

Chapter 70

SIGNS

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SIGNS
ARTICLE I. IN GENERAL

Sec. 70.100. Purpose.

The purpose of this chapter shall be to:

- (1) Regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the Village of Pewaukee, Wisconsin.
- (2) Promote the public health, safety, welfare and comfort of the general public by:
 - a. Reducing distractions and obstructions from signs which would adversely effect traffic safety and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;
 - b. Discouraging excessive visual competition in signage and ensuring that signs aid orientation and adequately identify uses and activities to the public; and
 - c. Preserving or enhancing the natural beauty and unique physical characteristics of the village as a community in which to live and work by requiring new and replacement signage which is:
 1. Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;
 2. Appropriate to the type of activity to which it pertains;
 3. Expressive of the village's identity in a manner which will not diminish property values; and
 4. Complementary to the village's architectural character and unobtrusive commercial developments.

Sec. 70.101. Scope of regulations.

Except as otherwise noted in this chapter, the regulations of this chapter shall govern all outdoor signs, advertising structures, or devices with respect to location, safety, size, construction standards, erection, attachment, support, lighting, anchorage, maintenance, appearance and aesthetics for all areas of the Village.

Sec. 70.102. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Area means measurement of sign area calculated as the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face including any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

- (1) For a sign painted on or applied to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color or finish material of the building.
- (2) The area of supporting framework (for example brackets, posts, etc.) shall not be included in the area if such framework is incidental to the display.

- (3) When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

Awning means a stationary or retractable structure that serves as a shelter over a door, window or building front.

Awning sign means any lettering or imagery sewn or printed on the fabric portion of an awning. Decorative awnings without imagery are not considered signs.

Banner means a sign intended to be hung either with or without a frame, and which possesses characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind.

Base setback line means the edge of the established ultimate street right-of-way.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

Bulletin board means a sign not to exceed 15 square feet in area located on the premises of a charitable, religious, educational institution or a public body, for purposes of announcing events held on the premises. The village official bulletin boards may be located off-site.

Canopy sign means any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Changeable copy means a sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged manually without altering the face or surface of such sign. Also referred to as “reader boards”.

Construction sign means a sign identifying individuals or companies involved in design, construction, wrecking, financing or development of a building/lot and/or identifying the future use of the building/lot.

Directional sign means a sign for the purpose of directing patrons or attendants to a commercial establishment off the main traveled highway, or to service clubs, churches, schools or other nonprofit organizations; also, signs solely indicating ingress and egress placed at driveway locations, containing no advertising material, and where the display area does not exceed three square feet or extend higher than four feet above the mean centerline street grade.

Directory sign means a sign that indicates the name of the occupants or tenants located on the premises.

Display surface means the surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire

advertising message.

Downtown area means the area of the village described as commencing at Highway 16, proceeding west on Capitol Drive including properties on both sides of the street to the intersection of Capitol Drive and West Wisconsin Avenue. Proceeding south along the lakefront to a point intersecting Park Avenue, proceeding along both sides of Park Avenue up to Highland. From Lake Street to Richmond Drive Richmond Drive to First Street, West along Main Street to Prospect. Proceed northeast on Prospect to East Wisconsin Avenue. East on East Wisconsin Avenue to Clark Street. Proceeding north on Clark St. until it intersects with Oakton Avenue and then east on Oakton Avenue to the railroad right-of-way and east over to Highway 16.

Electronic message means signs with alphabetic, pictographic, or symbolic informational content that can be changed or altered on a fixed display screen composed of electrically illuminated segments. Includes LED displays, electronic signs, LED video displays and electronic variable message signs.

External illumination means illumination of a sign with an exterior light source.

Facing means the surface of the sign or billboard upon, against or through which the message of the sign or billboard is displayed.

Flashing sign means a sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs that indicate the date, time and temperature will not be considered flashing signs.

Freestanding sign means a sign that is attached to or part of a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon or below the ground surface and shall not be attached to any building.

Height means the distance between the existing preconstruction grade at the base of the sign and the highest point on the sign or supporting structure.

Illuminated sign means a sign in which an artificial source of light is used in connection with the display of such sign.

Internal illumination means the illumination of a sign in which the source of light is contained within the sign itself.

