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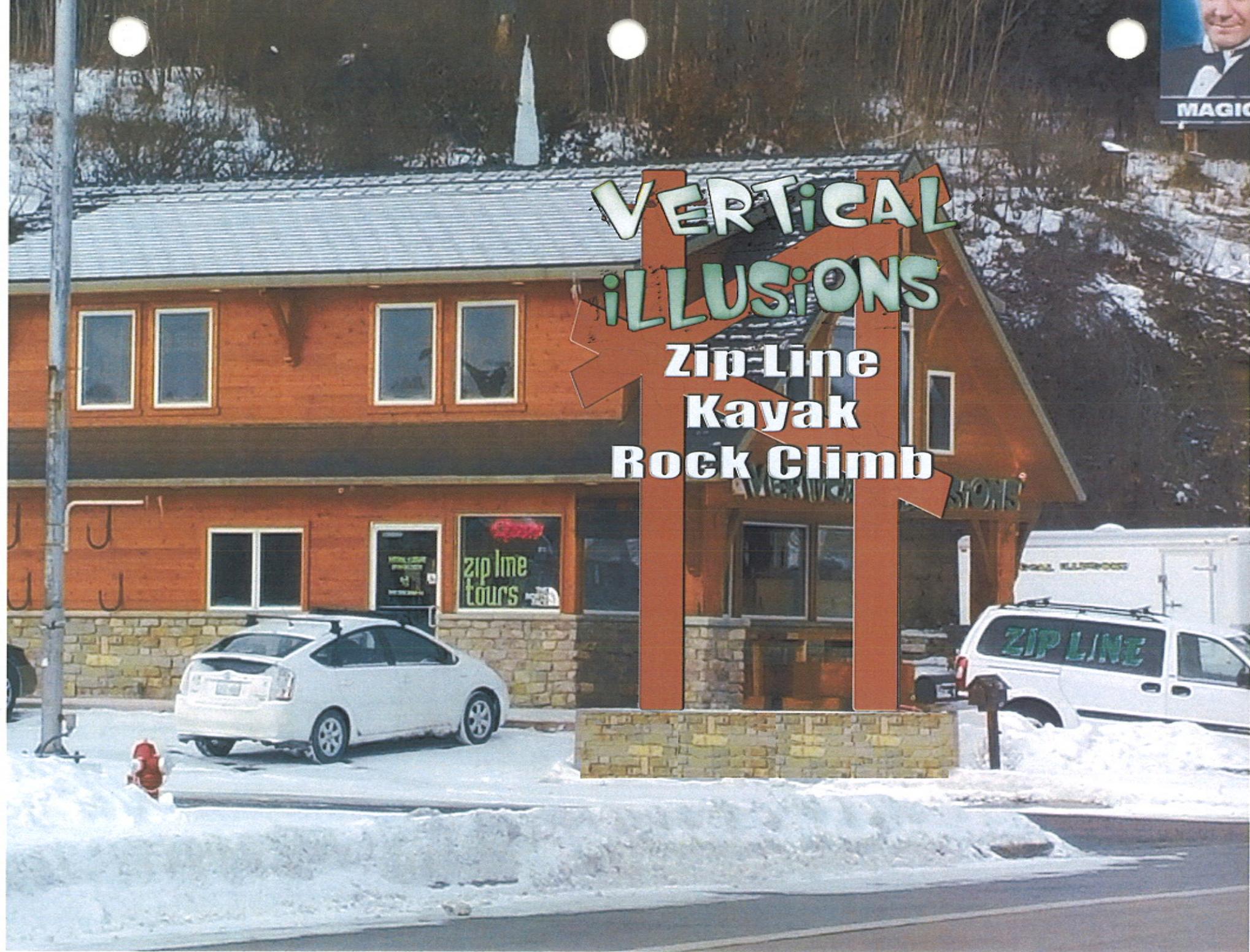
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CHAPTER 22 | SIGN ORDINANCE

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Section 22.01 Purpose and Applicability

- (1) **Purpose.** This chapter provides standards for on-site and off-site signs to safeguard life, health, property, safety, and public welfare, while encouraging creativity, variety and compatibility, and enhancement of the city's image. The provisions of this chapter are intended to:
 - (a) Require creative and well-designed signs that contribute in a positive way to the city's visual environment, express local character, and help develop a distinctive image for the city.
 - (b) Require signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Signs should be compatible and integrated with the building's architectural design and with other signs on the property.
 - (c) Recognize that signs are a necessary form of communication, and provide flexibility within the sign review and approval process to allow for unique circumstances and creativity.
- (2) **Applicability.**
 - (a) **Sign Permits Required.** To ensure compliance with the regulations of this chapter, a sign permit shall be required in order to apply, erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permits enumerated in Code sec. 22.05. See Code sec. 22.03 for sign permit application and processing requirements.
 - (b) **Sign Standards.** The sign standards provided in this chapter shall apply to signs in each zoning district in the city. Only signs authorized by this chapter shall be allowed.

- (c) **New Zoning Districts.** If a new zoning district is created after the enactment of this chapter, the Zoning Administrator shall have the authority to make determinations as to the applicability of appropriate sign regulations in compliance with Chapter 19 until this chapter is amended to govern the new zoning district.
- (d) **Design Standards.** The city's Downtown Design Standards will be used in the evaluation of sign permit applications for properties zoned C-2 to ensure that signs are well designed, compatible with their surroundings, and do not detract from the overall visual quality of the downtown. The process of design standards review shall be dictated by Chapter 19.

Section 22.02 Definitions

- (1) **Abandoned Sign.** Subsection (a) - (c) below constitutes an abandoned sign.
 - (a) a sign that was lawfully erected on the property in conjunction with a particular use that has subsequently discontinued for a period of six (6) months;
 - (b) a sign face that remains blank (i.e. void of advertising matter) for a period of nine (9) months. Signs displaying an "available for lease" message, or similar message are considered to be blank signs; or,
 - (c) a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.
- (1) **Awning:** an architectural projection that provides weather protection, identity or decoration, and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached.
- (2) **Awning Sign:** a sign which is painted on, attached to, or supported by an awning.
- (3) **Blade Sign:** a special projecting sign attached to the building along the storefront frontage following one of three design alternatives provided by the City of Wisconsin Dells.
- (4) **Blank Sign:** a sign void of advertising matter, or a sign displaying an "available for lease" message or similar message.
- (5) **Canopy:** an architectural projection that provides weather protection, identity or decoration, and is wholly supported by the building to which it is attached and a ground mounting, by one or more stanchions. A canopy is comprised of a structure over which a covering is attached.
- (6) **Canopy Sign:** a sign which is painted on, attached to, or supported by a canopy.
- (7) **Directional Sign:** any sign which provides directions to motorists regarding the location of parking areas and access drives.
- (8) **Erect:** to build, construct, attach, hang, place, suspend, or affix, and shall also include the painting of signs.
- (9) **Facing or Surface:** the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

- (10) **Legacy Signs:** a sign designation intended to provide for the preservation of Wisconsin Dells' unique character, history and identity, as reflected in its historic and/or iconic signs.
- (11) **Illuminated Sign:** any sign which has characters, letters, figures, designs or outlines illuminated externally by electric lights or internally by luminous tubes.
- (12) **Incidental Sign:** secondary, informational signs (e.g. menu boards, open/hours of operation, short-term special events/promotions).
- (13) **Informational Sign:** any sign that provides information regarding the use or prohibited use of any area or room. These include restrooms, exit/entrance, office, heated pool, no parking, parking, loading dock.
- (14) **Internal Signs:** any sign placed within three (3) feet of a storefront window or door intended for viewing from the exterior.
- (15) **Marquee:** a permanent, roof-like structure projecting from a building at the entrance to the building with signage on the top or face of the structure.
- (16) **Marquee Sign:** a sign which is painted on, attached to, or supported by a marquee.
- (17) **Monument Sign:** a detached, self supporting sign mounted or incorporated into a solid base.
- (18) **Multi-Tenant Sign:** any sign applied for and erected for use by multiple business owners within the same shopping center, commercial subdivision or distinct area of the city.
- (19) **Off-premises Sign:** an advertising sign or structure that pertains to goods or services not sold or provided on the premises where the sign is located, or any announcement whose subject is not available on the premises.
- (20) **On-premises Sign:** a sign or structure designed, used or intended to be used to advertise the principal purpose of the business, such as the major category of goods, materials, or services, sold or provided on the premises where the sign is located. On Premise does not include tickets sold for off-premise businesses.
- (21) **Other Advertising Structure:** any marquee, canopy or awning as further defined in this ordinance.
- (22) **Permittee:** a person receiving an erection permit pursuant to the provisions of this ordinance.
- (23) **Person:** any person, firm, partnership, association, corporation, company or organization of any kind.
- (24) **Pole Sign:** any sign supported by uprights or braces placed in the ground and not attached to any building.
- (25) **Portable Sign:** a sign not permanently attached to the ground or other permanent structure including sandwich boards, pedestal signs, and "A" frame signs.
- (26) **Projecting Sign:** A sign attached to a building or other structure and extending more than eighteen (18) inches beyond the building plane.

- (27) **Projecting Structures:** Awnings, retractible awnings, canopies and marquees.
- (28) **Temporary Sign:** a sign, banner, pennant or other advertising display constructed of cardboard, wall board or other light materials, with or without frames, intended to be displayed for a limited period of time. Billboards or other changeable face or copy signs are not temporary signs.
- (29) **Three Dimensional Sign:** A sign that has a depth or relief on its surface greater than six (6) inches exclusive of the supporting sign structure, and not to include projecting wall signs.
- (30) **Retractable Awning:** a cantilevered structure, entirely supported from a building, and constructed so that the awning cover and supporting frame retracts completely against the building, and in doing so, relieves the awning from wind, rain and snow loads.
- (31) **Roof Sign:** any sign erected, constructed or maintained wholly upon or above the roof of any building with the principal support attached to the roof structure.
- (32) **Sign:** any writing, pictorial representation, illustration, emblem, symbol, design or other figure of similar character which is a structure or a part thereof, or is attached to or in any manner represented on a building or other structure, and is placed in view of the general public and is used for purposes of advertisement, announcement, declaration, demonstration, display, identification or expression.
- (33) **Sign Area:** is the area encompassing all graphic content and any cosmetic or structural frame or trim. For signs that are part of a larger surface such as a wall or canopy, the sign area will be measured by enclosing all lettering, logos, trademarks and graphic trim within a simple shape, either circle, rectangle or triangle.
- (34) **Super Graphic:** a super graphic is a painted mural or scene that does not include letters, words or numbers advertising the business being conducted on the premise.
- (35) **Variable Message Sign:** an outdoor advertising sign, display or device using LCD, LED or plasma displays or other similar technology for the displaying of moving images, static images animation or changing the message. The display area of a variable message sign consists of that portion of the overall sign displaying these electronic images. Variable message signs include but are not limited to Commercial Electronic Variable Message Signs (CEVMS), animated signs, dynamic displays and changeable copy signs.
- (36) **Wall Sign:** a sign attached to or erected against the wall of a building with the face parallel to the building wall.
- (37) **Wind Sign:** a sign consisting of one or more flags, pennants, ribbons, spinners, or streamers, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or manufactured air current.
- (38) **Window Sign:** a sign attached to, suspended behind, placed or painted upon, the window or glass door of a building, including internal signage.

