

## 29.00 SIGNS

### 29.01 Purpose

The purpose of this ordinance is to regulate, administer, and enforce outdoor sign advertising and displays visible from public rights-of-way within the Town of Wilson. This ordinance recognizes the need to protect the safety, welfare and aesthetics of the public and the community, the need for well-maintained and reasonably attractive sign displays within the community, and the need for adequate business identification, advertising and communication.

The intent of this ordinance is to permit the erection and use of signs visible from public right-of-ways, provided the signs are:

- a. In conformity with the zoning regulations.
- b. Designed, constructed, installed and maintained in such a manner they do not endanger public safety or traffic safety.
- c. Legible, readable and visible in the circumstances in which they are used.
- d. Respectful of the reasonable rights of other advertisers whose messages are displayed.

### 29.02 Administration (Permits, Applications, Fees, Issuance and Denial, Appeal Indemnification, Insurance and Remedies)

1. Sign Permit Administration: The Town Building Inspector shall be primarily responsible for the administration and enforcement of the provisions of this ordinance. The Town Building Inspector shall receive and examine all applications for permits for the erection of signs; upon the direction of the Town Board, issue permits and denials; authorize the continued use of signs which conform with the requirements of this code; promptly record and file with the Town Clerk all applications for permits with any accompanying plans and documents. Upon receipt of a complete application by the Town Clerk, the Plan Commission shall review and advise the Town Board regarding compliance with this and applicable ordinances. The Building Inspector shall make inspections of signs in the Town of Wilson; and make such reports as the Town Board may require.
2. Permits Required: It shall be unlawful to erect, construct, enlarge, or structurally modify a sign, demolish, wreck, or dismantle a sign, or cause the same to be done in the Town of Wilson without first obtaining a sign permit or sign razing permit for each such sign from the Town Office as required by this Ordinance. Permits shall not be required for a change in copy on any sign, nor for the re-painting, cleaning, and other normal maintenance and repair of the sign and sign structure. ***Failure to obtain a permit BEFORE installation of the sign or before review by the Plan Commission and approval by the Town Board will result in a penalty equal to double the original permit fee.***
3. Application For A Permit: An application for a permit shall be filed with the Town Building Inspector upon forms provided by the Town and shall contain the following information:
  - a. The name, address, and telephone numbers of the sign owner, the property owner where the sign is or will be located, and the sign contractor of the proposed sign.
  - b. Clear and legible scale drawings with description and nominal dimensions of the proposed sign, the construction, size, dimensions and kind of materials to be used in such structure. The site plan shall show any

- buildings on the premises upon which the structure is to be erected and maintained together with location, size, and types of existing signs on the premises where the proposed sign is to be located.
- c. Engineering calculations showing that the structure and design meets the requirements of this Ordinance for wind pressure load as defined in Section 29.07(4).
  - d. Evidence of liability insurance policy or bond as required herein.
  - e. Photos of subject property and sign site.
  - f. Such other information as the Building Inspector may require to show full compliance with this and all other applicable laws.
  - g. Signature of the applicant.
  - h. Check for all required fees.
  - i. Proof that the applicant has obtained all required state and federal permits for the proposed erection, construction, enlargement, structural modification, demolition, wrecking, dismantling, relocation or other action with respect to the sign, or verification that no such permit is required.
4. Permit Fee: The application for a permit shall include the permit fee, exclusive of any electrical fee. The fee for a sign permit shall be established in a separate Fee Ordinance for the Town of Wilson.
    - a. Illuminated sign electrical inspection fee for each sign shall be set as authorized by the Town of Wilson Building Code.
    - b. Signs installed without permit are subject to forfeitures, removal and/or double fees according to the provisions of subsection (11) below.
  5. Permit Issuance: The Town Building Inspector shall issue a permit for the erection, structural alteration, enlargement or relocation of a sign.
  6. Permit Expiration: Sign permits shall expire 6 months from the date of issuance if no construction has started. Sign construction or alteration shall be completed within one year of the issuance of the permit.
  7. Permit Denial: If the sign permit is denied by the Town Board, written notice of the denial shall be provided to the applicant, together with a brief written statement of the reasons for the denial.
  8. Sign Permit Appeal: An applicant may appeal an adverse ruling by the Town Board within 20 days after receiving written notice of the adverse ruling. The Town's Zoning Board of Appeals is hereby delegated the responsibility to conduct the appeal proceedings. However, unlike its jurisdiction in a zoning appeal, the Board's jurisdiction over an appeal under this Ordinance is limited to the correction of procedural or factual errors only. The Board may not grant special exceptions, variances (whether based on an alleged unnecessary hardship or a practical default or otherwise), nor may the Board waive or modify the application of the provisions of this Ordinance. The Board shall take action on the appeal within 60 days after receipt of the application. The Building Inspector and Town Clerk shall comply with the Board's decision.
  9. Indemnification of Sign Installation and Maintenance: All persons engaged in the business of installing or maintaining signs which involves in whole or in part the erection, alteration, relocation, or maintenance of a sign, or other sign work in, over, or immediately adjacent to a public- right-of-way or public property that is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the Town of Wilson, its officers agents, employees, from any and all claims of negligence resulting from the erection, alteration, relocation, maintenance of this sign, or any other sign work.
  10. Insurance: Every sign contractor shall file with the Town a Certificate of Insurance indicating that the applicant holds public liability and property

damage insurance to include and hold harmless with bodily injury limits of at least One Million Dollars (\$1,000,000) per occurrence, and One Million Dollars (\$1,000,000) aggregate; and property damage insurance of at least Three Hundred Thousand Dollars (\$300,000) per occurrence, and Three Hundred Thousand Dollars (\$300,000) aggregate. Such insurance shall not be cancelled or reduced.

