

ARTICLE IX. SIGNS

Sec. 94.156. Use restricted.

In any district, no signs shall be permitted except as specified in that district, or as otherwise regulated in this article. All signs shall also meet all the structural requirements of local and state building codes.

(Ord. of 11-18-1991)

Sec. 94.157. Permit required and signs classified.

(a) *Sign permit.* No sign shall be located, erected, moved, reconstructed, relettered, enlarged, extended, converted or structurally altered without a sign permit except those signs specifically exempted in section 94.160. The board, upon recommendation by the planning commission, shall be empowered to approve, conditionally approve or disapprove any sign requiring a sign permit.

(b) *Classifications.* Signs are classified as follows:

- (1) Flat wall signs, which are signs painted on buildings and all other signs, the back of which are attached to the facade of a building and where no part of the structure of the sign extends more than 12 inches out from the facade as measured near the points of sign attachment to the building. Flat wall signs can be no larger than ten percent (10%) of the building front façade.
- (2) Projecting signs, which are attached to a building, portions of which extend out beyond 12 inches from the point of attachment, typically having two or more viewable sides; but for purposes of this chapter, only one side need be counted as a side for measuring its allowable area and the sign count. Signs printed on or affixed to awnings and canopies shall also be considered projecting signs. Projecting signs can be no larger than five percent (5%) of the building front façade. Signs may not extend more than six feet from the building façade, nor lower over a private walkway than eight feet, and in no case may it extend into a public right-of-way.
- (3) Freestanding (pylon type) signs, which have their own base of support from the ground, extending more than six feet in height from the ground, and are not attached to a building. Freestanding (pylon type) signs can be no larger than ten percent (10%) of the building front façade. Only one freestanding (pylon type) or ground sign is allowed per parcel unless otherwise permitted by the Village Planning Commission.

(4) Ground signs, which are freestanding signs not extending more than six feet in height, includes the base structure of the sign. Ground signs can be no larger than ten percent (10%) of the building front façade. Only one freestanding (pylon type) or ground sign is allowed per parcel unless otherwise permitted by the Village Planning Commission.

(5) Electric message unit signs. Electronic message unit signs shall be subject to the following:

- a. Such signs may be used only to advertise activities conducted on the premises or to present public service information.
- b. Segmented messages must be displayed for not less than 30 seconds.
- c. Messages may not scroll, move or flash.
- d. Text should be amber in color. Red text is prohibited.
- e. The use of LCD panels is prohibited.

(6) Portable reader board signs. Portable reader board signs are temporary signs and shall be subject to the provisions outlined in Sec. 94.161 (b) of this ordinance in addition to the following:

- a. Such signs shall be limited in use to 30 days at a time following approval by the zoning administrator. However, the zoning administrator shall not give approval for placement of a portable reader board sign if it presents a vision obstruction or is located within the road right of way. No portion of any portable reader board sign shall be permitted closer than five feet from the street right-of-way line and no closer to any other property line than the required minimum offsets of the district regulations.
- b. The maximum size shall be 32 square feet on each face, back to back.

(c) *Exceptions.* Murals or other artwork judged by the planning commission, on referral by the zoning administrator, not to be signs shall be exempt from this article.

(Ord. of 11-18-1991, Ord. of 2-25-05, Ord. Of 9-21-2006)

Sec. 94.158. Prohibited signs.

(a) *Hazards or nuisances.* No sign that creates a hazard or dangerous distraction to vehicular traffic or a nuisance to adjoining property in the following ways shall be permitted in any district:

- (1) No sign shall be placed so as to obstruct or interfere with traffic visibility nor in such a way as to cause glare or impair driver visibility upon public ways.

(See also section

94.125(b)(5).)

- (2) Signs shall not rotate nor have or be illuminated by moving or flashing lights, except electronic controlled intermittent lights that form the message for time, temperature and similar information are permitted subject to approval by the planning commission under article V of this chapter, nor resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, signals or devices, nor obstruct or interfere with the effectiveness of such devices.

- (3) No sign shall be erected, relocated or maintained so as to prevent free ingress or egress through any door, window or fire escape; and no sign shall be attached to a standpipe or fire escape.

(b) *Nonaccessory signs.* A sign not directly related to the use of the premises on which it is located, except directional or political signs as provided in this article, shall require a conditional use permit and be located within either a business or manufacturing zone and be located a minimum of 300 feet from a limited-access highway. Signs showing time, temperature and similar information not related to the premises are permitted but must be counted as part of the allowable sign area.

