

**TITLE 13
CHAPTER 1 - ZONING CODE**

**ARTICLE 18
SIGNS AND MURALS**

Divisions

	<u>Page</u>
1. Signs	259
2. Murals	269

**DIVISION 1
SIGNS**

Sections

18-1 Legislative findings	18-13 Window signs
18-2 Purpose	18-14 Sidewalk signs
18-3 Applicability	18-15 Signs allowed without a permit
18-4 Prohibited signs	18-16 Signs allowed with a permit in a residential zoning district
18-5 General standards	18-17 Signs allowed with a permit in a commercial, industrial, or special purpose zoning district
18-6 Sign lighting	18-18 Signs in a planned development district
18-7 Electronic message displays	18-19 Maintenance
18-8 Projecting signs	18-20 Removal of illegal signs placed on public property
18-9 Awning signs	18-21 Abandoned signs
18-10 Free-standing signs	18-22 Nonconforming signs
18-11 Hanging signs	
18-12 Wall signs	

18-1 Legislative findings

The Common Council makes the following legislative findings relating to signs:

- (1) In addition to signage allowed by this article, individuals, groups of people, and businesses have numerous means to communicate different types of speech, including print media, broadcast media, direct mailings to households, and dissemination of information on the Internet.
- (2) Sign regulations in this article (i) promote the public welfare, health, and safety of people using the public roads and other public travelways; (ii) advance the aesthetic goals of the city, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public; and (iii) reduce the visual clutter caused by advertising signage which is a significant cause of unsafe traffic and visibility conditions.
- (3) Sign regulations in this article are not intended to control the content of a message, except as allowed by law, or to unduly restrict the appearance of a sign.
- (4) The limitations placed on signs by this article are deemed to be the minimum necessary to accomplish the purposes of this article.
- (5) A 70-mile segment of State Highway 13, including Bayfield Street in the City of Washburn, was designated a Wisconsin Scenic Byway in 2013 pursuant to s. 84.106, Wis. Stats., and the requirements in ch. Trans 202, Wis. Admin. Code. Designation as a scenic byway means that off-premise signs that can be seen from the route are not permitted (see s. Trans 201.23, Wis. Admin. Code).

18-2 Purpose

This article promotes the public health, safety, and general welfare and is intended to:

- (1) promote the desired community character described in the City's comprehensive plan;
- (2) comply with all requirements related to designation as a Wisconsin scenic byway;
- (3) promote well maintained and attractive signage within the city;
- (4) provide for adequate business identification, advertising, and communication;
- (5) protect the safety and efficiency of the transportation network by reducing confusion or distractions to motorists and enhancing motorists' ability to see and recognize pedestrians, obstacles, other vehicles, and official traffic signs, signals, or devices by minimizing a proliferation of visual messages; and
- (6) protect the safety of the public by requiring proper maintenance of signs and establishing minimum design and construction standards.

18-3 Applicability

The regulations in this division apply to all signs except for the following, which are exempt:

- (1) A traffic control sign and other similar signage when located on public property along a roadway or other travelway when placed by or authorized by the federal government, the state of Wisconsin, Bayfield County, or a municipal government.
- (2) A sign inside of a building that does not meet the definition of a window sign.
- (3) A legal notice posted on private property as may be required or authorized by municipal, state, or federal law.
- (4) Scoreboards related to outdoor athletic fields, which are reviewed as part of a site plan review as described in Article 7 of this chapter.
- (5) Team support banners that are temporarily affixed to a fence on an outdoor athletic field, which are subject to other regulations as may be adopted by the Common Council.
- (6) Civic event banners that are temporarily placed above a public right-of-way, which are subject to other regulations as may be adopted by the Common Council.

18-4 Prohibited signs

(a) **General prohibition.** Any sign not specifically allowed in this article is prohibited.

(b) **Vehicle signs.** Vehicles, including automobiles, trucks, trailers, semi-trailers, campers, and buses that contain a sign for which the apparent purpose is to advertise a product or direct people to a business or an activity shall not be parked on a public right-of-way or on private property so as to be seen from a public right-of-way, except that such a vehicle is used in the daily operation of a business for service calls, deliveries, and the like (Exhibit 18-1).

(c) **Roof signs.** Signs affixed to a roof of a building in any manner, whether directly or indirectly, are prohibited.

(d) **Search lights and beacons.** Search lights and beacons are prohibited.

