



136 North Monroe Street
Waterloo, Wisconsin 53594-1198

NOTICE OF A CITY OF WATERLOO PLAN COMMISSION PUBLIC HEARING AND MEETING

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and the news media, the following meeting will be held to consider the following:

MEETING: PLAN COMMISSION
DATE: TUESDAY, October 24, 2023 **TIME: 6:00 p.m.**
LOCATION: 136 N. MONROE STREET, MUNICIPAL BUILDING COUNCIL CHAMBERS

PUBLIC HEARING

1. CALL PUBLIC HEARING TO ORDER
2. PUBLIC COMMENTS ON CITY WATERLOO ESTABLISHING STORM WATER POND PARCEL 290-0813-0643-040
3. ADJOURN PUBLIC HEARING

PLAN COMMISSION REGULARLY SCHEDULED MEETING

- 1) CALL TO ORDER AND ROLL CALL
- 2) APPROVAL OF MEETING: August 8, 2023
- 3) CITIZEN INPUT
- 4) COMPLIANCE & ENFORCEMENT REPORT
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a. Allowing a Storm Water Pond on Parcel 290-0813-0643-040
 - b. Temporary Structures
 - c. Murals in Downtown District
- 7) FUTURE AGENDA ITEMS & ANNOUNCEMENTS
- 8) ADJOURNMENT

Jeanne Ritter, Clerk/Deputy Treasurer

Members: Leisses, Quimby, Kuhl, Crosby, Reynolds, Empey & Renforth

Posted, Distributed & Emailed: 10/17/2023

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

WATERLOO PLAN COMMISSION – Minutes August 8, 2023
[a digital meeting recording also serves as the official record]

PLAN COMMISSION REGULARLY SCHEDULED MEETING

- 1) CALL TO ORDER AND ROLL CALL. Mayor Quimby called the meeting to order at 6:00 pm. Commissioners attending: Renforth, Crosby, Empey, Leisses,,C.Kuhl and Chadwick. Remote: none Absent :none Others B. Rhymer, Linkenheld, and T. Jaeger.
- 2) APPROVAL OF MEETING: May 23, 2023 Motion [Renforth/Crosby] VOICE VOTE: Motion carried.
- 3) CITIZEN INPUT - none
- 4) COMPLIANCE & ENFORCEMENT REPORT. Reviewed.
- 5) OLD BUSINESS –none
- 6) NEW BUSINESS
 - a. CSM Map Approval Taking Parcel 290-0813-0611-006 into two parcels. Motion to approve [Leisses/Renforth] VOICE VOTE: Motion carried.
 - b. CSM Map Approval for McKay Way Parcels Previously Changed to Zero Lot Line reverting to Duplex Lots Motion to approve [Empey/Crosby] VOICE VOTE: Motion carried.
 - c. Approval of Extra-Territorial CSM Map for Clayton Weihert division of property. N231 County I – Dodge County Motion to approve [Crosby/Chadwick] VOICE VOTE: Motion carried.
- 7) FUTURE AGENDA ITEMS & ANNOUNCEMENTS:
- 8) ADJOURNMENT [Kuhl/Leisses] VOICE VOTE: Motion carried. 6:21pm

Jeanne Ritter, Clerk/Deputy Treasurer

BLIGHT LIST updated 09.26.2023

Street	Property #	Open Date	Owner of Property	Who Complained /follow up with	Desire d Outco	Link to Ordi	Notes	Action	Who is following up	NMC Time spent
Henry Court	318	9/26/2023	Steven Statz	DPW/PD			Trailer			
Anna	319	9/26/2023	Mark Pratt	DPW/PD			Boat			
Lum Ave	920	9/26/2023	Kenneth Frandle	DPW/PD			Junk			
Lum Ave	1030	9/26/2023	Matthew Reuchel	DPW/PD			Trailer			
Jaystone Terrace	1040	9/26/2023	Matthew Williams	DPW/PD			Trailer			
Pearl Ct	921	9/26/2023	Ashley Erickson	DPW/PD			Trailer			
Heil	1190	9/26/2023	John Holzhuetter	DPW/PD			Trailer			
Portland Road	230	9/26/2023	James Steindorf	DPW/PD			Vehicles			
Portland Road	208	9/26/2023	Gordon Yelk	DPW/PD			Junk			
Grove	140	9/26/2023	RJB Rentals LLC	DPW/PD			Vehicle			
Chestnut	1223	9/26/2023	Kryssa Neitzel	DPW/PD			Boat			
Oak	1239	9/26/2023	Lois Leistico	DPW/PD			Junk			
Oak	1215	9/26/2023	James Schultz	DPW/PD			Trailer			
Maple	109	9/26/2023	Paul Petit	DPW/PD			Boat			
Adams	380	9/26/2023	Jeanette Petts	DPW/PD			Vehicles			
Jefferson	144	9/26/2023	Patricia Schickert	DPW/PD			Trailer			
Jefferson	135	9/26/2023	Corey Besl	DPW/PD			Boat			
E Madison St	446	9/26/2023	Timothy Rounds	DPW/PD			Boat			
E Madison St	515	9/26/2023	Roger Hovde	DPW/PD			Junk			
Pierce	545	9/26/2023	Elizabeth Kiersten	DPW/PD			Vehicle			
Pierce	451	9/26/2023	Paul Marty	DPW/PD			Vehicle			
Mill	140	9/26/2023	John Iwanski	DPW/PD			Vehicle			
Mill	258	9/26/2023	Mark Hurley	DPW/PD			Junk			
Cleveland	425	9/26/2023	Alex Morris	DPW/PD			Junk			
Cleveland	527	9/26/2023	Robert Gingles	DPW/PD			Vehicle			
Streator	410	9/26/2023	Lowell Wright	DPW/PD			Junk			
Streator	210	9/26/2023	John Eggert	DPW/PD			Boat			
E Madison St	130	9/26/2023	Mark Hurley	DPW/PD			Building			
E Madison St	112	9/26/2023	Hubred Properties	DPW/PD			Vehicle			
W Madison St	122	9/26/2023	Quality Control	DPW/PD			Vehicle			

Street	Property #	Open Date	Owner of Property	Who Complained /follow up with	Desire d Outcome	Link to Ordinance	Notes	Action	Who is following up	NMC Time spent
Edison St	403	9/26/2023	Tom Hotmar	DPW/PD			Trailer			
S Monroe St	123	9/26/2023	Lee Columbus	DPW/PD			Trailer			
W Madison St	135 1/2	9/26/2023	Quality Control	DPW/PD			Junk/Vehicle			
E Madison St	104	9/26/2023	Gregorio Ayala	DPW/PD			Vehicle			
W Madison St	662	9/26/2023	Chad Decaluwe	DPW/PD			?			
Knowlton	530	9/26/2023	Bryon Bergeron	DPW/PD			Junk			
Mckay Way	540	9/26/2023	Wisco Properties	DPW/PD			Camper			
Mckay Way	240	9/26/2023	Mayra Olivares	DPW/PD			Landscaping			
Mckay Way	520	9/26/2023	Sher Her	DPW/PD			Trailer			
Mckay Way	478	9/26/2023	Rodolfo Gomez-Delgado	DPW/PD			Vehicle			
Mckay Way	710	9/26/2023	Meadowbrook Apts	DPW/PD			Tree Trimming			
Fox Lane	675	9/26/2023	Eric Gangstad	DPW/PD			Junk/Vehicle			
Canal Road	934	9/26/2023	Ronald Buschkopf	DPW/PD			Vehicles			
Canal Road	832	9/26/2023	Michael Jansen	DPW/PD			RV & Junk			
Minnetonka	437	9/26/2023	Bruce Braunschweig	DPW/PD			Non-OP Vehicle			
Minnehaha	414	9/26/2023	James Reynolds	DPW/PD			Camper			
W Indian Road	621	9/26/2023	Timothy Kopplin	DPW/PD			Boat			
W Indian Road	513	9/26/2023	Brian Bartaszewicz	DPW/PD			Boat & Trailer			
W Indian Road	504	9/26/2023	Mary Mikalson	DPW/PD			Boat			
W Indian Road	411	9/26/2023	Lewis Lewellin	DPW/PD			Camper			
W Indian Road	403	9/26/2023	Ronald Klug	DPW/PD			Boat			
Herron Drive	860	9/26/2023	Rick Nahrstadt	DPW/PD			Camper			
Herron Drive	915	9/26/2023	Pascal Assine	DPW/PD			Vehicles			
Crestview	565	9/26/2023	565 Crestview LLC	DPW/PD			Junk			
Porter	130	9/26/2023	Jay Killary	DPW/PD			Camper			
Bradford	520	9/26/2023	Jackson Miller	DPW/PD			Junk			
Bradford	457	9/26/2023	Karmen Westerveld-Opsteen	DPW/PD			Camper			
Bradford	420	9/26/2023	James Kuhlow	DPW/PD			Junk			
Bradford	330	9/26/2023	Paul Thomas	DPW/PD			Boat			
Bradford	325	9/26/2023	William Westphal	DPW/PD			Trailer			
Gregor	130	9/26/2023	Tina Thiakos	DPW/PD			Non-OP Vehicle/Trailer			
Hendricks	136	9/26/2023	Jarrett Kuhl	DPW/PD			Trailer			
Hendricks	150	9/26/2023	Carol Schwartz	DPW/PD			Trailer			
Washington	134	9/26/2023	Michelle Marceau	DPW/PD			Boats			
Washington	173	9/26/2023	Jami Forman	DPW/PD			Vehicle			
Washington	206	9/26/2023	David Markvart	DPW/PD			Camper			
S Monroe St	261	9/26/2023	Andrew Gruewald	DPW/PD			Vehicle			
W Polk St	285	9/26/2023	Daniel Knapton	DPW/PD			Boat/Trailers			



136 North Monroe Street
Waterloo, WI 53594
Phone: (920) 478-3025 Fax: (920) 478-2021
www.waterloowi.us

**NOTICE OF CITY OF WATERLOO PLAN COMMISSION PUBLIC HEARING FOR PERMISSION TO ESTABLISH A
STORMWATER RETENTION POND ON A LOT IN THE CONSERVANCY (CON) ZONING DISTRICT UNDER
CHAPTER 385-19 OF THE ZONING CODE OF THE CITY OF WATERLOO.**

Please take notice that the Plan Commission of the City of Waterloo, Jefferson County, Wisconsin, acting under provisions of Chapter 385-19A.(7) of the Zoning Code of the City of Waterloo, shall hold a public hearing on an application from Van Holten's, Inc. requesting permission to establish a water retention pond on the property identified as parcel #290-0813-0643-040, located in the City of Waterloo.

Pursuant to Chapter 385-19 A.(7), a water retention pond is a permitted use in the Conservancy District (CON) upon written permission from the Common Council, and on the recommendation of the Plan Commission following a public hearing.

The property is described as follows:

Outlot 1, Indian Hills South Park & Greenway.