Letters and decorations means the letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the sign message.

Lot means a designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law.

Lot line means a line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Major tenant means a tenant within a multi-tenant building that occupies the greatest linear frontage or square footage of that building.

Marquee means a permanent rooflike structure extending from part of the wall of a building but not supported by the ground, and constructed of durable material such as metal or glass.

Marquee sign means a sign attached to, painted on, or supported by a marquee.

Neon or other gas tube illumination means illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

Nonconforming sign means a sign existing at the effective date of the ordinance from which this chapter is derived which does not conform to the terms of this chapter.

Off-premises sign means any sign that advertises goods, products, facilities or services not located on the premises where the sign is located, or a sign that directs persons to a different location from where the sign is located.

Offset means the regulated minimum distance of a structure from a side or rear lot line.

On premises sign means any sign that advertises, calls attention to or identifies an occupant, business or property situated on the same lot as the sign.

Outdoor advertising means any outdoor structure or device that is used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia, logo, emblem or advertisement.

Pennant means a variety of flags usually tapering to a point or swallowtail or a long rectangle.

Portable sign means a sign not permanently affixed to the ground, building or other structure and which may be easily moved from place to place.

Projecting sign means a sign affixed or attached directly to the exterior wall of a building or structure and extending more than ten inches from the exterior wall of the building or structure.

Real estate sign means a sign that is used to offer for sale, lease or rent, the premises upon which such sign is placed.

Roof sign means a sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Sandwich Board Sign means a self-supporting A-shaped freestanding temporary sign with only two visible sides that contain commercial speech.

Setback means the regulated minimum horizontal distance between the base setback line and any structure on a lot.

Shopping center means a planned/coordinated grouping of architecturally unified commercial establishments built on the same site and managed as one operating unit offering for sale goods such as food, drugs, hardware and personal services.

Sign means any display of lettering, logos, colors, lights, illuminated neon tubes and supporting structure visible to the public from outside of a building or from a traveled way, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to goods, products, services, facilities, persons, property interest or business either on the lot or on any other premises.

Sign code administrator (SCA) means the village employes responsible for administering this chapter.

Street means a public or private right-of-way for pedestrian or vehicular traffic.

Temporary sign means a sign intended to be used for a period of no more than 30 days unless otherwise specified in this chapter.

Trim means the moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

Wall sign means a sign or billboard affixed or attached directly to the exterior wall of a building and extending ten inches or less from the exterior wall of the building or structure.

Warning sign means a sign, containing no advertising material, warning the public of the existence of danger.

Window sign means a sign attached to, placed upon or painted on the interior of a window or door of a building that is intended for viewing from the exterior of such building.

Sec. 70.103. Appeals.

The planning commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest and uphold the purpose of this chapter as put forth in section 70.100. Such waiver or modification may be based on, among other things, site-specific hardships such as topographic aberrations, traffic safety, accessibility and visual encumbrances.

Note: The board of zoning appeals shall not have authority or jurisdiction over the provisions of the sign code.

Sec. 70.104. Penalty.

Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of the action. Default of the payment may result in imprisonment. Each day that a violation exists shall constitute a separate violation and be punishable as such.

ARTICLE II. PERMITS

Sec. 70.105. Authority.

It shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the Village of Pewaukee and making payment of the fees required by this chapter. All illuminated signs shall, in addition, be subject to the provisions of the electrical and building codes and the permit fees required under such codes.

Sec. 70.106. Application for permit.

- (a) Application for a sign permit shall be to the Village of Pewaukee, and shall contain or have attached thereto the following information:
 - (1) Name, address and telephone number of the applicant, and the location of building, structure or lot to which or upon which the sign is to be attached or erected.
 - (2) Name of person, firm, corporation or association erecting the sign.
 - (3) Written consent of the owner of the building, structure or land to which or upon which the sign is to be affixed.
 - (4) A scale drawing of such sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the method of construction and attachment.
 - (5) A scale drawing indicating the location and position of such sign in relation to nearby buildings or structures.
- (b) Sign permit applications shall be filed with the sign code administrator, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within 30 days of receipt from the applicant unless the time is extended by written agreement with the applicant or the application requires planning commission approval. A sign permit shall become null and void if work authorized under the permit has not been completed within 12 months of the date of issuance.