Section 22.03 Administration and Sign Permit Issuance

- (1) **Permit Required.** Except as provided in Code sec. 22.09 and Code sec. 22.10, it shall be unlawful for any person to erect, relocate or structurally alter, within the City of Wisconsin Dells, any sign or other advertising structure as defined in this ordinance, without first obtaining an erection permit from the Building Inspector and making payment of the fee required by Code sec. 22.03(5). All illuminated signs shall, in addition, be subject to the provisions of the Electrical Code and its requisite permit fees. No permit is required for repair, repainting or maintenance which does not entail structural change; or, for change of copy, message, or face panel. Change of copy, message or face pane is subject to review by the Design Review Committee.
- (2) **Application for Erection Permit.** Application for an erection permit shall be made upon a form provided by the Building Inspector and shall contain and have attached the following information:
 - (a) Name, address and telephone number of the applicant.
 - (b) Location of building, structure, or real estate to which or upon which the sign or other advertising structure is to be attached or erected.
 - (c) Position of the sign or other advertising structure in relation to nearby buildings, structures, signs or other advertising structures.
 - (d) One set of blueprints, ink drawings or scale drawings of the plans, specifications, copy and method of construction and attachment to the building or in the ground; and, location of proposed sign in relation to existing signs.
 - (e) Name of the person erecting the structure; and, name of electrical contractor, if any.
 - (f) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
 - (g) Size and cost of sign or advertising structure.
 - (h) Such other information as the Building Inspector shall require to show full compliance with this and all other laws and ordinances of the City.
- (3) **Electric Signs.** Any sign making use of electricity for illumination or motion shall be connected by a licensed electrical contractor.
- (4) **Permit Issuance.**
 - (a) Upon the filing of an application for an erection permit, the Building Inspector shall, not sooner than two (2) working days and not later than seven (7) working days.
 - (i) Examine the plans and specifications and the premises upon which the proposed structure shall be erected.
 - (ii) Refer the sign to the Design Review Committee per Article 3 Division 5 of the Zoning Code (Chapter 19).

- (iii) Issue a permit if the proposed structure complies with the requirements of this ordinance and all other laws and ordinances of the City of Wisconsin Dells.
 - (b) Every applicant shall pay to the Building Inspector a nonrefundable fee as established by resolution adopted pursuant to section 2.05 for each sign or other advertising structure regulated by this ordinance.
 - (c) If the work authorized under an erection permit is not completed within ninety (90) days after the date of issuance, the permit shall become null and void; except, the building inspector may extend an erection permit for an additional one hundred twenty (120) days for good cause shown. An extension may be granted only if sought prior to expiration of the underlying permit.
- (5) **Inspection Fee.** The Building Inspector shall inspect biennial, each sign or other advertising structure regulated by this ordinance for the purpose of ascertaining whether the structure is unsafe, in need of repair, not in conformance with the permit application, or otherwise in violation of the provisions of this ordinance. To meet the expense of such inspection, the permittee, or owner of the property on which the sign is located, shall pay to the City Treasurer a fee as established by resolution adopted pursuant to Code Section 2.05 for each structure inspected. No inspection fee other than the application/permit fee as required in Code sec. 22.03(5) shall be charged during the calendar year in which the sign or other advertising structure is erected.
- (6) **Appeals.**
- (a) Within thirty (30) days after denial of a sign permit by the zoning administrator per direction of the Design Review Committee, an appeal or request for variance may be filed with the Board of Appeals pursuant to Ord. sections. 1.04(2) and Chapter 19 Article 3 Division 2 (19.220-19.239)
 - (b) The board, upon appeal from a decision by the zoning administrator, may decide any question involving the interpretation of any provision of this ordinance.
 - (c) The board may vary or adapt the strict application of any of the requirements of this ordinance in the case of exceptionally irregular, narrow, shallow or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case. In granting any variance, the board shall prescribe any conditions that it deems to be necessary or desirable. However, no variance in the strict application of any provision of this ordinance shall be granted by the board unless it finds:
 - (i) That there are special circumstances or conditions, fully described in the findings, applicable to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood, and that circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or building.

- (ii) That, for reasons fully set forth in the findings, the granting of the variance is for the reasonable use of the land or building and that the variance as granted by the board is the minimum variance that will accomplish this purpose.
 - (iii) That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the board, in determining its finding, shall take into account the number of persons residing or working in such buildings or upon such land and traffic conditions in the vicinity.
 - (iv) Except as specifically provided, no action by the board shall have the effect of permitting, in any district, uses prohibited in such district.
- (7) **Revocation of Permit.** The Building Inspector may revoke any permit where there has been a violation of the provisions of this ordinance or a misrepresentation of fact on the permit application.
- (8) **Identification Tags.**
 - (a) Each sign or other advertising structure shall have affixed to it an identification tag which shall be issued by the building inspector at the time of permit issuance pursuant to Code sec. 22.03(4).
 - (b) Following completion of the biennial sign inspection legal signs or other advertising structures that do not already have identification tags, shall have identification tags affixed thereto. Said tags shall be provided by the building inspector. The inspector may require for each sign, or other advertising structure, not already tagged a completed sign identification form, which shall contain the following information:
 - (i) Location of sign or other advertising structure.
 - (ii) Name of sign owner.
 - (iii) Name of owner of real estate upon which sign is located.
 - (iv) Dimensions of sign.
 - (v) Type of sign pursuant to this ordinance.
 - (vi) Cost to replace.
 - (vii) Date of erection.
 - (c) Each sign identification form filed pursuant to subsec. (2) shall be accompanied by a processing fee per sign face as established by resolution adopted pursuant to Code Sec. 2.05.
 - (d) Identification tags shall be attached at the bottom right corner of each sign face or at such other location as specified by the building inspector.

Section 22.04 Maintenance and Repair

- (1) **Generally.** Every sign, or other structure, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, burned out lighting elements, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign. In addition, the premises on which the sign is erected shall be kept in a clean, sanitary and inoffensive condition, free and clear of all noxious substances. If the sign, or sign structure, is not timely modified to comply with the standards outlined in this section, the Building Inspector, or his authorized agent, may proceed under Code sec. 22.13.
- (2) **Notice and Cure.** Any sign, or sign structure, wherever situated or placed, which is dangerous or which flakes, peels, flags, fades, deteriorates, or is unsightly in any other manner as determined by the City Building Inspector to be dangerous or unsightly in terms of its maintenance shall be repaired, reposted, repainted or restored as necessary pursuant to written notice given by the City Building Inspector to the owner. If a sign is not repaired, reposted, repainted or restored within the time specified, the provisions of Code sec. 22.13 shall apply.
- (3) **Repairs.** Repairs to and maintenance of signs and sign structures shall be completed in a timely manner or as determined by the building official. For good cause shown, the building inspector may extend the completion deadline. An application for extension must be in writing and must be received by the building inspector prior to the expiration of the underlying deadline. If repairs or maintenance are not timely completed, Code sec. 22.13 shall apply. In addition, the sign or sign structure shall be subject to the application provisions of Code sec. 22.03.

Section 22.05 Exemptions

The following signs are exempt from the permit requirements of this ordinance:

- (1) Temporary real estate signs not exceeding sixteen (16) square feet in area which advertise the sale, rental or lease of the premises upon which the sign is located. Such signs shall be removed no later than seven (7) days following sale or rental of the subject property.
- (2) Temporary political signs concerning candidates for public office and ballot issues and not exceeding four (4) square feet in area. Such signs may be erected no earlier than sixty (60) days prior to an election or referendum and shall be removed no later than seven (7) days after the election or referendum.
- (3) Temporary signs advertising the date, time and location of a garage or yard sale and not exceeding four (4) square feet in area. Such signs shall be posted no more than three (3) days prior to and shall be removed one (1) day after the sale.
- (4) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospital, historical sites or public facilities.

- (5) Flags of any government or governmental agency or any patriotic, religious, charitable, civic, education or fraternal organization not exceeding fifty (50) square feet in area; except that the Flag of the United States of America shall be exempt, whatever its size.
- (6) Temporary signs in conjunction with special events such as philanthropic campaign or church, circus, carnival or other community activity. Such signs shall not exceed forty (40) square feet in area, shall not be erected more than fourteen (14) days in advance of the event and shall be removed within three (3) days after the termination of the event; and shall not be erected without consent of the Common Council.
- (7) Temporary displays or decorations customarily associated with any national, state, local or religious holiday or celebration. Such signs shall be erected no more than forty-five (45) days before and removed no later than fourteen (14) days after the celebration.
- (8) Temporary signs identifying the architect, engineer, developer or contractor when placed upon construction sites and not exceeding sixty-four (64) square feet in area. Such signs shall not be erected prior to approval of a site plan and shall be removed no later than seven (7) days after completion of the project.
- (9) Memorial or commemorative plaques or tablets denoting a building name and/or date of erection or a location of historic significance and not exceeding four (4) square feet in area.
- (10) Signs or advertising structures associated with governmental, patriotic, religious, charitable, civic, educational, or like organizations or activities provided such sign or structure shall not exceed forty (40) square feet in area.
- (11) Signs that are not designed or located so as to be visible from any street adjoining property, or public way; except that signs that are designed or located so as to be visible from adjoining property shall not be exempt.
- (12) Signs or nameplates, at single or two-family dwellings not exceeding three (3) square feet indicating the name or address of occupants.
- (13) Signs erected and regulated as part of the Wisconsin Dells Parks & Recreation baseball outfield sign program.
- (14) "Open" for business flags installed and displayed in conjunction with Business Improvement District (BID) program and criteria.
- (15) The mandated posting of business name and address on the rear alleyway entrance to businesses along Broadway, with letters and number less than 6 inches high and no logo or other advertisement.
- (16) Sandwich boards, "A" frame and Pedestal Signs in the C-2 District, following the downtown design standard and subject to review of the Design Review Committee (DRC).
- (17) Temporary Business Sign for an operating business for up to thirty (30) days after business opening, or until a sign permit has been obtained through the DRC review process, whichever comes first.

