

SIGN CODE

Design Standards & Approval Process

CHAPTER 23 ARTICLE XIV. SIGNS

DIVISION 1. INTRODUCTORY INFORMATION

Sec. 23-500. Purpose.

The purpose of these sign regulations is to encourage the effective use of signs as a means of communication, to maintain and enhance the aesthetic environment of the City, to attract sources of economic development and growth, to promote pedestrian and vehicular safety, to protect property values by minimizing the adverse effects of signs upon public and private property, to provide a procedure for fair and consistent enforcement, and to implement the spirit of urban design goals and policies as identified in the Appleton VISION 20/20: Comprehensive Plan.

Sec. 23-501. Applicability and Effect.

A sign may be erected, placed, established, created, or maintained in the City only in conformance with the standards, procedures, exemptions and other requirements of this ordinance. More specifically, the sign ordinance shall:

- (a) Establish a permit system that regulates the number, size, and type of signs in all zoning districts;
- (b) Allow certain signs that are small, unobtrusive, and incidental to the principal use of each lot;
- (c) Provide for temporary signs without commercial messages in limited circumstances in the public right-of-way;
- (d) Prohibit all signs not expressly permitted by this ordinance;
- (e) Identify enforcement provisions;
- (f) Establish guidelines for design, construction, installation, and maintenance of signs; and
- (g) Regulate the sign structure.

*(Editor's Note: Chapter 14 – Signs was repealed by Ord 9-00, published 1-22-00. New 'Sign Code' was created by Ord 10-00, published 1-22-00)

Secs. 23-502 – 23-503. Reserved.

DIVISION 2. DEFINITIONS

Sec. 23-504. Definitions and interpretation.

Words and phrases used in this ordinance shall have the meanings set forth in this section. In addition, the definition section of the zoning ordinance may supplement the sign code. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

Abandoned sign means a sign located on a lot that contains any land use discontinued for more than a twelve (12) month period except as provided in §23-506(c).

Animated sign means any sign that utilizes flashing, scintillating, blinking or traveling lights, or change of lighting to show action or to create a special effect or scene. This does not include changeable copy signs.

Area of sign means the area of the largest single sign face within a perimeter formed by the outside shape, including any frame that forms an integral part of the display. This would not include the necessary supports or uprights of the sign. If the sign consists of more than one (1) section or module, all areas are totaled. Any writing, representation, emblem, logo, symbol or other display that has no background or is irregular in shape shall be computed based on squares or rectangles which enclose the extreme outer limits of the advertising message, announcement or decoration.

Awning. A rigid-framed, roof-like structure attached to a wall running parallel to the building face that includes a surface of fire-resistant material such as vinyl or canvas.

Banner. Any sign of lightweight fabric or similar material mounted by the edges to a pole or building. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Beacon. Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

Billboard means any wall-mounted or ground sign whose primary purpose is advertising a product or service located off the premises. Billboard includes poster panels and painted bulletins.

Building marker. Any sign indicating a building's name, date, or any incidental information about its construction that is engraved into a masonry surface or made of bronze or other permanent material.

Canopy. A rigid frame structure that extends outward from an entrance to a building.

Changeable copy sign. A permanent sign, whether electronic or manual, where copy changes. This does not include special effects, scenes or pictures.

Copy means the wording on a sign surface.

Department means the City of Appleton Inspections Division.

Directional sign. An on-premises sign providing general information and has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "exit", "loading zone", "telephone", and other similar directives.

Director means the City of Appleton Inspections Supervisor or designee.

Electric sign means any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

Electric sign contractor means a person who, in the normal course of business, frequently installs and maintains electric signs.

Event means an occurrence generally regarded and acceptable as important, newsworthy and of public service.

Flag. A piece of fabric having distinctive colors and patterns used as a symbol of a government, political subdivision or other entity.

Freeway means U.S. Highway 41 and State Highway 441.

Freeway-oriented on-premises sign means any on premises sign whose property abuts a freeway and primarily identifies a business or company to freeway users.

Frontage means that boundary of a lot that abuts a dedicated public street. The public right-of-way may include frontage roads.

Ground sign. Any sign supported by structures or supports placed on or anchored in the ground and independent from any building or other structure.

Height of sign means the vertical distance measured from the normal grade to the highest point of the sign.

Historic markers. Signs identifying a historical structure, site or district pursuant to §23-670 of this code.

Home occupation sign. A sign advertising a legally permitted home occupation (§23-45).

Lot means a tract of land, designated by metes and bounds, registered land survey or plat, and separated from other tracts of land by legal description approved by the City and recorded in the office of the county Register of Deeds.

Marquee. Any permanent, roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument signs means a ground sign with the bottom of the sign a maximum of twelve (12) inches from normal grade.

Multi-tenant means a building with more than one (1) tenant that utilizes wall, projecting, canopy or ground signage.

Nonconforming sign. Any sign that does not conform to the requirements of this section.

Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berming, molding or excavating solely for the purpose of locating the sign.

Off-premises sign. A sign identifying or advertising persons, entities, activities, business goods, products, facilities or services not located on the lot where the sign is located or directing persons to a different location from where the sign is located.

On-premises sign. Any sign identifying or advertising persons, entities, activities, business goods, products, facilities or services located on the lot where the sign is installed and maintained.

Person. Any individual, association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

Plot plan means a scaled (engineer's) drawing of a parcel that depicts all elements on and surrounding the parcel.