- 11 **Remedies:** Violation or failure to comply with the provisions of this Ordinance shall be and/is hereby declared unlawful:

Any sign erected, altered, moved or structurally modified without a permit, or otherwise in violation of this Ordinance, shall be removed at the owner's expense or brought into compliance within thirty (30) days of written notification by the Town. If the violation is failure to obtain a permit, a permit fee shall be required and such permit fee shall be two (2) times the normal fee. In the event that the sign owner does not timely remove or bring into compliance any sign, the Town may order removal, the expenses of which will be assessed to the tax roll of the property on which the non-complying sign is located in addition to other remedies available in law or equity.

Note: This sub-paragraph shall not preclude the Town of Wilson from maintaining any other appropriate action to prevent or remove a violation of this Ordinance.

### **29.03 Legal Non-Conforming Signs:**

1. **Notification of Non-Conformance :** After enactment of this Ordinance, the Town will inventory all billboard and off-premise signs, including, but not limited to, sign owner, easement owner, land owner, location, Oasis number and sign status. Upon determination that a sign is non-conforming, the Town shall keep proper records of the nonconforming structures that include photographs, and notify, in writing, the user or owner of the property of the following:
  - a. The sign's non-conformity.
  - b. Whether the sign is eligible for characterization as a legal nonconforming sign.
2. **Legal Non-Conforming Signs.** Any sign located in the Town of Wilson as of the date of adoption of the amendments to this Ordinance, which does not conform to the provisions of this Ordinance, is eligible for characterization as a legal non-conforming sign and is permitted, providing it also meets the following requirements:
  - a. The sign was covered by any then-required sign permit prior to the adoption of this Ordinance or any amendments thereto.
  - b. If no permit was required under applicable law for the sign in question, and the sign was in all respects in compliance with applicable law on the date of the adoption of this Ordinance or amendments thereto.
3. **Loss of Legal Non-conforming Status.** A sign loses its legal non-conforming status if one or more of the following occurs:
  - a. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to, or makes the sign less in compliance with requirements of this Ordinance than it was before the alteration.
  - b. The sign is relocated.
  - c. The sign fails to conform to this Ordinance regarding maintenance and repair, or becomes defective.
  - d. On the date of occurrence of any of the above, the sign shall be immediately brought into compliance with this Ordinance with a new

- permit secured, or shall be removed at the owner's cost.
- e. The sign is abandoned.

#### **29.04 Removal and Disposition of Signs:**

1. Maintenance and Repair:
  - a. Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, except when weathered or natural surface is intended, re-painting, cleaning and other acts required for the maintenance of said sign.
  - b. **Damaged or Destroyed Sign:** Nonconforming signs which are damaged or destroyed by wind, vandalism, fire, or flood may be reconstructed provided:
    1. The owner bears the burden of proof in qualifying for this section;
    2. Damage, which is due to an intentional act of the owner, may only be repaired in conformity with this ordinance;
    3. Repair and reconstruction is limited to that part of sign that is actually damaged; and
    4. Repair and reconstruction is in compliance with all other provisions of applicable ordinances including *2005 Wisconsin Act 112*.
  - c. The Town shall require compliance with all standards of this Ordinance. If a sign is not modified, repaired or replaced to comply with safety standards outlined in the Ordinance, the Town shall require its removal in accordance with Section 29.02(11). Any modification, repair, or replacement must comply with all other requirements of this ordinance.
2. Abandoned Signs: All abandoned signs, as defined in Section 29.17(1), shall be removed by the owner or lessee of the premises.
3. Deteriorated or Dilapidated Signs: The Town shall cause the removal of any deteriorated or dilapidated signs under the provisions of this ordinance.

#### **29.05 Prohibited Signs**

The following signs shall be prohibited within The Town of Wilson:

1. Abandoned Signs.
2. Flashing or Moving Signs: No sign shall be permitted which is animated by means of flashing, scintillating, blinking, or traveling lights. Signs with physically moving components visible from the public right-of-way are not permitted. Changeable message signs are not subject to this restriction.
3. Swinging or Rotating Signs.
4. Floodlighted Signs: Reflection-illuminated signs whose light source is positioned so as to be directly visible from a public right-of-way or from residential property are prohibited.
5. Mobile and Portable Signs.
6. Vehicular Signs, Parking, or 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 thereto or located thereon 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.
7. No official traffic look-alike: No sign shall use any word, phrase, symbol, shape, form, or character in such manner and location as to interfere with

- moving traffic, including signs that incorporate typical street-type and/or traffic control-type signage designs and colors.
8. Unclassified Signs: Signs, which bear or contain statements or pictures of obscene, pornographic, lewd or profane subjects.
  9. THE FOLLOWING OFF-PREMISE SIGNS: All types of digital, electronic, multiple or variable message signs and uses of such signs.
  10. THE FOLLOWING ON-PREMISE SIGNS ARE PROHIBITED: All signs that display video images or sequences similar to those produced by an indoor television monitor, regardless of the size of the screen or display area and regardless of the technology used to produce such images. Other on-premise digital, electronic, multiple and variable message signs may be permitted upon application to the Town Board. The Town Board may issue a permit upon such application if it finds that the size, location, illumination and other content-neutral features of the sign are compatible with the area in which the sign is to be located and that the sign will not be unduly distracting to motorists. The Board may impose additional content-neutral conditions upon the granting of such a permit in the interest of the public's health, safety, welfare and enjoyment of life and property.

