

## 2.41 **Regulation of Signs, Billboards and Canopies.**

- (1) The purpose of these regulations is to create the legal framework to regulate, administer and enforce outdoor sign advertising and display. These regulations recognize the need to protect the safety and welfare of the public and the need for well-maintained and attractive sign displays within the community and the need for adequate business identification, advertising and communication.
- (2) These regulations authorize the use of signs visible from public rights-of-way, provided the signs are:
  - (a) Complying with the zoning regulations.
  - (b) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety.
  - (c) Legible, readable and visible in the circumstances in which they are used.
  - (d) Respectful of the reasonable rights of other advertisers whose messages are displayed.
- (3) **Definitions.** The following definitions shall be applicable in this Chapter:
  - (a) **Abandoned Sign.** A sign which no longer correctly advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where the sign is displayed or elsewhere.
  - (b) **Area of Copy.** The entire area within a single, continuous perimeter composed of squares, rectangles or circles, which encloses the extreme limits of the advertising message, announcement or decoration of a wall sign.
  - (c) **Area of Sign.** The area of the largest single face of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregular-shaped sign area shall be computed using the actual sign face surface. In the case of wall signs, the area of copy will be used.
  - (d) **Billboard.** See "Off-Premises Signs."
  - (e) **Bulletin Board and Identification Signs.** Bulletin boards and identification signs for churches, schools and other permitted institutions and nonprofit organizations.
  - (f) **Canopy Sign.** Any sign attached to or constructed in, on or under a canopy, marquee or awning.

- (g) Changeable Message Sign. A sign such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric or manual, where copy changes.
- (h) Copy Area. The geometric area in square feet that encloses the actual copy of the sign.
- (i) Directional Sign. Any sign which serves to designate the location or direction of any place or area. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exits.
- (j) Electric Sign. Any sign containing internal electrical wiring which is attached or intended to be attached to an electrical energy source.
- (k) Flashing Sign. Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source, not including changeable message signs.
- (l) Frontage. The length of the property line of any one premises parallel to and along each public right-of-way it borders.
- (m) Grade. The elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.
- (n) Ground Sign. A sign erected on one or more freestanding supports or uprights and not attached to any building.
- (o) Gross Area. The area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one modular section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, the rules for Area of Copy apply.
- (p) Height of Sign. The vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign or structure.
- (q) Illuminated Sign. A sign, which is lighted by an artificial light source, either directed upon it or illuminated from an interior source.
- (r) Integrated Shopping Center. A shopping center in single ownership or under unified control and containing three or more separate businesses.
- (s) Legal Nonconforming Sign. A nonconforming sign that did meet regulations when it was originally installed.
- (t) Multifaced Sign. A sign with copy on two or more faces that are legible from more than one direction.

- (u) Nonconforming Sign. A sign that does not meet Code regulations.
  - (v) Off-Premises Sign. A sign which advertises goods, products, facilities or services not on the premises where the sign is located, or directs persons to a different location from which the sign is located.
  - (w) On-Premises Sign. Any sign identifying or advertising a business, person, activity, goods, products or services located on a premises where the sign is installed and maintained.
  - (x) Portable Sign. Any sign not permanently attached to the ground or a building.
  - (y) Projecting Sign. A sign, normally double faced, which is attached to and projects from a structure or building facia.
  - (z) Roof Sign. A sign erected upon, against or above a roof.
  - (aa) Sign. Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business of solicitation, including any permanently installed or situated merchandise. Signs shall also include all sign structures.
  - (bb) Sign Contractor. Any person, partnership or corporation engaged in whole or in part in the erection or maintenance of signs, excluding the business, which the sign advertises.
  - (cc) Sign Structure. Any device or material, which supports, has supported or is capable of supporting a sign in a stationary position, including decorative covers.
  - (dd) Swinging Sign. A sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.
  - (ee) Wall Sign. A sign attached to the wall or a building with the face in a parallel plane to the plane of the building wall. This includes signs painted directly on a wall.
  - (ff) Window Sign. A sign installed in or on a window for purposes of viewing from outside the premises.
  - (gg) Zoning Lot. A parcel of land considered or treated as a single unit. A zoning lot may or may not correspond with a lot of record.
- (4) Permit, Applications, Fees, Issuance and Denial, Appeals, Indemnification.
- (a) Permits Required. It shall be unlawful for any person to erect, construct, enlarge or structurally modify a sign or cause the same to be done in the Village of Poynette