Portable sign means a sign lit or unlit designed to be transported, including, but not limited to, signs designed to be transported by means of wheels.

Principal building. The building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clear accessory uses shall not be considered principal buildings.

Projecting sign means a sign, normally double-faced, which is attached to a structure or building perpendicular to the wall and extending more than six (6) inches. The area of projecting signs is calculated on one (1) face only.

Residential sign means a sign located in a district zoned for residential uses with no commercial message except advertising for goods or services legally offered on the premises where the sign is located, provided the service at the location conforms with all requirements of the zoning ordinance.

Right-of-way is all public property used or intended for use as a travelway and the public property that is adjacent to the travelway.

Roof sign means a sign erected upon, against or above a roof and extending above the highest point of the roof. If the sign does not extend above the highest point of the roof and is single-faced, it is a wall sign.

Sandwich sign means a hinged or unhinged A-frame sign that is generally temporary in nature.

Setback means the required distance a sign must be located from a lot line, easement, right-of-way line, adjacent building or other feature as indicated in this section.

Sign. Any device, fixture, placard, or structure that uses any writing, representation, emblem, logo, symbol or other display illuminated or non-illuminated to advertise, announce the purpose of, or identify the purpose of a person or entity to attract attention, or to communicate information of any kind to the public, visible from any public place. Streamers, pennants, balloons and inflatable figures are not considered signs. For the purpose of removal, signs shall also include all sign structures as well as the sign itself.

Sign contractor means any person engaged in whole or in part in the erection or maintenance of signs, excluding the business that the sign advertises.

Sign structure means any structure or material that supports, has supported, or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

Street means a dedicated right-of-way affording access by pedestrians or vehicles to abutting property. Egress and ingress easements shall not be considered streets or roads.

Street frontage. The distance for which a lot line of a lot adjoins a street, from one (1) lot line intersecting said street to the furthest distant lot line intersecting the same street. Corner or double frontage lots will have more than one (1) street frontage.

Suspended sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Swinging sign means a sign installed on an arm, mast, or spar that, in addition, is not permanently fastened to an adjacent wall or upright pole.

Temporary sign means a sandwich board and other similar freestanding sign used for a limited time and not permanently mounted.

Wall area means that portion of a building that is parallel or nearly parallel to the abutting street.

Wall sign. Any sign attached parallel to, and within six (6) inches of, a wall or erected and confined within the limits of an outside wall of any building. The sign is supported by such building.

Window sign means a permanent or temporary sign that is placed inside a window and is visible from the exterior. A window sign does not supersede the transparent purpose of the window.

DIVISION 3. GENERAL PROVISIONS

Sec. 23-505. Prohibited signs.

All signs not expressly permitted or exempt under this article are prohibited in any location in the City. Prohibited signs include, but are not limited to:

- (a) Animated signs.
- (b) Beacon.
- (c) Billboards.
- (d) Off-premises signs.
- (e) Painted signs directly on building walls.
- (f) Roof signs.
- (g) A sign or advertising device attached to or painted onto a parked vehicle or trailer and being used as an on-premises or off-premises sign.
- (h) Signs, handbills, posters, notices or similar attention gathering devices posted or affixed on traffic control boxes, traffic signs, utility poles, traffic control support structures or otherwise in the public right-of-way.
- (i) Signs marked, tacked or otherwise affixed to trees or other vegetation.
- (j) Signs containing statements, words, or pictures of an obscene or pornographic nature.
- (k) Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words “stop”, “caution”, “warning”, or similar words and/or colors normally associated with official signs.
- (l) Swinging signs.
- (m) Umbrellas with advertising copy.

Sec. 23-506. Legal, nonconforming signs.

(a) Legal, nonconforming signs shall be regulated under §23-42 of the zoning ordinance unless otherwise stipulated in this article. A sign will become a legal, nonconforming sign in the following instances:

- (1) Any sign lawfully established prior to the effective date of this section;
- (2) Any sign which as a result of subsequent amendments hereto becomes nonconforming; and
- (3) Any sign that was lawfully established prior to the annexation of the property on which the sign is located.

(b) Legal, nonconforming signs may continue to exist provided there is no alteration or reconstruction. Alteration or reconstruction that is in compliance with the provisions of this code shall bring the sign into conformity. For the purpose of this section only, the term “altered or reconstructed” shall not include the following:

- (1) Normal maintenance.
- (2) Changing of advertising message.
- (3) Changing of ornamental features.
- (4) Changing of landscaping at the sign’s base.
- (5) Standard electrical maintenance.

(c) In order to lawfully maintain and continue use of a legal, nonconforming sign, the following criteria and conditions apply:

- (1) The sign must have been actually in existence at the time this section became effective, except where a permit for the construction of a sign was granted prior to the effective date of this ordinance and the sign owner acted in good faith and expended sums in reliance thereon.
- (2) The sign may be sold, leased or otherwise transferred without affecting its status, but its location may not be changed.
- (3) A legal, nonconforming sign removed as a result of a right-of-way taking or for any other reason may be relocated only if the sign is made to conform to this section.
- (4) A conforming sign does not become nonconforming due to City acquisition of right-of-way according to §23-42(f).
- (5) If the owner of a sign desires to repair, alter or reconstruct a sign that exceeds fifty percent (50%) of the replacement value of the sign, the sign must be brought into conformance with the requirements of this section. The exception to this provision is a billboard sign, where elimination is the only option.

