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January 9, 2009

CHAPTER 31
SIGN CONTROL ORDINANCE
(Ch 31 R. & new Ch 31 Cr. by Ord. 5859)

~~Adopted May 3, 1977~~
~~Repealed and recreated on XXXX, 2007.~~
Ordinance No.:
Effective date:

Published by the direction of the Common Council of the City of Madison,
in accordance with Section 66.0103, Wisconsin Statutes.

**NOTE: NEED TO CHANGE ALL REFERENCES TO 33.02 IN THIS ORD.,
TO THE APPROPRIATE NEW MGO NUMBER (33.24) = UDC ORDINANCE**

**CHAPTER 31
SIGN CONTROL ORDINANCE**

Section

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31.01 SHORT TITLE. This ordinance shall be known and may be cited as the Sign Ordinance.

31.02 PURPOSE AND SCOPE.

- (1) Purpose and Intent. The Common Council, by enacting this ordinance, recognizes the City has a significant and substantial governmental interest in promoting public safety and aesthetic values through the regulation of signs displayed within the City of Madison. The purpose of this ordinance 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. Sign regulations, including but not limited to those which control the type, design, size, location and maintenance of signs, are hereby established to further the goals of safety and aesthetics and achieve more specifically, the following purposes:
 - (a) To enable the public to locate goods, services and facilities without difficulty or confusion;
 - (b) To protect property values, public investment and overall neighborhood character by promoting an attractive, harmonious and aesthetically-pleasing environment and preventing conditions which have undesirable impacts on surrounding properties;
 - (c) To promote the development of attractive and harmonious residential districts, viable commercial districts and identify industrial and other uses;
 - (d) To protect the public and promote safety, including but not limited to traffic and pedestrian safety; and to minimize effects of signs which may distract or obstruct visibility of official traffic signals and other safety or informational devices; and
 - (e) To protect scenic views and the visual environment along all city streets, highways and rights-of-way and promote overall aesthetics, avoid clutter and avoid inappropriate scale.
- ~~(2) Applicability. This code shall be binding alike upon every owner of a building, every operator, lessee, and every person in charge or responsible for or who causes the erection, construction, repair, relocation or alteration of any sign in the City of Madison.~~
- (3) Scope. This code shall apply to all signs in the City of Madison. However, this Ordinance shall not be construed to amend or in any way interfere with any other ordinances or applicable law governing official traffic signs or signals.

31.03 RULES AND DEFINITIONS.

- (1) Rules. In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise:
 - (a) Words used in the present tense shall include the future.
 - (b) Words in the singular number shall include the plural number, and the plural the singular.
 - © The word “shall” is mandatory and not discretionary.
 - (d) The word “may” is permissive.
 - (e) All references to section numbers are Madison General Ordinances, unless otherwise noted.
- (2) Definitions. For the purposes of this Ordinance, the terms listed below shall have the following definitions:
 - Above Roof Sign. A sign displayed above the roofline.
 - Accessory Sign. A wall sign on a large building, subordinate in area to the principal sign, located elsewhere than the primary signable area, listing other businesses or generic services or departments in the building, such as pharmacy, optical, auto repair, garden center and excluding product brand names.
 - Advertising Sign. A sign containing a commercial or noncommercial message directing

attention to a business, commodity, service, political candidate or cause, public service, social cause, charity, community affair or entertainment, not related to the premises at which the sign is located, or directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises where the sign is located. Advertising appearing on public transportation vehicles is not regulated by this ordinance.

Alteration. Any major change made to an existing sign, other than routine maintenance, painting or change of copy of an existing sign.

Architectural Detail. Any projections, relief, change of material, window or door opening that is on the facade of a building. Where an overall consistent pattern of projections or reliefs exists on a signable area, they shall not be considered architectural details.

Attention-getting Object. An object made of flexible material whether or not it contains text, logos or any other images and whether it is free-standing or attached to a sign, such as a streamer, pinwheel, pennant or other such device; suspended, hung, pinned or otherwise fastened to a sign or other structure in such a manner that the object is permitted to spin, fly, flap or otherwise move in the wind. Flags and decorative and promotional banners allowed under sec. 31.075 are not considered "attention getting objects."

Awning. A roof like cover, temporary in nature, that projects from the wall of a building.

Awning, Internally Illuminated. An awning consisting of a rigid frame covered with vinyl, plastic, or other translucent material that is internally illuminated.

Banner. A suspended sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper.

Banner, Decorative. A banner containing no message or logo that is displayed for the purpose of adding color and interest to the surroundings or to the building to which it is attached.

Banner, Promotional. A banner or series of banners containing a noncommercial message displayed to call attention to cultural events, charity campaigns or neighborhood sponsored activities. (Cr. by Ord. 9005, 11-14-86)

Building Entrance Identification Sign. A wall sign used to identify non-residential building entrances such as, "Emergency Room Entrance", "Lubrication", "Wash Rack," as may be customarily found on Large Buildings as defined herein.

Building Line. A line established by ordinance beyond which no building may extend. A building line may be referred to as "required setback".

Business Opening Sign. A sign displayed in addition to permitted wall, roof, above-roof and ground signs; displayed on the premises of a new building or new business or the premises of an existing business upon a change of name or change of ownership; and displayed for a period not to exceed thirty (30) days.

Business Sign. A sign used for identification purposes, which directs attention to a business or profession conducted upon the premises at which the sign is located, which may also refer to goods or services produced, offered for sale or obtained at such premises, and which may also include political, social, public service or other noncommercial messages.

Canopy. A permanent roof structure over a space that is completely unenclosed on at least two (2) sides.

Canopy, Attached. A canopy that is attached to and supported by a building, which may also be supported by additional vertical ground supports or other structures.

Canopy, Detached. A canopy that is a permanent, free-standing roofed-over structure, with four open sides, accessory to but not attached to a principal building.

Changeable Copy Sign (Electronic). A sign, any portion of which displays or has the ability to display electronically illuminated, scrolling or moving text, symbols or other images; commonly known as electronic message or reader boards, electronic marquees, message centers or moving message displays, utilizing LED, LCD or other digital or electronic technology.

Changeable Copy Sign (Manual). Any sign characterized that includes copy, letters, numbers,

or symbols that are designed to be changed, through manual, mechanical or other non-digital means, regardless of method of attachment.

Change of Use. Change in use of the premises from one use category listed in Chapter 28 (the Zoning Code) to another use category listed in Chapter 28.

Commercial Message. A message that directs attention to a business, commodity, service or entertainment enterprise which is intended to produce a monetary profit or earnings which may lawfully inure to the benefit of any private shareholder or individual and the income of which is taxable under the Internal Revenue Code.

Comprehensive Design Review. A process whereby the Madison Urban Design Commission (“UDC”) reviews all existing and proposed signs on a building, building site or zoning lot upon request of an applicant who is seeking approval for to have a Comprehensive Sign Plan approved. The UDC may recognize unique, exceptional and innovative effort to integrate signs with building architecture and materials by approving a Comprehensive Sign Plan that includes special allowances in signable area and number of ground signs for all signs within a building site or zoning lot, and which may also incorporate other approvals as authorized in sec. 31.043(3).

Comprehensive Sign Plan. A complete signage plan for a building or zoning lot that has been approved by the Urban Design Commission through a Comprehensive Design Review.

Condominium Identification Street Graphic. An identification street graphic for a condominium established under Chapter 703 of the Wisconsin Statutes, that displays the name, address(es) and number(s) of the buildings(s) located within a single condominium.

Construction Directional Sign. A temporary sign displayed on private property for a limited period of time, to identify the location of and entrance to a business that remains open when normal access or pedestrian or vehicle traffic flow has been diverted by construction or road work.

Curb Level. The curb level for any building is the level of the established curb in front of such building measured at the center of such front. Where no curb elevation has been established, the City Engineer shall establish such curb elevation.

Design Extension. Any addition to a sign that is added to or protrudes from the top, sides, or lower edge of the main or principal portion of the sign.

Detached Building. A building surrounded by open space on the same lot or built to the lot line.

Director. Director means the Director of the Inspection Unit of the Department of Planning and Development.

“Digital Image Sign (Static)” A sign, any portion of which displays static or stationary illuminated digital images, produced by technology such as LED (light emitting diode) or LCD (liquid crystal display) display screens, plasma, high-definition, interactive touch-screen, or other such technology.

“Digital Image Sign (Animated)” A Digital Image Sign as defined above, any portion of which is capable of producing an animated or moving digital or video image.

Electric Sign. Any sign utilizing electric wiring, material, or devices.

Electronic Message Board. See Changeable Copy Sign (Electronic Message Board).

External Lighting Fixtures. For purposes of this Chapter, shall mean lighting sources (as defined in sec. 10.085(2)) which are electrically powered illuminating devices, lighted or reflective surfaces, lamps and similar devices, permanently installed or portable, used to illuminate a sign.

Facade. Any separate face or surface of a building, including parapet walls, and roof surfaces or any part of a building which encloses or covers usable space. Where separate facades are oriented in the same direction, or where the inside angle at the intersection of two surfaces is greater than one-hundred and thirty-five (135) degrees, they are to be considered as part of a single facade.

Flag. A device generally made of flexible material, such as cloth, paper, or plastic, and displayed from a pole, cable or rope. It may or may not include copy. This definition does not include the flag of any country, state, city, county, corporation or institution.

Flashing Sign. A sign that displays a flashing or changing message messages that alternate or

scroll from one message to the next. A message shall be considered to have flashed, changed or alternated if there is a change in text, color, brightness, logos, symbols or any other image. A sign that includes a message or any other component that flashes on and off, blinks or varies in intensity, with intermittent bursts of light, color, brightness, or other feature of any kind that produces a visual flashing effect.

Gross Area. The total area of the sign, including all supporting structures, viewed from the direction the sign is facing; calculated within a single continuous perimeter enclosing the smallest possible square or rectangle, or a combination of not more than three (3) of the smallest possible squares or rectangles that can be drawn around a sign of an irregular shape; enclosing the extreme limits of such sign, with sides that are perpendicular to the ground. Said perimeter shall not pass through or between any adjacent elements of the sign except when more than one square or rectangle is drawn around a sign of an irregular shape, in which case each square or rectangle must be immediately adjacent to the next so that there is no gap between them. If sign copy is displayed on more than one face of a single sign structure, the two-dimensional area encompassing each side of the entire structure displaying sign copy shall be measured and added together for purposes of calculating the gross area.

Ground Sign. A freestanding sign supported permanently upon the ground and not attached to any building, such as a "pole" or "monument" style sign. For purposes of this Ordinance, Ground Signs include only Pole or Monument Signs as defined herein. (per 12-10-08 UDC mtg)

Identification Sign. A wall sign located in the residential, conservancy, or agricultural districts; including those displayed pursuant to a home occupation under sec. 28.04(26); limited to the name of the building occupant or management, address of the building, and any lawful home occupation.

Inflatable Sign. A freestanding or moored sign expanded with air or another gas, like a balloon and when inflated with a gas lighter than air, may rise and float above the ground.

Inspection Unit. Inspection Unit means the Inspection Unit of the Department of Planning and Development.

Kiosk. A freestanding structure upon which temporary information or notices may be posted.

Large Buildings. Those buildings exceeding one hundred twenty-five (125) feet in length or having five (5) stories or more in height.

Logo. A symbol or trademark commonly used to identify a business or organization but which in itself contains no more than two (2) words or numerals.

Marquee. (See Canopy.)

Menu Board. A changeable copy sign, enclosed in a lockable or latching protective case or covering, mounted firmly to a wall, and not projecting more than four (4) inches from the surface of the wall.

Merchandise Sign. A sign made of flexible nonmetallic material attached to, and advertising, merchandise displayed outside of an enclosed building. (Cr. by Ord. 9538, 7-28-88)

Monument Sign - A Ground Sign supported by and integrated into an internal structural framework or some other solid structural features other than a pole or poles, if the total width of such supporting structure(s) is more than one-third (1/3) of the width of the net area of the sign copy it supports.

Motion Sign. Any sign possessing visible moving parts or parts that appear to move, including signs that are designed with automatic moving parts in order to change the copy, such as "tri-vision" signs.

Mural. A picture illustration or abstract expression containing no commercial message applied directly to and made integral with a wall or window surface. (Am. by Ord. 9538, 7-28-88)

Neighborhood Identification Sign. Any sign containing the name of the neighborhood in which it is located.

Net Area. The entire area within a single continuous perimeter enclosing the smallest possible square or rectangle drawn around the sign copy; or a combination of not more than three (3) of the smallest possible squares or rectangles that can be drawn around sign copy of an irregular shape; enclosing the extreme limits of such sign copy with sides that are perpendicular to the ground. The

perimeter shall not pass through or between any adjacent elements of the sign copy except when more than one square or rectangle is drawn around sign copy of an irregular shape, in which case each square or rectangle must be immediately adjacent to the next so that there is no space between them. If the sign copy is contained entirely within one sign can or board, the entire area of the can or board shall be measured to determine the net area. If the sign copy is contained within multiple sign cans or boards, then all cans or boards shall be measured using the methods for sign copy of an irregular shape, above. The net area shall not include any structural elements lying outside the limits of the sign copy and not forming an integral part of the display. For the purpose of window signs, any background material under sec. 31.10(2) shall be included in the measurement of net area.

Nonconforming Sign. Any sign does not comply with the regulations of this ordinance.

Nonconforming Use. Any use of land or buildings does not comply with the regulations of Chapter 28 (Zoning Code).

Noncommercial Message. A message intended to direct attention to a political, social, community or public service issue and not intended to produce a monetary profit or earnings which may lawfully inure to the benefit of any private shareholder or individual and the income of which is exempt from taxation under the Internal Revenue Code.

Number. For the purposes of this ordinance, the term number shall mean a number or combination of numerals used to identify or designate one particular item such as a quantity, price, telephone number or address of a property.

Off-Premise Directional Sign. A ground sign, including a theater program directory sign, designed to guide or direct the public to a business, service or entertainment activity.

Parking Lot Directional Sign. A sign that is necessary, for safety or promoting traffic flow, to guide or direct pedestrian or vehicular traffic to a location on the premises on which the sign is located.

Parking Lot Regulation Sign. A sign designating the conditions of use or identity of such parking area, including identification and labeling of individual parking stalls, except for signs that are required by law to identify certain parking stalls or parking areas.

Pennant. A tapered or dove-tailed banner or flag.

Person. May include a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

Pole Sign. A ground sign that is supported by a single pole that is one third (1/3) or less in width than the total width of the sign copy structure it supports. A Ground Sign that is supported by one or more poles or other supporting structures, if the total width of the pole(s) or supporting structure(s) is one third (1/3) or less than the width of the net area of the sign copy it supports. The width of all pole(s) and supporting structures at their widest point and any space between poles or supports shall be included when measuring the total width of the pole(s) and supporting structure(s).

Political Sign. Any sign that states the name and/or picture of an individual seeking election or appointment to a public office, or pertaining to a forthcoming public election or referendum, or pertaining to or advocating social or political views or policies.

Portable Sign. A sign that is not permanently attached to the ground or a building or not designed to be permanently attached to the ground or a building, including but not limited to, trailers or other vehicles that are used principally as a sign, posters, "sandwich boards" or other freestanding signboards, regardless of whether such signs are attached to the ground or to a building or structure.

Principal Building. A non-accessory building in which is conducted the principal use of the lot on which it is located.

Project Sign. A temporary sign on private property, describing a construction or improvement project including the names of contractors, architects, engineers, investors, owners or occupants.

Projecting Sign. A sign that is attached to the wall of a building and projects more than fifteen (15) inches beyond such wall.

Public Service Sign. Any sign primarily to promote noncommercial items of general interest to the community.

Real Estate Sign. A sign advertising the sale, lease, or rental of the property upon which it is

located.

Roof Line. The uppermost line of the roof of a building, including original parapets.

Roof Sign. A sign erected on the roof of a building no portion of which is above the roof line.

Rotating Sign. (See Motion Sign)

Scoreboard. A scoreboard is a sign designed to provide information to spectators at athletic events that may or may not contain advertising messages or public service announcements.