#### **29.06 Signs Not Requiring a Permit:**

Signs not requiring a permit are as follows:

1. Awnings: Awnings with signs consisting of one (1) line of copy upon the border of the awnings advertising on-premises businesses or services.
2. Conservancy District Signs. No permit is needed for signs located in and identifying a conservancy area provided they pertain to the District on which it is located and conform to Section 29.16.
3. Construction Signs: Four (4) construction signs per construction site, each not exceeding one hundred (100) square feet in area, shall be confined to the site of the construction, and shall be removed thirty (30) days after the completion of construction, or prior to occupancy, whichever is sooner.
4. Directional and Instructional Signs
  - a. On-Premise Directional and Instructional Signs: Those signs, which provide instruction or direction, and are located entirely on the property to which they pertain, and do not advertise a business. This includes, but is not limited to, such signs as those which identify restrooms, telephone, parking areas, entrances, exits, etc - Such signs may not exceed nine (9) square feet in gross area per sign.
  - b. Off-premise Directional Signs: Directory signs advertising a business or business-conducted activity, an area of interest, or a service available at a specific location in the Town. Such signs shall be not more than twelve (12) square feet in gross area, nor exceed twelve (12) feet in height. No more than two (2) such signs relating to any one (1) such use shall be permitted in the approaching direction along any one street or highway. The Planning Commission may permit a larger number of signs as a Conditional Use if the Commission shall find it necessary for directing the traveling public.
  - c. Habitation Directional Signs Not Fronting on a Public Road: Signs indicating names of resident or the direction to a cottage, resort, residence or similar use which either does not front upon or is not visible from a public road. Such signs shall not be more than four (4) square feet in gross area, and may be placed at the right-of-way line of a street or highway, except freeways and expressways. Where a common posting standard is provided, all such signs shall be attached to the standard

- directory.
5. Garage Sale Signs: Signs advertising the location of a temporary residential garage sale. Such signs may not exceed nine (9) square feet in gross area. No more than three (3) such signs may be placed at the right-of-way line of the street or highway, and only on the day the sale occurs.
  6. Government Signs: Government signs for control of traffic and other regulatory purposes; danger signs; railroad crossing signs; signs of public utilities indicating danger; and, aids to service or safety which are erected by, or on the order of, a public officer in the performance of his/her public duty; or signs required as specifically authorized for a public purpose by any law, statute or ordinance.
  7. Home Occupation Signs: Signs associated with a home occupation as defined in the Zoning Ordinance, provided such signs are wall mounted, and do not exceed two (2) square feet in area. A maximum of one (1) sign per unit shall be allowed.
  8. House Numbers and Plates: House numbers and plates, not exceeding two (2) square feet in area for each residential, commercial or industrial building.
  9. Interior Sign: Signs located within the interior of any building or structure. This does not, however, exempt such signs from the structural, electrical, or material specifications of this Ordinance.
  10. Memorial Signs and Plaques: Memorial signs or tablets, names of buildings and date of erection, which are cut into or inlaid so as to be part of a building, not more than four (4) square feet in area.
  11. No Trespass Signs: No trespassing, no hunting or no dumping signs shall be placed within the property line and may not exceed two (2) square feet in area per sign.
  12. Non-illuminated Emblems, or Insignia of any Nation or Political Subdivision, Profit or non-profit Organization: Wherever applicable, the regulations and conditions specified in Section 29.07, 29.08, and 29.09 shall prevail.
  13. On-Premise Temporary Signs: Temporary signs, not exceeding sixteen (16) square feet in gross area, pertaining to drives or events of civic, family or work place, including personal or congratulatory, or for philanthropic, educational or religious organizations, provided such signs are posted not more than forty-five (45) days before said event, and removed within fifteen (15) days after the event.
  14. Political and Campaign Signs: Political and campaign signs on behalf of candidates for public office or measures on election ballots, provided that said signs meet the following regulations:
    - a. Said signs may be erected not earlier than the beginning of the "election campaign period" as defined in Wis. Stat., §12.04 and shall be removed within seven (7) days following said period.
    - b. Each sign, except billboards, shall not exceed thirty-two (32) square feet in area in non-residential zoning districts, and eleven (11) square feet in area in residential zoning districts.
    - c. No sign shall be located within five (5) feet from a public right of way line or within a vision triangle. See Section 29.07(7), Table 29A, Figure 29-1 and Figure 29-2.
    - d. Political signs equipped with an electrical, mechanical or audio auxiliary are prohibited.
  15. Public Notices: Official notices posted by public officers or employees in the performance of their duties.
  16. Real Estate Signs: One real estate sales sign is permitted on any lot or parcel, provided such sign is located entirely within the property to which the

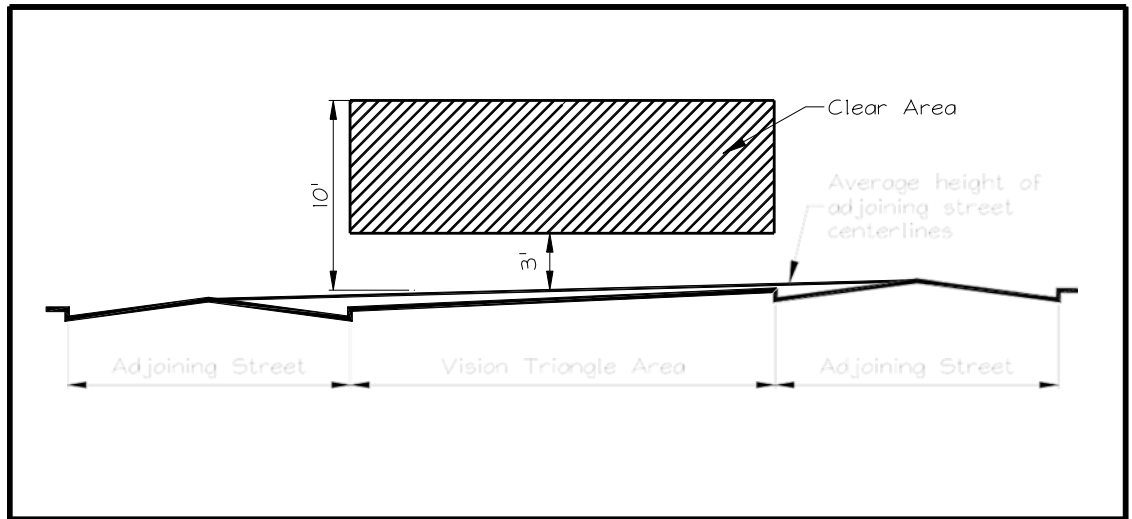
sign applies and is not directly illuminated. The sign is allowed on-site for the period that it requires to sell or lease the property.