Sec. 70.107. Issuance of permits.

- (a) It shall be the duty of the sign code administrator, upon the filing of an application for a sign permit, to examine such plans and specifications and other data to determine compliance with the requirements of this chapter and all other regulations of the Village of Pewaukee.
- (b) Following examination of the sign permit application, the sign code administrator shall take one of the following actions:
 - (1) If the proposed sign is not in compliance with the requirements of this chapter and all other regulations of the village, the sign code administrator shall deny such permit and state the specific reasons for the denial.
 - (2) If the proposed sign complies with all dimensional chapter requirements, the sign code administrator shall consider the purpose, appearance, location, lighting, height, size and impact of the sign relative the scenic beauty of the vicinity and to the values identified in section 70.100. If the sign code administrator feels, on the basis of the considerations in this section, that there is a question as to whether or not the proposed sign is in accordance with the intent of this chapter, the applicant shall be

referred to the planning commission. Following its review, the planning commission shall approve, approve with modifications or deny the sign permit application.

- (3) If the sign code administrator determines that the sign is in compliance with the intent of this chapter and all other regulations of the village, the sign permit may be issued.
- (4) Issuance of a permit as provided herein shall not be deemed an assumption of liability by the Village.

Sec. 70.108. Fees.

The applicant shall pay an application fee of \$50.00 plus \$2.50 per square foot of sign area for each individual sign. (Ord. No. 98-4, § 21.05, 3-3-1998)

Sec. 70.109. Revocation of permits.

The sign code administrator is authorized and empowered to revoke any sign permit upon determination that the sign authorized by the permit has been constructed or is being maintained in violation of the permit or the provisions of this chapter.

(Ord. No. 98-4, § 21.06, 3-3-1998)

ARTICLE III. REGULATIONS AND STANDARDS

Sec. 70.110. Prohibited signs.

- (a) The following types of signs are prohibited in the Village of Pewaukee:
 - (1) Roof signs.
 - (2) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
 - (3) Signs that are attached or otherwise affixed to rocks, trees or other living vegetation.
 - (4) Signs that imitate, interfere with, obstruct the view of or can be confused with any authorized traffic control sign, signal or other device.
 - (5) Flashing or rotating signs, signs containing moving parts and signs containing reflective elements that sparkle or twinkle in the sunlight are not permitted. Signs indicating the current time and/or temperature may be permitted provided they meet all other provisions of this chapter and are subject to approval of the village planning commission.
 - (6) "A" frame, sandwich board, sidewalk, or curb signs, except as provided for in section 70.115(c)(8).
 - (7) Banners, pennants, streamers, balloons and other gas-filled figures, except as a temporary sign, as may be provided for in section 70.111.
 - (8) Billboards and off-premises signs, except village approved temporary off-premises signs to identify businesses during road construction.
 - (9) Any sign advertising or identifying a business or organization which is either defunct or no longer located on the premises is not permitted.
 - (10) Portable and wheeled signs.

- (11) Signs or other advertising painted directly on walls unless specifically approved by the planning commission.
- (12) Inflatable signs and tethered balloons.
- (13) Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision; 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 which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

Sec. 70.111. Exemptions.

- (a) The following outdoor signs, advertising structures or devices shall be exempted from the permit process outlined in sections 70.105-70.107:
 - (1) One wall sign not to exceed six square feet in size maintained by the owner or occupant of any residential building for the purpose of displaying the name of the owner or occupant, or legal home occupation signs not exceeding two square feet in size. Home occupation signs shall not be illuminated.
 - (2) Bulletin boards not over 15 square feet in size for public, charitable or religious institutions when the same are located on the premises of such institutions. Such signs shall be subject to the location, lighting and landscaping standards as set forth in sections 70.112-70.114 and shall not exceed seven feet in height.
 - (3) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible materials, grave markers, statutory or other remembrances of persons or events that are noncommercial in nature.
 - (4) Traffic signs, legal notices, railroad crossing signs, danger and such temporary emergency or non-advertising signs as may be erected for the public safety.
 - (5) Nonilluminated signs painted on canopies, awnings and marquees indicating only the name, street number and/or tenant name. Such signs shall not exceed an aggregate gross surface area of four square feet per display with individual letters not exceeding six inches in height.
 - (6) One sign not to exceed 15 square feet in area, identifying farm operations on parcels of land containing not less than 20 acres.
 - (7) United States and/or State of Wisconsin flags.
 - (8) Special decorative Village of Pewaukee-owned displays or signs in public right-of-way.
 - (9) Up to four village authorized and constructed directional signs for any single business or organization, provided such signs do not exceed three square feet in area or four feet in height.
 - (10) Signs which are located within the interior of any building and which are not visible from the exterior of the building.
 - (11) Yard sale, rummage sale, craft fair sale, estate sale, auction, open house for product sale signs; provided that no person shall attach posters, notices or advertisements to utility poles, meter posts, or trees in or along any street

