

VILLAGE OF NEW GLARUS
Ordinance 05-01

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 305, ARTICLE VII,
SECTIONS § 305-48 – § 305-59, {Signs} OF THE
MUNICIPAL CODE OF THE VILLAGE OF NEW GLARUS, WISCONSIN**

THE VILLAGE BOARD of the VILLAGE OF NEW GLARUS, GREEN COUNTY,
WISCONSIN, does hereby ordain as follows:

The Municipal Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE VII, Signs

§ 305-48. Purpose and scope; word usage.

A. Purpose and scope.

- (1) The purpose of this article is to create the legal framework for a comprehensive but balanced system of signs and thereby to facilitate an easy and pleasant communication between people and their environment. **Further, it shall be the purpose of this ordinance to prohibit new off-premise and billboard- type outdoor advertising signs in furthering the advancement of the public health, safety and welfare of the citizens of the Village of New Glarus.** With this purpose in mind, it is the intention of this article to authorize the use of signs which are:
 - (a) Compatible with their surroundings;
 - (b) Appropriate to the type of activity to which they pertain;
 - (c) Expressive of the identity of individual proprietors or the community as a whole; and
 - (d) Legible in the circumstances in which they are seen.
- (2) The sections contained in this article shall be binding alike upon every owner of a building, every lessee, and every person in charge of or responsible for or who causes the construction, repair, relocation or alteration of any sign in the Village **of New Glarus.**
- (3) This article shall apply to all signs.

B. Rules **and definitions.** In the construction of this article, the rules and definitions contained in this section shall be observed and applied, except when the context

clearly indicates otherwise:

- (1) Words used in the present tense shall include the future.
- (2) The word "shall" is mandatory and not discretionary.
- (3) The word "may" is permissive.
- (4) The word "building" includes all structures of every kind.
- (5) **Awning is a temporary hood or cover, which projects from the wall of the building, which can be retracted, folded, or collapsed against the face of a supporting structure.**
- (6) **Business sign is a sign which directs attention to a business, commodity, service or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located.**
- (7) **Community information sign is any permanent sign, which may have changeable copy and which is limited to the display of information of interest to the general community regarding scheduled public events and public activities, and is not to be part of a business sign.**
- (8) **Directional sign is a sign, which indicates only the name, and direction to a facility. Directional signs shall be limited to government facilities, library, schools, churches, historical sites, and entrance and exit to parking lots.**
- (9) **Gross area is each surface of the sign.**
- (10) **Ground and/pole sign is any sign, which is supported by structures or supports in or upon the ground and independent of support from any building.**
- (11) **Group sign is any sign displaying the collective name of a group of uses such as the title of a shopping center, industrial park and its tenants, or multiple tenants of a single building. Portions of a group sign containing names of individual tenants shall be considered as part of the area of a group sign.**
- (12) **Off-premise advertising sign means a sign, which directs the attention of the public to a business activity conducted or product sold or offered at a location not on the same premises where such commercial sign is located. For purpose of this ordinance, easements and other appurtenances and non-contiguous parcels under the same ownership shall be considered off the premises of the parcel of land on which the business or activity is located or conducted. Signs, which are no more than 12 feet square in area**

and no more than five feet above uniform grade and provide only directions to a business or establishment are excluded from the definition of an off-premise advertising sign.

- (13) Portable/temporary sign is any sign not permanently attached to the ground, intended to be displayed for a short period of time, and is designed to be easily moved from one location to another. This includes, but not limited to, real estate signs, political signs; banners.**
- (14) Projecting sign is any sign extending more than eighteen (18) inches, but less than five (5) feet from the face of a wall or building.**
- (15) Sandwich sign is any portable, single or double faced sign, advertising an on-site activity.**
- (16) Sign is anything that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location or product, including balloons, banners, streamers, strings of light bulbs, (excluding Christmas lights).**
- (17) Wall sign is any sign attached to or erected on the wall of a building or structure, and projecting not more than eighteen (18) inches from the wall.**

§ 305-49. Prohibited characteristics of signs.