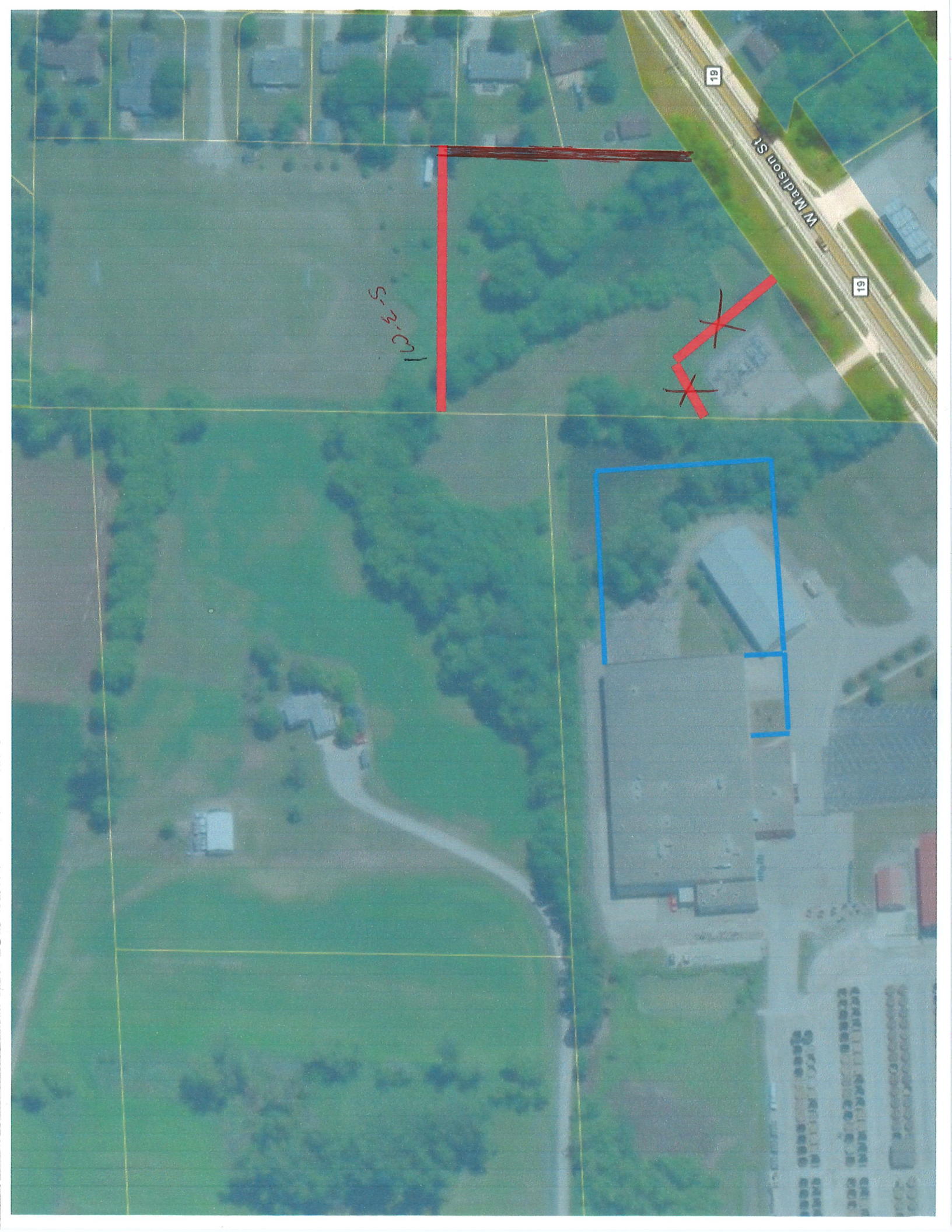
Be further notified that the Plan Commission will hear all persons interested or their agents or attorneys concerning the recommendation for a land use zoning change at a public hearing to be held at **October 24, 2023** in the Council Chamber of the Municipal Building, 136 N. Monroe Street, Waterloo.

Subsequent to the public hearing, the Plan Commission shall recommend approval, denial, or conditional approval of the water retention pond to the Common Council. The Common Council will act on the Plan Commission's recommendation at its regular scheduled November 2, 2023 meeting.

Jeanne Ritter
City Clerk/Deputy Treasurer

PUB: The Courier: 09/28/2023
10/5/2023





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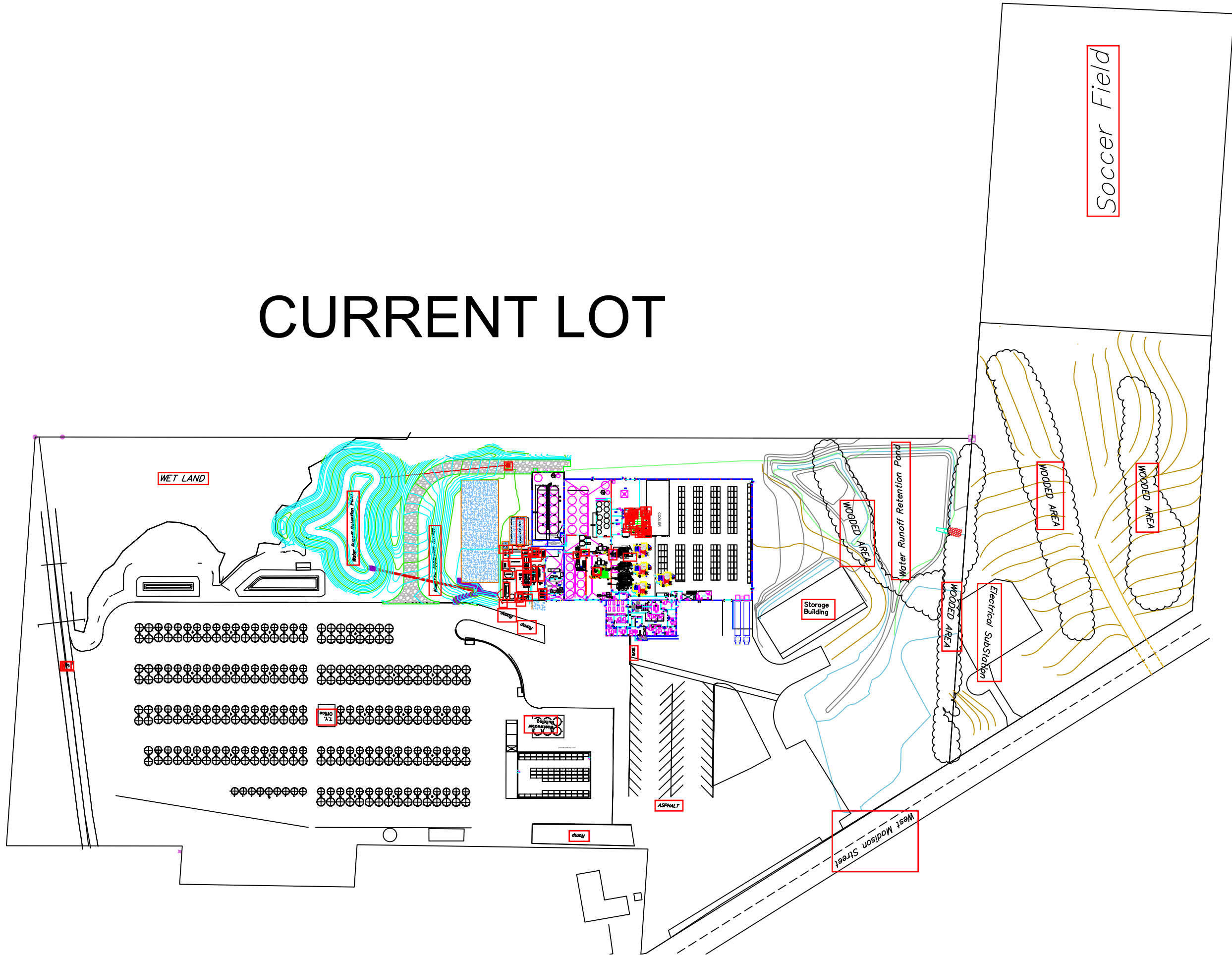
19

W Madison St

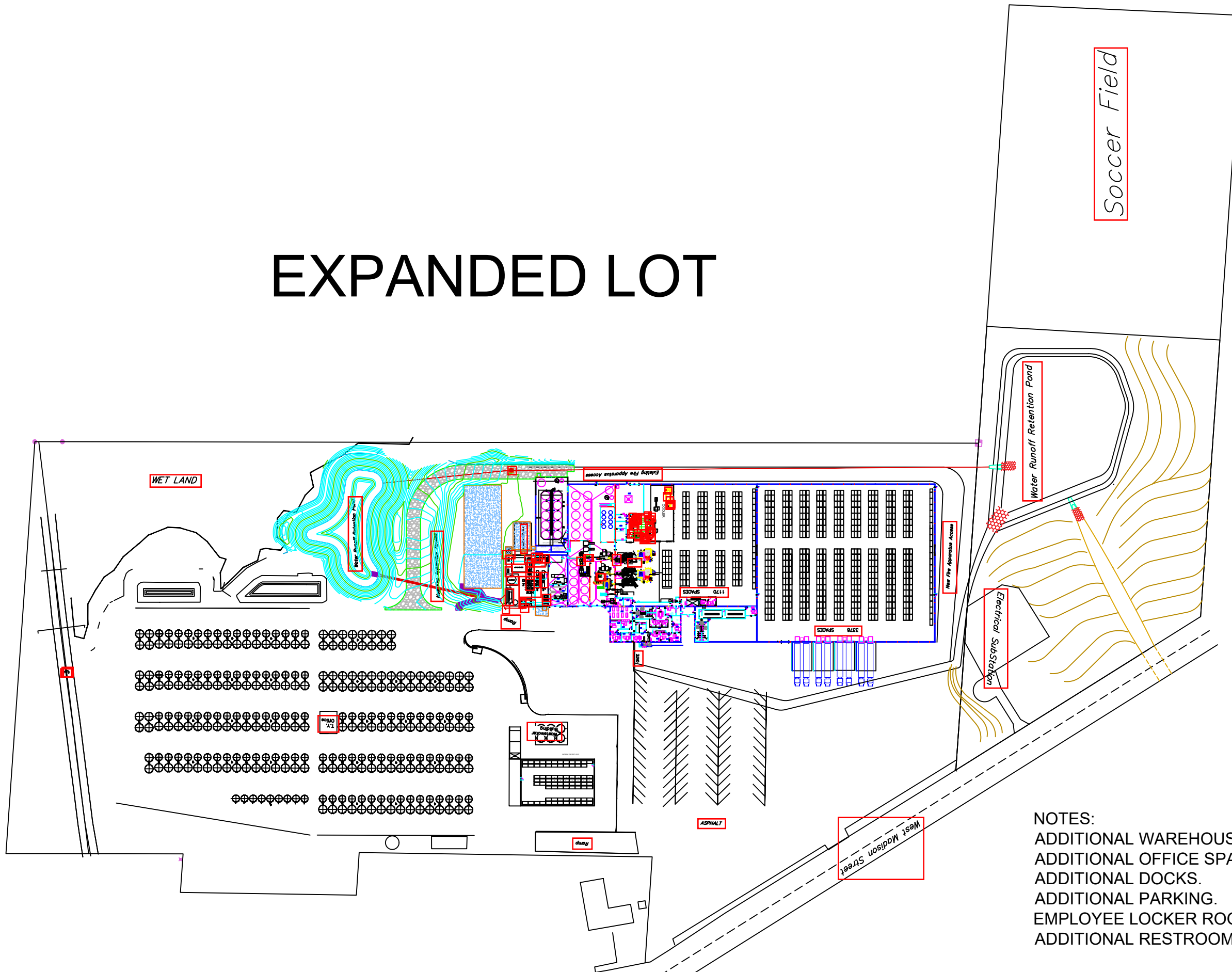
19



CURRENT LOT



EXPANDED LOT



- NOTES:
- ADDITIONAL WAREHOUSE SPACE.
 - ADDITIONAL OFFICE SPACE.
 - ADDITIONAL DOCKS.
 - ADDITIONAL PARKING.
 - EMPLOYEE LOCKER ROOMS.
 - ADDITIONAL RESTROOMS

Sec. 70-131. Polystructures/canopies/tents.

- (a) *Prohibition.* Polystructures/canopies/tents used for storage purposes shall be prohibited in all residential districts. Those currently existing in the residential districts that have permits and meet the dimensional regulation of the zoning ordinance may remain until the structure is removed.
- (b) *Definition.* "Polystructures/canopies/tents" are defined as any structure having a frame of steel or other materials, which is covered with plastic, polyurethane, vinyl, canvas or other similar flexible sheeting material.
- (c) *Temporary location.* Polystructures/canopies/tents may be located as a temporary structure within the city for a period not exceeding 30 days in duration from time of erecting to time of removal. Such structures shall be individually limited to the duration time period established herein. Such temporary structures may not be located on a specific piece of property more than two times in any given one-year period. It shall be the obligation of the owner or user of such temporary structure to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the temporary structure.

(Ord. No. 17-2008, §§ I, II, 10-6-2008)

[b] The short-term residential rental shall not be advertised for availability in any form of media unless the required City of Jefferson short-term residential rental license has been issued.