Sidewalk Showcase. A freestanding structure consisting of an enclosed display case or cabinet, used to display information or notices, located on a public or private sidewalk or sidewalk area.

Sign. Any device, structure, fixture, or placard, including its supporting base, frame, electrical and all other accessory components, using text, graphics, symbols and/or other written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, or services; located outside of a building or within three (3) feet of the interior of a window and which is visible from the exterior.

Sign Copy. The portion of a sign comprised of any combination of text, graphics, symbols, images, and/or other written copy, whether it is displayed within or outside of a sign can or board.

Signable Area. One designated area of the facade of the building up to the roof line that is free of doors, windows (for purposes of this definition, spandrel panels or other non-vision glass used as an exterior building material are not considered windows) or other major architectural detail, on which signs are to be displayed.

Street Occupancy Signs. Signs displayed on street occupancy barricades, passageways and fences that have been erected pursuant to a valid street occupancy permit issued under sec. 29.10(7); denoting only the owner, occupant, architect, engineer or contractor(s) of the project for which the street occupancy permit was issued.

Subdivision Identification Sign. Any sign containing the name of the subdivision in which it is located.

Swinging Sign. (See Motion Sign)

Symbol. Something that stands for or suggests something else by reason of relationship, association, convention or resemblance placed or erected for public view as a sign or as a part of a sign.

Theater Program Directory Sign. A ground sign that contains the name of the theater complex and a listing of the program(s) being presented.

Time and/or Temperature Sign. A flashing sign giving the time and/or temperature.

Wall Sign. A sign that is attached to a wall of a building and projects is affixed parallel to the wall at a distance of not more than fifteen (15) inches or more from the surface of the such wall.

Window Sign. Any sign that is displayed, painted on, applied to, or affixed to the exterior or interior of a window; or displayed within three (3) feet of the interior of a window; and that is visible from the exterior. For purposes of this ordinance, "window" shall include any glass or transparent panels on exterior doors. Merchandise available for purchase within the premises and displayed within three (3) feet of the interior of a window shall not be considered a window sign under this definition.

Zoning Administrator. When used in this Chapter, Zoning Administrator means the Zoning Administrator or his/her designee.

31.04 ADMINISTRATION, ENFORCEMENT, AND CONSTRUCTION REQUIREMENTS

(1) Interpretation.

- (a) In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and least intrusive means for the promotion and protection of the public health, safety, and general welfare.
- (b) Where the conditions imposed by any provision of this ordinance upon the erection or maintenance of signs containing commercial messages are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this

ordinance or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive or which impose the higher standards or requirements shall govern.

- (c) Any sign permitted or authorized in this ordinance may contain any noncommercial message in addition to or in lieu of any other message.

(2) Superseding Regulations.

- (a) Signs Located Near Interstate Highways. All signs hereafter erected within six hundred sixty (660) feet from the edge of the interstate highway easement or property measured horizontally along a line normal or perpendicular to the center of the interstate highway shall be subject to the provisions of Section 84.30, Wis. Stats. and Sections Trans. ss. 201.01, 201.04, 201.05 of the Wisconsin Administrative Code.

ADD A BETTER REFERENCE TO 84.30, CH. 86, ETC. AND CONSIDER ADDING GAS SIGN - 100.18.

- (b) Chapters Trans 200 and 201 of the Wisconsin Administrative Code shall supercede any conflicting provisions of this chapter.
- (c) The following sections of the Madison General Ordinances supersede any conflicting provisions in this chapter:
 1. Section 28.04(21)(b).
 2. Sections 28.08(7)(c) 7. and 8.
 3. Section 28.09(3)(d)15.c.
 4. Section 28.09(3)(d)16.e. - **RECHECK ALL OF THESE FOR ACCURACY**

(3) Administration and Enforcement of the Sign Control Ordinance.

This Ordinance shall be administered as described in this subsection. The authority and duties described below shall be in addition to any other authority described elsewhere in these ordinances. Nothing in this Ordinance shall be construed as a limitation upon the powers of the City of Madison nor the enforcement powers of the Inspection Unit, Police Department or any other duly authorized personnel.

(a) Duties of the Director of the Inspection Unit Zoning Administrator, or Designee:

1. Approve and issue sign permits.
2. Inspect sign construction and erection.
3. Enforce this ordinance as authorized by sub. (4) and elsewhere by ordinance or law.
4. Determine the form and content of applications for sign permits and sign erector's licenses, consistent with this Ordinance.

(b) Duties of the Building Board of Examiners and Appeals:

1. Hear appeals relating to matters of structural or mechanical concern.
2. Hear complaints against sign erectors filed by the Director of the Inspection Unit Zoning Administrator, and revoke sign erector's license pursuant to sec. 31.042.

(c) Duties of the Plan Commission. Act upon certain sign permit applications and appeals, where applicable.

(d) Duties of the Director of Planning and Community and Economic Development. Act upon specific sign permit applications as may be authorized in sec. 31.15 (Tables) or elsewhere in this ordinance.

(e) Duties of The Urban Design Commission of the City of Madison ("UDC.")

Act upon all matters relating to signs as described in Sec. 31.041 and Sec. ~~33.02~~ 33.24.

(f) Duties of the Secretary of the Urban Design Commission. Act upon all matters as authorized by the Urban Design Commission, in sec. ~~33.02(4)(f)~~, 33.24(4)(g) or elsewhere in sec. 33.24 or ch. 31.

(4) Enforcement

- (a) Summary and non-summary removal or alteration of signs. If the Director of the Inspection Unit "Director" Zoning Administrator (or designee) shall find that any sign

regulated herein is unsafe or insecure, or is being maintained in violation of the provisions of this ordinance, s/he may give written notice describing the problem to the permittee thereof or the owner of the sign, or the owner of the property on which the sign is located. If the permittee, sign owner, or property owner, to whom the Notice is given, fails to remove or alter the sign so as to comply with the Notice by the date or time for compliance established in the Notice, the **Director Zoning Administrator** or the Chief of Police or designee may remove or alter such sign to comply with the Notice and this ordinance at the expense of the permittee, sign owner or owner of the property upon which it is located. In addition, the **Director Zoning Administrator** may cause any sign that is a hazard to person or property to be removed summarily and without notice. The **Director Zoning Administrator** may refuse to issue a sign permit to any permittee or owner who has failed to pay costs assessed for removal of a hazardous sign under this paragraph.

(b) Other Enforcement Action, Injunctive Relief. The provisions of sub.(a) shall be in addition to any other authorized enforcement action or prosecution for ordinance violations or other law violations; including but not limited to issuance of a Uniform Municipal Ordinance Citation, referral to the City Attorney for prosecution of a forfeiture action and/or other legal or equitable relief. The City Attorney is authorized to pursue civil injunctive or other equitable relief when, in the opinion of the **Director, Zoning Administrator** a sign presents a hazard and at least one (1) conviction for a violation of the ordinance has been obtained and the sign remains in violation of this Ordinance. A notice, or failure to comply with a notice sent under sub. (a) shall not be a prerequisite for prosecution, injunctive relief, or other civil remedies available at law based upon a violation of this ordinance.

(5) Construction Requirements.

(a) Definitions:

1. Approved Combustible Material. An approved combustible material shall include:
 - a. Wood or materials not more combustible than wood.
 - b. Combustible plastics, which, when tested in accordance with ASTM Standard Method for Flammability of Plastics over 0.050 inch in thickness (D 635-44) burn no faster than 2.5 inches per minute in .060 inch in thickness.
2. Incombustible Material. Any material which will not ignite at, or below, a temperature of one thousand two hundred (1,200) degrees Fahrenheit during an exposure of five (5) minutes and which will not continue to glow at that temperature. Tests shall be made as specified in UBC Standard No. 4-1-61.

(b) Sign Structure. Sign structure shall be of incombustible materials, except that nonelectric business and identification signs, not exceeding thirty-two (32) square feet in area nor six (6) feet in height aboveground, and located in a landscaped area, may have a preservative treated wood sign structure, and the structural trim of the sign may be of approved combustible material.

(c) Sign Facings. Sign facings shall be of incombustible materials or approved combustible materials.

(d) Letters, Decorations and Embellishments.

1. Letters, decorations and embellishments of signs shall be of incombustible materials or other approved combustible materials.
2. Letters, decorations and embellishments, in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

- (e) Electric Signs.
1. All electrical signs, as defined in sec. 31.03(2) shall bear the label of approval of a recognized testing laboratory.
 2. All electrical signs shall be equipped with a watertight safety switch. The switch shall be located where the electrical supply enters the sign.
 3. Covers of service openings shall be securely fastened by chain or hinges.
- (f) Wind Pressure. All signs shall be designed, constructed and anchored to withstand a horizontal wind pressure of not less than thirty (30) pounds per square foot of exposed area.
- (g) Dead Load. All sign structures shall be constructed and fastened to adequately support the dead load of any sign.
- (h) Footings. All footings for supports of ground signs shall be not less than three (3) feet six (6) inches below the existing ground level.
- (i) Attachment. Projecting signs may not be attached to any part of an unbraced wall above a point of bearing of the roof rafters.
- (j) Roof or Above-Roof Signs. Signs constructed on the roof of a building shall be thoroughly secured and anchored.
- (k) Illumination of Signs. Signs shall not be illuminated unless specifically allowed elsewhere in this chapter. For purposes of this chapter, illumination includes any source of direct or reflected lighting incorporated in or connected with a sign. Illumination, when allowed, may be internal or external to the sign. All sign illumination shall be subject to the provisions of sec. 10.085, Outdoor Lighting, in addition to the following restrictions. In the event of a conflict between this ordinance and sec. 10.085, the more strict provision shall apply:
1. Any illumination shall be so shielded that no direct illumination from it is visible elsewhere than on the sign and in the immediate proximity thereof.
 2. All external lighting fixtures, as defined in sec. 31.03(2) shall be steady, stationary, fully shielded light sources directed solely onto the sign, and shall use lighting designed to minimize light spill and glare.
 3. Lighting sources (as defined in sec. 10.085(2)) shall not be directly visible or cause glare to adjacent public right-of-ways or adjacent private property boundaries. This may be accomplished through the use of shields or cut off devices or other similar equipment.
 4. All signs illuminated by an external lighting fixture shall be limited to a maximum amount of illumination as follows:
 - a. Signs with a gross area (for ground signs) or net area (all other signs) of less than 300 square feet shall have a maximum illumination level equal to the greater of: 1) 40 foot-candles average across the sign surface, or 2) a total of 50 watts for all fixtures.
 - b. Signs with a gross area (for ground signs) or net area (all other signs) equal to or greater than 300 square feet shall have a maximum illumination level of 70 foot-candles average across the sign surface.
 5. Internally illuminated signs or any other signs with internal illumination or indirect light from the back of the letters or sign shall not produce any glare. Internally illuminated signs displaying text or copy shall use light colored copy on a dark background.
 6. This section shall not apply to “official traffic control devices” as defined in Wis. Stats. sec. 340.01(38), 2003-04 and as may be amended, which are authorized by law and erected by the authority having jurisdiction over the highway or right of way.
 7. Awning signs may be internally illuminated if constructed with a rigid frame

covered with vinyl, plastic, or other translucent material and otherwise compliant with this section and 31.06.

8. See sec. 31.10 regarding illumination of window signs.
9. Exposed neon signs are exempt from this section.
10. Applicability. This section applies to the illumination of all signs that are erected after the effective date of the ordinance creating this section, as well as new external lighting fixtures installed on an existing sign, any other illumination feature that is added to an existing sign, and upon replacement of any sign illumination feature (external or internal) after the effective date of this ordinance. Nothing in this section shall be construed to limit or modify the permit and inspection requirements elsewhere in this ordinance, such as those applying to electrical signs, replacement or repair of signs, change of copy, etc.

31.041 SIGN PERMITS AND FEES.

(1) Permit Required.

- (a) Signs may be erected, moved, enlarged, or reconstructed within the City of Madison as allowed in this Ordinance only when a permit therefor shall have been issued by the Director of the Inspection Unit Zoning Administrator or designee, except when specifically exempt from permit under Sec. 31.044 or elsewhere in this Ordinance.
- (b) It shall be unlawful for any person to erect, repair, alter, relocate, maintain, or change copy, except for signs designed for changeable copy, within the City of Madison any sign as defined in this ordinance without first obtaining a permit from the Director Zoning Administrator and making payment of the fee(s) required by this ordinance, unless a permit is not required under Sec. 31.044 or unless otherwise exempt from obtaining a permit or paying a fee under the provisions of this ordinance. All electric signs shall, in addition, be subject to the provisions of the Electrical Code (Chapter 19), and the permit fee required thereunder.
- (c) Permit Identification Tag. When the permit for any type of sign is issued, a metal tag shall accompany such permit. This tag shall be affixed to the sign at the time of erection, in a place visible for inspection, as proof of issuance of the permit.

(2) Application for Sign Permit.

Applications for permits shall be filed on application forms provided by the Director Zoning Administrator. A photograph of the property, a plot plan, and construction and installation plans, including specifications and engineering data, shall accompany the application. When all of the provisions of this ordinance or other ordinances 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 Director Zoning Administrator shall determine, consistent with the provisions of this ordinance, the form and contents of all applications for permits herein required. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected, or the applicant must make a sworn statement that the applicant is authorized by the owner, lessee or other authorized occupant of the premises to erect the proposed sign(s).

(3) Permit and Application Fees.

All fees under this subsection shall be payable to the City Treasurer, as follows:

- (a) Initial Sign Permit. When a permit is required under this ordinance, the permit fee shall be as follows:
 1. Initial permit for all signs under this chapter (except ground signs, advertising signs, and business opening signs): one dollar and seventy-five cents (\$1.75) per square foot of the net area.

2. Ground signs: one dollar and seventy-five cents (\$1.75) per square foot of the gross area.
 3. Advertising signs: two dollars and fifty cents (\$2.50) per square foot of the net area.
 4. Business opening sign: flat fee of fifty dollars (\$50).
 5. Minimum permit fee: in no case shall any sign permit fee be less than fifty dollars (\$50.00).
- (b) Change of Copy and Change of Location Fees. The permit fee for changing the face or sign copy of a sign for which a permit is required under this ordinance, other than a sign designed for changeable copy, shall be one dollar and fifty cents (\$1.50) per square foot of the net area but in no case less than ten twenty-five dollars (\$25). The permit fee for changing the location of an existing sign on the same zoning lot shall be twenty-five dollars (\$25).
- (c) Failure to Obtain Permit. The permit shall be obtained before erecting or starting work on a sign or commencing any action for which a permit is required under this ordinance. The fee for a permit issued after commencement shall be doubled.
 Imposition of a double fee under this subsection shall be in addition to any monetary forfeiture or other penalty under this Ordinance and shall not be a bar to prosecution or pursuit of other legal remedies by the City.
- (d) Urban Design Commission Fees. The fee for all applications to the Urban Design Commission under this ordinance, including appeals from the decisions of the **Director of the Inspection Unit Zoning Administrator**, requests for approvals in height, area, and setback, and Comprehensive Design Review, shall be ~~two three~~-hundred dollars ~~(\$200)~~ **(\$300)** payable to the City Treasurer.
- (e) Sign Erector's License – See sec. 31.042.
- (4) Issuance of Sign Permit, Duration. It shall be the duty of the **Director Zoning Administrator** upon the filing of an application for permit to promptly examine such plans and specifications and other data and, if deemed necessary by the **Director Zoning Administrator**, to inspect the premises upon which the proposed sign is to be erected, and if the proposed sign is in compliance with all the requirements of this Ordinance and any other applicable laws, he/she shall promptly issue the appropriate permit upon payment of the appropriate permit fee(s) herein. If work authorized under a permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.
- (5) Denial of Permit for Unpaid Fees, etc. The **Director Zoning Administrator** may refuse to issue a sign permit to any permittee or owner who has failed to pay costs assessed for removal of a hazardous sign under sec. 31.041(1), or failed to comply with a court order to pay a forfeiture for a violation of this Ordinance, or failure to pay other unpaid civil judgment arising out of a violation of this Ordinance. If the **Director Zoning Administrator** denies a permit under this paragraph, s/he shall provide written notice to the applicant of the denial, the reason, a description of the unpaid cost, forfeiture or judgment. The permit shall be issued upon proof of payment of the costs, fees, forfeiture or judgment in question. Proof of payment of a docketed civil judgment shall be in the form of a satisfaction of judgment .
- (6) All rights and privileges acquired under the provisions of this ordinance or any amendment thereto, are mere permits, revocable at any time by the **Director of the Inspection Unit, Zoning Administrator**, and all such applications shall contain this provision.