Section 22.06 Prohibited Signs

The following are expressly prohibited under this ordinance:

- (1) Any sign or structure that constitutes a hazard to public health or safety;
- (2) Any sign or advertising structure that is erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape, including sign of any kind attached to a stand pipe or fire escape.
- (3) Any sign that causes traffic hazards. No sign or other advertising structure shall:
 - (a) obstruct free and clear vision at any street intersection;
 - (b) any sign that interferes with, obstructs the view of or be confused with any authorized traffic sign, signal or device because of its position, shape or color; or
 - (c) Makes use of the words "STOP", "LOOK", "DRIVE-IN", "DANGER" or any other word, phrase, symbol or character in a manner that interferes with, misleads or confuses traffic.
- (4) Any sign or other advertising structure that displays any matter in which the dominant theme of the materials taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
- (5) Any vehicular signs with a total sign area in excess of ten (10) square feet are prohibited when the vehicle:
 - (a) is parked for more than sixty (60) consecutive minutes within one hundred (100) feet of any street right of way;
 - (b) is visible from the street right of way that the vehicle is within one hundred (100) feet of; or,
 - (c) is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising, or for the purpose of providing transportation for owners or employees of the occupancy advertised on the vehicle, shall not be considered a vehicle used in the conduct of the business.
- (6) Any signs having a sign area of more than 300 square feet per facing.
- (7) Signs having more than two (2) faces visible at one time.
- (8) Temporary signs such as captive or tethered ballons, banners or portable devices, excluding those described in Code Sec. 22.05(16) and Code Sec. 22.05(17).
- (9) Revolving signs.
- (10) Any signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.

- (11) Any signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist, or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- (12) Any signs erected or maintained upon trees or utility poles, or painted or drawn upon rocks or other natural features.
- (13) Any interior signs visible from the public right-of-way which advertise or promote off-premises goods, services or businesses; and which feature a video display.
- (14) Obsolete or abandoned signs (see Code Sec. 22.02) that are not lawful nonconforming signs.

Section 22.07 Super Graphics (Murals)

Super graphic (also known as murals) shall be allowed only with a conditional use permit per the requirements of this section. Any part of a super graphic incorporating letters, words or numbers advertising the business being conducted on the premise will be treated as a sign and shall meet the wall sign requirements in Code sec. 22.09 and Code sec. 22.10.

- (1) **Application.** An application for a Super Graphic shall be submitted to the Zoning Administrator and in addition to the information provided pursuant to Code sec. 22.03.
- (2) **Process.** The Design Review Committee shall make a recommendation to the Common Council who shall then approve or reject the proposed Super Graphic. Within thirty (30) days after denial of a super graphic application by the Common Council, an appeal or request for variance may be filed with the Board of Appeals pursuant to Ord. sections. 1.04(2) and Chapter 19 Article 3 Division 2 (19.220-19.239).
- (3) **Standard of Review.** The Design Review Committee and City Common Council may attach to its approval of a sign application any conditions which in its judgment are necessary to carry out the purposes and intent of the standards listed below. In reviewing the application, the Design Review Committee and City Common Council shall determine whether or not the proposed Super Graphic does the following:
 - (a) harmonizes with the structure(s) on the parcel on which it is to be painted;
 - (b) is suitable and appropriate to the neighborhood;
 - (c) is well-designed and pleasing in appearance;
 - (d) does not constitute a nuisance to the occupants of adjacent or contiguous property as determined by the Zoning Administrator or the Design Review Committee; and,
 - (e) does not constitute a traffic and safety hazard (i.e. it is not distracting, or is not considered indecent or otherwise offensive to public morals).
- (4) **Maintenance.** The Design Review Committee may also require annual maintenance inspections of the super graphic by the building inspector, and revoke any permit issued if a graphic design is not maintained. No sign application for a super graphic shall be required to repaint any super graphic exactly as it previously existed, pursuant to a previously approved graphic design permit.

- (5) **Change of Ownership.** In the event of a sale of the property which includes the Super Graphic, the new owner shall file an addendum to the Super Graphic Plan agreeing to be bound by all of the terms and conditions required by the city in approving the Super Graphic Plan accommodation.

Section 22.08 Projecting Structures

- (1) **Canopy Location.** Canopies are not permitted over the public right-of-way.
- (2) **Design Standards.**
 - (a) Projecting structures may not be supported by columns or posts located in the public right-of-way.
 - (b) Projecting structures shall be at least 10 feet above the public right-of-way
 - (c) The underside of a canopy or marquee shall be finished and enclosed
 - (d) Projecting structures may not extend more than six (6) feet over the public right-of-way.
 - (e) Projecting structures shall be pitched from the supporting walls a minimum of one (1) inch per foot.
 - (f) All projecting structures shall be designed, fastened and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed, attached, fastened or anchored to adequately support the dead load and any anticipated live loads (i.e., ice, snow) of the sign with a minimum safety factor of two.
 - (g) No projecting structure shall have a height more than five (5) feet above the roof line of the supporting wall.
 - (h) If a projecting structure interferes with the illumination of the sidewalk, alternate lighting must be provided.
- (3) **Projecting Structure Approval.**
 - (a) This section shall govern the issuance of a permit to construct or erect a projecting structure.
 - (b) Applications for permits to construct projecting structures shall be submitted pursuant to Code sec. 22.03.
 - (c) The Building Inspector shall determine if the application is complete. Incomplete applications shall be returned to the applicant for resubmission.
 - (d) Completed applications shall be referred to the Design Review Committee. The Design Review Committee shall review applications for projecting structures within 30 days of the day on which a completed application is submitted. The Design Review Committee shall approve or disapprove applications based upon design and construction criteria to be promulgated by the Design Review Committee.

- (e) Decisions of the Design Review Committee may be appealed to the Board of Appeals.
 - (f) Projecting structures in the STH right-of-way are subject to WisDot approval. All projecting structures may be subject to other agency approvals.
- (4) **Inspection.** Projecting structures shall be inspected every two (2) years by the Building Inspector or by a person designated by the City Planner/Zoning Administrator to perform the inspection. Inspection fees shall be established by a resolution approved by the Common Council pursuant to Code Sec. 2.05.
- (5) **Declaration of Policy.** The erection of a projecting structure over the public right-of-way is declared to be a privilege granted by the City of Wisconsin Dells. There is no guarantee that all applications for projecting structures will be approved or that all designs will be permitted. Applications will be considered on a case by case basis and evaluated on their contribution to downtown Wisconsin Dells.

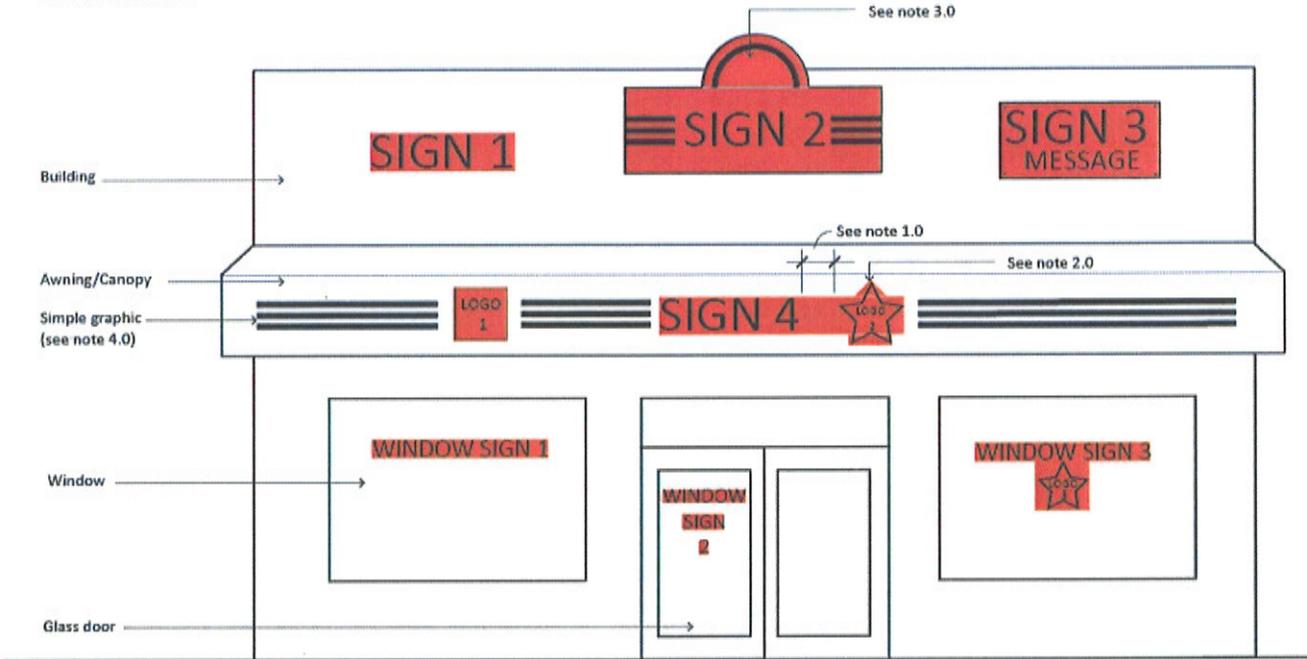
Section 22.09 General Sign Regulations

The regulations in this section apply to signs in all areas of the City with Code sec. 22.10 providing additional sign regulations per said property's designated zoning district. Any regulation shown stricter in Code sec. 22.10 shall take precedent.

