercial sign may be erected on the front of such building located at a first floor level. This sign shall be a directory type sign only for the purpose of listing such offices or business establishments located in such building. Each listing thereon shall be limited to one square foot.
- (4) The placing, painting or erecting of any sign on one side of a building or structure used for business purposes, other than the front thereof, when such building or structure is not located on a corner lot or when such side is not immediately adjacent to or facing a street, vacant lot, parking lot or open space of not less than 30' in width is prohibited; provided, however, that if any business establishment has more than one customer entrance, such establishment shall be allowed additional signing to be erected on, over, or adjacent to each regular customer service. Each such additional signing shall be limited to 10% of the allowable signing area for such building or structure under sub. (2), above.
- (5) No signs as contemplated in this chapter or any part of such sign or any anchor, brace or guide rod shall be attached, fastened or anchored to any fire escape, fire ladder or standpipe, and no such sign or any part of such sign or any anchor, brace or guide rod shall be erected, put up or maintained which will cover or obstruct any door, doorway or window of any building, hindering or preventing ingress or egress through such door, doorway or window, or which will hinder or prevent the raising

or placing of ladders against such building by the Fire Department as necessity may require.

- (6) No sign shall extend over the public way or parkway.
- (7) If in the opinion of the Building Inspector, the aesthetics of a proposed sign may be at variance with the exterior design of the building upon which it is to be erected, the exterior design of other buildings in the same area, or the design of other signs in the area or in general in conflict with the aesthetics of the area, he shall refer it to the Planning Commission in accordance with §21.21(2).

19.08 PROJECTING SIGNS.

No projecting sign shall be less than 10' nor more than 15' in perpendicular height from its lowest edge to the established grade of the adjacent or nearest public way and may be erected only along public ways, but in no event shall any portion of such projecting sign invade or extend into or over a public way.

19.09 DETACHED SIGNS.

Only one detached commercial sign may be erected in or upon parking lots which serve one or more business establishments. In addition, only one detached commercial sign may be erected upon any lot or buildable lot on which may be located one or more business establishments. A detached commercial sign erected in or upon a parking lot or the premises of a business establishment shall be limited to 200 sq. ft. in area and shall be no more than 15' in perpendicular height from its lowest edge to the established grade of the adjacent or nearest public way. No sign to be allowed in public parkway of any type.

19.10 PAINTED SIGNS.

Painted signs shall only be permitted on the cornice, fascia, lintel or panel of a building or on an awning or canopy.

19.11 WINDOW SIGNS.

Window signs shall not exceed 30% of the window area where located, affixed or displayed.

19.12 BARBER POLES.

Barber poles may be attached to the outside of any building in accordance with Section 19.07. No part of the barber pole shall be more than 12" from the side of the building, but in no event shall it invade or extend over or onto the public way.

19.13 TEMPORARY COMMERCIAL SIGNS.

Temporary commercial signs shall not exceed 40% of the allowable signing area for any one building or structure under Section 19.07(2), or lot under Section 19.09. If any temporary commercial signs are erected or displayed on any building or structure or lot, no other temporary commercial signs shall be erected or displayed thereon for a period of at least 90 days after the removal of such signs.

19.14 ILLUMINATED SIGNS – APPROVAL BY ELECTRICAL INSPECTOR.

- (1) The application for a permit for the erection of a sign in which electrical wiring and connections are to be used shall be submitted by the Building Inspector to the Electrical Inspector for approval.
- (2) The Building Inspector shall not authorize the issuance of a sign permit until approval has been given by the Electrical Inspector.
- (3) All wiring, fittings and materials used in the construction and operation of illuminated signs shall be in accordance with the state electrical code and the ordinances of the Village.
- (4) The lowest edge of all illuminated signs shall be located at least 10' above the established grade of the adjacent or nearest public way if erected outside of any building.

19.15 WIND PRESSURE AND DEAD LOAD REQUIREMENTS.

All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than 40 lbs. per square foot of area and shall be constructed to receive dead loads as required in the building code or other ordinances of the Village.