31.042 LICENSING OF SIGN ERECTORS.

- (5) Sign Erector's Licenses.
- (a) License Required. A sign erector's license shall be obtained prior to engaging in the

business or commencing work to erect, remove, service, repair or maintain a sign in the City of Madison on behalf of another. This requirement does not apply to persons wishing to erect, remove, service, repair or maintain a sign on the premises which the person owns or leases.

- (b) Examination. To be licensed, an individual must pass an examination administered under the direction of the Director of the Inspection Unit, Zoning Administrator. The examination shall be given by the Inspection Unit by appointment with the Zoning Administrator.
- (c) Administration. The sign erector's license program shall be administered by the Director of the Inspection Unit Zoning Administrator or designee. Applications and appointments for the examination shall be made with the Zoning Administrator, Inspection Unit. Applications shall be filed at least ten (10) days before the date on which the examination is to be held. The applicant shall pay an examination fee of fifteen dollars (\$15) at the time of application. This fee shall be in addition to the license fee hereunder.
- (d) License Fee. Upon passing the examination, payment to the City Treasurer of one- hundred twenty-five dollars (\$125), and recording any required bonds or insurance, an annual license will be issued for erecting, removing, servicing, repairing or maintaining all signs listed in this code.
- (e) Duration, Renewal of Sign Erector's License. Every license shall expire on the thirtieth (30th) day of June following the date of its issue. A sign erector's license may be renewed upon filing a renewal application and payment to the City Clerk of the renewal fee of one hundred twenty-five dollars (\$125) prior to expiration of the current license. Should any person fail to obtain a renewal license by July 1st s/he will be required to make application for and take the examination for a new license in the same manner as a new applicant.
- (f) Application for Sign Permit by Licensee. A person with a sign erector's license may lawfully obtain sign permits in their own name or the name of their own sign erector business or for a corporation or firm that is actively engaged in the sign contracting business with a and has a recognized business location, provided such person is permanently employed by such firm or corporation.
- (g) Transfer of Sign Erector's License Prohibited. It shall be unlawful for any person with a sign erector's license to allow the use of her/his license, directly or indirectly, for the purpose of obtaining local permits for others.
- (h) Discontinuance of Licensee's Employment. In the event that any person holding a sign erector's license shall sever her/his employment with an sign contracting and erection business entity that has been in continuous operation within the City for a period of one (1) year or more and there is no other person in such firm, association or corporation, or employed by it, who is licensed under the provisions of this chapter, the Director Zoning Administrator may issue permits to the business for a period of thirty (30) days from the date the licensee's employment was severed. At that time, if the firm wishes to continue in the business of sign erecting, another member or employee must apply for a license to conduct the business of outdoor sign erection and contracting according to the provisions of this ordinance. In the event that such applicant fails to obtain such license and the firm wishes to continue in the business of sign erecting, t it shall employ a properly- licensed outdoor sign erector to conduct the business of outdoor signs erection and contracting within thirty (30) days after said applicant for license has been notified of her/his failure to meet the license requirements. If work done by said business during the interim 30-day period above, fails to meet all requirements of the Madison General Ordinances and applicable state law, Director Zoning Administrator shall not issue further sign permits until the business has properly obtained a sign

erector's license under this section.

- (i) Revocation of Sign Erector's License, Appeal. Any license may be revoked by the Building Board of Examiners and Appeals should the licensee violate this Ordinance or any other law or ordinance relating to signs. No license shall be revoked except by a majority vote of the Building Board of Examiners and Appeals at a regular meeting, and no license shall be revoked unless the licensee has been notified in writing of the charges against her/him at least ten (10) days before such meeting. The licensee shall have the right to appear before the Board to answer the charges and present testimony in her/his defense. A person whose license has been revoked under this section shall not again be licensed within a period of one (1) year from date of such action.

Any person aggrieved by any decision of the Building Board of Examiners and Appeals regarding the revocation of a sign erectors' license under this subsection may, within thirty (30) days after the filing of the decision in the office of the Board, commence an action seeking the remedy available by certiorari, or forever be barred.

- (j) Bonds and Liability Insurance. Every person licensed to erect signs shall file with the Director Zoning Administrator a performance bond in the sum of ten thousand dollars (\$10,000) with sureties satisfactory to the Risk Manager conditioned that such person shall faithfully comply with the provisions and requirements of this ordinance with respect to the construction, alteration or location and safety of said signs and conditioned further to indemnify, save and hold harmless the City of Madison its public officers and employees from any and all claims, damages, losses, liabilities, actions, suits or judgments which may be presented, brought, secured or sustained against the City or any of its officials on account of the construction, maintenance, alterations or removal of any said signs or by reason of any accidents caused by or resulting therefrom. In addition, every person licensed to erect signs shall carry commercial general liability insurance with no less than the following limits of liability; bodily injury, death and property damage of one million dollars (\$1,000,000) in the aggregate. This policy shall also be endorsed for contractual liability in the same amount. As evidence of that coverage the licensee shall provide a Certificate of Insurance, on a form provided by the City.

See ID #09802 for recently-adopted new CDR procedure, in the format of the existing code.(sec. 31.04(2)(b).) Changes shown here are to reflect anything new that was done in 09802. Those changes must be translated into the format and new numbering system of this ordinance. The substance will be the same as what was just adopted...

31.043

URBAN DESIGN COMMISSION AND COMPREHENSIVE DESIGN REVIEW.

The authority of the Urban Design Commission of the City of Madison ("UDC") to act upon all matters relating to signs shall be exclusively as described herein and Sec. ~~33.02~~; 33.24. The fee for any application to the UDC under this section shall be as described in sec. 31.043.

- (1) Inspection Unit Zoning Administrator Appeals. Hear appeals of decisions of the Zoning Administrator and, where applicable, Official Notices issued by the Director of the Neighborhood Preservation and Inspection Division Unit or the Zoning Administrator, relating to signs, except decisions regarding structural or mechanical concerns are not appealable.
- (2) Modifications of height, area or setback. After a public hearing as provided in Section ~~33.02(4)(e)3~~; 33.24(4)(e)3, the UDC may Approve a sign with up to twenty-five percent (25%) greater net area or 25% higher than the maximum height otherwise allowed, or reduce the required yard or setback if such approval:

- (a) Is necessary for a sign located on the site of an establishment to be identifiable and legible from the nearest roadway at prevailing speeds; and
 - (b) Will result in a sign more in scale with the building and site and in a superior overall design.
- (3) Additional Sign Code Approvals. After a public hearing as provided in Sec. ~~33.02(4)(e)3., 33.24(4)(e)3.,~~ the UDC may:
- (a) Permit signs ~~which~~ that will front on roads which according to the official map or capital improvement program indicate a change of size of that road or a change of zoning in the future as if the change were currently in effect;
 - (b) Permit the use of an above-roof sign on a given zoning lot in a commercial district provided that if the signs on adjacent properties reduce the effectiveness of other types of conforming signs or where topographic relationships between structures and right-of-ways would deem their use appropriate;
 - (c) Permit the use of an above-roof sign when the architecture of the building does not provide a reasonable signable area;
 - (d) Permit the use of wall signs on building facades not adjacent to off-street parking areas where, due to a variation of building setbacks, a signable area exists, provided the area of the sign shall not exceed the area of the wall sign permitted on the front of the building;
 - (e) Permit an above-canopy sign that crosses architectural detail to be erected closer than five (5) feet to the nearest face of a building under Sec. 31.071(2)(c), if the proposed sign would not substantially detract from the contribution of the architectural detail to the overall building design.
 - (f) Approve additional street graphics for wayfinding purposes on certain zoning lots as authorized under sec. 31.14(2)(b)4.a.; and
 - (g) Approve a condominium identification street graphic of up to thirty-two (32) square feet, as authorized under sec. 31.14(2)(b)6.
 - (h) When allowed under this Chapter, approve the use of a banner in place of a permanent sign in all Urban Design Districts.

(4) Comprehensive Design Review (“CDR.”)

The Urban Design Commission may approve a Comprehensive Sign Plan on a building site or zoning lot, to allow special allowances in number of ground signs and signable area for any zoning lot, for all signs on private property regulated under this Chapter, beyond the restrictions contained elsewhere in this Chapter, and which may also incorporate other approvals authorized in ss. 31.043(2) and (3), above, in order to meet the following purpose:

The purpose of the Comprehensive Design Review is to determine whether unique, exceptional, and innovative use of materials, design, color, lighting, and other design elements, resulting in visual harmony created between signs, building(s), and building site, are sufficient to warrant special allowances in number of ground signs or signable area beyond the restrictions contained elsewhere in this Ordinance. The Comprehensive Sign Plan shall encompass only the proposed new signs requested by the applicant and approved by the UDC, and any approved modifications to existing signs on the same building site or zoning lot, and under the control of the applicant. For the signs included in the Comprehensive Design Review, the restrictions of this Ordinance shall not apply and there shall be no predetermined requirements for those signs except those requirements which shall be made part of the approved Comprehensive Sign Plan.

(a) Comprehensive Design Review Procedure.

1. The applicant shall file the required application with the required fee(s); submit site plans showing all existing and proposed buildings and signs, location and dimensions of each requested signable area; a color graphic of each proposed sign with dimensions; and any other materials as may be required by the UDC or elsewhere in these Ordinances.
2. The UDC shall hold a hearing to review complete applications that includes all information required under this subsection. The UDC's decision to approve a Comprehensive Sign Plan shall be after a public hearing on the application. following The hearing shall be conducted according to the UDC's procedures for a public hearing in sec. 33.02(4)(e)3: 33.24(4)(e)3., but the appeal process shall be as described herein.
3. The UDC shall review all proposed and existing signs on the buildings and zoning lot, and may require modifications to existing signs over which the applicant has control.
4. The UDC shall make a final decision on all applications for CDR that include the information required herein, within sixty (60) days of the date of the application, unless the applicant waives this deadline in writing or in person at a UDC meeting. **Failure to make a decision on an application within the 60-day deadline, (or later deadline if the 60 days was waived) shall be deemed a denial of the application by the UDC. CONSIDER ADDING THIS....**

(b) Comprehensive Design Review Criteria. The UDC shall apply the following criteria upon review of an application for a Comprehensive Sign Plan:

1. The Sign Plan shall create visual harmony between the signs, building(s), and building site through unique and exceptional use of materials, design, color, any lighting, and other design elements; and shall result in signs of appropriate scale and character to the uses and building(s) on the zoning lot as well as adjacent buildings, structures and uses.
2. Each element of the Sign Plan shall be found to be necessary due to unique or unusual design aspects in the architecture or limitations in the building site or surrounding environment.

3. The Sign Plan shall not violate any of the stated purposes described in ss. 31.02(1) and ~~33.02(2); 33.24(2)~~.
4. All signs must meet minimum construction requirements under sec. 31.04(7).
5. The Sign Plan shall not approve Advertising Signs or Off-Premise Directional Signs beyond the restrictions in Sec. 31.11.
6. The Sign Plan shall not be approved if any element of the plan:
- presents a hazard to vehicular or pedestrian traffic on public or private property,
 - obstructs views at points of ingress and egress of adjoining properties,
 - obstructs or impedes the visibility of existing lawful signs on adjacent property, or
 - negatively impacts the visual quality of public or private open space.
- ~~7. The Sign Plan may only encompass signs on private property of the zoning lot or building site in question, and shall not approve any signs in the right of way or on public property.~~
- (c) Comprehensive Sign Plan Approval. An approved Comprehensive Sign Plan shall include all approved new signs and any required modifications to existing signs on the same building site or zoning lot, over which the applicant has control.
- (d) Changes to Comprehensive Sign Plan. Any changes to the approved plan must first be approved by the UDC using the full CDR process under 31.043(4)(a), except that the Zoning Administrator may grant approval for minor changes that are compatible with the concept approved by the UDC and the standards in sec. 31.043(4)(b), upon approval of the Planning Unit Division Director or designee.
- ~~(d)(e)~~ Violation of Approved Comprehensive Sign Plan. Once a Comprehensive Sign Plan has been approved, no person shall erect or cause to be erected any sign not approved on the Plan, or alter or relocate any sign displayed pursuant to the Plan, without first obtaining approval under the procedures in 31.043(4)(d) above, and obtaining all required sign permits from the Zoning Administrator.
- (5) Appeals from Decisions of the UDC. ~~The A~~ decision of the Urban Design Commission under this ordinance shall be a final administrative decision for purposes of judicial review. Any person aggrieved by the decision of the Urban Design Commission may commence an action seeking the remedy available by certiorari within thirty (30) days of the decision.

31.044

SIGNS EXEMPT FROM PERMIT.

- (1) Signs Exempt from Permit. Consistent with the purpose and scope of this ordinance, the Common Council recognizes that certain temporary, necessary, or limited-purpose signs may be displayed without obtaining a permit, subject to the safety and aesthetic regulations herein. The Common Council finds that the following signs may be displayed without a permit because they serve an immediate or temporary traffic safety or wayfinding function, including but not limited to the temporary replacement or relocation of permitted, permanent signs during construction; serve a governmental purpose; are permitted or mandated by city ordinance, state or federal law; allow freedom of speech and expression in a timely manner; allow political expression during election periods; or the size, location or duration of the sign as regulated herein is not significant enough to require review and a permit prior to display of such sign.

No permit shall be required for the following signs when displayed according to the following provisions and any other requirements of these Ordinances or applicable law. When zoning districts are indicated, such signs are only exempt from permit in those districts. When no zoning district is indicated, the following signs are exempt from permit in all districts. These exempt signs may not be illuminated unless expressly stated herein or elsewhere in this chapter:

- (a) Athletic Field Signage. Signs, banners, and scoreboards designed solely for view from spectator areas and displayed on interior walls, fences, or other structures located inside an enclosed athletic field at a school, park, or other public or private athletic complex; except that approval of the Park Commission shall be required to display a sign, banner or scoreboard under this paragraph at a city park. Scoreboards that qualify under this paragraph may include flashing elements, if adequate screening is provided to screen the views from abutting streets, as approved by the Director of Planning and Community and Economic Development and Traffic Engineer. For purposes of this paragraph, a "school" shall mean public schools as defined in Wis. Stat. Sec. 115.01(1), private schools defined in Wis. Stat. Sec. 115.001(3r), and technical colleges authorized under Wis. Stat. Chapter 38. Athletic field signage may be illuminated.
- (b) Awning Signage. Signs displayed on the lowest twelve inches (12") of the principal face or side panels of awnings provided they do not exceed six inches (6") in height. May be illuminated externally. See sec. 31.06 for dimensional and internal illumination requirements, and for additional awning signs that require a permit.
- (c) City signs on City property erected by Parks Division, Traffic Engineering Division, or the Community and Economic Development Unit of the Department of Planning and Development on City-owned lands, park property or City-owned and occupied buildings.
Maximum Gross Area: twenty-four (24) square feet.
Maximum Height: minimum of two (2) feet and maximum of ten (10) feet above the curb.
Illumination: Yes.
- (d) Construction-Related Temporary Signs.
1. Street Occupancy Signs. Signs displayed on street occupancy barricades, passageways and fences that have been erected pursuant to a valid street occupancy permit issued under sec. 29.10(7); denoting only the owner, occupant, architect, engineer or contractor(s) of the project for which the street occupancy permit was issued. See 29.10(7) for maximum number of signs and any gross area, height, and setback requirements.
 2. Construction Directional Signs. Temporary signs displayed on private property for a limited period of time, to identify the location of and entrance to a business that remains open when normal access or pedestrian or vehicle traffic flow has been diverted by construction or road work so as to decrease the effectiveness of existing permanent signs, when approved by the Zoning Administrator. The Zoning Administrator shall approve the quantity, placement and duration of such signs to ensure traffic and pedestrian safety.
Maximum Gross Area: total signage shall not exceed thirty-two (32) square feet, square footage may be divided.

