

## 15.14 SIGNS

### A. PURPOSE AND INTENT

The purpose of the sign regulations of the Ordinance are to promote the effective use of signs as a means of communication; to maintain and enhance the aesthetic environment of the City; to promote pedestrian and vehicular safety and to protect property values by minimizing the adverse effects of signs.

### B. SEVERABILITY

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### C. DEFINITIONS AND SPECIFICATIONS

1. **ABANDONED SIGN.** A sign structure that is no longer being used for the display of sign copy, or is advertising a business or establishment that is no longer in operation.
2. **AWNING.** An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources. Awnings made of vinyl and plastic are prohibited.
3. **AWNING SIGN.** A sign displayed on or attached flat against the surface or surfaces of an awning. The copy of awning signs shall not exceed an area equal to 25 percent of the background area of the awning.
4. **BACK-LIT AWNING.** An awning with a translucent covering material and a source of illumination contained within its framework.
5. **BANNER.** A sign utilizing a flexible material such as plastic or cloth as its display surface.
6. **BILLBOARD.** A sign which advertises goods, products or facilities not necessarily on the premises where the sign is located.
7. **CANOPY.** A multi sided overhead structure supported by columns, but not enclosed by walls.
8. **CANOPY SIGNS.** Signs affixed to the fascia or soffit of a canopy. The copy of canopy signs shall not exceed an area equal to 25 percent of the background area of the canopy wall.
9. **CENTRAL BUSINESS DISTRICT.** For the purpose of this code section the central business district shall be defined as all parcels zoned C-3 Central Business District.

10. CHANGEABLE SIGN. A sign with the capability of content change by means of manual or remote input, including signs which are:
  - a) Manually activated. Changeable sign whose message copy or content can be changed manually.
  - b) Electrically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface.
11. COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.
12. DEVELOPMENT COMPLEX SIGN. Sign identifying a multiple-occupancy development, such as a shopping center or planned industrial park, which is controlled by a single owner or landlord.
13. DIRECTIONAL SIGN. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
14. DOUBLE-FACED SIGN. A sign with two faces, back to back. For the purposes of calculating sign area, double faced signs shall be calculated as one sign face.
15. EXTERIOR SIGN. Any sign placed outside a building.
16. FREESTANDING SIGN. A sign supported by a structure, pole, or column placed on the ground and not supported by a building.
17. FRONTAGE (Building). The length on an exterior building wall or structure of a single premise oriented to the public way or other properties that it faces.
18. FRONTAGE (Property). The length of the property line(s) of any single premise along either a public way or other properties on which it borders.
19. ILLUMINATED SIGN. A sign characterized by the use of artificial light, either projecting through its surface(s) (internally illuminated); or reflecting off its surface(s) (externally illuminated).
20. MARQUEE. A marquee is a permanent structure projecting beyond a building designed to provide protection from the weather.
21. MARQUEE SIGN. A sign attached to a marquee
22. MENU BOARD. A freestanding sign oriented to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window.
23. MONUMENT. A sign, mounted directly to the ground or pavement.
24. MULTIPLE-FACED SIGN. A sign containing three or more faces.
25. ON-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.
26. POLE SIGN. A sign that is affixed, attached or erected on a single pole that is designed to support and elevate the sign.

27. PYLON SIGN. A sign that is affixed, attached or erected on a square or rectangular base that is designed to support and elevate the sign.
28. POST AND PANEL. A sign consisting of more than one post or support member with the sign face located between and supported by such members.
29. PROJECTING SIGN. A sign other than a wall sign that is attached to or projects more than 12 inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.
30. ROOF SIGN. A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered to be roof signs.
31. SIGN. A communication device, structure or fixture that incorporates graphics, symbols, trademarks, trade names, letters, or numerals which is created or designed to promote the sale of a product, commodity or service or to provide direction or identification to a premise or facility. Religious displays or holiday decorations are not considered signs.
32. SANDWICH BOARD. A sign which consists of two panels hinged or attached at the top or side designed to be moved and stand on the ground.
33. SIGN AREA. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face.
34. SIGN COPY. Those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, exclusive of numerals identifying a street address only.
35. SIGN FACE. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.
36. TEMPORARY SIGN. A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.
37. WALL OR FASCIA SIGN. A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 12 inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed. No sign shall extend wider or higher than existing building line.
38. WINDOW SIGN. A sign affixed to or adjacent to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

## D. PERMITS

Signs in excess of the physical limits or placement restrictions herein specifically allowed are permitted only after receipt of a permit from the Building Inspector