- a. In residential districts, such signs shall not exceed six (6) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.
  - b. In all other districts, such signs shall not exceed thirty-two (32) square feet in area per sign, with a maximum of two (2) signs per lot or parcel, and shall be removed within thirty (30) days after the sale, rental or lease has been accomplished.
17. Residential Professional Office Signs: Signs associated with a professional office located in a residential district as defined in the Zoning Ordinance, Section 14.02. Only one (1) such unlighted sign in the form of a nameplate containing the name and profession of the occupant shall be permitted. The sign shall not exceed two (2) square feet.
18. Temporary Window Signs: In Neighborhood Commercial, Highway Commercial, and Industrial Districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed fifty percent (50%) of the total window area, and shall not be placed on door windows, or other windows needed to be clear for pedestrian safety. Signs shall not be displayed for longer than thirty (30) days at a time.
19. Vehicular Signs: Truck, bus, trailer or other vehicle, while operating in the normal course of business, which is not primarily the display of signs.

#### **29.07 Construction and Location Standards**

1. All signs shall comply with the provisions of the Wisconsin Uniform Dwelling Code for the Town of Wilson Building Ordinance; the existing current edition of the National Electrical Code; and, the additional construction standards hereinafter set forth.
2. All freestanding signs shall be permanently attached to sufficient foundations.
3. Electric service to ground signs shall be concealed wherever possible.
4. All signs, except those attached flat against the wall of a building, shall be constructed to withstand a thirty (30) pound per square foot wind load on the area of the sign and structure.
5. No sign shall be suspended by chains or other devices, which will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections. Supports and braces shall be an integral part of any sign.
6. All off premise signs shall be marked with the owner's name in a size, which is easily visible from the ground.
7. No signs shall be located within the "clear area" of a vision triangle. See Figure 29-1. The vision triangle is the "clear area" within the triangle formed by any two (2) existing or proposed intersecting centerlines and a line joining points as shown in Figure 29-2 and determined by reference to Table 29A, below.

Street Type Centerline	Vision Triangle Distance along
Arterial Street (State Highway)	150 feet
Local Street (City Street)	75 feet
Driveways (Private)	50 feet

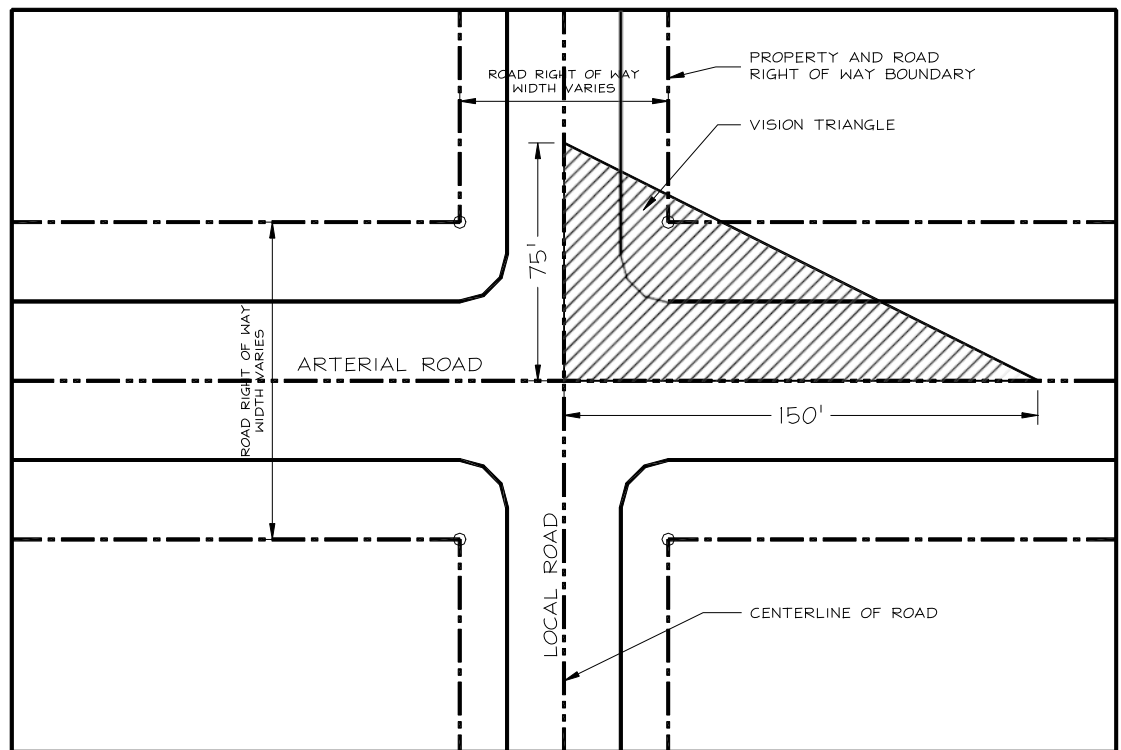


**Figure 29-1: Clear Area Illustration**

Clear Area – Section Illustration

No sign may be placed in the clear area of a vision triangle. The clear area extends from 3 feet to 10 feet above from the average height of the centerline elevation of the adjoining streets.





