

## **ARTICLE VI**

### **SIGNS**

#### **DRAFT 4.5.08**

**Purpose:** The purpose of this Article is to create the legal framework to regulate, administer, and enforce outdoor sign advertising and display within the Town of Manitowish Waters. This Ordinance recognizes the need to protect the safety, welfare and property values of the community while providing for adequate business identifications, advertising, and communication.

6.1 **Definitions:** The following definitions pertain specifically to Article VI Signs. General Zoning Definitions in Article XIII shall additionally apply.

**Abandoned Sign:** A sign that no longer correctly advertises a bona fide business, lessee or owner or a sign that no longer advertises a product or activity conducted or available on the premises where the sign is displayed.

**Attachments/Auxiliary Signs:** A sign mounted separate and attached to the primary sign, which provide additional information. (i.e. open/closed, hours, direction, warning).

**Awning Sign:** Any sign or graphic attached to, painted on or applied to an awning or awning canopy. Any portion of an awning containing the name of a business or is otherwise a sign, shall be treated as a sign. The size is determined by measuring the rectangle containing any graphic and/or letters.

**Banner:** A long strip of cloth or material affixed to a pole, wire or rope, which is located outdoors and which has lettering on it as an advertisement, greeting or similar message.

**Building Face Computation:** The square footage of the face shall be computed as the linear length of the wall frame multiplied by the height of the wall measured to the eave line.

**Center Line (of highway or road):** A point (line) equal distance from the edges of the median separating the main traveled ways of a divided highway, or the center line of the main traveled way of a non divided road.

**Changeable Copy/Message Sign (reader board); Electronic:** A sign such as a time/temperature sign, message center or reader board equipped with electronic or electric copy or message changes.

**Changeable Copy/Message Sign (reader board); Manual:** A sign such as a message center or reader board with manual copy or message changes.

**Directional Sign:** The traditional “White Arrow” signs that display the names of establishments.

**Directory Signs (multi-tenant):** A sign displaying the names of two or more businesses and/or the name of the entire complex such as a shopping center, offices or a group of professionals.

**Double Faced Sign (back-to-back sign):** A sign with identical copy on both sides of one sign board or on two sign boards back-to-back or in a “V”.

**External Lighting:** Lighting of a sign which mounts on the outside of a sign (flood lights, overhead lights, fluorescent lights).

**Flashing Sign:** A sign whose illumination is not kept constant in intensity at all times when in use and which exhibits changes in light color, direction or animation. Illuminated signs which indicate the date, time and temperature will not be considered flashing signs.

**Governmental Signs:** Any sign used for posting legal notices, identification of streets, traffic regulations, notice of danger or other emergencies, or the posting of a notice of trespassing.

**Ground Elevation:** Ground Elevation shall mean the average elevations of the ground upon which the sign supports are placed. This does not include a berm or other area elevated above the surrounding ground.

**Free Standing Sign:** A sign that is supported by one or more columns, upright poles or braces extended from the ground or from an object on the ground, or that is erected on the ground where no part of the sign is attached to any part of a building, structure, or other sign. A Free Standing Sign may be a Portable Sign.

**Height of Sign:** The height of a sign is the vertical distance measured from the grade at the highway right-of-way line where the sign is located, to the highest point of the sign.

**Inflatable Sign:** Sign which is held up by means of inert gases, hot air, or fans.

**Moving or Flashing Sign:** Any sign having lights or illumination which flashes, moves, rotates, scintillates, blinks, flickers, varies in intensity or color or uses intermittent electrical pulsations. The exception to this is seasonal light, such as Christmas lights.

**Non-Conforming Sign:** Any sign that meets the legal requirements enforced at the time it was installed but is not conforming to the current ordinance.

**Off Premise Sign:** A sign which advertises a residence, business, merchandise, product, service or entertainment which is offered off the premises from where the sign is displayed.