right-of-way within the village; and that no person shall put up any notice upon any building, wall, fence, or other property, of another person without first having obtained the consent of the owner of such property. The maximum time limit for all sales or auctions is four consecutive days and shall not exceed 12 cumulative days in a one-year period. The number of signs allowed per sale shall not exceed five and the size of the sign shall not be larger than six square feet. The signs must be displayed on the days of the sale only.

- (12) Grand opening and special event signs or banners for events that will occur within the community area may be allowed, up to three at a time for different events, at designated locations, subject to written approval of the sign or banner by the village sign code administrator. Display size, appearance, location, and length of use shall be considered for approvals and signage must be aesthetically appropriate as follows:

Signs/banners for "for profit" businesses or organizations shall be allowed twice annually for an occurrence that marks an unusual or distinctive purpose (such as a going out of business sale, moving sale, open house) and shall not be allowed for day-to-day operations of the "for profit" business or organization. Such approved signage shall be allowed on-site of the business only and shall consist of one sign, a maximum of 32 square feet in size and seven feet in height. Such signage shall be set back ten feet from road right-of-way and property lines and three feet from sidewalks whichever results in the greatest setback. Businesses abutted by two roadways or lake frontage shall be allowed two on-site signs or banners, one facing each roadway or the lake frontage and the roadway. Such signage shall be allowed up to two weeks prior to the event and shall be removed within 24 hours after the event. In no instance shall signs or banners be allowed for more than one month. Six directional signs not exceeding six square feet shall also be allowed in conjunction with a special event but shall be allowed no earlier than 24 hours before the event and must be removed within 24 hours after the event.

Signs/banners for "not for profit" organizations (which shall be defined for this purpose as those organizations which declare "not for profit" in by-laws or have official tax exempt status) shall be allowed for an occurrence that marks an unusual or distinctive purpose (such as community service events or fund raising events). Such signage shall consist of at most one on-site sign and five off-site signs, each of which shall not exceed 16 square feet in size and seven feet in height. Such signage shall be set back ten feet from road right-of-way or property lines and three feet from sidewalks whichever results in the greatest setback. Organizations abutted by two roadways or lake frontage shall be allowed two on-site signs or banners, one facing each roadway or the lake frontage and the roadway. The five off-site signs shall be located at approved village right-of-way locations or on private property. For signs placed on

private property, written permission from the property owner must be on file with the sign code administrator. No such signage shall be allowed for more than one month, unless the event is seasonal in nature and then signage may be allowed for the duration of the season. Six directional signs not to exceed six square feet shall also be allowed in conjunction with a special event but shall be allowed no earlier than 24 hours before the event and must be removed within 24 hours after the event.

(b) The following temporary signs shall also be exempted from sections 70.105-70.107 subject to the following conditions:

(1) *Temporary real estate signs.*

- a. *Number.* There shall not be more than one temporary real estate sign for each lot except that where a lot abuts two or more streets, one for sale sign may be allowed for each abutting street frontage.
- b. *Surface area.*
 1. *Residential areas.* In all single-family and plex residential areas, temporary for sale or for rent real estate signs shall not exceed 12 square feet in gross surface area.
 2. *Nonresidential areas.* In business and multifamily residential areas, temporary for sale real estate signs shall not exceed 25 square feet in gross surface area and temporary for lease or for rent real estate signs shall not exceed ten square feet in gross surface area.
- c. *Location.* Temporary for sale real estate signs shall be located only upon the premises for sale and shall be setback a minimum of ten feet from any abutting property line, road right-of-way or driveway. Temporary for lease or for rent real estate signs shall be attractively designed and located on the existing business's freestanding sign in accordance with sign code administrator approval. If the sign code administrator and sign applicant disagree on sign design and/or location, the proposed sign shall be subject to planning commission approval.
- d. *Height.* Temporary for sale real estate signs shall not project higher than seven feet as measured from preconstruction grade at the base of the sign. Temporary for lease or for rent real estate signs shall not project higher than the existing business's freestanding sign.
- e. *Special conditions.* Temporary real estate signs shall be removed within seven days of the sale or lease of the premises upon which the sign is located.