**Figure 29-2: Vision Triangle**

**29.08 Installation and Maintenance**

1. Safety: All signs shall be designed, constructed, installed and maintained in accordance with this Ordinance, State and Federal regulations.
2. Electric Signs: Floodlighted signs, internally illuminated signs, and changeable message signs shall be constructed and installed in strict accordance with the applicable sections of the National Electric Code as modified by the State of Wisconsin, when and where required, sign components shall bear Underwriter's Laboratory (UL) Seal.

**29.09 General Design Requirements**

1. All projecting and canopy signs shall maintain a minimum vertical distance between the bottom of the sign and the grade below the sign of eight (8) feet.
2. Projecting signs may extend not further than (6) feet from the building to which they are attached. They may not extend over any public right-of-way or pedestrian walk way.
3. No part of any sign shall project beyond the existing or future right-of-way line or the property line of the site where the sign is located. No sign shall be located in the right-of-way.
4. The gross area of permanent window signs shall not exceed fifty percent (50%) of any given window unit.
5. Any sign location that is accessible to vehicles shall have a minimum vertical clearance at grade of sixteen (16) feet.
6. No sign adjoining a Residential District shall be closer than twenty-five (25) feet to that district line.

**29.10 Special Signs**

1. Subdivision Development Signs: The Town Board may issue a temporary sign permit for a temporary sign in any zone in connection with the marketing of lots or subdivision, subject to the following restrictions:
  - a. Such permits may be issued for a period of not more than one (1) year, and upon written application at least thirty (30) days prior to its expiration, may be renewed for additional periods of up to one (1) year.
  - b. Signs as referred to in this subsection mean all types of signs, except those exempted or prohibited by this Ordinance.
  - c. The sign must be located on the property being developed, and must comply with all applicable building setback requirements.
  - d. The sign may not exceed thirty-two (32) square feet in area, with one sign per public entrance.
  - e. One sign is allowed for each major street adjacent to the subdivision.
2. Neighborhood Identification Signs: In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or subdivision identification. The legend of the sign may allow the name and description and appropriate text or graphics related to the subdivision provided the sign does not exceed 36 square feet.
3. Banners and Other Promotional Devices: Banners, pennants, searchlights or balloons shall not be used on a permanent basis.
  - a. Commercial Display: They may be permitted as special promotion in a commercial or industrial establishment for a total period not to exceed thirty (30) days.
  - b. Residential Displays: Signs will be allowed in residential zones in conjunction with an open house or model home demonstration conducted by a Realtor for up to five (5) days before the opening of such demonstration, or five (5) days after, and not to exceed a total period of ninety (90) days.
4. Off-Premise Advertising Signs (Billboards)

Off-premise advertising signs shall, in addition to being subject to other applicable provisions of this Ordinance, be limited in sign location, maximum sign area, minimum sign spacing, and configuration.

  - a. Sign Location and Zoning District Limitations

Off-premise advertising signs are permitted by right on legal conforming or legal nonconforming lots in the I-1, I-2 and Highway Commercial districts. Off-premise advertising signs shall be prohibited in all other zoning districts. Off-premise advertising signs shall be a minimum of one foot from the road right-of-way except that a billboard erected after 1989 shall be at least twelve (12) feet from any street right-of-way (except for wall mounted signs) and shall not create a traffic visibility or other public safety hazard. Off-premise advertising signs shall not be located on roofs, but may be freestanding or located on building walls.
  - b. Maximum Sign Number Cap

The number of off-premise advertising signs permitted within the Town of Wilson shall be limited to the number of legally permitted off-premise advertising signs existing within the Town as of the effective date of this Chapter, including signs for which legal permits have been issued, but are not yet erected. This number shall be referred to as the "off-premise sign cap". The Town shall maintain the inventory of legally erected signs and legal sign permits, which comprise this cap. When signs are removed and not replaced in accordance with this ordinance, the "off-premise sign

cap” shall be lowered. No replacement signs shall be permitted, unless the replacement sign is within twenty-five (25) feet of the present sign location. The replacement sign construction must begin within six (6) months and be completed within one (1) year of the removal of the previous sign, be reviewed by the Plan Commission and approved by the Town Board.

c. Application for Off-Premise Advertising Sign Permit

The application for an off-premise advertising sign permit shall contain all information necessary for the Plan Commission to ensure that the sign meets all requirements of this Chapter, and to ensure that accurate sign inventory records are kept.

d. Maximum Sign Area

The maximum area of an off-premise advertising sign shall be six hundred seventy-two (672) square feet in copy face area, providing said area does not exceed fourteen (14) feet of height nor forty-eight (48) feet of width in one continuous plane, except for minor artistic appendages that may not exceed twenty-eight (28) square feet in area. The apron shall not contain an advertising or informational copy other than the sign’s ownership. Said signs shall also not exceed thirty-six (36) feet in height from the centerline of the viewing highway, or from the highest centerline if more than one highway is involved, and not contain more than one such copy face per direction of travel from the viewing highway. In all other respects the provisions of this ordinance and the district regulations in which the sign is located shall apply.

