

**CITY OF WEST ALLIS
ORDINANCE 0-2025-0018**

**ORDINANCE TO ALLOW COLLECTION OF SIGN MAINTENANCE INSPECTION FEES AS SPECIAL
CHARGES**

AMENDING SECTION 13.21(8)

WHEREAS, pursuant to Wis. Stat. 66.0627(2) the city may impose a special charge against real property for current services rendered by allocating all or part of the cost of services to the property served.

WHEREAS, pursuant to Wis. Stat. Chpt. 62, a municipality may adopt ordinances for the purpose of facilitating enforcement of municipal and state building, plumbing, electrical, and other such codes for the protection of health and safety.

NOW THEREFORE, The common council of the city of West Allis do ordain as follows

SECTION 1: **AMENDMENT** “13.21 Sign Code” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

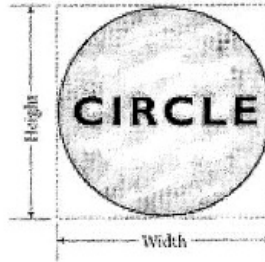
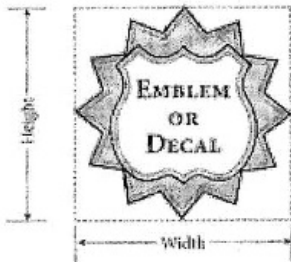
13.21 Sign Code

1. Purpose. It is declared that the regulation of signs within the City is necessary and in the public interest to:
 - a. Protect property values within the City.
 - b. Preserve the beauty and the unique character of the City by aesthetically complementing the development, which a sign identifies.
 - c. Promote a healthy and properly designed business environment.
 - d. Provide for the expression of both commercial and noncommercial speech.
 - e. Provide for the identification and advertising needs of businesses.
 - f. Safeguard the general public from damage and injury, which may be caused by the faulty and uncontrolled construction of signs within the City.
 - g. Protect against hazards to vehicular traffic movement through improper placement of signs.
 - h. Promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the City.
 - i. No regulation of sign content is intended to result from the application of this sign code.
2. Definitions. As used in this section:

"Abandoned sign" means a sign or portion of a sign structure located on a property which becomes vacant and is unoccupied for a period of sixty (60) days or more, any sign or structure which pertains to a time, event or purpose which no longer applies or a sign which no longer directs attention to a business, activity or service offered or product sold on the premises.

"Area of sign" means that area enclosed by one continuous line, connecting the extreme limits or edges of writing, representation or similar figures or characters together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed on a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any point. This area does not include the main supporting sign structure, but other ornamental attachments are to be included in determining area of sign. As shown below:

MEASUREMENT OF DISPLAY AREA



"Awning": means a roof-like cover, often of fabric, metal, or glass designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like.

"Awning sign" means a sign attached to an awning.

"Banner" means any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic, fabric or similar flexible material of any kind. A flag shall not be considered a banner.

"Building front foot" means the maximum building width measured at grade level with the street.

"Bus shelter" means a structure which protects public transit system passengers from the climate while they wait for the arrival of their buses.

"Business front foot" means the lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.

"Change of Use" is deemed to have occurred whenever the type of business changes or when the occupant changes.

"Changeable copy sign" means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign.

"Construction sign" means any sign giving the name or names of principal contractors, subcontractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other pertinent information included thereon.

"Creative sign" means any sign of unique design that exhibits a high degree of thoughtfulness, imagination, inventiveness and spirit, and that makes a positive visual contribution to the overall image of the City.

"Development sign" means any sign used to identify future residential or nonresidential development or such a development under construction.

"Directional sign" means any sign used to identify a certain location on a premises.

"Electronic message center sign" means a type of changeable copy sign upon which message or display is presented with patterns of lights or other means.

"Fascia" means a flat board, band, or face, used sometimes by itself but usually in combination with moldings, often located at the outer face of the cornice.

"Fixture" means a piece of equipment which has been permanently attached to real estate in such a way as to be part of the premises.

"Flag" means any national flag, flag of political subdivisions and symbolic insignia of any institution or business.

"Flashing sign" means a type of changeable copy sign upon which a message or display is presented more frequently than for three-second intervals.

"Freestanding sign" means any sign which is supported by structures or supports in or upon the ground and independent from any building.

"Grand opening sign" means a sign which calls attention to a new business or the announcement of a change in ownership of a business.

"Height of sign" means the overall height of a sign and/or the supporting structure of a sign, where applicable, measured from the top of the sign and/or supporting structure of the sign to the ground.

"Holders of permit" means, collectively, the owner(s) of the premises on which a sign is located and the lessee(s) of the premises to which such sign pertains.

"Illegal sign" means any sign, except the following:

A sign allowed by this section and not requiring a permit.

A sign allowed by this section carrying a valid permit.

A legal nonconforming sign.

"Informational sign" means a sign that indicates separate buildings or services on premises.

"Maintenance" means the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner or the reprinting of existing copy without changing the wording, composition or color of the copy.

"Master sign program" means the establishment of an identification program for any multi-tenant operation within the City, including, but not limited to, office parks, industrial and multi-tenant office and retail buildings, and buildings over twenty-five thousand (25,000) square feet of area. The intent of a master sign program is to give a uniform theme of size, color and style to signs in such a development.

"Minor tenant," as part of the Master Sign Program application process, means an individual tenant space of no more than three thousand (3,000) square feet and located within a portion of a multi-tenant commercial building (MTCB) of at least one hundred thousand (100,000) square feet or larger. **[Ord. O-2010-0037, 10/19/2010]**

"Multiple tenant commercial building (MTCB)" means a commercial development, which includes three (3) or more tenants, or a building area of twenty-five thousand (25,000) square feet or more, or buildings with frontage along an interstate highway.

"Nonconforming sign" means a sign that met code regulations when it was originally erected, either by adherence to a previous sign code or by a variance granted to that code, but which does not comply with all the present regulations of this section.

"Parapet wall" means a wall extending above the plate line of the building.

"Pennant" means a tapered or dovetailed banner, sign, or streamer, with or without any representation or writing thereon.

"Permanent sign" means any sign which is intended to be and is so constructed as to be lasting and enduring, remaining unchanged in character, condition (beyond normal wear) and position, and in some permanent manner affixed to the ground, wall or building.

"Planned development" means a collection of like-use buildings, residential, office or industrial in nature, designed contemporaneously and in close proximity to each other as part of a single integrated project, including, but not limited to, residential subdivisions and office or industrial parks.

"Plate line" means the point at which any part of the main roof structure first touches or bears upon an external wall.

"Political sign" means a sign supporting a candidate for office or urging action on any other matter or social issue.

"Portable sign" means any sign not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building, including, but not limited to, signs on trailers.

"Projecting sign" means a sign attached to a wall and projecting away from the wall more than twelve (12) inches but not more than four (4) feet.

"Residential corridor" means a geographic area which predominately features homes.

"Roofline" means the highest point of the main roof structure or highest point on a parapet, but shall not include cupolas, pylons, projections or minor raised portions of the roof.

"Roof sign" means a sign extending above the roofline or located on the roof.

"Sale, lease and rent sign" means a temporary sign which indicates that some premises or vacant land is for sale, lease or rent.

"Sandwich board sign" means a two-sided portable sign constructed of wood, metal or similar rigid material generally displayed outside of a commercial establishment to identify a product or service.

"Seasonal sign" means a temporary sign for seasonal commercial establishments, including, but not limited to, garden centers, Christmas tree lots and fruit and vegetable stands.

"Shingle sign" means a sign used to identify a business whose front is under a roof overhang, covered walkway, covered porch or open lattice walkway.

"Sign" means any device, structure, fixture, banner or placard using graphics, symbols, and/or written copy for the primary purpose of identifying or advertising any establishment, product, goods or services. The term "sign" shall not include any flag.

"Sign value" means the amount reported on the sign permit, which includes the costs of design, materials, construction, and installation.

"Snipe sign" means any sign attached to public property or erected in or over the public right-of-way. This does not include a sign projecting into the public right-of-way for which a grant of privilege has been obtained or signs installed by City, county, state or federal government.

"Streamer" means the same as pennant, as defined in this subsection.

"Structure" means any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner.