(e) Penalties and license revocation.

[1] Violations of the requirements for short-term residential rental, the provisions of the short-term residential rental license, and all other the requirements of the Zoning Ordinance are subject to separate daily fines per § **300-10.61**. Violations will be issued to, and will be the responsibility of, the property owner.

[2] The annual short-term residential rental license may be revoked for more than two violations of the requirements of the license, the requirements specific to short-term residential rental, the license, or the remainder of Zoning Code.

K. Nonresidential accessory structure.

(1) Structures primarily used to shelter business vehicles or to store maintenance equipment of the subject property.

(2) Regulations:

(a) Three total structures shall be permitted by right.

(b) The combined floor area of all structures shall not exceed the floor area of the principal building on the parcel, unless a conditional use permit is granted.

(c) See Article II for accessory structure maximum building heights.

L. On-site parking lot.

(1) On-site parking lots are any areas located on the same site as the principal land use which are used for the temporary surface parking of vehicles which are fully registered, licensed, and operable. See § **300-6.06** for additional parking regulations.

(2) Regulations:

(a) Access and vehicular circulation shall be designed to prevent cut-through traffic.

M. On-site structured parking.

(1) Structured parking which is accessory to a principal land use such as apartments, office, and mixed-use buildings, and which is incorporated into the same building as the principal land use. Stand-alone structured parking that is not integrated with another land use shall be regulated as off-site structured parking, a principal use under § **300-3.18G**. See § **300-6.06** for additional parking regulations.

(2) Regulations:

(a) On-site structured parking shall comprise no more than 50% of the ground floor level on the primary street frontage. Underground parking that is partially above grade shall not count toward this total.

N. Company cafeteria.

(1) A food service operation which provides food only to company employees and their guests.

(2) Regulations:

(a) Company cafeterias shall meet state food service requirements.

(b) Company cafeterias shall be located on the same property as a principal land use engaged in an operation other than food service.

§ 660-28. Temporary structures.

- A. Intent. The purpose of this section is to establish minimum requirements for the construction and placement of those structures intended for use for a period of less than 180 days and to safeguard the public health, safety, comfort and general welfare of the residents by ensuring that a temporary structure does not create an undesirable impact to nearby properties.
- B. Use.
 - (1) Temporary structures shall not be used for vehicular storage, RV or trailer storage, marine equipment or for general storage purposes.
 - (2) Temporary structures shall not occupy any on-site parking spaces so as to reduce the number of parking spaces required by § 660-41 of this chapter. Nor shall such structures interfere with drive aisles, site ingress/egress, vision triangles, required setbacks, or required buffer yards.
 - (3) Temporary structures used for purposes of outdoor display and sales of merchandise shall only be permitted in the B2 and PB Districts.
- C. Number. Only one temporary structure may be erected on a property at any one time unless additional structures are approved for special events by the City.
- D. Time limits.
 - (1) No temporary structure may be erected for more than 72 hours without first obtaining a permit.
 - (2) No temporary structure may remain in place for more than 180 days in any twelve-month period.
- E. Other conditions.
 - (1) Temporary structures must be affixed to the ground or a structure to prevent the wind from relocating the structure.
 - (2) Temporary structures greater than 400 square feet in floor area and erected for more than 180 days are regulated by the Wisconsin Building Code, require a building permit and must comply with all Zoning Code regulations.
- F. Permit. A permit shall be required for all temporary structures, unless otherwise exempt. The owner or tenant must contact the Zoning Enforcement Officer and provide the name and address of the applicant, and the description and location of the structure to be erected prior to installation.
- G. Exceptions. Tents or flies of less than 400 square feet in floor area, erected for recreational purposes.
- H. Fees. No permit fee shall be required for a temporary structures erected for recreational purposes when located on property used for residential purposes.
- I. Application requirements. Prior to the issuance of a permit to erect any temporary structure, the Code Enforcement Department shall approve all applications for the proposed temporary structure. The application shall contain the following:
 - (1) Application must be made on the forms provided by the Code Enforcement Department requesting approval and the term of said use.
 - (2) A site map of the subject property showing all lands for which the temporary structure is

§ 660-28 proposed as well as all other lands within 200 feet of the boundaries of the subject property. § 660-29

- (3) The site map shall clearly indicate the existing structures on the subject property and its environs including all utilities, all lot dimensions, setbacks for the temporary structure, a graphic scale, and a North arrow.
- (4) A written description of the proposed temporary use describing the type of activities and the type of structures proposed for the subject property.

J. Approval. The Code Enforcement Department must review the completed application in accordance with Subsection I of this section. A permit will be issued for any temporary structure that meets the requirements of this section.

§ 660-29. Temporary uses.

A. General provisions.

- (1) A permit shall be required for temporary uses allowed in this chapter, except that temporary uses operated or sponsored by a governmental entity and located on a lot owned by that entity do not require a permit, but shall otherwise be subject to the requirements of this chapter.
- (2) The applicant shall submit a site plan or other suitable description to the Zoning Enforcement Officer, with any required permit fee. As a condition of permit issuance, the Zoning Enforcement Officer may require conformance with specific conditions regarding the operation of the temporary use as may be reasonably necessary to achieve the requirements of this chapter. If the Zoning Enforcement Officer finds that the applicable requirements have not been met, he may revoke the permit and may require the cessation of the temporary use. Where a permit for a temporary use has been revoked, no application for a new permit shall be approved within six months following revocation.
- (3) All temporary uses, including but not limited to those enumerated in Subsection B below shall comply with the following requirements:
 - (a) No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience and general welfare, either on or off the premises.
 - (b) Temporary uses shall comply with all requirements of the Municipal Code.
 - (c) Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, or egress from buildings on the lot or on adjoining property.
 - (d) Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City Council authorizes the use of City-owned property or right-of-way.
 - (e) When a permit is required for a temporary use, the Zoning Enforcement Officer shall make an assessment of the number of parking spaces reasonably needed for the permanent uses on the lot where the proposed temporary use is to be located and the availability of other public and private parking facilities in the area. The Zoning Enforcement Officer may deny the permit for a temporary use if he finds that its operations will result in inadequate parking being available for permanent uses on the same lot that are not connected with the business proposing the temporary use.
 - (f) During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner; shall be kept free of litter, debris, and other waste

§ 660-29 material, and all storage shall comply with the regulations outlined in §§ 660-22 and § 660-29 660-84.

(g) Signs for a temporary use shall be permitted only in accordance with Article VI, Signage.

B. Permitted temporary uses.

- (1) Temporary outdoor sales. Temporary outdoor sales shall be limited to three events within one calendar year per lot. These events shall be restricted to the following time limits: one event of not more than 90 days, and two events of not more than 30 days each.
- (2) Public markets, farmers markets, and farm stands. Public markets, farmers markets, and farm stands shall be regulated in accordance with Chapter 512, Public Market, of the Code of the City of Lake Mills.
- (3) Outdoor arts, crafts and plant shows, exhibits and sales. Outdoor arts, crafts and plant shows, exhibits and sales conducted by a nonprofit or charitable organization shall be permitted in any nonresidential zoning district, and may be conducted in addition to the time limits for outdoor sales areas for a period of not more than seven days.
- (4) House, apartment, garage and yard sales. House, apartment, garage and yard sales are allowed in any residential district, when the offering for sale includes personal possessions of, or arts and crafts made by, the owner or occupant of the dwelling unit where the sale is being conducted; in addition, personal possessions of other neighborhood residents may also be offered for sale. Such uses shall be limited to a period not to exceed three consecutive days, and no more than two such sales shall be conducted from the same residence in any twelve-month period. A permit or prior approval of the City shall not be required for such uses.
- (5) Temporary outdoor entertainment.
 - (a) Temporary outdoor entertainment shall be permitted as part of a community festival or an event hosted by the City, park district, school district, or other governmental body, or as a temporary accessory use to a private business use. When temporary outdoor entertainment is conducted as part of a community festival or event, no permit is required; when conducted as an accessory use to a business use, a permit is required. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
 - (b) The application for a permit for temporary outdoor entertainment shall be submitted a minimum of 30 days before the date that the outdoor entertainment event is to commence. A combined permit may be substituted for temporary use and temporary outdoor entertainment permits under this section. The applicant is encouraged to meet with the City staff to discuss the application and coordinate services that may be provided by the City. The Zoning Enforcement Officer may refuse to issue a permit for temporary outdoor entertainment when the application is received less than 30 days before the date that the entertainment is to commence, if he finds that there is inadequate time to review the application and arrange for the provision of necessary City services.
 - (c) A permit for temporary outdoor entertainment accessory to a business use shall be limited to a maximum of three days. The maximum cumulative time any business shall conduct temporary outdoor entertainment operations shall be 15 days per calendar year. The hours of operation shall be set in the permit.
- (6) Temporary contractor trailers and real estate model units. Temporary contractor trailers and real

§ 660-29

estate sales trailers or model units shall be permitted in any zoning district when accessory to a construction project for which a building permit or site development permit has been issued. Such uses shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development, as the case may be. No such use shall contain any sleeping or cooking accommodations, except those located in a model unit.

§ 660-29

ORDINANCE NO. 1018
ORDINANCE PERTAINING TO PERMIT REQUIREMENTS FOR
MEMBRANE STORAGE STRUCTURES AND RECREATIONAL VEHICLES
USED AS STORAGE STRUCTURES IN RESIDENTIAL NEIGHBORHOODS

THE COMMON COUNCIL OF THE CITY OF SPARTA, MONROE COUNTY, WISCONSIN,
DO ORDAIN AS FOLLOWS:

Section 1. Article XII of Section 12 of the Code of City Ordinances is hereby added and reads as follows:

Sec. 12-500 Definitions

“Membrane Storage Structure” shall mean a temporary accessory structure consisting of a frame that is covered with a plastic, fabric, canvass, or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles and other personal property; which term shall also apply to accessory structures commonly known as hoop houses, canopy covered carports, and garages; but shall not apply to greenhouses or temporary tents or canopies used for limited time special events such as weddings, festivals, graduations or farmers markets.

Sec. 12-501 Any of the following storage facilities or structures located on a residential property for a period between 30 and 90 days within a 365-day period must apply for and be granted a permit from the City of Sparta. The fee for said permit shall be \$20.

(1) Membrane Storage Structures as defined in 12-500 and are longer than 20 feet or wider than 10 feet.

Sec. 12-502 If any of the storage facilities listed in Sec. 12-501 are to be located on a residential property for more than 90 days, any permit must be approved by the Planning Commission prior to being granted.

Sec. 12-503 Any storage facilities listed in this Section must be located in the side or back yards of a residential property which has a primary dwelling structure. Said storage facilities must have a minimum set back of 10 feet from any property line and must not be in the front yard or street-side yard of the property.

Section 2. This ordinance amendment shall be in full force and effect following its passage and publication as provided by law.

Dated this 10th day of May, 2023.

OFFERED BY:

Alderman Jim Church

PASSED this 10th day of May, 2023.

Jennifer Lydon, City Clerk

APPROVED BY:

Kevin Riley, Mayor

Sec. 133-1000. Portable outdoor storage units.

