

CHAPTER 27
Signs and Outdoor Advertising

27.04 General Regulations

(Am. #17-11)

All display signs shall conform to the following:

(1) **ARCHITECTURAL COMPATIBILITY.** No display sign may cover doors, windows or other major architectural detail. Display signs shall be designed to be as compatible as is practicable with the design of the building to which it relates and to the surroundings.

(2) **AVOID NEEDLESS ELABORATION.** All display signs on any premises in aggregate shall avoid unnecessary repetition of information.

(3) **CONSOLIDATION OF SIGNS.** To the greatest extent practicable and consistent with design objectives, display signs on any premises shall be consolidated in common signs or supporting structures.

(4) **DISTRACTING SIGNS PROHIBITED.** (Am. #29-89) No display signs shall include flashing or alternating illumination; moving parts; moving or alternating message displays or search lights; be similar to traffic signs, nor cast direct light upon adjacent properties or public rights-of-way. On-premise reader board signs are permitted, provided they comply with the requirements set forth under sub. (15) of this section.

(5) **MAINTENANCE REQUIRED.** (Am. #31-94)

(a) All display signs and their supporting structures, including chains, and cables shall be properly maintained:

(i) to prevent rust, rot, peeling, fading or similar deterioration;

(ii) (Am. #10-03) to prevent becoming so old, dilapidated or out of repair as to be dangerous or unsafe to persons or property;

(iii) in such a manner that complies with the construction and stability provisions of sub. (10).

(b) No sign shall be in such a state of disrepair that it is an obvious detriment to the visual character of the neighborhood and would be considered a devaluing influence upon it.

(c) In addition to any other remedies available under the law, if the Office of Community Development determines that a sign(s) is not being maintained in accordance with this subsection, the Office of Community Development may issue a written notice and order to the property owner describing the defects and

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setting forth the required corrections. If a property owner fails to make the required corrections set forth in the order within 30 days of receipt of the order, the City may prosecute an action in the circuit court for an order of the court requiring the owner to comply with the order.

(6) **OBSOLETE SIGNS.** (Am. #31-94) Any display sign erected for the fundamental purpose of proposing an economic transaction which no longer relates to the use of the premises due to a change in occupancy or use shall be removed within 15 days of the change which rendered such sign obsolete by the owner thereof. In addition to any other remedies available under the law, if an obsolete sign is not removed within the 15 day period, an Office of Community Development Inspector may issue a written notice and order to the property owner to remove the sign. If the property owner fails to remove the sign within 30 days of receipt of the order, the City may prosecute an action in the circuit court for an order of the court requiring the owner to comply with the order.

(7) **SIGNS FACING A RESIDENTIAL DISTRICT OR PROPERTY.** (Am. #31-94) Display signs which face a lot line of any lot in a residential district or property in any zoning district whose primary use is residential shall:

- (a) Be erected, altered or placed not less than fifty (50) feet from the lot line.
- (b) Have all illumination, electric or otherwise, turned off between the hours of 11 PM and 6 AM.

(8) **CLEARANCE.** (Am. #50-05) There shall be a clearance of at least 9' between any projecting part or span of any display sign and any ground surface intended for or likely to be used for pedestrian or vehicular movement, except:

- (a) If the sign is located in a B-2 District, the clearance shall be at least 8'.
- (b) If a raised planter at least twenty-seven (27) inches in height is maintained beneath the projection or span.

(9) **CONSTRUCTION AND STABILITY.** (Am. #31-94) Display signs shall be constructed to withstand a wind pressure of at least 30 lbs. per square foot of surface and shall be structurally safe and securely anchored so they will not be a menace to persons or property. Electrified signs shall be wired to conform to the National Electric Code and rigidly mounted so as not to swing. Building mounted signs shall be adequately grounded where exposed to lightning. Flat mounted wall signs shall not extend more than 1 foot beyond the wall surface and may exceed 24 sq. ft. only if made of incombustible materials or approved combustible plastics. For purposes of this subsection, "approved combustible plastics" mean plastic materials which burn at a rate no faster than 2.5 inches per minute when tested in accordance with Standard D635 of the American Society for

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Testing and Materials. Wooden supporting members shall be treated to prevent decomposition wherever they contact the ground. All display signs and the premises surrounding them shall be maintained and be kept free of noxious weeds and rubbish.

(10) CORNER LOTS AND MULTIPLE FRONTAGES. Regulation of premises located on corner lots in districts other than B-2 shall be based on the larger street frontage. Regulations shall be applied independently for each street or parking lot frontage of any premises:

(a) Having frontage on 2 or more streets which do not intersect adjacent to such premises.

(b) Having frontage on a parking lot having multiple users and not abutting such premises' street frontage.

(c) Located on a corner lot in the B-2 District.

(11) CORNER VISION. (Am. #31-94) Display signs shall be designed and located in a manner that will not obstruct visibility at street and driveway intersections.