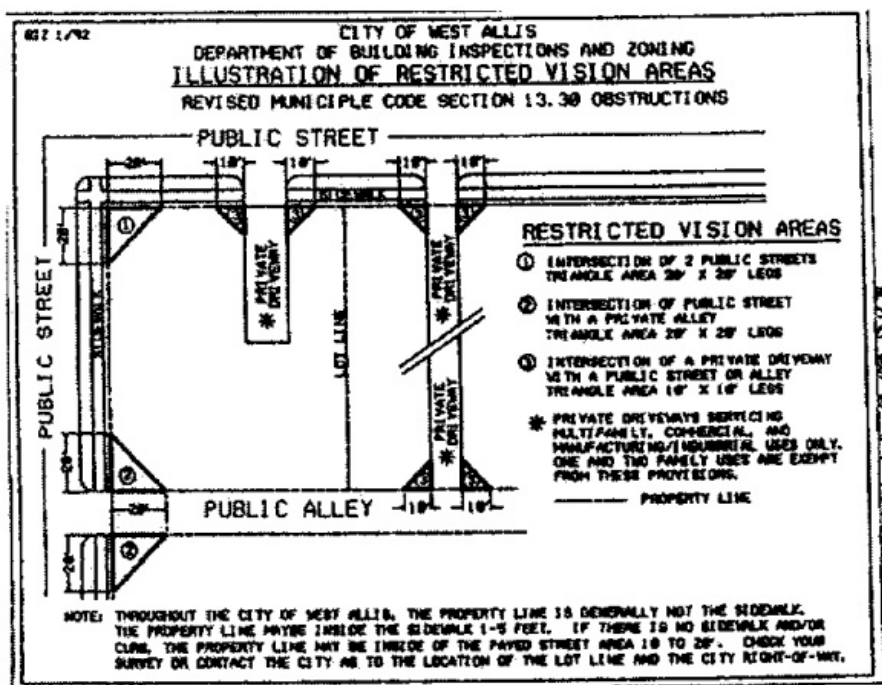
"Temporary sign" means a sign constructed of, but not limited to, cloth, canvas, wood, light fabric, cardboard, wallboard, plastic or other like materials, with or without frames, or any type of sign not permanently attached to the ground, wall or building which is permitted for display for a limited period of time only.

"Tenant directory board" means any sign on which the names of occupants or the uses of a building is given, including, but not limited to, those utilized at office buildings, retail centers and other MTCBs.

"Time and temperature signs" means a sign which conveys the time and/or temperature.

"Traffic directional sign" means a sign designed and located solely for the purpose of relieving traffic congestion and directing and promoting the safe flow of traffic.

"Vision triangle" means a restricted vision area at the intersection of two public streets, a public street and a private alley, and a private driveway and a public street or alley. Private driveways servicing one- and two-family uses are exempt from the vision triangle restriction.



"Wall sign" means a type of sign, the back of which is attached flat (parallel) to a building wall or structure, twelve (12) inches or less from the wall.

"Window sign" means any sign painted upon or attached to or displayed in a window or door in such a manner as to permit viewing from the exterior of the building or structure.

3. Requirement of Conformity. It shall be illegal for a sign to be erected, constructed, repaired, altered, located or maintained in the City, except as provided in this section.
 - a. All signs constructed or maintained contrary to the provisions of this section are declared to be illegal.
 - b. Any person or entity violating any provisions of this section or failing to comply with any orders or regulations made hereunder shall be subject to the penalties hereof and those otherwise provided by law.
 - c. This section shall not apply to signs located in the C-1 Central Business District of the City.
4. Conformity of Nonconforming Signs.
 - a. Any and all signs on a parcel which are nonconforming as of the date of the adoption of this Code (April 17, 2007) nonconforming being defined in Section 13.21(2) of this chapter and Sec. 62.23(7)(h), shall conform to this section: **[Ord. O-2008-0035, 7/1/2008]**
 - i. When there is any alteration to a sign that requires a permit;
 - ii. When there is any alteration to a building or site or structure that requires Plan Commission review;
 - iii. When the total structural repairs or alterations in a nonconforming building, premises, structure, or fixture exceeds fifty percent (50%) of the assessed value of the building, premises, structure, or fixture unless permanently changed to a conforming use; or
 - iv. When the nonconforming use of the building, premises, structure, or fixture is discontinued for a period of twelve (12) months.
 - b. All signs subject to the conformity requirements of this section will have twelve (12) months from issuance of permit for an exterior alteration to a building or site or structure to meet the requirements. An extension of this time limitation may be granted by the Plan Commission in accordance with the following criteria:
 - i. The applicant requesting the extension shall complete a signage application available from the Planning and Zoning Program Staff and shall submit an extension fee in the amount listed on the Fee Schedule.
 - ii. A written explanation for the extension of time shall accompany the signage application along with a timeline/schedule for obtaining necessary permits and a target date for construction start.
 - iii. The request for extension shall be submitted within sixty (60) days of the expiration of the conformity requirements.
 - iv. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the extension of time grant shall become null and void.
5. Procedures.
 - a. Sign Application Review and Permitting Process.
 - i. Sign review applications are available through the Planning and Zoning Program Staff. All signs will be reviewed for approval pursuant to the administrative procedures as set by the Planning and Zoning Program Staff except for signs which do not require a permit under Section 13.21(6) of this section, temporary signs as described in Section 13.21(12), and Master Signage Program signs under Section, 13.21(13) of this section, which shall be reviewed and approved by the Plan Commission. Permits are granted from the Code Enforcement Department and will only be granted after approval from the Planning and Zoning Program Staff or Plan Commission.
 - ii. The Planning and Zoning Program Staff decision on an application shall be issued within thirty (30) days of filing of the application with the office of the City Planner unless the applicant has agreed in writing to an extension, or

additional information is required as detailed below.

- (1) Should the applicant be required to supply additional information, the Planning and Zoning Program Staff shall notify the applicant within thirty (30) days of filing and the requested information shall be provided to the Planning and Zoning Program Staff within sixty (60) days of such notice, or the original application shall automatically be denied.
 - iii. Permits are granted from the Code Enforcement Department and will only be granted after approval from the Planning and Zoning Program Staff or Plan Commission.
 - iv. All applicants must submit five (5) color copies of sign proposals along with a signage review fee (see Chapter 12 of the Revised Municipal Code) to the Planning and Zoning Program Staff. Such submissions shall detail the size of the sign, the method of attachment or support, the location(s) of the proposed sign(s), any other sign(s) located on the premises, the materials to be used, and any other information deemed necessary to properly review the proposal.
 - v. Multi-tenant applicants, who include buildings of three (3) or more tenants, or a building area of twenty-five thousand (25,000) square feet or more, or buildings with frontage along an interstate highway, should refer directly to Section 13.21(13) for detailed requirements relative to the Master Sign Program.
 - vi. Guidelines for Approval.
 - (1) The exterior architectural presentation and functional plan of the proposed sign will not be so at variance with or so similar to the exterior architectural presentation and functional plan of signs already constructed or in the course of construction in the area, or so out of harmony with the area, as to potentially contribute to substantial depreciation in the property values of the area.
 - (2) The proposed sign conforms to the location, size and style and other requirements set forth in this section.
 - (3) The proposed sign conforms to the City's long-range planning for the area as set forth in the City's Master Plan as that term is defined in Chapter 62.23(3), Wisconsin Statutes, or relevant portions thereof.
 - (4) The proposed sign shares similar architectural or building material features of the principal building.
 - (5) Signs located in residential corridors may be further regulated by Plan Commission pursuant to Section 13.21(9), such as, but not limited to, lighting operations.
 - vii. The Planning and Zoning Staff Program Development may establish guidelines, which further define and interpret this section. Those guidelines, if any, shall be made available to all sign applicants.
 - viii. Any signage proposals that are denied by the Planning and Zoning Program Staff may be appealed to the Plan Commission in accordance with the variance procedure as stated in Section 13.21(9).
6. Permits, Inspections and Revocations.
- a. A permit shall not be required for the following signs or activities; however, such signs or activities shall be subject to any and all applicable provisions of this section:
 - i. One (1) nonilluminated sign six (6) square feet or less in area unless otherwise specifically required by this section;
 - ii. Maintenance, including repainting or replacing faces of signs, or minor nonstructural repairs of signs (except electrical repair);
 - iii. Political signs;
 - iv. Window signs only as permitted under Section 13.21(18);
 - v. Rental, sale and lease signs six (6) square feet or less in area; and
 - vi. Address markers/signs; and
 - vii. Flags.
 - b. A permit shall not be required for the erection, construction, alteration, placement, maintenance or location of official traffic, fire and police signs, signals, devices and

markings of the state and the City or other public authorities, or the posting of notices required by law or for other signs as approved by the Board of Public Works. See Section 13.21(11).