(e) **Wind signs.** Wind signs, consisting of a string of interconnected banners or pennants (with or without messages) are prohibited.

(f) **Off-premise signs.** Off-premise signs are prohibited, except as specifically allowed in this article.

Exhibit 18-1. Example of a vehicle sign



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18-5 General standards

A sign allowed by this article shall comply with the following general requirements in addition to other standards that may apply:

- (1) A sign shall be constructed of durable, weather-resistant materials.
- (2) A sign shall not resemble, imitate, or approximate the shape, size, form, or color of a railroad or traffic sign, signal, or device.

- (3) A sign shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices.
- (4) A sign shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, driveway, or fire escape.
- (5) A sign shall not be attached to a standpipe or fire escape.
- (6) A sign is allowed in a vision triangle if the sign complies with the standards in s. 8-76.
- (7) A sign shall not oscillate or rotate.
- (8) A sign shall not emit an audible sound, odor, or any visible matter (e.g., steam, smoke, confetti).
- (9) A sign shall not be placed on a telecommunication tower, except as required or permitted under Article 8.
- (10) A sign shall be constructed and mounted so as to comply with state and local building codes as applicable.
- (11) A sign containing electrical wiring shall be constructed, installed, and operated so as to comply with state and local electrical codes as applicable.
- (12) A sign shall not be painted on or similarly affixed to a natural object, such as a tree or rock.
- (13) When a sign is authorized to contain electrical power or when a sign is illuminated by one or more external light fixtures, the electric wire providing the electric power to the sign or the light fixture shall be placed underground from the service disconnect.
- (14) Signs shall not be located on public property except as specifically allowed in this article.

18-6 Sign lighting

Lighting of a sign when allowed by this article shall comply with the following standards:

- (1) Internal or external illumination shall not flash or change color.
- (2) Lighting for an externally illuminated sign shall be shaded, shielded, and directed away from surrounding properties and vehicular traffic.
- (3) Neon lighting or lighting having the same appearance of neon lighting may be used.
- (4) For a sign with internal illumination, the background of the sign face shall be made of an opaque material to allow internal light to project only through the lettering and/or logos or a colored translucent material (i.e., not white, cream, off-white, or other light color) with either translucent or opaque lettering and/or logos.
- (5) Lighting shall not oscillate or move or give the appearance of movement.

18-7 Electronic message displays

(a) **Findings.** The common Council makes the following findings regarding electronic message displays:

- (1) Electronic displays are designed to produce sufficient brightness to ensure clear legibility during daylight hours. However, daytime brightness settings are usually inappropriate for night-time viewing.
- (2) Electronic displays that are too bright at night can be offensive and reduce the legibility of the display copy.
- (3) Technology exists to control lighting levels, with scheduled dimming based on sunset-sunrise tables or with photocells.
- (4) Appropriate standards are necessary to ensure electronic displays do not become a nuisance to surrounding property owners or pedestrians or a distraction to passing motorists.

(b) **General standards.** An electronic message display when allowed by this article shall comply with the following standards:

- (1) An electronic message display must be equipped with technology the sign owner can use to program lighting levels to comply with the lighting standards in this section.
- (2) Except for time and temperature displays, the message shall remain static at least 2 minutes before the next message appears.

- (3) No part of the message shall give the appearance of movement.
- (4) There shall be no transition between messages (i.e., no traveling, scrolling, dissolving, or fading).
- (5) Lighting levels shall not exceed 0.3 footcandles over ambient lighting conditions when measured at the specified distance in the table below, based on the size of the display. However, lighting levels shall not exceed 0.1 footcandles over ambient lighting conditions at the property boundary line of a residential property or 0.2 footcandles over ambient lighting conditions at the property boundary line of a commercial, industrial, or institutional property.

Sign Area (square feet)	Measurement Distance (feet)
10	32
15	39
20	45
25	50
30	55

Note: The sign areas listed in this table are for illustration only. The Village's sign regulations may not allow the sign areas listed. For signs areas not listed, the measurement distance is calculated with the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

- (6) The background of the message display shall be a solid color.
- (7) The message on an electronic message display shall only relate to the premises on which it is located, except for public service announcements.
- (8) The electronic message display shall be turned off by 11:00 p.m. each day or one hour after the close of the business on the premises whichever is later and shall remain off until 5:00 a.m. the following day.
- (9) An electronic message display shall be located on no more than one sign per road frontage.