1. **Submittal Requirements** - Permit application requirements shall be determined by the Building Inspector and shall include:
  - a) Name, Address, and telephone number of the applicant.
  - b) Location of building, structure, or lot upon which the sign is to be attached or erected.
  - c) Name of Person, firm, corporation, or association erecting the sign.
  - d) A site plan showing the location and the position of such sign in relation to nearby buildings, public streets and City right of way.
  - e) A color copy of the sign indicating dimensions, material type, type of illumination, and method of construction and attachment.
  - f) Additional Information as required by Building Inspector
2. **Fees** - Sign Permit fees shall be non-refundable and paid in accordance with Common Council Administrative Fee Schedule.
3. **Special Exception** - A special exception may be granted by the Plan Commission from the provisions of this chapter if it is determined that certain site or building characteristics or physical characteristics of the sign due to its unique design render compliance with the provisions of this chapter unreasonable.

## E. GENERAL PROVISIONS

1. **Signs in rights-of way.** No sign other than an official traffic sign or a sign approved under Section H shall be erected closer than 2 feet of the face of curb.
2. **Projections over public ways.** Signs projecting over public walkways shall be permitted to do so only subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of 10 feet from grade level to the bottom of the sign. Signs, architectural projections or sign structures projecting over vehicular access areas must conform to the minimum height of 15 feet. The furthestmost part of a projecting sign shall be at least 24 inches from the street curb.
3. **Traffic Visibility.** No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.
4. **Computation of frontage.** If a premise contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign

area(s) thus calculated shall be permitted to then be applied to permitted signs placed on each separate wall or property line frontage.

5. **Maintenance, repair and removal.** Every sign permitted by this ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the code official, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this ordinance, the owner thereof or the person or firm using same shall, upon written notice by the code official forthwith in the case of immediate danger, and in any case within not more than 10 days, make such sign conform to the provisions of this ordinance, or shall remove it. If within 10 days the order is not complied with, the code official shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
6. **Obsolete sign copy.** Any sign copy that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy removed within six months of discontinuing such use on the property and removed within 30 days after written notification from the municipal code official unless a Special Exception is granted pursuant to Section D(3). Upon failure to comply with such notice, the code official is hereby authorized to cause removal of such sign copy, and any expense incident thereto shall be paid by the owner of the building, structure or ground on which the sign is located.
7. **Existing Nonconforming signs.**
  - a) The lawful use of a permanent sign existing at the time of the adoption of this ordinance may be continued in non-conformance with the requirements of this ordinance, except that the nonconforming sign shall not be enlarged, altered, modified, improved or rebuilt. A nonconforming sign may be repaired to the extent necessary to maintain it in a safe condition and neat and orderly appearance. A change in the advertising message on a billboard or electronic message board shall not constitute an alteration or modification of the provided no other modifications are made.
  - b) No structural repair or change in shape, size or design shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance or to render the sign structurally sound. Routine maintenance and changing of copy shall be permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or design.
  - c) A nonconforming sign structure may not be replaced by another nonconforming sign structure, except where changed conditions beyond the control of the owner warrant the signs repair and a Special Exception pursuant to Section D(3).
  - d) Any change in ownership, tenancy, or occupancy of premises shall necessitate that the signs be brought into conformance with the requirements of this code unless a Special Exception is granted pursuant to Section D(3).
8. **Sign height.** Height shall be measured for the grade adjacent to the sign.
9. **Construction.** Signs shall be constructed to withstand a 40 lb. wind load.
10. **Illumination** - Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than 18 inches from the face of the sign or building to which it is

attached provided. Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.

11. **Landscaping** – A landscape island shall be required for all freestanding signs. The landscaped area shall be no less than 32 square feet and shall have a boarder formed by stone, brick, landscape timber or any other material approved by the building inspector. The landscape island shall be maintained on an annual basis.

## F. ALLOWED SIGNS

The following signs shall be exempt from Section D requiring a sign permit, but shall be subject to all other applicable provisions of this code in addition to the conditions listed below.

### 1. Permanent Signs

- a) **Address Numbers** – Address numbers and residential name plates provided they are no more than one square foot in area.
- b) **Window Signs** – Signs displayed in the window of a commercial or industrial use advertising products sold on premise provided:
  - (i) sign must be located on inside of window
  - (ii) a maximum of 50% of the window area is covered with signage
- c) **Official Signs**- Signs including street signs, parking signs, legal notices or any other sign erected by city, county or state government on lands owned by the City of South Milwaukee or upon city right of way
- d) **Directional Signs** – Signs displaying directional information on non-residential property provided they are no more than 3 square feet in area.
- e) **Bulletin Boards** – Church or institutional bulletin boards provided:
  - (i) bulletin board is no more than 12 square feet in area
  - (ii) freestanding sign is located 10 feet from any lot line

### 2. Temporary Signs

The following sign types shall be considered temporary and allowed except where prohibited in Section G. Illumination, animation or mechanical activity of these signs is not permitted.

