

CHAPTER 16

SIGN REGULATIONS

(Ord. 833B, 11-7-00)

SECTION:

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10-16-1: **PURPOSE:** The purpose of this Chapter is to indicate the requirements for signage for all properties within the jurisdiction of this Title. This Chapter regulates the location, type, size, and height of signage within the jurisdiction of this Title. This Chapter is designed to ensure the implementation of the Master Plan of the City of Lake Mills, particularly in regard to the implementation of the desired overall character of the community, and its constituent zoning districts.

10-16-2: **SIGN PERMITS:**

- A. Purpose. The purpose of this Section is to provide a procedure and requirement for obtaining a Sign Permit before the erection of certain signs.
- B. General Requirement. Unless specifically exempted by this Chapter, no sign shall be erected, altered, or relocated after the effective date of this Chapter until a Sign Permit has been secured from the Zoning Administrator. Section 10-16-11-B establishes what changes to an existing sign would be deemed to be an alteration.
- C. Application Requirements. All applications for sign permits shall be made in writing on a form supplied by the City of Lake Mills Zoning Administrator. Said application shall be submitted with all required information provided and shall contain or have attached thereto the following information:
1. A site plan for the subject property, with requirements as determined by the Zoning Administrator, showing the location and dimensions of all buildings, structures, and signs on the subject property; said subject property boundaries; and the location of the proposed sign;

- C) 2. The configuration of the proposed sign, listing the height, width, total square footage, method of attachment, method of illumination, and sign materials;
3. The subject property's zoning designation; and
4. The total area of all signs on the subject property, both before and after the installation of the proposed sign, measured in square feet in accordance with section 10-16-3-C.
- D. Procedure. Upon receipt of a complete application, the Zoning Administrator shall review said application for compliance with the requirements of this Chapter, and shall approve or deny a sign permit. Such action by the Zoning Administrator shall be based on the submitted application and this Chapter, and such action shall occur within ten (10) working days of the Zoning Administrator's acceptance of the complete application.
- E. Termination of a Sign Permit. Any sign found not to be in compliance with the terms of this Chapter shall be considered in violation of this Title and shall be subject to all applicable procedures and penalties. Nonconforming signs, as regulated in Section 10-16-11, do not require sign permits, provided they remain in compliance with Section 10-16-11.
- F. The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area as regulated by Table 1 of Section 10-16-6-H.
1. Address numerals and identification signs not exceeding one square foot in area.
 2. Legal notices.
 3. Signs established by, or by order of, any governmental agency.
 4. Memorial signs and tablets displayed in cemeteries.
 5. On-premise directional signs that bear no advertising.
 6. Temporary signs that conform to the requirements of Section 10-16-7.
 7. Signs less than one square foot in area.
 8. Temporary retailers' signs displayed inside the premises or in windows for the purpose of informing the public of a "sale" or temporary offer.
 9. Grand opening and special events signs and banners may be allowed, subject to Zoning Administrator approval as to size, location, length of use and appearance.

10-16-3: **DEFINITIONS.** The following definitions shall be used to assist in the administration of the signage regulations contained in this Chapter.

- A. Sign: Any object, device, display, structure, or part thereof, situated or visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields are not included in the definition of a sign. Definitions of particular functional, locational, and structural types of signs are listed in this Section. Traffic control and public agency signs located within a right-of-way, public art approved by the Plan Commission and legal holiday displays are not included within this definition and are not regulated by the provisions of this Title.