18-8 Projecting signs

A projecting sign shall comply with each of the following:

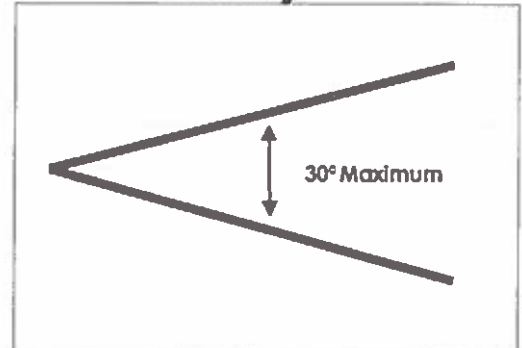
- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) The sign shall not extend more than 8 feet from the building on which it is attached.
- (3) The top of the sign shall not be higher than the building on which it is located.
- (4) When located above a walkway, the bottom edge of the sign shall be at least 10 feet above the surface of the walkway beneath the sign.
- (5) When located above a driveway or an alley, the bottom edge of the sign shall be at least 15 feet above the surface of such driveway or alley.
- (6) If a projecting sign extends over public property (i.e., above a public sidewalk), the property owner shall provide all assurances as may be specified by the city administrator and/or the city attorney before a sign permit can be issued.

18-9 Awning signs

A sign on an awning shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) If a canopy extends over public property (i.e., above a public sidewalk), the property owner shall provide all assurances as may be specified by the city administrator and/or the city attorney before a sign permit can be issued for a canopy sign.
- (3) When located above a walkway, the bottom edge of the canopy shall be at least 8 feet above the surface of the walkway beneath the canopy.
- (4) The sign shall only be placed on the vertical flap of the canopy and may not occupy more than 50 percent of the area of the flap.
- (5) The canopy, whether existing or proposed, shall be made of an opaque material.

Exhibit 18-2. Maximum angle for a double-faced monument sign



18-10 Free-standing signs

(a) **General standards.** A free-standing sign shall comply with each of the following:

- (1) When a free-standing sign is located in a residential zoning district, landscaping shall be provided and maintained around the base of the sign for a minimum distance of 5 feet. Such landscaping may consist of turf, small shrubs, ground cover, or a combination thereof.
- (2) The base of a monument sign shall be covered with brick, stone, split-face masonry block, wood, stucco, or other material that complements the materials on the principal building.
- (3) The base of a monument sign shall be at least 80 percent of the width of the sign.
- (4) A monument sign may be double-faced, provided the angle between the two sign faces does not exceed 30 degrees (Exhibit 18-2). If the sign faces are more than 30 degrees, both faces are considered single-sided and included in determining the area of the sign.
- (5) A pole or pylon sign may be double-faced provided the two faces are parallel to one another.
- (6) A free-standing sign shall be located at least 5 feet from the front lot line, 5 feet from a side or rear lot line if the adjoining property is non-residential, and 10 feet from a side or rear lot line if the adjoining property is in a residential zoning district.
- (7) A free-standing sign shall be located at least 15 feet from an access drive and 5 feet from a parking lot.
- (8) A free-standing sign shall be self-supporting (i.e., no guy wires or the like).
- (9) A free-standing sign shall be attached to a permanent foundation set in the ground.
- (10) A free-standing sign shall not unreasonably obstruct the view of a conforming sign on another property.