Maximum Height: ten (10) feet.

Illumination: No.

3. Project Signs. Temporary signs on private property, describing a construction or improvement project, including the name of contractors, architects, engineers, investors, owners and occupants; and displayed only while the project is under construction and valid building permits are in force.

Maximum Gross Area: total signage shall not exceed thirty-two (32) square feet in Residential, Agricultural and Conservancy districts, one-hundred and forty-four (144) square feet in all other districts. Square footage may be divided.

Maximum Height: Eight (8) feet in Residential, Agricultural and Conservancy districts, ten (10) feet in all other districts.

Setback: ten (10) feet.

Number of Signs: one (1) per street frontage in the Residential, Agricultural and Conservancy Districts.

Illumination: No.

- (e) Election Campaign Signs. A sign containing a “political message” displayed during an “election campaign period”, as those terms are defined in Section 12.04 of the Wisconsin Statutes. Such signs shall not have any electrical, mechanical or audio auxiliary component, and shall not be attached to or placed on utility poles, trees, traffic devices, or within the public right-of-way and, if affixed to a permanent structure, shall not extend beyond the perimeter of the structure or obstruct any window, door, fire escape, ventilation shaft or other area that is required to remain unobstructed by an applicable building code.

Maximum Gross Area: twelve (12) square feet

Maximum Height: fifteen (15) feet when displayed on a wall, six (6) feet if displayed on a wooden stake

Setback: ten (10) feet.

Number: one per candidate or cause

Illumination: No.

- (f) Holiday or Temporary Decorations. Holiday or other decoration displayed temporarily on private property, that does not contain any commercial message or logo or depict any commercial symbol or character and that does not exceed fifteen (15) feet in height.

Illumination: Yes.

- (g) Identification signs.

1. Identification signs, including those displayed for a home occupation under sec. 28.04(26), allowed in the residential, agricultural or conservancy districts under sec. 31.14(2)(b)1., 2.

Maximum Gross Area: two (2) square feet for single family or 2-unit residential uses, three (3) square feet for multiple family

Maximum Height: twelve (12) feet or one (1) story, whichever is lower.

Illumination: No.

2. Identification signs denoting only the name and profession of the occupant in a commercial building, public institutional building or dwelling.

Maximum Gross Area: two (2) square feet

Maximum Height: twelve (12) feet or one (1) story, whichever is

lower.

~~3. Sec 28.04(6)(e)2. for height, area and setback requirements for identification signs in the RPSM district.~~

4. Illumination: No.

- (h) Leaflet-type Temporary Notices, flat-mounted to kiosks or public information boards, on private property, or in the public right-of-way pursuant to the encroachment proceedings in Section 10.31 of the Madison General Ordinances. Kiosks and information boards help to minimize and eliminate clutter and provide convenient alternatives to attachment of leaflets to trees or public structures in the right-of-way. Maximum Gross Area: shall not project beyond the edge of any plane of the kiosk or board, when flat-mounted to the kiosk or board.
Illumination: No.
- (i) Memorial Signs or Tablets, such as cornerstones, denoting only the names of buildings and date of erection, cut or set into a masonry surface and displayed on a wall only. Maximum Gross Area: Twelve (12) square feet.
Number: one (1) per street frontage.
Illumination: No.
- (j) Merchandise Signs in Commercial and Manufacturing Districts.
Maximum Gross Area: nine (9) square feet
Maximum Height: eight (8) feet
Number: two (2) per street frontage
Illumination: No.
- (k) Noncommercial. Signs expressing a noncommercial message that do not fit into any other category of sign permitted or allowed by this ordinance, or signs in a location and size permitted or allowed under sec. 31.14 that display a noncommercial message pursuant to sec. 31.04(1)(c).
Maximum Gross Area: twelve (12) square feet in residential districts, thirty-two (32) square feet in all other districts.
Maximum Height: one (1) story or twelve (12) feet, whichever is lower in residential, conservancy or agricultural districts (see 31.14,) and fifteen (15) feet in all other districts.
Setback: ten (10) feet in residential districts, same as ground signs under 31.08 in all other districts
Number: one (1) per street frontage.
Illumination: No- in residential, conservancy or agricultural districts. Yes, if in a location and size that would otherwise be allowed to be illuminated.
- (l) Parking Lot Signs.
1. Parking Lot Regulation Signs.
Maximum Gross area: nine (9) square feet
Setback: ten (10) feet
Number: no limit
Illumination: Yes, except in residential districts
 2. Parking Lot Directional Signs.
Maximum Gross area: three (3) square feet
Maximum Height: ten (10) feet
Setback: None
Number: two (2) per street frontage, but no limit on number if setback more than one-hundred (100) feet from the property line.
Illumination: Yes, except in residential districts.
 3. Parking lot traffic signs required by law. See also sub. (m).
 4. Other Parking lot signs allowed under sec. 31.14.

- (m) Portable Signs displayed pursuant to sec. 31.046(2)(b).
- (n) Public-hearing-notice signs provided by the Department of Planning and Development, denoting the times and locations of public hearings before the Plan Commission and Common Council on applications for zoning map amendments or conditional uses, as required by ss. 28.12(10)(e) and 28.12(11)(f).
- (o) Real estate signs advertising only the sale, rental or lease of the premises upon which the sign is located.
 - Maximum Gross Area: twelve (12) square feet in residential districts, thirty-two (32) square feet in Special, Commercial, Office, Manufacturing Districts.
 - Maximum height: one (1) story or twelve (12) feet, whichever is lower in residential, conservancy or agricultural districts (see 31.14,) and fifteen (15) feet in all other districts.
 - Minimum setback for a ground sign: ten (10) feet.
 - Number: one (1) per street frontage.
 - Illumination: No.
- (p) Traffic or other official government signs placed, authorized or required by the City or other authorized governmental agency, including but not limited to official traffic control devices defined in Wis. Stats. sec. 340.01(38) (2005-06), official traffic signs and signals, other municipal signs, legal notices, railroad crossing signs, warning and temporary emergency signs, mandatory gasoline motor fuel price signs as regulated by Wis. Stat. ss. 100.18 and 168.11(2005-06) or by other law, or warning signs on utility poles, fixtures or structures. The requirements for gross area, height, setback, other size, materials or physical specifications (including illumination) shall be as required by law or the authorizing agency.
- (q) Window signs as regulated under Section 31.10 of this Ordinance.

31.045 UNSAFE AND UNLAWFUL SIGNS AND STRUCTURES.

- (1) General Enforcement.
The authority of the Director of the Inspection Unit Zoning Administrator or designee ("Director") with respect to unsafe, insecure or unlawful signs, or any sign found to in violation of this ordinance is as described in sec. 31.04(2) and (4) herein.
- (2) Maintenance and Removal of Signs.
 - (a) All signs and structures shall be properly maintained and kept in an overall clean, neat state of appearance. It shall be the responsibility of the permit holder or property owner to maintain signs and structures.
 - (b) Abandoned Signs. Signs that no longer serve the purpose for which they are intended, or are not maintained, or which have been abandoned, shall be removed by the most recent permit holder, the property owner, or by the City, at the expense of the property owner and may be charged to the property owner as a special charge. The Director of the Inspection Unit Zoning Administrator shall keep an accurate account of the cost of such removal and bill the property owner. If any account remains unpaid, the Director Zoning Administrator may report the same to the City Comptroller, who shall annually prepare a statement of all special charges at each lot or parcel of land and report the same to the City Clerk, and the amount therein charged against said lot or parcel of land shall be entered in the tax roll as a special charge against said lot or parcel, and the same shall be collected in all respects like any other special charge upon real estate under sec. 66.0627 of the Wisconsin Statutes.
 - (c) Damaged or defaced signs shall be cleaned, repaired or removed by the most recent permit holder or property owner, or by the City of Madison under 31.04(4).
- (3) Hazardous or Prohibited Signs, Structures and Conditions.
 - (a) Bracing of Signs. No sign or structure or any part of such structure as defined in the

preceding sections, or any anchor, brace, guidewire guywire or guide rod shall be attached, fastened or anchored to any fire escape, fire ladder or stand pipe, and no such structure or any part of such structure or anchor brace, guidewire or guide rod shall be erected, put up or maintained so as to cover or obstruct any roof, required doorway, required window or other opening of any building so as to prevent or hinder ingress or egress through such required door, doorway, window, exit or other opening, or so as to prevent or hinder the raising or placing of ladders against such building by a Fire Department as necessity may require.

(b) Signs Not to Constitute a Traffic Hazard. No sign regulated by this ordinance shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision as further delineated in other sections of this ordinance; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or that makes use of the words "STOP", "LOOK", "DRIVE-IN", "DANGER", or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse traffic.

(c) Public Right-of-Ways. No sign, advertisement, cabinet or obstruction, or any other object shall be placed upon, over, or in any public highway right-of-way, including the sidewalk, street, alley or any public ground or lands, or upon posts, trees or other supports in any public street or public ground, except that this section shall not be construed to prohibit the erection or placing of official traffic control devices, signs, signals or markers or other signs authorized by law or this ordinance, or of any other object specifically authorized by law of the State of Wisconsin or by these ordinances. This section shall not prohibit carrying of portable hand-held signs on the sidewalk or other pedestrian ways, when done so in compliance with Sec. 31.04(6)(k)5.

(d) Suspended Signs. No sign or other structure as defined in this section shall be fixed to or suspended from any other sign so that the distance from the lower side of the sign or projection will be less than eight (8) ten (10) feet from the top of a pedestrian walkway.

(e) Signs Affixed Flat Against Building Walls. No sign affixed flat against a building wall shall extend beyond any edge of such wall, and no sign shall be painted or posted directly upon any wall except as provided for in Section 31.15(2) and Section 33.01(5)(d) or (e). See also sec. 31.07 for the regulation of wall signs in commercial, office and manufacturing districts.

(f) Use of Motion Picture Machines, Projected Images, or Stereopticons in Conjunction With Signs. No person shall use, operate or employ any motion picture machine, projected images or stereopticons in conjunction with any signs or structure, building, wall, sidewalk, street or any other structure. Any projected images, video, or other electronic light or laser displays projected onto a sign, building or structure are prohibited unless expressly allowed elsewhere in these Ordinances.

(g) 1. Motion signs. All Motion signs, as defined in sec. 31.03(2), are prohibited. Flags and decorative and promotional banners allowed under sec. 31.075 are not considered "motion signs."

2. Attention-getting Objects. All Attention-Getting Objects, defined in sec. 31.03(2), whether or not attached to or displayed in connection with a sign, are prohibited. Flags and decorative and promotional banners allowed under sec. 31.075 are not considered "attention getting objects."

(h) Flashing Signs. All Flashing signs, as defined in sec. 31.03(2), are prohibited regardless of the frequency of the flashing. Signs displayed in compliance with sec. 31.046(1) and motion signs displayed in compliance with sub. (g)1. above, shall not be considered in

violation of this prohibition. Official traffic control devices are exempt from this prohibition.

(i) **Digital Image Signs.** Digital Image Signs, as defined in sec. 31.03(2), whether static or animated, are prohibited.

(h) (j) **Signs on Bridges and Overpasses.** No person shall display, place, erect, post, maintain, install, affix, or carry any sign, including a hand-carried sign, on any portion of a vehicular or pedestrian bridge or overpass that passes over a freeway or expressway as defined in Wis. Stat. sec. 346.57, or a controlled access highway as defined in Wis. Stat. sec. 990.01, when such highway has a speed limit of more than 40 miles per hour, whether the highway is under the jurisdiction of the federal, state or local government, provided that such sign is visible from such freeway, expressway or controlled access highway.

This paragraph shall not apply to "official traffic control devices" as defined in Wis. Stats. sec. 340.01(38), ~~2003-04 (2005-06)~~ and as may be amended, which are authorized by law and erected by the authority having jurisdiction over the highway or right of way. Nothing in this subsection shall be construed to limit or restrict the application of Secs. ~~31.04(6)(c) or (e)~~ 31.045(3)(b) and (c) of this ordinance, Wis. Stat. Chapter 86 and any regulations created by the Department of Transportation, or any other federal, state or local law that prohibits or restricts the placement of signs in highways or other right-of-ways. (Cr. by ORD-05-00193, 12-20-05)

31.046 MISCELLANEOUS SIGNS

(1) **Electronic Changeable Copy Signs.** Electronic Changeable Copy Signs, as defined in 31.03(2), may be displayed on a wall, roof, above-roof, ground, projecting, or canopy sign, in the commercial, office, manufacturing districts, and upon non-residential uses in special districts, according to the following criteria:

(a) The sign shall conform to all applicable provisions of this Chapter (area, placement, etc.) for the type of sign in question.

(b) The electronic changeable copy or images shall not alternate, change, fade in, fade out, or otherwise change more frequently than once every hour.

(c) Scrolling, racing, pixelating or moving characters or images, or those that have the appearance of movement, are prohibited for any reason, including as a method of changing copy once per hour under sub. (b) above.

(d) All copy/characters or other changeable images shall be of one (1) color only, with light copy on a dark background.

(e) Exceptions:

1. scoreboards approved under sec. 31.044(1)(a).

2. Official traffic control devices defined in Wis. Stats. sec. 340.01(38) (2005-06).

3. A sign with electronic changeable copy that displays only motor fuel prices or gasoline-ethanol fuel blend prices as regulated by Wis. Stat. ss. 100.18 and 168.11 (2005-06), may be exempt from sec. 31.046(1)(a), (b) or (d) but is not exempt from 31.046(1)(c).

4. **Time and Temperature.** Signs with changeable copy displaying only the time and temperature may change as frequently as necessary to display the correct time and temperature, and are therefore exempt from 31.046(1)(b), but are not exempt from 31.046(1) (a), (c) and (d). The time and temperature may be displayed on any sign where allowed by this Chapter, in any zoning district

other than the residential district.

(g) Signs displayed in compliance with this section (31.046(1)) shall not be considered in violation of the prohibition against Flashing Signs in sec. 31.045(3)(h).

(h) Prohibition. Any sign that displays electronic changeable copy or other digital, electronic or internally illuminated text or images in violation of the above criteria, is prohibited.

(2) Portable Signs.

(a) Display on Private Property.

Hand-carried portable signs may be displayed on a zoning lot in any zoning district with the owner's permission and without a permit. Other

Portable signs may be displayed on a zoning lot in the Commercial and M1 districts with a permit and subject to the following:

1. Size. The maximum area of the portable signs including all supporting structures, shall be no greater than two (2) feet by three (3) feet on a side, with a maximum of two (2) signable sides or faces. Sign copy shall not be displayed on more than two (2) sides or faces and shall not extend beyond the outer edges of the sign structure.
2. Number. A maximum of one portable sign (1) per street frontage and two (2) per zoning lot may be displayed.
3. The portable sign shall only be displayed when the business or organization to which the sign refers is open for business.
4. A portable sign shall be free-standing, self-supportive and constructed of substantial materials so as to withstand moderate wind velocity as required by sec. 31.04(5)(f), and otherwise not create a hazard.
5. No portable sign shall be displayed within an entryway or exit that is required to remain unobstructed by any applicable ordinance, state or federal law.