without first obtaining a sign permit for each such sign from the Village Clerk as required by this Section. Permits shall not be required for a change of copy of any sign, nor for the repainting, cleaning and other normal maintenance and repair of the sign and sign structure.

- (b) Application for a Permit. Application for a permit shall be filed with the Village Clerk upon forms provided by the Village and shall contain the following information:
1. The name, address and telephone number of the sign owner, the property owner, where the sign is or will be located and the sign contractor of the proposed sign.
  2. Clear and legible drawings with description and nominal dimensions of the proposed sign, the construction, size, dimensions and kind of materials to be used in such structure. The site plan shall show the buildings on the premises upon which the structure is to be erected and maintained together with locations, setbacks, size and types of existing signs on the premises where the proposed sign is to be located. All dimensions shall be indicated for the sign and the site plan elements.
  3. Calculations or evidence showing that the structure and design meets the requirements of these regulations for wind pressure load.
  4. Such other information as the Village Clerk may require to show full compliance with this and all other applicable laws of the Village.
  5. Signature of the applicant.
  6. Check for all required fees.
- (c) Permit Fees. Application for permit shall be filed with the Village Clerk, together with a permit fee as specified on the Administrative Fees, Charges and Deposits Schedule in Title VI, Chapter 2 Administrative Fees, Charges and Deposits for each sign exclusive of any electrical permit. Signs installed without a permit are subject to the provisions of § 2.51(7) and shall be removed after proper notice.
- (d) Permit Issuance and Denial. The Village Administrator shall approve a permit for the erection, structural alteration, enlargement or relocation of a sign when the permit application is properly made, all appropriate fees have been made, and the sign complies with the appropriate laws and regulations. If the sign permit is denied by the Village Administrator, he shall give written notice of the denial to the applicant, together with a brief statement of the reasons for the denial, along with the return of all permit fees and papers.

(e) Sign Permit Appeal.

1. In the event any of the requirements herein contained cause undue or unnecessary hardship on any person, firm or corporation, a variance from requirements may be applied for to the Board of Zoning Appeals. An application for variance must be made within 10 days after receipt of notice that the sign involved does not conform to the Chapter. In the event that the appeal is not made in writing to the Appeals Board within such 10 day period, a variance shall not be granted. The Board of Zoning Appeals shall take action on any variance request within 60 days of receipt of the variance application. The Village Administrator shall comply with and enforce the Board of Zoning Appeals' decision.
2. The Village Administrator's failure to either formally grant or deny a sign permit within 15 days of the date an application meeting the requirements of this Chapter is filed shall be cause for appeal to the Board of Zoning Appeals.

- (f) Indemnification for Sign Installation and Maintenance. All persons engaging in the installation or maintenance of signs which involves in whole or in part the erection, alteration, relocation, maintenance of a sign or other sign work in, over or immediately adjacent to a public right-of-way or public property, when such property is used or encroached upon, shall agree to hold harmless and indemnify the Village, its officers, agents, employees from any and all claims resulting from the erection, alteration, relocation, maintenance of the sign or any other sign work insofar as this Chapter has not specifically directed the placement of the sign.

(5) Legal Nonconforming Signs.