- (1) **Total Allowable Sign Area.** The total sign area shall not exceed the limits established in Code sec. 22.09 and Code sec. 22.10.
- (a) **Permitted Sign Area Calculation.** The area of a sign includes all graphic content and any cosmetic or structural frame or trim. For signs that are part of a larger surface such as a wall or canopy, the sign area will be measured by enclosing all lettering, logos, trademarks and graphic trim within a simple shape, either circle, rectangle or triangle (see Exhibit A on the next page).
- (b) **Double Sided Signs.** The sign area calculation of two-sided signs shall only include the display of one side provided both sides of the sign:
- (i) display the identical information;
 - (ii) physically connect at one point; and
 - (iii) run parallel to each other or have an angle of departure 45 degrees or less. If the above criteria has not been met, both sides of the sign shall be included in the permitted sign area calculation.
- (c) **Three dimensional and Multiple-Faced Signs.** Where a sign consists of three or more sign faces, or one or more three-dimensional objects (i.e. balls, cubes, cluster of objects, sculptures, or statue like trademarks), the sign area shall be measured as the area of the smallest two-dimensional rectangle, circle or triangle within which the object(s) can be enclosed when viewed from a point where the largest area of the object(s) can be seen.

Exhibit A: Sign Area Measurement Calculations

Illustration Not to Scale



■ Denotes sign area to be calculated

Notes

- 1.0 If logos associated with signs are within a few feet of the sign lettering, that area is to be included in the total sign area calculation
- 2.0 Calculate sign area using simple shapes, specifically rectangles and a triangle
- 3.0 Calculate sign area using simple shapes, specifically rectangle and semi-circle
- 4.0 Simple graphics (unrelated to business logo are not included in area calculations)

SIGNS

SIGN 1	Wall sign (individual letters)
SIGN 2	Wall sign (attached, projecting with 3D feature)
SIGN 3	Wall sign (low profile, attached board)
LOGO 1	Business logo
SIGN 4 and LOGO 2	Painted signs on awning/canopy with logo
WINDOW SIGN 1	Window sign
WINDOW SIGN 2	Window sign on door
WINDOW SIGN 3 and LOGO 3	Window sign with logo

(2) Sign Design Requirements.

- (a) **Sign Location.** All signs shall be affixed, mounted, or otherwise installed in accordance with the building code adopted by the City of Wisconsin Dells. No sign shall be located in relation to a public street, right-of-way, sidewalk, or thoroughfare so as to create a traffic hazard by distracting motorists, obscuring traffic signs, or impairing drivers sight lines; nor create hazards by blocking doors, windows, or other openings which are necessary for safe emergency egress, adequate fire suppression, or police surveillance activities; nor create hazards to pedestrians by obscuring, disrupting, or otherwise interfering with the safe movement of pedestrians.
- (b) **Sign Structure.** A sign structure shall be limited to that portion of the structure that is only necessary for the support of the sign and shall be designed so as to adequately support the weight being imposed on the structure, including applicable wind loads. All other portions of the structure including sign roofs in the building setback area shall be considered as part of the sign display service area.

- (c) **Vertical Clearance.** No sign shall be less than eight (8) feet clear over any private drive or pedestrian walkway and no less than seven (7) feet clear above any covered walkway.
 - (d) **Signs visible from Wisconsin River.** Off-premise signs located on property adjacent to the Wisconsin River are prohibited if they are intended to be visible from the River. On-premise signs intended to be visible from the Wisconsin River are permitted subject to review and approval by the Design Review Committee (DRC). In evaluating such signs, the Committee may consider the following factors: location, size, colors, design and layout; and such other factors as are relevant to that sign. The DRC is directed to consider appropriate aesthetic effects of the surrounding area.
- (3) **Directional Signs.**
- (a) **Height and Area Limitations.** Directional signs shall not exceed a height greater than four (4) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level. Directional signs shall not exceed six (6) square feet in area.
 - (b) **Location.** Directional signs may be placed at the entrance of the subject business. The sign may be a single sign with two (2) faces of equal size; or, may be two (2) single-faced structures of equal size.
- (4) **Legacy Signs.** The legacy sign designation is intended to provide for the preservation of Wisconsin Dells' unique character, history and identity, as reflected in its historic and/or iconic signs. An approved Legacy Sign, listed in the Legacy Sign Inventory, is exempted from standards in this ordinance addressing total allowable sign area, location and materials. No applications will be accepted beyond December 31, 2017.
- (a) **Designation Criteria.** Prior to any sign being designated as a Legacy Sign, the Design Review Committee and the City Council shall find the Legacy Sign satisfies one or more of the following criteria:
 - (i) Is associated with events that have made a significant contribution to the broad patterns of Wisconsin Dells' or the State of Wisconsin's history or cultural heritage.
 - (ii) Is associated with the lives of persons important in the past.
 - (iii) Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of an important creative individual, or possesses high artistic values.
 - (iv) Has yielded, or may be likely to yield, information important in history.
 - (v) The sign exemplifies the cultural, economic and historic heritage of Wisconsin Dells.
 - (vi) The sign exhibits extraordinary aesthetic quality, creativity and innovation.

- (b) **Application for Designation.** Applications for designation shall be submitted by December 31, 2017. It may be submitted by any member of the public or the sign owner and supported by a Legacy Sign Treatment Plan (see subsection (c)). If an application for designation is submitted by a member of the public, written consent from the sign owner is required in order to continue processing the application for designation. Such application shall be made in writing, in a form deemed appropriate by the Zoning Administrator. The application shall include the owner's consent to the designation and agreement to abide by the requirements of this sign ordinance through the execution of a covenant. The Zoning Administrator may require the owner to submit information regarding the significance of the potential Legacy Sign including, but not limited to, photographs, plans, deeds, and any other materials that may provide information regarding the potential Legacy Sign designation. No application will be reviewed until the application fee is paid in full (see Code Sec. 2.05).
- (c) **Legacy Sign Treatment Plan.** The application for designation as a Legacy Sign shall include a Legacy Sign Treatment Plan. The Legacy Sign Treatment Plan will include the following (but is not limited to):
- (i) Description of the Legacy Sign, including current address, original address (if different), date of original construction and installation, sign type, original materials, text, type of illumination (if known), and a list of character-defining features.
 - (ii) Historic documentation, including approved permits, site plans, elevations, and dated photographs, as available.
 - (iii) Current photos of the Legacy Sign, including views of all visible elevations as well as contextual images of the property as a whole.
 - (iv) Provide a list of materials and/or parts to be replaced, and recurring maintenance items.
 - (v) Narrative statement of significance against designation criteria in Code Sec. 22.09(4)(a).
 - (vi) Where an applicant produces physical evidence or documentation sufficient to prove that a proposed Legacy Sign included intermittent lighting features (e.g. flashing, blinking, chasing or sequentially lit elements which create the appearance of movement) or moving parts, such sign elements may be repaired or restored conditioned upon a determination by the City that no negative safety issues will result.
- (d) **Designation Process.** Applications for approval of Legacy Signs shall be reviewed by the Design Review Committee (DRC). The DRC shall determine whether the sign meets one or more of the criteria for approval as a Legacy Sign and, based on this determination, shall recommend to the City Council that the application be approved or denied. The DRC shall adopt a resolution stating its recommendation, focusing on the criteria set forth in Code Sec. 22.09(4)(a), and incorporating its reasons in support or denial of the application. Following DRC approval recommendation, the City Council shall adopt a resolution to approve or deny the application based on the criteria specified in Code Sec. 22.09(4)(a). A condition of approval may be added to any variance application for a property with a potential legacy sign requiring the property owner to designate and/or restore the potential legacy sign.

- (e) **Covenant by Recorded.** If the application is approved by the City Council, the City shall record a signed covenant in the office of the County Recorder at the Legacy Sign owner's expense. The covenant, which shall run with the land and be binding on successors and assigns, shall specify which elements of the Designated Legacy Sign are to be protected; and state that any alteration or removal of these elements shall be done in accordance with Code Sec. 22.09(4)(a). This covenant shall serve as notice of the approval as a Designated Legacy Sign, and shall not be removed from the property without the consent of the City Council.
- (f) **Design Standards.** Legacy signs shall comply with the following requirements (as applicable):
- (i) Restoration and or repair of an intact or nearly intact Legacy Sign shall be consistent with a documented appearance at the time of approved legacy sign designation.
 - (ii) Restoration and or repair shall not add typographical or other elements which result in an increase in the size of the restored and or repaired sign.
 - (iii) Text changes shall not result in changes to character defining features.
 - (iv) Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color.
 - (v) The sign shall use materials and technology representative of its period of construction.
 - (vi) The sign shall be structurally safe or can be made safe without substantially altering its documented appearance at the time of approved legacy sign designation.
 - (vii) Relocation of a Legacy sign off site is discouraged unless it is technologically impractical or otherwise infeasible to maintain the Legacy Sign in the original location. The burden of proof is upon the applicant and shall be to the satisfaction of the Design Review Committee (DRC). Relocation of a Legacy Sign shall be to a location within the original premises, or to a location deemed appropriate by the DRC.
 - (viii) A Legacy Sign may be replaced as long as the replacement sign is consistent in look, materials and technologies as the documented appearance at the time of approved legacy sign designation.
- (g) **Maintenance.** The owner, lessees, and any other responsible persons shall take all steps necessary to maintain the Legacy Sign in good condition and to prevent any deterioration or decay that would adversely affect the value or integrity of the Legacy Sign. The Design Review Committee may require annual maintenance inspections of the sign by the building inspector. Failure to maintain the Legacy Sign in accordance with this Section is a violation of the Wisconsin Dells Municipal Code and is subject to loss of legacy sign designation and may be subject to prosecution.
- (5) **Multiple-tenant Signs.** Businesses located within a shopping center, commercial subdivision or distinct area of the city may joint together and request accommodations to the provisions of this ordinance to construct a Multiple-tenant Sign identifying their businesses on a single sign structure.