6. Illumination. Portable signs shall not be illuminated.

(b) Display on Public Property. Portable signs may be displayed on public property only as follows, and may be displayed without a sign permit:

1. Portable signs used in a parade for which a permit has been issued under Section 12.87(11).
2. Portable signs displayed during and within the confines of an event for which a valid street use permit has been issued under Section 10.056, or displayed on private property directly adjacent to the area for which the street use permit has been issued and only while the street use permit is valid.
3. Portable signs used at a city park during and within the confines of an event for which a valid permit has been issued by the Parks Division of the City of Madison and only while the permit is valid.
4. Hand-carried portable signs on private property with the owner's permission or hand-carried signs on the public sidewalk or other pedestrian way, if the person carrying the sign or the sign itself is not in violation of other ordinances or laws applicable to the location and conduct, including but not limited to obstructing traffic, obstructing the sidewalk, trespassing, or conducting or participating in an event for which a parade permit, street use permit or park use special event permit would be required by city ordinance, but without such a required permit. Portable hand-carried signs shall be prohibited on certain bridges and overpasses as stated in Sec. ~~31.04(6)(m)~~ 31.045(3)(j) and this exception shall not apply. Nothing in this exception shall be construed to limit the application of Secs. ~~31.04(6)(c) or (e)~~ 31.045(3)(b) and (c) of this ordinance, Wis. Stats.

Chapter 86 and any regulations created by the Department of Transportation, or any other federal, state or local law that prohibits or restricts signs in highways or other right-of-ways, except as expressly stated herein. (Cr. by ORD-05-00187, 12-20-05)

5. Illumination. Portable signs under this subsection shall not be illuminated.

(c) All other portable signs shall be prohibited.

(2) Inflatable Signs. Inflatable signs, other than the exceptions enumerated herein, shall be prohibited because they are generally more distracting and hazardous to pedestrian and traffic safety, tend to have an anchoring device that is less reliable under wind pressure, and out of scale and less compatible with surrounding structures and signs. The following inflatable signs may be displayed as describe below:

(a) Parades. Balloons and inflatable figures and displays used in a parade for which a permit has been issued under Section 12.87(11).

(b) Street Use Events. Inflatable signs, including registered hot air balloons moored and being used primarily as a sign, displayed during and within the confines of an event for which a valid street use permit has been issued under Sec. 10.056, or on private property directly adjacent to the area for which the street use permit has been issued, while the permit is valid, subject to the following conditions:

1. A Certificate of Insurance, on a form acceptable to the City, showing that commercial general liability insurance is provided for the inflatable device with the City of Madison, its employees and agents being named as additional insureds. Liability coverage shall include no less than the following limits of liability; bodily injury, death and property damage of one million dollars (\$1,000,000) in the aggregate. This policy shall also be enforced for contractual liability in the same amount.
2. Displays may not exceed thirty-five (35) feet in height and may not be displayed from rooftops or moored or tethered with the device floating more than one foot off the ground, unless approved by the Common Council under Sec. 10.056 or the Board of Park Commissioners for displays in public parks;
3. Displays must be set back sixty (60) feet from the traveled portion of any public street or highway and one hundred (100) feet from any intersection, unless approved by the Common Council under Sec. 10.056 or the Board of Parks Commissioners for displays in public parks;
4. Displays may not occupy parking spaces for the handicapped, drive aisles, or required parking spaces for multi-tenant properties and must be safely displayed in accordance with the manufacturer's instructions and any applicable Federal Aviation Administration (FAA) regulations.

(c) The following inflatable devices shall not be considered a sign:

1. Registered hot air balloons in use and momentarily moored but not being used primarily as a sign.
2. Novelty-type balloons less than two (2) feet in diameter and less than three (3) feet in any dimension tethered or moored no more than ten (10) feet above the ground.
3. Inflatable holiday or other decoration displayed temporarily on private property of a residential use, that does not contain any commercial message or logo or depict any commercial symbol or character and that does not exceed fifteen (15) feet in height.

31.05 NONCONFORMING SIGNS. - THIS SEC. NEEDS ATTENTION

- (1) Any existing sign (except an Advertising Sign) that was conforming at the time of erection and becomes nonconforming on the effective date of this Ordinance or subsequent amendment, may be continued if no increase in size, illumination, or flashing of such sign shall be made. In the event of a change of zoning use on the zoning lot in question, all signs shall conform to the provisions of this Chapter for of the zoning district in which said signs are located, except as provided for in Section 31.05(3), or where two or more uses share a single ground sign, and one or more of those uses are changed, copy may be changed accordingly to serve the new use(s). However, if all uses that share the ground sign are changed simultaneously, that ground sign shall be brought into conformity with the current provisions of this Chapter for of the zoning district in which the sign is located. If an existing nonconforming sign is removed (or substantially removed), destroyed, etc. or otherwise ceases to exist, the sign loses its nonconforming status under this section.
- (2) **Nonconforming Advertising Signs.**
 - (a) Any existing advertising sign, and its supporting structure if other than a wall sign, located on any zoning lot with frontage on State Street, on the Inner or Outer Ring or on streets connecting the Inner Ring and Outer Ring, shall be removed by the owner thereof at no cost to the City no later than December 31, 1983. For purposes of this subsection, the term "Inner Ring" shall mean the connecting pattern of streets abutting the Capitol Square, to wit: Main Street, Pinckney Street, Mifflin Street and Carroll Street. The term "Outer Ring" shall mean the connecting pattern of streets one block off the Capitol Square, to wit: Doty Street, Webster Street, Dayton Street and Fairchild Street. All other existing advertising signs within the No Advertising Sign District, except for the Howard Johnson directional bulletin located at 525 University Avenue which may only continue as a directional sign, the two roof signs located at 753 East Washington Avenue and the three ground signs located at 640 Williamson Street, shall be removed by the owner at no cost to the City at the rate of no less than one sign per year beginning in calendar year 1983. However, all such signs shall be removed no later than December 31, 1989.
 - (b) Any other advertising sign existing as of November 1, 1983, including those excepted from or otherwise not included in the areas set forth in Subdivision (a) above, may be continued provided that it may not be relocated, replaced, expanded, enlarged, repositioned or raised in height. Such existing advertising signs may not be restored or reconstructed if damaged or destroyed by fire or other casualty or act of God to the extent that the total cost of restoration to the condition in which it was before the occurrence shall exceed 50% of its assessed value or the cost to replace with a new structure of equal quality, whichever amount is lower. The determination of eligibility for restoration or reconstruction hereunder shall be made by the Urban Design Commission and any restoration or reconstruction without the approval of the Urban Design Commission is prohibited. Violation of this subdivision shall result in the said sign being subject to immediate removal by the owner thereof at no cost to the City. Ordinary repairs or normal maintenance shall be considered required by law hereunder.
- (3) Existing nonconforming commercial uses in residential zoned districts may be permitted to erect signs that do not conform to the district in which such use is located provided such signs are approved as a conditional use by the Plan Commission according to the standards of Section 28.12(10)(g).

31.051 APPLICABILITY OF SECTIONS 31.06 TO 31.12

Sections 31.06 through 31.12 shall be applicable only in the zoning districts indicated in each of those Sections and sec. 31.15, "Tables of Permitted Signs." In no case shall any of the signs described in 31.06 through 31.12 be displayed in Residential, Agricultural or Conservancy Districts unless expressly allowed under sec. 31.14 or elsewhere herein.

31.06 AWNING SIGNS.

Signs may be displayed on an awning in the Commercial, Manufacturing and Office districts specified in Table 2, 31.15(2), and subject to the following provisions:

- (1) Signs may be displayed on the lowest twelve inches (12") of the principal face or side panels of awnings provided they do not exceed six inches (6") in height.
- (2) An awning may be designated a signable area as an alternative to one on the building facade, provided the awning does not exceed it in area. The area of signs displayed shall be no more than forty percent (40%) of the area of the principal face of the awning or two (2) square feet of signs for each lineal foot of building frontage, but not to exceed one hundred percent (100%) of the signable area.
- (3) Any internally illuminated awning to be erected on property zoned residential, or within one hundred (100) feet and directly across the street visible from property zoned residential or is adjacent to, or across the street from, a designated landmark or a public park, shall require City Plan Commission approval under the procedure and provisions of Section 28.12 (11), Madison General Ordinances, after review and recommendation of the Urban Design Commission.
- (4) The illumination level of an internally illuminated awning shall not exceed seventy-five (75) footlamberts.
- (5) Awning signs may be external illuminated, subject to sec. 31.04(6)(k).

31.065 BUSINESS OPENING SIGNS.

Business opening signs, as defined in sec. 31.03(2), may be displayed in the districts indicated in Sec. 31.15(2) (Table 2) of this ordinance, subject to the following provisions:

- (1) Type of Sign. A business opening sign may be a wall sign, roof sign, canopy fascia sign, or projecting sign.
- (2) Location. A business opening sign may be displayed in the districts indicated in sec. 31.15(2) (Table 2) of this ordinance. A business opening sign may be displayed in addition to, in lieu of, or affixed to a permanent sign of the type described in subsection (1) above.
- (3) Size. The size of a business opening sign shall be determined by the type of sign chosen, and shall be limited to the maximum size allowed for a permanent sign of that type at that location.
- (4) Banners. A banner may be used as a business opening sign.
- (5) Illumination. Business opening signs may be illuminated subject to sec. 31.04(6)(k).
- (6) Duration. A business opening sign may be displayed for a period not to exceed thirty (30) days from the date the business opened, changed names, or changed ownership; and shall not be renewed.

31.07 WALL, ROOF AND ABOVE-ROOF SIGNS.

- (1) Wall and roof signs may be displayed in the commercial, manufacturing and office districts, subject to the requirements of the Tables of Permitted Signs, Section 31.15.(1) (Table 1). Wall signs may be attached flat to, or pinned away from affixed parallel to and at a distance of not more than 15 inches from the wall. Wall and roof signs may be illuminated subject to sec. 31.04(5)(k).
- (2) Wall and Roof Signable Area. All wall and roof signs shall be displayed within the selected signable area, except as provided in subsections (4) and (5) below.
 - (a) Number of Signable Areas. There shall be one (1) signable area, whether on the wall or the roof, for each facade facing a street. There shall be no more than four (4) signable

areas per building, except:

1. For buildings with more than one occupant side-by-side: the signable area may be divided for building occupants when the building facade is divided by architectural details or internal segmentation that designating separate horizontal occupancies or tenant spaces. Each occupant/tenant will be allowed a signable area as reasonably close to its space as possible.

2. For multi-story buildings with more than one vertical occupancy, there may be up to two (2) additional signable areas per façade displayed above the first story, with no limitation on the height of placement, but a total of only one (1) sign per occupant, per façade, will be allowed.

(b) How to select and measure signable area: The signable area for wall and roof signs shall be determined as follows:

1. Wall signs. The signable area for a wall signs is determined by the area of the facade of the building that is free of doors, windows (for purposes of this definition, spandrel panels or other non-vision glass used as an exterior building material are not considered windows) or other major architectural detail, and that extends no higher than the juncture of the wall and the roof, or in the case of a facade that includes a parapet wall, no more than four (4) vertical feet of the parapet wall may be included in the measurement of the signable area.

2. Roof signs. The signable area for a roof signs is one (1) designated area of the roof that is free of windows and doors or major architectural detail, that extends no higher than the roofline.

3. Measuring signable area. The size of the signable area is determined by calculating the number of square feet that are enclosed by an imaginary rectangle or square drawn around the area selected pursuant to 1. and 2. above, and sub. (3) below.

(3) Above-roof signs. An above-roof sign is a sign, any portion of which is displayed above the roofline. Above-roof signs may be displayed in the M1 and M2 manufacturing districts and as allowed in sec. 31.04(2)(b)2.b.iii. and iv., if no wall or roof sign is displayed on the corresponding facade. The signable area for an above-roof sign is calculated on the corresponding wall facade and can be transferred above the roof line. An above-roof sign may extend to a maximum height of ten (10) feet above the roofline.

(4) Size. The permitted net area of wall, roof and above-roof signs shall be no more than forty percent (40%) of the signable area or two (2) square feet of signages for each lineal foot of building frontage, **except that for all Planned Developments (as that term is used in sec. 33.24(4)(b),) and when the total square footage of all buildings on the zoning lot is twenty-five (25,000) square feet or more, the maximum net area shall be thirty percent (30%) of the signable area, and the lineal foot method of measurement shall not be available.** If the net area is measured by lineal feet of building frontage, the total gross net area of the sign displayed shall not exceed one hundred percent (100%) of the signable area designated under sec. 31.07(2), above. However, the net area for wall signs in the RPSM **and RDC districts** shall be a maximum of **one-hundred (100)** square feet per sign, or 100% of the signable area, whichever is less.

(5) Signs Displayed on a Wall, but Outside Signable Area.

(a) Parking Lot Directional signs displayed in a location and with dimensions that otherwise inform to the requirements of this Ordinance for such signs.

(b) Menu boards placed at a height between 3 ½ to 8 feet off the ground and with a maximum net area of ten (10) square feet.

(c) Not more than one (1) logo, a maximum net area of six (6) square feet.

(d) Wall Signs Adjacent To Off-Street Parking. Wall signs may be displayed on the facade

of a building that does not face a street but is adjacent to an off-street customer parking area of at least thirty-three (33) feet in width, under the following circumstances: (1) if the parking area is on the same zoning lot as the building on which the sign is displayed; or (2) if the parking area is not on the same zoning lot but is available for use under a reciprocal cross-access agreement, an approved planned commercial development site plan or when a conditional use permit has been granted to the owner of an adjacent lot to allow accessory parking for the use within the building on which the sign is displayed. Such signs shall be subject to the same limitations as signs on the street side(s) of the building but shall not exceed the area of the maximum size wall sign permitted elsewhere on that building.

- (e) Any other wall signs allowed under sec. 31.042, Signs Exempt from Permit, or expressly permitted elsewhere in this ordinance.
- (6) **Large Buildings.** Additional signable areas may be designated on Large Buildings, as defined in 31.03(2), and wall, roof and above-roof signs may be displayed within those additional signable areas, as provided below:
 - (a) **Buildings exceeding 125 feet in length.** On each facade of the building, where wall, roof or above-roof sign(s) are displayed meeting the criteria of this section, up to four (4) additional accessory signs, as defined in sec. 31.03(2), may be displayed. The accessory signs under this paragraph shall not exceed 50% of the net area or 50% of the height of largest permitted wall, roof or above-roof sign already displayed on that facade.
 - (b) **Buildings five (5) or more stories in height.** For buildings five (5) stories or more in height, one (1) additional signable area for each facade may be selected. The signable area under this section shall be measured using the criteria under sec. 31.07(2)(b) except the total area of the additional signable area under this paragraph shall not exceed five percent (5%) of the area of the facade. The maximum net area of a sign displayed within this additional signable area shall be determined under sec. 31.07(4).
- (7) **Banners.** A banner may be used as a wall sign subject to the requirements for a wall sign under section 31.07(2), (4), (5)(b) and (5)(c) herein, except that in an Urban Design District, UDC approval is required under sec. 33.24 before a banner may be used in place of a permanent sign. A banner shall not be used for a roof or above-roof sign, or for any of the signs described in sec. 31.07(5)(a) or (6).

31.071 CANOPY SIGNS

A sign may be displayed on a canopy in the Commercial, Manufacturing and Office districts specified in 31.15(2) (Table 2), and subject to the provisions of this section. Canopy signs may be illuminated, subject to sec. 31.04(6)(k). Banners shall not be used as canopy signs.

- (1) **Canopy fascia signs.** A sign may be displayed on the fascia of a canopy. Such sign shall be considered a wall sign, with the fascia of the attached canopy acting as the signable area.