**On Premise Sign:** A sign which advertises a business, merchandise, product, service or entertainment which is offered on the premises where the sign is displayed.

**Parcel:** Contiguous real estate, irrespective of public roads.

**Portable Sign:** Any sign which is designed to be transported.

**Projecting Sign:** A sign affixed to any part of a building or structure which extends beyond the building or structure.

**Roof Sign:** A sign erected, constructed, maintained upon, or which projects above the roofline of a building.

**Sandwich Board Sign:** A hinged or unhinged A-frame portable sign which is generally temporary in nature and placed near the road way.

**Sign:** An object, including a structure, movable object, wall or image displaying any message visible to the public.

**Sign Size (Area):** That area enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments, inner connecting links, etc. which are not a part of the main supports of the sign, are to be included in determining sign area.

**Sign Face:** The total surface area of a sign including the trim or border and copy area.

**Sign Permit:** The documentation process for the Town of Manitowish Waters and the State of Wisconsin for the erection of a sign.

**Sign Structure:** Any device or material which supports or is capable of supporting a sign in a safe stationary position, including decorative covers.

**Special Event Sign:** A sign for events such as grand opening, vehicle shows, displays, craft shows, benefits, fund-raisers, festivals, and other limited term events.

**Temporary Sign:** Signs installed for a limited time to advertise events, sales or special offers. Included are legal signs put up before final sign is installed.

**Wall Sign:** A sign attached to, painted upon, placed against, or supported by the exterior surface of any building.

**Wall Sign (Area):** Only the Sign Face shall be used to calculate the Wall Sign Area (length multiplied by height).

## 6.2 **Sign Standards:**

- A. No signs shall hereafter be located, erected, moved, totally reconstructed, extended, enlarged, converted, or structurally altered without an approved Town Sign Permit unless specifically exempted by this ordinance. It may be necessary to also obtain state and county permits.
- B. Article VI authorizes the use of signs visible from public rights of way, including navigable water-ways, provided the signs are:
  - 1. Located on roads and highways maintained by the Town of Manitowish Waters or Vilas County unless specifically exempted or prohibited by this Ordinance.
  - 2. Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety.
  - 3. Legible, readable and visible in the circumstances in which they are used.
  - 4. Respectful of the reasonable rights of other advertisers whose messages are displayed.
- C. Sign content, letter size, color and font should be safely legible at the distance from the intended viewer and speed they will be traveling.
- D. Sign content and background color and lighting (if used) should be complementary. Please refer to the United States Sign Council at: <http://www.uscc.org> for more information.
- E. Maintenance and Repair: Every Sign, including but not limited to those Signs for which permits are required, Signs damaged by vandalism, weather or other acts of nature; shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said Sign.
- F. Responsibility for Compliance: The Owner of the Parcel on which a Sign is placed and the Person owning the Sign are each fully responsible for the condition and the maintenance of the Sign, and the area around the Sign.

G. The Town shall cause to be removed any deteriorated or dilapidated Signs under the provisions of Wisconsin Statutes.

**6.3 Signs Authorized Without A Sign Permit (Permit Exempt Signs):** Subject to other applicable requirements and permits, the following Signs are authorized without a Sign Permit provided the sign does not contain flashing lights or moving parts.

