

**VILLAGE OF CRIVITZ
DIRECT SELLER REGISTRATION FORM
for FOOD TRUCKS**

Business Name: _____

Owner Name: _____

Address: _____

Phone: _____

Last municipalities where business was conducted (not to exceed 3):

Date(s) of Sales: _____

Goods/Services: _____

Make, Model & License of Vehicle: _____

Location(s) of Sales: _____

Location of Restroom Facilities: _____

Include the following documents with application:

- ✓ Copy of Owner's & Managers Valid Drivers Licenses
- ✓ Disclosure of criminal or ordinance convictions and/or charges pending on separate sheet, if applicable - include dates, location of court and nature of offense.
- ✓ Copies of Current State Licenses/Certificates Required for Type of Business
- ✓ Copy of Wisconsin Sellers Permit
- ✓ Copy of Current Wisconsin Vehicle or Trailer Registration Form

- ✓ Appropriate Fees:
 - \$100.00 per season - Memorial Day through Labor Day
 - \$ 50.00 per month – Off season

Signature: _____

Printed Name: _____

Date: _____

Office Use Only

Registration Accepted _____ Denied _____ Date _____

Official Signature _____

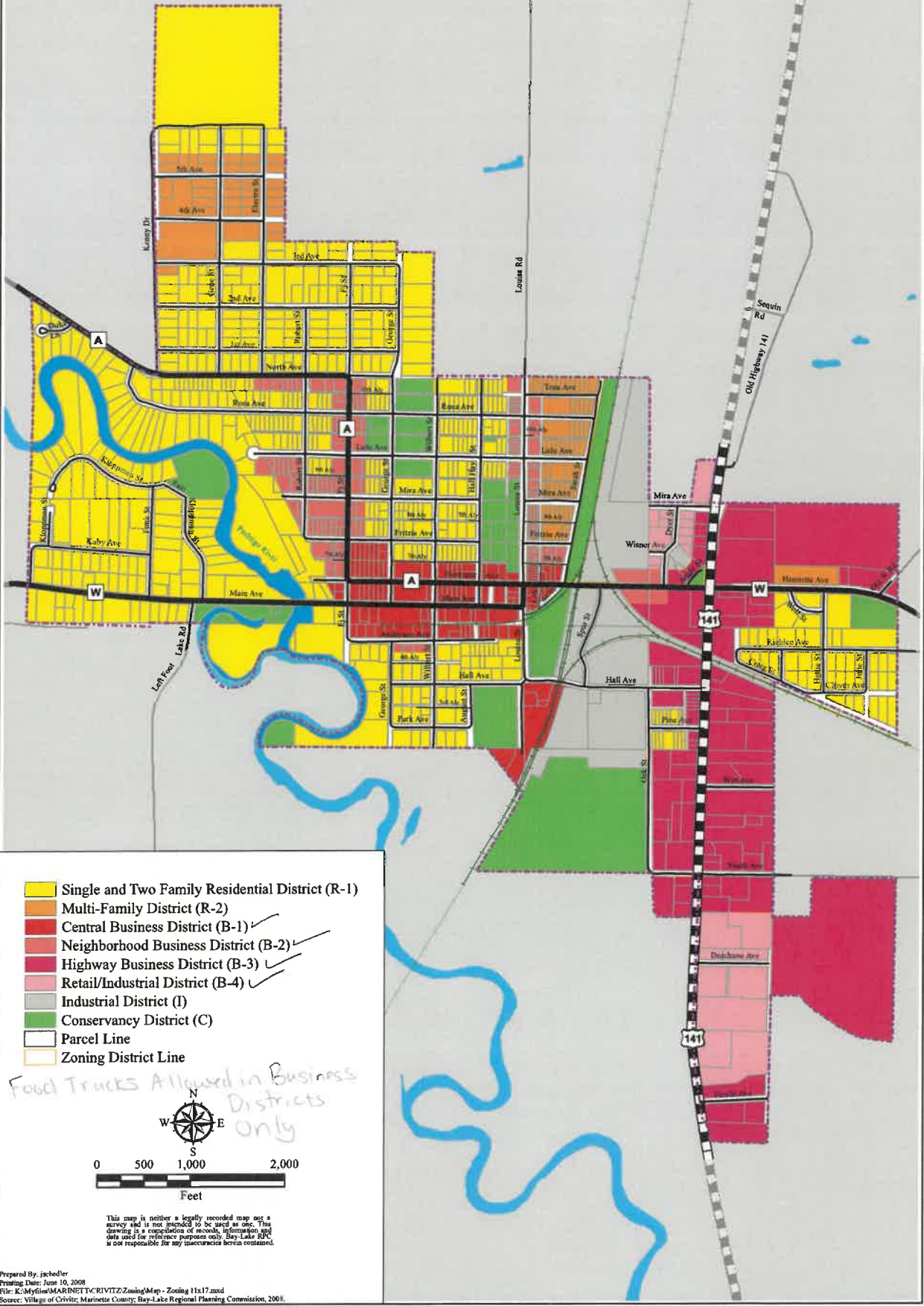
If accepted, documents given to applicant:

- Copy of completed registration form
- Local Ordinance Chapter 12, Article III, Sec. 12-54-63: Transient Merchants
- Local Ordinance Chapter 40, Article III, Sec 40-66-79: Parking Regulations
- Local Ordinance Chapter 44, Article VII, Sec. 44-213-227: Signs and Billboards
- Zoning Map

Zoning

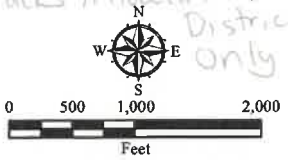
Village of Crivitz

Marinette County, Wisconsin



- Single and Two Family Residential District (R-1)
- Multi-Family District (R-2)
- Central Business District (B-1) ✓
- Neighborhood Business District (B-2) ✓
- Highway Business District (B-3) ✓
- Retail/Industrial District (B-4) ✓
- Industrial District (I)
- Conservancy District (C)
- Parcel Line
- Zoning District Line

Food Trucks Allowed in Business Districts only



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records information and data used for reference purposes only. Bay-Lake RPC is not responsible for any inaccuracies herein contained.

ARTICLE III. - TRANSIENT MERCHANTS

Sec. 12-54. - Registration required.

It is unlawful for any transient merchant to engage in direct sales within the village without being registered for that purpose as provided herein.

(Code 1992, § 7-4-1)

Sec. 12-55. - Definitions.

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

Charitable organization includes any benevolent, philanthropic, religious, patriotic or eleemosynary person, partnership, association or corporation, or one purporting to be such, including, for example, Boy Scouts, Girl Scouts, 4-H clubs and school organizations.

Goods includes personal property of any kind and shall include goods provided incidental to services offered or sold.

Merchandise includes personal property of any kind, and shall include merchandise, goods, or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of merchandise by a donor or prospective customer.

Permanent merchant means a person who, for at least one year prior to the consideration of the application of this chapter to the merchant has continuously operated an established place of business in the village or has continuously resided in the village and now does business from the residence of such person.

Sale of goods includes donations required by the transient merchant for the retention of goods by a donor or prospective customer. Sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm, or the sale of produce or other perishable products at retail or wholesale by a resident of this state.

Transient merchant means an individual who engages in the retail sale of merchandise at any place in the village temporarily, and who does not intend to become and does not become a permanent merchant of such place. The term shall include, but not be limited to, peddlers, solicitors and transient merchants,

(Code 1992, § 7-4-2)

Sec. 12-56. - Exemptions.