- A) 1. Abandoned sign. A sign that no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product, activity conducted, or product available on the premises where such a sign is displayed.
2. Advertising sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards.
3. Auxiliary sign. A sign that provides special information such as price, hours of operation, or warning and that does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is less than one square foot in area. Examples of such signs include directories of tenants in buildings, "no trespassing" signs, menu boards, and signs that list only prices of gasoline.
4. Business sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located.
5. Canopy sign. An awning or canopy, which is mounted to the exterior of the building and which shall be required to receive a conditional use permit if greater than 10% of the awning/canopy area is devoted to script or logos. Canopy signs are considered to be wall signs for purposes of determining the maximum sign area.
6. Decorative Flag sign. A sign displayed by a land use that is not the official flag of a government, religious, fraternal or civic organization. Decorative flag signs shall be a minimum height of seven feet and shall count toward the total sign area and sign number requirements of a business, and must be displayed only during business hours in a location approved by the Zoning Administrator.
7. Directional sign, On-Premise. A sign that indicates only the name or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located. For each permitted or required parking area that has a capacity of more than five cars, there may be one sign, not more than two square feet in area, designating each entrance and/or exit; and one sign, not more than nine square feet in area, designating the conditions of use of the parking area. It may contain a business logo if the logo is less than one square foot in area. Each on-premise directional sign, other than those already listed in this paragraph, shall not exceed four square feet in area.
8. Freestanding sign. A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. The base or support(s) of any and all freestanding signs shall be securely anchored to a concrete base or footing. The footing and related supporting structure of a freestanding sign, including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs.
9. Group sign. A sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving five or more non-residential tenants, and shall limit information to the name of the development. (See Tables 1 & 2, Section 10-16-6-H.)
10. Identification sign. A sign indicating the name and/or address of the multi-family development and of the manager of the multi-family property located upon the residential premises where the sign is displayed. Such sign shall not exceed 12 square feet in area.
11. Integral building sign. A sign bearing the name of a building, dates of construction, commemorative tablets and the like, which is an integral part of the building or structure.

- A) 12. Marquee sign. An overhanging sign providing a canopy of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events.
13. Merchandise displays. Displayed merchandise on sidewalks in the B-1C district that meets the requirements as set forth in section 10-16-9.
14. Mobile or Portable sign. A sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage. These are prohibited and shall not be construed as being temporary signs as defined in this Chapter.
15. Monument sign. A freestanding sign whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than eight feet from ground level. The base or support(s) of any and all monument signs shall be securely anchored to a concrete base or footing. The sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a freestanding sign, including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs.
16. Projecting sign. A sign, other than a wall sign that is attached to and projects more than one foot, generally perpendicular from a structure or building face. The bottom edge of such sign shall be located a minimum of ten feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. In no instance shall such sign be projecting into and over a public right-of-way or private street, drive, or parking area, unless a conditional use permit, as described in Section 10-16-4-B-6, is obtained.
17. Political sign. A temporary sign which advocates the outcome of any election or referendum, or which announces the existence of a particular candidate, issue, or subject of any election or referendum, or any vote of a governmental body.
18. Pylon sign. A freestanding sign erected upon one or more pylons or posts. The base or support(s) of any and all pylon signs shall be securely anchored to a concrete base or footing. The height of a pylon sign shall be measured from the average ground grade adjacent to the sign to the top of the sign. The height of a pylon sign located at the lot line shall not exceed 25 feet from the elevation of the nearest point from the nearest street. The maximum height may be increased by obtaining a conditional use permit, provided said sign is located on property in the B-3 zoning district and within 40 feet of the CTH V right-of-way. Pylon signs shall be erected so that they do not impede pedestrian and/or traffic visibility. The footing and related supporting structure of a freestanding sign, including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs.
19. Sidewalk sign. A sign designed to be self-supporting and displayed on sidewalk in the B-1C district according to the requirements as set forth in section 10-16-8.
20. Temporary sign. Temporary signs are defined and regulated under Section 10-16-7 of this Chapter.
21. Wall sign. A sign mounted parallel to a building façade or other vertical building surface. Wall signs shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than 18 inches from the wall or surface. The top of the sign shall be no higher than the portion of the building to which it is mounted.
22. Window sign. A sign installed inside a window for purposes of viewing from outside the premises. This does not include merchandise located in a window or temporary window advertising by retailers for the purpose of informing the public of a "sale" or temporary offer. Window signs are considered to be wall signs for the purpose of determining the maximum sign area.