- A. Governmental Signs: Governmental Signs do not require a permit.
- B. Small Sign: One Sign per Parcel denoting the name and address of the owner or occupant. The sign shall not be illuminated, and shall not exceed three (3) square feet in area. Warning signs such as “No Trespass” or “Beware of Dog” are not limited to one per parcel but are limited to no more than two (2) Small signs in any 500 linear feet on the parcel.
- C. Commercial occupational and directional signs: Business directional “White Arrow” signs measuring 6” x 48” nominal size located on town roads and 8” x 60” on state and federal highways (as regulated by Vilas County) denoting only the name and profession or business use of an occupant in a dwelling, commercial or institutional building. These Signs are allowed in the Highway Right of Way on town Roads and shall only be installed by the Town Road Crew on posts supplied by the Town.
- D. Real Estate signs not exceeding four (4) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are located, provided such signs are removed upon the sale, rent or lease of the subject property. There may be one of each sign per road facing.
- E. Flags: Governmental flags do not need a permit. The Zoning Administrator may require large or numerous governmental flags to be subject to the ordinance. A flagpole may not exceed thirty (30) feet above ground level. Nongovernmental flags are Signs subject to the permitting provisions of this Ordinance.
- F. Warning Signs: Signs exclusively devoted to warning the public of dangerous conditions and unusual hazards such as drop offs, high voltage, fire danger, and explosives are permitted. Warning Signs may not exceed sixteen (16) square feet.
- G. Historical, Cultural and Natural Site Signs: A sign erected by a government agency, which exclusively denotes a recognized historical, cultural or natural site, is permitted. This sign shall not exceed three (3) square feet unless otherwise provided by state or federal law.
- H. Banners: Banners used on a private residential property no more than seven (7) days in any calendar year do not need a permit.

- I. Political Signs: Political signs not exceeding twelve (12) square feet providing such signs are removed within seven (7) days following election except that a sign erected before a primary election may remain in place until seven (7) days after the next general election if the sign solicits support for a candidate, political party or referendum question that is before the electorate in both the primary and general election.
- J. Local Non-Profit: Local Non-Profit organizations may promote a local event with signs no more than four (4) weeks prior to the event provided that signs are removed within 48 hours after the event and the sign size does not exceed 64 square feet.
- K. Temporary Construction Signs: Temporary construction signs at sites under construction are allowed provided that each sign does not exceed four (4) square feet in size, there is only one such sign placed on each parcel of land per Contractor with a maximum of five (5) Temporary Construction Signs per building site and the sign(s) is/are removed within seven (7) days after completion of the project and all applicable setbacks are met.

**6.4 Signs Authorized With a Permit:** The Zoning Administrator shall issue a Permit for signs in accordance with the following provisions.

- A. Residential Neighborhood Identification Signs: A Residential Neighborhood (Single-Family Subdivision, Multiple-Family Housing Development, etc.) is permitted to have one Residential Neighborhood Identification Sign for each Entrance Street or road facing. Such signs shall not extend into any public right-of-way. The face of the sign shall not exceed twelve (12) square feet. The height of the sign may not exceed eight (8) feet above the ground elevation.
- B. Double Faced Signs: Double faced signs on two (2) sign boards may be mounted parallel to each other or in a “V” configuration. If the signs are mounted parallel to each other they shall not be separated by more than one foot. If the signs are mounted in a “V”, the signs at the closed end of the “V” shall be no more than one foot apart and the angle of the “V” at the open end of the “V” shall be no greater than 45 degrees from a line running through the center of the “V”. Both sign faces shall have identical signage.
- C. Sign Size: The maximum area for any Freestanding, Wall, Roof or Awning sign shall be 38 square feet for each sign facing, exclusive of supports. Also, see Article 6.5 for exceptions.
- D. Sign Elevation: No Free Standing Sign shall exceed twelve (12) feet above Ground Elevation. If the ground elevation at the sign is below the elevation of the adjacent road, then the adjacent road elevation shall be considered Ground Elevation for the sign.