(12) ROOF SIGNS. (Am. #42-07) In districts where permitted, roof signs may be authorized only on a roof of one-story in height. Individually mounted letters no greater than 30 inches in height are permitted on roof signs, provided the letters are mounted directly at and not extending below the eave.

(13) SIGNS ON PUBLIC RIGHTS-OF-WAY. (Cr. #29-89) (Am. #13-92) (Am. #28-92) (Am. #31-94)

(a) Except signs erected, altered or placed by authority of the City for a public purpose, including official street signs, no permanent sign may be erected on any public right-of-way, unless approved by both the Sign Review Board and Board of Public Works.

(b) Temporary signs are prohibited on all public rights-of-way except:

1. Signs erected, altered or placed by authority of the City for a public purpose, including official street signs and signs used during construction to warn motorists and pedestrians of potential hazards or traffic direction, and

2. Signs stating the location of rummage sales and open houses are allowed Thursdays through Sundays only, and shall be ground signs only. Signs on trees, utility poles, and City sign posts are prohibited. Signs may

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not exceed 4 sq. ft., shall be a minimum of 10 feet from the right-of-way line of the intersecting street, and are not allowed in the median strip of boulevard streets. Signs must be removed within twenty-four (24) hours after the sale or open house.

3. (Cr. #34-96) Banners as regulated and approved by the Board of Public Works.

4. (Cr. #37-01) Portable sandwich board signs used in accordance with Section 27.06(6).

(14) **NEW DEVELOPMENT.** (Cr. #10-03) For new development that requires site plan and architectural review pursuant to section 22.15(1) of the Code, an overall sign plan must be submitted to the Sign Review Board at the time the site plan is submitted to the Plan Commission. The sign plan shall indicate the locations of any detached signs and specifications of exterior wall signs for the development. Such specifications should include, where possible, type of sign, colors, location of signage and size. The Sign Review Board may present oral or written recommendations to the Plan Commission concerning sign placement and size as part of a site plan or architectural plan.

(15) **READER BOARDS.** (Am. #8-12) (Am. #5-16)

- (a) **B-3, B-5, M-2 and M-3 Zones.** Reader board signs are permitted on properties zoned B-3, B-5, M-2 and M-3, subject to the following provisions:
 - (i) Except as otherwise set forth in this subsection, the message area of reader board signs that are mounted to a wall of a building shall not exceed 25% of the total area of all wall-mounted display signs on the premises.
 - (ii) The message area of all other reader board signs, including projecting signs and window signs, shall not exceed 25% of the sign's total area.
 - (iii) Reader board signs may change messages not more than once every 10 minutes and the change must be made in one-half second or less and not flash, scroll, alternate, move or show video.
 - (iv) Display design brightness cannot exceed 500 nits at night and 3000 nits during the day.
 - (v) Electronic reader boards shall not face residential properties.
- (b) **B-2 Central Business District.** Reader board signs are permitted within the B-2 Central Business District, subject to the following provisions:

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- (i) Reader boards may only be mounted on the exterior of theater buildings. For purposes of this subsection, “theater building” means a building which contains a stage, permanent seating facing the stage, and installed equipment for theatrical sound, lighting and projection, and having as its primary purpose the presentation and viewing of theatrical shows and motion pictures.
- (ii) The total area of the electronic display portion of the reader board sign may not exceed 60 square feet.
- (iii) Reader board signs shall not change messages more than once every ten minutes.
- (iv) Reader board messages shall be static and shall not flash, scroll, move, alternate, be animated, or show video.
- (v) Reader board signs shall be designed and operated to resemble overall a traditional theater marquee in appearance as much as reasonably possible.
- (vi) The electronic display portion of the reader board may not exceed 500 nits in design brightness at night or 3000 nits in design brightness during the day.

(16) DOWNTOWN SHOPPING AREA. (Am. #5-16) Internally-illuminated projecting signs are prohibited in the Downtown Shopping Area, as shown below, except for reader board signs as provided in subsection (15)(b), above.



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(17) **DETACHED SIGNS.** Detached signs must cover poles and support structures with decorative pole sleeves or masonry. No detached signs are permitted for businesses located on outlots of shopping centers. No detached signs are permitted for properties that have a building within 25 feet of the property line except in the B-2 district. Multiple businesses adjacent to each other may co-locate detached signs onto one detached sign, and the resulting sign shall not be considered a billboard under §27.02(5) of this Code.

(18) **WINDOW SIGNS.** Window signs shall not cover more than 40% of the window they are affixed to and shall not exceed gross square footage permitted for the property. Only one neon sign per window is permitted.

(19) **SUBSTITUTION CLAUSE.** Subject to the property owner's consent, noncommercial speech of any type may be substituted for any duly permitted or allowed commercial speech; provided that the sign structure and mounting device complies with the construction and stability standards set forth in sub. (9) of this section. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any provision to the contrary in this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a lot or parcel. For purposes of this section, "commercial speech" means speech with a fundamental purpose to propose a commercial transaction and "noncommercial speech" means any message that is not commercial speech, including, but not limited to, messages concerning political, religious, social, ideological, public service, and informational topics.