Signs attached to one-another (side by side signs) or located on the same support (double-deck signs) shall be counted as separate signs. Back-to-back off-premise advertising signs or “V-shaped” off-premise advertising signs which are installed perpendicular to the street (where no more than fifteen (15) feet of spacing exists between the two closest spread ends) or are otherwise installed so as to be viewed from one direction of travel on the street shall be counted as separate signs which face in different directions.

e. Visibility of Off-Premise Advertising Signs

Where possible, the Town shall adjust the spacing of its street tree plantings to provide for the visibility of off-premise advertising signs. To accomplish this, trees, which would normally be spaced at regular intervals, shall be clustered away from the intended sight lines within one hundred fifty (150) feet of an off-premise advertising sign. Low leaf density trees such as locust and linden shall also be used to minimize sign sight line obstruction.

f. Sign Design and Construction

Off-premise advertising signs shall not exceed thirty-six (36) feet in height, as measured from the elevation of the public right-of-way roadway pavement at the centerline to the top of the structure. Off-premise advertising signs shall be designed to comply with the State Building Code. Illuminated off-premise advertising signs shall be designed to conceal the view of the lighting elements from other properties and any public right-of-way. The concrete bases of off-premise advertising signs and electrical services shall be reasonably screened from view through the use of decorative sign structure and/or landscaping.

In regard to the location of freeway oriented off-premise signs within local zoning districts, the minimum spacing between such signs shall not be less than 500 feet. Any sign not having such spacing shall be classified as non-conforming under the terms hereof.

g. Nonconforming Off-Premise Signs

Existing signs which do not comply with the requirements of this Section 29.10(4) or are not able to withstand a wind load of thirty (30) pounds per square foot, are hereby classified as nonconforming, and shall be subject to the regulations of *Wisconsin Statutes* 62.23(7)(h).

**29.11 Sign Regulation in R-1, R-2, R3 Residence Districts**

1. Additional Specifications: All signs permitted under this section shall, in addition to the following specifications, conform to all regulations prescribed in Sections 29.06, 29.07, 29.08, and 29.09 of this ordinance.
2. Permitted Signs and Restrictions: See tables below.

**Table 29B**

**Signs R-1 and R-2**

Total Sign Area in R-1 and R-2	Maximum of 4 sq. ft. per unit
Maximum permitted number of signs	One wall sign per unit
Type of Sign Allowed	Wall sign. [Illuminated signs shall only be lit during business hours, not to extend beyond nine PM.]

**Table 29C**

**Signs in R-3**

Total Sign Area	Maximum of 32 sq. ft. per public street frontage
Maximum permitted number of signs	One sign per property
Type of Sign Allowed	Ground sign or wall sign. [Illuminated signs shall only be lit during business hours, not to extend beyond nine PM.]
Height Restriction	Ground sign: 8 feet height
Setback	The sign may be set up to and parallel with the right-of-way line, but in no case shall any part of the sign project beyond the right-of-way line.

3. Subdivision Development Signs, See Section 29.10(1).

**29.12 Sign Regulations in A-1, A-2, A-3 and A-4 Districts**

1. Additional Specifications: All signs permitted under this section shall, in addition to the following specifications, conform to all regulations prescribed in Sections 29.06, 29.07, 29.08, and 29.09 of this ordinance.
2. Permitted On-Premise Signs: One (1) on-premise non-illuminated or illuminated sign per property. The sign shall be for permitted, conditional, or legal non-conforming uses, identifying product, brand, or name of a product

which is related to the operation conducted on the premise. This includes freestanding and ground signs, provided all buildings are set back at least twenty-five (25) feet from the right-of-way line. Where buildings are closer, a wall sign, or ground sign may be used for this purpose.

3. **Restrictions:**
  - a. **Area:** The sign area shall not exceed thirty-two (32) square feet.
  - b. **Height:** A ground sign shall not exceed twelve (12) feet in overall height. A freestanding sign shall not exceed fifteen (15) feet in overall height.
  - c. **Setbacks:** A ground sign or freestanding sign must be at least fifteen (15) feet from a public right-of-way, and at least thirty (30) feet from the inside or rear of property lines.

### **29.13 Sign Regulations in Neighborhood Commercial District**

1. **Additional Specifications:** All signs permitted under this section shall, in addition to the following specifications, conform to all regulations prescribed in Sections 29.06, 29.07, 29.08, and 29.09 of this ordinance.
2. **Permitted Signs:** On-premise wall signs, window signs, ground signs, freestanding signs, canopy/marquee signs, projecting signs, directory and directional signs in this zoning district.
3. **Restrictions:**
  - a. **Area:** The total area of all signs shall not exceed one hundred (100) square feet (Two hundred (200) square feet if double faced sign) per public road frontage in Neighborhood Commercial Districts.
  - b. **Height:** On premises ground signs may not exceed twenty (20) feet in height in Neighborhood Commercial Districts.
  - c. **Setbacks:** Signs may be set up to and parallel with the right-of-way line, but in no case shall any part of the sign project beyond the right-of-way line.
3. **Planned Unit Development:** Signage in a Planned Unit Development shall be controlled by the signage restrictions for the zoning district in which it is located.

### **29.14 Sign Regulations in Highway Commercial District**

1. **Additional Specifications:** All signs permitted under this section shall, in addition to the following specifications, conform to all regulations prescribed in Sections 29.06, 29.07, 29.08, and 29.09 of this ordinance.
2. **Permitted Signs:** On-premise wall signs, window signs, ground signs, freestanding signs, canopy/marquee signs, off-premise advertising signs, projecting signs, directory and directional signs in this zoning district.
3. **Restrictions:**
  - a. **Area:**

**On-Premise Freestanding Signs:** A maximum of one and one-half (1 ½) square feet of signage shall be allowed for every foot of public street frontage. The total area of individual monument or pylon signs shall not exceed two hundred fifty (250) square feet or (five hundred (500) square feet if double faced sign).

