

SIGN ORDINANCE #23

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23.1 Purpose

1.1 To promote the safety and well-being of the users of streets, roads, and highways in the Town;

1.2 To reduce distractions and obstructions which would adversely affect traffic safety, and to alleviate hazards caused by signs;

1.3 To discourage excessive visual competition in signage and visual blight in signage;

1.4 To preserve or enhance town character by requiring signage which is:

- * creative and distinctive;
- * compatible with the surroundings
- * appropriate to the type of activity to which it pertains;
- * expressive of the identity of individual proprietors or of the community as a whole; and
- * appropriately sized in its context, so as to be easily readable.

23.2 Definitions

Sign: Any display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public or intends to advertise, direct, invite, announce, or draw attention to, directly or indirectly, a use conducted, goods, products, services or facilities available, either on the lot or on any other premises, excluding window displays and merchandise.

Billboard: A free standing sign larger than thirty-five (35) sq. ft. in gross area, or a wall sign covering more than ten percent (10%) of the area to which it is affixed.

Facade: The exterior surface of a building.

Flashing Sign: A sign whose illumination is not kept constant in intensity at all times when in use, and which exhibits changes in light, color, direction or animation. Illuminated signs which indicate the date, time, and temperature will not be considered flashing signs.

Free-Standing Sign A self-supporting sign not attached to any building, wall, or fence, but in a fixed location. This does not include portable or trailer type signs.

Home Occupation: An activity customarily carried on by the occupants of a dwelling unit, inside the dwelling unit, requiring only hobby type equipment, and not involving:

1. The sale of articles produced elsewhere than on the premises;
2. The storage of materials or products outside of a principle building;
3. The making of external structural alterations which are not customarily in residential buildings;
4. The production of offensive noise, vibration, smoke, dust, or other particulate matter; heat; humidity; glare; odors, aromas, or scents; or other objectionable effects.

Home occupations include but are not limited to: fine arts studios, dressmaking, and teaching of not more than four pupils simultaneously, or in case of musical instruction, of not more than a single pupil at a time.

Home occupations do not include such uses as: barber shops, beauty parlors, funeral parlors, commercial stables or kennels, real estate or insurance offices, auto body or repair shops, and recognized professions (except that real estate, insurance, and professional offices may be allowed as Special Permit Users in the Rural District).

Illuminated Sign: Any sign lit by electrical bulbs, fluorescent lights, or neon tubes. Neon tubes used as abstract, graphic, decorative, or architectural elements shall be considered to constitute and illuminated sign

Landmark Sign: An older sign of artistic or historic merit, uniqueness, or extraordinary significance to the town as identified by local Historical Commission, or the Board of Selectmen in their absence.

Lintel: The horizontal support member across the head of the door or window.

Nonconforming Sign: Any sign which does not meet all required provisions of this ordinance, particularly in terms of permitted size, height, location, and number or signs per owner.

Off-Premises Signs: Any sign which is not on the premises of the business, including a billboard.

On-Premises Signs: Any sign that advertises, calls attention to or identifies the occupant of the premises on which the sign is maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent.

Projecting Sign: A sign which is affixed to a building, tree, or other structure and which extends more than six (6) inches beyond the surface to which it is affixed.

Roof Sign: A sign which is located above, or projects above, the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Temporary Sign: A sign intended to be used for a period of no more than thirty (30) days. Exceptions for pennants and similar devices intended for civic purposes may be granted by special permit. This includes a sign capable of being readily moved or relocated.

Wall sign: Any sign which is painted on, incorporated into, or affixed parallel to the wall of the building, and which extends not more than six (6) inches from the surface of that building.

23.3 GENERAL

3.1 PERMITTED SIGNS

Only signs which refer to a permitted use or an approved Conditional Use as set forth in Section (3) of the Zoning Ordinance are permitted, provided such signs conform to the provisions of this Ordinance.

3.2 PROHIBITED SIGNS

(a) Streamers, pennants, ribbons, spinners or other similar devices shall not be constructed, posted or erected in any zone. Exceptions include flags and bunting exhibited to commemorate national patriotic holidays, and temporary (not exceeding thirty (30) days) banner announcing special events.