- E. Wall Signs: Wall signs placed against the exterior walls of buildings shall not project more than six (6) inches out from the building's wall surface and shall not extend above the wall upon which it is placed. A Wall Sign is permitted on one wall face only.
- F. Roof Signs: Roof signs shall not exceed one (1) foot above the roof peak.
- G. Commercial, Institutional, Retail, Industrial Manufacturing, Wall, Roof and Free Standing Signs: One Wall, roof or Awning Sign and one Free Standing Sign are permitted on each commercial retail and industrial manufacturing parcel with a message relating to the business activities on the premises. Unless more restrictive zoning applies, setbacks for Free Standing Signs from property lines shall be at least equal to the height of the sign. Signs may be placed inside the window areas of commercial or retail establishments without a permit. The Sign area may not exceed twenty five (25%) percent of the area of the window. Temporary notices of time bound events (specific sales, community festivals, etc.) are exempt from these Window Sign Standards. Awnings and canopies with advertising signage will be considered "on building signage". A business may be permitted any number of signs not designed to be read from the roadways, whose sole purpose is to direct or control traffic which has already entered the property.
- H. Agricultural Wall and Free Standing Signs: One Wall and one Free Standing Sign per parcel with a message relating to the agricultural activities on the premises with a total square footage not to exceed thirty two (32) square feet in total area is permitted. Unless more restrictive zoning applies, Free Standing Sign setbacks shall be at least equal to the height of the sign. Temporary Signs relating to seasonal agricultural activities, i.e. crop variety trials, "pick your own berries" or produce sales, may not in aggregate exceed an additional 20 square feet or be used for more than six (6) months in any calendar year.
- I. Forestland Wall and Free Standing Signs: One Wall or free Standing Sign per parcel with an area not to exceed sixteen (16) square feet with a message relating to forest management or forest products is permitted.
- J. Non-Dwelling Use Signs: A Non-Dwelling Use in a residential area, such as a school, a religious facility, an institutional use, a clubhouse, etc. is permitted to have one Free Standing Sign and one Wall Sign, neither of which shall exceed twelve (12) square feet in area.
- K. Internally Lit Signs with a Transparent/Light Background: Internally Lit Signs with a transparent or light background color are permitted when in compliance with other provisions of the Ordinance.
- L. Internally Lit Dark Background Signs: Internally Lit Dark Background Signs are permitted when in compliance with other provisions of the Ordinance (for public safety these are preferred over Internally Lit Light Background Signs).

M. Manually Changeable Message Signs: Manually Changeable Message Signs are permitted when in compliance with other provisions of this Ordinance.

**6.5 Signs Authorized with a Permit; Exceptions:**

A. Directory Signs: When more than one separately licensed business establishment is located in a single building or property, or when multiple buildings are located on a single Parcel; a single directory sign is permitted for the entire building complex.

B. Individual tenant sign size (up to 4) shall be computed using the following formula provided that the square feet dedicated to the building or development name is adjusted for speed and the setback, measured from the Highway Center Line, is calculated in the following manner:

1. Up to 100 feet: Ten (10) square feet at 0-34 mph; 14 square feet at 35-55 mph.
2. 100' or more: 14 square feet at 0-34 mph; 18 square feet at 35-55 mph.

C. Free Standing Signs: The size of a Free Standing ON premise sign shall be computed based on the following formula provided that the square feet dedicated to the building or development name is adjusted for speed and the setback, measured from the Highway Center Line is calculated in the following manner:

1. 38 square feet at 0-34 mph; 64 square feet at 35-55 mph.

D. Wall Signs: The maximum sign face area of an individual Wall Sign shall be determined using the following formula measured from the center line of the adjacent roadway. A minimum of 38 square feet of the building face shall be available regardless of the building size.

1. 20% of one building face up to 100'
2. 30% of one building face at 100'-200'
3. 40% of one building face at 200' or more

E. Measuring Sign Setbacks with Conflicting Highway Right of Ways: Where Federal, State or County Highway Right of Ways overlaps Town Right of Ways; Town Right of Way Sign Setback Measurements shall be measured from the center line of the prevailing Federal, State or County Highway.

**6.6 Prohibited Signs:** The following limitations, obligations, and prohibitions apply to all Signs legally subject to this Ordinance:

A. Absence of Sign Permit: Any Sign, for which a Permit has not been issued and which is not a "Sign Authorized Without A Permit" is prohibited.