The signable area for a canopy fascia sign shall not project beyond the limits of the canopy in any direction, and shall be no wider than the width of the canopy.
- (2) **Above-canopy signs.** In lieu of a canopy fascia sign or wall sign, a maximum of one (1) sign may be erected on the top of an attached canopy, except where the canopy is facing two street frontages or facing an off-street parking area that is thirty-three (33) or more feet in width, if the parking area is on the same zoning lot as the building on which the sign is displayed, or if the parking area is not on the same zoning lot but is available for use under a reciprocal cross-access agreement, an approved planned commercial development site or when a conditional use permit has been granted to the owner of an adjacent lot to allow accessory parking for the use within the building on which the sign is displayed, a maximum of two (2) signs may be erected on the top of said canopy. Above-canopy signs shall be subject to the following additional restrictions:

- (a) The sign shall be the business name or business logo only.
- (b) The sign shall have a vertical dimension no higher than the roofline of the corresponding building facade and no higher than two (2) feet above the canopy, except as allowed in Sub. (2)(c)2., herein.
- (c) The sign shall be constructed only of free-standing letters, numbers, other characters, or free-standing business logos, subject to the following:
 - 1. The supporting sign construction for a logo must conform to the shape of the logo.
 - 2. A logo shall be limited to four (4) square feet in area measured by drawing the smallest possible square or rectangle enclosing the extreme limits of the logo. The logo shall not extend above the roofline of the corresponding building facade. However, a logo may exceed the two (2) foot height limit.
- (d) The horizontal dimension of the sign shall be no wider than the width of the attached canopy on which it is displayed, or the width of the corresponding facade, whichever is narrower.
- (e) An above-canopy sign may be placed at any distance from the face of the building, except a sign **which that** crosses architectural detail may not be displayed closer than five (5) feet from the nearest face of the building, unless prior approval of the Urban Design Commission has been obtained under Sec. **31.04(2)(b)2.b.vii. 31.043(3)(e).**

(3) Below-Canopy Signs. In lieu of a projecting sign, a sign may be displayed below an attached canopy with no signable fascia area, if the sign meets following criteria:

- (a) shall be mounted beneath the canopy, and
- (b) shall not project or extend beyond the limits of the attached canopy in any direction, and
- (c) shall not hang more than eighteen inches (18") from the bottom of the canopy, however this dimension shall be reduced as necessary to provide the following pedestrian or vehicular clearance: the sign must vertically clear any pedestrian area by at least ten (10) feet, and vehicular ways by at least fourteen (14) feet, and
- (d) shall project no more than twenty-four (24) inches into the public right-of-way.

(3)(4) Miscellaneous canopy signs. In lieu of a wall sign, a sign **that does not fit into any of the categories above** may be displayed on a detached canopy or an attached canopy with no signable fascia area, if the sign meets the following criteria: as described in Subsec. (1), if approved by the Urban Design Commission as part of a Comprehensive Design Review under Sec. 31.04(2)(b)2.b.vi. 31.043(3)(i).

- (a) The maximum **size net area** of any canopy sign approved under this subsection shall be not more than ten percent (10%) of the total area of an imaginary vertical plane measured from the upper edge of the canopy to the lowest point of the canopy on the face the sign will be attached, excluding any supporting structures.
- (b) The horizontal dimension of the sign shall be no wider than the width of the canopy on which it is displayed.
- (c) In no case shall a canopy sign be approved unless it is in compliance with Sec. 31.045(3)(d). In addition to meeting the objectives of a Comprehensive Design Review, any sign approved under this subsection shall integrate harmoniously into the design of the canopy structure, building, and overall signage treatment, and may be approved in lieu of other permitted signs as provided in this ordinance.
- (c) If mounted below the canopy, the sign shall not hang more than eighteen inches (18") from the bottom of the canopy, however this dimension shall be reduced as necessary to provide the following pedestrian or vehicular clearance: the sign must vertically clear any pedestrian area by at least ten (10) feet and vehicular ways by at least

fourteen (14) feet, and
(d) The sign shall project no more than twenty-four (24) inches into the public right-of-way.

(5) Nothing in this section shall be construed to permit canopy signage within any portion of the public right-of way beyond the criteria of this section.

31.075 PENNANTS, FLAGS AND DECORATIVE AND PROMOTIONAL BANNER(S).

Pennants, Flags, and decorative banners and promotional banners, as defined in sec. 31.03(2), may be displayed in the districts indicated in sec. 31.15(2) (Table 2), and subject to the following:

- (1) It shall be unlawful for the owner or occupant of any private property to permit the placement or display of any pennants, flags or decorative and promotional banners upon private property except in compliance with the following:
 - (a) A permit fee of twenty-five dollars (\$25) for each promotional banner.
 - (b) A minimum clearance of eight feet (8') shall be required over pedestrian ways and twelve feet (12') over vehicular areas.
 - (c) Review and approval by the Director of Planning and Community and Economic Development or her/his designee.
 - (d) No pennant, flag or banner shall be so installed to intrude into any public right-of-way.
- (2) It shall be unlawful for any person to install, place or display any pennant, flag, or decorative banner, or promotional banner in the public right-of-way except in compliance with the following:
 - (a) A permit fee of fifty dollars (\$50) for each promotional banner.
(Am. by Ord. 12,016, 2-2-98)
 - (b) A minimum vertical clearance of seventeen feet (17') shall be maintained from the roadway to the bottom of the banner when mounted on poles, except on State Street where the clearance shall be a minimum of sixteen feet (16'). When mounted to a structure, the minimum vertical clearance shall be no lower than the bottom of the structure.
 - (c) The maximum tensile strength of any rope, cord or other attachment device to be used for attaching banners to City property shall be four hundred (400) pounds.
 - (d) Attachment of any banner to a City pole shall be by existing eye bolts or other method approved by the City Department of Transportation.
 - (e) A certificate of insurance evidencing the existence of commercial general liability insurance shall be filed with the City Department of Transportation before banner installation with minimum limits of \$500,000 per occurrence with the City named as an additional insured.
- (3) Any pennant, flag, decorative banner or and promotional banner installed, placed, or displayed in the public right-of-way in violation of this ordinance shall be removed at the owner's expense which shall be in addition to and in excess of any forfeiture or storage fees for violating this ordinance.

31.08 GROUND SIGNS.

- (1) Applicability, Location. Ground signs shall consist of two categories, monument and pole signs. [UPDATE AFTER DEC. 2008 UDC] Ground signs under this section are permitted on a zoning lot in the zoning districts indicated in sec. 31.15(1), "Table 1," if the zoning lot is accessible by motor vehicle, or has off-street parking on the premises, or if the primary building or structure on the zoning lot is set back at least thirty-five (35) feet from the adjacent street or highway right-of-way. Ground signs permitted under this section may be illuminated, subject to sec. 31.04(6)(k). Ground signs in the RPSM and RDC districts shall be incorporated in the landscape plan, and shall include the provision of plant materials at the base of such

signs. This section and Table 1 do not apply to additional ground signs that are expressly authorized under another section of this Ordinance.

(2) Number, Height, Net Area.

(a) Number. No more than two (2) ground signs of the type permitted in this section may be displayed on a single zoning lot, unless approved by the Urban Design Commission through a Comprehensive Design Review under sec. 31.043 herein. "Zoning Lot" shall have the definition found in sec. 28.03(2), which includes a planned commercial site, or a lot, or lots; as further described in that section. However, for purposes of this section only, a planned commercial site that meets the criteria of sec. ~~28.04(24)~~ 28.09(3)(d)24. is considered a single zoning lot. Additional ground signs expressly authorized elsewhere in these Ordinances shall not be counted toward the maximum number of ground signs under this paragraph.

(b) Height. The height of a ground sign shall be measured from the top of the sign to the approved grade at the base of the supporting structure. The maximum height for all permitted ground signs under this Section varies by zoning district, the number of lanes and speed limit of adjacent highways, and whether the sign is supported by a single pole a Pole sign or Monument sign, as set forth in section 31.15(1), "Table 1." No ground sign shall exceed the maximum height allowed in Table 1. For purposes of Table 1, a "pole sign" is a ground sign for which the total width of the supporting structure, when viewed from the direction of the sign face, is no more than one-third (1/3) of the total width of the sign copy portion of the structure it supports. [UPDATE W/ LATEST DEF. AFTER DEC. 2008 UDC] (For ground signs with multiple faces, the widest face shall be used to determine this measurement.) supported by a single pole that is one third (1/3) or less in width than the total width of the sign copy structure it supports ("pole sign") A pole sign shall have a maximum height of twenty-two (22) feet, subject to the limits of Table 1. The maximum height of any permitted ground sign in the RPSM and RDC districts shall be six (6) feet. The maximum height for other exempt or special-purpose ground signs expressly authorized by another section of this ordinance, shall be as set forth in such other section. The maximum height for any other ground sign not addressed by this section or elsewhere in this ordinance, shall be fifteen (15) feet.

(c) Net Area. The net area of a ground sign shall be measured according to the definition of "Net Area" in sec. 31.03(2). The maximum net area for ground signs is determined in part by the speed limit of adjacent highways and is set forth in §. 31.15(1), (Table 1) and as follows:

1. The maximum net area of any ground sign face is the lower of the two numbers provided under Ground Signs in Table 1.

2. For a single ground sign with back-to-back or multiple sign faces, the net area of all sign faces shall be added together to determine the total net area of that ground sign.

3. The combined net area of all ground signs on a zoning lot shall not exceed the greater of the two numbers provided under Ground Signs in Table 1. This total net area may be divided between a maximum of two (2) ground signs or displayed on multiple faces, but in no case shall the net area of a single sign **face** exceed the smaller of the two numbers permitted in Table 1.

4. Ground Signs in RDC Districts. Ground signs in an RDC district shall comply with sec. 31.08, except that the maximum net area of any single ground sign face in RDC districts shall be thirty-two (32) square feet, and the maximum net area for

any single ground sign shall be sixty-four (64) square feet, per sign. The net areas and sign faces shall be measured as described above.

5. Ground Signs in the RPSM District. Ground signs in an RPSM district shall comply with sec. 31.08, except that the maximum net area shall be determined in part by the set-back of the sign, as follows:

<u>Sign is Set back:</u>	<u>Maximum Net Area:</u>
less than 3' from lot line	No Sign Permitted
3' to 10' from lot line	15 square feet
10' or more from lot line	32 square feet (total net area for any single ground sign shall be sixty-four (64) square feet. The net areas and sign faces shall be measured as described above for all ground signs.)

(3) Ground and Projecting Signs.

If ground and projecting signs are displayed on the same a zoning lot, only one (1) of such signs, where permitted may exceed twelve (12) square feet in net area.

(4) Banners Not to be Used as Ground Signs. A banner may not be used as or displayed upon a ground sign.

31.09 PROJECTING SIGNS.

(1) Projecting signs, as defined in sec. 31.03(2), may be displayed on buildings in the commercial, office and manufacturing districts specified in §. 31.15(2) (Table 2) and subject to the following restrictions:

(a) Minimum and Maximum Projection. A projecting sign, as defined in Sec. 31.03(2), is a sign that projects outward, perpendicularly from a wall at a distance of at least 15 inches or more from the building face. The maximum distance a projecting sign may project is not more than twenty-four inches (24") into the right-of-way. Where setbacks permit, projecting signs may project not more than six feet (6') from the building face.

(a)(b) Location. Occupants may display a total of one (1) projecting sign on a facade facing a street or on a corner of a building. Projecting signs may be displayed in addition to any wall sign allowed under sec. 31.07.

(b)(c) Net Area. The permitted net area of projecting signs shall not exceed the square footage permitted in the Table of Permitted Signs, Section 31.15(1) ("Table 1"), except if a projecting sign is displayed on the same zoning lot as a ground sign, the permitted net area shall be subject to Section 31.08 (3).

(c)(d) Illumination. Projecting signs may be illuminated, subject to sec. 31.04(6)(k).

(2) The following additional regulations apply to projecting signs:

(a) Projecting signs must vertically clear any pedestrian area by at least ten (10) feet and private vehicular ways by at least fourteen (14) feet, and may project no more than twenty-four (24) inches into the public right-of-way. (Pre-existing) Marquee signs are excluded from this constraint.

(b) Where setbacks permit, projecting signs may not extend more than six (6) feet from the building face.

(c) (b) Projecting signs may extend to the juncture of the roof with the building wall or to the top of any parapet, but projecting signs may not extend above a third story

(3) Projecting Banners. A banner may be displayed in lieu of a projecting sign permitted under this section and shall be subject to the construction requirements under Section 31.04(7). Banners in an Urban Design District require UDC approval.

31.10 WINDOW SIGNS.

Window signs, as defined in Section 31.03(2), may be displayed in the Commercial, Manufacturing and Office districts without a permit, subject to the following restrictions:

- (1) Window signs consisting solely of individual alphabetic letters, numerals, or other symbolic characters without any background may be displayed but the net area shall not cover more than thirty (30) percent of the total window area.
- (2) A window sign that combine individual characters allowed in Subsection (1) with other includes opaque objects, logos, or other images, or any type of background, (whether or not any object allowed under sub. (1) is included) may be displayed, but the net area of all window signs shall not exceed twenty (20) percent of the total window area.
- (3) The "total window area" shall be one continuous panel of glass or other transparent material, or a set of two or more panels divided by mullions of six (6) inches in width or narrower. Panels surrounded on all sides by solid walls or mullions wider than six (6) inches shall be considered individual windows.
- (4) The net area, for purposes of subs. (1) and (2), size of the sign shall be determined by measuring a box around each group of characters, objects, images, logos and any background.
- (5) For purposes of this section, any banner attached to the outside of a window shall not be considered a window sign.
- (6) Illumination. Window signs may be illuminated, subject to sec. 31.04(6)(k). Window signs that are internally illuminated and flashing are prohibited.
- (7) Other Window Signs Prohibited. Window signs other than those expressly allowed under this section (31.10) or expressly permitted or allowed elsewhere in this code (ch. 31) shall be prohibited, and no permit shall be issued for a window sign in violation thereof.

31.11 ADVERTISING SIGNS AND OFF-PREMISE DIRECTIONAL SIGNS.

- (1) Existing advertising signs are nonconforming and permitted to remain only in the C2, C3, and C3L Commercial Districts and the M1 and M2 Manufacturing Zoning Districts as regulated in this section and in Section 31.15(3), subject to the nonconforming advertising signs provisions of Section 31.05(2). Notwithstanding any other provision of these ordinances, new, relocated and replacement advertising signs are prohibited. Off-premise directional signs are permitted only in the C1, C2, C3, and C3L Commercial Districts, and the M1 and M2 Manufacturing Districts as regulated in this section.
- (2) General Regulations.
 - (a) In addition to the regulations in this subsection, advertising signs shall conform to all other provisions of this chapter except size, height, setback and signable area regulations which apply only to other signs.
 - (b) Advertising signs, and their supporting structures if other than a wall sign, shall be spaced at intervals of not less than three hundred (300) feet when viewed from one directional flow of street traffic.
 - (c) Reserved For Future Use. (R. by Ord. 8164, 12-2-83)
 - (d) An advertising sign that is a wall sign shall not exceed three hundred (300) square feet in area and shall not project beyond the limits of the facade on which it is located. Advertising signs displayed as a wall sign may be illuminated subject to sec. 31.04(5)(k).
 - (e) No advertising sign that is a ground sign shall exceed three hundred (300) square feet in area, except that any advertising sign which is located on a zoning lot with frontage on a street on which the speed limit exceeds forty-four (44) miles per hour, provided that such advertising sign conforms to all other provisions of this chapter, may be as large as seven hundred and fifty (750) square feet in area. Advertising signs displayed as a ground sign may be illuminated subject to sec. 31.04(5)(k).
 - (f) No advertising sign shall exceed thirty (30) feet in height except that a design extension

may exceed the permitted height limit by no more than eight (8) feet, provided the sum total of the area of all such extensions does not exceed seventy-eight (78) square feet in area. The total sum of the area of all design extensions in excess of thirty (30) feet in height shall be determined by calculating the area of the smallest square or rectangle, the sides of which are perpendicular to the ground, that encompasses all such design extensions. In no case shall any design extension which protrudes from the top edge of an outdoor advertising sign exceed eight (8) feet in height even where the height of the main or principle portion of the outdoor advertising sign is less than thirty (30) feet. In the event this provision relating to extensions is amended or repealed, any extensions permitted hereunder shall be promptly lowered in height or removed, accordingly, by the owner, at no cost to the City.