B. Sign Measurement.

1. Ground level. The average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.

2. Sign area shall be measured in square feet in the following manner:

a. In the case of a sign placed within a frame, marquee sign, or other structure, sign area consists of the entire surface area of the sign on which the message could be placed. The supporting structure or bracing of a sign shall not be counted as a part of the message. Where a sign has two or more display faces, the total area of the largest sign face shall be considered the sign face area.

b. In the case of a sign whose message is fabricated together with the background that borders or frames that message, sign face area shall be the total area of the entire background.

c. In the case of a sign whose message is applied to a background that provides no border or frame, sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, and other elements of the sign message.

10-16-4: **GENERAL SIGNAGE REGULATIONS.** The regulations contained in this Section apply to signs in all districts.

A. Sign Prohibitions and Limitations.

1. No sign shall use any word, phrase, symbol, shape, form or character in such manner as to interfere with moving traffic, including signs that incorporate typical street-type and/or traffic control-type signage designs and colors.

2. No fluttering, undulating, swinging, rotating, or otherwise moving signs, pennants or other decorations shall be permitted, except for time and/or temperature signs, and decorative flag signs according to limitations in section 10-16-3-B-10.

3. No illuminated flashing signs shall be permitted. Flashing signs are those that change their appearance more than once every 30 seconds, except for time and/or temperature signs.

4. No mobile or portable signs, as defined in Section 10-16-3-A-2, shall be permitted.

5. No advertising signs, as defined in Section 10-16-3-A-2, shall be permitted, except as provided within the right-of-way of I-94, per applicable State of Wisconsin Statutes.

Rationale: The adoption of Subsection 5, above, reflects a formal finding of fact on the part of the City of Lake Mills Plan Commission and City Council that the prohibition of advertising signage furthers two compelling government interests: a) the general public interest of reducing visual clutter caused by advertising signage that the City has determined is a significant cause of unsafe traffic conditions; and b) the public interest served by furthering the implementation of the purposes of this Title and the City of Lake Mills Master Plan in terms of limiting the spread of strip commercial development – of which advertising signs are a primary contributor. Furthermore, the City of Lake Mills advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayable on such advertising signs – namely, distributed print media, broadcast media, and point-of-purchase display, and are narrowly defined so as to limit said prohibition to commercial speech on exterior signage.

6. No inflatable signs shall be permitted.

B. Sign Location Requirements.

1. No sign shall be erected or maintained at any location where, by reason of its position, working, illumination, size, shape, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal or device.
2. No sign shall be located within a required buffer yard or within a permanently protected green space area.
3. No sign shall be mounted on a roof or extend above the roof, if attached to the building.
4. No sign, temporary or otherwise, shall be affixed to a tree or utility pole unless otherwise authorized by the Director of Public Works.
5. Private signs shall be allowed within road right-of-way lines only per the regulations of the City of Lake Mills Public Works Department, except decorative flag signs approved by the Zoning Administrator.
6. Projecting signs located over a vehicle circulation or pedestrian walkway shall be prohibited, unless a conditional use permit therefore has been granted. Such conditional use permit, in addition to whatever other conditions are imposed, shall comply with all other applicable ordinances in this code, and shall cause the sign permit to expire every two years unless the Zoning Administrator has inspected the sign and its supports for the safety of vehicles and/or pedestrians. Notwithstanding the foregoing, the failure of the Zoning Administrator to inspect the sign or the findings of the Administrator upon inspection shall not give rise to a cause of action against the City, its employees, or its agents, unless such failure or such findings are the result of intentional actions by the Administrator.
7. Pylon signs are not permitted in any residential district or in the B-1C, B-1 and B-4 districts. Pylon signs may only be used to identify group developments.
8. The location of signs shall be reviewed by the Plan Commission whenever a design review process under Chapter 17 is required.