- (a) **Application.** An application for a Multiple-tenant Sign accommodation shall be submitted to the City Engineer and in addition to the information provided pursuant to Code sec. 22.03, shall be accompanied by a proposed Multiple-tenant Sign plan identifying the businesses to be advertised and shall be accompanied by a proposed Multiple-tenant Sign plan signed by the owners of said businesses or their representatives. Said plan should identify all businesses involved, a contact person, an written agreement between the owners of the businesses for sharing the cost of installation, maintenance and repair of the Multiple-tenant Sign and an agreement to limit the number of on-premises signs for each business and to limit the size of any on-premises sign for each business to a maximum height of 6 feet above grade.
 - (b) **Process.** The Design Review Committee shall conduct a public hearing on the proposed Multiple-tenant Sign. The procedure for the hearing shall be the same as the procedure followed for Conditional Use Permit and the fee shall be the same. The Design Review Committee shall make a recommendation to the Common Council who shall then approve or reject the proposed Multiple-tenant Sign.
 - (c) **Standard of Review.** The Design Review Committee and the Common Council shall review the application for a Multiple-tenant Sign permit in order to determine whether or not the proposed Multiple-tenant Sign identifies the businesses advertised with good taste and design and that the proposed signs are in harmony with its neighbors and does not unduly interfere with the existing on-premise signs. The Multiple-tenant Sign should be located near or adjacent to the driveway or access road to the businesses advertised. It is the intent of the city that the number and size of signs be reduced. All businesses depicted on Multiple-tenant Signs shall be restricted to one (1) free standing on-premises sign not exceeding 100 square feet in area nor 6 feet in height above grade. The city may impose such conditions on an accommodation approval as it deems necessary to make the findings required by this section or as it deems appropriate to protect the public health, safety and general welfare.
 - (d) **Change of Ownership.** In the event of a sale of a business included in a Multiple-tenant Sign, the Unified Sign Plan shall be changed to include the new owner who shall file an addendum to the Multiple-tenant Sign Plan agreeing to be bound by all of the terms and conditions required by the city in approving the Multiple-tenant Plan accommodation.
- (6) **Monument Signs.**
- (a) **Height Limitations.** Monument signs shall not exceed twenty (20) feet in height as measured from the point on the site at which the base of the ground floor of a building thereon would be located. For the purpose of this subsection, "ground floor" is defined as follows: that level of a building on a sloping or multilevel site which has its floor line at or not more than three (3) feet above exit discharged grade for at least one-half of the required exit discharges.
 - (b) **Area Limitations.** Monument signs shall not exceed three hundred (300) square feet of area per face, or as defined in Section 22.10, whichever is stricter.

(7) **Pole Signs.**

- (a) **Height Limitations.** Pole signs shall not exceed forty-five (45) feet in height, or as restricted in Section 22.10, whichever is stricter, as measured from the point on the site at which the base of the ground floor of a building thereon would be located. For the purpose of this subsection, "ground floor" is defined as follows: the level of a building is on a sloping or multilevel site which has its floor line at or not more than 3 feet above exit discharged grade for at least one-half of the required exit discharges.
- (b) **Area Limitations.** Pole signs shall not exceed three hundred (300) square feet of area per face, or as defined in Code Sec. 22.10, whichever is stricter.
- (c) No pole sign shall be placed upon a tree bank.

(8) **Portable Signs.**

- (a) **Location.** The sign shall be located within ten (10) feet of the business entrance, but shall not be placed in a location where the paved area for passage is reduced to less than six (6) feet or within twelve (12) feet of an intersection, driveway, public stairwell or crosswalk.
- (b) **Usage.** The sign shall only be used during business hours.
- (c) **Material.** The sign shall be made of a durable material such as wood or metal.
- (d) **Liability Agreement.** A license agreement is required in a form and amount approved by the City indemnifying and holding the City harmless from liability and naming the City, its officers and employees as an additional insured on a general liability insurance policy.

(9) **Projecting Signs.**

- (a) **Area Limitations.** Projecting signs shall not exceed three hundred (300) square feet on each side, or as defined in Code Sec. 22.10, whichever is stricter.
- (b) **Projection over Public Property.** Every projecting sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected. No projecting sign shall project more than four (4) feet, six (6) inches into the public way.
- (c) **Height.** The highest point of a projecting sign shall be no more than ten (10) feet above the roof line of the building upon which the projecting sign is placed, or as defined in Code Sec. 22.10, whichever is stricter.
- (d) **Content.** Projecting signs shall promote or relate only to on-premises goods, services or activities.
- (e) **Placement.** Projecting signs shall be a minimum of forty (40) feet apart; except that each building or business may have a projecting sign.
- (f) **Declaration of Policy.** The erection of a projecting sign over the public right-of-way is declared to be a privilege granted by the City of Wisconsin Dells. There is no guarantee that all applications for projecting signs will be approved or that all designs will be permitted. Applications will be considered on a case by case basis and evaluated on their contribution to downtown Wisconsin Dells.

- (10) **Roof Signs.**
- (a) **Area Limitations.** No roof sign shall have a surface or facing exceeding three hundred (300) square feet.
 - (b) **Height.** The highest point of a roof sign shall be no more than forty-five (45) feet above ground level.
- (11) **Wall Signs.**
- (a) **Sign Quantity.** There may be one (1) on-premises and one (1) off-premises wall sign per premise face, or as restricted in Code Sec. 22.10, whichever is stricter.
 - (b) **Area Limitations.** Total wall signage per premise face shall not exceed 300 square feet, or as restricted in Code Sec. 22.10, whichever is stricter.
 - (c) **Projection setback line.** Wall signs attached to a wall at a height ten (10) feet or less above the sidewalk or ground shall not project more than two (2) inches. Wall signs attached to a wall at a height greater than ten feet shall not project more than eighteen (18) inches. Height. The highest point of a wall sign shall not be more than 10 feet above the roof line of the building upon which the wall sign is placed.
- (12) **Wind Signs.**
- (a) **Exemption.** Wind signs which are less than 50 square feet in size are exempt from this Ordinance if such wind signs are blank or if such wind signs contain only a logo or graphic which logo or graphic shall not include any copy or printed words.
 - (b) **Regulation.** Wind signs greater than 50 square feet in size or upon which there appears any copy or printed words shall be regulated as ground signs.
- (13) **Window Signs.** There is currently no restrictions on window signage city-wide; however, there may be specific restrictions per zoning district (see Code Sec. 22.10).
- (14) **Variable Message Signs.**
- (a) **Regulations.** In addition to the regulations imposed by this chapter, variable message signs are subject to the following restrictions:
 - (i) Variable Message Signs may be used only to advertise activities conducted on the property on which the signs are located or to present public service information.
 - (ii) No traveling message may travel at a rate slower than 16 light columns per second or faster than 32 columns per second.
 - (iii) No message may be displayed at intervals of less than 6 seconds.
 - (iv) No segmented or traveling message may last longer than 10 seconds.
 - (v) Display areas may be illuminated only to a degree of brightness that is reasonably necessary for adequate visibility. The City Engineer or designee shall be responsible for determining compliance with this requirement. Signs found to be brighter than reasonably necessary shall be adjusted by the person owning or controlling the sign in accordance with the instructions of the City Engineer.

- (vi) The brightness level of all messages must be uniform.
 - (vii) Intervals between messages must be black.
 - (viii) Flashing, intermittent or moving light or lights are prohibited, except those giving public service information, such as time, date, temperature, weather or similar information.
 - (ix) Lights that are directed at any part of the highway or that interfere with or obscure an official traffic device, sign or signal are prohibited.
 - (x) The maximum sign area shall be 300 square feet per facing.
 - (xi) The display area shall not exceed 50% of the total area of the sign.
- (b) **Conditional Permit.** Variable Message Signs are conditionally permitted in the commercial districts east of the Wisconsin River. The provisions of Wisconsin Dells Code Chapter 19, Article 4 Division 6 (19.370-19.39) shall apply to applications for such signs.

Section 22.10 Specific Sign Requirements, per Zoning District

All signs shall comply with the standards of the applicable zoning district, in compliance with the provisions outlined within this section. See Code sec. 22.09 for general sign requirements.

- (1) ***D-1 Conservancy and R-1 Residential (single-family) Zoning Districts***
- (a) **Permitted Signs.** The following signs or other advertising structures are permitted:
- (i) Signs pertaining to the sale, on premises, of agricultural products from such premises, provided there shall be no more than one (1) sign per premises and the size of such sign shall not exceed thirty (30) square feet;
 - (ii) Temporary Signs, excluding Code sec. 22.05(13-17);
 - (iii) For each multi-family dwelling or single family and two-family subdivision, there shall be permitted one identification sign not exceeding thirty-two (32) square feet in area located near the main entrance to the building or subdivision and indicating only the name of the building or subdivision and name of the owner, manager or developer thereof; and,
 - (iv) Signs pertaining to home occupations, professional offices, or any use permitted in the conservancy and residential districts; provided, there shall be no more than one (1) sign per premises having a maximum size of five (5) square feet, no such signs shall be illuminated. All signs erected hereunder shall be set back at least five (5) feet from any lot line.

(2) ***R-2 Residential (single family & duplex), R-3 Residential (mixed), and R-9 Mobile Home Park Zoning Districts.***

(a) **Permitted Signs.** The following signs or other advertising structures are permitted:

- (i) Signs pertaining to the sale, on premises, of agricultural products from such premises, provided there shall be no more than one (1) sign per premises and the size of such sign shall not exceed thirty (30) square feet;
- (ii) Temporary Signs, excluding Code sec. 22.05(13-17);
- (iii) For each multi-family dwelling or single family and two-family subdivision, there shall be permitted one identification sign not exceeding thirty-two (32) square feet in area located near the main entrance to the building or subdivision and indicating only the name of the building or subdivision and name of the owner, manager or developer thereof; and,
- (iv) Signs pertaining to home occupations, professional offices, or any use permitted in the conservancy and residential districts; provided, there shall be no more than one (1) sign per premises having a maximum size of five (5) square feet, no such signs shall be illuminated. All signs erected hereunder shall be set back at least five (5) feet from any lot line.

(b) **Conditionally Approved Signs.** The following signs or other advertising structures are conditionally permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; Projecting and Blade signs; Roof signs; Wall signs; and Wind signs.

(3) ***R-5 Residential (multi-family) District.***

(a) **Permitted Signs.** The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; Projecting and Blade signs; Roof signs; Temporary signs; Wall signs; Wind signs; and, Window Signs.

(4) ***C-2 Downtown Commercial Zoning District.***

(a) **Total Allowable Sign Area.** The total sign area permitted (i.e. all sign areas within a facade combined) shall not exceed five (5) square feet per one (1) lineal foot of business frontage with the minimum of 144 square feet and a maximum of 300 square feet allowed.

(b) **Permitted Signs.** The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Projecting and Blade signs; Temporary signs; Wall signs; and, Window Signs. See Table (E) for restrictions on these permitted signs.

(c) **Off-Premise Signs.** Off-premise signs are prohibited, meaning content of signs is limited to the business, service, and activity available or conducted on the subject lot, except in the following condition.

- (i) When a business or service does not have direct access to a public street, signs directing traffic to the subject business or service may be located off premises at the nearest point of access. Such signs are counted as part of the total allowable sign area.

