

ARTICLE H

Signs and Billboards

SEC. 10-1-100 PURPOSE OF SIGN AND BILLBOARD REGULATIONS.

The purpose of this Article is to establish minimum standards to safeguard life and property and promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs and billboards.

SEC. 10-1-101 SIGNS AND BILLBOARDS – DEFINITIONS.

The following definitions are used in this Article:

- (a) **Awning.** A temporary hood or cover which projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure.
- (b) **Billboard.** A sign which advertises goods, products or facilities, or services not necessarily on the premises where the sign is located or directs persons to a different location from where the sign is located.
- (c) **Blanketing.** The unreasonable obstruction of view of a sign caused by the placement of another sign.
- (d) **Sign.** A sign shall include anything that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location or product.
- (e) **Directly Illuminated Sign.** Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.
- (f) **Directory Sign.** Shall mean any sign on which the names and locations of occupants or the use of a building is given. This shall include offices and church directories.
- (g) **Electronic Message Unit Sign.** Any sign whose message may be changed by electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information concerning civic, charitable or the advertising of products or services for sale on the premises. This also includes traveling or segmented message displays.
- (h) **Flashing Sign.** Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- (i) **Ground and/or Pole Sign.** Any sign which is supported by structures or supports in or upon the ground and independent of support from any building. (Also referred to as "Free Standing Sign.")
- (j) **Identification Sign.** Any sign which carries only the name of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.
- (k) **Indirectly Illuminated Sign.** Shall mean a sign that is illuminated from a source outside of the actual sign.
- (l) **Marquee Sign.** Shall mean any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.

- (m) **Nonconforming Sign.** Any sign which does not conform to the regulations of this Article.
- (n) **Portable Sign.** Any sign not permanently attached to the ground which is designed to be easily moved from one location to another.
- (o) **Projecting Sign.** Any sign extending more than eighteen (18) inches, but less than five (5) feet from the face of a wall or building.
- (p) **Real Estate Sign.** Any sign which is used to offer for sale, lease or rent the property upon which the sign is placed.
- (q) **Roof Sign.** Any sign erected upon or over the roof or parapet of any building.
- (r) **Temporary Sign.** Any sign intended to be displayed for a short period of time, including real estate, political or construction site signs, and banners, decorative-type displays or anything similar to the aforementioned. In the Historic District (HB-2), signs must be professionally manufactured at a size no greater than 20 square feet. They must be attached to the building and displayed no longer than 21 out of each 90 day time period. (Amended 7/3/06)
- (s) **Wall Sign.** Any sign attached to, erected on or painted on the wall of a building or structure and projecting not more than eighteen (18) inches from such wall.
- (t) **Window Sign.** Any sign located completely within an enclosed building and visible from a public way.

SEC. 10-1-102 PERMITTED LOCATION OF SIGNS.

<u>Zoning Districts</u>	<u>Types of Signs Permitted</u>
R-1 and R-2	2, 3, 6
B-1	1, 2, 3, 4, 5, 6, 7
I-1	1, 2, 3, 4, 5, 6, 7
A-1	1, 2, 3, 6, 7
C-1	1, 3, 6, 7
HB-2	Cert of Appropriateness (Amended 7/3/06)

SEC. 10-1-103 TYPES OF SIGNS; MAXIMUM SIZE; NUMBER AND LOCATION.

- (a) **Type 1.** Directory signs advertising a business or activity conducted, an area of interest or a service available at a specific location. Such signs shall be not more than twelve (12) square feet in gross area. There shall be not more than two (2) such signs relating to any one (1) such use in the approaching direction along any one (1) street. No such sign shall be more than ten (10) miles away from the location to which it relates. Such signs may be permitted by the Zoning Board of Appeals if the Board shall find it necessary for directing the traveling public. **PERMIT REQUIRED**
- (b) **Type 2.** Signs advertising a customary home occupation or professional office. Such signs shall not exceed two (2) square feet in gross area, shall be attached to the building and, if illuminated, shall be indirectly lighted. **NO PERMIT REQUIRED.**
- (c) **Type 3.** Signs advertising the sale, rent, or lease of the property on which the sign is placed. Such sign shall not exceed four (4) square feet in gross area and may be placed at the right-of-way line of the street. **NO PERMIT REQUIRED.**
- (d) **Type 4.** Signs located off premises advertising a general brand of product, an area of interest, a business conducted or a service available. Such signs shall not be more than one hundred (100) square feet in gross area and erected

Outside a line parallel to and fifty (50) feet from the street right-of-way line. PERMIT REQUIRED.

- (e) **Type 5.** Signs on the premises of commercial and industrial buildings advertising a business conducted or a service available on the premises. No sign shall exceed forty (40) square feet in gross area, be higher than four (4) feet above the top of the roof line or exceed the maximum height limitation permitted in the district. PERMIT REQUIRED.
- (f) **Type 6.** On-premise signs advertising a public or semi-public use. Such signs shall not exceed thirty-two (32) square feet in gross area. There shall be no more than one (1) sign for each street upon which the property faces. PERMIT REQUIRED.
- (g) **Type 7.** Recreational directory signs indicating the direction to a cottage, resort, residence or similar use. Such signs shall not be more than one (1) square foot in gross area. Where a common posting standard is provided, all such signs shall be attached to the standard recreational directory. PERMIT REQUIRED.