- (a) *Applicability.* The standards within this section apply to portable outdoor storage units in all zoning districts, except that subsections (d) through (f) of this section shall apply only in residential zoning districts.
- (b) *Definition.* The term "portable outdoor storage unit" means a portable storage container with more than 216 cubic feet of storage space designed and used primarily for temporary storage and/or transportation of household goods and other such materials that is kept outdoors and not affixed to a foundation. The term "portable outdoor storage unit" does not include storage sheds constructed of wood, plastic or steel which are located on a permanent or temporary foundation, are not intended to be moved or relocated on a regular basis, and are in compliance with all village setback and other requirements. The term "portable outdoor storage unit" also does not include construction trailers or temporary storage units utilized by contractors or developers incidental to the ongoing construction of structures, public improvements or utilities, or other aspects of property development.
- (c) *Permitted locations and uses.*
- (1) Portable outdoor storage units shall not be placed in or on a public right-of-way, including public sidewalks and public terrace areas, or on other public property, except by the public entity that owns the property;
 - (2) Portable outdoor storage units shall only be placed on lots by the owner or lessee of the lot;
 - (3) Portable outdoor storage units shall be placed on a hard, all-weather surface, such as concrete or asphalt (with gravel allowed for institutional uses in the joint planning area or the expanded extraterritorial zoning area);
 - (4) Portable outdoor storage units shall not be placed in such a location or fashion as to impede or obstruct the flow of drainage or obstruct emergency, vehicle, pedestrian, or utility access to or through the lot or adjacent area or lots;
 - (5) The following minimum setbacks from lot lines shall apply to portable outdoor storage units:
 - a. Front yard setback, ten feet;
 - b. Rear yard setback, ten feet;
 - c. Side yard setback, three feet;
 - (6) Portable outdoor storage units shall be used only for temporary storage of personal goods and belongings. Portable outdoor storage units shall not be used for occupancy or sleeping, housing of animals, or housing or storage of hazardous, flammable, or unlawful materials or substances. Portable outdoor storage units shall be closed and secured from unauthorized access at all times when not under the direct supervision of the lot owner or lessee.
- (d) *Maximum duration of placement.* No portable outdoor storage unit shall be placed on the same lot for more than 30 consecutive days, except that the village zoning administrator may allow an extension of no greater than 90 additional days if he determines that a legitimate need has been established.
- (e) *Maximum number.* Not more than one portable outdoor storage unit shall be placed on any lot at any one time, nor shall there be a portable outdoor storage unit placed on any lot more than three times in any calendar year.
- (f) *Maximum size.* No portable outdoor storage unit shall exceed eight feet in width, nine feet in height, or 16 feet in length.
- (g) *Maintenance.* All portable outdoor storage units shall be maintained in a good and clean condition, free from rust, peeling paint, or other visible deterioration.

31.030 Applicability.

All signs located in the City must comply with this chapter, except for the following which are exempt at the discretion of the Building Inspector:

- (1) A traffic control sign and other similar regulatory signage when located on public property along a roadway or other travel way when placed by or authorized by the Federal government, the State of Wisconsin, Manitowoc County, or the City.
- (2) A sign inside of a building that does not meet the definition of a window sign.
- (3) A legal notice posted on private property as may be required or authorized by municipal, State, or Federal law.
- (4) A scoreboard associated with an outdoor athletic field, which is to be reviewed as part of a site plan review.
- (5) A sports league sponsor sign (banner or rigid) that is temporarily affixed to a fence on an outdoor athletic field, which is subject to other regulations as may be adopted by the Common Council.
- (6) A sign that is not visible from a public right-of-way.
- (7) Murals approved by the City as set forth in MMC 11.270.
- (8) Directional signs under two square feet used to coordinate traffic movement on the site.
- (9) Building addresses consistent with MMC 7.020(6)(c) and door identification.

[Ord. 22-661 § 1, 2022; Ord. 21-601 § 1, 2021]

The Manitowoc Municipal Code is current through Ordinance 23-682, passed August 21, 2023.

Disclaimer: The City Clerk's office has the official version of the Manitowoc Municipal Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

Code Renumbering: The City of Manitowoc reformatted their code in 2011. If you are looking for the text of an ordinance under the previous numbering system, please look to the cross-reference table.

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11.270 Public Arts Permit.

(1) Applicability and Intent. The City of Manitowoc recognizes the value of public art in promoting civic pride, attracting visitors, developing vibrant spaces within the City and showcasing the City's culture and history. The City seeks to encourage the installation and maintenance of high-quality public artwork by establishing regulations for the location, design and maintenance of temporary and permanent artworks throughout the City.

(2) Definitions. Except where specifically identified below, the definitions identified in MMC 15.030 are incorporated as if fully set forth.

Artwork includes, but is not limited to, a sculpture, monument, mural, fresco, relief, painting, fountain, banner, mosaic, ceramic, weaving, carving and stained glass, but would not normally include landscaping, paving, architectural ornamentation or signs, unless such elements are an essential component of the artwork itself.

Public art shall mean any artwork displayed for two weeks or more in or on City-owned property, in an area open to or viewable by the public, on the exterior of any City-owned facility, or on non-City property open to or viewable by the public if the artwork is installed or financed, in whole or in part, with City funds or grants procured by the City, or if the artwork is owned by, donated to, or on loan to the City.

(3) Public Arts Permit Required. No person shall install, construct or cause to be installed or constructed, public art within the City of Manitowoc without first applying for and obtaining a public arts permit.

(4) Public Art Review Criteria.

(a) A request for a public arts permit may be made to the Director of Community Development by any organization, club, business, City official or employee, or any individual member of the public, by filing an application with the Director of Community Development who shall review all proposals for conformance with the following criteria:

(b) Murals and Similar Art.

1. Must be larger than 100 square feet;
2. The surface sought to be painted must be structurally stable;
3. Must be fully funded. Such funding may be private, public, or through a public/private partnership;
4. Must be conceptually compatible with the immediate environment of the site and with the architectural or historical character of the site;
5. The materials, textures, colors and design must be appropriate to the expression of the design concept;
6. Must further the following City goals:
 - A. Enrich the public environment for residents and visitors through the incorporation of the visual arts;
 - B. Increase the livability and artistic richness of the community;
 - C. Increase public access to the arts;
 - D. Promote diversity in public art and reflect a wide range of cultural expression;

7. The owner of property on which the mural is to be painted shall commit to keep the mural unchanged and otherwise maintained for at least five years, and commit that an anti-graffiti coating will be applied to the mural. Such commitment shall be indicated on an easement which shall be recorded with the Manitowoc County Register of Deeds;

8. Artistic considerations include but are not limited to:

A. Demonstrated strength of concept, execution and originality;

B. Scale is appropriate to surroundings;

C. Content will be judged first on community-wide relevance, historic value and artistic merit. Content exhibiting short-term relevance, including political campaigning or most forms of advertising, will not be considered. Advertising specific to the history or community importance of the building where the mural is proposed, which meets the above-stated criteria, may be considered.

(c) Temporary Art Banners and Similar Art.

1. Must be larger than 100 square feet;

2. Must be fully funded. Such funding may be private, public, or through a public/private partnership;

3. Must be conceptually compatible with the immediate environment of the site and with the architectural or historical character of the site;

4. The materials, textures, colors and design must be appropriate to the expression of the design concept;

5. Must further the following City goals:

A. Enrich the public environment for residents and visitors through the incorporation of the visual arts;

B. Increase the livability and artistic richness of the community;

C. Increase public access to the arts;

D. Promote diversity in public art and reflect a wide range of cultural expression;

6. The owner of the property on which the temporary art banner is to be located shall ensure the banner is maintained in a safe, presentable, and sound structural condition at all times. The Building Inspector shall cause to be removed any deteriorated or dilapidated banners.

(d) Sculptures, Monuments, Fountains, and Similar Art.

1. Must be fully funded. Such funding may be private, public, or through a public/private partnership;

2. Must be conceptually compatible with the immediate environment of the site and with the architectural or historical character of the site;

3. The materials, textures, colors and design must be appropriate to the expression of the design concept;

4. Must further the following City goals:

- A. Enrich the public environment for residents and visitors through the incorporation of the visual arts;
- B. Increase the livability and artistic richness of the community;
- C. Increase public access to the arts;
- D. Promote diversity in public art and reflect a wide range of cultural expression;

5. The owner of property (excluding City property) on which the public art is to be located shall commit to keep the art unchanged and otherwise maintained for at least five years. Such commitment shall be indicated on an easement which shall be recorded with the Manitowoc County Register of Deeds.

(5) Process.

- (a) Submit application and project proposal to City of Manitowoc Director of Community Development.
- (b) Application is reviewed for compliance by the Public Art Committee made up of representatives from the Community Development Department, Public Infrastructure Department, Rahr West Museum, City Attorney's Office, and Life Safety Department.
- (c) Building owner provides notarized public art easement agreement to Director of Community Development.
- (d) Artist agrees in writing to terms of public art easement agreement.
- (e) Applicant notifies Director of Community Development when public art installation is complete and provides City with digital images of completed work.

(6) Public Art Easement Conditions. Each public art easement agreement shall contain at least the following conditions:

- (a) Duration of agreement shall be not less than five years;
- (b) Termination shall be allowed by either party after the initial five-year term;
- (c) Termination shall be allowed within the initial five-year term upon request of the building/property owner if for the following reasons:
 - 1. Required as a condition of sale or refinance of property;
 - 2. The property will be substantially remodeled or altered in a way that precludes continuance of the public artwork;
 - 3. Circumstances materially change such that continuation of the public artwork impedes the reasonable use and enjoyment of the property;
- (d) City may terminate the easement at any time;
- (e) Grantor of easement, or other approved person, is identified as responsible for maintaining the public artwork and penalties for failure to maintain are provided.

(7) Penalties. Any public art erected or installed in violation of this section shall subject the property owner to a forfeiture of not less than \$50.00 nor more than \$1,000. Upon notice or observation of noncompliant public art, the Director of Community Development shall issue written notice to the property owner to immediately remove the public art at issue. If the property owner

fails to comply with the removal order, the City shall remove or cause to remove the public artwork at the property owner's expense.

Any public art erected or installed on public property shall be removed by the City. Such art shall be stored by the City for 30 calendar days. Thereafter, if the artwork is unclaimed, the City shall dispose of such art as it deems appropriate. The City is not responsible for damage or loss arising out of the City's removal activities. Any costs incurred by the City for removal and storage of noncompliant public artworks shall be the responsibility of the artist or person claiming ownership of such artwork.

[Ord. 21-577 § 1, 2021]

The Manitowoc Municipal Code is current through Ordinance 23-682, passed August 21, 2023.

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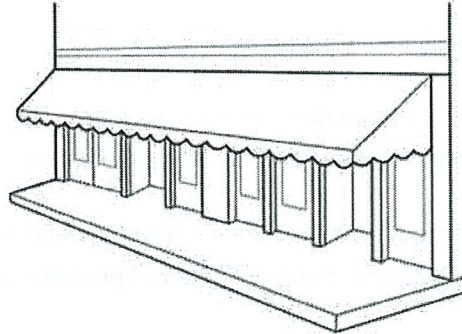
[Code Publishing Company](#).

Appendix B Definitions

Administrative appeal means an action taken by an aggrieved party alleging the reviewing authority, acting in an administrative capacity, made an error in making a final decision or failed to act as required.

Awning means a sloped, roof-like feature that projects beyond the face of an exterior wall. An awning is typically placed above a door or window to provide protection from the sun and precipitation. An awning can be constructed of various materials, including metal, fabric, or plastic. An awning may be nonretractable or retractable so as to fold up against the building when not in use. (Also see "Marquee.")

Awning



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Backlighting letter means a channel letter, with an open or translucent back, that is illuminated. Light is directed against a surface behind the letter, producing a halo effect.

Backlighting Letters



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Ballast means an electrical device used in fluorescent lights to stabilize the flow of the electrical current.

Building code means those regulations adopted by the City of Manitowoc or the state of Wisconsin that regulate the construction, repair, alteration, and maintenance of buildings and related structures.

Building face means that portion of a building which is parallel or nearly parallel to an abutting street.

Building Inspector means the person so designated by the City of Manitowoc or his/her designee.

Cabinet sign means a sign structure comprised of a frame and face or faces. Though a "cabinet sign" may include electrical components or support structure, the term only refers only to the frame and face.

Channel letter means a three-dimensional letter that may include an internal light source.

Common council means the City of Manitowoc Common Council.

Copy. See "Sign copy."

Dynamic Sign Display. See "Electronic message display."

Electronic Message Center. See "Electronic message display."

Electronic message display (EMD) means a sign message that can change by electronic means. (In contrast, see "Static display.")

Electronic Reader Board. See "Electronic message display."

Exterior lighting means lighting that is mounted some distance from the face of the sign. Depending on the location, "exterior lighting" may be limited to lighting mounted on the ground or from above. (In contrast, see "Internal lighting.")