- c. No person, firm or corporation shall erect, replace, construct, enlarge, alter, move, relocate or maintain any sign as governed by this section without first obtaining a sign permit from the Code Enforcement Department, except as said forth in Section 13.21(6)(a) and (b) above. Before a sign permit may be issued, it shall first be approved by the Planning and Zoning Program Staff in accordance with the procedure in Section 13.21(5), and conform to the requirements of this code, and the applicant shall pay the required fees. See Chapters **12** and **13** of the Revised Municipal Code for a fee schedule.
 - i. Any owner of a premises or agent for the owner shall file an application for a sign permit on a form furnished for such purpose. Each application shall additionally include sufficient information to issue a permit to include plans and drawings detailing sign location information and sign construction information that indicates conformance with the construction standards of Section 13.21(7).
 - ii. In addition to a sign permit, an electrical permit is also required for electrically operated signs.
 - iii. As a condition of the issuance of a sign permit, the sign owner and owner of the premises upon which the sign is located agree to allow inspectors on the property for inspection of the installation and maintenance and further agree to promptly remove the sign should it become unsafe, inadequately maintained, dilapidated, abandoned, in nonconformance with this section, or if prescribed fees are not paid.
- d. Unless waived by the Code Enforcement Department, all signs for which a permit is required shall be subject to the following inspections:
 - i. Electrical inspection on all electrically operated signs.
 - ii. Site inspection to insure that the sign has been constructed according to an approved application and a valid sign permit.
 - iii. Inspection on a yearly basis to insure that the sign continues to conform to the permit and has been adequately and properly maintained.
- e. Permit Revocation and Sign Removal.
 - i. The Code Enforcement Department shall have the authority to revoke any sign permit upon determination that the sign authorized by the permit has been constructed or is being maintained in violation of the permit or the provisions of this section.
 - ii. In revoking any sign permit and requiring the removal of any illegal sign, the Code Enforcement Department shall give a written compliance order to the owner(s) of the premises on which such sign is located and/or to the occupant(s) of the premises to which such sign pertains. The order shall state the reasons and grounds for removal, specifying the deficiencies or defects in such sign, and the violations charged, if any. Such order shall specify what repairs, if any, will make the sign conform to the requirements of this section, specify that the sign must be removed or made to conform with the provisions of this section within the compliance period provided below and further state the appeals process provided below. A sign with an expired permit is an illegal sign and therefore does not require revocation of the permit.
 - iii. Compliance Period for Removal.
 - (1) The compliance period for removal for permanent signs shall be thirty (30) days.
 - (2) The compliance period for removal of temporary signs shall be forty-eight (48) hours.
 - iv. The decision of the Code Enforcement Department to revoke the permit may be appealed to the Plan Commission. A written appeal must be filed within thirty (30) days from the date when the order was served. The Plan Commission shall consider this appeal at its next regularly scheduled meeting. The decision of the Plan Commission shall be the final determination as set forth in Sec. 68.12 of the Wisconsin Statutes. The final determination may be

appealed pursuant to Sec. 68.13 of the Wisconsin Statutes and the notice of the Plan Commission's decision shall inform the parties of the right and time to appeal.

- v. If no appeal has been filed within the thirty-day appeal period, or if the Plan Commission has upheld the decision of the Code Enforcement Department on appeal, the permit is deemed revoked and the sign is deemed illegal. The Code Enforcement Department then shall initiate the procedure for the removal of the illegal sign.
- vi. If after service of order the owner(s) and/or occupant(s) of the premises upon which the sign is located have not removed the sign or brought the sign into compliance with the provisions of the section by the end of the compliance period, the Code Enforcement Department shall take such legal action as deemed appropriate.
- vii. Removal. The Code Enforcement Department is authorized to cause the removal of any sign adjudged to be illegal by a court of competent jurisdiction if the court so orders. The actual cost and expense of any such removal by the Code Enforcement Department shall be charged against the owner of the property and may be entered as a special assessment against such premises to be collected in all respects like other taxes upon the real estate, as provided in Chapter 66.0907(3)(f) of the Wisconsin Statutes, except in the case of snipe signage in the public right-of-way.
- viii. Re-erection of any sign or any substantially similar sign on the same premises after a compliance order has been issued shall be deemed a continuance of the original violation.

7. Sign Construction Standards. All signs shall be designed and constructed to comply with the provision of this code for use of materials, loads and stress as required by the International Building Code (IBC), in the most current edition as published by the International Code Council, Inc.

- a. Signs shall be designed and constructed to withstand wind pressure as provided in IBC Chapter 16.
- b. Signs shall be designed and constructed with the allowable working stress conforming to IBC Chapter 16. The working stress of wire rope and its fastening shall not exceed twenty-five percent (25%) of the ultimate strength of the rope or fasteners. Exceptions:
 - i. The allowable working stress for steel and wood shall be in accordance with IBC Chapters 22 and 23.
 - ii. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth (1/5) of the ultimate strength of such chains, cables, guys or steel.
- c. Signs attached to masonry, concrete or steel shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied. All ferrous chain, wire ropes, guy rods and their fastenings and anchor bolts shall be galvanized or be of other approved equivalent protection. Wood blocks shall not be used for anchorage, except in the case of signs attached to buildings with wood walls. Signs shall not be supported by anchors secured to an unbraced parapet wall. Minimum anchorage for wall signs is three-eighths-inch diameter embedded at least five (5) inches. Minimum anchorage for projecting signs is five-eighths-inch and turnbuckles shall be placed in chains, guys or steel rods supporting projecting signs.
- d. All ferrous parts of signs subject to corrosion shall be protected and maintained free of corrosion.
- e. Wood, approved plastic or other materials of combustible characteristic used as facings or in molding, cappings, nailing blocks, letters and latticing shall comply with Paragraphs 1 through 4 below, and shall not be used for other ornamental features of signs, unless approved.
 - i. All signs greater than forty (40) square feet shall be constructed of metal or other approved noncombustible materials.
 - ii. Plastic and other materials which burn at a rate no faster than two and five-tenths (2.5) inches per minute when tested in accordance with ASTM D 635 shall be deemed approved plastic and can be used as the display surface material and for letters, decorations and facings on signs and outdoor display

structures.

iii. The area of individual plastic facings of electric signs is limited by the area allowed for that type of sign but shall not exceed two hundred (200) square feet. If the total area of display surfaces exceeds two hundred (200) square feet, the area occupied or covered by approved plastics shall be limited to two hundred (200) square feet plus fifty percent (50%) of the difference between two hundred (200) square feet and the area of the display surface. The area of plastic on the display surface shall not exceed one thousand one hundred (1,100) square feet.

iv. Letters and decorations mounted on approved plastic facing or display surface can be made of approved plastics.

- f. No sign shall be illuminated by other than electrical means. Any open spark or flame design is not permitted unless specifically approved.
- g. Signs that require electrical service shall comply with Chapter 14, Electrical Code.
- h. All internally illuminated signs shall bear the label of the manufacturer and approved testing agency and the listing number shall be reported on the sign permit application.
- i. Signs shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation.

8. Maintenance.

- a. All signs and sign support structures, together with all parts to include, but not limited to, sign faces, supports, braces, base, guys and anchors, shall be kept in good repair and in proper state of preservation. Painted surfaces shall be maintained free of peeling, chipping paint. All metal parts and supports thereof shall be maintained free of corrosion.
- b. The Code Enforcement Department shall have the authority at all reasonable times to inspect and order the painting, repair, alteration, maintenance or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence. The Code Enforcement Department shall follow the procedure of notification concerning such maintenance or removal as outlined in Section 13.21(6).
- c. When any sign, advertising structure or device, or a major part thereof, is blown down, destroyed, taken down or removed for any purpose, such structure shall not be re-erected, reconstructed, rebuilt, or relocated, except in conformity with the regulations of this section. Additionally, any existing sign, sign structure, awning, canopy, or other advertising structure requiring repairs at any one time in excess of fifty percent (50%) of the sign's original value shall not be repaired unless made to conform to the requirements of this section.
- d. An abandoned sign is prohibited and shall be made to conform to this code or removed by the owner of the sign or owner of the premises.
- e. Any sign which is located on a premises which becomes vacant or unoccupied for a period of six (6) months or more is considered abandoned and shall be removed.
- f. If a business on a property is suspended because of business or property ownership or management change, for more than six (6) months, any signage associated is considered abandoned and shall be removed.
- g. The Building Inspector may grant up to a six-month extension of time for the removal or intended compliance of a sign, to the sign owner, under the provisions of this subsection. A written request for an extension of time shall be submitted to the Code Enforcement Department.
- h. All signs, awnings, canopies, and other advertising structures projecting into the City right-of-way may be inspected yearly for maintenance and conformance with this code. An annual maintenance inspection fee shall be charged to the sign owner or property owner of each sign in place on January 1 and is due and shall be paid by March 15 of each year following original installation. The fee shall be in accordance with the fee schedule. Any annual maintenance inspection fee that remains unpaid 30 days after imposition of the fee is delinquent and may be assessed against the tax parcel served as a special charge for current services, without notice, pursuant to sec.