- B. Abandoned Signs: Signs made obsolete or abandoned by either the closing of a business or changing of business or landowner are prohibited.
- C. Signs advertising a business or event which has become inactive, closed or terminated, excluding seasonal closure, shall be removed or covered within 30 days following the event or business becoming inactive, closed or terminated.
- D. Off-Premise Signs: Off-premise signs are prohibited in the Town of Manitowish Waters.
- E. Black and White Residential Directional “White Arrow” signs on all town road highway right of ways.
- F. Roof Signs and Projecting Signs: Roof Signs exceeding one (1) foot above the high point of the roof line and Projecting Signs exceeding six (6) inches are prohibited.
- G. Public Property: No portion of a privately-owned Sign, or its supporting structures, such as poles or cables, shall be placed on, or within the air space above, publicly owned property, a public right-of-way unless specifically exempted by this Ordinance.
- H. Destruction of Vegetation: Cutting or killing trees larger than 3” diameter at breast height growing on public right-of-ways to enhance visibility of a Sign is prohibited.
- I. The use of beacon lights is prohibited.
- J. Any lighting of a sign shall not be directed toward a neighboring residence or highway.
- K. Electronically Changeable message Signs: Electronically Changeable Message Signs are prohibited.
- L. Revolving Signs: Revolving Signs are prohibited.
- M. Traffic Interference: A Sign (other than a traffic sign installed by a governmental entity) shall not simulate or imitate the size, lettering, or design of any traffic sign in such a manner as to interfere, mislead, or confuse the public.
- N. Parked Vehicle: Any Sign on a motor vehicle, trailer, farm implement or other mobile equipment, which is parked in a position visible to traffic on a public road, waterway, or parking area for a period longer than six (6) days in a 60-day period, is prohibited.

- O. Visual Obstruction: Signs shall not be placed so as to obstruct the visibility of pedestrians and motorists at intersections and driveways.
- P. Natural Areas: Signs in wetlands except Governmental and Warning Signs are prohibited.
- Q. Signs placed within 75 feet of the OHWM are prohibited.
- R. No Bunting or similar flagging, street banners or temporary signs are permitted to be displayed on the exterior of the premises with the exception of a business advertising a grand opening or special event. These signs will be allowed for a period of time not to exceed one week prior to and one week following the event. Protective flagging for septic systems and other areas which require marking for reasons of health, safety or general welfare is exempt.
- S. Posting of bills, posters, placards and circulars on trees is prohibited. Trees shall not be used as sign supports with the exception of "NO TRESPASSING" signs which are in conformity with Wisconsin Statute 943.13 and official snowmobile and cross country ski trail markers.
- T. Ice Shanty Signage: No Signage, other than the DNR required name and address in letters not to exceed four (4) inches in height, is permitted on ice shanties.

6.7 **Non-Conforming Signs:** The intent of this ordinance is to encourage the eventual elimination of Signs which do not comply with the Ordinance. The elimination of non-conforming Signs is important to the Purpose of this Ordinance. However, it is also the intent of the Ordinance to avoid unreasonable invasion of property rights while accomplishing removal of Non-Conforming Signs.

- A. Compliance: Within twelve (12) months of the adoption of this Ordinance the Zoning Administrator shall inventory all of the signs in the town of Manitowish Waters and make a determination on Non-conforming signs. Upon determination that a Sign is Non-conforming, the Zoning Administrator shall use reasonable efforts to notify in writing the user of the property on which the sign is located that the sign is Non-Conforming.
- B. Continuance: Use of a Non-Conforming sign may be continued if it is maintained in good condition unless as otherwise provided above. It shall not, however, be replaced by another Non-Conforming Sign. It may not be structurally altered so as to prolong the life of the Sign. It may not be re-established after damage or destruction if the Zoning administrator determines that the estimated cost of reconstruction exceeds a 50% of the estimated replacement cost. However, it may be replaced if damaged or destroyed by a criminal act.
- C. Abandoned Signs are considered a public nuisance and as such, shall be remedied by the Sign Owner within sixty (60) days of receiving notice from the Zoning

Administrator. After sixty (60) days the Sign may be removed by the Zoning Department at the Sign owner's expense.