(2) *Temporary construction signs.*

- a. *Number.* There shall not be more than one temporary construction sign for each project or development, except that where a project or development abuts two or more streets, one sign may be allowed for each abutting street frontage.
- b. *Surface area.*
 1. *Residential areas.* In all residential areas, temporary construction signs shall not exceed 25 square feet in gross

- surface area.
2. *Nonresidential areas.* In all nonresidential areas, temporary construction signs shall not exceed 50 square feet in gross surface area.
 - c. *Location.* Temporary construction signs shall be located only upon the premises upon which construction either is about to occur or is occurring. Such signs shall be setback/offset a minimum of ten feet from any abutting property line, road right-of-way or driveway.
 - d. *Height.* Temporary construction signs shall not project higher than seven feet, as measured from pre-construction grade at the base of the sign.
 - e. *Special conditions.* Temporary construction signs shall be permitted only as accessory to an approved building permit for the purpose of identifying a proposed construction project and the names of contractors, engineers, architects and financial institutions involved in the project development. Temporary construction signs may be erected and maintained for a period not to exceed 30 days prior to the commencement of construction and shall be removed within 30 days of the termination of construction of the project or development, as determined by the sign code administrator.
- (3) *Election Campaign Signs.* Election campaign signs may be allowed in any district without a permit provided that permission shall be obtained from the property owner, renter or lessee; and provided that such sign shall not be erected for more than the election campaign period as set forth in (Wis. Stat. 12.04). No such sign shall be placed on public lands, within the public right-of-way, upon public or quasi-public structures, buildings, traffic control devices, poles, posts or other appurtenances owned or operated by the Village or its utilities or within the vision triangle of intersecting streets without the express written consent of the Village and if so placed without such permission will be subject to removal without notice. Election campaign signs which, by their size, shape, number, location or appearance, may adversely affect vehicle or pedestrian safety are prohibited.

Sec. 70.112. Illumination standards.

- (a) In addition to complying with the provisions of this chapter, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the Village of Pewaukee electrical code. No person may erect a sign with exposed electrical cords and wires.
- (b) The use of unshielded lighting, including exposed incandescent light bulbs hung or strung on poles, wires or any other type of support intended to illuminate a sign or other advertising device is expressly prohibited.
- (c) No sign shall be illuminated, either internally or externally, between the hours of 11:00 p.m. and sunrise unless the premises on which it is located is open for business during that time. Signs located in or adjacent to residential districts shall not be illuminated between the hours of 9:00 p.m. and sunrise.
- (d) All sign lighting shall be so designed, located, shielded or hooded so as to prevent the casting of glare or direct light upon adjacent roadways, surrounding

properties or into the sky.

Sec. 70.113. Landscaping standards.

- (a) In the case of any pole or ground mounted freestanding signs, a landscape area shall extend a minimum of five feet from the base of the sign. A planting plan for the required landscape area shall be subject to review and approval of the sign code administrator.
- (b) Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e., floodlight), landscape plantings shall be installed in such manner as will entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective yearlong screening.

Sec. 70.114. Location standards.

- (a) In any zoning district, no sign or sign supporting structure shall be setback/offset less than ten feet from any abutting lot line, right-of-way or driveway.
- (b) Placement of all signs shall be subject to the vision setback regulations as put forth in the Village of Pewaukee zoning code.
- (c) No nonresidential sign shall be located closer than 50 feet to an abutting residential zone unless specifically approved by the planning commission.

Sec. 70.115. Permitted signs.