66.0627(2) of the Wisconsin Statutes.

- i. All signs, as designated in the Code Enforcement Department fee schedule, may be inspected yearly for maintenance and conformance with the code. An annual maintenance inspection fee shall be charged to the sign owner of each sign and is due and shall be paid by March 15 of each year the sign exists. The fee shall be in accordance with the fee schedule. Any annual maintenance inspection fee that remains unpaid 30 days after imposition of the fee is delinquent and may be assessed against the tax parcel served as a special charge for current services, without notice, pursuant to sec. 66.0627(2) of the Wisconsin Statutes.

9. Variance to Sign Code.

- a. Purpose. Sign variances are intended to allow flexibility in sign regulations while fulfilling the purpose of this ordinance. Variance from specific regulations of this section may be granted by the Plan Commission, where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship; provided, that the spirit of this section shall be observed, public safety and welfare secured and substantial justice done. Nothing in this section, however, is intended to permit the erection or maintenance of signs which create the potential of public harm or for which there is no public benefit or which are in conflict with the City's Master Plan or relevant portions thereof.
- b. Procedure.
 - i. Any person may request a variance from any provision or requirement of Section 13.21 of the Revised Municipal Code by submitting a written request to the Planning and Zoning Program Staff not less than 20 days before the next regularly scheduled Plan Commission meeting. A fee shall be required of the applicant at the time that a request for a hearing is made in accordance with Development Review Fees in Chapter 12 of the Revised Municipal Code.
 - ii. The Plan Commission shall review such requests for variances using the following criteria:
 - (1) The sign as proposed will not result in an undue concentration of signage, which renders it difficult or confusing to read existing signs.
 - (2) The proposed sign is unique and of exceptional design or style so as to enhance the area.
 - (3) Site difficulties: unusual site factors preclude the construction of a sign in accordance with this section, which would be visible to the roadway adjacent to the site frontage.
 - iii. Should the Plan Commission find that a variance should be granted, the application will be forwarded to the Code Enforcement Department with directions to issue a permit in accordance with its decision. If the Plan Commission finds that a variance should not be granted, it shall inform the applicant of the reasons for such decision, in writing within thirty (30) days of the date of such decision. The decision of the Plan Commission shall be the final determination as set forth in sec. 68.12 of the Wisconsin Statutes. The final determination may be appealed pursuant to sec. 68.13 of the Wisconsin Statutes, and the notice of the Plan Commission's decision shall inform the parties of the right and time to appeal.

10. Prohibited Signs, Lighting and Movement.

- a. Lighting. Bare light bulbs shall not be permitted. No flashing, blinking or rotating lights shall be permitted for either permanent or temporary signs. Illumination shall be so installed to avoid any glare or reflection into any adjacent property, or onto a street or alley to create a traffic hazard as determined by the Code Enforcement Department.
- b. Prohibited Signs. It is unlawful to erect or maintain the following signs: **[Ord. O-2012-0028, 3/6/2012]**
 - i. Flashing signs.
 - ii. Portable signs.
 - iii. Pennants or streamers.
 - iv. Abandoned signs/structures.
 - v. Snipe signs—signs in, on or over public property; excluding those regulated in Section 13.21(11).

- vi. Signs that interfere with traffic.
- vii. Nonpolitical signs greater than six (6) square feet on a residential use property; not including residential properties over three-family, which are regulated by the Plan Commission under the master sign program, Section 13.21(13).
- viii. All prohibited signs not mentioned in this section.

11. Signs in the Public Right-of-Way.

- a. No sign, pennant, flag or banner shall be erected, placed, located or maintained within the limits of any street or highway unless allowed as hereafter stated. Street or highway limits include all the dedicated rights-of-way, encompassing the traveled portion of the highway, shoulders, sidewalks, ditches and adjacent dedicated areas. This prohibition applies to freestanding signs and those placed on trees, utility poles, fence post stakes and all other structures within the highway limits.
 - i. Failure to comply with the provisions of this section shall be a violation of Sec. 86.19, Wisconsin Statutes, which is hereby adopted, as well as this section.
 - ii. Any sign in violation of this section shall be removed without notice by the Code Enforcement Department, the Police Department, or the Public Works Department.
 - iii. This prohibition shall not apply to signs placed within the limits of streets or highways by duly constituted municipal, county or state authorities for the guidance or warning of traffic, as provided in Sec. 86.19(1) and (4), Wisconsin Statutes, or to mail boxes and paper boxes, bus shelters, or to banners, signs, pennants, flags or other related decorations hung over streets attached to public property as authorized by the Board of Public Works, in which case these will not require a permit under this section.
 - iv. No sign shall be erected, placed, located or maintained at or near the intersection of any streets so as to obstruct free and clear vision or at any location where, by reason of position, shape and color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words "stop," "look," "danger" or other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
- b. Signs on Public Property. No person shall erect, place or locate any sign in or on public property, with the exception of projecting signs, which are only allowed in the public right-of-way with a grant of privilege from the Board of Public Works.
- c. Guidance signs. **[Ord. O-2008-0038]**
 - i. Any person or persons conducting a summer or winter resort, hotel, or any place of public entertainment or instruction, or any place of religious worship may be granted permission from the Board of Public Works for erection of guidance signs of a type approved by the Board of Public Works subject to the conditions contained in this subsection. The application shall be filed with the Planning and Zoning Program Staff along with the fee listed on the Fee Schedule for the Public Works Department's cost for materials and labor of the manufacturing and erection of the guidance sign.
 - ii. All guidance signs and their supports shall be constructed, erected and maintained by the Public Works Department, and guidance signs shall be uniform in size as prescribed by the Board of Public Works.
 - iii. No guidance sign may be permitted on freeways, including the national system of interstate highways.
 - iv. Only where such institution or business is located removed from the state trunk highway system, state connecting highway, county trunk highway, or arterial streets, as defined by the Wisconsin Department of Transportation, may such guidance signs be erected.
 - v. Such guidance signs may be erected at only two (2) intersections of the state trunk highway system/state connecting highway with county trunk highways or local roads, and at such intersections of county highways or local roads as are deemed necessary by the Board of Public Works.
 - vi. No person may be permitted to erect or maintain a guidance sign on a

highway or road if that person has any advertising sign in the vicinity of the intersection where the guidance sign is proposed to be erected, or has a business sign on the same highway or road, or whose business's occupancy building is less than five thousand (5,000) square feet in area.

- vii. No flashing, illuminated or reflecting signs or installation shall be permitted.
- viii. No guidance sign may be erected upon a state trunk highway right-of-way at an intersection with the state trunk highway system until the location and manner of erection of the sign have the written approval of the Department of Transportation.
- ix. Provisions from the Wisconsin Administrative Transportation Code 200.03 shall be complied with at all times.

12. Temporary Signs.

a. Permit, Maintenance and Removal.

- i. The Code Enforcement Department may issue a temporary sign permit as stated in this subsection. After permit application, a temporary sign permit may be issued for a time period specified unless as otherwise noted in this subsection.
- ii. Any temporary sign erected without a permit or for which the permit has expired may be removed by the Building Inspector with or without notice.
- iii. All temporary signs shall be maintained in good condition and removed promptly upon expiration of the permit or as ordered by the Building Inspector.

b. Banners.

- i. Application for a banner sign shall include information and/or plans indicating the size of the sign, the advertising or copy on the sign, the location of the sign on the property, sign material type, and information regarding installation (attachment and/or support).
- ii. Each banner allowed may not exceed thirty-two (32) square feet in area.
- iii. No more than two (2) banners may be erected per business or occupant per calendar year, with each permit issued allowing a maximum of thirty (30) days for the banner to be posted on the property. Additionally, there may be no more than two (2) banners erected per site at one time.
- iv. A grand opening banner sign not exceeding thirty-two (32) square feet may be allowed for a new business for a period of thirty (30) days in addition to other banners allowed.
- v. Seasonal signs may be posted for the term of the season as stated on the issued permit.
- vi. The Code Enforcement Director may allow a temporary sign to remain in place for up to ninety (90) days with one (1) ninety-day extension of time, while a business or property owner pursues a permanent sign.

c. Construction and Development Signs.