Exhibit 18-3. Measuring the area of a free-standing sign

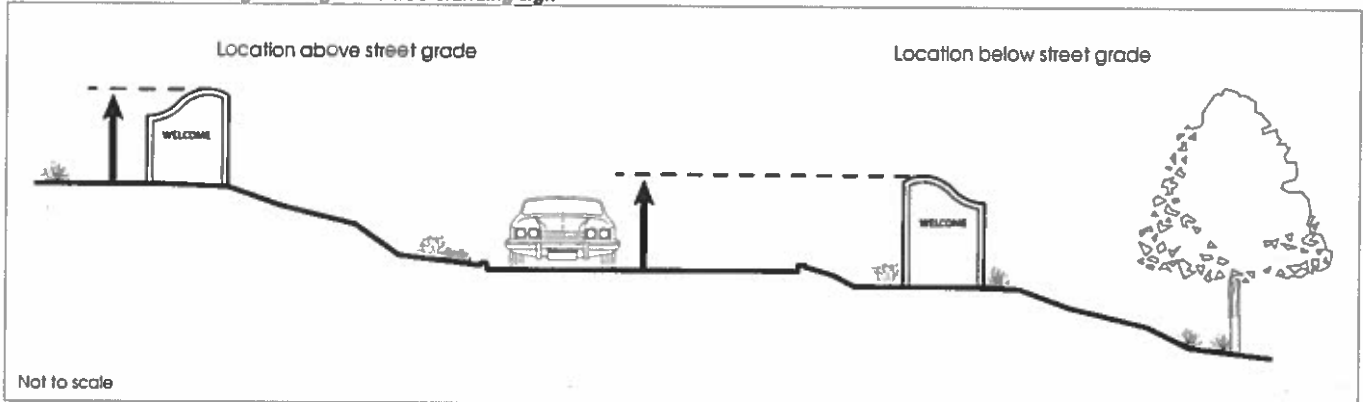


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(b) **Measuring the area of a free-standing sign.** The area of a freestanding sign is the entire surface area on which the message could be placed (Exhibit 18-3). The supporting structure or bracing is not included.

(c) **Measuring the height of a free-standing sign.** If the location of a freestanding sign is above street grade, the height of the sign is measured from the surrounding grade which may not be modified so as to increase the overall height of the sign (Exhibit 18-4). If the location of a monument sign is below street grade, the height of the sign is measured from the centerline of the street immediately in front of the sign (Exhibit 18-4).

Exhibit 18-4. Measuring the height of a free-standing sign



Not to scale

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18-11 Hanging signs

(a) **Standards.** A hanging sign shall comply with each of the following:

- (1) The sign shall be constructed of rigid material.
- (2) The sign may be externally illuminated; internal lighting is strictly prohibited.
- (3) The bottom edge of the sign shall be at least 8 feet above the sidewalk beneath the sign.
- (4) The sign shall not have more than two faces.

(b) **Measuring the area of a hanging sign.** The area of a hanging sign is the entire surface area on which the message could be placed.

18-12 Wall signs

(a) **Standards.** A wall sign shall comply with each of the following:

- (1) The sign shall complement the scale, proportion, and architectural style of the building on which it is to be attached.
- (2) A wall sign shall not project from the wall on which it is attached by more than 12 inches.
- (3) No portion of the sign shall extend above the wall face on which the sign is located.

(b) **Measuring the area of a wall sign.** The area of a wall sign without a distinctive border or background is the smallest rectangle encompassing all words, letters, figures, emblems, and other elements of the sign message. The area of a wall sign with a distinctive border or background is the small rectangle encompassing the border or background (Exhibit 18-5).

Exhibit 18-5. Measuring the area of a wall sign



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18-13 Window signs

A window sign shall comply with each of the following:

- (1) The placement of a window sign shall not be placed on a door window or window so as to constitute a hazard for pedestrian or guest traffic and safety.
- (2) Signage shall be placed on the interior of the glass.

18-14 Sidewalk signs

A sidewalk sign shall comply with each of the following:

- (1) A sidewalk sign shall have a small, but legible label identifying the business that owns the sign, a contact name, address, and phone number.
- (2) The overall width of a sidewalk sign including all components shall not exceed 36 inches.
- (3) A sidewalk sign must be securely weighted or otherwise designed to not shift, move, or topple over in the wind or present a hazard to the public.
- (4) A sidewalk sign may have two stabilized wheels for moving the sign.
- (5) A sidewalk sign shall only be placed at the location specified on the approved sign permit.
- (6) A sidewalk sign shall be located immediately in front of business, except the zoning administrator may approve an alternate location in the sign permit when necessary to accomplish the intended purpose of the sign.
- (7) A sidewalk sign shall not obstruct vehicular/bus stops, benches, fire hydrants, or other features located legally in the right-of-way or be located closer than 10 feet to another sidewalk sign. A sidewalk sign shall be located near the curb, rather than the building face.
- (8) A sidewalk sign shall not obstruct the use of the sidewalk by pedestrians.
- (9) A sidewalk sign shall not be located closer than 5 feet to an adjacent parcel line.
- (10) A sidewalk sign shall not be located in a vision triangle as specified in s. 8-76.