- (a) *Multifamily residential uses.* Name and address signs of buildings containing four or more residential units shall be allowed subject to the following:
 - (1) *Type.* Development/project identification and building name/address signs.
 - (2) *Number.* There shall not be more than one freestanding identification sign for each development/project and one wall mounted building name/address sign for each building—except that where a building abuts two or more streets, one freestanding identification sign and one wall mounted name/address sign may be allowed for each abutting street frontage.
 - (3) *Area.* Building name/address signs shall not exceed six square feet in gross surface area. Development/project signs shall not exceed 32 square feet in size.
 - (4) *Location.* Development/project identification signs shall not be located closer than ten feet to any property line right-of-way or driveway. No freestanding development/project identification sign shall be placed closer than 250 feet to another such sign on any single property or closer than 200 feet to another freestanding sign on any single property located within the “Downtown area”.
 - (5) *Height.* Freestanding signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.
- (b) *Subdivision identification signs.* A permanent sign used to designate a residential subdivision entrance may be permitted subject to the following criteria:
 - (1) *Type.* Subdivision identification signs shall be ground signs.
 - (2) *Number.* There shall not be more than two subdivision identification signs for each point of vehicular access to the subdivision.
 - (3) *Area.* Subdivision identification signs shall not exceed 32 square feet in area per sign.

- (4) *Location.* Subdivision identification signs shall not be located closer than ten feet to any property line, right-of-way or driveway.
- (5) *Height.* Subdivision identification signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.
- (c) *Business and institutional uses.* For business and institutional uses, only the following signs are hereby allowed:
 - (1) *Wall signs.*
 - a. *Number.* There shall be no more than one wall sign for each principal building except for the case of multi-tenant buildings as regulated in Section 70.115 (c) (9) of this chapter and except for the case of buildings that front two or more streets or the lakefront in which case one wall sign may be permitted for each façade facing a street or the lakefront.
 - b. *Area.* The gross surface area of a wall sign shall not exceed 40 square feet (not to exceed 30 square feet for properties located in the “Downtown area”) or 75 percent of the tenant's lineal facade frontage, whichever is less.
 - c. *Secondary entrance wall sign:* Businesses with two customer entrances (rear entrance) may display an additional wall sign on the wall containing the secondary entrance.
 - (1) Maximum number per lot: One secondary entrance wall sign may be allowed for each business with a secondary entrance.
 - (2) Maximum permitted area per sign: One-half the area of the primary allowed entrance wall sign provided that the secondary entrance abuts a parking lot. If the secondary entrance abuts a service drive or loading area only, the sign shall not exceed eight square feet in area.
 - d. *Location.* A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.
 - e. *Height.* A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
 - (2) *Freestanding ground signs.*
 - a. *Number.* There shall not be more than one freestanding ground/monument sign for each principal building except that where a building abuts two or more streets, in which case one freestanding sign may be allowed for each abutting street frontage.
 - b. *Area.* The gross surface area of a ground sign shall not exceed 50 square feet of area.
 - c. *Location.* A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway. No freestanding ground signs shall be placed closer than 250 feet to another such sign on any single property or in the case of a property located in the “Downtown area” freestanding signs shall not be placed closer than 200 feet to another freestanding sign on any single property.
 - d. *Height.* A ground sign shall not project higher than ten feet, as measured from preconstruction grade at the base of the sign.
 - (3) *Projecting signs.*