- i. Construction and development signs are allowed to indicate the new business, development, contractor, subcontractor, architect or lending institution.
- ii. Application for each construction or development sign shall include information and/or plans indicating the size of the sign, copy on the sign, sign material type, the location of the sign on the property, whether single- or double-faced, and sign attachment and/or support information.
- iii. One (1) development sign is allowed per street frontage and may not exceed thirty-two (32) square feet in area.
- iv. Two (2) construction signs are allowed per street frontage and each sign may not exceed thirty-two (32) square feet in area.
- v. Construction and development sign permits shall expire ten (10) days after the first occupancy and shall be removed promptly upon expiration.

d. Sale, Lease and Rent Signs.

- i. Vacant land and land being developed may have a temporary sale, lease, and rent sign posted on each street which the land abuts. The sign shall be placed on the property being sold, leased or rented in accordance with this subsection.

- ii. Residential use properties are allowed a sale, lease, or rent sign, not greater than six (6) square feet in area and may be double-faced. Freestanding signs shall not be greater than five (5) feet in height. No permit is required, and the sign shall be removed upon sale, lease or renting of the use advertised.
- iii. Nonresidential use properties are allowed one (1) temporary sale, lease, or rent sign, which may be single- or double-faced and shall not exceed thirty-two (32) square feet in area. Freestanding signs shall not be greater than five (5) feet in height. A permit is required for each sign in excess of six (6) square feet. Each sign shall be removed upon sale, lease, or renting of the use advertised, except as stated in Section 13.21(12)(d)(4). The notice to remove noncomplying signs shall be in accordance with the procedures outlined in Section 13.21(6).
- iv. For new nonresidential developments, a temporary sale, lease, or rent sign permit may be issued for one hundred eighty (180) days and may be renewed for ninety-day periods until the development's units are ninety percent (90%) occupied or when two thousand (2,000) square feet of area or less remains to be sold, leased, or rented. The notice to remove noncomplying signs shall be in accordance with the procedures outlined in Section 13.21(6).
- e. Political Signs. **[Ord. O-2010-0049, 11/16/2010]**
 - i. Section 12.04 of the Wisconsin Statutes is hereby adopted and incorporated herein.
 - ii. Yard signs on property zoned residential shall not exceed twenty-four (24) square feet in area.
 - iii. No sign shall be placed such that it interferes with the vision of vehicle operators upon the highway or obstructs pedestrian travel on the public sidewalk.
 - iv. Yard signs displayed in other than residential zoning districts shall not exceed forty-eight (48) square feet in area.
 - v. Political signs may be displayed during the election campaign period and must be removed within a reasonable time after the election.
 - vi. No permit shall be required for political signs.

13. Master Sign Program.

- a. The purpose of the Master Sign Program is to advertise a center and its individual tenants and to allow qualified buildings and/or centers greater flexibility and increased signage area to the specific requirements as hereafter stated.
- b. Application. **[Ord. O-2010-0037, 10/19/2010]**
 - i. An application for a Master Sign Program must first be filed with the Planning and Zoning Program Staff. With the exception of minor tenant spaces, the Plan Commission shall review all Master Sign Program applications and proposals. The Plan Commission may approve, deny or request changes to a sign, based on the architecture of that sign.
 - ii. Sign applications that meet the definition of a minor tenant space may be staff approved. In such cases, the review of signage application conformance shall be limited to the minor tenant space only and not require the overall conformance of the multi-tenant commercial building.
- c. The Plan Commission, in its discretion, will consider the type and location of the building site, the proposed tenant mix, the size of the development and such other factors as it deems appropriate in evaluating a Master Sign Program.
- d. Each individual sign proposed in accordance with an approved Master Sign Program must be applied for and permitted separately in accordance with this section, and in no event shall any recommendation or approval of a Master Sign Program be deemed an approval of or a permission to construct any particular sign under that program. After review and approval by the Planning and Zoning Staff Program Development, all applications for permits for such individual signs must be filed with the Code Enforcement Department.
- e. The following entities may make application for the Master Sign Program:
 - i. Multi-tenant commercial buildings (MTCBs) or centers of three (3) or more individual tenants or buildings of at least twenty-five thousand (25,000) square

- feet of building area.
 - ii. Commercial or industrial uses which abut 1-94 and 1-894 right-of-way.
 - f. A Master Sign Program, as presented to the Plan Commission, shall include the following components:
 - i. An aesthetically developed theme on color, size and style.
 - ii. A proposed location of all signs for the building, development or center; where possible, signs shall be centered over tenant spaces.
 - iii. The proposed size of individual signs which may be expressed in maximums and minimums for purposes of the proposed Master Sign Program, but which must be proposed in exact terms when application is made for such individual signs after approval of the program.
 - iv. Type of signage proposed, e.g., individual letters, box, etc.
 - v. Blueprints, drawings and written policies governing the color, size, style, location and other features of the proposed signs.
 - g. Freestanding signage (Master Sign Program).
 - i. Multi-tenant commercial buildings, or buildings/centers greater than twenty-five thousand (25,000) and less than fifty thousand (50,000) square feet of building area may be permitted one (1) freestanding sign of no more than seventy-five (75) square feet in area, ten (10) feet in height, and subject to Plan Commission approval.
 - ii. Buildings/centers greater than fifty thousand (50,000) and less than one hundred thousand (100,000) square feet of building area may be permitted one (1) sign per building/center of one hundred fifty (150) square feet in area, not to exceed twelve (12) feet in height, subject to Plan Commission approval.
 - iii. Buildings/centers greater than one hundred thousand (100,000) and less than three hundred thousand (300,000) square feet of building area may be permitted one (1) freestanding sign per arterial street of one hundred fifty (150) square feet in area each, or one (1) sign per building/center of two hundred twenty-five (225) square feet in area, neither to exceed fifteen (15) feet in height, subject to Plan Commission approval.
 - iv. Determination of signage area for buildings or centers greater than three hundred thousand (300,000) square feet of building area shall be determined by the Plan Commission.
 - v. Where changeable copy or electronic message center signage is permitted pursuant to Section 13.21(19), the area of the changeable copy sign must be included in the total computation of allowable signage and subject to Plan Commission review.
 - vi. The Planning and Zoning Program Staff and the Plan Commission shall not approve any Master Sign Plan greater than fifteen (15) feet in height, except for centers over three hundred thousand (300,000) square feet in building area, which height shall be subject to Plan Commission discretion.
 - vii. Freestanding signs must be architecturally integrated with the principal building on the property. The base, sides, and top of the sign shall be constructed of masonry or other approved durable materials. The tone and texture of the base, sides, and top shall reflect the principal building construction as close as possible or shall enhance the exterior architecture of the principal building. The base of the sign shall be a minimum of two (2) feet in height.
 - viii. The color scheme of the sign shall complement the color scheme of the principal building.
 - ix. Architectural features (such as sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural makeup of the principal building shall be incorporated into the sign.
 - x. The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - xi. The sign structure or post of a freestanding sign must be wrapped in or

- constructed of a material compatible with the materials utilized in the construction of the building to which the sign refers. The width of the base of the sign must be equal to or greater than the width of the sign face.
- xii. Landscaping requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, twenty (20) square feet of sign area equals forty (40) square feet of landscaped area. The Plan Commission may reduce or waive this requirement if it is determined the additional landscaping would not contribute significantly to the overall aesthetic character of the project.
- h. Wall Signage (Master Sign Program).
- i. Multi-tenant commercial buildings.
- (1) Area. The maximum allowable area of wall signs for eligible multi-tenant commercial buildings shall be computed as one and five-tenths (1.5) square feet per lineal foot of each tenant's frontage.
 - (A) If applying the area formula above [Section 13.21(13)(h)(1)(a)] results in a sign area greater than two hundred (200) square feet, the individual tenant wall signs, when submitted to the Planning and Zoning Program Staff in conjunction with a Master Sign Program, shall be permitted an aggregate maximum area of two hundred (200) square feet, subject to Plan Commission approval.
 - (B) Where other wall-mounted signage (e.g. projecting signage) is permitted pursuant to Section 13.21(16), the area of the sign must be included in the total computation of allowable signage and subject to Plan Commission review.
 - (2) Number. Total number of wall signage permitted for a building or center or multi-tenant commercial building may be apportioned over two (2) building facades, but no more than one (1) sign per facade. Wall signage must be placed on an exterior wall of the business in which the sign identifies.
 - (3) Placement. A wall sign must be placed on an exterior wall of the tenant's space, which the sign identifies.
 - (A) A wall sign may not project more than twelve (12) inches from the wall surface.
 - (B) No part of a wall sign shall extend more than four (4) feet above the plate line nor shall a wall sign extend above a parapet wall, fascia or roofline.
 - (C) Wall signs facing an alley shall be no larger than five (5) square feet in area, shall be located on the rear entry door and shall not be illuminated. **[Ord. O-2008-0038]**
 - (4) Design. Artistic qualities, design relief and articulation of signage including raised letters, framing, insets/offsets and unique shapes are encouraged.
 - (A) The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - (B) Exclusively flat wall signs shall not be acceptable. Acceptable alternatives include:
 - (a) Raised/channeled letters;
 - (b) Individual letters;
 - (c) Oddly shaped signs; and
 - (d) Two-inch thick (minimum) border around the wall sign.
- ii. Buildings greater than twenty-five thousand (25,000) square feet of building area.
- (1) Area. Buildings greater than twenty-five thousand (25,000) and less than fifty thousand (50,000) square feet of building area may be permitted wall signage no greater than two hundred (200) square feet

in area, and subject to Plan Commission approval.