(d) The exception to this section is nonconforming billboards, which shall meet the following conditions:

- (1) Compliance with §23-547, Maintenance required; abandoned signs, must be achieved. If the total repair of a billboard exceeds fifty percent (50%) of its assessed value during its remaining life, it must be removed.
- (2) Billboards shall be promptly removed if they become deteriorated or dilapidated.
- (3) No billboard shall be enlarged, extended, reconstructed, or structurally altered.

- (4) Any billboard not in use for a period of ninety (90) days shall be removed according to §23-547 of this Code. This includes, but is not limited to, advertising a discontinued product, advertising a discontinued use, and/or a billboard that is vacant except for owner information.

Sec. 23-507. Signs in the right-of-way.

- (a) No signs shall be placed upon any street right-of-way except for the following:
 - (1) Permanent signs including public signs erected by, or on behalf of, a governmental unit to post legal notices, identify public property, and direct or regulate pedestrian or vehicular traffic.
 - (2) Temporary construction or street repair signs.
 - (3) Bus stop signs erected by a public transit company.
 - (4) Informational signs of a public utility regarding its poles, lines, pipes or facilities.
 - (5) Banners, signs, or decorations as permitted by the Common Council.

Sec. 23-508. Signs not requiring a permit.

(a) Signs that do not require a sign permit shall be excluded for the purposes of calculating the total number and total size of signs allowed on a lot.

(b) Signs that do not require a sign permit shall be subject to other applicable provisions of this article including, but not limited to, size, setback and clearance unless otherwise stated.

- (c) The following are signs that do not require a sign permit:
 - (1) **Banners.** Time limit of one hundred twenty (120) consecutive days per banner applies. See §23-562 for banners in the public right-of-way.
 - (2) **Building marker.** Maximum size for a building marker is four (4) square feet.
 - (3) **Building number.** Building numbers must meet the requirements in §4-3 of the Municipal Code and Building Addressing Policy of the City of Appleton. All building numbers shall be mounted flush to the structure. Building numbers may or may not be illuminated, subject to departmental policies. If part of the design elements of a subdivision, illuminated house numbers may be integrated into a mailbox structure in the public right-of-way. Maximum size for officially assigned address information is two (2) square feet.
 - (4) **Construction signs.** One (1) construction sign per street frontage is allowed. This sign shall be placed on the lot where work is under construction and shall identify persons or companies involved in the design, construction, demolition, financing or project development. Such signs shall not be erected prior to the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within ten (10) days of completion of the work or the expiration of the permit, whichever is sooner. Construction signs for single-family residences shall not exceed sixteen (16) square feet. Construction signs for commercial, industrial, multi-family, or planned development uses on parcels of less than one hundred thousand (100,000) square feet; construction signs shall not exceed ninety-six (96) square feet on parcels greater than one hundred thousand (100,000) square feet.
 - (5) **Directional signs.** Directional signs may not exceed six (6) square feet. No more than one (1) directional sign is permitted per side of driveway. All setbacks and clearances must be followed.

- (6) **Events signs.** For one- (1-) day events and special events which require a City Special Event License.
- (7) **Flags.**
- (8) **Governmental signs.** Signs erected by, or on behalf of, a governmental unit, including legal notices, traffic signs, or other similar regulatory devices, directional signs, warnings at railroad crossings, and other instructional or regulatory signs pertaining to health hazards, parking, swimming, dumping, and such emergency or non-advertising signs as may be approved by the Traffic Engineer for safety purposes or other signs approved by the Common Council.
- (9) **Historical markers.** Commemorative plaques, memorial tablets, or emblems of official historical bodies not exceeding four (4) square feet placed flat against a building, monument stone or other permanent surface.
- (10) **Holiday decorations.** Temporary displays of a primarily decorative nature, clearly incidental to and customarily associated with traditionally accepted civic, patriotic or religious holidays.
- (11) **Home occupation signs.** One (1) sign associated with a home occupation as defined in the zoning ordinance, provided such signs are non-illuminated wall signs not exceeding two (2) square feet in area and mounted parallel to the wall.
- (12) **Institutional identity signs.** Institutions such as a university campus may install and maintain an identity sign designating only the name and address of the institution or campus, not exceeding sixty (60) square feet. This sign must be located greater than ten (10) feet from the right-of-way line.
- (13) **Interior signs.** Signs that are located on the interior of any building.
- (14) **Model home signs.** Signs not exceeding six (6) square feet identifying a non-occupied dwelling unit used as a demonstrator for selling or renting other dwelling units in the same complex.
- (15) **Neighborhood and park identification signs.** In any zone, a sign, masonry wall, landscaping or other similar material and feature may be combined to form a display for neighborhood or tract identification at all entrances, provided the legend of such sign or display shall consist only of the neighborhood or tract name. Neighborhood and park identification signs shall be limited to ground signs not exceeding eight (8) feet in height or forty-eight (48) square feet per sign face, and meet all other design standards in Division 4.
- (16) **Political campaign signs.** Signs promoting candidates for public office or issues on election ballots, not exceeding sixteen (16) square feet per lot, posted on private property. The Director and/or the Police Chief, or their designee, are authorized to remove any signs in violation of this section.
- (17) **Real estate signs.** One (1) real estate sign per street frontage of a lot, advertising the sale or lease of that lot or premises. Such signs shall not be located in the public right-of-way, nor be directly illuminated, nor exceed eight (8) square feet for residential districts, thirty-two (32) square feet for commercial districts, or sixty-four (64) square feet for industrial districts. Real estate signs shall be removed within fifteen (15) days after the sale, rental, or lease has been accomplished.