- a. *Number.* There shall not be more than one projecting sign for each principal building or individual tenant occupant therein.
 - b. *Area.* The gross surface area of a projecting sign shall not exceed 15 square feet.
 - c. *Location.* A projecting sign shall not extend more than five feet over the lot line and in no case shall extend to within five feet of the back of curb. Projecting signs shall be spaced a minimum of 25 feet apart. Projecting signs shall not be located within 75 feet of any freestanding ground sign.
 - d. *Height.* The minimum clearance to grade shall be eight feet measured from the lowest part of the sign. The maximum height shall be 15 feet.
- (4) *Awning, canopy and marquee signs.*
- a. *Number.* Not more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet shall be permitted for each principal building.
 - b. *Area.* Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this chapter. The gross surface area of an awning, canopy or marquee sign shall not exceed 50 percent of the surface area to which such sign is to be affixed or 30 square feet in area, whichever is less.
 - c. *Height.* The minimum clearance to grade shall be eight feet measured from the lowest part of the awning, canopy or marquee.
 - d. No awning, canopy or marquee shall extend closer than two feet to the back of curb.
 - e. The roofs of all awnings, canopies and marquees shall be used for no other purpose than to form and constitute a roof. The roofs of all awnings, canopies and marquees shall not drain directly onto the public right-of-way.
 - f. Awnings, canopies and marquees shall not interfere with street trees and/or traffic signs and signals.
 - g. No advertising shall be placed on an awning, canopy or marquee sign except for the name of the owner of the business or industry conducted within the premises, the address of the building or the building name.
 - h. Translucent and/or internally lit plastic awnings, canopies or marquees are not permitted.
- (5) *Window signs.* Each business tenant shall be allowed to display window signage not exceeding 30 percent (not exceeding 25 percent for properties located in the “Downtown area”) of the glass area of the window upon which the sign is displayed. Window signage shall not be placed on door windows or other windows needed to be clear for pedestrian safety. During business hours, each business tenant shall be allowed to display on each public street that it fronts, one neon sign not exceeding 300 square inches in size or 50 percent of the window area, whichever is less. Such signs shall emit a steady light. Blinking, flashing, strobe or other light animation shall not be allowed. If the signage is applied directly to windows, it must be professionally designed and of a permanent material so as not to peel,

chip, crack, smudge or rub off easily.

- a. Window obstruction by interior signs shall not exceed more than 30 percent (not to exceed 25 percent for properties located in the “Downtown area”) for any one window, nor more than ten percent of all combined window areas on the same facade of the structure. Area devoted to signage within windows shall count toward the sign area maximum permitted for the use. The Planning Commission may waive or modify the provisions of this section where deemed appropriate in the context of the visual impact such signs may have on the aesthetic quality and architectural character of the subject building and surrounding properties.
- (6) *Special conditions.* All signs on a lot shall exhibit uniformity in design, colors, size, materials, lighting, etc., and shall be so located as will prevent visual distraction and competition among signs.
- (7) *Changeable copy and electronic message signs.* Changeable copy and electronic message signs shall only be allowed with prior planning commission approval. In reviewing the permit request the Planning Commission may approve or deny any application based upon, but not limited to, architectural design, size, interference with surrounding development, area, shape, height, lighting, location, pedestrian and vehicular traffic safety.
- (8) *Sandwich Board signs.*
 - a. Sandwich Board signs are self-supporting A-shaped freestanding temporary signs with only two visible sides that contain commercial speech.
 - b. The maximum area shall be eight (8) square feet per side of sign with the maximum height being (48) inches.
 - c. Only one Sandwich Board sign per business shall be permitted. Sandwich Board signs shall not be placed more than ten (10) feet from the front primary entrance of the business unless a staff waiver is granted during permit review due to extenuating circumstances.
 - d. Sandwich Board signs shall not be placed so as to cause the width of any public walkway to be reduced below four (4) feet in width, nor shall they be erected or maintained in a manner that prevents free ingress or egress from any door, window or fire escape.
 - e. A No-Fee Sandwich Board sign permit is required prior to the installation of the sign. If the sign is to be located within the public right-of-way, business owners shall sign a disclaimer that indemnifies the Village of any liability for use of said public right-of-way.
 - f. A sketch including dimensions, content, materials and location of the Sandwich Board sign must be attached to the permit application. The permit application must be approved and signed by Village Staff prior to display of a Sandwich Board sign. If a sign is displayed prior to obtaining a Sandwich Board sign permit, application may be denied. Replacement of an approved Sandwich Board sign shall require a new permit.
 - g. Sandwich Board signs shall not be illuminated, nor shall they

contain moving parts or have balloons, streamers, pennants, or similar adornment attached to them. Attaching Sandwich Board signs to structures, poles, objects, signs, etc. by means of chains, cords, rope, wire, cable, etc. is prohibited. Signs shall be removed from public sidewalk if there is any snow accumulation (signs may not be displayed until such snow is removed) except those located on private property. Signs shall only be displayed during business operating hours.