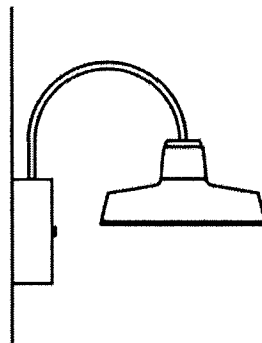
Feather sign means a freestanding, vertical sign that is taller than it is wide, and is comprised of a cloth-like, vinyl-like, or other similar nonrigid material attached to a pole. The sign is not a permanent sign and must be secured. A feather sign is not a flag.

Feather Sign



Gooseneck fixture means a light fixture characterized by a wall-mounted arm attached to a shade that directs light towards the building face or structure on which it is attached.

Gooseneck Fixture



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Halo Lighted Letter. See "Backlighted letter."

Footcandle means a unit of illumination equal to that given by a source of one candela at a distance of one foot. One footcandle is equivalent to one lumen per square foot or 10.764 lux.

Inflatable sign means a sign that is inflated with air or gas, and which may be stationary or have moving parts. The term includes "dancing man" inflatables.

Internal lighting means lighting located within the sign element. (In contrast, see "Exterior lighting.")

Marquee means a flat, roof-like feature that projects beyond the face of an exterior wall. A marquee is typically placed above a door or window to provide protection from the sun and precipitation. (Also see "Awning.")

Marquee



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Monument sign means a freestanding sign that is affixed to the ground with a decorative base below the sign face.

Mural means a one-of-a-kind original artwork that is sited in a manner accessible to the public and/or public employees, utilizing appropriate media to ensure longevity, and which has been approved as public art by the city of Manitowoc Community Development Department as set forth in Chapter 15 MMC.

Menu board means a sign that allows a retailer to list products and prices and is associated with a drive-through window.

National Electrical Code (NEC) means a code developed by the National Fire Protection Association (NFPA), and which may be adopted by cities and states to regulate electrical wiring and installations.

Nonconforming sign means a sign that does not meet current code regulations but was permitted under a previous ordinance or regulation.

Owner means any person who, alone or jointly or severally with others:

1. Shall have legal title or equitable title to any premises upon which no structures have been erected or upon which nondwelling structures are present or has legal or equitable title to any dwelling, dwelling unit, or rooming unit; or
2. Shall have charge, care or control of premises upon which no structures have been erected or upon which non-dwelling structures are present or has charge, care or control of any dwelling, dwelling unit, or rooming unit as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner.

Person means any individual, firm, corporation, association, company, partnership, or organization of any kind.

Pole Sign. See "Pylon sign."

Pylon sign means a sign mounted on one or two vertical poles.

Projecting sign means a sign, other than a wall sign, that is attached to and projects more than eight inches from a structure or building face.

Readerboard. See "Electronic message display."

Roof sign means a sign erected upon, against, or above a roof.

Sandwich Board Sign. See "Sidewalk sign."

Sidewalk sign means a freestanding, internally weighted portable sign frequently but not exclusively having the cross-sectional shape of an "A."

Sign means any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters designed for the purpose of conveying information or attracting attention.

Sign copy means the advertising message, announcement, or decoration on a sign surface, including lettering, logos, graphics, and the like.

Sign districts map means the map adopted by the Common Council that shows the locations of various districts and other features used in the administration of the sign regulations as more fully set forth in MMC 31.820. While there may some similarity to the adopted zoning map, they are unrelated and serve different purposes.

Static display means a sign message that does not change by electronic means. The term includes fuel prices on a freestanding sign. (In contrast, see "Electronic message display.")

Suspended sign means a sign installed below and supported by a canopy or similar feature.

Transformer means electrical equipment that converts incoming voltage and current to a different outgoing voltage and current.

Under-Canopy Sign. See "Suspended sign."

Vehicle sign means a sign mounted, painted, or otherwise placed on a trailer, truck, automobile, or other vehicle that is parked within a public right-of-way or on private property so as to be visible from the right-of-way. However, this does not include signs affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

Vision clearance (area) shall have the meaning set forth in MMC 15.390(7).

Wall sign means a sign that is permanently or temporarily affixed to the face of an exterior wall of a building and does not project more than eight inches from the face of the wall.

Window sign means a sign located inside of a building that is visible from outside the premises and is within 16 inches of an exterior window or door.

Zoning regulations means all of the requirements set forth in Chapter 15 MMC.

[Ord. 22-146 § 3, 2022; Ord. 21-987 § 3, 2021; Ord. 21-601 § 1 (App. B), 2021]

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Title 7. License and Regulation

Chapter 07. Exterior Regulations

Division 1. Mural Regulations

7.07.11. Intent.

- A. The City of Onalaska recognizes the value of art in promoting civic pride, attracting visitors, developing vibrant spaces within the City and showcasing the City's culture and history. The City seeks to encourage the installation and maintenance of high-quality public artwork by establishing regulations for the location, design and maintenance of temporary and permanent artworks throughout the City. Murals will be created by artists of diverse cultural traditions and backgrounds. The intent of this division is to aid artists and others in understanding issues surrounding the creation of a mural and to apprise parties involved in mural projects of the permit process.

7.07.12. Mural permit procedure.

- A. **Permit required.** No person shall place a mural on any property unless the express permission of the owner or operator of the property has been obtained and a mural permit has been issued from the Planning Department as provided herein. A mural is considered a semipermanent hand-produced or machined graphic applied or affixed to the exterior of a building wall through the application of paint, canvas, tile, weather-treated wood, metal panels, applied sheet graphic or other medium generally so that the wall becomes the background surface or platform for the graphic, generally for the purpose of decoration or artistic expression, including, but not limited to, painting fresco, etching or mosaic greater than 24 square feet in size.
- B. **Permit application.**
1. Applicants for a mural permit must complete and return an application form furnished by the Planning Department. At the time the application is submitted, a fee shall be paid as set forth on the City of Onalaska Fee Schedule, which shall be reviewed annually.
 2. All mural permit applications shall contain, but not be limited to, the following information:
 - a. A plan showing the existing lot and building dimensions and indicating the proposed location of the mural, along with a picture of the existing building.
 - b. Colored drawing/image of the proposed mural.
 - c. A description of the proposed maintenance schedule that includes a time frame for the life of the mural and method for removal, if applicable.
 - d. Written permission from the owner of the building to which the mural is intended to be applied, if the applicant is not the building owner.
 - e. An acknowledgement that the mural must be removed or covered if so ordered by the Planning/Inspection Department for failure to maintain the mural or for the mural reaching a state of dilapidation.
 3. A mural permit application for a mural which will be created on a medium that is not the building (i.e., painted on wood panels, metal, etc.) that will be attached to the building through an installation (including but not limited to adhesive, bolts, nails, screws, or other types of materials) must provide the following:
 - a. Written confirmation by the mural provider/installer that the structural integrity of the building wall will not be impaired that the mural is to be applied or affixed to.

- b. Information related to the design and materials used to adhere the mural to the building. The design, quality, material and loads shall conform to the requirements of Title 15, Building Code, as amended. If required by the Mural Review Team, engineering data shall be supplied on plans submitted certified by a duly licensed structural engineer. Any plan revisions shall be supplied with a revision number and date.

4. Mural design standards.

- a. Murals must further the following City goals:
 - i. Enrich the public environment for residents and visitors through the incorporation of the visual arts;
 - ii. Increase the livability and artistic richness of the community;
 - iii. Increase public access to the arts; and
 - iv. Promote diversity in public art and reflect a wide range of cultural expression.
 - b. Artistic consideration includes but is not limited to:
 - i. Demonstrated strength of concept, execution and originality;
 - ii. Size of the mural is appropriate to the building size and surroundings; and
 - iii. Content will be judged first on community-wide relevance, historic value and artistic merit. Content exhibiting short-term relevance, including political campaigning or most forms of advertising, will not be considered. Advertising specific to the history or community importance of the building where the mural is proposed, which meets the above-stated criteria, may be considered.
 - c. Explanatory wording relative to the mural may be incorporated into the mural. Artistic signatures are allowed up to a maximum of two square feet in size.
 - d. The location and scale of the mural is in keeping with and will enhance the structure on which it is located.
 - e. The proposed mural is well integrated with the building's facade and other elements of the property and enhances the architecture or aesthetics of the structure and/or wall.
 - f. The proposed mural, by its design, construction, and location, will not have a substantial adverse effect on the abutting property or the permitted uses thereof.
 - g. The proposed mural is not detrimental to the public health, safety or welfare.
 - h. The proposed mural will not have a detrimental effect on the structural integrity of the wall on which it is applied/affixed.
 - i. The maintenance schedule is reasonable for the mural and the structure on which it is applied/affixed.
 - j. Murals that project from the wall surface, except for the minimum necessary protrusion to mount the mural to the wall or structure.
 - k. The mural shall not be painted directly onto brick, but may be attached by using an alternate medium (i.e., canvas, tile, metal panels, weather-treated wood, or similar materials with an approved attachment method) or may be otherwise applied by methods that will not cause damage to the structural integrity of the wall surface, including brick. New materials such as applied sheet graphics and appliques that can be removed readily from brick may be utilized. Other new materials can be utilized, provided they are found to be nondetrimental to the surface on which applied.
5. Application to be reviewed for compliance with the mural design standards above and prohibited mural content (Section 7.07.13.A) by the Mural Review Team, which shall include members of the Planning, Inspection, Attorney and the Parks and Recreation Departments as applicable within 30 days of a submitted, complete application.

- C. **Permit issuance.** Provided the mural permit meets the technical and aesthetic standards of this chapter, the Planning Department may approve and issue the mural permit. The mural permit will be valid for the specific design and one-time production of the presented mural. Any changes must be resubmitted to the Planning Department for review by the Mural Review Team. The mural permit is revocable by the Planning Department if it is determined any time that the mural being installed does not comply with the information provided within the application.

- D. **Permit expiration.** The construction timeline for an issued mural permit is valid for one year. If the approved mural has not been installed within one year of permit issuance, the mural permit shall expire. Further, if construction of the mural permit has not commenced within 180 days of permit issuance, the mural permit shall expire. The mural permit shall also expire if it has been determined that the work authorized by the permit has been suspended, discontinued or abandoned for a continuous work permit of 180 days.
- E. **Special exception.** Special exceptions to these mural regulations may be requested by completing a special exception application furnished by the Planning Department and returned to the Planning Department. At the time the application is submitted, a fee shall be paid as set forth on the City of Onalaska Fee Schedule, which shall be reviewed annually. The Plan Commission will consider the special exception request and make a determination to approve or deny the special exception and mural permit. If denied, an applicant may appeal to the Common Council to approve the special exception and mural permit.

7.07.13. Additional regulations for murals.

A. **Prohibited mural content.** Murals are hereby prohibited from containing the following:

1. Murals or other representations which imitate or appear to imitate any official traffic sign or device which appears to regulate or direct the movement of traffic or which interferes with the proper operation of any traffic sign or signal, or which obstructs or physically interferes with a motor vehicle operator's view of approaching, merging or intersecting traffic;
2. Murals which contain material that when taken as a whole:
 - a. Applying contemporary community standards, its predominant appeal is to a morbid, degrading, or excessive interest in sexual matters;
 - b. The average person would find the material depicts or describes sexual conduct in a patently offensive way; and
 - c. A reasonable person would find the material lacks serious literary, artistic, political or scientific value.
3. Murals that are directed or may appear to direct to persons to incite or produce imminent lawless action and are likely to incite or produce such action.
4. Murals that convey threats of violence that are directed at a person or group of persons that have the intent of placing the target at risk of bodily harm.
5. Murals where the intended audience is commercial or actual/potential consumers and where the content of the mural is commercial in character, therefore becoming a sign. A mural is not considered a sign and signs are regulated through Title 14, Sign Code.

B. **Mural placement.**

1. Murals are allowed in all commercial, industrial, public and semipublic and mixed-use zoning districts as identified in Title 13, Unified Development Code. Murals shall not be allowed in strictly residential zoning districts.
2. Murals are not permitted on the primary facade of a building. The primary facade is defined, for the purposes of this chapter, as the building elevation which directly faces an adjacent street right-of-way and is the primary customer entrance.