(c) *Roof signs.* Roof signs, which are signs whose lowest point is visually separate from and above the highest point of the roof, shall be prohibited. Signs on the face of mansard or gable roofs shall be considered wall signs.

(d) *Abandoned signs.* Such business signs that advertise an activity, business product or service no longer conducted or available on the premises on which the sign is located shall be prohibited. These abandoned signs must be removed from the premises within 30 days of the activity, business product or service no longer being conducted or available on the premises. Upon failure of the sign or property owners to remove abandoned signs, the zoning administrator shall, following 30 days' written notice to either owner, cause the sign to be removed and the expense billed to the owner of the sign.

(e) *Parking of advertising vehicles prohibited.* No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way, which has attached to or located on the vehicle any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or other premises. This section is not intended to prohibit any form of vehicular signage attached or lettered upon a motor vehicle to identify the ownership or function of that vehicle.

(Ord. of 11-18-1991, Ord. of 2-25-2005)

Sec. 94.159. Nonconforming signs to be removed.

The existing lawful use of a sign at the time of the enactment of this chapter or any amendment to this chapter may be continued as a legal nonconforming use under the terms of article XII of this chapter except as follows:

- (1) *Abandoned nonaccessory signs.* Upon failure of the sign or property owners to remove abandoned nonaccessory signs, the zoning administrator shall, following 30 days' written notice to either owner, cause the sign to be removed and the expense billed to the owner of the sign.
- (2) *Freestanding signs.* Freestanding signs nonconforming as to location, after a five-year period from the date of adoption of this chapter, shall be either moved to conform to the locational requirements of the district in which located or be removed by the owner or by the zoning administrator, as prescribed in subsection (1) of this section.
- (3) *Change of use.* When a business or other use changes, requiring a new sign message, the sign shall be brought into conformity with the terms of this chapter, including the issuance of a sign permit.
- (4) *Declaration of Nuisance.* Any sign or structure erected, constructed, maintained, marked, posted, pasted, painted, printed, altered or repaired in violation of the provisions of Article IX Signs or after a permit or variance therefore has been revoked or expired is hereby found and declared to be a public nuisance and may be abated in accordance with the provisions of Sec. 94.121 Enforcement and Violations. Without limitation to the generality of the foregoing, any sign or structure erected, constructed, maintained, marked, posted, pasted, painted, altered or repaired so as to be unsafe and so as to constitute an immediate peril to persons or property or upon public property without written permission of the Village of Weston; is hereby found and declared to be a public nuisance and may be summarily abated in accordance with the provisions of Sec. 94.121 Enforcement and Violations.

(Ord. of 11-18-1991, Ord. of 2-25-2005)

Sec. 94.160. Exceptions – Permits not required.

The following signs may be erected and maintained in all zoning districts, except where noted, without a sign permit (these exceptions shall not be construed as relieving the owner of any sign from the responsibility of its erection and maintenance and its compliance with the provisions of this code or any other law or ordinance regulating the same) and without being deducted from gross sign surface are permitted, providing they do not constitute a hazard or nuisance:

- (1) The changing of the advertising copy or message on a theater marquee, readerboard and similar signs specifically designed for the use of replacement copy.
- (2) Repainting or cleaning of an existing permanent sign shall not be considered an erection or alteration which requires a sign permit unless:
 - a. A structural or electrical change is made; or
 - b. The area or the shape of the sign is altered; or
 - c. There is a tenant or business name change.
- (3) *Political signs.* Political message, public election or referenda signs during an election campaign, as defined in Sec. 12.04(1), Wis. Stats., limited to one (1) per street frontage per candidate or referenda question. Political signs may be posted sixty (60) days before an election and must be removed within seven (7) days after said election. In all zoning districts, said sign shall not exceed sixteen (16) square feet per side in area in a residential district and thirty-two (32) square feet per side in area in a commercial, industrial or agricultural district and shall not project higher than ten (10) feet from the base of the sign or grade of the nearest adjacent roadway, whichever is higher. Such signs shall be erected only on private property and shall not be posted without permission of the property owner. Signs shall not be permitted on utility poles, light poles or similar structures.
- (4) *Operational signs,* which are signs designating entrances, exits, service areas, parking areas, restrooms and other such signs relating to functional operation of the building or premises, including "no trespassing signs," etc., shall be permitted without limitation other than reasonable size and necessity, as determined by the plan commission upon complaint.
- (5) *Real estate signs* advertising the sale or lease of the premises on which the sign is located, provided in residential districts, they are limited to nine square feet and one sign per street frontage, and in all other districts are limited to 32 square feet. The sign may only advertise the sale, rental or lease of the premises upon which it is located and contain the name and/or logo of the real estate company, or individuals and their respective addresses and telephone numbers posting the sign. Such signs shall be removed within thirty (30) days after the sale, rental or lease of the property. Permanent rental signs such as for apartments, shall be limited to 12 square feet.
- (6) *Public agency signs* erected by national, state, county or municipal governmental agencies, including traffic and informational signs. Included within this definition are off-premise institutional signs.
- (7) *Residential nameplates* identifying owners or occupants, provided not more than one sign is erected per dwelling unit, each being less than two square feet