- (a) The following shall be exempt from all provisions of this article:
- (1) *Regular delivery routes.* Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes;
 - (2) *Wholesalers.* Any person selling merchandise at wholesale to dealers in such merchandise;
 - (3) *Agricultural products.* Any person selling state agricultural products which the person has grown;
 - (4) *Deliveries by permanent merchants.* Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business;
 - (5) *Requested home visits.* Any person who has an established place of business where the merchandise being sold or is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by, the person;
 - (6) *Prior sales transactions.* Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;
 - (7) *Services not offering merchandise.* Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise;
 - (8) *Auctions; sales authorized by statute.* Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law;
 - (9) *Charitable organizations; limited exemptions.* Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of the organization, provided that there is submitted to the village clerk-treasurer proof that such charitable organization is registered under Wis. Stats. § 440.41 or which is exempt from that statute's registration requirements.
 - (10) *Alleged transient merchants.* Any person who claims to be a permanent merchant, but against whom complaint has been made to the village clerk-treasurer that such person is a transient merchant, provided that there is submitted to the village clerk-treasurer proof that such person has leased for at least one year, or purchased, the premises from which such person is conducting business, or proof that such person has conducted such business in this village for at least one year prior to the date complaint was made.
 - (11) *Persons licensed by examining boards.* Any individual licensed by an examining board as defined in Wis. Stats. § 15.01(7).
 - (12)

Village authorized events. Transient merchants while doing business at special events authorized by the village board.

(13) *Resident minors.* Minors under 18 years of age who are residents of the public school district of which the village is a part.

(b) *Exception for events hosted by a charitable organization.* If the host of the Market I event, at which a transient merchant is a participant, is considered a bona fide registered nonprofit charitable organization, the transient merchant is not required to register and obtain a license under this section from the village. The host nonprofit charitable organization shall verify its status with the village prior to the scheduled event.

(Code 1992, § 7-4-3)

Sec. 12-57. - Registration.

(a) *Application form and content.* Applicants for registration must complete and return to the village clerk-treasurer a registration form furnished by the clerk-treasurer which shall require the following information:

- (1) Name, permanent address and telephone number, and temporary address, if any;
- (2) Name, address and telephone number of the person, firm, association or corporation that the transient merchant represents or is employed by, or whose merchandise is being sold;
- (3) Temporary address and telephone number from which business will be conducted, if any;
- (4) Nature of business to be conducted and a brief description of the merchandise offered and any services offered;
- (5) Proposed method of delivery of merchandise, if applicable;
- (6) Make, model and license number of any vehicle to be used by applicant in the conduct of the business of such applicant;
- (7) Last cities, villages, towns, not to exceed three, where applicant conducted similar business just prior to making this registration.
- (8) Place where applicant can be contacted for at least seven days after leaving this village;
- (9) Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last five years, the nature of the offense and the place of conviction.

(b) *Identification and documentation.* Applicants shall present to the village clerk-treasurer for examination:

- (1) A driver's license or some other proof of identity as may be reasonably required;
- (2)

A state certificate of examination and approval from the sealer of weights and measures where applicant's business requires use of weighing and measuring devices approved by state authorities;

- (3) A state health officer's certificate where applicant's business involves the handling of food or clothing and is required to be certified under state law; such certificate to state that applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application for license is made.
- (c) *Clerk-treasurer to be designated agent for service.* The applicant shall sign a statement appointing the village clerk-treasurer or agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant, in the event the applicant cannot, after reasonable effort, be served personally.
- (d) *Fees.* At the time of filing applications, an investigation fee in the amount provided in the village fee schedule shall be paid to the village clerk-treasurer to cover the cost of investigation of the facts stated in the applications and for processing the registration. Every member of a group must file a separate registration form; provided, however, that transient merchants may employ two assistants without payment of an additional investigation fee. The fee for a transient merchant license shall be as provided in the village fee schedule.
- (e) *Issuance; term.* Upon payment of the fees and the signing of the statement, the village clerk-treasurer shall register the applicant as a transient merchant and date the entry. The registration shall be valid for a period of one year from the date of entry, subject to subsequent refusal as provided in section 12-59.

(Code 1992, § 7-4-4; Ord. No. 2023-002, § I, 3-23-2023; Ord. No. 2023-010, § I, 10-25-2023)

Sec. 12-58. - Investigation.

Upon receipt of each application, village-designated law enforcement officers shall make and complete an investigation of the statements made in such registration, the investigation to be completed within five days from the time of referral.

(Code 1992, § 7-4-5(a))

Sec. 12-59. - Grounds for registration denial.