10-16-5: **SIGN REGULATIONS APPLICABLE TO RESIDENTIAL DISTRICTS.** In all residential zoning districts, signage shall be permitted per the requirements of Sections 10-16-1 through 10-16-4 and 10-16-7, 10-16-10, 10-16-11, and per the following:

- A. Only wall and monument signs may be permitted in residential zoning districts. Other forms of signage are prohibited.
- B. For each single-family lot, or multi-family lot containing four or fewer dwelling units, one identification sign, not to exceed two square feet in area, is permitted for each dwelling unit. Said identification sign may include one or more of the following: name, address, and/or home occupation title.
- C. For each multi-family or institutional residential lot containing more than four dwelling units, one identification sign, not to exceed 16 square feet in area, is permitted. The sign shall indicate nothing more than the name and address of the premises and the name and phone number of the management company or the on-site name, address and phone number of the manager of the premises.
- D. Permanent subdivision identification signs are authorized, if approved as part of a subdivision plat. Detailed plans of proposed signs must be submitted at the time of subdivision review or may be approved subsequently through the granting of a Conditional Use Permit. Such sign shall comply with visibility standards of this Title.

- E. For any permitted principal use, other than those specified in B-D, above, one sign, not to exceed 16 square feet in area, is permitted. The sign shall indicate nothing more than the name and address of the premises and the schedule of services or other information relevant to the operation of the premises.
- F. Temporary signs, including rummage or garage sale signs, are permitted per the requirements of Section 10-16-7, Temporary Signs.

10-16-6: **SIGN REGULATIONS APPLICABLE TO NONRESIDENTIAL DISTRICTS.** In all nonresidential zoning districts, signage shall be permitted per the requirements of Sections 10-16-1 through 10-16-4, 10-16-7 through 10-16-11, and per the following:

- A. The owners of multi-tenant properties will be allowed to allocate sign size to each business up to a specified maximum for the entire property. This would allow the owner to allocate much of the allowed sign area to one business and none to another business if he or she saw fit to do so. Notwithstanding the foregoing, one sign per tenant shall be permitted and, if the total sign area for the property would exceed the maximum area permitted; a conditional use permit may be granted for the additional sign area.
- B. The total surface area of all business signs on a lot shall not exceed the maximum permitted by Table 1 of Subparagraph H using a combination of the following calculation methods:
 1. For On-Building Signs (wall, canopy, projecting, or marquee) use the listed ratio of sign area in square feet to linear feet of exposed exterior building wall length on that wall of the building, except for walls directly abutting residentially zoned property. Permitted sign area may not be transferred from one wall to another or combined in any other manner. The number of permitted on-building signs (one per wall) may be transferred from one wall to another, but the total combined sign area of all signs on the receiving wall shall still be limited by its length ratio of said wall.
 2. Freestanding signs (monument or pylon) are limited to a maximum of 50 square feet per street frontage. Permitted sign area may not be transferred from one street to another, or combined in any other manner. The requirements shown in Table 2 in paragraph H of this section shall also apply to freestanding signs.
- C. The number and area of business and group signs for a business use shall not exceed the number or area shown in Table 1 of subparagraph H.
- D. Only one freestanding sign shall be permitted to be erected on each public street frontage of a lot. Such sign may be either a business sign or a group sign. All signs shall be located so that no part of the sign shall project beyond the lot line or impede visibility. Where visibility is not a problem, the minimum required setbacks for freestanding signs vary by zoning district. Within the B-1 Central Business District and B-4 Low Impact Commercial District, the minimum required setback shall be ten feet from the right-of-way line. Within the B-2, Convenience Commercial District, or B-3, Highway Commercial District, and within the I-1, I-2, I-3, and I-4, Industrial Districts, the minimum required setback shall be 12 feet. There shall be no permitted monument signs in the B-1C, Central Business Core District, and no permitted pylon signs in the B-1C, B-1, and B-4 districts.
- E. Auxiliary signs may be permitted, provided said signage is calculated independently of the requirements of Subsection A above, and it shall not exceed 50% of the maximum permitted area.
- F. Maximum sign sizes for non-residential districts shall be permitted per the requirements of Table 1 of subparagraph H: Maximum Sign Sizes, below.
- G. Temporary Signs are permitted per the requirements of Section 10-16-7.