**Building Signs:** A maximum of two (2) square feet of signage for every lineal foot of exposed exterior wall length of building on street frontage (the street to which the address is assigned), plus one (1) square foot of signage for every lineal foot on other sides of the building.
  - b. **Height:**

On premises signs may not exceed thirty (30) feet in height from the ground, except for signs located within a radius of nine hundred (900)

feet from the center point of the intersection of HWY I-43 and CTY HWY V. Within the radius, one sign per parcel may extend as high as sixty (60) feet in height from the centerline of HWY I-43 at the center point of the intersection, that maximum allowable sign height being seven hundred seventy seven (777) feet in elevation above sea level (NGVD) and shall not contain more than one such copy face per direction of travel from the viewing highway. Other on-premise freestanding signs within this exception radius may not exceed fifteen (15) feet in height. In all other respects the provisions of this ordinance and the district regulations in which the sign is located shall apply.

- c. Setbacks: No part of any on-premise sign shall project beyond the right-of-way line nor shall they occupy the clear area of a vision triangle.
- d. Illumination: Signs may be illuminated or non-illuminated.
4. Off-Premise Advertising: Refer to Section 29.10.4.
5. Planned Unit Development: Signage in a Planned Unit Development shall be controlled by the signage restrictions for the zoning district in which it is located.

#### **29.15 Sign Regulation in I-1 and I-2 Industrial District**

1. Signs Not Requiring a Permit: Such signs shall be governed by conditions specified in Section 29.06 of this Ordinance.
2. Signs Requiring a Permit: All signs permitted under this sub-paragraph shall, in addition to the following specifications, conform to all regulations prescribed in Sections 29.07, 29.08, and 29.09 of this Ordinance.
3. Permitted Signs: Wall signs, window signs, ground signs, freestanding signs, canopy/marquee signs, off-premise advertising signs, projecting signs, directory and directional signs
4. Restrictions:
  - a. Area: No individual on-premise sign shall be more than two hundred-fifty (250) square feet.
  - b. Height: On-premise ground signs may not exceed twenty-five (25) feet in height. Other freestanding signs may not exceed fifteen (15) feet in height.
  - c. Setbacks: All on-premise ground signs exceeding three (3) feet in height shall be set back a minimum of ten (10) feet from any public right-of-way and twenty-five feet from any other lot line, and not occupy any vision triangle.
  - d. Illumination: Signs may be illuminated or non-illuminated.

#### **29.16 Sign Regulation in Conservancy District**

1. Permitted Signs: One on-premise freestanding sign, per adjacent right-of-way, identifying the Conservancy District
  - a. Area Permitted: Sixty-four (64) square feet of area for each identifying sign.
  - b. Height Restrictions: Identifying signs shall not exceed ten (10) feet in height.
  - c. Setbacks: The identifying sign shall be set at least five (5) feet from the right-of-way line. No sign shall be set in the vision triangle area of any intersection as per Section 29.07.

## 29.17 Definition of Signs

“Sign” means any outdoor advertising sign, display, device, structure, notice, figure, painting, drawing, message, placard, poster, billboard, or other thing which, or display area of which, is designed, intended, or used to advertise, inform, persuade, or otherwise communicate, any part of the communicative contents of which is visible from any place on a public right-of-way within the Town.

### 1. Definition of Sign Terms

- a. Abandoned Sign: A sign is abandoned or discontinued if for a period of twelve (12) months or longer it is composed of obsolete advertising matter or is without advertising matter or is in need of substantial repair, or the name of the owner does not appear thereon and if the name and address of the current owner are not readily ascertainable from Town or WDOT records.
- b. Area of Copy: The entire area within a single, continuous perimeter composed of squares or rectangles, which encloses the extreme limits of advertising message, announcement, or decoration except for incidental artistic extension. Wall signs composed of architectural letters affixed to the building shall be measured by the smallest rectangle, which individually encloses each letter.
- c. Area of Sign: See (b) area of copy above and (1) double-board sign below
- d. Auxiliary Sign: A sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is less than one square foot in area. Examples of such signs include directories of tenants in buildings, "no trespassing" signs, menu boards, and signs which list prices of gasoline, up to one price listing sign per type of fuel, which must be displayed on a single structure.
- e. Awning Sign: A type of building mounted sign that projects from the building consisting of a fabric or fabric-like sheathing material.
- f. Billboard: An off-premise advertising sign, other than directional signs as defined herein.
- g. Building Facade: The face of a building, usually the front
- h. Building Fascia: The flat member or a jutting brick course in any story of a building, except the uppermost, something that binds together, as a fillet or as a band.
- i. Building Identification Sign: Any sign which promotes the name and type of business only on the premises where it is located.
- j. Building Signs: Signs attached to or supported by a building or non-sign structure; including wall signs, projecting signs, window signs, but not including prohibited or signs that do not receive a permit.
- k. Canopy/ Marquee Sign: Any sign attached to or constructed in, on or under a canopy or marquee sheltering the entrance and/or entrance approaches of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events. For the purpose of this ordinance, canopy signs shall be controlled by the rules governing signs.
- l. Changeable Message Sign: A sign whereby copy change is accomplished by means of manual, electric or electronic devices, such as: time and temperature signs, or message center signs. A changeable message sign may be included as part of another sign.