- (2) Area. Buildings greater than fifty thousand (50,000) square feet and less than three hundred thousand (300,000) square feet of building area shall be permitted four hundred (400) square feet in wall sign area, plus additional signage area computed by the following formula: five-tenths (0.5) square foot times the setback length of the building from the street frontage.
- (3) Number. Buildings greater than twenty-five thousand (25,000) and less than one hundred thousand (100,000) square feet of building area may be permitted two (2) wall signs on an exterior wall of the business in which the sign identifies.
- (4) Number. Buildings greater than one hundred thousand (100,000) square feet and less than three hundred thousand (300,000) square feet of building area may be permitted three (3) wall signs on an exterior wall of the business in which the sign identifies.
- (5) Placement. A wall sign must be placed on an exterior wall of the tenant's space, which the sign identifies.
 - (A) A wall sign may not project more than twelve (12) inches from the wall surface.
 - (B) No part of a wall sign shall extend more than four (4) feet above the plate line nor shall a wall sign extend above a parapet wall, fascia or roofline.
 - (C) Wall signs facing an alley shall be no larger than five (5) square feet in area, shall be located on the rear entry door and shall not be illuminated. **[Ord. O-2008-0038]**
- (6) Design. Artistic qualities, design relief and articulation of signage including raised letters, framing, insets/offsets and unique shapes are encouraged.
 - (A) The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - (B) Exclusively flat wall signs shall not be acceptable. Acceptable alternatives include:
 - (a) Raised/channeled letters;
 - (b) Individual letters;
 - (c) Oddly shaped signs; and
 - (d) Two-inch thick (minimum) border around the wall sign.
- iii. Determination of wall signage area for buildings greater than three hundred thousand (300,000) square feet of building area shall be determined by the Plan Commission.

14. Freestanding signs.

a. Architecture and Landscaping.

- i. Freestanding signs must be architecturally integrated with the principal building on the property. The base, sides, and top of the sign shall be constructed of masonry or other approved durable materials. The tone and texture of the base, sides, and top shall reflect the principal building construction as close as possible or shall enhance the exterior architecture of the principal building. The base of the sign shall be a minimum of two (2) feet in height.
- ii. The color scheme of the sign shall compliment the color scheme of the principal building.
- iii. Architectural features (such as sills, piers, reveals, capstones, medallions, etc.), which are part of the architectural makeup of the principal building, shall be incorporated into the sign.
- iv. The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.

- v. The sign structure or post of a freestanding sign must be wrapped in or constructed of a material compatible with the materials utilized in the construction of the building to which the sign refers. The width of the base of the sign must be equal to or greater than the width of the sign face.
 - vi. Double-faced or V-shaped signs. A freestanding sign may be double-faced or V-shaped.
 - (1) Interior angle less than or equal to sixty degrees (60°). The area of double-faced or V-shaped signs with interior angles equal to or less than sixty degrees (60°) shall be expressed as the sum of the area of one face.
 - (2) Interior angle greater than sixty degrees (60°). Double-faced or V-shaped signs with interior angles exceeding sixty degrees (60°) shall be reviewed by the Plan Commission. The Plan Commission may approve, deny or request changes to a sign, based on the architecture of that sign. The area of double-faced or V-shaped signs with interior angles greater than sixty degrees (60°) shall be expressed as the sum of the areas of all the faces.
 - vii. Landscaping Requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. For example, twenty (20) square feet of sign area equals forty (40) square feet of landscaped area. The Planning and Zoning Program Staff may reduce or waive this requirement if it is determined the additional landscaping would not contribute significantly to the overall aesthetic character of the project.
 - viii. The Planning and Zoning Program Staff may approve, deny or request changes to a sign, based on the architecture of that sign.
- b. Size Requirements and Location.
- i. Number. One (1) freestanding sign shall be permitted. Two (2) freestanding signs are permitted for qualified sites under the Master Sign Program [Section 13.21(13)].
 - ii. Area. The area of a freestanding sign shall be computed by the following formula: Either six-tenths (0.6) square foot times the lineal front foot of the lot line or eight-tenths (0.8) square foot times the building front foot, whichever is greater, to a maximum of fifty (50) square feet of area, as permitted by the Planning and Zoning Program Staff. Corner lots may use either the front or side dimensions. Should the Planning and Zoning Program Staff Development approve both a freestanding sign and a wall sign for a given building or center, the area permitted must be apportioned between these signs not to exceed one hundred twenty-five (125) square feet. For multi-tenant commercial buildings and buildings over twenty-five thousand (25,000) square feet in area, see Section 13.21(13).
 - iii. The sign may have multiple faces if so approved.
 - iv. Height. The maximum height of a freestanding sign may not exceed ten (10) feet. The applicant shall provide dimensions of the proposed sign. The height of a freestanding sign shall be regulated and approved by the Planning and Zoning Program Staff in consideration of the location of the proposed sign; the height, size, appearance, number and location of other signs in the vicinity of the proposed sign; the propriety of the proposed sign with respect to a Master Sign Plan, if any; and such other facts as the Planning and Zoning Program Staff deems appropriate.
 - v. Location. An offset of no less than one (1) foot from the ultimate right-of-way line should be maintained.
 - (1) The sign shall be located in an area of meaningful open space, which shall be appropriately landscaped, including some year-round plantings.
 - (2) Site consideration should be given to signs on corner lots, near driveways and/or alleys, etc. Signs are not to obstruct the vision triangle (see Figure 1 below). Signs proposed within the vision triangle shall require Plan Commission approval.

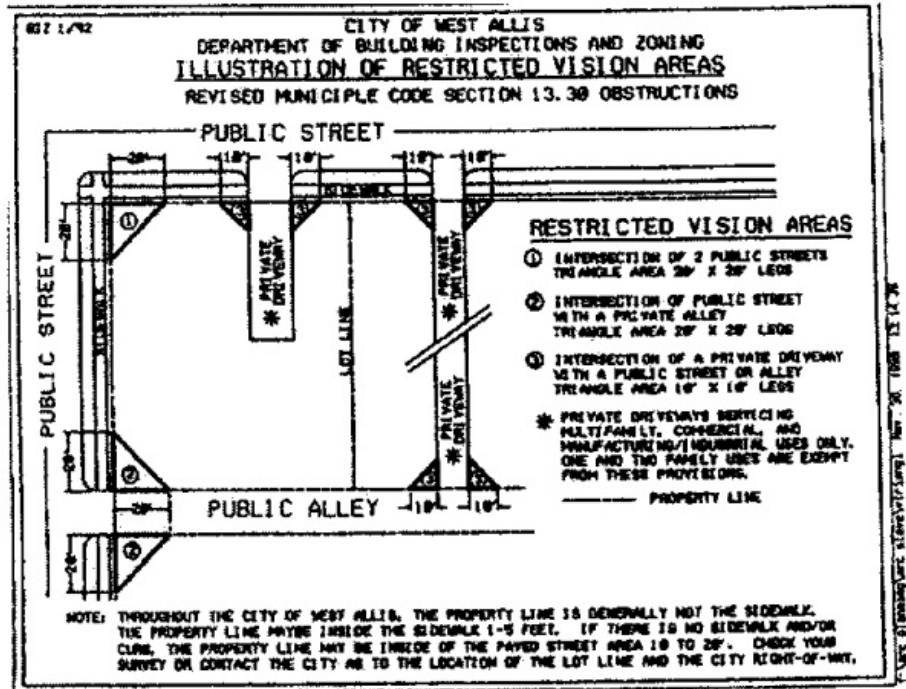


Figure 1: Vision Triangle Restrictions

15. Wall signs.

a. Architecture and Design.