(b) Flashing signs, roof signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted. Signs indicating the current time and / or temperature are permitted provided they meet all other provisions of this bylaw.

(c) Any sign advertising or identifying a business or organization which is either defunct or no longer located on the premises is not permitted and must be removed after a business has been closed for 30 days. Exceptions may be granted to Landmark Signs which may be preserved and maintained even if they no longer pertain to the present use of the premises.

(d) No sign shall be larger than 35 sq. ft. unless authorized under the Conditional Use process in the Town Zoning Ordinance.

(e) No sign, except for traffic, regulatory, or informational sign, shall use the words "stop," "caution," or "danger," or shall incorporate red, amber, or green lights resembling traffic signals, or shall resemble "stop" or "yield" signs in shape and color.

3.3 ILLUMINATION STANDARDS

(a) No person may erect a sign which flashes, rotates, or has moving parts.

(b) No person may erect a sign with exposed electrical wires.

(c) Strings of bulbs are not permitted, except as part of a holiday celebration.

(d) No person may erect a sign that constitutes a hazard to pedestrians or vehicular traffic or is a nuisance because of intensity or direction of illumination.

3.4 PLACEMENT STANDARDS

(a) No person may erect a sign which is affixed to a utility pole, tree, shrub, rock, or other natural object.

(b) No projecting sign shall extend into a vehicular public way or be less than ten (10) feet above a pedestrian walkway.

(c) Sign to be setback from center line of roadway 63 feet at an intersection in both directions of any public highway or private road.

(d) All other setbacks from any public highway or private road right-of-way shall be 5 ft., and no portion of the sign may be within 5 ft. of the highway or road right-of-way.

3.5 SAFETY HAZARDS

No person may erect a sign which:

- (a) is structurally unsafe;
- (b) constitutes a hazard to public safety and health by reason of inadequate maintenance, dilapidation, or abandonment;
- (c) obstructs light or air or interferes with proper functioning of fire escape;
- (d) obstructs light or air or interferes with proper functioning of the building;
- (e) is capable of causing electrical shock;
- (f) constitutes a hazard to public safety by restricting view and sight of vehicular traffic at corners, curves, and intersections.

3.6 NON-CONFORMING SIGNS

3.6.1 Continuance: A non-conforming sign lawfully existing at the time of adoption or subsequent amendment of this ordinance may continue, although such sign does not conform to the provisions of this ordinance.

3.6.2 Maintenance: Any lawfully existing sign cannot be enlarged, reworded (other than signs with automatically changing messages), redesigned or altered in any way including repainting in a different color, except to conform to the requirements of this bylaw; and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed 35% of the replacement cost, shall not be repaired or rebuilt or altered except to conform to the requirements of this bylaw.

3.6.3 Replacement: Any sign replacing a non-conforming sign shall conform with the provisions of this section, and the non-conforming sign shall no longer be displayed.

23.4 ADMINISTRATION

4.1 PERMITS

4.1.1 No sign shall be erected, displayed, altered, or enlarged until an application has been filed, and until a permit for such action has been issued. Some signs exempt from permits include but are not limited to: realtor, garage sale, no trespassing /hunting, for sale, which are a maximum of six (6) sq. ft. Applications shall be on forms prescribed by the Sign Officer. At a minimum, all applications shall include a scale drawing specifying dimensions, materials,

illumination, letter sizes, colors, support systems, and location on land or buildings, with all relevant measurements.

4.1.2 Permits shall be issued only if the Sign Officer determines the sign complies or will comply with all applicable provisions of this ordinance. Such application may be filed by the owner of the land or building, or any person who has the authority to erect a sign on the premises. Applicant to submit written authorization from the owner of the property on which the sign shall be located.

4.1.3 The sign Officer shall act within 30 days of receipt of such application together with the required fee. The Sign Officer's action or failure to act may be appealed to the board of Appeals.