H. Table 1 and 2.

TABLE 1. TABLE OF MAXIMUM SIGN AREAS AND SIZES																							
Zoning District	Sign Area Ratio Calculation Methods		Maximum Number Of Signs																				
	On-Building Signs: Building Wall Length Ratio^{1,2,4}	Freestanding Signs: Public Street Frontage Ratio^{3,}																					
Business Zoning Districts B-1, B-1C, B-2, B-4	<p>Aggregate total of sign area on front façade shall be determined as follows: (Sq. Ft)</p> <table border="1"> <thead> <tr> <th>Façade Length</th> <th>Max. Size</th> </tr> </thead> <tbody> <tr> <td>Up to 15 feet</td> <td>32</td> </tr> <tr> <td>16-20 feet</td> <td>36</td> </tr> <tr> <td>21-25 feet</td> <td>40</td> </tr> <tr> <td>26-30 feet</td> <td>44</td> </tr> <tr> <td>31-35 feet</td> <td>48</td> </tr> <tr> <td>36-40 feet</td> <td>52</td> </tr> <tr> <td>41-45 feet</td> <td>56</td> </tr> <tr> <td>46-60 feet</td> <td>60</td> </tr> <tr> <td>>60 feet</td> <td>1 sq. ft. per linear foot of façade.</td> </tr> </tbody> </table> <p>Total sign area on side and back facades shall be permitted up to ½ the maximum sign area allowed per length of façade, as shown above for front façade.</p>	Façade Length	Max. Size	Up to 15 feet	32	16-20 feet	36	21-25 feet	40	26-30 feet	44	31-35 feet	48	36-40 feet	52	41-45 feet	56	46-60 feet	60	>60 feet	1 sq. ft. per linear foot of façade.	One (1) sign up to 50 sq. ft., excepting B-1C District.	<p><u>Building Frontage Wall</u>: one (1) on-building sign per fronting business <u>or</u> per group of businesses.</p> <p><u>Side-Street Facing Wall</u>: one (1) on-building sign per business facing the side street <u>or</u> per group of businesses.</p> <p><u>Rear-Facing Wall Viewable by Pedestrian or Vehicular Traffic</u>: one (1) on building sign for all businesses in the building, except for on-premise directional signs complying with 10-16-3-A.7</p> <p>One (1) freestanding sign per public street frontage.</p>
Façade Length	Max. Size																						
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Business Zoning District B-3; Industrial Zoning Districts I-1, I-2, I-3, I-4	One (1) sq. ft. of sign area per one (1) linear foot of exposed exterior wall length on that wall	One (1) sign up to 50 sq. ft.	<p><u>Building Frontage Wall</u>: one (1) on-building sign per fronting business <u>or</u> per group of businesses.</p> <p><u>Side-Street Facing Wall</u>: one (1) on-building sign per business facing the side street <u>or</u> per group of businesses.</p> <p><u>Rear-Facing Wall Viewable by Pedestrian or Vehicular Traffic</u>: one (1) on building sign for all businesses in the building, except for on-premise directional signs complying with 10-16-3-A.7</p> <p>One (1) freestanding sign per each public street frontage.</p>																				

¹ Applies to all buildings regardless of the number of businesses located within, except all tenants in a multi-tenant building shall be permitted a minimum of one sign, under provisions of Sec. 10-16-6-A.

² Building wall length is defined as the length of the exposed exterior portion of the structure housing the principal use(s) at the foundation line.

³ Applies to all buildings regardless of the number of businesses located within except all tenants in a multi-tenant building shall be permitted a minimum of one sign, under the provisions of Sec. 10-16-6-A.

⁴ Maximum sign area for on-building signs is the total combined permitted sign area for on-building signs on said measured wall(s).