- m. Community Information Sign: A sign approved with a Conditional Use Permit which may have changeable copy and which is limited to the display of information of interest to the general community regarding scheduled public events and public activities.
- n. Copy area: A geometric area in square feet that encloses the actual image of the sign.
- o. Directional Sign, (On-Premise): A sign which indicates only the name, logo (if under one square foot), and or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located. No more than two signs within seventy-five (75) feet of public right-of-way, unlimited number beyond that distant.
- p. Directional Sign (Off-Premise): Any off-premise sign which serves to designate the location of or direction to any place or area such as parks, museums, art galleries, golf courses, cities, and does not advertise products or services for sale. No more than two (2) such signs serving the same establishment shall be erected in The Town of Wilson.
- q. Double-faced Sign: A sign with copy on two (2) faces that are back to back, facing in opposite directions. Two back-to-back reader-board signs are also double-faced signs. The area of one face is considered the basis for calculating the area for the permit. Double-faced can be monument, pylon, or projecting signs.
- r. Electric Sign: Any sign containing internal electrical wiring, which is attached to, or intended to be attached to an electrical energy source.
- s. Electric Sign Contractor: A person, partnership, or corporation, which, in the normal course of business, frequently installs and maintains electric signs
- t. Flashing Sign: Any sign which contains an intermittent or flashing light by means of animation, or externally-mounted intermittent light source, not including changeable message signs. Not permitted in the Town of Wilson.
- u. Freestanding Sign: A totally or partially independent sign resting on or supported by means of poles, standards, or any other type of base on the ground as opposed to a building or other non-sign structure. This type of sign includes ground signs.
- v. Freeway: A divided traffic way to which abutting property has no direct access, Interstate Highway 43.
- w. Freeway Oriented Sign: A sign positioned for primary reading from a freeway.
- x. Frontage: The length of the property line of any one (1) premise parallel to and along each public right-of-way it borders. Said public right-of-way may be known as a frontage road.
- y. Grade: The elevation or level of the ground closest to the sign to which reference is made.
- z. Gross Area: The area of a sign normally determined by using the outside perimeter dimensions of the sign, if the sign consists of more than one (1) module or section viewable from the same direction, the area shall be totaled. If the modules are formed in the shape of letters or symbols, the rules for (b) Area of Copy shall apply.
- aa. Ground Sign: A sign supported directly on its own foundation at ground grade, including monument signs, rather than upon one or more freestanding supports or uprights or attached to any building.



- bb. Group or Directory Signs: A sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving two or more non-residential tenants.
- cc. Height of Sign: The vertical distance measured from the grade at the centerline of the street from where the sign is to be viewed to the highest point on the sign.
- dd. Identification Sign: A sign indicating the name and/or address of the tenant of the unit or manager of the property located upon the residential premises where the sign is displayed.
- ee. Instructional or Informational Sign: On-premise signs which designate entrance, exits, parking area, telephone, restroom, etc.
- ff. Legal Non-conforming Sign: A sign that met the regulations of the ordinance when it was originally erected, but no longer conforms to these regulations. See Section 29.03(2).
- gg. Mobile Sign: A sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage. Such signs are not permitted.
- hh. Monument Sign: A type of horizontal sign whose bottom edge is located within two feet of a ground and whose top edge is located no more than eight feet high.
- ii. Multiple Message Sign: Any outdoor advertising sign, display or device whose messages are on louvers containing three or more facings which are changed by electronic or other rotation of the louvers.
- jj. Non-conforming Sign: See Section 29.03(2) and Section 29.10(4)(g).
- kk. Off-Premise Sign: A sign which does not direct attention to a business, commodity, service, or entertainment conducted, sold, or offered upon the premises where the sign is displayed. Off-premise advertising signs include billboards.
- ll. On-Premise Sign: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located.
- mm. Personal Greeting and Congratulatory Sign: A temporary sign, which is limited to a personal greeting or message used to announce, congratulate, or greet members of a family, faculty, or work staff, and which is not intended for commercial purposes.
- nn. Portable Sign: Any sign, with or without wheels, not attached to the ground or permanently attached to a building or structure. Such signs are not permitted.
- oo. Projecting Sign: A type of building mounted sign, other than a wall sign which is attached to and projects more than one foot, generally perpendicular from a structure or building face. A sign, normally double-faced, which is attached to a building façade. The area of a projecting sign shall be calculated on the basis of each square foot within the total area of all faces of the sign viewable from one direction of travel.
- pp. Public Use: A use or activity, open to the public that is financed and operated by a governmental agency.
- qq. Replacement Sign: A sign built in the proximate location of the one it replaces.

- rr. Roof Sign: A sign erected upon, against or above a roof. Roof signs are prohibited in The Town of Wilson.
- ss. Rotating Sign: Any sign or portion of a sign that moves in a revolving or similar manner, but not including multi-prism indexing signs.
- tt. Sandwich Sign: A hinged or unhinged A-frame portable sign, which is generally temporary in nature and placed near the roadway. Such signs are not permitted in The Town of Wilson except as a temporary sign with a conditional use permit.
- uu. Sign Contractor: Any person, partnership or corporation engaged in whole, or in part, in the business of construction, erection and/or maintenance of signs.
- vv. Sign Inspector: The Building Inspector of The Town of Wilson shall be charged with the responsibility to see that the signage in the Township is installed and maintained in compliance with this ordinance.
- ww. Sign Structure: Any device or material which supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers.
- xx. Swinging Sign: A sign installed on an arm, mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole. Such signs are not permitted in The Town of Wilson.
- yy. Temporary Sign: A sign or advertising display intended to be displayed for a certain period of time (as permitted by Section 29.06). Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer as well as advertising the sales or lease of real estate. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose.
- zz. Variable Message Sign: Any outdoor advertising sign, display or device with or without moving parts whose message may be changed by electronic process through the use of moving, variable or intermittent light, lights or light emitting components or devices.
- aa. Vision Triangle: See Section 29.07(7).
- bbb. Wall Sign: A type of building mounted sign, mounted parallel to a building facade or other vertical building surface.
- ccc. Window Sign: Sign installed on a window for the purpose of viewing from outside the premises.

**Effective Date:**

The herein Ordinance shall take effect upon enactment and publication.

Enacted this 25<sup>th</sup> day of March 2016.

Town of Wilson, by John Ehmann, Chairperson

This is to certify that the foregoing Ordinance was duly Amended by the Town Board of the Town of Wilson on the 21<sup>st</sup> day of March, 2016. Georgene Lubach, Town Clerk

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