C. **Mural installation and maintenance standards.**

1. **Surface preparation.** Sand and high-pressure water blasting are not permitted as a cleaning process for either surface preparation or for mural maintenance purposes in any historic district, a structure that has been locally, state, or federally designated as historic, or has been deemed eligible for future inclusion as historic structure. These treatments and similar can cause damage to historic building materials and shall not be used.
2. It shall be the responsibility of the property owner upon which the mural is placed to maintain the appearance of the mural. A mural that is permitted to remain in a condition of disrepair shall constitute a public nuisance as defined in Chapter 2, Public Nuisances, of Title 12.
3. A mural's display surface shall be kept clean and neatly painted/maintained and free of corrosion and kept in good condition for the life of mural according to the maintenance schedule and responsibilities approved by the Planning Department and incorporated into the mural permit. A mural shall be deemed to be in a state of

disrepair when 25% or more of the display surface area contains peeling or flaking paint, or is otherwise not preserved in the manner in which it was originally created.

4. Any mural that is not maintained according to the maintenance schedule incorporated into the mural permit or that falls into a state of disrepair may be ordered removed or covered with opaque paint, similar to the primary building materials/colors or other appropriate material by the Inspection Department all in the manner provided for in the mural permit. Murals subject to removal shall be provided a time limit of 30 days from the date of the written notice for such removal or covering. Additional time may be authorized by the Inspection Department for good cause or efforts to restore and/or preserve the mural to its original form.

CHAPTER 46 – SIGNS

46.01 Legislative findings

The Common Council makes the following legislative findings relating to signs:

- (1) In addition to signage allowed by this chapter, individuals, groups of people, and businesses have numerous means to communicate different types of speech, including print media, broadcast media, direct mailings to households, and dissemination of information on the Internet.
- (2) Sign regulations in this chapter (i) promote the public welfare, health, and safety of people using the public roads and other public travelways; (ii) advance the aesthetic goals of the city, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public; and (iii) reduce the visual clutter caused by advertising signage which is a significant cause of unsafe traffic and visibility conditions.
- (3) Sign regulations in this chapter are not intended to control the content of a message, except as allowed by law, or to unduly restrict the appearance of a sign.
- (4) The limitations placed on signs by this chapter are deemed to be the minimum necessary to accomplish the purposes of this chapter.

46.02 Purpose

This chapter promotes the public health, safety, and general welfare and is intended to:

- (1) encourage the effective use of signs as a means of communication in the city;
- (2) maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (3) promote the desired community character described in the City's comprehensive plan;
- (4) protect the safety of the public by requiring proper maintenance of signs and establishing minimum design and construction standards;
- (5) improve pedestrian and traffic safety;
- (6) minimize the possible adverse effect of signs on nearby public and private property;
- (7) restrict off-premises signage to reduce visual clutter thereby helping to prevent unsafe traffic conditions; and
- (8) enable the fair and consistent enforcement of these restrictions.

46.03 Applicability

All signs erected or maintained after July 28, 2021 must comply with this chapter, except for the following which are exempt:

- (1) A traffic control sign and other similar signage when located on public property along a roadway or other travelway when placed by or authorized by the federal government, the state of Wisconsin, Wood County, or a municipal government.
- (2) A sign inside of a building that does not meet the definition of a window sign.

- (3) A legal notice posted on private property as may be required or authorized by municipal, state, or federal law.
- (4) A scoreboard associated with an outdoor athletic field, which is to be reviewed as part of a site plan review.
- (5) A sports league sponsor sign (banner or rigid) that is temporarily affixed to a fence on an outdoor athletic field, which is subject to other regulations as may be adopted by the Common Council.
- (6) A civic event banner that is temporarily placed above a public right-of-way or in a public park, which is subject to other regulations as may be adopted by the Common Council.

46.04 Internal conflict

More specific provisions of this chapter shall be followed in lieu of more general provisions unless the context otherwise requires. Additionally, the most restrictive provisions shall apply.

46.05 General rules of interpretation

In the construction of this chapter, the following shall be observed, unless such construction would be inconsistent with the text or with the manifest intent of this chapter:

- (1) **Gender.** Words of the masculine gender include the feminine and neuter, and vice versa.
- (2) **Singular and plural words.** Words in the singular include the plural and words in the plural include the singular.
- (3) **Tense.** Words in the present tense include the past and future tense, and the future tense includes the present tense.
- (4) **"Must", "shall" and "will".** The words "must", "shall" and "will" imply a mandatory condition.
- (5) **"May" or "should".** The words "may" and "should" imply a permissive condition.
- (6) **"Includes" or "including".** The words "includes" or "including" shall not limit a provision to the specific example(s) listed, but are intended to extend their meaning to all other instances or circumstances of like kind or character.
- (7) **"Such as".** The phrase "such as" shall not limit a provision to the specific example(s) listed, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (8) **Conjunctions.** When used at the end of a series, the word "and" indicates that all listed items apply. When the word "or" is used at the end of a series, it indicates that one or more of the listed items apply.

46.06 Definitions

(a) **Words and phrases not defined.** Unless specifically defined in this section, words and phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

(b) **Words and phrases defined.** For the purpose of this chapter, certain words and phrases are defined below and shall have the meaning ascribed to them, except where the context clearly indicates a different meaning.

Abandoned sign means a sign, and all of its components, which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted, or product available on the premises where the sign is displayed.

Alteration of sign means changes to the exterior appearance of any part of the frame, supporting structure, or lighting of a sign; including material, size, height, or location of a sign. Alteration does not include the normal maintenance of a sign or changing the face of a sign under the same business.

Animated sign means a sign that uses movement or change of lighting to depict action or create a special effect or scene. A changeable message sign shall not be considered an animated sign.

Area of copy means the entire area within a single, continuous perimeter generally composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, or decoration of a wall sign.

Athletic field sign means a sign located within an athletic field owned by a school or other government entity. Advertising associated with these signs is to be incidental to the sign and not a primary function thereof.

Banner means a temporary sign composed of cloth, canvas, plastic, fabric, or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or similar method or that may be supported by stakes in the ground. Banners attached to fences shall be permitted.

Billboard. See off-premises sign.

Building face means that portion of a building, which is parallel or nearly parallel to an abutting roadway.

Changeable message sign means a sign such as an electronic or a controlled time and temperature sign, message center or reader board, whether electronic, electric, or manual, where different copy changes.

Copy means the advertising message, announcement or decoration on a sign surface, including lettering, logos, graphics, and the like.

Directional sign means any sign which serves to designate the location or direction of any place or area up to 6 square feet in area.

Dynamic sign display See electronic message display

Electric sign means any sign containing electrical wiring, which is attached or intended to be attached to an electrical energy source.

Electronic message display means a sign message that can change by electronic means. (In contrast, see static display.)

Feather banner means a temporary sign on cloth, bunting, plastic, paper, or similar nonrigid material attached to a structure, staff, or pole and that is taller than it is wide. A feather banner is not a flag.

Flag means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols. Flags of a city, county, state, country, corporation, or institution shall not be considered a sign under this code.

Flashing sign means any sign which contains an intermittent or flashing light source, or which includes the illusion of flashing, light by means of animation, or an externally mounted intermittent light source, not including changeable message signs.

Ground sign means a permanent sign supported by structures or supports placed on, or anchored in, the ground and that are independent from any building or other structure. The area of ground signs is calculated on one face only.

Inflatable device means an object that is inflated with air or gas utilized to attract attention to a use or business activity being conducted.

Illuminated sign means a sign in which a source of light, either internal or external, is used to make the message legible.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives.

Integrated shopping center means a building under single ownership or under unified control which contains 4 or more businesses.

Monument sign means a sign mounted on a base or platform. The base shall be constructed out of a solid material such as stone, brick or poured concrete and its dimensions shall be proportionate to those of the sign. The bottom of the sign shall be located within six (6) inches of the base.

Movable sign means any sign not permanently attached to the ground or a building in excess of 10 square feet in area.

Mural means a non-commercial work of art generally attached to a building or painted directly on a wall. Maximum size is computed the same as a wall sign. Approval is by a special exception as outlined in Section 11.05.133 of the Municipal Code. Murals do not count against the maximum area of allowable signs on a parcel.

Name plate sign means a sign indicating the name and/or address of the building, tenant of the unit or manager of the property that is located upon a premise where the sign is displayed.

Nonconforming sign means a sign that does not meet current code regulations but was permitted under a previous ordinance or regulation.

Off-premises sign means a sign, including billboard, which advertises goods, products, facilities, or services not necessarily located on the premises, or directs persons to a different location from where the sign is located. Athletic field signs shall not be considered off-premises signs.

Pennant means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string.

Permanent sign means a sign that is self-supporting and sufficiently attached to a building or its own ground foundation.

Projecting sign means a sign, other than a wall sign, which is attached to and projects more than 18 inches from a structure or building face. The area of a projecting sign is calculated on one face only.

Roof sign means a sign erected upon, against or above a roof.

Sidewalk sign means an unlit freestanding, internally weighted portable sign frequently but not exclusively having the cross-sectional shape of an A.

Sign means any identification, description, illustration, or devise illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard, or designed to advertise, identify or convey information with the exception of window displays and flags. For the purpose of removal, signs shall also include all sign structures.

Sign structure means any structure or material, which supports, has supported, or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

Static display means a sign message that does not change by electronic means. The term includes fuel prices on a free-standing sign. (In contrast see electronic message display)

Temporary sign means a sign intended to be displayed for a limited period of time. They shall be constructed of weatherproof materials capable of withstanding the elements and shall not be constructed of materials intended for a different purpose. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary.

Vehicle sign means a sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle which are parked on a public right-of-way, or private property so as to be visible from the right-of-way. However, this does not include signs affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

Vision clearance area/triangle shall have the meaning set forth in s. 11.06.119 of the City's zoning code.

Wall sign means a permanent sign attached to or erected against the wall of a building with the face parallel to the plane of the building wall. A wall sign shall not project more than 18 inches from the surface of the wall.

Window sign means a sign located inside of a building that is visible from outside the premises and is within 16 inches of an exterior window or door.

46.07 Enforcing officer

The Department of Community Development shall enforce this chapter and shall perform the following duties:

- (1) Issue permits and conduct inspections of property to determine compliance with the terms of this chapter;
- (2) Establish and enforce necessary or desirable regulations in writing, clarifying or explaining any provision of this chapter;
- (3) Receive and file any application for exceptions or appeals; and
- (4) Maintain permanent and current records of this chapter, including but not limited to the following: all permits, plans, exceptions and appeals.

46.08 Permits required

It shall be unlawful for any person to alter, erect, construct, relocate, enlarge, change copy, or structurally modify any sign in the City, or cause the same to be done without first obtaining a sign permit for each sign as required by this chapter. Permits shall not be required by a change of copy on a sign under the same business, nor for repainting, cleaning, and other normal maintenance or repair of the sign or sign structure.

46.09 Inspection required

The applicant shall, upon completion of the installation, relocation, or alteration of a sign, notify the Department of Community Development, which will inspect to ensure that the sign complies with the regulations of this chapter.

46.10 Permit issuance or denial

A sign permit shall be issued when the application is properly made, all fees have been paid, and the proposed sign complies with all appropriate laws and regulations of the City. If the sign permit is denied, written notice of the denial shall be given to the applicant, together with a written statement of the reasons for the denial.

46.11 Administrative appeal

A person may appeal an administrative decision made under this chapter to the Zoning Board of Appeals within 30 days of the date of the decision being appealed.

46.12 Dangerous, unmaintained and abandoned signs

(a) **Intent.** In order to ensure public welfare and safety, and to promote community aesthetics, any dangerous, unmaintained, and abandoned signs shall be ordered removed from the property upon which they are located.

(b) **Maintenance and repair.** Every sign, including but not limited to those signs for which a permit is required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, cleaning and other acts for the maintenance of said sign.