4.1.4 A Special Permit application for lighted signs, signs which are larger than those allowed by right, or signs in Town Districts shall be referred to the Plan Commission, which shall make recommendations to the Sign Officer. The Commission may hold a public hearing if it deems necessary. If there is a public hearing, the Sign Officer's decision may be delayed until 45 days after the application. Fee to be borne by the requester of the variance.

4.2 FEES

A schedule of fees for such permits may be established and amended from time to time by the Town Board. There will be no fee charged if the Town requires a sign owner to move a sign. It will be necessary to complete a sign application, and to submit written authorization from the owner of the property on which the sign will be located.

The fees can be found in the Town of Germantown fee schedule.

4.3 ENFORCEMENT

The Zoning Administrator is hereby designated as the Sign Officer, and is hereby authorized to enforce this ordinance. The sign Officer is authorized to order the repair or removal of any sign and its supporting structure which is judged dangerous, or in disrepair, or which is erected or maintained contrary to this ordinance.

4.4 REMOVAL OF SIGNS

Any sign which has been ordered removed by the Sign Officer, or is abandoned or discontinued, shall be removed by the person, firm, or corporation responsible for the sign including the owner of the sign and the owner of the land on which it is located within thirty (30) days of written notice to remove. The supporting structure, i.e.: posts, are also to be removed.

4.5 PENALTIES AND APPEALS

(a) Violation of any provision of this ordinance or any lawful order of the

Sign Officer shall be subject to a fine **as found in the Town of Germantown fee schedule**. Each day that such violation continues shall constitute a separate offense.

The owner of the sign, the owner of the lands or properties and the agents of either of them, without limitation, because of enumeration, including contractors, installers, or their agents, are responsible for compliance with all provision of this Ordinance which bear upon their area of competency and responsibility. Any such party who violates or aids or abets in a violation shall be liable to prosecution and remedial action.

(b) Any applicant or landowner aggrieved by the provisions of the Sign Ordinance may have the requirements of a specific provision of the Sign Ordinance reviewed by utilization of the Conditional Use Process found in the Germantown Zoning Ordinance #22.

4.6 MEASUREMENT OF SIGN AREA

(a) Sign measurement shall be based upon the entire area of the sign, with the single continuous perimeter enclosing the extreme limits of the actual sign surface or message area.

(b) For a sign painted on or applied to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols, altogether with any background of a different color than the natural color, or finish material of the building.

(c) For a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.

(d) The area of supporting framework (for example brackets, posts, etc.) shall not be included in the area if such framework is incidental to the display.

(e) When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

4.7 MEASUREMENT OF HEIGHT

The measurement of any sign shall be measured from the surface of the ground up to the highest point of the sign. The height of any free standing sign shall be no higher than the maximum of 10 feet, unless authorized under the Conditional Use Process.

23.5 GENERAL STANDARDS FOR SPECIFIC TYPES OF SIGNS

5.1 ADDRESS SIGNS

One sign displaying the street number or name of the occupant of the premises, or both.

(a) Such a sign may include identification of an on premise professional office or customary home occupation.

(b) Such a sign may be attached to the building or may be on a post not more than four (4) feet high, and setback at least three (3) feet from the public right-of-way.

(c) Such sign may not exceed two (2) sq. feet in area.

5.2 CONSTRUCTION SIGNS

An on premise sign identifying the contractor, architect, landscape architect, and or engineer's name, address, and other pertinent information.

(a) Such signs shall not exceed twelve (12) sq. feet in area, and shall be set back at least ten (10) feet from the street lot line, or one-half the building set-back distance, whichever is less.

(b) Such a sign may be maintained on the building or property for the interim of construction, and not more than thirty (30) days following completion of said construction.

5.3 FREE-STANDING SIGNS

A self-supporting sign of 35 sq. ft. or less not attached to any building, wall, or fence, but in a fixed location.

(a) Free-standing signs over six (6) feet in height may have no more than two sides.

5.4 ILLUMINATED SIGNS

(a) Signs shall be illuminated only with steady, stationary, shielding light sources directed solely onto the sign without causing glare.

(b) Illuminated signs shall not be permitted to shine onto residential properties and traveled ways.