- (a) Notification of Nonconformance. Upon determination that a sign is nonconforming, the Village Administrator shall use reasonable efforts to so notify, either personally or in writing, the user or owner of the property on which the sign is located of the following:
1. The sign's nonconformity.
  2. Whether the sign is eligible for characterization as a legal nonconforming sign or is unlawful.
- (b) Signs Eligible for Characterization as Legal Nonconforming. Any sign located within the Village limits on the date of adoption of this Chapter, or located in an area annexed to the Village hereafter, which does not conform with the provisions of this Chapter is eligible for characterization as a legal nonconforming sign and is permitted, providing it also meets the following requirements:
1. The sign was covered by a proper sign permit prior to the date of adoption of this Chapter.

2. No permit was required under applicable law for the sign in question and the sign was, in all respects, in compliance with applicable law on the date of adoption of this Chapter.

(c) Loss of Legal Nonconforming Status. A sign loses its nonconforming status if one or more of the following occurs:

1. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this Chapter than it was before alteration.
2. The sign is relocated.
3. The sign fails to conform to this Chapter regarding maintenance and repair, abandonment, or dangerous or defective signs.
4. The sign is destroyed by any means to the extent of more than 50% of its fair market value.
5. On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this Chapter with a new permit secured therefor or shall be removed.

(d) Legal Nonconforming Sign Maintenance and Repair. Nothing in this Chapter shall relieve the owner or user of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this Chapter regarding safety, maintenance and repair of signs.

(6) Removal and Disposition of Signs.

(a) Maintenance and Repair.

1. Every sign, 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, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign.
2. The Village Administrator shall require compliance with all standards of this Chapter. If the sign is not modified to comply with safety standards outlined in this Chapter, the Village Administrator shall require its removal in accordance with this Article.

(b) Abandoned Signs. All signs or sign messages shall be removed by the owner or lessee of the premises upon which an on-premises sign is located when the business it advertises is no longer conducted or, for an off-premises sign, when lease payments

and rental income are no longer provided. If the owner or lessee fails to remove the sign, the Village Administrator shall give the owner 60 days written notice to remove said sign. Upon failure to comply with this notice, the Village may cause removal to be executed, the expenses of which will be assessed on the tax roll to the property on which the abandoned sign is located.

- (c) Deteriorated or Dilapidated Signs. The Village Administrator shall cause to be removed any deteriorated or dilapidated signs under the provisions of § 66.0413, Wis. Stats.

(7) Prohibited Signs. The following signs shall be prohibited within the Village.

- (a) Abandoned Signs.

- (b) Flashing or Moving Signs. All moving or flashing signs are prohibited. Changeable-message signs are not subject to this restriction.

- (c) Swinging Signs.

- (d) Floodlighted and Illuminated Signs. Signs may be floodlighted or illuminated, subject to the following restrictions:

1. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of a public right-of-way and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.
2. Signs, which are not effectively shielded as to prevent beams or rays of light from being directed at any residential property and which are of such intensity or brilliance as to cause a public nuisance, are prohibited.
3. No sign shall be so floodlighted or illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device and signal.

- (e) Unclassified Signs. The following signs are prohibited which:

1. Bear or contain statements, words or pictures of obscene, pornographic or immoral subjects.
2. Signs, which are an imitation of, or resemble in shape, size, copy or color an official traffic sign or signal.

(8) Signs Not Requiring a Permit.

- (a) Construction Signs. Two construction signs per construction site, not exceeding 100 square feet in area each, shall be confined to the site of construction and shall be removed 30 days after completion of construction or prior to occupancy, whichever is sooner.
- (b) Direction and Instructional Nonelectric Signs. Direction and instructional nonelectric signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exits.
- (c) Identification Signs and Bulletin Boards.
- (d) Government Signs. Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs and signs of public utilities, including danger and aids to service and safety which are erected by or on the order of a public officer in the performance of his public duty.
- (e) House Numbers and Name Plates. Each building in the Village which has a street address shall have the numbers displayed on the front of the building either in numbers or in words spelling out the numbers in such manner that the address can be read from the street, but not exceeding two (2) square feet in area. All units contained within larger buildings shall also have individual addresses clearly displayed.
- (f) Interior Signs. Signs located within the interior of any building or structure, which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specifications of this Chapter.
- (g) Memorial Signs and Plaques. Memorial signs or tablets, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building, or when constructed of bronze or other noncombustible material not more than four square feet in area.
- (h) No Trespassing or No Dumping Signs. No trespassing and no dumping signs not to exceed one and one-half square feet in area per sign.
- (i) Public Notices. Official notices posted by public officers or employers in the performance of their duties.
- (j) Public Signs. Signs required as specifically authorized for a public purpose by any law, statute or ordinance.