- (g) The following setbacks for advertising signs are required:
 - 1. An advertising sign situated parallel to the right-of-way line must be set back a distance equal to its height.
 - 2. An advertising sign perpendicular, or nearly so, to the street right-of-way line must be set back three (3) feet from the property line.
- (h) Roof or above-roof advertising signs shall not be permitted.
- (i) No advertising signs are permitted in districts of special control.
- (j) No advertising signs are permitted on lots on which dwelling units are located, except caretakers' or guards' dwelling units shall be permitted on the same lot with advertising signs.
- (k) No advertising signs shall be permitted on the front facade of any building.
- (l) No advertising sign shall be located in any required front yard or in the last ten (10) feet of any required rear yard.
- (m) No advertising sign shall be located on any zoning lot occupied by a nonconforming use.
- (n) No off-premise directional sign shall exceed sixteen (16) feet in height or thirty-two (32) square feet in area.
- (o) Not more than one (1) off-premise directional sign shall be located on any zoning lot.
- (p) The following setbacks for off-premise directional signs are required:
 - 1. An off-premise directional sign situated parallel to the street right-of-way must be set back a distance equal to its height.
 - 2. An off-premise directional sign perpendicular, or nearly so, to the street right-of-way must be set back three (3) feet from the property line.
- (q) Any design extension that causes an advertising sign or off-premise directional sign to exceed its total permitted square footage of area is strictly prohibited.

31.12 CHANGEABLE COPY SIGNS.

Changeable Copy Signs are permitted as follows:

- (1) **Manual Changeable Copy Signs** are permitted in any zoning district where business or identification signs are permitted, provided that:
 - (a) The changeable copy is integral to a business or identification sign.
 - (b) The total gross and net area of the entire sign (as applicable) combined area of the changeable copy and business identification sign does not exceed the maximum for the type and location of sign upon which the changeable copy is displayed, as provided elsewhere in this Ordinance, that which is permitted in Section 31.15.
 - (c) The characters forming the changeable copy message shall be of one color.
- (2) **Electronic Changeable Copy Signs.** Electronic Changeable Copy Signs are permitted in the commercial, office, manufacturing districts, and non-residential uses in special districts, if displayed according to sec. 31.046(1).

31.13 DISTRICTS OF SPECIAL CONTROL FOR PURPOSES OF SIGNS.

The following districts shall be considered “Districts of Special Control” for the purposes of this Ordinance. The provisions of this Ordinance shall apply to all signs within such districts except as stated below:

- (1) Historic Districts. Section 33.01, Madison General Ordinances, permits the City to designate Historic Districts. This Chapter shall apply to Historic Districts, however the plan for an Historic District may include specific sign regulations that shall supersede the provisions of this ordinance.
- (2) Urban Design Districts. Section 33.24, Madison General Ordinances, permits the City to designate Urban Design Districts. This Chapter shall apply to Urban Design Districts, however the Urban Design criteria for any such district may include specific sign regulations that shall supersede the provisions of this ordinance.
- (3) Planned Community Development District (PCD). In the Planned Community Development district, signs shall be classified and permitted in accordance with the sign requirements for the C1 district found in this Ordinance and Chapter 28, if applicable; unless different requirements are recommended by the Urban Design Commission and are made a part of an approved recorded Specific Implementation Plan (“SIP”). If such different requirements are approved they shall be, along with the recorded plan, construed to be and enforced with the full force and effect as this Ordinance. The SIP may adopt by reference all or portions of Chapter 31. No person shall display any sign within a Planned Community Development District in violation of the SIP or this section.
- (4) Planned Unit Development District (PUD). In the Planned Unit Development district, there shall be no predetermined specific regulations for signs, but such requirements as are made a part of an approved recorded Specific Implementation Plan shall be, along with the recorded plan itself, construed to be and enforced with the full force and effect as this ordinance. The SIP may adopt by reference all or portions of Chapter 31. No person shall display any sign within a Planned Unit Development District in violation of the SIP or this section.
- (5) Planned Community Mobile Home Park District. The same regulations shall apply as those regulating signs in the PUD district in sec. 31.13(4), above.
- (6) No Advertising Sign District. The No Advertising Sign District is the area bounded by Lake Mendota on the North, Lake Monona on the South, Livingston Street on the East and Park Street from Lake Mendota to Dayton Street to Bedford Street to Lake Monona on the West. This district is of special importance historically and includes past, present and future redevelopment projects representing significant public and private investments. Under sec. 31.11(2)(i), there shall be no advertising signs permitted in Districts of Special Control.
- (7) ~~Research Park-Specialized Manufacturing District-RPSM. In the Research Park-Specialized Manufacturing District, signs shall be permitted in accordance with Section 28.10(2)(h)6., Madison General Ordinances, and as approved by the City Plan Commission subject to the conditional use provisions of Section 28.12(11), Madison General Ordinances.~~
(SHOW SUB. (7) AS REPEALED BY THIS ORDINANCE.)
- (8) Annexed Lands. Lands annexed to the City after November 30, 1987 shall be considered a district of special control. Under sec. 31.11(2)(i), there shall be no advertising signs permitted in Districts of Special Control.
- (9) C4 Central Commercial District. In the C4 Central Commercial District, all signs shall conform to any requirements for signs found in the “Urban Design Guidelines for Downtown Madison” published by the Urban Design Commission and referenced in Sec. 28.09(5), in addition to the provisions of this ordinance.
- (10) Violation of Sign Regulations in a District of Special Control. In addition to the prohibitions found elsewhere in this Ordinance, no person shall display, permit, maintain a sign in a District

of Special Control in violation of this Section.

31.14 REGULATION OF SIGNS IN AGRICULTURAL, CONSERVANCY, AND RESIDENTIAL DISTRICTS.

- (1) Signs in the Conservancy and Agriculture Districts, Applicability. All signs to be displayed in the Conservancy and Agricultural districts shall follow the provisions for signs in the R1 District under 31.14(2)(a) and (b), below; except that signs displayed on the zoning lot of any commercial use allowed as a conditional use in the Conservancy or Agriculture districts shall be governed by the provisions of this Ordinance that apply to the C1 district.
- (2) Signs in All Residential and OR Districts. – Applicability. This subsection (2) describes the specific-purpose signs that may be displayed in all Residential and OR Districts. This subsection (2) is also applicable to Conservancy and Agricultural districts, under sub. (1) above. The types of signs in subsection (2)(b) below may be displayed in Residential, Conservancy and Agricultural districts, according to the specific requirements below. Subsection (a) provides the general restrictions, subsection (b) describes the different types of signs and varying restrictions depending on the zoning district. Sec. 31.15(4), “Table 4,” also applies to all signs under this section:
 - (a) General Requirements for all signs in the Conservancy, Agricultural, Residential Districts (listed under 31.14(1) and (2) above):
 1. All signs are to be displayed as wall or ground signs only, and limited to one per street frontage, unless otherwise expressly stated herein or in sec. 31.15(4), “Table 4.”
 2. All signs shall require a permit unless exempt from permit in sec. 31.044.
 3. All signs shall be nonilluminated unless expressly stated otherwise.
 4. No sign shall violate the provision for vision clearance under Sec. 28.10(12).
 5. When displayed in a residential , OR, conservancy or agricultural district, the signs described herein are subject to the provisions of this subsection and Table 4, and Sections 31.06-31.12 do not apply unless expressly stated herein.
 - (b) R1 District. In the R1 district, the following signs may be displayed as described below and in Table 4.
 1. Identification Signs.
 - a. Single Family or 2-unit Residential Buildings. A maximum of one (1) identification sign per dwelling unit, or two (2) per unit on a corner or through lot, one per street frontage, may be displayed. The identification sign shall not exceed two (2) square feet in net area, and shall be limited to the name of the building occupant or management, address of the building, and any legal home occupation or handicapped home occupation. Signs under this paragraph shall be wall signs only, and are exempt from permit under sec. 31.044.
 - b. Multiple family dwellings, apartment hotels, fraternity and sorority houses and lodging houses. A maximum of one (1) identification sign per dwelling unit, or two (2) per unit on a corner or through lot, one per street frontage, may be displayed. The identification sign shall not exceed three (3) square feet in net area, and shall be limited to the name of the building occupant or management, address of the building, and any legal home occupation or handicapped home occupation. If any occupant of the building has a legal home occupation or handicapped home occupation, one (1) additional sign of two (2) square feet in net area may be displayed for each such occupation in addition to the identification sign allowed under this paragraph. Signs under this paragraph shall be wall signs only, and are exempt from

- permit under sec. 31.044.
- c. Nonresidential Buildings. For nonresidential buildings, a maximum of one (1) identification sign or two (2) per unit on a corner or through lot, one per street frontage, may be displayed. The identification sign shall not exceed six (6) square feet in net area, and shall be limited to the name of the building occupant or management, address of the building, and any legal home occupation or handicapped home occupation. Signs under this paragraph shall be wall signs only.
 - d. Height. No identification sign shall be higher than one story or twelve (12) feet above curb level, whichever is lower.
2. Real Estate Signs. Real Estate signs in the Residential district shall be allowed under sec. 31.044, except that on a lot abutting a waterway, up to two (2) real estate signs, one facing the street and one facing the waterway, shall be allowed, and the height shall be restricted to no higher than one story or twelve (12) feet, whichever is lower. Signs under this paragraph are exempt from permit under sec. 31.044.
 3. Noncommercial Signs. Noncommercial signs in the Residential District shall be as allowed under 31.044 and 31.04(1)(c), or elsewhere in this Ordinance. Additionally, on a lot abutting a waterway, up to two (2) signs once facing the street and one facing the waterway shall be allowed, and the height shall be restricted to no higher than one story or twelve (12) feet, whichever is lower. Signs under this paragraph are exempt from permit under sec. 31.044.
 4. Parking Lot Directional and Parking Lot Regulation Signs. The following may be displayed and are exempt from permit under sec. 31.044:
 - a. Area and Number. Parking Lot Directional Signs, designating parking area entrances or exits are limited to one (1) sign for such exit or entrance, and to a maximum net area of three (3) square feet each. One (1) Parking Lot Regulation sign per parking area, designating the conditions of use or identity of such parking area and limited to a maximum area of nine (9) square feet, shall be permitted. Two (2) Parking Lot Regulation signs, one (1) facing each street, shall be permitted on a corner zoning lot or a through lot. No sign shall project beyond the property line into the public way.
 - b. Height. No sign shall project higher than ten (10) feet above curb level.
 - c. Setback. Signs under this paragraph shall be setback at least three (3) feet.
 5. Church, Hospital, School and PRD Identification Street Signs.
 - a. Area and Number. One (1) wall and one (1) ground signs per street frontage may be displayed; identifying the entity, with a maximum of two ground (2) signs and two (2) wall signs per zoning lot. Additional wall or ground signs for wayfinding purposes may be permitted when approved by the Urban Design Commission when the zoning lot is occupied by two (2) or more of the uses described above and the size of the lot, number of vehicular and pedestrian entrances, and layout of the buildings require additional signs for wayfinding purposes in order to promote traffic and pedestrian safety. Signs under this paragraph, whether displayed on a wall or the ground, shall not exceed twelve (12) square feet in net area nor be closer than ten (10) feet to any lot line, except such signs may be increased in net area by one (1) square foot for each additional foot that the sign set back more than twelve (12)

feet from the street lot line. No sign under this section shall exceed thirty-two (32) square feet in net area.

- b. Height. No identification street graphic shall project higher than one story, or twelve (12) feet above the curb level, whichever is lower.
6. Project Signs. (Non-illuminated).
- a. A sign describing a construction or improvement project, including the names of the contractors, architects, engineers, owners or occupants, provided that such sign may be in place only during the period that said project is under construction and while valid building permits are in force and further provided that only one such sign may be erected per street frontage, and no such sign shall exceed thirty-two (32) square feet in area.
- b. Height and Setback. The maximum height for a project sign under this section shall be eight (8) feet. The minimum setback for a project sign displayed as a ground sign shall be ten (10) feet.
7. Condominium Identification Street Graphics.
- a. A condominium may display condominium identification graphic(s) if the total acreage of the property of the condominium, as determined by the legal description within the condominium instruments, is one and one-half (1 ½ acres) or more and the condominium includes eight (8) or more units. For purposes of sec. 31.14(2)(b)6., the terms “condominium,” “condominium instruments,” “property,” and “units” shall have the meanings found in Ch. 703 of the Wisconsin Statutes.
- b. Number, Area, and Setback. One (1) wall and one (1) ground identification graphic per street frontage may be displayed; with a maximum of two ground (2) graphics and two (2) wall graphics per condominium. Condominium identification street graphics shall not exceed twelve (12) square feet in area, except that the Urban Design Commission may approve a graphic of more than twelve (12) but not more than thirty-two (32) square feet under sec. 31.04(2)(b)2.b. herein. No condominium identification street graphic shall be closer than ten (10) feet to any lot line.
- c. Height. No condominium identification street graphic shall project higher than one story, or twelve (12) feet above the curb level, whichever is lower.
- (c) R1-R, R2, R2S, R2T, R3, R4, R4A, and R4L Districts. The provisions governing signs in the R1 district under sec. 31.14(2)(a) and (b) shall apply.
- (d) R5, R6, R6H. The provisions governing signs in the R1 district under sec. 31.14(2)(a) and (b) shall apply, except for the following:
1. For multiple-family dwellings, apartment hotels, fraternity and sorority houses, and lodging houses, a single identification sign, not exceeding twelve (12) square feet in area and indicating only the name and address of the building and the name of the management thereof, may be displayed, provided that on a corner zoning lot, two (2) such signs, one facing each street, shall be permitted.
 2. For nonresidential buildings, a single identification sign, not exceeding twelve (12) square feet in area and indicating only the name and address of the building and the principal occupant may be displayed, provided that on a corner zoning lot, two (2) such signs, one facing each street, shall be permitted. If displayed as a ground sign, the maximum height shall be four (4) feet. See Table 4 for height requirements for wall signs under this paragraph.
 3. For a dwelling located on a lot that is to the rear of another lot and access to the

street is only the width of a driveway, one (1) directional sign not exceeding three (3) square feet may be placed in the front yard of the property fronting on the street, and shall be exempt from permit, provided:

- a. Permission is obtained from the owner of the property on which the sign is to be located;
 - b. Only the name, address, and name of management thereof are indicated;
 - c. A sign permit is obtained prior to the erection of the sign; and
 - d. The sign does not exceed three (3) feet in height and is a minimum of six (6) feet from the front lot line.
- (e) OR and RS. In the OR and RS districts, the sign requirements of the R6 district in sec. 31.14(2)(d) shall apply , except that identification signs for any type of use shall be subject only to the provisions for nonresidential buildings set forth in sec. 31.14(2)(d)2., and further that for any commercial use allowed as a permitted or conditional use in the OR district, the regulations governing signs in the C1 District shall apply.
- (f) Newly created Zoning Districts. If a new Residential, Agricultural or Conservancy district, or other Special District is created in Chapter 28 but not included in this Chapter and signage for that district is not addressed in Chapter 28, then the restrictions for the R1 district under Section 31.14(2)(b) herein shall apply.

31.15 TABLES OF PERMITTED SIGNS, BY ZONING DISTRICTS

(1) **Table 1. GROUND, PROJECTING, WALL, ROOF, AND ABOVE-ROOF SIGNS IN COMMERCIAL, OFFICE AND MANUFACTURING ZONING DISTRICTS**

Table 1 describes the zoning districts in which the above types of signs may be displayed, and the maximum net area of the signs, as determined by the speed limit and lanes of traffic of the adjacent highway. Each type of sign is further regulated by specific sections within this Chapter.

Newly created zoning districts: If a new Commercial, Manufacturing or Office district is created in Chapter 28 but not included in this Chapter and signage for that district is not addressed in Chapter 28, then the restrictions of this Table shall apply as follows:

A new Commercial district: follow the sign regulations in this Chapter for the C2 district.