TABLE 2. TABLE OF FREESTANDING SIGN STANDARDS ^{1,2}				
Zoning District	Maximum Height		Minimum Setbacks	
	Monument Sign	Pylon Sign	Monument Sign	Pylon Sign
B-1, B-4	8 feet from ground level		10 ft. from right-of-way line	
B-2, B-3; I-1, I-2, I-3, I-4	8 feet from ground level	The height of a pylon sign at the lot line shall not exceed 25 feet from the elevation of the nearest point from the nearest street. Maximum height may be increased by obtaining a conditional use permit, provided said sign is located on property in the B-3 zoning district and within 40 feet of the CTH V right-of-way.	12 ft. from right-of-way line	12 ft. from right-of-way line
¹ No freestanding signs are permitted in the B-1C, Central Business Core District ² No pylon signs are permitted in the B-1C, B-1 and B-4 districts.				

10-16-7: **TEMPORARY SIGNS.** Except as provided by A. through E. below, any one lot is permitted to display a temporary sign for a maximum of thirty days within any 12 month period. Furthermore, any one lot is limited to a maximum of two temporary signs in any 12 month period (political signs are exempt from this restriction).

- A. For each lot: one "For Sale" or "For Rent" sign, not more than 12 square feet in area is permitted.
- B. For construction on or development of a lot, one sign not more than 32 square feet in area, indicating the name of the contractors, engineers or architect, or products being used in the construction of a building is permitted, but only during the time that construction or development is actively under way.

- C. For a temporary event of public interest, such as a neighborhood garage sale or church fair, one sign, not over 32 square feet in area, located upon the site of the event will be permitted. Such sign shall not be erected more than 30 days before the event and shall be removed immediately after the event.
- D. Temporary political signs do not require a permit and they are permitted in all zoning districts. Such signs are subject to the restrictions pertaining to safety of persons or property, as required under this Chapter. Political signs may be placed on private property with the consent of the property owner or the person entitled to possession of the property. No political sign shall be larger than 16 square feet, and the total area of all political signs per lot shall not exceed 32 square feet. All such signs may be displayed 60 days before the election or vote to which they pertain, and they shall be removed within 10 days thereafter.
- E. For each real estate subdivision that has been approved in accordance with the subdivision regulations of Title 11, a minimum of two temporary development project identification signs are permitted to be located on some portion of the subject subdivision. Each such sign shall be not more than 32 square feet in area. One additional similar sign shall be permitted for each 100 lots in the subdivision in excess of said original 100 lots. These signs shall comply with the visibility standards of this Title. These signs shall be permitted to remain within the subject subdivision until a time at which building permits have been issued for 80 percent or more of the lots in the subdivision.

10-16-8: **SIDEWALK SIGNS.** A sidewalk sign may be permitted, through issuance of a sign permit, on sidewalks within the B-1C District, provided such signs in compliance with the design standards set forth in the Downtown Design Overlay District, the Visibility Standards contained in 10-17-1-3 of this Title, and in compliance with the following:

- A. Each permitted sidewalk sign shall not exceed two and one-half (2-½) feet in width or 30% of the sidewalk width, whichever is less, and shall not exceed four (4) feet in height. There shall not be any lighting allowed on the sign. The sign itself shall be moveable, shall not be attached in any way to the sidewalk, and shall not be chained or attached in any way to street furniture, other signs, street trees, other landscaping, or other fixtures or appurtenances on or in the sidewalk. Signs shall also not be placed on any section of the sidewalk in a way that narrows the effective width of the sidewalk for pedestrian movement to less than six (6) feet.
- B. Each sidewalk sign permitted under this section shall be maintained in good condition, shall be removed each day at the close of business, and be replaced or removed when the appearance of the sign deteriorates through damage, weathering, or other causes.
- C. The property and business owners are jointly and severally liable for any and all injury to any person or property directly and/or indirectly caused by their joint or several negligence and/or activities occurring on the paved sidewalk under this ordinance.