in area and without illumination. Residential business signs shall be counted in this numerical and size limitation.

- (8) *Agricultural product sale signs* when limited to one sign per highway frontage, not exceeding 20 square feet in area, and related to the agricultural premises on which it is installed. Off-premise agricultural product sale directional signs may be used within the road right of way with no limits on number of signs, provided that such signs state the name and location of the farm, are no larger than 32 square feet in size, do not impede the vision of drivers and are used for no more than 31 days at a time.
- (9) *Interior and inside window signs* installed inside a building, whether intended for viewing from inside or outside the building, are permitted without limitation as to size or number. . Window signs must direct attention to a business or profession conducted on the premises or to a product, service or entertainment sold or offered on said premises. Window signs shall be placed only on the inside of commercial buildings.
- (10) *Price or temporary item signs* that advertise the price of products or services offered on the premises or of special temporary goods or services being sold or offered are permitted up to 12 square feet in area for each sign, provided the signs are not illuminated and no more than two signs are erected on a property per street frontage, and are no closer than five feet to the property lines. Price or temporary signs must be removed within twenty-four (24) hours of the special being sold or offered. Price or temporary signs are allowed to be in place for a maximum of sixty (60) days on a property.
- (11) *Signs for nonconforming uses*, provided they are located over the show windows or doors and announce without display or elaboration only the name of the business and the type of business and do not exceed 20 square feet in area.
- (12) *Memorial signs, tablets*, names of buildings and date of erection when cut into any masonry surface, inlaid so as to be part of the building or when constructed of metal and affixed flat against the building.
- (13) *Construction signs*, limited to one per construction project not exceeding 32 square feet in sign area, provided that such signs shall be erected no more than five days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed five days after completion of construction and prior to occupancy.
- (14) *Flags*, emblems or insignia of any nation or subdivision or corporate flag. Pennants, banners or streamers not qualifying as such flags are prohibited except as permitted holiday decorations.

(15) *Holiday decorations*, which are signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday, shall be displayed for a period of not more than 60 consecutive days and be erected entirely on private property.

(16) *Exempted signs*. Signs of a uniform size and shape giving direction to gasoline, food and lodging establishments may be placed on Village of Weston signposts along public right-of-ways providing:

- a. The business described on the sign is a participant in the Wisconsin Highway Business Sign Program;
- b. The business conforms to the following criteria:
 1. Be the same in size and shape as the existing municipal signs;
 2. Erected below the municipal signs;
 3. Be directional only in nature, containing only the name or logo of the business;
 4. Be identical in color to the Wisconsin Highway Business Signage;
- c. The signs are in strict conformity with village requirements and are furnished at the expense of the advertised business; and
- d. The business being advertised on the sign pays to the village in advance an annual fee of \$100.00.

(17) *Garage sale signs* provided they are displayed no more than one day prior to the sale and they are removed within one day of the sale. Signs may not be placed in the public right of way along Schofield Avenue from Business Hwy 51 to Birch Street, along Weston Avenue from Birch Street to Camp Phillips Road and any other location where the Village has irrigation systems within the public right of way.

(18) *Civic Event Temporary Signs*. Temporary off premises signs not exceeding four (4) square feet in residential districts, or thirty-two (32) square feet in all other districts, pertaining to drives or events of civic, philanthropic, educational, religious, or non-profit organizations, provided such signs are posted not more than thirty (30) days before said event and removed within seven (7) days after the event.