(c) **Abandoned signs.** All signs or sign messages shall be removed within 60 days by the owner or lessee of the premises, when, for an on-premises sign, the business it advertises is no longer conducted; and for an off-premises sign, when lease payment and rental income are no longer provided.

(d) **Removal.** If the owner or lessee fails to remove a sign, the Department of

Community Development shall give the owner 30 days written notice to remove said sign. Upon failure to comply with this notice, the City may cause removal to be executed, the expenses of which will be a special charge placed upon the tax roll of the property on which the sign is located.

46.13 Prohibited signs

(a) **Intent.** Some specific signs and classes of sign, provide little value in identifying a specific business, promoting advertising for a business or communication for a business, and may only harm community aesthetics and/or the public welfare.

(b) The following types of signs are specifically prohibited, unless a sign exception is obtained:

- (1) any sign not specifically allowed in this chapter;
- (2) vehicle signs;
- (3) off-premises signs;
- (4) roof signs; abandoned signs;
- (5) signs located within the public right-of-way, easements, or other City property, unless otherwise specifically approved by the Common Council or other city rule or regulations, and
- (6) Flashing signs

46.14 General standards

A sign allowed by this chapter shall comply with the following general requirements:

- (1) A sign shall not resemble, imitate, or approximate traffic or railroad signs, signals, or devices, including emergency vehicles.
- (2) A sign shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices.
- (3) A sign shall not cause glare, mislead or confuse traffic, or impair driver visibility on public ways, private roadways, or adjoining properties.
- (4) A sign shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, stairway, fire escape, or driveway.
- (5) A sign shall not be attached to a standpipe or fire escape.
- (6) A sign may not be attached to a tree or painted on rocks
- (7) A sign shall not be flashing, revolving, blinking, strobe, or animated, except for the display of the time and temperature.
- (8) A sign shall not be placed within the vision clearance triangle except as allowed by the municipal code.
- (9) A sign shall not oscillate or rotate or move in any other manner.
- (10) A sign shall not emit an audible sound, odor, or any visible matter.
- (11) A sign shall not be placed on a telecommunication tower, except as required or permitted under the zoning code.
- (12) A sign shall be constructed and mounted so as to comply with state and local building codes as applicable.
- (13) A sign containing electrical wiring shall be constructed, installed, and operated so

as to comply with state and local electrical codes as applicable.

- (14) When a sign is authorized to contain electrical power or when a sign is illuminated by one or more external light fixtures, the electric wire providing the electric power to the sign or the light fixture shall be placed underground.
- (15) A sign shall not be constructed, operated, or maintained so as to constitute a nuisance to adjoining properties, or materially affect or detract from the value of the adjoining properties

46.15 Electronic message displays

- (a) **Findings.** The Common Council makes the following findings regarding electronic message displays:
 - (1) Electronic displays are designed to produce sufficient brightness to ensure clear legibility during daylight hours. However, daytime brightness settings are usually inappropriate for night-time viewing.
 - (2) Electronic displays that are too bright at night can be offensive and reduce the legibility of the display copy.
 - (3) Technology exists to control lighting levels, with scheduled dimming based on sunset-sunrise tables or with photocells.
 - (4) Appropriate standards are necessary to ensure electronic displays do not become a nuisance to surrounding property owners or pedestrians or a distraction to passing motorists.
- (b) **General standards.** An electronic message display when allowed by this chapter shall comply with the following standards:
 - (1) An electronic message display must be equipped with technology for automatic dimming based upon ambient light conditions or controls that the sign owner can use to program lighting levels to comply with the lighting standards in this section.
 - (2) Except for time and temperature displays, the message shall remain static at least 2 seconds before the next message appears.
 - (3) No part of the message shall give the appearance of movement.
 - (4) There shall be no flashing transitions, and transition time shall be one second or less.
 - (5) Lighting levels shall not exceed 0.3 footcandles over ambient lighting conditions when measured at the specified distance in the table below, based on the size of the display. However, lighting levels shall not exceed 0.1 footcandles over ambient lighting conditions at the property boundary line of a residential property or 0.2 footcandles over ambient lighting conditions at the property boundary line of a commercial, industrial, or institutional property.

Sign Area (square feet)	Measurement Distance (feet)
10	32
15	39
20	45

25	50
30	55
<p>Note: The sign areas listed in this table are for illustration only. The City's sign regulations may not allow the sign areas listed. For signs areas not listed, the measurement distance is calculated with the following formula:</p> $\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$	

- (6) The message on an electronic message display shall only relate to the premises on which it is located, except for public service announcements.
- (7) Except for in the General Commercial (B-2) District, the electronic message display shall be turned off by 11:00 p.m. each day or one hour after the close of the business on the premises whichever is later and shall remain off until 5:00 a.m. the following day.
- (8) An electronic message display shall be located on no more than one sign per road frontage.

46.16 Projecting signs

A projecting sign shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) The sign shall not extend more than 5 feet from the building on which it is attached.
- (3) The top of the sign shall not be higher than the building on which it is located.
- (4) When located above a walkway, the bottom edge of the sign shall be at least 10 feet above the surface of the walkway beneath the sign.
- (5) When located above a driveway or an alley, the bottom edge of the sign shall be at least 15 feet above the surface of such driveway or alley.
- (6) If a projecting sign extends over public property (i.e., above a public sidewalk), the property owner must provide all assurances as may be specified by the city attorney and/or the Public Works and Community Development Departments, before a sign permit can be issued.

46.17 Awning signs

A sign on an awning shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) If a canopy extends over public property (i.e., above a public sidewalk), the property owner must provide all assurances as may be specified by the city attorney before a sign permit can be issued for a canopy sign.
- (3) When located above a walkway, the bottom edge of the canopy shall be at least 8 feet above the surface of the walkway beneath the canopy.
- (4) The sign may be placed on awning and may not occupy more than 50 percent of the area.

- (5) The canopy, whether existing or proposed, shall be made of a visually opaque material.

46.18 Ground signs

- (a) **General standards.** A ground sign shall comply with each of the following as applicable:

- (1) When a free-standing sign is located in a residential zoning district, landscaping shall be provided and maintained around the base of the sign for a minimum radius distance of 2 feet. Such landscaping may consist of turf, small shrubs, ground cover, or a combination thereof.
- (2) The base of a monument sign shall be covered with brick, stone, split-face masonry block, wood, stucco, or other material that complements the materials on the principal building.
- (3) The base of a monument sign shall be at least 80 percent of the width of the sign.
- (4) A monument sign may be double-faced, provided the angle between the two sign faces does not exceed 30 degrees (Exhibit 1). If the sign faces are more than 30 degrees, both faces are considered single-sided and included in determining the area of the sign.
- (5) A pole or pylon sign may be double-faced provided the two faces are parallel to one another.
- (6) A free-standing sign shall be located at least 15 feet from an access drive and 5 feet from a parking lot.
- (7) A free-standing sign shall be self-supporting (i.e., no guy wires or the like).
- (8) A free-standing sign shall be attached to a permanent foundation set in the ground. If the height of the sign is 15 feet or more, the petitioner must provide a design approved by a professional engineer, qualified to provide such certification.

(b) **Measuring the area of a free-standing sign.** The area of a freestanding sign is the entire surface area on which the message could be placed (Exhibit 2). The supporting structure or bracing is not included.

(c) **Measuring the height of a sign.** If the location of a freestanding sign is above street grade, the height of the sign is measured from the surrounding grade which may not be modified so as to increase the overall height of the sign (Exhibit 3). If the location of a monument sign is below street grade, the height of the sign is measured from the centerline of the street immediately in front of the sign (Exhibit 3).

Exhibit 1. Maximum angle for a double-faced monument sign

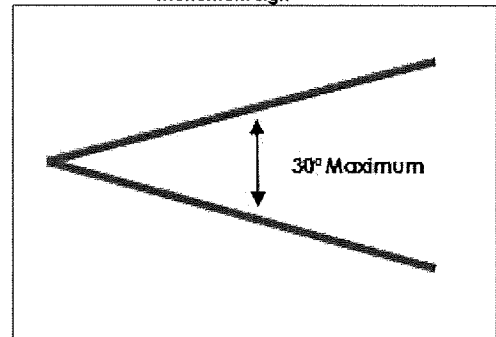
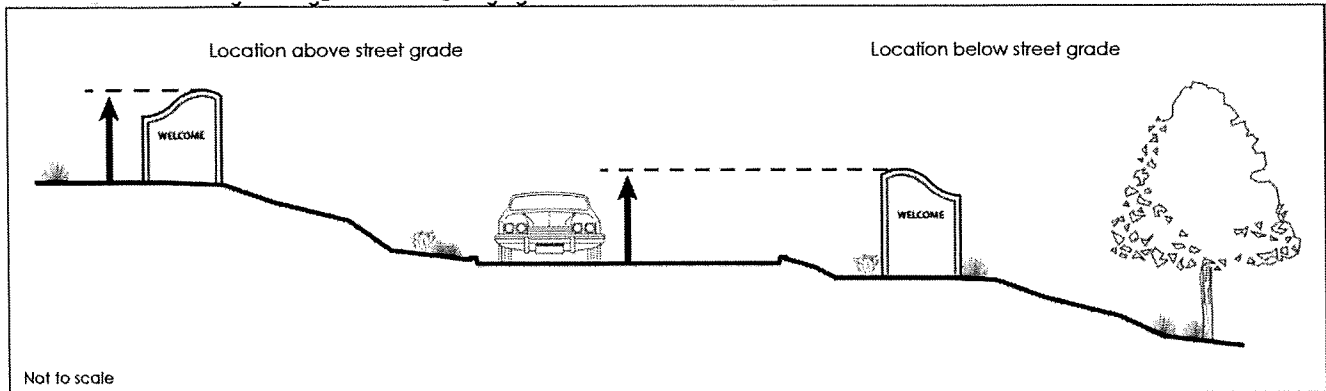


Exhibit 2. Measuring the area of a free-standing sign



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Exhibit 3 Measuring the height of a free-standing sign



Not to scale

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46.19 Wall signs

- (a) **Standards.** A wall sign shall comply with each of the following:
 - (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
 - (2) A wall sign shall not project from the wall on which it is attached by more than 18 inches.
 - (3) No portion of the sign shall extend above the wall face on which the sign is located.
- (b) **Measuring the area of a wall sign.** The area of a wall sign without a distinctive border or background is the smallest rectangle encompassing all words, letters, figures, emblems, and other elements of the sign message. The area of a wall sign with a distinctive border or background is the small rectangle encompassing the border or background (Exhibit 4).

Exhibit 4. Measuring the area of a wall sign



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46.20 Window signs

A window sign shall comply with each of the following:

- (1) The placement of a window sign shall not be placed on a door window or window so as to constitute a hazard for pedestrian or guest traffic and safety.
- (2) Signage shall be placed on the interior of the glass.

46.21 Other Signs Requiring a Permit

The following signs are permitted with a permit, subject to the specified conditions:

(a) **Sidewalk signs**

A sidewalk sign (aka sandwich board sign) shall comply with each of the following:

- (1) A sidewalk sign must be located a minimum of one foot from the face of the street

curb but no more than 4 feet or the sign must be located within 3 feet of the building face.

- (2) The placement of a sidewalk sign must leave a minimum of 5 feet of clear sidewalk space for pedestrian movement.
- (3) A sidewalk sign must be freestanding and at sidewalk grade level.
- (4) A sidewalk sign shall not have other attention-getting devices, such as balloons and ribbons, attached to them.
- (5) A sidewalk sign must be kept inside the business when the business is closed.
- (6) A sidewalk sign must be securely weighted or otherwise designed to not shift, move, or topple over in the wind or present a hazard to the public.
- (7) A sidewalk sign shall not obstruct vehicular/bus stops, benches, fire hydrants, or other features located legally in the right-of-way or be located closer than 10 feet to another sidewalk sign.
- (8) The permittee must provide a certificate of general liability insurance naming the City of Wisconsin Rapids as an additional insured in the form of general commercial liability insurance in the minimum amount of \$1,000,000 per occurrence/general aggregate,
- (9) The permittee must obtain a right-of-way occupancy permit from the Engineering Department as set forth in s. 6.24 of the Municipal Code.