- (18) **Residential signs.** Signs customarily associated with residential use, related to a permitted use of the premises, and not exceeding two (2) square feet. Such signs can include property identification names, numbers or names of occupants, signs posted on private property relating to private parking or warning the public against trespass or danger of animals, neighborhood crime watch signs, or signs advocating any political, religious, or ideological cause.
- (19) **Temporary public events signs.** Temporary signs not exceeding thirty-two (32) square feet pertaining to campaigns or events of civic, philanthropic, educational, or religious organizations, provided such signs are posted not more than thirty (30) days before an event and removed within two (2) days after the event.
- (20) **Window signs** shall not exceed fifty percent (50%) of the gross window area of any given wall or ten percent (10%) of the glass on any door. The square footage of permanent window signs shall be included in the maximum allowable square footage of wall sign (§23-523(c)). Signs shall not be placed on doors or windows needed to be clear for public safety.
- (21) **Vehicle signs used in normal course of business.** Truck, bus, trailer, or other vehicle signs, while the vehicle is operating in the normal course of business, but is not parked in such a way that it acts as an advertising sign on a parking lot, driveway or street according to §23-505.

Secs. 23-509 – 23-521. Reserved.

DIVISION 4. DESIGN STANDARDS

Sec. 23-522. Number of signs.

Sign limitations shall be based on street frontage and wall area. The total number and area of signs shall not exceed the maximum parameters contained herein and as shown on Table 14A:

(a) **One (1) ground sign.** One (1) ground sign is permitted for each lot unless specified elsewhere in this code.

(b) **Two (2) ground signs.** Two (2) ground signs may be permitted if a parcel has a second street frontage subject to the following regulations:

- (1) For corner lots, each street frontage must be at least two hundred (200) feet before two (2) signs are allowed;
- (2) Double frontage lots must have at least three hundred (300) feet of lot depth with a driveway at the rear of the property.
- (3) Maximum size of the two (2) signs are one hundred eighteen (118) square feet for the primary sign and thirty-two (32) square feet for the secondary sign.
- (4) In no case will two (2) ground signs be allowed on the same street frontage for the same business or parcel.

(c) **Temporary signs.** One (1) temporary sign per street frontage is allowed in the building setback. There is no limit to the number of temporary signs on the remainder of the property.

Sec. 23-523. Sign face calculation.

(a) **Ground signs.** The maximum area of a ground sign shall not exceed one hundred fifty (150) square feet per sign face.

(b) **Multiple-faced signage.** The surface area of a sign shall be calculated only on the basis of adding together the area of the sign face(s) that can be read by one (1) viewer at a time. Where two (2) identical sign faces are both faces cannot be read by any one (1) viewer simultaneously, only one (1) of the faces shall be calculated for purposes of determining sign surface area.

(c) **Wall sign calculation.** For purposes of maximum area for wall signs, this calculation shall include awning, marquee, canopy, permanent window and projecting signs.

(1) In the P-I, C-O, C-1, C-2, and CBD zoning districts, the maximum area of wall signage shall be calculated as follows:

- a. For each wall with street frontage, thirty-five percent (35%) of the building wall or three hundred fifty (350) square feet whichever is less.
- b. For each wall without street frontage, fifteen percent (15%) of the building wall or one hundred fifty (150) square feet whichever is less.

(2) In the M-1 and M-2 zoning districts, the maximum area of wall signage shall be calculated as ten percent (10%) of each building wall.

(d) **Changeable copy signs.** The maximum area of changeable copy cannot exceed forty-eight (48) square feet.

(e) **Sandwich signs and similar temporary signs.** Sandwich sign standards include a maximum three and one-half (3½) foot height, two and one-half (2½) foot width, and six (6) inch high maximum leg supports.

(f) **Portable signs.** The maximum size is four (4) feet by eight (8) feet.

Sec. 23-524. Ground sign height.

(a) **Total height.** The height of a ground sign shall not exceed twenty-eight (28) feet in height.

(b) **Computation of height.** Sign height shall be computed as the distance from the base of the sign or sign structure at normal grade to the top of the highest attached component of the sign. Where the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a street or the grade of the land at the principal entrance to the principal building, whichever is lower.

Sec. 23-525. Setback and clearance.

(a) **Right-of-way.** The closest point of a sign shall not encroach into the public right-of-way, including public sidewalks and terraces unless a street occupancy permit is obtained. Application for this permit must be obtained from the Public Works Department, reviewed by the Municipal Services Committee and approved by Common Council.

(b) **Side lot line.** A sign shall be located no closer than five (5) feet from the side lot line.

(c) **Within fifteen (15) feet of street.** A ground sign, any part of which is closer than fifteen (15) feet to the right-of-way, shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three (3) feet in height above the grade at the right-of-way line.

(d) **Intersections/driveways.** Any ground or portable, sign within twenty-five (25) feet of an intersection or fifteen (15) feet of a driveway shall maintain a minimum vertical distance between the bottom of the sign and the grade at the right-of-way line of ten (10) feet or shall be not more than three (3) feet in height above grade.