(19) *Signs Required by Law*. Signs required by law, statute or ordinance, constructed and maintained according to law statute or ordinance under which the sign was erected.

(20) *Temporary Construction Safety Signs.* Temporary or permanent signs erected by public utility companies or construction companies to warn of dangerous or hazardous conditions.

(Ord. of 11-18-1991; Ord. of 10-2-2000, § 1; Ord. 2-25-2005; Ord. Of 9-21-2006; Ord. of 11-21-2012)

Sec. 94.161. Temporary signs.

(a) *New development.* A sign for the purpose of designating a new building or development, or for promotion of a subdivision, may be permitted for a limited period of time in any district with the approval of the planning commission and subject to the following:

- (1) Drawings showing the specific design, appearance and location of the sign shall be submitted to the plan commission for approval.
- (2) The permitted size of any such sign shall be at the discretion of the planning commission based upon the character of the area, type and purpose of the sign and the length of time permitted, provided the setback and side yard requirements shall be as specified for the district.
- (3) Such sign may be permitted for a period up to one year, and an extension may be permitted for up to one more year.

(b) *Special event.* A sign or vinyl banner used for the purpose of announcing a special event, sales promotion or for a similar special informational purpose, may be permitted for a maximum of 30 days at a time and not more frequently than five times per year nor more than once every 30 days for any one applicant, in any district with the approval of the planning commission and subject to the following:

- (1) Drawings and specifications showing the specific design, physical and electrical installation plan, appearance and location of the sign shall be submitted to the planning commission for approval.
- (2) The permitted size of any such sign shall be discretionary with the planning commission based upon the character of the area, type and purpose of the sign and length of time permitted, providing setback and side yard requirements shall be as specified for the district and vision corners are preserved pursuant to section 94.125(b)(5).
- (3) Where the sign is to contain electrical service, it shall contain a recognized testing laboratory label such as the Underwriters' Laboratory, Inc. (UL), a ground fault interrupter device (GFI), and meet applicable provisions of the

national electrical code, including the issuance of an electrical permit. Installations exposed to wind damage shall be made secure up to wind speeds as enumerated in the building code for such similar structures as aerial masts.

(Ord. of 11-18-1991; Ord. of 2-25-2005, Ord. Of 9-21-2006)

Sec. 94.162. Directional signs.

(a) *All districts.* A sign not to exceed six square feet in area indicating direction to a church, hospital, school or other public service building may be permitted in any district, unless a larger size is permitted by the Village Board after consideration and recommendation by the Planning Commission.

(b) *Number restricted.* Not more than four such signs may be erected within the village for any single organization, unless the Village Board permits additional signs after consideration and recommendation by the Planning Commission.

(Ord. of 11-18-1991; Ord. of 2-25-2005)

Sec. 94.163. Quasi-public informational signs.

Noncommercial signs of a general information nature such as community welcome, safety warning, or a similar nature not to exceed 12 square feet in area may be erected by service clubs or other nonprofit organizations upon approval of the planning commission of the location, size and appearance of such sign. Such signs, not to exceed 48 square feet in area, may be permitted where several clubs or organizations are represented on the same sign.

(Ord. of 11-18-1991)

Sec. 94.164. Signs for conditional or overlay district uses.

Subject to the regulations set forth in article VI of this chapter, signs appropriate to permitted conditional uses, or uses permitted in those overlay districts without sign regulations contained in the district, may be permitted as determined by the planning commission notwithstanding limitations in the basic district to the contrary. In establishing the size and locational requirements, the planning commission shall be guided by the requirements imposed for similar uses in any of the other basic districts.

(Ord. of 11-18-1991)

Sec. 94.165. Project signs.

The following signs not relating to a specific use but to a grouping of uses may be permitted by the planning commission as follows:

- (1) *Commercial or industrial center sign.* A sign identifying a grouping of commercial or industrial uses may be permitted with the approval of the planning commission, in lieu of all or some of the individual use freestanding signs; and the commission may in such cases modify the regulations applicable to the height, size and location of such sign consistent with the spirit and intent of this article.
- (2) *Residential neighborhood signs.* Signs limited to identifying the name of a neighborhood area such as a subdivision or housing development and limited to 32 square feet in area may be permitted at each entrance to the area, provided the approval of the planning commission is first obtained that each such sign will not create a traffic hazard, is aesthetically in keeping with the character of the neighborhood, and will not cause a depreciation of property values in the adjoining area. Such signs which are designed either as an integral part of the architecture of a building or as part of a landscape architectural feature such as a wall shall be permitted without limitation as to size if the commission determines that the foregoing standards would be met.
- (3) *Institutional signs.* A sign not exceeding 32 square feet in area giving the name and nature of occupancy and information as to the conditions of use or admission may be permitted at each entrance to the grounds or buildings of a private institution provided the approval of the planning commission is first obtained that each such sign will not create a traffic hazard, is aesthetically in keeping with the character of the neighborhood, and will not cause a depreciation of property values in the adjoining neighborhood. Such signs which are designed either as an integral part of the building or of the landscape features such as a wall shall be permitted without limitation as to size if the commission determines that the foregoing standards would be met.

(Ord. of 11-18-1991)

Sec. 94.166. Locational regulations.

(a) *Height and area.* No freestanding sign shall exceed the height from the ground as specified under section 94.167. Sign size limitations shall be applied separately to each sign face, including in the measurements the overall sign and frame area; except that in signs consisting of individual letters and symbols affixed to a building as an architectural element, only the individual items shall be measured. Uprights and supports shall be measured only where they become a part of the sign's message or image projecting function due to the shape, color or illumination of the uprights or supports.

(b) *Setbacks and other yards.* No portion of any sign other than those permitted as accessory uses to residences shall be permitted closer than five feet to the street right-of-way line, and no closer to any other property line than the required minimum offsets of the district regulations. (See section 94.125(b).)

(Ord. of 11-18-1991; Ord. of 2-25-2005)

Sec. 94.167. Area locational requirements by district.

SIGN REQUIREMENTS

AREA AND LOCATIONAL FOR NONRESIDENTIAL* DISTRICTS

<i>Zoning** District</i>	<i>Flat Wall Signs Signable Area Factors (% of façade)</i>		<i>Projecting Signs, Maximum Sign Size (% of façade)</i>	<i>Ground Signs & Freestanding Signs (% of façade)</i>		<i>Freestanding Signs (1) Only Maximum Sign Height (feet)</i>
	<i>Front Street</i>	<i>Side Street</i>		<i>Front Street</i>	<i>Side Street</i>	
B-1	10 % for all Districts		5 % for all Districts	10 % for all Districts		20
B-2						20 to 35
B-3						20 to 35
B-4						20 to 35
B-P						30 to 50
M-1						30 to 50
OCR						20 to 20
OIP						20 to 35
OME						20 to 35

* For residential and agricultural signs see section 94.160.

** For sign setbacks see section 94.166(b).

For other overlay district signs see section 94.164.

Footnotes:

(1) As measured from ground grade at the sign setback. In cases of substantial variance between ground grade and the average centerline grade of the viewing pavement within 200 feet of the sign, the viewing centerline grade may be accepted in lieu of ground grade. Sign height may be increased up to the second figure shown as specified per district, one foot for each foot of additional setback.

(Ord. of 11-18-1991; Ord. of 2-25-2005)

Sec. 94.168. Construction and maintenance of signs.

(a) *Wind pressure and dead load requirements.* All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area.

(b) *Construction materials.* All signs shall be constructed of galvanized iron, properly treated steel, copper, brass or other noncorrosive incombustible material or properly treated and structurally sound wood. Electrical components shall comply with the national electrical code.

(c) *Secure attachment.* All flat or projecting wall signs shall be attached by such noncorrosive metal bolts, anchors, cable or other metal attachments as shall ensure permanent and safe construction, and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through the walls or roof of the building should the building inspector determine that the safe and permanent support of such sign so requires, and shall be securely anchored by wall plates and nuts to the inside of the walls or to bearings on the underside of roof or ceiling joists in accordance with instructions given by the building inspector. Small flat signs containing less than ten square feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the building inspector.

(d) *Maintenance.* The owner of any sign shall keep a sign in good maintenance and repair, which includes restoring, repainting or replacing a worn or damaged structural component to its original strength. Upon failure of the property owner to maintain the sign in good repair, the zoning administrator shall, following 30 days written notice hereby find and declare the sign to be a public nuisance and may abate the sign in accordance with the provisions of Sec. 94.121 Enforcement and Violations.

(Ord. of 11-18-1991; Ord. of 2-25-2005)