Table E: Downtown C-2 District Permitted Signage

Sign Type	Sign Description	Total Sign Area Restriction	Number of Signs Allowed	Maximum Area Per Sign	Maximum Sign Height
Total Sign Area Permitted	The total sign area permitted for each business shall be determined by multiplying the length of lineal business frontage	5 sq. ft. / 1 lineal ft. of business frontage with a minimum of 144 sq.ft. a maximum of 300 sq.ft.			
Monument Sign	Monument sign is a detached sign mounted or incorporated into a solid base, and shall be a self-supporting structure.	Included	1 per lot	60 sq.ft. (per sign face)	6 feet
Wall Sign	A sign attached to or erected against the wall of a building with the face parallel to the building wall	Included	1 sign per 50 feet of business frontage	60 sq.ft.	n.a.
Projecting Sign	A sign attached to a building or other structure and extending more than eighteen (18) inches beyond the building plane.	Included: Count only one side, except faces with angles beyond 45 degrees count each sign face	1 sign per 50 feet of business frontage	50 sq.ft. (per sign face)	n.a.
Blade Sign	A special projecting sign attached to the building along the storefront frontage following one of three design alternatives provided by the City of Wisconsin Dells.	Excluded	1 sign per public entrance per business, except each blade sign shall be at minimum of 40 ft apart	See Downtown Design Standards for three options allowed	See Downtown Design Standards for three options allowed
Awning/Canopy/ Marquee Sign	A sign which is painted on, attached to, or supported by a projecting structure (i.e. awning, canopy or marquee).	Included	n.a.	75% coverage of valance/flat profile; 50% coverage of awning roof	n.a.
Window Sign	A sign attached to, placed against, painted on, or placed within three (3) feet of a window or door of the building which is intended for viewing from the exterior.	Excluded	n.a.	25% coverage of each window/door, excluding product display; 50% coverage of each window/door, inclusive of product display	n.a.
Portable Sign	A sign not permanently attached to the ground or other permanent structure including sandwich boards, pedestal signs, and "A" frame signs.	Excluded	1 per business that has obtained a food license	6 sq.ft. per sign face, including boarder and trim)	3 feet (sandwich board); 4 feet (pedestal sign)
Incidental Sign (no permit required)	Secondary, informational signs (e.g menu boards, open/hours of operation, short-term special event/promotions).	Excluded	3 per business frontage up to 10 sq.ft. total	4 sq.ft.	

(d) **Downtown Design Standards.** All signs shall adhere to the Downtown Design Standards pursuant Code sec. 22.01(2)(d) and Chapter 19.

(5) **C-1 Neighborhood Commercial, C-3 Highway Commercial, C-4 Large-scale Commercial, and M-1 Mixed Use Zoning Districts.**

(a) **Permitted Signs.** The following signs or other advertising structures are permitted: Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; Projecting and Blade signs; Roof signs; Temporary signs; Wall signs; Wind signs; and, Window Signs.

(b) **Pole Sign.**

(i) **C-1 Neighborhood Commercial.** Off-premise pole signs shall not be less than 500 feet from any other sign or sign structure on the same side of the street on which the pole sign or sign structure is situated. On-premises pole sign may be nearer than 500 feet to any other ground sign, if it is the only on-premises ground sign situated upon the premises or parcel upon which the business or commercial activity promoted is situated; and, if said sign has been conditionally approved pursuant to Code Chapter 19 Article 4 Division 6 (19.370-19.389). Such signs shall not exceed 50 square feet. Additional conditions may also be imposed.

(ii) **C-3 Highway Commercial.** On-premises pole signs may project over a sidewalk but such sign shall not project more than 4 feet, 6 inches over a sidewalk and such signs shall be at least 10 feet above a sidewalk. Off-premises pole signs shall not be less than 500 feet from any other sign or sign structure on the same side of the street on which the pole sign or sign structure is situated. An on-premises pole sign may be nearer than 500 feet to any other ground sign, if it is the only on-premises ground sign situated upon the premises or parcel upon which the business or commercial activity promoted is situated.

(iii) **C-4 Large Scale Commercial.** Off-premises pole signs shall be not less than 100 feet from any other ground sign or sign structure on the same side of the street on which the pole sign or sign structure is situated. An on-premises pole sign may be nearer than 100 feet to any other ground sign if it is the only on-premises ground sign situated upon the premises or parcel upon which the business or commercial activity is situated; and, if the business is located in a stand-alone building.

(c) **Roof Sign.**

(i) **C-1 Neighborhood Commercial.** Off-premises roof signs shall not be less than 500 feet from any other roof sign or sign structure on the same side of the street upon which the roof sign or sign structure is situated. On-premises roof sign may be nearer than 500 feet to any other roof sign if it is the only on-premises roof sign situated upon the premises or parcel upon which the business or commercial.

(ii) **C-3 Highway Commercial Districts.** Off-premises roof signs shall not be less than 500 feet from any other roof sign or sign structure on the same side of the street upon which the roof sign or sign structure is situated. On-premises roof sign may be nearer than 500 feet to any other roof sign if it is the only on-premises roof sign situated upon the premises or parcel upon which the business or commercial.

(iii) **C-4 Large Scale Commercial District.** All roof signs shall be not less than 100 feet from any other roof sign or sign structure on the same side of the street upon which the roof sign or sign structure is situated.

(6) **I-1 Industrial District.**

- (a) **Permitted Signs.** The following signs or other advertising structures are permitted Directional signs; Marquee/Awning/Canopy Signs; Monument signs; Pole signs; Projecting and Blade signs; Roof signs; Temporary signs; Wall signs; Wind signs; and, Window Signs.
- (b) **Monument / Pole Sign.** One (1) pole or monument sign per premises identifying the industry or business situated thereon. Such sign shall not exceed one hundred (100) square feet, and shall be set back not less than ten (10) feet from any lot line.
- (c) **Wall Sign.** Wall signage identifying the industry or business not exceeding one hundred (100) total square feet.

Section 22.11 Sign Illumination

In addition to complying with the provisions of this sign ordinance, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of City and state electrical codes. No person may erect a sign with exposed electrical wires.

- (1) **Lighting Intensity.** In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed sixty (60) foot candles when measured with a standard light meter held perpendicular to the sign face at a distance of ten (10) inches.
- (2) **Light Shielding.** All sign lighting shall be designed, located, shielded or hooded so as to prevent the casting of direct light or glare upon adjacent roadways or surrounding properties. The use of unshielded lighting, including exposed light bulbs hung or strung on poles, wires or any other type of support intended to illuminate a sign or other advertising device is prohibited.
- (3) **Neon Illumination.** Neon signs or other exterior neon displays may be permitted in cases where they are custom designed to be compatible with the building's architectural character, and where the colors of such signs have been selected to harmonize with the building's exterior colors. Such lighting shall be subject to review and approval by the Design Review Committee.
- (4) **Compatibility.** Signs shall not have lights that rotate or have pulsating flashing or strobe lights, shall not resemble, imitate or approximate the shape, size, text, form or color of official railroad or official traffic signs, signals, or devices, and shall not obstruct or interfere with the effectiveness of said devices.

Section 22.12 Non-Conforming Signs & Structures

- (1) **Definition.** Any sign or projecting structure constructed in accordance with ordinances and other applicable laws in effect on the date of its construction, but which by reason of its type, size, height, location, design, material, method of illumination, number of signs, or construction is not in conformance with this Chapter shall be considered a legal non-conforming sign or projecting structure.
- (2) **Continuation/Loss of Status.** The lawful use of a nonconforming sign or projecting structure may continue unless one (1) or more of the following occurs:
 - (a) The sign or projecting structure is structurally altered in a way, except for normal maintenance or repair.
 - (b) When the sign or projecting structure is fifty (50) percent or more damaged by fire, flood, explosion, earthquake, war, riot or act of God.
 - (c) The sign or projecting structure is relocated.
 - (d) The sign or projecting structure fails to conform to Code Sec. 22.04 regarding maintenance and repair, abandonment, dangerous or defective.
 - (e) If located on property that is sold, with the full ownership of the property being transferred, the nonconforming sign and/or projecting structure must be brought into conformance with the sign regulations of this article at the time of the transfer unless the business will continue to operate under the same name.
- (3) **Compliance.** Within thirty (30) days of occurrence of any of the above, the sign or projecting structure shall be brought in compliance with this Chapter with a new permit secured, or the sign or projecting structure shall be removed at the owner's expense.
- (4) **Maintenance and Repair.** Nothing in this Chapter shall relieve the owner or user of a legal non-conforming sign/projecting structure or the owner of the property in which the sign and/or projecting structure is located from the provisions of this Chapter regarding safety, maintenance and repair of the sign and/or projecting structure.

Section 22.13 Enforcement

- (1) **Order to Correct.**
 - (a) Whenever the City, its agents or employees, shall upon inspection of sign or structure find conditions in violation of this Code, an Order shall be issued to the owner and/or occupant of the sign or structure to correct the conditions.
 - (b) The order shall identify the conditions to be corrected and specify a time within which the owner and/or occupant shall comply.
 - (c) The order shall be served upon the owner and/or occupant by delivering a copy to the owner, occupant personally, or by delivering the same to and leaving it with an adult/competent person in charge of the premises, or in case no such person is found upon the premises by fixing a copy in a conspicuous place near the entrance to the premises; or by regular U.S. Mail.

- (2) **Citation.** Any person, firm, corporation or organization who violates any provision of this Chapter or who fails to timely correct a condition shall be subject to penalties as provided at City Code Sec. 30.04. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this section shall preclude the City from commencing an action to prevent, remove or abate a violation of this section, including an action pursuant to Wis. Stat. Chap. 823.
- (3) **Abatement.**
 - (a) The building official may determine that the public interest requires correction or abatement of the condition and, upon failure to comply with the order to correct, the building official may cause the abatement or removal of the offending condition.
 - (b) Such abatement removal shall be deemed a special benefit to the premises and the cost shall be charged against the owner, or owners of the property. If the cost is not paid within thirty (30) days, it shall be levied as a special charge against the premises.
 - (c) Except in the event of imminent danger or harm, notice of abatement shall be given and the owner or occupant may appeal the abatement to the Board of Appeals within three (3) days after service of the order.
- (4) **Written Order Duration.** A written order to correct a violation shall remain in effect for twenty-four (24) months from the date it is issued.

Section 22.14 Severability

If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.