19.16 EXISTING SIGNS.

- (1) Signs existing on the effective date of this chapter need not conform to the provisions of this chapter; provided, however, any such sign when removed from its fast, except for routine maintenance or when the copy or facing is altered to the extent of 50% or more, shall not be re-erected or maintained unless the sign, location and erection thereof are made to conform with the provisions of this chapter and other applicable ordinances of the Village.
- (2) Any sign now or hereafter existing which no longer advertises a bona fide business product or service associated with such business shall be taken down and removed

by the owner, agent or person having the beneficial use of the premises upon which such sign may be found, within 14 days after written notification of the Building Inspector, and upon failure to comply with such notice, the Building Inspector is hereby authorized to cause removal of such sign, and any expense incidental thereto shall be paid by the owner of the premises on which such sign is located in accordance with the provisions of Section 19.17(3).

19.17 MAINTENANCE.

- (1) The owner of any sign shall keep it in good maintenance and repair.
- (2) If the owner of such sign or the owner of the premises on which such sign is erected shall fail to comply with the orders of the Building Inspector relative to the painting, repair, alteration, maintenance or removal of such sign pursuant to written notice thereof and within 14 days after the notice has been received, the Building Inspector shall then have the authority to proceed to paint, repair, alter, maintain or remove such sign without further notice to such owner.
- (3) The cost of such painting, repair, alteration, maintenance or removal of such sign shall be billable to the owner of the property upon which the sign is erected and shall be certified in the proper manner to have them levied as special charges against such property and proper officers of the Village are authorized and directed to enter such charges onto the tax roll.

19.18 PROHIBITED SIGNS.

- (1) **GENERAL.** No person shall paste or otherwise fasten any paper or other material, paint, stencil or write any number, sign name or any disfiguring mark on any sidewalk, curb, gutter, street, any post, pole or tree, any other sign, building, fence or other structure that isn't their property; nor shall any such objects be defaced in any manner, unless sanctioned by the provisions of this chapter or other provisions of the Village Code or by the Building Inspector in carrying out any public work or construction.
- (2) **BEACON AND FLASHING TYPE DEVICES.** No flashing, alternating, rotating or swinging sign, whether illuminated or not shall be permitted hereunder. No flashing, alternating, rotating or swinging flood, spot or beacon light shall be permitted for illuminating any sign or any structure for the purpose of advertising. No flood or spot light shall be located and directed in such a manner as to cause a glare or light to be directed to surrounding buildings and premises.
- (3) **OBSTRUCTION OF TRAFFIC CONTROL DEVICES.** No person shall erect or maintain any sign which constitutes a traffic hazard or is a detriment to traffic safety

by obstructing the vision of drivers or detracting from the visibility and prominence of any official traffic control device.

- (4) MISCELLANEOUS. The use of any banner, pennant, flag, balloons, streamers or other similar media for advertising or identification purposes shall be strictly prohibited, except as may be permitted to promote special events for a period not to exceed 7 days and which shall be subject to the special written approval of the Village Clerk/Treasurer if extended 4 to 14 days.

19.19 PUBLIC PROPERTY.

- (1) GENERAL. The temporary occupancy of the sidewalk or the street or other public property in case of construction, removal, repair, alteration or maintenance of a sign shall not be deemed to be a violation of this chapter provided the space occupied is roped off, fenced off or otherwise isolated when necessary for public convenience and protection. A permit shall be required as provided in Section 14.05 of this Code, where applicable.
- (2) BONDS. Prior to the issuance of any permit for a sign which is located over public property or which may require any work over public property, the owner of the premises or his agent or representative shall comply with the provisions of Section 14.05 of this Code, where applicable.

19.20 EXEMPTIONS.

The provisions of this chapter relating to permits and permit fees shall not apply to the following signs and sign work; provided, however, that these exemptions shall not apply to any such signs which are illuminated signs. In addition, these exemptions shall not be construed as relieving the owner of a sign from complying with the applicable provisions of this chapter relating to size, number, erection and maintenance.

- (1) PAINTING. Painting, repairing or cleaning of a sign unless a structural change is made.
- (2) PROFESSIONAL. Nameplate signs not more than 2' in area which are fastened directly to the building which do not extend beyond the property line.
- (3) REAL ESTATE. Signs not to extend outside of the property line, detached or free standing wherever possible, which advertise the sale, rental or lease of the premises upon which such signs are located, to be removed when purpose for placement has been accomplished and further limited as follows:
 - (a) In residential districts, no more than 8-sq. ft. in area.