SEC. 10-1-104

EXCEPTIONS TO SIGN REGULATIONS.

The following signs and related items shall not be included in the application of the regulations contained in this Article.

- (a) Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers or names of occupants of premises.
- (b) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (c) Legal notices, identification information or directional signs erected by governmental bodies.
- (d) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- (e) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
- (f) Signs erected by National, State, County or Municipal Governmental Agencies, including traffic and informational signs.

SEC. 10-1-105

SIGN PERMITS REQUIRED.

- (a) **Permit Required.** No persons shall erect, relocate, reconstruct or maintain or cause the aforementioned within the Village of Trempealeau any signs without first having obtained and having in force and in effect a permit therefore from the Village Clerk.
- (b) **Permits.** Signs shall not be erected or altered until a permit has been issued by the Village Clerk. Applications for a sign permit shall be made in writing upon forms furnished by the Village Clerk. The applicant shall file with the application plans and specifications and provide information about the sign, including dimensions, materials, illumination, wiring, height above grade, distance from lot line, and by whom it shall be erected. Permits are not required for a copy change when no change in business name is involved.
- (c) **Permit Fees.** A permit fee of Fifty Dollars (\$50.00) shall be paid to the Village Clerk for each sign permit issued under this Code, provided, however, that a fee shall not be charged for putting an existing sign in conformance with this Code or for a copy change when no change in business name is involved. See Fee Service Schedule. (amended 7-1-02).

- (d) **Exceptions.**
 - (1) **Temporary Signs.** Permits are not required for such temporary signs as real estate (which advertises sale or rental of the premises upon which it is posted), political and construction site or similar-type signs provided such signs do not exceed twenty-five (25) square feet of display surface.
 - (2) **Window Signs.** Window signs directing attention to a business or profession conducted on the premises or to a product, service or entertainment sold or offered on said premises shall be permitted without a permit.
- (e) **Prohibited Signs.**
 - (1) No sign will be permitted that resembles the size, shape, form or color of official traffic control signs, signals or devices.
 - (2) No sign shall contain more than one hundred (100) square feet in gross area.
 - (3) No sign shall contain or be illuminated by a flashing light in an R-1 District.
 - (4) No sign in a conspicuous state of disrepair shall be permitted to exist. The Village Board may order removal on a twenty (20) day public notice or immediately if public danger exists.

SEC. 10-1-106 DANGEROUS AND ABANDONED SIGNS; VIOLATIONS.

- (a) All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of six (6) months or when, in the judgment of the Village Board, such sign is so old, dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first. If the owner or lessee fails to remove it, the Village Board may remove the sign at cost of the owner, following adequate written notice. The owner may appeal the Village Board's decision to the Board of Appeals.
- (b) **Alterations.** Any sign which was erected before the adoption of this sign Article shall not be rebuilt or relocated without conforming to all of the requirements of this Article.
- (c) **Violations.** All signs constructed or maintained in violation of any of the provisions of this Article are hereby declared public nuisances within the meaning of this Code of Ordinances. In addition to the above penalty provisions for violation of this Chapter, the Village Board may bring an action to abate the nuisance in the manner set forth in the Wisconsin State Statutes.

SEC. 10-1-107 VARIANCES OR EXCEPTIONS.

Variances or exceptions to these sign regulations may be granted by the Board of Appeals and decisions by the Village Board may be appealed to the Board of Appeals.

SEC. 10-1-108 CONSTRUCTION AND MAINTENANCE REGULATION FOR SIGNS.

- (a) **Installation.** All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and other supports shall be

constructed of such material and with such workmanship as to be safe and satisfactory to the Village Board.

- (b) **General Requirements.**
- (1) **Awnings.** Lowest part of any awning shall be seven (7) feet above the sidewalk. Signs are allowed directly on the awning or hanging on the frame but not below seven (7) feet.
 - (2) **Animated Signs.** Signs with any moving parts, beacon lights or moving lights shall not be permitted, except revolving signs are permitted.
 - (3) **Flashing Signs.** Flashing signs are prohibited. Bare reflecting-type bulbs of any kind are not allowed for a flashing or non-flashing sign unless they are properly shaded so as not to interfere with surrounding properties.
 - (4) **Roof Signs.** No sign shall be located so as to project above the parapet line, unless approved by the Village Board.
 - (5) **Illuminated Signs.** Any illuminated signs shall not interfere with surrounding properties or traffic.
 - (6) **Projection.** Signs including supports shall not project beyond five (5) feet of the face of the wall to which attached.
 - (7) **Blanketing.** Blanketing of signs shall not be allowed.
 - (8) **Maintenance.** All signs, including supports and attachments, shall be properly maintained and have an appearance that is neat and clean.
- (c) **Exceptions to Height and Setback Requirements.** Signs may be allowed in the setback area if they are below three (3) feet or are pole-mounted and above twelve (12) feet to the bottom of the sign. The pole diameter of pole-mounted signs shall not exceed twelve (12) inches and shall not interfere with reasonable vision clearance.
- (d) **Prohibitions.**
- (1) No sign shall be erected so that any portion of the sign or its supports attached to or interfere with the free use of any fire escape, exit, any required stairway, door, ventilator or window.
 - (2) No sign shall be erected that will interfere with, obstruct, confuse or mislead traffic.
- (e) **Search Lights.** The Village Board may permit the temporary use of a search light for advertising purposes in any district provided that the search light will not be located in any public right-of-way, will not be located closer than ten (10) feet to an adjacent property and will not cause a hazard to traffic or adjoining properties. Search light permits shall not be granted for a period of more than five (5) days in any six (6) month period.
- (f) **Signs on Public Rights-of-Way.** Signs shall not be permitted on public rights-of-way except for traffic control, parking and directional signs and as otherwise specified in this Chapter.