- a) **Rummage Sale** – Signs promoting rummage sales, lawn sales, garage sales provided:
  - (i) sign is no more than 5 square feet
  - (ii) sign is erected for no longer than 5 days
  - (iii) sign is removed within 24 hrs of end of sale

- (iv) sign is not located on City right of way
- b) **Real Estate** – Real Estate signs promoting a sale or lease of land or property provided:
  - (i) one sign per parcel
  - (ii) sign is no more than 6 feet in height for residential and 10 feet for commercial/industrial
  - (iii) sign is no more than 9 square feet for residential property and 32 square feet for commercial/industrial
  - (iv) sign shall be removed within 10 days of the date of sale
- c) **Construction and Development** – Signs promoting the construction or development of a project including but not limited to buildings, subdivisions, businesses provided:
  - (i) one sign per street frontage
  - (ii) sign area is no more than 32 square feet
  - (iii) sign display time is limited from the date approval is granted to 48 hours after occupancy is granted
- d) **Political** – Freestanding Political Signs as regulated per Wis. Stat. 12.04 provided sign is not located in the City right of way
- e) **Promotional Signs** – Temporary signs displayed to advertise special promotions, events, sales or grand openings, including mini air balloons, streamers, pennants, banners, window painting, hand-lettered or hand-drawn signs are allowed provided:
  - (i) such signs shall not be displayed for more than 30 consecutive days and shall be kept in good conditions at all times
  - (ii) promotional window signs combined with permanent window signage shall be limited to 50 % of window area
  - (iii) signs shall be removed not more than five days after the advertised event
  - (iv) maximum size of any sign is 32 square feet
  - (v) signs are not located in the city right of way unless approved by the municipal official
- f) **Sandwich Boards** – sandwich boards as defined in Section C provided:
  - (i) sign is no more than six (6) square feet, excluding supports, and no more than two (2) feet wide
  - (ii) sign is only displayed during hours of operation
  - (iii) sign does not interfere with pedestrian movement as determined solely by the municipal official
  - (iv) sign is placed as near as possible to the front or back of a parking stall where stalls are identified on pavement

- (v) sign is not hand drawn or lettered except where specials may be displayed on a temporary surface
- 3. Mobile Signs. A mobile sign is one that is not affixed to a permanent foundation or attached to a building that advertise products or sales on premise provided:
  - a) sign area is no more than 32 square feet
  - b) sign is no more than 10 feet in height
  - c) sign is not located in a residential zone
  - d) sign shall be secured in a manner to prevent injury to persons or property
  - e) sign is not located in the city right of way

#### **G. SIGNS PROHIBITED IN ALL DISTRICTS**

- 1. Roof signs
- 2. Billboards
- 3. Pole signs
- 4. Signs resembling traffic signs or signals or that otherwise interfere with traffic
- 5. Signs with obscene messages.
- 6. Signs erected or attached by nailing, fastening or affixing the sign in any manner to trees, shrubs, posts, utility poles, natural features, official street signs, or traffic control signs.
- 7. Signs which, in the judgment of the Building Inspector, pose a traffic danger by virtue of flashing, blinking or animation.
- 8. Revolving, rotating or otherwise moving signs.
- 9. Signs that are attached to a vehicle and which are located in the public way, obstruct the driver's vision or pose a traffic danger.

#### **H. SIGNS IN PUBLIC RIGHT OF WAY**

No sign shall be erected on lands owned by the City of South Milwaukee or in the public right of way without approval of the Common Council, except as otherwise allowed herein.

#### **I. RESIDENTIAL DISTRICT REGULATIONS**

The following signs requirements pertain to all residential districts and residential uses in non-residential districts.

- 1. **Home Occupation** – Signs used to advertise a home occupation shall not exceed 3 square feet. Sign must be attached to the primary dwelling and shall not be illuminated.

2. **Multi-Unit Developments** – Developments including subdivisions, apartment complexes, condominium complexes shall provide one monument sign per street frontage no greater than 32 square feet in area and no taller than 8 feet in height. Sign shall be located a minimum five feet from any lot line. Where possible sign shall incorporate building materials into the sign structure. Sign shall not be internally illuminated.
3. **Other Signs** – Signs not to exceed 3 feet square or a total of a multiple of signs in excess of 3 feet square.
4. **Churches, Schools and Institutions** - A special exception will be required for all signs other than those regulated under Section F(1)(e) if the sign would otherwise not be permitted as a non-church, school or institution located in a residential district.