- (b) In all other districts, no more than 20-sq. ft. in area.
- (4) **SIGNS WITHIN BUILDINGS.** Any sign placed in such a manner as to be viewed or intended for view from the inside of a building.
- (5) **COMMERCIAL IDENTIFICATION.** Limited to name of owner, name of business, business address and hours of operation; shall not exceed 2 sq. ft. and shall be placed on or adjacent to a customer entrance.
- (6) **DIRECTION AND INFORMATIONAL.** Erected for safety and informational purposes but not for advertising purposes; not to exceed 2 sq. ft.
- (7) **CONTRACTOR SIGNS.** Not more than 32-sq. ft. in area naming the contractors engaged in construction on the property where the sign is located, to be removed when such construction is completed.
- (8) **MEMORIAL SIGNS.** Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other noncombustible material.
- (9) **GOVERNMENTAL.** Governmental, legal notices, traffic, danger, emergency and trespassing signs.
- (10) **ELECTION CAMPAIGN SIGNS.** (Am. MSC '91) Election campaign signs in behalf of a candidate for public office may be installed on private or public property when permission is obtained from the owner of such property. Such sign shall not exceed 24-sq. ft. in area and shall not be erected before the campaign period prior to the election to which it relates. The signs shall be removed within 7 days following the election to which they relate unless held within 60 days. If the signs are not removed within 7 days following the election, the Building Inspector shall cause such signs to be removed without the necessity of giving notice and the cost of such removal shall be chargeable to the owner of the property on which the sign is located, in accordance with the provisions of Section 19.17(3) of this chapter.
- (11) **TEMPORARY SIGNS.** See Sections 19.02 and 19.13.

19.21 SPECIAL EXCEPTIONS.

- (1) After review and recommendation by the Planning Commission, the Village Board, upon application as required herein, may grant a special exception to the provisions of this chapter as it relates to the number, site, location and type of signs that any

person, organization or business establishment may erect, affix or display, provided that the Board considers:

- (a) Purpose of signing proposed.
 - (b) Type of signing proposed.
 - (c) Type of signing materials to be used.
 - (d) Type of construction to be employed.
 - (e) Appearance of proposed sign.
 - (f) Location of building or structure in a particular zoning district in which the signing is proposed.
 - (g) Size of proposed sign in relation to area facing of the building or structure where the sign is to be located.
 - (h) Effect that proposed signing will have on the appearance and character of applicant's property, adjacent and neighboring property and area in general.
 - (i) Effect that proposed signing will have on property values of applicant's property, adjacent and neighboring property and area in general.
 - (j) The legislative intent.
 - (k) Such other matters that the Planning Commission deems relevant and material.
- (2) Prior to granting a special exception and based on the criteria set forth in sub. (1) hereof, the Village Board shall find that the appearance, nature and type of signing proposed is not so at variance with the appearance and character of other signing in the area, nor so at variance with the appearance and character of the building or structure on which it is to be located, with the adjacent or neighboring properties or with the properties in the general area, so as to adversely affect or cause a depreciation of property values; but on the contrary, such proposed signing would serve a public or desirable or useful purpose and maintain or improve the general appearance and character of the building or structure where located, the adjacent or neighboring properties and the general area where erected or displayed.

19.22 REMEDIES.

No person shall violate or fail to comply with the provisions of this chapter.

- (1) Any sign erected, altered, moved or structurally modified without a permit or altered with a permit but in violation with the provisions of this chapter shall be removed at the owner's expense or brought into compliance within 30 days of written notification by the Building Inspector. If the violation is failure to obtain a permit, a permit fee shall be required and the permit fee shall be 5 times normal fees. If the owner does not remove or bring the sign into compliance, the Building Inspector may order removal, the expenses of which will be assessed to the tax roll of the property on which the noncomplying sign is located.
- (2) This section shall not preclude the Village from maintaining any appropriate action to prevent or remove a violation of this chapter.