SEC. 10-1-109 SPECIFIC REQUIREMENTS.

- (a) **Temporary Sign Limitations.**
- (1) All temporary signs such as real estate, construction site and political signs shall be removed within ten (10) days after their use has discontinued.
 - (2) Temporary signs may be placed on a property, but shall not be located on a right-of-way terrace, and shall not interfere with driveway vision clearance.
- (b) **Electronic Message Unit Signs.**
- (1) Such signs may be used only to advertise activities conducted on the premises or to present public service information.
 - (2) Segmented messages must be displayed for not less than one-half (1/2) second and more than ten (10) seconds.

- (3) Traveling messages may travel no slower than sixteen (16) light columns per second and no faster than thirty-two (32) columns per second.
- (c) **Portable Signs.**
 - (1) Such signs shall be limited in use to thirty (30) days at a time, and not more frequently than three (3) times per year at any one (1) location.
 - (2) The maximum size shall be twenty-five (25) square feet on each face, back-to-back.

SEC. 10-1-110 NONCONFORMING SIGNS.

- (a) **Signs Eligible For Characterization as Legal Nonconforming.** Any sign located within the Village of Trempealeau limits of the date of adoption of this Chapter or located in an area annexed to the Village of Trempealeau hereafter which does not conform with the provisions of this Article is eligible for characterization as a legal nonconforming sign and is permitted, providing it meets the following requirements:
 - (1) The sign was covered by a proper sign permit prior to the date of adoption of this sign ordinance;
 - (2) If no permit was required under the 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 sign ordinance.
- (b) **Loss of Legal Nonconforming Status.** A sign loses its nonconforming status if one (1) 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 Article than it was before alteration;
 - (2) The sign is relocated;
 - (3) The sign fails to conform to the Village requirements regarding maintenance and repair, abandonment or dangerous or defective signs;
 - (4) On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this Article with a new permit secured therefor or shall be removed.
- (c) **Legal Nonconforming Sign Maintenance and Repair.** Nothing in this Article shall relieve the owner or use of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this Article regarding safety, maintenance and repair of signs.

SEC. 10-1-111 WIND PRESSURE AND DEAD LOAD REQUIREMENTS.

All billboards, signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code or other Ordinances of the Village of Trempealeau.

SEC. 10-1-112 LIMITATIONS ON BILLBOARDS.

- (a) A billboard shall only be erected in areas that are zoned commercial or industrial.
- (b) No billboard shall be allowed within the fire zone as described on the official map.
- (c) No more than one (1) billboard back-to-back shall be erected upon one (1) lot.

- (d) The maximum size of billboards shall be three hundred sixty (360) square feet.
- (e) No billboards may be erected within eight hundred (800) feet of another existing billboard measured along or across the same right-of-way.
- (f) No billboard may be erected within one hundred twenty-five (125) feet of a residential or multiple family zoning district.
- (g) The maximum height of billboards shall be thirty (30) feet. In no event shall the maximum height of any billboard exceed the height requirements for buildings in the underlying zoning district regulations. Minimum height shall be twelve (12) feet above grade.
- (h) Roof-mounted billboards (off-premise signs) shall be prohibited.

SEC. 10-1-113 BILLBOARD LOCATION TO PREVENT TRAFFIC HAZARD.

No billboards shall be erected within one hundred (100) feet of the intersecting right-of-way of signalized intersections, and no billboards shall be erected within fifty (50) feet of the intersecting right-of-way of all other streets.

SEC. 10-1-114 ABANDONED BILLBOARDS AND SIGNS.

Except as otherwise herein provided, all billboards and/or sign messages shall be removed by the owner or lessee of the premises upon which an off-premise sign/billboard is located when the business it advertised is no longer conducted where advertised. If the owner or lessee fails to remove the sign/billboard, the Village Board shall give the owner sixty (60) days' written notice to remove said sign/billboard and thereafter, upon the owner's or lessee's failure to comply, may remove such sign/billboard, any costs for which shall be charged to the owner of the property or may be assessed as a special assessment against the property, and/or the Village Board may take any other appropriate legal action necessary to attain compliance.

SEC. 10-1-115 THROUGH SEC. 10-1-119 RESERVED FOR FUTURE USE.