18-15 Signs allowed without a sign permit

- (a) Signage for a property zoned for single-family is allowed without a permit as follows:
 - (1) **Maximum sign area:** the area of all signs shall not exceed 14 square feet on a single-side sign or 28 feet on a double-sided sign
 - (2) **Number permitted:** no limitation except by total sign area
 - (3) **Type:** signage may be temporary or permanent
 - (4) **Placement:** signage may free-standing or affixed to the house, except no signage shall placed above the roof eaves or on a gable end
 - (5) **Time limitation:** none
 - (6) **Type of illumination permitted:** none except for indirect ambient lighting
 - (7) **Type of display permitted:** static display

Types of signage can include the following:

- (1) Signage for an authorized commercial use of the property (e.g., bed and breakfast)
- (2) Building marker signage (i.e., signage with the name of the building or date of construction or both)
- (3) Construction/maintenance signage (i.e., signage that identifies the architects, engineers, contractors and other individuals or firms involved with construction/maintenance taking place on the premises)
- (4) Free speech signage, including political and religious messages
- (5) Historic marker (i.e., signage marking a historic building, site, landmark, or similar designation by the federal government, the state of Wisconsin, Walworth County, a local government, or a non-profit organization)
- (6) Open house real estate signage (i.e., signage that indicates that a particular residence that is for sale/lease is or will be open to the public for viewing)
- (7) Personal greeting and congratulatory sign (i.e., signage related to a homecoming of a person or group of people or a personal event or accomplishment)
- (8) Private property protection signage (i.e., signage containing wording indicating an intent to deny entry to the general public, such as "no trespassing" or "private property")

- (9) Property address
 - (10) Quasi-public event signage (i.e., signage announcing a noncommercial event or celebration in the community that is sponsored by a civic, educational, patriotic, religious, or nonprofit organization)
 - (11) Yard sale signage (i.e., signage announcing a yard, rummage, or garage sale as may be authorized by this chapter)
- (b) Window sign(s) for a commercial business not located in a residential zoning district is allowed without a permit as follows:
- (1) **Zoning district:** Commercial and Industrial zoning districts
 - (2) **Placement / type:** no limitation
 - (3) **Time limitation:** none
 - (4) **Number permitted:** no limitation
 - (5) **Maximum sign area:** 30 percent of glass area located on the ground floor level per road frontage
 - (6) **Type of illumination permitted:** none
 - (7) **Type of display permitted:** static display

18-16 Signs allowed with a permit in a residential zoning district

Signage for the specified uses as may be allowed in a residential district is allowed with a sign permit consistent with the standards in Table 18-1.

Table 18-1. Signs allowed with a permit in a residential zoning district

Land use / sign type	Number of signs	Maximum sign area	Maximum sign height	Illumination	Type of display permitted	
Identification sign for a residential complex	A. Wall sign	1 per street frontage	16 square feet or 10 percent of the wall area, whichever is less	8 feet	External	Static display
	B. Free-standing sign - monument sign only	1 per premises	16 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Identification sign for a subdivision	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Temporary identification sign for an approved subdivision	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Identification sign for a neighborhood	Free-standing sign - monument sign only	1 per vehicular access point	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
Identification sign for an institutional use	A. Wall sign	1 per street frontage	32 square feet or 10 percent of the wall area, whichever is less	10 feet	External or internal	Static display
	B. Free-standing sign - monument only	1 per premises	32 square feet when single-sided; 32 square feet per side when double-sided	6 feet	External	Static display
	C. Parking lot entrance sign	One at each vehicular access point to the site but no closer than 300 feet on the same road frontage or closer than 300 feet to another free-standing sign	8 square feet when single-sided; 8 square feet per side when double-sided	5 feet	External	Static display

18-17 Signs allowed with a permit in a commercial, industrial, or special purpose zoning district

(a) **Maximum area.** The maximum sign area that is permitted on a given parcel is dictated by the floor area of the building on the parcel as set forth in Table 18-2.

Table 18-2. Maximum sign area allowed in a commercial, industrial, or special purpose district

Floor area of business	Maximum sign area on the premises
5,000 square feet or less	100 square feet
5,000 – 9,999 square feet	150 square feet
10,000 - 19,999 square feet	300 square feet
20,000 square feet and more	450 square feet

(b) **Permitted signs.** The signs listed in Table 18-3 are allowed with a permit as specified.