(e) **Projecting signs.** Projecting signs shall maintain a minimum vertical distance between the bottom of the sign and the normal grade of eight (8) feet. The maximum height between the top of the sign and the normal grade shall not exceed sixteen (16) feet.

(f) **Parking area/driveway clearance.** Any sign located over a parking area or driveway shall have a minimum vertical clearance of fourteen (14) feet.

(g) **Electrical lines.** All signs shall be so located so as to avoid any contact with electrical and communication lines.

Sec. 23-526. Portable sign display limits.

A portable sign may be displayed for a total of one hundred twenty (120) days per year with a minimum of thirty (30) consecutive day blocks. The entire thirty (30) consecutive day block will count towards the one hundred twenty (120) day total even if all thirty (30) days are not used.

Sec. 23-527. Awning, canopy and marquee signs.

For this section, awning includes canopies and marquees unless otherwise specified.

(a) The sign message can be no larger than the wall sign area restrictions in §23-524.

(b) The sign message displayed on the principal face and/or valance (fringe) of the awning shall not exceed forty percent (40%) of the awning surface.

(c) An awning with a sign message shall meet the following conditions:

(1) An awning shall not extend more than five (5) feet from the face of a building.

(2) A canopy support structure shall not be closer than two (2) feet from the street curb line.

(3) Minimum clearance for an awning having a sign shall be seven feet six (7'6") inches from the lowest edge of the awning to the closest point of a sidewalk.

(4) The valance shall not exceed nine (9) inches, and letters on the valance shall not exceed six (6) inches in height.

(5) Any awning that extends into public right-of-way (including a public sidewalk) shall be required to obtain a street occupancy permit.

(6) If illuminated, a light source shall meet all national and local electrical codes.

Sec. 23-528. Sign lighting.

Signage may be internally lighted or may have external illumination mounted on the sign, building, or ground. However, no external light source shall be positioned as to interfere or be seen by vehicular traffic or adjacent residential uses.

Sec. 23-529. Design standard exceptions.

(a) ***Hospital exceptions.*** In a C-2 commercial district, the following design standard exceptions for PD planned development zoning for hospitals will apply:

- (1) A ground, medical campus identification sign shall be allowed for every five hundred (500) feet of frontage subject to size, height and setback restrictions in accordance with Division 4. If located by an entrance, an identification sign can be combined with a site information sign.
- (2) Emergency entrance signage may be included in the medical campus identification or site information signage to give clear direction to the emergency room.
- (3) Each entrance to the hospital campus shall be allowed a ground, site information sign to identify parking, emergency, hospital, and clinic entrances. Site information signs shall be limited to seventy (70) square feet and shall meet all height and setback restrictions in accordance with Division 4.
- (4) At each entrance door to the hospital or clinic, a wall sign will be allowed not to exceed forty (40) square feet to identify the function beyond the door.
- (5) All hospital related signs may be lighted for nighttime identification.
- (6) A hospital may request off-premises signage attached to City street signs for directional purposes. These signs are subject to City approval and installed by the City.

(b) ***Central business district (CBD) exceptions.*** Permitted signs in the CBD central business district are the same as in the C-2 District, with the following conditions and exceptions:

- (1) Signs on pedestrian skywalks are limited to businesses that have long-term leases to maintain the skywalks. The area of all skywalk signs per side may be a maximum of twenty percent (20%) of the skywalk face.
- (2) Parking ramps, library, children's museum, post office, YMCA, hotels, City Center Plaza, and other major landmarks may have off-premises signage attached to existing street signage and light poles subject to review and approval by the City.

(c) ***41 and 441 freeway exceptions.*** The following ground sign design standard exceptions for C-2, M-1, and M-2 zoned land will apply to freeway-oriented, on-premises signs.

- (1) A ground sign may exceed twenty-eight (28) feet in height by two (2) feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right-of-way. No ground sign shall exceed sixty (60) feet in height above the abutting freeway's centerline grade.
- (2) A ground sign may exceed one hundred fifty (150) square feet in area by ten (10) square feet for each additional foot the sign is set back from a minimum of ten (10) feet from the freeway right of-way. No ground sign shall exceed two hundred (200) square feet in area per sign face.
- (3) If a single parcel exceeds nine (9) acres, a second ground sign not exceeding twenty-eight (28) feet in height and one hundred fifty (150) square feet in size shall be allowed at the parking lot entrance on the access street.

(d) ***Places of worship and nursing home exceptions.*** Places of worship and nursing homes will be allowed one (1) ground sign not to exceed sixteen (16) feet in height and forty-eight (48) square feet per

sign face for each street frontage as calculated for multiple-faced signage §23-524(b). One (1) wall sign will also be allowed per street frontage subject to design standards in accordance with Division 4.

(e) **Educational institution signs.** An educational institution shall be allowed one (1) wall sign per street frontage. A substitute for the one (1) wall sign may be a reader board, attached to the face of an educational institution building, not to exceed forty-eight (48) square feet, for the purpose of conveying information related to public events held on the premises. Educational institution sites shall also be allowed one (1) ground sign as calculated for multiple-faced signage §23-523(b) (or reader board if none exists as a wall sign) set back at least twenty (20) feet from the public right-of-way. The ground sign shall not exceed fifteen (15) feet in height and shall not exceed forty-eight (48) square feet per face.