- (k) Political and Campaign Signs. Political and campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:
1. Said signs may be erected no earlier than 60 days prior to the primary election and shall be removed within seven days following the general election.
  2. Each sign, except billboards, shall not exceed 16 square feet in nonresidential zoning districts and eight square feet in residential zoning districts.
  3. No sign shall be located within 15 feet of the public right-of-way at a street intersection, over the right-of-way, nor on any publicly-owned property.
- (l) Real Estate Signs. One real estate sales sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.
1. In residential districts and the general commercial district, such signs shall not exceed eight square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.
  2. In all other districts such signs shall not exceed 32 square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.
- (m) On-Premises Symbols or Insignia. Religious symbols, commemorative plaques or recognized historic agencies or identification emblems of religious orders or historic agencies.
- (n) On-Premises Temporary Signs. Temporary signs not exceeding four square feet in area pertaining to drives or events of civic, philanthropic, education, religious organizations, provided such signs are posted not more than 30 days prior the event.
- (o) Vehicular Signs. Truck, bus, trailer or other vehicles, while operating in the normal course of business which is not primarily the display of signs.
- (9) Construction Specifications.
- (a) Every sign or advertising structure hereafter erected shall have marked in a conspicuous place thereon the date of erection, the manufacturer's name, the permit number and the voltage of any electrical apparatus used in connection therewith.
  - (b) All signs shall comply with the provisions of the Village of Poynette Building Code and the current National Electrical Code and the additional construction standards hereinafter set forth.

- (c) All ground and roof sign structures shall be self-supporting structures and permanently attached to sufficient foundations.
- (d) Electrical service to ground signs shall be concealed wherever possible.
- (e) All signs, except those attached flat against the wall of a building and those signs of which no portion exceeds a height of three feet and are no greater than nine square feet in area shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade.
  - 1. For solid signs, 30 pounds per square foot of the sign and structure.
  - 2. For skeleton signs, 30 pounds per square foot on the total face cover of the letters and other sign surfaces or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
- (f) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
- (g) Supports and braces shall be an integral part of the sign design. Angle irons, chain or wires used for supports or braces shall be hidden from public view to the extent technically feasible.

(10) Special Signs

- (a) Subdivision Development Signs. The Village Administrator may approve a special permit for a temporary sign in any zone in connection with the marketing of lots or structures in a subdivision, subject to the following restrictions:
  - 1. Such permits may be issued for a period of not more than one year and may be reviewed for additional periods of up to one year and upon written application at least 30 days prior to its expiration.
  - 2. Signs as used in this Section refer to all types of signs other than those exempted or prohibited by this Chapter.
  - 3. The sign must be located on the property being developed and must comply with all applicable building setback requirements.
  - 4. The sign may not exceed 80 square feet.
  - 5. One sign is allowed for each major street adjacent to the subdivision.

(b) Banners and Pennants.

1. Banners and pennants shall not be used on a permanent basis. They may be permitted as special promotion in a commercial or industrial establishment for a total period not to exceed 30 days and will be allowed in residential zones in conjunction with an open house or model home demonstration conducted by a Realtor for up to five days before the opening of such a demonstration or five days after and not to exceed a total period of 30 days. A special permit must first be obtained from the Village Administrator.
2. Over-the-street banners. Unlighted special civic event banners not exceeding 150 square feet in area are permissible over a street right-of-way by special permit from the Village Board after presentation of proof of insurance along with installation specifications.