- A. No sign shall be so placed as to interfere with the visibility or effectiveness of any official traffic sign or signal or with driver vision at any access point or intersection.**
- B. No sign shall contain, include, or be illuminated by flashing lights. No sign will be permitted that resembles the size, shape, form, or color of official traffic control signs, signals, or devices.**
- C. No sign shall contain, include, or be composed of any conspicuous animated or moving part.**
- D. No sign shall contain more than 64 square feet in gross area. Larger signs and billboard type signs are specifically prohibited.**
- E. Off-premise advertising signs are not permitted within the jurisdiction.**
- F. No off premise advertising sign shall be painted directly on building walls.**
- G. Sandwich signs are permitted when meeting all other applicable requirements. Such signs shall be set back at least five (5) feet from the street property line and shall not be larger than eight (8) square feet per face. Signs may be displayed in front of business, “not blocking**

pedestrian movement” and shall only be displayed during the hours the business is open.

- H. Advertising on vehicles.
- (1) Parking of advertising vehicles is prohibited. No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be seen from a public right-of-way which has attached thereto or located thereon **any sign for the basic purpose of directing people to a business activity located on the same or nearby property or any other premises.**
 - (2) This section shall not prohibit "For Sale" signs on vehicles for sale, provided that the vehicle is not parked on a public right-of-way.
- I. Portable signs **other than sandwich signs** shall be limited in use to 30 days at a time following approval by the Building Inspector; provided, however, that the Building Inspector shall not give approval for placement of a portable sign if it presents a vision obstruction and shall not give approval more frequently than two times per year at any one location. The maximum portable sign size shall be 32 square feet on each face, back to back. **Portable signs used to display a realtors “open house; auctions; festivals are exempt.**

§ 305-50. Exceptions.

The following signs and related items shall not be included in the application of the regulations contained in this article:

- A. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers or names of occupants of the premises.
- B. Flags and insignia of any government, except when displayed in connection with commercial promotion.
- C. Legal notices, identification information or directional signs erected by governmental bodies.
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- E. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.
- F. Signs erected by national, state, county or municipal governmental agencies, including traffic and informational signs.

§ 305-51. Abandoned signs; alterations.

- A. Removal. All signs shall be removed by the owner or lessee of the premises, **or any off premises advertising signs, upon termination of the business. All**

signs shall be removed that in the judgment of the Village Board, such sign is so old or dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first. If the owner or lessee fails to remove it, the Village may decide to remove the sign at the cost of the owner, following adequate written notice. The owner may appeal the Village Board's decision to the Zoning Board of Appeals.

- B. Alterations. Any sign which was erected before the adoption of this article shall not be rebuilt or relocated without conforming to all of the requirements of this article.

§ 305-52. Variances and appeals.

Variances or exceptions to these sign regulations may be granted by the Zoning Board of Appeals, and decisions by the Village Board may be appealed to the Zoning Board of Appeals.

§ 305-53. Construction and maintenance.

- A. Installation. All signs shall be properly secured, supported and braced and shall be kept in **a safe** structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and other supports shall be constructed of such material and with such workmanship as to be safe and satisfactory to the Building Inspector.
- B. Prohibitions.
 - (1) No sign shall be erected so that any portion of the sign or its supports is attached to or interferes with the free use of any fire escape, exit, any required stairway, door, ventilator or window.
 - (2) No sign shall be erected that will interfere with, obstruct, confuse or mislead traffic.
 - (3) At no time shall signs be permitted within a vision clearance triangle in such a manner as to restrict vision or impair safety.
 - (4) No sign located within 150 feet of a highway or street right-of-way shall contain, include or be illuminated by a flashing or rotating beam of light.
- C. Signs on public rights-of-way. Signs shall not be permitted on public rights-of-way except for traffic control, parking and directional signs and as otherwise specified in this chapter.

§ 305-54. Nonconforming signs.

- A. Signs eligible for characterization as legal nonconforming signs. Any sign located within the Village of New Glarus limits on the date of passage of this ordinance, located in an area annexed to the Village of New Glarus hereafter which does

not conform to the provisions of this article is eligible for characterization as a legal nonconforming sign and is permitted.

B. Loss of legal nonconforming status.

(1) A sign loses its nonconforming status if one or more of the following occurs:

- (a) The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this article than it was before alteration.
- (b) The sign is relocated.
- (c) The sign fails to conform to the Village requirements regarding maintenance and repair, abandonment or dangerous or defective signs.

(2) On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this article or shall be removed.

C. Legal nonconforming sign maintenance and repair. Nothing in this article shall relieve the owner or user of a legal nonconforming sign or the owner of the property on which the sign is located from the provisions of this article regarding safety, maintenance and repair of signs.