(f) **Automobile RV, truck, cycle, boat sales and dealerships.** Dealerships selling new vehicles shall be allowed one (1) ground sign for each fifty thousand (50,000) square feet of hard-surfaced, outdoor display.

(g) **Real estate marketing sign.** One (1) sign per street frontage, eighty (80) square feet maximum, is allowed for the purpose of marketing a new subdivision, apartment, condominium, or planned development. Such permit will be issued for one (1) year and may be renewed for one (1) additional year.

Secs. 23-530 – 23-539. Reserved.

DIVISION 5. ADMINISTRATIVE PROCEDURES

Sec. 23-540. Sign permit.

(a) **Permit required.** A permit from the Director shall be required for any person to erect, place, replace, move, establish, paint, construct, install, convert, substantially alter, rebuild, enlarge, remodel, relocate, or illuminate any on-premises or off-premises sign upon private property, unless exempted under §23-508. Repainting, routinely maintaining, or changing the message on a sign will not be considered a substantial alteration and will not require a permit.

(b) **Permits for portable and temporary signs.** A permit for portable and temporary signs may include all of the subject signs on one (1) permit. This permit must be obtained each calendar year and is available by U.S. Mail.

(c) **Permit fee.** The fee for sign permits shall be established by the Common Council and on file in the Office of the City Clerk. Permit fees may increase to three (3) times the amount if a permit is applied for after the work is started.

(d) **Permit application.** Before construction of any sign requiring a permit, an application must be filed with the Director. Applications for a sign permit shall include a set of mandatory submittals as listed in this section. In addition, optional submittals may be required by the Director if deemed necessary due to the character of the particular proposal under consideration. Applications will not be processed until all required submittals have been provided to the Director. All applications shall be submitted upon a fully completed application form and shall be accompanied by payment of the applicable fee to defray the cost of reviewing and processing the application.

(e) Mandatory submittals for a sign permit.

- (1) Every applicant for a sign permit shall submit an application form as prescribed by the Director with supplementary attachments on 8-1/2" x 11" paper, a depiction of the proposed sign, and a plot plan.
- (2) The application form shall be fully completed and contain the signature of the applicant.

- (3) Electrical signs are required to be listed. On the sign permit, state if the sign is to be electrical and listed.
 - (4) The depiction showing the elevation of the proposed sign(s) needs to contain the following information:
 - a. Maximum dimensions of the sign(s) including dimensions of the supports, total height, and normal grade to bottom of sign.
 - b. The materials of which the sign's structural supports and all other elements are constructed.
 - c. Structural supports or visible methods of attaching the sign with dimensions to include the total height of the sign.
 - d. If required by the Director, calculations showing the structure and design meet the requirements of this section for wind pressure load and other information as the Director may require to show full compliance with this and all other applicable ordinances or regulations of the City.
 - e. The Director may require plans, specifications and calculations be signed and sealed by a Wisconsin registered architect or engineer.
 - (5) A plot plan, on 8-1/2" x 11" paper, drawn to scale, showing the location and dimensions of the sign being applied for, along with the sign's relation to lot lines, streets (with identified names), any existing signs, and structures on the premises.
- (Ord 86-06, §1, 7-11-06)

Sec. 23-541. Denial of sign permit.

If a sign permit is denied, the applicant can, within ten (10) days, request in writing the reasons for denial. The Director shall then prepare a brief written statement of the reasons for denial.

Sec. 23-542. Variation procedures.

(a) **Appeals.** Any aggrieved person adversely affected by the denial of a permit by the Director may appeal such denial to the Board of Appeals. The appeal must be submitted in writing ten (10) calendar days after the receipt of the decision.

(b) **Variances.** Sign code variances shall follow §23-67 of the zoning ordinance with the addition of the following review criteria:

- (1) The variance will not be contrary to the spirit and purpose of this article;
 - (2) Where owing to special conditions, a literal enforcement of this would result in undue hardship; and
 - (3) Issuance of a variance will assure substantial justice due to circumstances uniquely related to the individual property.
- (c) **Minor variation.** A minor variation to the sign code is a request:
- (1) To increase the allowable area and height requirements for signage and/or decrease the setback requirements for signage by a maximum of twenty percent (20%);

- (2) To divide the maximum square footage of signage;
- (3) To vary the size and/or location of a monument sign by more than twenty percent (20%). Minor variations will be approved, approved with conditions, or denied by the Community Development Director. A Variation Application must be submitted. A complete submittal will be processed in fourteen (14) calendar days.
- (4) No minor variation will be granted by the Community Development Director unless the Community Development Director finds that:
 - a. The signage as shown is compatible with the neighborhood and the neighboring signage;
 - b. The situation is unique or presents unique and beneficial solutions to signage for the parcel and/or the neighborhood;
 - c. The variation will provide a demonstrable benefit to the community;
 - d. There is a public benefit in enhancing the tax base by improvements on the parcel, and/or any beneficial actions, plans, or intent of the master signage plan which are clearly beyond the minimum requirements of this chapter shall be specifically listed as evidence of justified variations;
 - e. The signage will not impair public health, safety, comfort, morals, appearance or welfare of the inhabitants of the City.

(d) **PD zoning.** The exception to (a) and (b) above occurs when a property has a PD, planned development, overlay zoning. Planned development parcels must apply for a Planned Development Amendment according to §23-151 of this ordinance.