(b) Inflatable Devices/Signs

Inflatable devices shall be temporarily allowed in the B-2 District by permit for a business, up to four (4) times per year, for a maximum of 5 business days per permit. The one (1) device may not exceed 20' in height and must meet sign setbacks and all other applicable requirements within this code.

(c) Feather Signs

Feather signs shall be prohibited for use on a permanent basis. They shall be allowed for use by permit during special civic events or commercial business events within any Commercial, Industrial or Institutional district for a maximum of 15 business days, not to exceed four (4) times per year. Feather signs may not exceed 16 square feet and shall be allowed in number equal to the number of street frontage abutting the property, unless otherwise noted in this code. Note that they shall not be considered as part of the total sign allowance on the property but shall meet all other applicable sections of this ordinance.

(d) Temporary Signs (Freestanding or Wall Signs)

Temporary signs other than a flag or feather sign may be allowed for use by permit during special civic events or commercial business events within any Commercial, Industrial or Institutional district for a maximum of 15 business days, provided the sign is not permanently mounted or affixed to the ground. The sign area shall not exceed 32 square feet on one side or 64 square feet on all sides. Only one temporary sign may be located on a lot, unless otherwise noted in this code, not to exceed four (4) times per year. Note that they shall not be considered as part of the total sign allowance on the property but shall meet all other applicable sections of this ordinance.

46.22 Other Signs Not Requiring a Permit

- i. The following signs are permitted in all zoning districts without a permit, subject to the specified conditions:

- (a) **Building Signs.** Signs Carved Into or affixed flat to a building in such a way that they are not directly illuminated, are not made of a reflecting material, do not contrast sharply in color with the building, and do not exceed two inches in thickness and are of historical significance. Examples include historic plaques or building names (i.e. "Est. 1909").
- (b) **Temporary Freestanding or Wall Sign.** Temporary Freestanding or Wall Signs on properties or buildings for sale, lease, or rent not exceeding six square (6) feet in area on one side or 12 square feet in area on all sides and a maximum of six feet in height in a residential district; or not exceeding 24 square feet in area on one side or 48 square feet in area on all sides and a maximum of 12 feet in height in other districts. Such signs shall meet all other requirements of this code and shall not be located in a public right-of-way. They shall be removed within 10 days after the property or building is sold, leased, or rented.
- (c) **Signs During Election Campaigns.** As provided in Section 12.04 of the Wisconsin Statutes, election campaign signs are permitted in all zoning districts subject to the following requirements:
- (1) The sign shall not be erected prior to the first day of the "election campaign period" as defined in the Wisconsin Statutes, and shall be removed within 10 days following the election.
 - (2) Sign during an election campaign shall not exceed 11 square feet in area unless the sign is affixed to a permanent structure; does not extend beyond the perimeter of the structure; and does not obstruct a window, door, fire escape, ventilation shaft, or other area which is required by the building code to remain unobstructed.
 - (3) The number of signs allowed during an election campaign shall not exceed the number of candidates or causes on the ballot in the properties voting ward.
 - (4) No election campaign sign shall be placed within a public right-of-way nor so close to a pedestrian way as to hinder or endanger safe passage
- (d) **Additional Temporary Freestanding Sign.** One Additional Temporary Freestanding Sign, not exceeding six square (6) feet in area on one side or 12 square feet in area on all sides, provided that no such signs shall exceed four feet in height or be erected or placed within a public right-of-way.

Signage allowed under this subsection may include the following:

- (1) Construction/maintenance signage (i.e., signage that identifies the architects, engineers, contractors and other individuals or firms involved with construction/maintenance currently taking place on the premises)
- (2) Personal greeting and congratulatory sign (i.e., signage related to a homecoming of a person or group of people or a personal event or accomplishment)
- (3) Free speech signage, including political and religious messages
- (4) Quasi-public event signage (i.e., signage announcing a noncommercial event or celebration in the community that is sponsored by a civic, educational, patriotic, religious, or nonprofit organization), allowed to be erected one week prior to the event or celebration and removed upon the conclusion of the event or celebration.
- (5) Yard sale signage (i.e., signage announcing a yard, rummage, or garage as may be authorized under the City's zoning regulations), allowed to be

erected during the sale or event and limited only to the premises.

- (6) Private property protection signage (i.e., signage containing wording indicating an intent to deny entry to the general public, such as "no trespassing" or "private property")
- (7) Property address

ii. The following signs are permitted in all commercial, industrial, and institutional zoning districts without a permit, subject to the specified conditions:

(a) Window signage is allowed without a permit as follows:

- (1) Placement / type: no limitation
- (2) Time limitation: none
- (3) Number permitted: no limitation
- (4) Maximum sign area: 50 percent of glass area located on the ground floor level per road frontage, including perforated window graphics.
- (5) Type of illumination permitted: none
- (6) Type of display permitted: static display and/or one electronic message display per street frontage not to exceed 5 square feet

46.22 Signs allowed with a permit in a non-residential zoning district

(a) **Permitted signs.** The signs listed in Table 1 are allowed with a permit in a non-residential zoning district as specified.

46.23 Signs allowed with a permit in a residential zoning district

(a) Signage for an authorized commercial use of the property (e.g., bed and breakfast)

A Permanent non-internally illuminated static display Wall Sign, or Freestanding sign, or combination of the two, not to exceed a combined total of six (6) square feet in area. Existing ambient lighting may be permitted.

(b) The signs listed in Table 2 are allowed with a permit in a residential zoning district as specified.

Table 2. Signs Requiring a Sign Permit in Residential Zoning Districts

Land use / sign type	Number of signs	Maximum sign area	Maximum sign height	Illumination	Type of display permitted	
Signage for auth. commercial use	A. Wall sign	1 per premise	6 square feet combined total	6 feet	Existing ambient	Static display
	B. Free-standing sign – monument sign	1 per premise	6 feet	Existing ambient	Static display	
Signage for a residential complex	A. Wall sign	1 per street frontage	16 square feet or 10 percent of the wall area, whichever is less	8 feet	External	Static display
	B. Free-standing sign – monument sign only	1 per premises	16 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Signage for a subdivision	Free-standing sign – monument sign only	1 per vehicular access point	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Temporary signage for an approved subdivision	Free-standing sign – monument sign only	1 per vehicular access point	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Signage for an Institutional use	A. Wall sign	1 per street frontage	32 square feet or 10 percent of the wall area, whichever is less	10 feet	External or internal	Static display
	B. Free-standing sign – monument only	1 per premises	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
	C. Parking lot entrance sign	One at each vehicular access point to the site but no closer than 300 feet on the same road frontage or closer than 300 feet to another free-standing sign	8 square feet when single-sided; 8 square feet per side when double-sided	5 feet	External	Static display

46.24 Sign permit

(a) **Application fees.** From time-to-time, the Common Council may establish an

application fee for a sign permit.

(b) **Forms.** Application for all signs, except those signs that do not require a permit, shall be made on forms provided by the zoning administrator.

(c) **Completeness.** Sign applications must contain all pertinent information as required on the form, and any additional information as may be required by the zoning administrator.

(d) **Review.** Sign permit applications shall be filed with the zoning administrator who shall review the application for accuracy and completeness. The zoning administrator is authorized to issue permits when he or she determines that the proposed signage complies with all applicable provisions set forth in this chapter.

(e) **Approval period.** A sign permit shall become null and void if work authorized under the permit has not been completed within one year of the date of issuance.

46.25 Sign Exception

(a) Sign Exceptions are appropriate for proposed signage that is not completely described by the terms of this Code or not fully in compliance with the specific provisions of the Code. Exceptions shall be reviewed and approved by the City Plan Commission. The Plan Commission shall use the following to determine whether to approve the exception, in addition to the requirements outlined in section 11.05 – Division 7 of the Municipal Code.

(1) If the sign is not in full compliance with the definition or the type of sign is not permitted within a given district, the Plan Commission may make considerations for unique signs that match or have similar architectural styles or materials as the principal building(s).

(2) Site difficulties. If there are unusual site factors, which preclude an allowed sign from being visible to the street immediately in front of the site, an adjustment may be granted to achieve visibility standards. This adjustment is not intended to be used to make signs visible to other streets, but to address site difficulties of visibility to the street on which the sign has direct frontage. Site difficulties may include the sign face being blocked due to topography of the site, elevation of street, setback of the existing development, or landscaping on the site, or from abutting development or landscaping. This set of adjustment criteria is generally intended to allow greater flexibility in placement and dimension requirements of the sign. The adjustment may be approved if the following criteria are found to be met:

- a. There is no reasonable place on the site for an allowed sign without an adjustment to achieve visibility standards to the street immediately in front of the site. This may include consideration of an off-premise sign where appropriate.
- b. If the proposed sign extends into the five-foot setback requirement, the sign will not create a traffic or safety hazard.
- c. Of potential adjustments to meet the visibility standard, the request is the most consistent with the surrounding development and sign patterns.
- d. The adjustment is the minimum needed for a sign to meet the visibility standards.
- e. Additional signage may not constitute an over proliferation of signs on a property or cause needless repetition or redundancy of signage.
- f. The sign would not be located so as to have a negative impact on adjacent property.

- g. The size and height adjustment is the minimal to adhere visibility standards.
- (3) If a proposed sign structure, including required landscaped areas would take up required parking spaces and is unable to be suitably placed where setbacks can be met and required parking is not removed, the Plan Commission may reduce or waive the setbacks and landscaping requirement.
- (4) Signs where a Sign Exception is specifically required elsewhere in this chapter such as a mural, may not need to meet all of the above criteria for approval. These are unique signs, and the Plan Commission may grant approval on a case by case basis.
- (5) The Zoning Administrator may require a Sign Exception review when provisions of the sign code are unclear or contradicting.

46.26 Nonconforming Signs

- (a) **Change of copy.** The copy of a nonconforming sign may be changed.
- (b) **Change of sign face.** The face of a nonconforming sign may be changed provided the building inspector determines that the other features of the sign are structurally sound and properly maintained.
- (c) **Change in location.** A nonconforming sign shall not be relocated.
- (d) **Change in area.** The area of a nonconforming sign shall not be enlarged or reconfigured in any manner.
- (e) **Change in height.** A nonconforming sign shall not hereafter be placed higher even though the height is otherwise permitted.
- (f) **Change in lighting.** A nonconforming sign that is not illuminated may not hereafter be illuminated even though such lighting may be otherwise permitted. A nonconforming sign that is illuminated may not hereafter be illuminated in any other manner even though such lighting may be otherwise permitted, except to bring the existing lighting into compliance (e.g., removal of exposed lights bulbs).
- (g) **Addition of an electronic message display.** A nonconforming sign shall not hereafter incorporate an electronic message display even though it may be otherwise permitted.
- (h) **Temporary signs.** A nonconforming sign that is described in this chapter as being temporary shall be made to conform with all applicable standards or be removed within 90 calendar days of the date the sign became nonconforming or within a lesser time period specified by the building inspector if he or she determines that the sign poses an unacceptable risk to public health or safety.
- (i) **Ongoing maintenance and safety.** A nonconforming sign shall comply with all applicable provisions in this chapter related to maintenance and safety.
- (j) **Abandonment.** A nonconforming sign that is abandoned for more than 12 months shall thereafter be made to conform with all applicable standards or be removed.
- (k) **Reconstruction following damage.** A nonconforming sign that is damaged by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation on or after March 2, 2006, may be restored to its condition (e.g., size, location, and use) prior to the damage, except the sign may be larger when necessary to comply with state or federal requirements.
- (l) **Loss of nonconforming status.** If a property owner or the owner of the sign modifies a nonconforming sign in any manner that violates one or more limitations imposed in this chapter, such sign shall thereafter be made to conform with all applicable standards or be removed within 60 calendar days of the date the zoning administrator makes such

determination in writing, or within a lesser time period specified by the zoning administrator if he or she determines the sign poses an unacceptable risk to public health or safety.

46.27 Penalties

Any person who fails to comply with the provisions of this chapter is subject to the provisions in s. 1.07 of the Municipal Code.