- h. Sandwich Board signs placed in violation of this section will result in immediate removal of the sign and the temporary sign permit privileges for any violating business will be denied for the remainder of the year.
 - i. Sandwich Board signs within the public right-of-way but which present an unreasonable impediment to visibility, ingress or egress may be moved or removed by the Village as may be necessary to maintain the public health, safety and welfare and for municipal purposes (i.e., code enforcement, snow removal, traffic issues, maintenance, etc.).
- (9) *Multiple-tenant signs.* Nonresidential multiple-tenant buildings shall be permitted one wall sign per tenant not exceeding 30 square feet in area or 75 percent of the tenants lineal façade frontage, whichever is less.. The multiple tenants may also share advertising space on the permitted freestanding sign(s). Major tenants may be allowed a larger wall sign subject to planning commission approval.
- (10) Prior to issuance of a sign permit for any business located in a multiple-tenant building, a master sign plan for that building depicting the design, dimensions, location, materials, content, color scheme, type of illumination, if any, method of construction and attachment for all signs planned to be installed on the building and property (based upon anticipated full occupancy) shall be approved by the Planning Commission.
- (11) Distance between signs on an individual parcel shall generally be measured along the shortest unobstructed path on the ground.

Sec. 70.116. Existing signs.

- (a) Existing signs which become nonconforming upon adoption of the ordinance from which this chapter is derived shall not be reconstructed, remodeled, relocated or changed in size or content unless such action will make the sign conforming in all respects with this chapter.

Note: Normal maintenance and/or simple change of sign face or lettering shall not trigger full conformance with the sign code.

- (b) A nonconforming sign or sign structure which is destroyed or damaged may be restored only after the owner has shown that the damage did not exceed 50 percent of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding fifty 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to the sign code. If restoration of

a damaged sign is not completed within three months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all specifications of this chapter.

- (c) At any such time as the owner of any building or lot, on which a nonconforming sign is located, requests planning commission approval for any change to the use, building or lot, the planning commission may require that such nonconforming sign be removed or made to conform with this chapter as a condition of building or site approval.

Sec. 70.117. Design, construction and erection standards.

- (a) *Structure design.*
 - (1) All signs shall be constructed, erected and maintained to safely withstand wind and live load pressure as specified by Wisconsin State Statute and applicable building and administrative code.
 - (2) The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry.
 - (3) Wall signs attached to exterior building walls shall be anchored or attached in such a manner as will ensure stability and safety.
- (b) *Aesthetic design.* The sign's design shall fulfill the purpose cited in section 70.100 and reflect the quality and character of signs exemplified in the Village of Pewaukee's sign code supplement entitled "Village of Pewaukee Sign Code Portfolio."

Sec. 70.118. Maintenance and removal of signs.

The Village of Pewaukee may cause any sign or other advertising structure that is, in their opinion, an immediate peril to persons or property to be summarily removed without notice.

- (1) *Appearance requirements.*
 - a. The owner of any sign as defined and regulated by this chapter shall be required to properly maintain the appearance of all parts and supports of their sign as directed by the village.
 - b. If the sign owner does not provide proper sign maintenance within 60 days after written notification from the village, the sign may be removed as provided in subsection (2) of this section.
- (2) *Removal of certain signs and billboards.*
 - a. Any sign or billboard now or hereafter existing which no longer advertises a bona fide business or product, or which is dilapidated, out of repair, unsafe, insecure or has been constructed, erected or maintained in violation of the provisions of this chapter shall be taken down and removed by the owner, agent or person having the beneficial use of the building or land upon which such sign may be found. If within ten days after written notification from the village the sign owner fails to comply with such notice the village may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. If such costs and expenses are not paid within 30 days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on

- such real estate.
- b. Any sign that is constructed without proper approval and permit shall be removed or must be issued a proper permit within five days' notice to the owner by the village. If the owner of such sign is not issued a proper permit or fails to remove such sign, the village may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. If such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on such real estate.
 - c. If the owner of an illegal sign cannot be ascertained by the village, then notice as indicated in subsection (2)a. of this section shall be given to the owner of the real estate upon which the sign is located. If the owner of the real estate is not issued a proper permit or does not remove the sign within ten days then the village may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. If such costs and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on such real estate.
 - d. The cost of removing any signs located in the road right-of-way at the time the road is widened, and such signs must be removed, shall be paid by the sign owner.

Section 70.119. Severability.

If any section, clause, provision or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular sign or structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other sign or structure not specifically included in such judgment.