(e) **Procedure.** Any application for a variance taken pursuant to this section shall be in conformity with the procedures established by §23-67 of the zoning ordinance and shall provide the following information:

- (1) An application signed by the owner and a fee as established by the Common Council and on file in the Office of the City Clerk;
 - (2) Information as required for a sign permit, see §23-540;
 - (3) Location of building(s), parking lots, driveways and landscaped areas in the project;
 - (4) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of ground signs allowed on the parcels included in the plan under this article;
 - (5) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, including directional signs.
- (Ord 121-05, §1, 10-25-05; Ord 87-06, §1, 7-11-06)

Sec. 23-543. Required equipment.

All signs shall be installed and maintained in a professional manner, using equipment that is adequate and safe for the task. This section recognizes there is great peril to the public safety by improper performance of sign contractors through use of inadequate equipment. Therefore, the Director may deny a sign permit if the sign contractor does not have or does not arrange for use of adequate equipment. The Director may also cite the sign contractor for a violation of this section if the contractor fails to use proper equipment in the installation and/or maintenance of signs.

Sec. 23-544. Indemnification of the city for sign installation and maintenance.

All persons engaged in the business of installing or maintaining signs involving the erection, alteration, relocation, or maintenance of a sign within or near public right-of-way or public property shall agree to hold harmless and indemnify the City or its officers, agents, and employees from any and all claims.

Sec. 23-545. Installation and maintenance of electric signs.

This section recognizes electric signs are controlled under the special equipment provisions of Article 600 of the National Electrical Code and Chapter 4 of this Municipal Code. In addition, electric sign contractors have developed a specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are authorized to perform the following specific tasks:

- (a) To install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, but not to connect the signs to primary branch circuits;
- (b) To install interior electric signs, but not to connect the signs to the primary branch circuit; and
- (c) To maintain and replace any electric component within the sign, on its surface or between the sign and building for exterior signs only. This section prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the National Electrical Code or Chapter 4 of this Municipal Code.

Sec. 23-546. Construction specifications.

- (a) All signs shall comply with the provisions of Chapter 4 of this Municipal Code, the provisions of the National Electrical Code as amended, and the additional construction standards set forth in this section where applicable.
- (b) All ground structures shall be self-supporting and permanently attached to sufficient foundations based on the height and size of sign.
- (c) Electric service to ground signs shall be concealed.
- (d) All signs, except those attached flat against the wall of the building, shall be constructed to withstand wind loads of thirty (30) pounds per square foot on the largest face of the sign and structure.
- (e) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.

Sec. 23-547. Maintenance required; abandoned signs.

- (a) ***Maintenance and repair.*** Every sign shall be maintained in a safe and aesthetically beneficial good structural condition at all times, including replacement of defective parts, painting (except when a weathered or natural surface is intended), repainting, cleaning, and other acts required for the maintenance of the sign.
- (b) ***Discontinued or abandoned signs.*** If any sign is discontinued or abandoned for a period of at least six (6) consecutive months in a twelve (12) month period, such sign shall be considered a public nuisance affecting or endangering surrounding property values and will be considered to be detrimental to the public health, safety and general welfare of the community. All discontinued or abandoned signs and sign messages shall be removed by the owner or lessee of the premises when the business they advertised is

no longer conducted there or the sign message contains obsolete advertising matter, except if any period of involuntary discontinuance occurs during the temporary closing of a street for road repair. If the owner or lessee fails to remove the sign, the Director shall give the owner sixty (60) days written notice to remove the sign. The Director may take any appropriate legal action necessary to obtain compliance. Removal of the sign in question includes the removal of the sign structure and sign cabinet.

Sec. 23-548. Payment for sign removal.

When it becomes necessary for the Director to remove or cause to be removed or taken down, a defective, unsafe, or dangerous sign, the cost thereof shall be placed on the tax roll as a special charge and become a lien against the benefited property, unless paid sooner.

Sec. 23-549. Penalty.

Any person who shall violate or cause to be violated any provisions of this section shall, upon conviction thereof, forfeit not less than fifty (\$50) dollars nor more than five hundred (\$500) dollars, together with the costs of prosecution. Each day a violation exists, or continues, shall constitute a separate offense.

Secs. 23-550 – 23-559. Reserved.

DIVISION 6. SIGNS ALLOWED BY ZONING DISTRICTS

Sec. 23-560. Reserved.

(Ord 121-05, §1, 10-25-05; Ord 88-06, §1, 7-11-06)

Sec. 23-561. Zoning district restrictions.

(a) *Residential districts.* Signs not requiring a permit listed in §23-508 are signs permitted in the AG, R-1A, R-1B, R-2 and R-3 residential zoning districts. For design standard exceptions, see §23-529.

(b) *Commercial and industrial districts.* Signs permitted in the C-O commercial office, C-2 general commercial, M-1 industrial park and M-2 general industrial zoning districts are signs not requiring a permit listed in §23-508, ground, projecting, wall, window, marquee, awning and canopy signs. For design standard exceptions, see §23-529.

(c) *Central business district.* Signs permitted in the CBD central business district are the same as in paragraph (b). For design standard exceptions, see §23-529.

(d) *Planned development districts.* Signs in a PD overlay district will be based on the permitted signage within the underlying zoning district.
(Ord 89-06, §1, 7-11-06)

Sec. 23-562. Regulations for banners in the right-of-way.

(a) Requests for installation of banners must be made either by a recognized agency representing the area or from a two-thirds (2/3) majority of the properties along the proposed route.