#### **6.8 Sign Permit Requirements:**

- A. Permit: A Zoning Permit is not required for "Exempt Signs" or "Signs Authorized Without A Permit". A Permit must be obtained from the Zoning Department for any changes to existing signs and new signs.
- B. Application: Applications for Zoning Permits for signs shall be made upon a form provided by the Zoning Department for this purpose. The Application shall contain the following information:
  - 1. Name, address, phone, and if available, fax and e-mail of the Person applying for the Permit.
  - 2. Name, address, phone, and if available, fax and e-mail of the Person owning the Parcel upon which the Sign is proposed to be placed.
  - 3. Location of the building, structure and Parcel on which the Sign is or will be attached or erected.
  - 4. Position of the Sign in relation to nearby buildings, structures, property lines, existing or proposed rights-of-way, ordinary high water marks of waterways, and the setback of applicable zoning ordinances.
  - 5. Two (2) copies of the Sign plans and specifications.
  - 6. The method of construction and/or attachment to a building or to the ground shall be explained in the plans and specifications.
  - 7. A copy of stress sheets and calculations, if deemed necessary by the Zoning Department, showing the structure as designed for dead load and wind pressure.
  - ~~7.8.~~ Name, address, phone, and if available, fax and e-mail of the Person who has or will be erecting the sign.
  - ~~8.9.~~ Such other information as the Zoning Department may require to prove compliance with this Ordinance and any other applicable laws.

#### **6.9 Sign Construction Requirements:**

- A. Material: Where feasible, Signs should be constructed of weather resistant wood, or other natural material.

- B. Codes: All Signs shall conform to the latest edition of the applicable building and electrical codes.
- C. Fastenings: All Signs must remain safe and secure during the period of use.
- D. All parts of the Signs, including bolts and cables, shall remain painted as necessary, and free of corrosion.
- E. Fire Escapes: A Sign may not obstruct a fire escape.
- F. Lighting: External lighting shall be shielded from view and shall be focused upon the sign to avoid stray lighting. Flashing, rotating, and intermittent lighting are prohibited.
- G. Identification: All Signs for which a Permit is required shall identify the name and operating telephone number of the Person responsible for the Sign.
- H. Proximity to Electrical Conductors: Signs and all supporting structures shall be no closer to electrical utilities than is permitted by applicable codes. No Sign, including cables and supports, shall, in any event, be within six (6) feet of any electrical conductor, electrical light pole, electric street lamp, traffic light, or other public utility pole.
- I. Sanitation: Property surrounding any Ground Sign shall be maintained in a clean and sanitary condition. It shall be free from weeds, rubbish, and flammable material.
- J. Landscaping: The area beneath and around a Sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the Sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.

## **ARTICLE X ADMINISTRATION**

Add the following language:

10.4 B (1): See Article **VI Signs**: Chapter 6.7 for separate permitting and application requirements for zoning permits for signs.

## **ARTICLE XIII DEFINITIONS**

Delete the following language, as definitions for signs are now in listed in **Article VI**:

**Sign:** A name, identification, description, display or illustration which directs attention to an object, product, place, activity, person, institution, organization or business.

**Sign, Gross Surface Area of:** The entire area within a single, continuous perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

**SEVERABILITY**

The amendments to the Manitowish Waters General Zoning Ordinance 2007-1 shall take effect and be enforced the day after being approved by the Vilas County Board of Supervisors pursuant to Section 60.62 of the Wisconsin Statutes.

Final Adoption by the Town Board of Manitowish Waters, Vilas County, Wisconsin the \_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Town Chairperson

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Clerk

Approved by Vilas County Board of Supervisors,  
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