(c) Portable Signs.

1. Permit. Any person wishing to place a portable sign on his premises or the premises of another shall first obtain a permit from the Village Administrator. Permits shall be issued for a period not to exceed 60 days in any calendar year. Any sign remaining on the premises for more than 60 days in any calendar year shall be deemed to be a permanent sign and shall meet all requirements for a permanent sign.
2. Size. No portable sign shall exceed 32 square feet and no portable sign shall be over seven feet in height from grade level.
3. Setback. All portable signs shall have a minimum setback from the front property line of 10 feet or an additional setback as deemed necessary by the Village Administrator for the safe flow of vehicle or pedestrian traffic.

(d) Integrated Shopping Center. For integrated shopping centers in single ownership or under unified control and containing several businesses, the following regulations shall apply:

1. Each business or office shall be eligible for one attached sign. The area of such sign shall not exceed, in square feet, two times the lineal front footage of the business or office.
2. One ground sign for shopping center identification with the height limitation of 30 feet is permitted. If the shopping center is on a corner, either one corner sign or two signs, one on each street, is permitted. If two signs are installed, they must be placed at least 200 feet from the lot corner at the intersection. The area of such sign shall not exceed, in square footage, the lineal front footage of the lot or 300 square feet, whichever is less. No sign shall be closer than 10 feet to a property

line unless the adjacent property is a residential district, in which case the sign shall be set back 25 feet.

(11) Permitted Signs.

(a) Residential Signs. All signs are prohibited in all residential districts, except the following; no permit is required for these excepted signs:

1. Signs Over Show Windows or Doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two square feet.
2. Real Estate Signs not to exceed eight square feet in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.
3. Name, Occupation and Warning Signs not to exceed six square feet located on the premises -- unlighted.
4. Bulletin Boards for public, charitable or religious institutions not to exceed 20 square feet in area located on the premises.
5. Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.

(b) Business and Industrial Signs. Signs are only permitted in business and industrial districts subject to the following restrictions:

1. Wall Signs placed against the exterior walls of buildings shall not extend more than 12 inches outside of a building's wall surface and shall not exceed 500 square feet in area for any one premises.
2. Projecting Signs fastened to, suspended from or supported by structures shall not:
  - a. Exceed 100 square feet in area for any one premises;
  - b. Extend more than six feet into any required yard;
  - c. Extend more than six feet into any public right-of-way or closer than 18 inches to the back of the curb;
  - d. Be less than five feet from all side lot lines;
  - e. Be less than eight and one-half feet above the sidewalk grade;
  - f. Be less than 15 feet above a driveway; and

- g. Exceed a height of 25 feet above the mean centerline street grade.
- 3. Ground Signs shall not exceed 25 feet in height above the mean centerline street grade, shall meet all yard requirements for the district in which it is located, shall not exceed 100 square feet on the side nor 200 square feet on all sides for any one premises.
- 4. Roof Signs shall not exceed 10 feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located and shall not exceed 300 square feet on all sides for any one premises.
- 5. Combinations of any of the above signs shall meet all the requirements for the individual sign.

(12) Canopies and Awnings.

- (a) Permit Required. No canopy or awning shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a canopy/awning permit.
- (b) Canopy and Awning Restrictions. Canopies and awnings are permitted in all districts subject to the following restrictions: Where a canopy or awning extends over the public right-of-way, it shall not be less than eight and one-half feet above the sidewalk grade, shall not be less than 15 feet above a driveway and shall not extend more than seven feet into the public right-of-way. The canopy or awning shall meet all the structural requirements of the Village Building Code.
- (c) Existing Canopies and Awnings. Canopies and awnings lawfully existing at the time of adoption or amendment of this Chapter may be continued although the use, size or location does not conform with the provisions of this Section. However, they shall be deemed a nonconforming use or structure, and the provisions of § 2.34(5) shall apply.