(b) All banners and necessary brackets (including replacement parts) shall be supplied by the requesting agency.

(c) Storage of banners shall be the responsibility of the requesting party.

(d) Requesting parties must designate an individual to serve as the contact person with the City.

(e) Banners shall be installed only in areas that are predominantly commercial zoning.

(f) Banner installation shall be consistent with planning and development policies, represent an appropriate theme and not detract from the aesthetics of an area. Plans for banner installation, including color scheme, theme and spacing shall be approved by the Community Development Department and Plan Commission before being forwarded to the Municipal Services Committee for issuance of a permit.

(g) Banner materials (including the brackets) shall be approved by the Department of Public Works.

(h) Banner installation shall be done by the Department of Public Works or by private contractor. If a private contractor is used, installation plans showing bracket locations and elevations must be provided and approved by the Department of Public Works.

(i) If performed by the Department of Public Works, the cost of initial banner and bracket installation will be divided equally between the applicant and the City (exclusive of materials).

(j) All costs of repair or replacement of banners done by the Department of Public Works will be charged to the requesting agency or designated individual as they are incurred.

(k) The cost of changeover of banners done by the Department of Public Works will be divided equally between the applicant and the City, up to a maximum of twice per year, after which all costs will be borne by the applicant.

(l) Banners will remain the property of the requesting agency.

(m) The requesting agency will be given thirty (30) days notice of deteriorated banners (in the judgment of the City) after which they will be removed and the cost of removal will be billed to the requesting agency or designated individual.

(n) Installation of items budgeted by the City for installation are exempt from this policy (angels, flags, etc.).

Secs. 23-563 – 23-569. Reserved.

Table 23-14A. Area, Height, and Number of Individual Signs by Zoning District.

Sign Type	AG	R1A, R1B, R-1C & R2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
<i>Ground</i>								
Area (sq. ft) ^a	-	-	-	150	150	150	150	150
Height (feet) ^b	-	-	-	28	28	28	28	28
Number Permitted ^{c, d}	-	-	-	1	1	1	1	1
<i>Building</i>								
Wall area – street (whichever is less)	-	-	-	350 or 35%	350 or 35%	350 or 35%	10%	10%
Wall area – non-street (whichever is less)	-	-	-	150 or 15%	150 or 15%	150 or 15%	10%	10%
Portable sign ^e	-	-	-	4x8	4x8	4x8	4x8	4x8
Temporary sign ^f	-	-	-	2½ x 3½	2½ x 3½	2½ x 3½	2½ x 3½	2½ x 3½

- a. In residential zones, signs are permitted for specific uses identified in §23-508. The area of a ground sign may increase in size, according to exceptions allowed in §23-529.
- b. In residential zones, signs are permitted for specific uses identified in §23-508. The height of ground signs may increase in size, according to exceptions allowed in §23-529.
- c. In residential zones, signs are permitted for specific uses identified in §23-508.
- d. More than one (1) sign may be allowed per lot, subject to §23-522 and §23-529.
- e. Portable signs are allowed for one hundred twenty (120) days total per year.
- f. Temporary signs are allowed one per street frontage in setback, unlimited on balance.

On the tables in this ordinance, which are organized by zoning district, the headings have the following meanings:

AG Agricultural District
R-1A, R-1B, R-1C R-2 Residential, Single and Two-Family District
R-3 Residential, Multifamily District
P-I Public and Institutional District
NC Nature Conservancy
C-O Commercial - Office District

C-1 Neighborhood Commercial District
C-2 General Commercial District
CBD Central Business District
M-1 Industrial Park District
M-2 General Industrial District

Table 23-14B. Permitted Signs by Type and Zoning District.

Sign Type	AG	R-1A, R-1B, R-1C & R-2	R-3, NC	P-I & C-O	C-1 & C-2	CBD	M-1	M-2
<i>Ground</i>	A ^a	A ^a	A ^a	P	P	P	P	P
<i>Building</i>								
Awning	X	X	X	P	P	P	P	P
Building Marker	A	A	A	A	A	A	A	A
Canopy	X	X	X	P	P	P	P	P
Projecting	X	X	X	P	P	P	P	P
Roof	X	X	X	X	X	X	X	X
Suspended	X	X	X	P	P	P	P	P
Swinging	X	X	X	X	X	X	X	X
Wall	A ^a	A ^a	A ^a	P	P	P	P	P
Window	A	A	A	A	A	A	A	A
<i>Miscellaneous</i>								
Animated	X	X	X	X	X	X	X	X
Banner	A	A	A	A	A	A	A	A
Billboard	X	X	X	X	X	X	X	X
Changeable Copy	X	X	X	P	P	P	P	P
Construction	A	A	A	A	A	A	A	A
Directional	A	A	A	A	A	A	A	A
Flag	A	A	A	A	A	A	A	A
Home Occupation	A	A	A	A	A	A	A	A
Off-Premises	X	X	X	X	X	X	X	X
Portable	X	X	X	P	P	P	P	P
Real Estate	A	A	A	A	A	A	A	A
Residential	A	A	A	A	A	A	A	A
Temporary/Sandwich	X	X	X	P	P	P	P	P

A – Allowed without a permit (§23-508).

P – Permit required.

X – Prohibited sign (§23-505).

a. Ground and wall signs are allowed only as identified in §23-508 and §23-529.