## J. COMMERCIAL AND INDUSTRIAL DISTRICT REGULATIONS

Signs in all commercial and industrial districts except the Central Business District shall be regulated by the following provisions:

1. Total sign square footage permitted for each commercial or industrial site shall be one square foot per lineal foot of parcel frontage. Frontage shall be defined per Section C.
2. The total number of signs for each parcel shall not exceed two, except as follows:
  - a) A parcel with over 150 ft of lineal frontage may have a third sign provided the total permitted sign area is not exceeded.
  - b) Price signs for gasoline stations are exempt from the total sign square footage limitation, but shall be limited to 24 square feet in area and shall be limited to one sign per street front.
  - c) Each non residential occupant which has a separate entrance shall be allowed a minimum of one sign
3. Permitted Signs by Type
  - a) **Freestanding Signs** – Freestanding signs including but not limited to pylon signs, monument signs, post and panel sign shall be permitted provided:
    - (i) Freestanding signs shall be permitted on every parcel that has no fewer than 4 parking spaces.
    - (ii) The sign shall be located no closer than 10 feet from a property line.
    - (iii) The maximum area for a freestanding sign is 75 square feet.
    - (iv) The maximum height for a freestanding sign shall be 15 feet.
  - b) **On Building Signs** – On building signs including but not limited to wall signs, projecting signs, awning signs shall be permitted provided:
    - (i) The maximum area for an on building sign is 50 square feet except for projecting signs, which is 25 square feet.

## K. CENTRAL BUSINESS DISTRICT REGULATIONS

Signs in the Central Business District shall be regulated by the following provisions:

1. Total sign square footage permitted for each commercial site shall be 1.5 square foot per lineal foot of parcel frontage. Frontage shall be defined per Section C
2. The total number of signs for each parcel shall not exceed two, except as follows:
  - a) Each non residential occupant which has a separate entrance shall be allowed a minimum of one sign
  - b) Price signs for gasoline stations are exempt from the total sign square footage limitation, but shall be limited to 24 square feet in area and shall be limited to one sign per street front.
  - c) Each occupant that has a rear entrance open to the public shall be entitled to one wall sign not to exceed 5 square feet.
  - d) Each business which fronts more than one street shall be allowed one sign in addition to those permitted in this section.
3. Permitted Signs by Type
  - a) Freestanding Signs – Freestanding signs including but not limited to canopy signs, pylon signs, monument signs, post and panel sign shall be permitted provided:
    - (i) Freestanding signs shall be permitted on every parcel that has no fewer than 4 parking spaces.
    - (ii) The sign shall be located no closer than 5 feet from a property line.
    - (iii) The maximum area for a freestanding sign is 50 square feet.
    - (iv) The maximum height for a freestanding sign shall be 15 feet.
  - b) On Building Signs – On building signs including but not limited to wall signs, projecting signs, awning signs shall be permitted provided:
    - (i) The maximum area for an on building sign is 50 square feet except for projecting signs, which is 20 square feet.
    - (ii) No sign shall be located higher than the sill of any second floor window.

## **L. DEVELOPMENT COMPLEXES**

All single owner controlled multiple occupancy development complexes on parcels exceeding one acre in size, such as shopping centers or industrial parks shall submit a master sign plan prior to the issuance of a new sign permit. The plan shall establish standards and criteria for all signs in the complex and shall provide the following information:

1. Proposed sign locations
2. Materials
3. Type of Illumination
4. Design of freestanding structure

5. Size
6. Quantity
7. All future sign permit applications shall conform to the master sign plan
8. Every multiple occupancy development shall be entitled to one freestanding sign per street front for identification of the development complex. No business identification shall be permitted on the development complex sign. Sign must not exceed 25 feet in height.
9. Existing commercial development complexes shall use Section J for new or replacement signs by individual tenants.

#### **M. ENFORCEMENT AND PENALTIES**

1. Any person, firm, company or corporation who fails to comply with the provisions of this ordinance shall be subject to appropriate action, initiated by the city attorney or building inspector, to prevent, enjoin, abate, or remove such violation.
2. In any such action, the fact that a permit shall have been issued by any officer, board, or department of the City of South Milwaukee shall not constitute a defense, nor shall an error, oversight or dereliction of duty on the part of any public official, body or department constitute a defense.
3. In addition, any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to prosecution of Municipal Court for such violation. Upon conviction, the forfeiture shall be not less than \$25.00 nor more than \$200.00 per day for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.