- i. Architecture. Wall signs must be architecturally integrated with the principal building on the property. The tone and texture of the sign shall reflect the principal building construction as close as possible or shall enhance the exterior architecture of the principal building.
- ii. Design. Artistic qualities, design relief and articulation of signage including raised letters, framing, insets/offsets and unique shapes are encouraged.
 - (1) The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - (2) Exclusively flat wall signs shall not be acceptable. Acceptable alternatives include:
 - (A) Raised/channeled letters;
 - (B) Individual letters;
 - (C) Oddly shaped signs; and
 - (D) Two-inch thick (minimum) border around the wall sign.

b. Size Requirements and Location.

- i. Placement. A wall sign must be placed on an exterior wall of the business, which the sign identifies.
 - (1) A wall sign may not project more than twelve (12) inches from the wall surface.
 - (2) No part of a wall sign shall extend more than four (4) feet above the plate line nor shall a wall sign extend above a parapet wall, fascia or roofline. A wall sign may be allowed on a roof surface only if the roof surface is within twenty-five degrees (25°) of vertical, such as a mansard roof.
- ii. Number. Two (2) wall signs shall be permitted, or one (1) wall sign per street frontage, whichever is greater.
- iii. Area. The area of a wall sign shall be regulated and approved by the Planning and Zoning Program Staff in consideration of the factors enumerated in this subsection and shall be computed by the following formula: Either six-tenths (0.6) square foot times the lineal front foot of the lot line or eight-tenths (0.8) square foot times the building front foot, whichever is greater, to a maximum of one hundred twenty-five (125) square feet, as permitted by the Planning and Zoning Staff Program Development. Corner lots may use either the front or side dimensions. Should the Planning and Zoning Program Staff approve both a freestanding sign and a wall sign (or multiple wall signs in the case of a multi-frontage lot) for a given building or center, the area permitted must be apportioned between these signs not to exceed one hundred twenty-five (125) square feet.
- iv. Wall signs facing an alley shall be no larger than five (5) square feet in area, shall be located on the rear entry door and shall not be illuminated. **[Ord. O-2008-0038]**

16. Projecting Signs.

- a. Number. One (1) projecting sign is permitted per street frontage for each tenant. A grant of privilege will be required for signs over the right-of-way [see Section 13.21(11)].
- b. Area. The gross surface area of the sign shall be limited to a maximum of sixteen (16) square feet for single and multi-tenant buildings. Multi-story buildings are permitted an additional sixteen (16) square feet for each additional level to a maximum of one hundred (100) square feet in area.
- c. Location.
 - i. Projection. The sign shall not project more than four (4) feet from the wall to which it is attached.
 - ii. Clearance. No part of the sign shall be lower than eight (8) feet above the walk or surface below.
- d. Height.
 - i. Signs attached to a one-story building shall not exceed fifteen (15) feet above the walk or surface below, subject to all the above limitations. Signs attached to multi-story buildings shall not extend above the roof, wall or parapet of the building to which it is attached.

17. Awnings.

- a. A grant of privilege is required for awnings over the right-of-way [see Section 13.21(11)].
- b. Area. The area of sign copy shall not exceed twenty-five percent (25%) of the face of the awning/canopy to which the sign is to be affixed (see Figure 2 below).
- c. Location.
 - i. Projection. The sign may be affixed to any awning/canopy. An awning shall not project closer than two (2) feet to the edge of street curb.

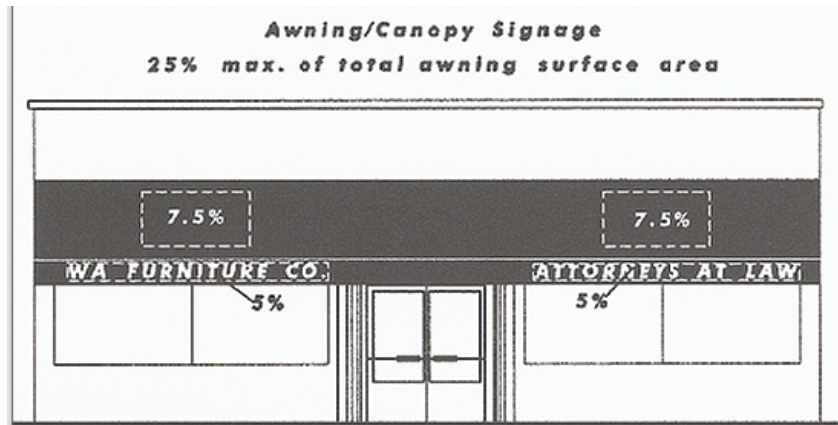


Figure 2: Awning Signage

- ii. Clearance. The lowest part of the awning structure shall not be less than seven (7) feet above the adjacent street grade or walk area below. The height of the awning fringe shall not be less than six (6) feet nine (9) inches above the adjacent grade.
 - d. Materials. Plastic/vinyl awning materials are not permitted.
 - e. Illumination: Awnings may be illuminated.
18. Window Signs.
- a. In no instance may window signs (see Figure 3 below) cover more than twenty percent (20%) of the window space. All window signs must be affixed to the interior of the window.

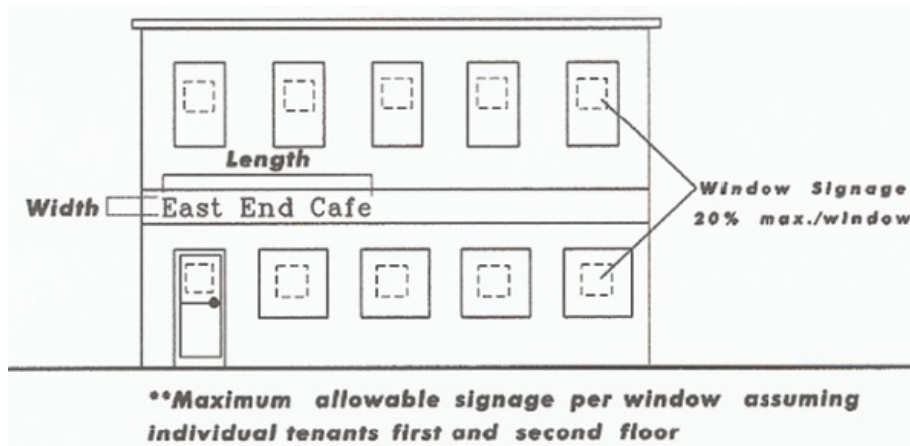


Figure 3: Maximum Window Signage

19. Changeable Copy Signs and Electronic Message Centers.
- a. Area. The computation of sign area for changeable copy signs and electronic message centers shall be included in the total permitted sign area allowed for the building or development where changeable copy signs and electronic message centers are permitted by this section and/or by the Planning and Zoning Program Staff.
 - i. The changeable copy portion of the sign must occupy a secondary position to the name of tenant. The area of changeable copy and electronic message centers shall not exceed thirty-five percent (35%) of the sign face, excepting gas stations for the purpose of displaying price.
 - b. Number. There shall be only one (1) changeable copy sign or electronic message center on each lot or parcel of land.
 - c. Design. Changeable copy signs and electronic message centers must be integrated into the freestanding sign or projecting sign for such building or development.
 - i. Electronic message centers may not change a message or display by an electronic process more frequently than three-second intervals.
 - ii. The sign may be double-faced.
 - iii. Each sign shall be permanently installed or located.
 - iv. Each sign shall be placed in such a manner so as to not interfere with, confuse

or present any hazard to traffic.