10-16-9: **MERCHANDISE DISPLAYS.** Merchandise displays may be permitted on sidewalks within the B-1C District, provided said merchandise displays are in compliance with the design standards set forth in the Downtown Design Overlay District and with the following:

- A. No person shall obstruct or impede the pedestrian right-of-way of any paved public sidewalk with any merchandise or personal property, except as provided herein. A sidewalk merchandise display shall be located adjoining the building from which it is marketed. Each display shall not encroach more than two and one-half (2 ½) feet from the building façade, and in all cases, the unobstructed sidewalk area must be at least six (6) feet in width and comply with Americans with Disability Act (ADA) requirements, as from time to time amended.
- B. Displayed merchandise shall be consistent to that sold within the business. Displayed merchandise shall be maintained in good condition and shall be removed each day at the close of business.

- C. The property and business owners are jointly and severally liable for any and all injury to any person or property directly and/or indirectly caused by their joint or several negligence and/or activities occurring on the paved sidewalk under this ordinance.

10-16-10: **CONSTRUCTION AND MAINTENANCE OF SIGNAGE.**

- A. All signage within the jurisdiction of this Chapter shall remain in a state of proper maintenance.
- B. Proper maintenance shall be the absence of loose materials, including peeling paint, paper or other materials; the lack of excessive rust; the lack of excessive vibration or shaking; and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.
- C. The repainting, changing of parts, and preventive maintenance of signs, which completely conform to the requirements of this Chapter and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
- D. The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- E. Any signs that may be, or may hereafter become rotted, unsafe, or in a state that is not properly maintained shall be repaired or removed by the licensee or owner of the sign, or owner of the property upon which the sign stands upon notice of the Zoning Administrator.
- F. All signs shall be constructed and mounted so as to withstand a wind pressure of 30 pounds per square foot.
- G. Signage found to be in violation of the provisions of this Chapter shall be subject to the penalties of section 10-1-14 of this Title.

10-16-11: **NONCONFORMING SIGNS.**

- A. Nonconforming signs.
1. Signs existing as of the effective date of this Chapter, which do not conform to the provisions of this Chapter, shall be nonconforming signs and shall be subject to the provisions of paragraph B of this section. Nonconforming signs may be maintained. No nonconforming sign shall be altered or moved to a new location without being brought into compliance with the requirements of this Chapter. See paragraph B for what would constitute an alteration of a sign.
 2. Business signs on the premises of a nonconforming use or building may be continued per paragraph B of this section, but such signs shall not be allowed to expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area, may be erected only upon the complete removal of all other non-conforming signs existing at the time of adoption of this Chapter.
 3. Nonconforming signs shall be removed when the principal structure located on the premises undergoes a change of use, unless the signs are altered within their existing frames or other structure defining the size and shape of the signs, or shall be removed per paragraph B of this section. Closing businesses must remove their signs within 60 days of closing.
 4. Signage not in compliance with the provisions of paragraph A of this section shall be subject to the provisions of paragraph B of this section.

B. Removal of Nonconforming Signs.

1. Alteration of Signs.

a. For the purposes of this ordinance, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign's frame, supporting structure, or lighting including changing the material, height, or location of the sign.

b. Altering a sign does not include maintaining the existing appearance of the sign, or replacing the supporting structure with identical materials, or replacing the message of the sign, provided the size and shape of the sign within its existing frame does not change.

2. All signs found not to be in compliance with the provisions of this chapter shall be removed within 30 days of receiving written notice of noncompliance and removal from the Zoning Administrator.

3. The penalties of Section 10-1-14 shall be applicable to violations of the provisions of this chapter.

10-16-12: **ABANDONED SIGNS**

A. Any sign that advertises or identifies any activity, business, product or service no longer conducted or available on the site on which the sign is located is prohibited. Abandoned signs must be removed by the owner of the sign or by the owner of the premises within 120 days of closing of the establishment to which the sign pertained, or, within 120 days of cessation of the use to which the sign pertained.

B. Any abandoned sign existing upon enactment of this ordinance shall be removed within 120 days.

C. After the 120 days have elapsed, under A or B above, the abandoned sign is deemed to be a non-conforming sign subject to the provisions of section 10-16-11-B.