Chris Tollaksen

From: Stephen Tremlett [stremlett@msa-ps.com]
Date: Thursday, January 14, 2016 11:31 AM
To: Joseph J. Hasler; Chris Tollaksen
Cc: Dar Mor; John Langhans
Subject: RE: Sign Ord updates
Attachments: 00085055 Sign Ordinance_FinalDraft_011415.pdf

Chris,

I made changes per email chain starting on 1/12, and described below. Let me know if you need any additional changes. Thanks!

EDITS

- Made changes per word document named "legislative edits", excluding the timeframe edit under Notice and Cure per further edits provided by Joe (discussed below).
- Removed the references under 22.10(4)(b) (i.e. reference to Code Sections 22.10(4)(c) and 22.10(4)(d)), per our email discussion.
- Revised the incidental sign description in Table E, as well as under 22.02 (definitions).
- Added additional hyperlinks to other City ordinances (e.g. 2.05 and Chapter 19) and state statutes listed in the Sign Code.
- Changes outlined in Joe's email yesterday. I provided some comments to additional changes in red as it relates to these final changes (shown below).



Stephen Tremlett, AICP, CNU-A | Urban Designer

MSA Professional Services, Inc.
+1 (608) 242-6621



From: Joseph J. Hasler [mailto:jjhasler@lgtlawfirm.com]
Sent: Wednesday, January 13, 2016 4:23 PM
To: Chris Tollaksen; Stephen Tremlett
Cc: Dar Mor
Subject: RE: Sign Ord updates

My thoughts on enforcement attached. Please look as I explain.

Pg. 7 simply provide that enforcement is per code sec. 22.14 **Changed to Sec. 22.13, as I felt Severability should go last with Enforcement as Sec. 22.13 – see note after PG 17/18 edit below).**

Pg. 8 again, simply refer to code sec. 22.14. deadlines for 'timely' compliance will be established by building official; Last sentence will read "If repairs or maintenance are not timely completed code sec 22.24 shall apply". **This suggested edit removes the timeframe edit in the word document sent by Chris. I have assumed what Joe sent would supersede, resulting in removal of the timeframe. Also I fixed the reference to Code sec. 22.13 (as there is no 22.24 and I felt Severability would go last – see note after PG 17/18 edit below).**

Pg 25/26; sec. 22.12 Abandoned Signs. Delete this section. Move the definition to the definition section (22.02). Abandoned signs are not allowed by virtue of sec. 22.06(14). **Changed sec. 22.06(14)'s abandoned**

sign reference (now Code Sec. 22.02, per movement to definitions). Enforcement/removal/abatement per code sec 22.14.

Pg. 27 Delete these secs 22.14 &.15. **Done**

Pg. 17/18 new sec 22.14 from property maint code. **Added Subheading to (4) to be consistent with the other subheadings in the section (i.e. Written Order Duration). Placed Severability last, so the Enforcement section is shown as 22.13. All above edits will reference 22.13 (not 22.14).**

Questions/comments?

OK?

I will be out the office Thursday afternoon & Friday but will have email.

Joseph J. Hasler ||| LaRowe Gerlach Taggart LLP

From: Chris Tollaksen [<mailto:ctollaksen@dellscitygov.com>]
Sent: Tuesday, January 12, 2016 5:20 PM
To: Stephen Tremlett
Cc: Joseph J. Hasler; Dar Mor
Subject: RE: Sign Ord updates

See Steve's response to sign ordinance updates.

I think we can remove the referenced to 22.10(5) rather than correct to 22.10(4).

As I understand it, if once Steve get's the Notice and Cure language he will get us an updated Code.

From: Stephen Tremlett [<mailto:stremlett@msa-ps.com>]
Sent: Tuesday, January 12, 2016 3:45 PM
To: Chris Tollaksen
Subject: RE: Sign Ord updates

Chris,

I can make changes once I know all that are needed. It sounds like there may be more coming from Joe per your statement below regarding page 8. See responses below to the other comments.

Thanks!



Stephen Tremlett, AICP, CNU-A | Urban Designer

MSA Professional Services, Inc.

+1 (608) 242-6621



From: Chris Tollaksen [<mailto:ctollaksen@dellscitygov.com>]
Sent: Tuesday, January 12, 2016 2:28 PM
To: Stephen Tremlett
Subject: Sign Ord updates

Steve,

There were a few changes requested for the Sign Ordinance before it goes to Council next Mon.

Some are changes to items that were in the Original code, I have a red-line from the original code attached.

Joe may have some other language for the time in the Notice and Cure section on pg 8 in your new version.

There was also a request to update the reference to Incidental Signs, see Joe's updated language attached. **Once provided, I will amend all items.**

There was also a question about section 22.10(4)(b). The referenced to 22.10(5)(c) & 22.10(5)(d) don't seem right. I am wondering if this is supposed to be the reference to the sign prohibited in C-2 that I had asked about. **The reference should be 22.10(4)(c) and 22.10(4)(d). However, it could be amended to remove these references, but keep the table (e) reference. Prohibited signs were not added, as other districts listed also have prohibited signs. If we added this section in C-2 district, it would be recommended to do it in the other designated districts. This would require more work/time..**

Dar had also asked about the Design Standard section on Portable signs. He noted that the DRC requested the Pedestal signs must be on private property (but the A-frame signs can be on the sidewalk) **This was brought up and as noted in the prior meeting Standard #9 prohibits pedestal signs in the public right-of-way. This does not prohibit A-frame signs from being on the sidewalk. Please verify this is understood and no change is required, or clarify concern.**

Chris Tollaksen

City Planner/Zoning Administrator

City of Wis. Dells

(608) 253-2542

(608) 254-8904



Chris Tollaksen

From: Joseph J. Hasler [jhasler@lgtlawfirm.com]
To: Wednesday, January 13, 2016 4:23 PM
Subject: Chris Tollaksen; Stephen Tremlett
Cc: Dar Mor
Subject: RE: Sign Ord updates
Attachments: DOC_1_13_2016 4_06 PM jjh sign enforcement.pdf

My thoughts on enforcement attached. Please look as I explain.

Pg. 7 simply provide that enforcement is per code sec. 22.14

Pg. 8 again, simply refer to code sec. 22.14. deadlines for 'timely' compliance will be established by building official; Last sentence will read "If repairs or maintenance are not timely completed code sec 22.24 shall apply".

Pg 25/26; sec. 22.12 Abandoned Signs. Delete this section. Move the definition to the definition section (22.02). Abandoned signs are not allowed by virtue of sec. 22.06 (14). Enforcement/removal/abatement per code sec 22.14.

Pg. 27 Delete these secs 22.14 &.15.

Pg. 17/18 new sec 22.14 from property maint code.

Questions/comments?

OK?

I will be out the office Thursday afternoon & Friday but will have email.

Joseph J. Hasler ||| LaRowe Gerlach Taggart LLP

From: Chris Tollaksen [mailto:ctollaksen@dellscitygov.com]
Sent: Tuesday, January 12, 2016 5:20 PM
To: Stephen Tremlett
Cc: Joseph J. Hasler; Dar Mor
Subject: RE: Sign Ord updates

See Steve's response to sign ordinance updates.

I think we can remove the referenced to 22.10(5) rather than correct to 22.10(4).

As I understand it, if once Steve get's the Notice and Cure language he will get us an updated Code.

From: Stephen Tremlett [mailto:stremlett@msa-ps.com]
Sent: Tuesday, January 12, 2016 3:45 PM



- (7) **Revocation of Permit.** The Building Inspector may revoke any permit where there has been a violation of the provisions of this ordinance or a misrepresentation of fact on the permit application.
- (8) **Identification Tags.**
- (a) Each sign or other advertising structure shall have affixed to it an identification tag which shall be issued by the building inspector at the time of permit issuance pursuant to Code sec. 22.03(4).
- (b) Within ninety (90) days following completion of the biennial sign inspection completed after the effective date of this ordinance, signs or other advertising structures erected prior to the effective date of this ordinance shall have identification tags affixed thereto. Said tags shall be provided by the building inspector upon receipt, for each sign or other advertising structure, of a completed sign identification form which shall contain the following information:
- (i) Location of sign or other advertising structure.
 - (ii) Name of sign owner.
 - (iii) Name of owner of real estate upon which sign is located.
 - (iv) Dimensions of sign.
 - (v) Type of sign pursuant to this ordinance.
 - (vi) Cost to replace.
 - (vii) Date of erection.
- (c) Each sign identification form filed pursuant to subsec. (2) shall be accompanied by a processing fee per sign face as established by resolution adopted pursuant to Code Sec. 2.05.
- (d) Identification tags shall be attached at the bottom right corner of each sign face or at such other location as specified by the building inspector.

Section 22.04 Maintenance and Repair

- (1) **Generally.** Every sign, or other structure, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, burned out lighting elements, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign. In addition, the premises on which the sign is erected shall be kept in a clean, sanitary and inoffensive condition, free and clear of all noxious substances. If the sign, or sign structure, is not timely modified to comply with the standards outlined in this section, the Building Inspector, or his authorized agent, may require its removal in accordance with Code sec. 22.14.

processed under
code sec.
22.14

pursuant to

(2) **Notice and Cure.** Any sign, or sign structure, wherever situated or placed, which is dangerous or which flakes, peels, flags, fades, deteriorates, or is unsightly in any other manner as determined by the City Building Inspector to be dangerous or unsightly in terms of its maintenance shall be repaired, reposted, repainted or restored as necessary ~~within five (5) days of written notice given by the City Building Inspector to the owner. Notice shall be given by certified mail and the time for cure shall commence upon service.~~ If a sign is not repaired, reposted, repainted or restored within the time specified, the provisions of Code sec. 22.14 and Code sec. 22.15 shall take effect.

OK

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(3) **Repairs.** Repairs to and maintenance of signs and sign structures shall be completed within ~~ninety (90) days of the day upon which the repairs or maintenance were commenced.~~ For good cause shown, the building inspector may extend the completion deadline up to an additional ~~one hundred and twenty (120) days.~~ An application for extension must be in writing and must be received by the building inspector prior to the expiration of the underlying deadline. If repairs or maintenance are not timely completed, a fine pursuant to Wis. Dells sec. 22.15 may be imposed. In addition, the sign or sign structure shall be subject to the application provisions of Code sec. 22.03.

code sec.

22.14

shall

apply

in a timely manner as determined by the B.I.