20. Tenant Directory Boards. Exterior tenant directory boards for the purpose of guiding pedestrians to individual businesses within a multi-tenant commercial building or center are allowed, subject to the provisions hereof. Letters on a tenant directory board, identifying occupants, may not exceed three (3) inches in height. Reorganization of a tenant directory board may be done for purposes of appearance or clarity. Changes in the structure, style or design of a tenant directory board or to add or delete the name of an occupant shall be allowed unless such tenant directory board is a legal nonconforming sign, in which case such tenant directory board must first be brought into compliance with all of the provisions of this section. Tenant directory boards shall match the color and style of the principal signage for the property and shall be located either within or outside in proximity to the main entrance area of the building. Tenant directory boards are allowed in addition to wall and freestanding signs, for a Master Sign Program. Tenant directory boards require a permit to be issued by the Code Enforcement Department.
21. Directional Signs.
- a. Number. No more than one (1) single-faced, double-faced or four-sided freestanding sign shall be permitted for each driveway. No directional sign shall be greater than four (4) feet in height.
 - b. Area. The area of each side of a directional sign shall not exceed six (6) square feet. If a driveway is shared by two (2) or more businesses or premises and each such business or premises would be permitted one (1) directional sign, pursuant to this section, such signs may be incorporated into one (1) eight-square-foot directional sign no greater than four (4) feet in height. The area of a directional sign is not calculated with the total signage area permitted on a site.
 - i. Twenty-five percent (25%) of the area of each side of a directional sign may be used for the business name or logo.
 - c. Location. An offset of no less than one (1) foot from the ultimate right-of-way line should be maintained.
 - d. Design.
 - i. Directional signs, including the base, must be architecturally integrated with the principal sign on the property. The tone and texture of the sign shall reflect the principal sign construction as close as possible or shall enhance the exterior architecture of the principal sign.
 - ii. The color scheme of the sign shall complement the color scheme of the principal sign.
 - iii. The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - iv. The Planning and Zoning Program Staff may approve, deny or request changes to a sign, based on the architecture of that sign.
 - e. Directional signs may be approved administratively by the Planning and Zoning Staff Program of Development.
22. Informational Signs.
- a. Signage developed for purely informational reasons, except menu boards, shall be allowed without the necessity of obtaining a permit, unless illuminated, so long as such signs comply with all other applicable provisions of this section. Such signs must be no greater than six (6) square feet in area. Examples of informational signs are signs indicating separate buildings or services on premises, e.g., body shop, car wash, and drive-up window.
 - b. Informational signs consisting of menu boards may exceed six (6) square feet in area, provided, however, that no menu board, regardless of size, may be erected unless first reviewed by the Planning and Zoning Program Staff and a permit is obtained by the Code Enforcement Department.
 - i. Informational signs, including the base, must be architecturally integrated with the principal sign on the property. The tone and texture of the sign shall reflect the principal sign construction as close as possible or shall enhance the exterior architecture of the principal sign.

- ii. The color scheme of the sign shall complement the color scheme of the principal sign.
 - iii. The sign face shall be constructed of aluminum, masonry, or similar product or polycarbonate with an opaque background or other approved durable materials. If internally illuminated, the sign face must be constructed of an opaque background.
 - iv. The Planning and Zoning Staff Program of Development may approve, deny or request changes to a sign, based on the architecture of that sign.
- 23. Sandwich Board Signs.
 - a. All applications for sandwich board signs shall be filed with the Planning and Zoning Program Staff for consideration. Applications shall include renderings of the sign and a scaled site plan delineating sign location. Permits, when approved, are valid for one (1) year and may be applied for through the Code Enforcement Department.
 - b. The City of West Allis reserves the right to restrict placement of signs during inclement weather, when a snow emergency has been declared, and special events, including, but not limited to, parades.
 - c. General Requirements.
 - i. Sandwich board signs shall only be permitted for commercially used buildings with a zero- to five-foot front yard setback off of the property line.
 - ii. Sandwich board signs shall not be illuminated or have reflective surfaces. No additional items shall be affixed to the signs (i.e., balloons, streamers, flags, etc.).
 - iii. Sandwich board signs shall not be displayed overnight and/or when the business is closed.
 - iv. Number. One (1) sandwich board sign is allowed per business.
 - (1) When there is one (1) entrance for multiple tenants, only one (1) sandwich board sign shall be permitted on that property.
 - v. Area. The maximum sign face size shall be ten (10) square feet, with a base not exceeding two and five-tenths (2.5) feet in width. Two (2) sign faces are permitted. The total height of the sign shall not exceed four (4) feet.
 - vi. Materials. Durable approved materials shall be used such as wood or metal, which are rigid, and make the sign self-supporting. No cardboard, plastic, or PVC pipe materials are permitted.
 - d. Location—Right-of-Way. Sign placement conditions are as follows:
 - i. If the sign will be located in the public right-of-way, then a grant of privilege is required pursuant to Section 13.21(11) and the applicant shall comply with any applicable special conditions in the grant of privilege, and the applicant shall provide an insurance certificate in a form approved by the City Attorney, in the amount of one million dollars (\$1,000,000.), naming the City of West Allis as an insured party in connection with each sign.
 - ii. Signs shall not be located less than six (6) inches from the face of the curb (unless located on premises).
 - iii. Signs shall not be located within ten (10) feet of a fire hydrant or a building fire department connection.
 - iv. Signs shall not be placed to impede or obstruct the general public or the exit of building occupants.
 - v. Signs must not interfere with the vision clearance at corners and must be placed at least fifteen (15) feet from the corner (measured from street curb).
 - vi. Signs shall not be placed more than ten (10) feet from the business entrance in which the sign advertises, at ground level.
 - vii. Signs shall not be placed in the walking or wheelchair pathway areas or private sidewalk pathways.
 - viii. The Code Enforcement Department shall review sandwich board sign placements and shall not issue a permit for any location that may create a traffic or pedestrian hazard.
 - e. Location—Private Property. Sign placement conditions are as follows:
 - i. Signs shall not be located within ten (10) feet of a fire hydrant or a building fire department connection.

- ii. Signs shall not be placed to impede or obstruct the general public or the exit of building occupants.
 - iii. Signs must not interfere with the vision clearance at corners and must be placed at least fifteen (15) feet from the corner (measured from street curb).
 - iv. Signs shall not be placed more than ten (10) feet from the business entrance in which the sign advertises, at ground level.
 - v. Signs shall not be placed in the walking or wheelchair pathway areas or private sidewalk pathways.
 - vi. The Code Enforcement Department shall review sandwich board sign placements and shall not issue a permit for any location that may create a traffic or pedestrian hazard.
 - f. Any business that fails to comply with the provisions of this Code, after receiving one (1) written notification from the City of West Allis will lose its privilege to display a sandwich board sign for a one-year period.
24. Creative Signs.
- a. Purpose. The purpose of the creative sign subsection is to establish standards and procedures for the design, review and approval of creative signs, such that consideration may be obtained from the Plan Commission to:
 - i. Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness and spirit; and
 - ii. Provide a process for the application of sign regulations in ways that will allow for creatively designed signs that make a positive visual contribution to the overall image of the City, and in certain instances, a creatively designed sign may be permitted even though it is larger or unusual in design.
 - b. Applicability. An applicant may request approval of a sign permit under Section 13.21(6) to authorize on-site signs that employ standards that differ from the other provisions of this section but comply with the provisions of this subsection.
 - c. Design criteria. An application for a creative sign must first be filed with the Planning and Zoning Program Staff. The Plan Commission shall review all creative sign applications and proposals. The Plan Commission may approve, deny or request changes to a sign, based on design criteria of that sign. In approving an application for a creative sign, the Plan Commission shall ensure that a proposed sign meets the following design criteria:
 - i. Design quality. The sign shall:
 - (1) Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area.
 - (2) Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit.
 - (3) Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.
 - ii. Contextual criteria. The sign shall contain at least one (1) of the following elements:
 - (1) Classic historic design style;
 - (2) Creative image reflecting current or historic character of the City;
 - (3) Symbols or imagery relating to the entertainment or design industry; or
 - (4) Inventive representation of the use, name or logo of the structure or business.
 - iii. Architectural criteria. The sign shall:
 - (1) Utilize and/or enhance the architectural elements of the building.
 - (2) Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features/details of the facade.
25. (Reserved)

Editor's Note: Former Subsection (25), Violation, Penalties and Injunctive Action, was repealed by Ord. O-2014-0002, 2/4/2014. For current penalty provisions, see Section 13.26.

- 26. Severability. If any provision, clause, sentence, paragraph, subsection of part of this code, or application thereof to any person, firm, corporation of circumstance shall, for any reason, be

adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof. It is the intent of the Common Council that this code would have been adopted had any such invalid provision or provisions not been included.

[Ord. 6552, 12/19/2000; Ord. 6560, 2/20/2001; Ord. O-2005-0031, 9/6/2005; Ord. O-2007-0006, 4/17/2007]

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	_____	_____	_____	_____
Ald. Kimberlee Grob	_____	_____	_____	_____
Ald. Chad Halvorsen	_____	_____	_____	_____
Ald. Marissa Nowling	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Patty Novak	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of West Allis

Dan Devine, Mayor, City Of West Allis