5.5 MARQUEE SIGNS

A sign painted on, attached to, or consisting of an interchangeable copy reader, on a permanent overhanging shelter which projects from the face of a building.

(a) Such signs may be painted on or attached flat against the surface of, but not extending beyond or attached to the underside of the overhang.

(b) Letters or symbols shall not exceed twelve (12) inches in height.

(c) A minimum clearance of ten (10) feet above the sidewalk level must be allowed for pedestrian clearance.

5.6 MULTIPLE SIGNS

A group of signs clustered together in a single structure or compositional unit. Multiple signs are used to advertise several occupants of the same building.

(a) The display board shall be of an integrated and uniform design.

(b) The maximum sign area permitted is sixteen (16) sq. ft. for the sign bearing the name of the building or office park, and two (2) sq. ft. for the name of each occupant located there.

(c) Complexes with over 300 sq. ft. of frontage will be allowed two (2) free-standing signs.

5.7 OFF-PREMIS SIGNS

(a) Informational and directional signs containing no advertising are permitted to direct traffic flow, indicate parking space, identifying points of interest, locate businesses, or provide other essentials information to guide vehicular or pedestrian traffic flow.

(b) Off-premise directory boards containing small identification signs conforming to the above requirements may be permitted in special situations where visibility is a significant problem and where they can be harmoniously integrated with the environment.

(c) Seasonal business signs must designate when they are closed for off season.

(d) Two off-premise signs per business is the maximum allowed, excluding the State of Wisconsin TOD Signs.

5.8 POLITICAL SIGNS

A sign designated to influence the action of voters for the passage or defeat of a measure, or the election of a candidate to a public office at a national, state, or other local election. A permit must be gotten to erect a political sign, but there is no charge for such permit.

(a) Such signs are permitted if they are stationary, unlighted, and temporary.

(b) Such signs shall be removed within five (5) days after voting day.

5.9 WALL SIGNS, PAINTED WALL SIGNS AND INDUSTRIAL LIGHTS AND SIGNS

A sign which is attached parallel to the exterior surface of a building or structure

- (a) Such a sign shall not project more than fifteen (15) inches of a building or structure.
- (b) Such sign shall not obscure architectural features of the building, not limited to features such as arches, sills, mouldings, cornices and transoms.
- (c) Such sign shall not extend above the lowest point of the roof, nor beyond the ends of the wall to which it is attached.
- (d) Such signs shall have an aggregate area not exceeding 1.5 sq. ft. for each lineal foot of building face parallel to a street lot line, or ten percent (10%) of the wall area to which it is attached, whichever is less. Where a lot fronts on more than one street, the aggregate sign area facing each street frontage shall be calculated separately.
- (e) Where two (2) or more wall signs are affixed to one wall, the gross display area shall be the sum total area of all signs.
- (f) Wall signs shall not extend higher than the eave line or top of the parapet wall of the principle building.
- (g) No part of a wall sign, including the display surface, shall extend more than six (6) inches from the building surface.
- (h) The size of signs attached to buildings may be increased in area (over allowable size) by 25% for every 100 feet of building setback. This shall apply to buildings setback more than 100 feet from the road right-a-way, and the increase may be pro-rated according to the actual setback distance.

23.6 MAINTENANCE

A sign shall be maintained in a secure and safe condition. If the Sign Officer is of the opinion that a sign is not secure, safe, or in good state of repair, written notice of this fact shall be given to the person responsible for the sign. If the defect in the sign is not corrected within the time permitted by the Sign Officer, the Sign Officer may revoke the sign permit and take possession of the permit until the owner pays the cost of removal, thus placing the sign owner in violation of the sign bylaw and liable for a fine as specified in Section 4.5.

Amended to remove all fees from the ordinance and replace them with a reference to find those fees in the fee schedule, at a regular meeting of the Town Board of the Town of Germantown, Juneau County, Wisconsin on the 11th day of August, 2015.

APPROVED:

ATTEST:

Gregg Haunroth, Town Chairman

Susan Ganther, Town Clerk/Treasurer

History

Amended on June 12, 2001

Amended on December 11, 2001

Amended on November 12th, 2002

Amended on May 22, 2003