A new Manufacturing district: follow the sign regulations in this Chapter for the M1 district

A new Office district: follow the sign regulations in this Chapter for the O1 district

- See Table 1 on Next Page -

draft

Ground Signs (31.08)												Projecting 31.09	Wall ³ & Roof 31.07	Above Roof 31.07(3)					
Type of Sign:	Zoning District:	Pole Signs = 1 pole, 1/2 or less as wide as sign:						All other Ground Monument Signs:											
		Max. Height	Max. Net Area (sq.ft.) ^{2,5}	Max. Height	Max. Net Area (sq.ft.) ^{2,5}	Max. Ht.	Max. Net Area (sq.ft.) ^{2,5}	Max. Net Area (sq.ft.) ^{2,5}	Max. Ht.	Max. Net Area (sq.ft.) ^{2,5}	Max. Net Area (sq.ft.) ^{2,5}	Max. Ht.	Max. Net Area (sq.ft.) ^{2,5}	Max. Net Area (% of signable area) ⁴	Max. Net Area (% of signable area) ⁴	Max. Net Area (% of signable area) ⁴			
No. of Traffic Lanes	2-3 Lanes	0-34 mph	12'	32/64	16'	32/64	8'	32/64	10'	32/64	6'	32/64	20	40%	40%	40%			
			12'	32/64	16'	50/100	8'	32/64	10'	50/100	6'	32/64	20	40%	40%	40%			
			14'	32/64	16'	72/144	9'	32/64	10'	72/144	6'	32/64	20	40%	40%	40%			
		0-34 mph	12'	32/64	16'	40/80	8'	32/64	10'	40/80	10'	40/80	6'	32/64	32	40%	40%	40%	
			14'	32/64	16'	64/128	9'	32/64	10'	64/128	10'	64/128	6'	32/64	32	40%	40%	40%	
			16'	32/64	20'	80/160	10'	32/64	12'	80/160	12'	80/160	6'	32/64	32	40%	40%	40%	
		6+ Lanes	0-34 mph	14'	32/64	16'	48/96	9'	32/64	10'	48/96	10'	48/96	6'	32/64	32	40%	40%	40%
			35-44 mph	16'	32/64	18'	72/144	10'	32/64	11'	72/144	6'	32/64	32	40%	40%	40%	40%	
			45+ mph	18'	32/64	22'	144/288	11'	32/64	13'	144/288	6'	32/64	32	40%	40%	40%	40%	

Table 1 – footnotes:

- ¹ For ground signs on zoning lots with more than one street frontage, use the miles per hour on the street with the faster speed limit to determine the maximum net area allowed.
- ² Maximum Net Area of Ground Signs. The first number represents the maximum net area allowed for a single face of a ground sign. The second number represents the maximum combined net area on all faces of all ground signs displayed on a zoning lot. A maximum of two (2) ground signs may be displayed on a single zoning lot. See sec. 31.08(2)(c) of this ordinance.
- ³ Wall signs displayed outside the signable area under sec. 31.07(5) have different maximum net areas. Additional wall signs displayed on large buildings under sec. 31.07(6) have different signable area and maximum net areas. See sec. 31.07.
- ⁴ The maximum net area for Wall, Roof and Above-roof signs is either 40% of the signable area or two (2) square feet of signage for each lineal foot of building frontage. If the net area is measured by lineal feet of building frontage, the total net area of the sign displayed shall not exceed 100% of the signable area available under sec. 31.07(2).
- ⁵ Signs adjacent to a Public Park - See sec. 28.04(21)(b) and 28.04(2)(b)2. Under that section, if a proposed sign is displayed at any of the locations adjacent to a park described in sec. 28.04(21)(b), the maximum net area is 32 square feet. If the proposed sign is larger than 32 square feet, it is considered “new development adjacent to public parks” and must seek Conditional Use approval to exceed 32 square feet (unless it falls under sec. 28.04(21)(b)2., which states that “Signs in excess of thirty-two (32) square feet may be permitted within two hundred feet of the park where they will not interfere with the view of or from the park.”)
- ⁶ Per 31.13(9), Signs in the C4 Central Commercial District, shall conform to any requirements for signs found in the “Urban Design Guidelines for Downtown Madison” published by the Urban Design Commission and referenced in Sec. 28.09(5), in addition to conforming to the provisions of this Chapter. May be approved under the Powers of the Secretary to the Urban Design Commission, per sec. 33.24(4)(g)2. (only applicable once 33.24 is amended to match this ord....)

RPSM and RDC Districts - Table 1 footnotes:

- * Ground signs in RPSM and RDC Districts: All ground signs shall be incorporated in the landscape plan, and shall include the provision of plant materials at the base of such signs.
- ** Wall signs in RPSM and RDC Districts: The net area for wall signs in the RPSM and RDC districts shall be a maximum of 100 square feet per sign, or 100% of the signable area, whichever is smaller.

(2) **Table 2. COMMERCIAL, OFFICE AND MANUFACTURING ZONING DISTRICTS
MISCELLANEOUS SIGNS**

“Yes” = Permitted in the districts indicated. Sign Permit required under sec. 31.04(3).

“Yes / Exempt” = may be displayed in the districts indicated, sign Permit is not required.

C.U. = Conditional Use Approval and Permit required

UDC = Urban Design Commission review/approval required

Newly created zoning districts: If a new Commercial, Manufacturing or Office district is created in Chapter 28 but not included in this Chapter and signage for that district is not addressed in Chapter 28, then the restrictions of this Table shall apply as follows:

A new Commercial district: follow the sign regulations in this Chapter for the C2 district.

A new Manufacturing district: follow the sign regulations in this Chapter for the M1 district

A new Office district: follow the sign regulations in this Chapter for the O1 district

Type of Sign	Sign Permitted in these Zoning Districts				
	C4	C1, O-1	C2, C3 & C3L O-2, O-3, O-4	M1, M2 & SM	RPSM and RDC
Awning (31.06), Canopy (31.071)	UDC*	Yes	Yes	Yes	Yes
Time & Temperature (31.046(1))	UDC*	Yes	Yes	Yes	Yes
Sidewalk Showcase	UDC*	Yes	Yes	Yes	No
Pennants, Decorative & Promotional Banners & Flags on Private Property** (31.075.)	UDC*	Yes	Yes	Yes	No
Neighborhood & Subdivision Identification***	N/A	Yes ***	Yes ***	Yes ***	Yes ***
Public Service (see also 28.09(2)(d)12.)	C.U.	C.U.	C.U.	C.U.	C.U.
Building Entrance Identification (31.03(2).	UDC*	Yes - 12 square feet max	Yes - 12 square feet maximum	Yes - 12 square feet max	Yes - 12 square feet max
Business Opening Signs (31.065)	UDC*	Yes	Yes	Yes	No

Table 2 footnotes:

* See 31.13(9). Requires Urban Design Commission review and approval, but may be approved under the Powers of the Secretary to the Urban Design Commission, per sec. 33.24(4)(g)2.

** Subject to Approval of Director of Department of Planning & Community & Economic Development.

*** Subject to approval of Director of Department of Planning and Community and Economic Development or her/his designee after notification to Neighborhood Association and Alderperson.

(3) (Table 3 repealed by (this) Ord. No. XXXXX, eff. xx/xx/xx.)

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(4) **Table 4.**

**SIGNS PERMITTED IN
RESIDENTIAL, AGRICULTURAL, CONSERVANCY DISTRICTS**
(Sec. 31.14)

All signs on this Table may be displayed as wall or ground signs only and limited to one (1) sign per street frontage, unless otherwise indicated in the Table or sec. 31.14.

For Agricultural and Conservancy Zoning Districts – See 31.14(1). Signs shall be classified and may be displayed in accordance with the requirements for the R1 District under sec. 31.14(2); however, for any commercial use allowed as a conditional use in the Conservancy or Agricultural District, the regulations governing signs in the C1 District shall apply.

For Residential and OR Zoning Districts - – See 31.14(2). Also, for any commercial use allowed as a permitted or conditional use in the OR district, the regulations governing signs in the C1 District shall apply.

Newly created zoning districts. If a new Residential, Agricultural or conservancy district is created in Chapter 28 but not included in this Chapter and signage for that district is not addressed in Chapter 28, then the restrictions for the R1 district under Section 31.14(2)(b) herein shall apply.

Type of Sign	Net Area Sq. Ft.	Height		Min. Setback	Wall	Ground	Illuminated	Number
		Min.	Max.					
Identification signs in the R1, R2, R3, R4, R4A, R4L:								
Single family or 2-unit Residential Uses	2'	---	12' or 1 story (lower)	---	Yes	No	No	1 per unit, 2 on a corner or through lot.
Identification*** for multifamily, apartment hotels, frat/sorority, lodging houses in	3'	---	12' or 1 story (lower)	---	Yes	No	No	1 per building, 2 on corner or through lot.
Identification*** for Nonresidential Buildings	6'	---	12' or 1 story (lower)	---	Yes	No	No	1 per bldg, 2 on corner or thru lot.
Identification*** for multifamily, apt. hotels, frat/sorority and lodging houses in R5, R6, R6H, RS and OR	12'	---	12'	---	Yes	No	No	1 per building, 2 on a corner lot
Identification*** for Nonresidential Buildings in R5, R6, R6H (what about RS, OR?)	12'	---	15'	---	Yes	Yes*	No	1 per building, 2 on a corner lot

Type of Sign	Net Area Sq. Ft.	Height		Min. Setback	Wall	Ground	Illuminated	Number
		Min.	Max.					
Church, Hospital, School and PRD "Identification" 31.14(2)(b)4.	12' to 32'	1'	12'	10'	Yes	Yes	Yes	1 wall, 1 ground per st. frontage, max. of 2 per zoning lot **
Project – 31.14(2)(b)5. exempt from permit under 31.04(8)	32'	1'	8'	10'	Yes	Yes	No	1 per street frontage
Existing Nonconforming Commercial Uses	32'	1'	15'	---	Yes	Yes Existing Only	Yes	1
Building Entrance Identification	12'	---	---	---	Yes	No	Yes	1 per entrance
Off-premise residential directional sign – 31.14(2)(d)3.	3	---	3	6	n/a	Yes	No	1
Parking Lot Directional (Entrance and Exit) 31.14(2)(b)3.	3'	---	10'	3'	yes	yes	no	1 per entrance or exit
Parking Lot Regulation 31.14(2)(b)3.	9'	---	10'	3'	yes	yes	no	1, or 2 per corner or thru lot
Condominium Identification 31.14(2)(b)7.	12' or 13' to 32' with UDC Approval	1'	12'	10'	Yes	Yes	Yes	1 Wall, 1 Ground Max. of 2 per condominium
Neighborhood & Subdivision Identification ****	****	****	****	****	****	****	****	****

* Maximum Height 4 feet, sign and landscape approval of Director of Department of Planning and **Community and Economic** Development required.

** Additional wall or ground identification street graphics for wayfinding purposes may be approved by the Urban Design Commission. See ss. 31.14(2)(b)4.a. and 31.04(2)(b)2.b.viii.

*** Identification Signs, for properties designated Landmarks, shall be permitted as approved by the Plan Commission and the Landmarks Commission when those commissions approve the use. Signs for existing uses may be approved by the Landmarks Commission and the Director of Planning and **Community and Economic** Development.

**** Neighborhood and Subdivision Identification Signs - Subject to approval of Director of Planning and **Community and Economic** Development or her/his designee after notification to Neighborhood Association and Alderperson.

31.16 - 31.18 RESERVED FOR FUTURE USE.

31.19 PENALTIES.

Any person, who violates any provisions of this ordinance, permits, allows or continues a violation, or fails to comply with any of its requirements shall, upon conviction thereof, be subject to a forfeiture of not less than thirty dollars (\$30) and not more than five hundred dollars (\$500), plus applicable costs, for each violation. Each day or portion thereof that a violation continues shall be considered a separate violation.

31.20 SEVERABILITY.

In the event that any section of this ordinance shall be declared or judged by a court of competent jurisdiction to be invalid or unconstitutional, such adjudication shall in no manner affect the other sections of this ordinance, which shall be in full force and effect as if the said section or said sections were not originally a part thereof.

OTHER ORDINANCES TO BE AMENDED:

1. 1.08(3)(a) – Need to update the following individual citations with new ord. numbers for each violation... SEE IF THIS HAS BEEN DONE ALREADY OR IF NOT NEEDED B/C BLANKET AUTHORITY

Street graphic Sign erected/repaired/altere/d/relocated/ maintained/or change of copy without permit.	31.04(3)(d) 31.041(1)	\$100 \$200, 2nd in 12 mos. \$500, 3rd & subsequent in 12 mos.
Street graphic Sign erected/displayed in public right-of- way.	31.04(6)(e) 31.045(3)(c)	\$100 \$200 \$500, 3rd & subsequent in 12 mos.
Display Unlawful Portable Sign street graphic prohibited.	31.04(6)(k) 31.046(2)	\$100 \$200 \$500, 3rd & subsequent in 12 mos.
Prohibition of displaying signs over expressways/highways (40 miles per hour or more).	31.04(6)(m) 31.045(3)(j)	\$100 \$200 \$500, 3rd & subsequent in 12 mos.
Election campaign sign violations. posters.	31.04(8)(j) 31.044(1)(e)	\$50
Unlawful pennants, flags and or decorative and promotional banners.	31.075	\$100 \$200, 2nd & subsequent in 12 mos.

2. Add blanket citation authority for 33.24 (UDC ord) to 1.08(3)(b):

(b) For violation of provisions of Chapter 6 (Fire Department and Fire Regulations), Chapter 7 (Public Health), Chapter 22 (Consumer Protection and Weights and Measures), Chapter 27 (Minimum Housing and Property Maintenance Code), Chapter 28 (Zoning Code), Chapter 31 (Sign Code), Section 33.24 (Urban Design Commission ordinance), and Chapter 34 (Fire Prevention Code) of the Madison General Ordinances not enumerated in Subdivision (a) above: one hundred dollars (\$100) for the first violation, two hundred dollars (\$200) for the second violation and two hundred fifty dollars (\$250) for the third and all subsequent violations within any twelve (12) month period. For violations of the provisions of Section 11.08, Madison General Ordinances, Wisconsin Administrative Code, Chapter MVD5, the Revised Uniform State Traffic Deposit Schedule shall apply where applicable and in the event no deposit amount is listed for the offense, one hundred dollars (\$100) shall be the deposit amount. (Am. by Ord. 11,022, 10-31-94; Ord. 13,725, 11-9-04; Ord. 13,760, Adopted 12-14-04)

3. Add / restore enforcement authority for BI / planning to 1.08(4):

(4) Issuance of Citations. Any law enforcement officer may issue citations for enforcement of any ordinances authorized under this ordinance. In addition, the following officials of the City of Madison are hereby authorized to issue citations for enforcement of those ordinances specified only. Such officials may delegate this authority to their subordinates upon approval by the Common Council.

Enforcement Official

Ordinance Chapter or Section and Title

Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development or designee.

Section 9.13, License for Selling on Public Streets, Section 12.128(14), Off-Driveway Parking; Section 12.145(1)(d), No Street Vending from Parking Meter; Section 36.30, Cable TV Connections; Chapter 22, Consumer Protection and Weights and Measures; Section 24.08, Noise Control Regulation; Chapters 18, 19, 27, 28, 29, 30, 31 and 37, Section 33.19, Landmarks Commission, 33.24, Urban Design Commission.

4. Amendments to Chapter 28: SOME ALREADY MADE IN THE INTRODUCED ORD. THOSE SHOWN HERE ARE ONLY THE NEW CHANGES TO 28 FOR THE SUBST:

1. Amend sec. 28.10(2)(h)6. as follows: (delete it - show it as repealed so there is a history)

~~6. Street Graphics. All street graphics shall comply with the regulations of Chapter 31, Madison General Ordinances, provided, however, the following limitations shall apply:~~

~~a. No advertising street graphic, above roof graphic, roof street graphic and projecting street graphic shall be allowed in the RPSM District.~~

~~b. No wall street graphic shall cover more than 10 percent of the building face, and in no case shall such sign exceed a gross area of 100 square feet.~~

~~c. No ground sign shall exceed a maximum height of six (6) feet and a maximum gross area of thirty-two (32) square feet. All ground signs shall be incorporated in the landscape plan, including the provision of plant materials at the base of such signs.~~

5. Sec. 33.24 (UDC ord) will require numerous updates, references to Comprehensive Design and clarify the role of the secretary regarding administrative sign permit review, and improve enforcement language.

None of those are included here - it will be a separate ordinance.

NOTE: NEED TO CHANGE ALL REFERENCES TO 33.02 IN HERE, TO THE APPROPRIATE NEW MGO NUMBER (33.24) = UDC ORDINANCE