Table 18-3. Signs allowed with a permit in a commercial, industrial, or special purpose district

Sign type	Number of signs	Maximum sign area by type of sign (1)	Maximum sign height	Illumination	Type of display permitted
Wall sign	1 per street frontage	100 square feet or 10 percent of the wall area, whichever is less	8 feet	External or Internal	Static display
Projecting sign in lieu of an awning sign or a canopy sign	1 per frontage	36 square feet per side	NA	External or Internal	Static display
Canopy sign in lieu of an awning sign or a projecting sign	Signage on one canopy	50 percent of the gross surface area of the smallest face of the canopy to which the sign is affixed	NA	None	Static display
Awning sign in lieu of a canopy sign or a projecting sign	Signage on one awning	One line of copy no higher than 8 inches on the vertical flap	NA	None	Static display
Free-standing sign - pole or monument	1 per premises (2)	80 square feet when single-sided; 80 square feet per side when double-sided	Monument: 6 feet Pole: 8 feet	External or Internal	Static display
Sidewalk sign (3)	1 per distinct business	1,215 square inches with a maximum width of 27 inches (27" x 45")	NA	None	Static display

Notes:

1. See Table 18-2 for maximum sign area on a premises
2. Free-standing signs are not allowed in the C-3 district
3. Sidewalk signs are only allowed in the C-3 district

(c) **Supplemental signage.** In addition to the signage allowed in this section, an owner is granted an additional 24 square feet of signage (48 square feet if double-sided) that can be used for wall signage or free-standing sign. Such signage may be used for any message including non-commercial speech and for indicating the property is for sale, rent, or lease.

18-18 Signs in a planned development district

Signs in a planned development district shall comply with the requirements of the underlying zoning district as set forth in this article except as modified by the approved project plan.

18-19 Maintenance

The person owning the property on which a sign is located shall maintain such sign in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting, repainting, cleaning, and other acts required for proper maintenance. A dangerous sign shall be made to conform or removed within 5 calendar days of receipt of a written notice from the zoning administrator, unless a shorter compliance period as

specified in the notice is required to protect public safety. If the property owner does not comply, the Common Council may remove such sign pursuant to the authority and subject to the requirements set forth in s. 66.0413, Wis. Stats.

18-20 Removal of illegal signs placed on public property

Government personnel may remove a sign placed illegally on public property (e.g., within a street right-of-way or a public park) without notice to the person who installed or authorized the installation of the sign. The official removing such sign may dispose of the sign at his or her discretion.

18-21 Abandoned signs

A sign or sign message shall be removed by the owner or lessee of the premises upon which an on-premises sign is located when the business it advertises is no longer conducted or, for an off-premises sign, when the lease payment and rental income are no longer provided. If the owner or lessee fails to remove the sign, the City of Washburn, or its legal designee, shall give the owner 60 days' written notice to remove the said sign. Upon failure to comply with this notice, the City of Washburn, or its legal designee, may cause removal to be executed, the expenses of which shall be assessed to the tax roll of the property on which the abandoned sign is located. (§ of the current zoning code)

18-22 Nonconforming signs

Nonconforming signs shall comply with the requirements set forth in Article 19.

18-23 to 18-40 Reserved

**DIVISION 2
MURALS**

Sections

18-41	Legislative findings	18-43	Review procedure
18-42	Applicability	18-44	Design, installation, and maintenance

18-41 Legislative findings

The Common Council makes the following legislative findings relating to murals:

- (1) A mural, by definition, does not communicate a commercial message, and therefore does not constitute a sign.
- (2) A mural can help foster community identity by depicting a scene or event of natural, social, cultural, or historical significance.
- (3) Given the prominence of most murals, standards must be established so that murals become a community asset.

18-42 Applicability

The regulations in this division apply to all murals visible from an adjoining property or a public roadway.

18-43 Review procedures

A mural must be approved pursuant to the procedures and requirements set forth in Article 7.

18-44 Design, installation, and maintenance

- (1) Prior to painting or affixing a mural to the building, the surface of the building must be fully repaired and/or deemed suitable for the proposed mural. The City building inspector shall check the surface of the structure for general suitability. However, the City of Washburn and/or the building inspector shall not be responsible for any potential future failures associated with the structure or the mural.

- (2) A clear sealer shall be applied to the surface of the mural to extend the life of the mural and to make it easier to clean and maintain.
- (3) Exterior lighting may be allowed depending on location and potential off-site impacts on residential properties.
- (4) The property owner is responsible for ongoing maintenance and cleaning of the mural.
- (5) If any work related to the installation, cleaning, or maintenance of the mural occurs on public property, the property owner shall provide evidence of adequate liability insurance in an amount and of a type acceptable to the city administrator and the city may require measures to address parking impacts, if any, and to protect pedestrians and the public infrastructure.