§ 305-55. Wind pressure and dead load requirements.

All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code or other ordinances of the Village of New Glarus.

§ 305-56. Application for permit.

A. **Signs shall not be erected or altered until a permit has been issued by the Building Inspector. Applications for a sign permit shall be made in writing upon forms available from the Village Clerk-Treasurer. The applicant shall file with the application plans and specifications and provide information about the sign, including dimensions, materials, illumination, wiring, height above grade, distance from lot line, and whom it shall be erected by.**

B. When all of the provisions of this chapter or other rules relating to such sign shall have been complied with and when the applicant has paid the required fee for every such application, the permit may be granted. The Building Inspector may prescribe suitable regulations consistent with the provisions of this chapter concerning the form and contents of all applications for permits herein required.

C. It shall be unlawful for any person to erect, alter or relocate, within the Village,

any sign as defined in this article without first obtaining a permit from the Building Inspector and making payment of the fees required. All electric signs shall, in addition, be subject to the provisions of the Electrical Code EN and the permit fee required thereunder.

- D. It shall be the duty of the Building Inspector, upon the filing of an application for permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign, and if it shall appear that the proposed sign is in compliance with all the requirements of this article and all other laws and rules of the Village, he shall then issue the permit. If work authorized under a permit has not been completed within **ninety (90) days** after date of issuance, the permit shall become null and void.
- E. All rights and privileges acquired under the provisions of this article or any amendment thereto are mere permits, revocable at any time by the Building Inspector, and all such applications shall contain this provision.

§ 305-57. Sign permit fees.

Fees for sign permits shall be established by resolution of the Village Board.

§ 305-58. Unsafe and unlawful street signs and structures.

If the Building Inspector shall find that any sign regulated herein is unsafe or insecure or is being maintained in violation of the provisions of this article, he shall give written notice to the permittee thereof and the owner of the street sign or of the property on which it is located. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within five days after serving notice upon the permittee, such sign may be removed or altered to comply by the Building Inspector at the expense of the permittee or owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any street sign which is an immediate peril to person or property to be removed summarily and without notice.

§ 305-59. District sign rules.

Sign regulations which are unique to each of the zoning districts of the Village are so categorized hereafter; all other regulations are common to all districts.

- A. C-1 Commercial District. Within the C-1 Commercial District, the following additional and specific regulations shall apply:
 - (1) An activity is permitted one sign exposure visible and designed to be read from two directions of travel, located on and connected to the building, and one sign located within the profile of the building.
 - (2) Signs not within the profile of the building shall not protrude past the lot line.
 - (3) Any sign which encroaches over or upon a private or public road, street,

easement, alleyway, sidewalk or land shall not protrude past the street curbline and shall have a vertical clearance of not less than 10 feet.

- (4) Gross area for each activity shall not exceed **thirty-two (32)** square feet.
- (5) Signs may be illuminated, subject to the following restrictions:
 - (a) Flashing signs are prohibited, except those exclusively providing public service information, such as time, date, temperature and weather.
 - (b) The source of light for any illuminated sign shall not be directed into any street or property used or zoned for residential purposes, nor shall the direct source of light of any illuminated sign be visible or interfere with the effectiveness of or obscure an official traffic sign, device, or signal or impair the vision of the driver of any authorized vehicle.
 - (c) **All lighting must meet the requirements of § 305-85.**
- (6) Activities may additionally erect not more than two illuminated or nonilluminated signs inside the building and within three feet of any window visible to the general public from a public road, street, easement, way, lane or sidewalk parallel to the front of the building, but such signs shall not be regulated if not so visible.
- (7) Signs shall not be erected or maintained upon trees or painted or drawn upon rocks or other natural features.
- (8) No sign shall be higher than the building height limitation of the district.
- (9) Temporary signs advertising an election, special public or private event, auction or sale (such signs generally being constructed of paper or cardboard, painted or printed, and stapled, nailed or taped in place) shall be removed within two weeks of the conclusion of the election, event, auction or sale, but in no case shall a temporary sign be displayed longer than 90 days. Temporary signs are not included in the gross area limits specified for the district.
- (10) **Multiple tenant buildings, shopping centers, and industrial parks may have one (1) free standing sign showing the name of said business, center, or park represented, and the names of tenants or industrial businesses. The total surface area of each side of said sign shall not exceed sixty (60) square feet.**
- (11) **Multiple tenant buildings may have one (1) wall sign in lieu of a free standing sign, and it shall be limited to the identification and size as specified in 305-59A(10).**