Section 22.05 Exemptions

The following signs are exempt from the permit requirements of this ordinance:

- (1) Temporary real estate signs not exceeding sixteen (16) square feet in area which advertise the sale, rental or lease of the premises upon which the sign is located. Such signs shall be removed no later than seven (7) days following sale or rental of the subject property.
- (2) Temporary political signs concerning candidates for public office and ballot issues and not exceeding four (4) square feet in area. Such signs may be erected no earlier than sixty (60) days prior to an election or referendum and shall be removed no later than seven (7) days after the election or referendum.
- (3) Temporary signs advertising the date, time and location of a garage or yard sale and not exceeding four (4) square feet in area. Such signs shall be posted no more than three (3) days prior to and shall be removed one (1) day after the sale.
- (4) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospital, historical sites or public facilities.
- (5) Flags of any government or governmental agency or any patriotic, religious, charitable, civic, education or fraternal organization not exceeding fifty (50) square feet in area; except that the Flag of the United States of America shall be exempt, whatever its size.
- (6) Temporary signs in conjunction with special events such as philanthropic campaign or church, circus, carnival or other community activity. Such signs shall not exceed forty (40) square feet in area, shall not be erected more than fourteen (14) days in advance of the event and shall be removed within three (3) days after the termination of the event; and shall not be erected without consent of the Common Council.

Section 22.11 Sign Illumination

In addition to complying with the provisions of this sign ordinance, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of City and state electrical codes. No person may erect a sign with exposed electrical wires.

- (1) **Lighting Intensity.** In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed sixty (60) foot candles when measured with a standard light meter held perpendicular to the sign face at a distance of ten (10) inches.
- (2) **Light Shielding.** All sign lighting shall be designed, located, shielded or hooded so as to prevent the casting of direct light or glare upon adjacent roadways or surrounding properties. The use of unshielded lighting, including exposed light bulbs hung or strung on poles, wires or any other type of support intended to illuminate a sign or other advertising device is prohibited.
- (3) **Neon Illumination.** Neon signs or other exterior neon displays may be permitted in cases where they are custom designed to be compatible with the building's architectural character, and where the colors of such signs have been selected to harmonize with the building's exterior colors. Such lighting shall be subject to review and approval by the Design Review Committee.
- (4) **Compatibility.** Signs shall not have lights that rotate or have pulsating flashing or strobe lights, shall not resemble, imitate or approximate the shape, size, text, form or color of official railroad or official traffic signs, signals, or devices, and shall not obstruct or interfere with the effectiveness of said devices.

Section 22.12 Abandoned Signs

- (1) **Definition.** Subsection (a) - (c) below constitutes an abandoned sign. See Code Sec. 22.12(2) and Code Sec. 22.12(3) for the process to designate a sign as abandoned.
 - (a) a sign that was lawfully erected on the property in conjunction with a particular use that has subsequently discontinued for a period of six (6) months;
 - (b) a sign face that remains blank (i.e. void of advertising matter) for a period of nine (9) months. Signs displaying an "available for lease" message, or similar message are considered to be blank signs; or,
 - (c) a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.
- (2) **Written Notification.** Upon verification of a business discontinuing or a sign being void of advertising (blank sign per Code sec. 22.02(4)), the City shall issue a written notice by mail to inform owner of the abandoned sign regulation. If the sign remains in its current state beyond the the issuance of the said written notification, the City shall initiate the remediation process described in Code Sec. 22.12(3).

- (3) **Remediation Process.** If the owner or lessee fails to remove the abandoned sign after original written notification per Code sec. 22.12(2), the Building Inspector or his authorized agent shall give the owner a thirty (30) day written notice by certified mail to remove said sign. Upon failure to comply with the first notice, the Building Inspector shall, by certified mail, send a second notice giving the owner an additional forty-eight (48) hours to remove the sign. Upon failure to comply with the second notice, the City of Wisconsin Dells shall cause removal to be executed, the expenses of which shall become a lien against the property as provided in Wis. Stat. sec.66.60(15), on the property on which said sign is located as of the date of the removal of the sign and shall automatically be extended upon the current or next tax roll as a delinquent tax against the property. All proceedings related to the collection, return and sale of property for delinquent real estate taxes shall apply.

Section 22.13 Non-Conforming Signs & Structures

- (1) **Definition.** Any sign or projecting structure constructed in accordance with ordinances and other applicable laws in effect on the date of its construction, but which by reason of its type, size, height, location, design, material, method of illumination, number of signs, or construction is not in conformance with this Chapter shall be considered a legal non-conforming sign or projecting structure.
- (2) **Continuation/Loss of Status.** The lawful use of a nonconforming sign or projecting structure may continue unless one (1) or more of the following occurs:
- (a) The sign or projecting structure is structurally altered in a way, except for normal maintenance or repair.
 - (b) When the sign or projecting structure is fifty (50) percent or more damaged by fire, flood, explosion, earthquake, war, riot or act of God.
 - (c) The sign or projecting structure is relocated.
 - (d) The sign or projecting structure fails to conform to Code Sec. 22.04 and Code Sec. 22.12 regarding maintenance and repair, abandonment, dangerous or defective.
 - (e) If located on property that is sold, with the full ownership of the property being transferred, the nonconforming sign and/or projecting structure must be brought into conformance with the sign regulations of this article at the time of the transfer unless the business will continue to operate under the same name.
- (3) **Compliance.** Within thirty (30) days of occurrence of any of the above, the sign or projecting structure shall be brought in compliance with this Chapter with a new permit secured, or the sign or projecting structure shall be removed at the owner's expense.
- (4) **Maintenance and Repair.** Nothing in this Chapter shall relieve the owner or user of a legal non-conforming sign/projecting structure or the owner of the property in which the sign and/or projecting structure is located from the provisions of this Chapter regarding safety, maintenance and repair of the sign and/or projecting structure.

Section 22.14 Unlawful Signs.

If the Building Inspector determines that any sign or advertising structure is prohibited by the provisions of this ordinance, the Building Inspector, or its designee, shall serve written notice to the sign owner, or its agent, at the sign location. If the prohibited sign is not removed or altered to comply with the provisions of this ordinance within 24 hours, the owner shall be issued citations pursuant to Code sec. 22.15. An owner shall be entitled to only one warning.

Section 22.15 Penalties

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding One Hundred (\$100) dollars and/or imprisonment not exceeding thirty (30) days. Each day such violation is committed, or permitted to continue, shall constitute a separate offense.

Section 22.16 Severability

If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

OK

22.14

15.16 Enforcement.

sign or
sticker here

- (1) Order to Correct.
 - (a) Whenever the City, its agents or employees, shall, upon inspection of any ~~premises~~, find ~~the~~ conditions of ~~the premises are~~ in violation of this, Code, an Order shall be issued to the owner and/or occupant of the ~~premises~~ to correct the conditions.
 - (b) The order shall identify the conditions to be corrected and specify a time within which the owner and/or occupant shall comply.
 - (c) The order shall be served upon the owner and/or occupant by delivering a copy to the owner/occupant personally or by delivering the same to and leaving it with an adult, competent person in charge of the premises, or in case no such person is found upon the premises by fixing a copy in a conspicuous place near the entrance to the premises; or by regular U.S. Mail.
- (2) Citation. Any person, firm, corporation or organization who violates any provision of this chapter or who fails to timely correct a condition shall be subject to penalties as provided at City Code Sec. 30.04. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this section shall preclude the City from commencing an action to prevent, remove or abate a violation of this section including an action pursuant to Wis. Stat. Chap. 823.
- (3) Abatement.
 - (a) The building official may determine that the public interest requires correction or abatement of the condition and, upon failure to comply with the order to correct, the building official may cause the ~~cleaning, repair, improvement~~, abatement or removal of the offending condition. *sign or sticker on*
 - (b) Such ~~cleaning, repair, improvement or removal~~ shall be deemed a special benefit to the premises and the cost shall be charged against the owner or owners of the property. If the cost is not paid within thirty (30) days, it shall be levied as a special charge against the premises.
 - (c) Except in the event of imminent danger or harm, notice of abatement shall be given and the owner or occupant may appeal the abatement to the Board of Appeals within three (3) days after service of the order.

- (4) A written order to correct a property maintenance code violation shall remain in effect for twenty-four (24) months from the date it is issued.

January 6, 2016

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22.08 Annual-Inspection; Fee. The Building Inspector shall inspect bi-annually, each sign or other advertising structure regulated by this ordinance for the purpose of ascertaining whether the structure is unsafe, in need of repair, not in conformance with the permit application, or otherwise in violation of the provisions of this ordinance. To meet the expense of such inspection, the permittee shall pay to the City Treasurer a fee as established by resolution adopted pursuant to section 2.05 for each structure inspected. No inspection fee other than the application/permit fee as required in sec. 22.08 shall be charged during the calendar year in which the sign or other advertising structure is erected.

22.11 Identification Tags.

(1) Each sign or other advertising structure shall have affixed to it an identification tag which shall be issued by the building inspector at the time of permit issuance pursuant to Ord. sec. 22.07.

(2) ~~Within ninety (90) days of~~ Following completion of the biennial sign inspection ~~completed after the effective date of this ordinance,~~ legal signs or other advertising structures ~~that do not already have identification tags, erected prior to the effective date of this ordinance~~ shall have identification tags affixed thereto. Said tags shall be provided by the building inspector. ~~upon receipt, for~~ The inspector may require, for each sign or other advertising structure ~~not already tagged,~~ of a completed sign identification form which shall contain the following information:

22.32 Maintenance and Repair.

(1) Generally. Every sign, or other structure, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts, burned out lighting elements, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign. In addition, the premises on which the sign is erected shall be kept in a clean, sanitary and inoffensive condition, free and clear of all noxious substances. If the sign, or sign structure, is not timely modified to comply with the standards outlined in this section, the Building Inspector, or his authorized agent, may require its removal in accordance with sec. 22.35.

(2) Notice and Cure. Any sign, or sign structure, wherever situated or placed, which is dangerous or which flakes, peels, flags, fades, deteriorates, or is unsightly in any other manner as determined by the City Building Inspector to be dangerous or unsightly in terms of its maintenance shall be repaired, reposted, repainted or restored as necessary within ~~five (5) ninety~~ (90) days of written notice given by the City Building Inspector to the owner. Notice shall be given by certified mail and the time for cure shall commence upon service. If a sign is not repaired, reposted, repainted or restored within the time specified, the provisions of secs. 22.35 and 22.36 shall take effect.