B. R-1 and R-2 Residential and Mobile Home Park Districts. Within the R-1 and R-2

Residential and Mobile Home Park Districts only “**(1) one of**” the following signs within the lot and zoning setback lines of this chapter are permitted:

- (1) Professional signs not over two square feet in gross area.
- (2) Public or religious institution signs not over 32 square feet in gross area.
- (3) Temporary real estate advertising signs for the lease or sale of the building not over 12 square feet in gross area.
- (4) A bed-and-breakfast sign not more than eight square feet and no more than four feet in width at its widest dimension.
- (5) **A subdivision identification sign shall bear only the name of the subdivision or development. There shall be not more than one (1) sign located at each entrance to a subdivision. No sign shall exceed thirty-two (32) square feet in gross area, and shall not project higher than four (4) feet above curb level.**

C. C-2 Highway Commercial District. Within the C-2 Highway Commercial District, the following regulations in addition to the regulations of the C-1 Commercial District shall apply:

- (1) Signs need not be attached to the building but shall not protrude past the lot line.
- (2) Any sign which encroaches over or upon a private or public road, street, easement, alleyway, sidewalk or land shall have a vertical clearance of not less than 14 feet.
- (3) Signs in vision corners of intersecting streets, ways, roads and highways, whether public or private, are prohibited.
- (4) In addition, any activity may be permitted any number of signs not designed to be read from the street or highway and not exceeding **thirty-two (32)** square feet in aggregate area, whose purpose is to direct or control traffic or advertise the activity to any patron who has already entered the property on which the advertised activity is conducted.
- (5) **Sign restrictions noted under 305-59A(10) and 305-59A(11) apply to the C-2 Highway Commercial District.**

D. W Conservancy District. Within the W Conservancy District, no signs are permitted, except traffic control, Conservancy District identification, and landmark and municipal, township, county or state regulatory signs.

E. Planned unit developments. Signs in planned unit developments shall conform to the most restrictive land use in the district.

F. I Industrial District. Within the I Industrial District, the following regulations, in

addition to the regulations of the Commercial District, shall apply:

- (1) Signs need not be attached to the building but shall not protrude past the lot line.
- (2) Any sign which encroaches over or upon a private or public road, street, easement, alleyway, sidewalk or lane shall have a vertical clearance of not less than 14 feet.
- (3) Signs in vision corners of intersecting streets, ways, roads and highways, whether public or private, are prohibited.
- (4) In addition, any activity may be permitted any number of signs not designed to be read from the street or highway and not exceeding **thirty-two (32)** square feet in aggregate area, whose purpose is to direct or control traffic or advertise the activity to any patron who has already entered the property on which the advertised activity is conducted.

G. A Agricultural District. Within the A Agricultural District only a sign meeting the following criteria is permitted:

- (1) A sign that does not protrude past the lot line.
- (2) Any sign which encroaches over or upon a private or public road, street, easement, alleyway, sidewalk or land shall have a vertical clearance of not less than 14 feet.
- (3) A sign not over **thirty-two (32)** square feet in area advertising the sale of the permittee's farm produce or farm identification.

H. **Enforcement.**

- (1) **Upon written notice to the sign owner, if known, or the owner of the property upon which the sign is located or affixed, the Building Inspector shall have the authority to order the repair or removal of any sign, which has not obtained the proper permit, which is defective, which is an illegal non-conforming sign, or which has been erected, installed, constructed, or maintained in violation of this Ordinance. In the event the person so notified shall fail to comply with such an order within thirty (30) days of the date of such notice, that person will be subject to the issuance of a citation under this subsection.**
- (2) **Penalty. Any person, firm, or corporation violating any provision of this Ordinance are subject to Sec. 1-1-6 General Penalty of the General Provisions of the Village of New Glarus Code Ordinances.**

This ordinance shall take effect the day after passage and publication as provided by law.

AUTHOR: Thomas C. Myers
PRESENTED: 5/17/05
ADOPTED: 5/17/05
PUBLISHED:

Thomas C. Myers, Village President

Lynne R. Erb, Village Clerk