The village clerk-treasurer shall refuse to register the applicant and issue a permit if it is determined, pursuant to the investigation above, that the application contains any material omission or materially inaccurate statement; complaints of a material nature have been received against the applicant by authorities in the last cities, villages and towns, not exceeding three, in which the applicant conducted

similar business; the applicant was convicted of a crime, statutory violation or ordinance violation within the last five years, the nature of which is directly related to the applicant's fitness to engage in direct selling; or the applicant failed to comply with any applicable provision of section 12-57(b).

(Code 1992, § 7-4-5(b))

Sec. 12-60. - Appeal.

Any person denied registration may appeal the denial through the appeal procedure provided by ordinance or resolution of the village board or, if none has been adopted, under the provisions of Wis. Stats. § 68.07 through 68.16.

(Code 1992, § 7-4-6)

Sec. 12-61. - Revocation of registration.

Registration may be revoked by village law enforcement officers or village clerk-treasurer if the registrant made any material omission or materially inaccurate statement in the application for registration, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in direct sales, violated any provision of this chapter or was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in direct selling. The registrant may appeal such revocation pursuant to section 12-3.

(Code 1992, § 7-4-8)

Sec. 12-62. - Prohibited acts.

No transient merchant shall:

- (1) Call at any dwelling or other place between the hours of 9:00 p.m. and 8:00 a.m. except by appointment;
- (2) Call at any dwelling or other place where a sign is displayed bearing the words "no peddlers," "no solicitors," or words of similar meaning;
- (3) Call at the rear door of any dwelling place;
- (4) Remain on a premises after being asked to leave by the owner, occupant or other person having authority over such premises;
- (5) Misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or character of any merchandise offered for sale, the purpose of the visit of such transient merchant, the identity of such transient merchant or the identity of the organization such transient merchant represents;

(6)

Impede the free use of sidewalks and streets by pedestrians and vehicles;

- (7) When sales are made from vehicles, fail to comply with all traffic and parking regulations;
- (8) Make loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a 100-foot radius of the source.
- (9) Allow rubbish or litter to accumulate in or around the area in which such transient merchant is conducting business.

(Code 1992, § 7-4-7(a))

Sec. 12-63. - Disclosure requirements; written notices and statements.

- (a) *Disclosure of percentage of proceeds used for charitable purposes.* A charitable organization transient merchant shall specifically disclose what portion of the sale price of merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. The portion shall be expressed as a percentage of the sale price of the merchandise.
- (b) *Disclosure of names, organization, and items or services sold.* After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose the name of such transient merchant, the name of the company or organization such transient merchant is affiliated with, if any, and the identity of merchandise or services such transient merchant offers to sell.
- (c) *Buyer's right to cancel.* If any sale of merchandise is made by a transient merchant or any sales order for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel the transaction if it involves the extension of credit or is a cash transaction of more than \$25.00, in accordance with the procedure as set forth in Wis. Stats. § 423.203. The seller shall give the buyer two copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of Wis. Stats. § 423.203.
- (d) *Written statement summarizing transaction.* If the transient merchant takes a sales order for the later delivery of merchandise, such transient merchant shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance, whether full, partial or no advance payment is made, the name, address and telephone number of the seller, the delivery or performance date and whether a guarantee or warranty is provided and, if so, the terms thereof.

(Code 1992, § 7-4-7(b))

Secs. 12-64—12-84. - Reserved.

ARTICLE III. - STOPPING, STANDING, AND PARKING

Sec. 40-66. - Restrictions on parking; posted limitations.

- (a) *24-hour limitation.* No person shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the village for a period of 24 or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this section, such law enforcement officer is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this chapter. The law enforcement officer may cause the vehicle to be removed to a proper impoundment and storage area within the village where storage space is available and in such case the owner shall pay the costs of removing the vehicle and the storage fees on the vehicle before such owner may recover the possession thereof.
- (b) *Posted limitations.* The village board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Wis. Stats. § 349.13.
- (c) *Compliance required.* Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code.
- (d) *Authority of law enforcement officers to enforce.* Village law enforcement officers are granted the authority, within the reasonable exercise of police powers to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Wis. Stats. ch. 346. Village law enforcement officers shall also have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
- (e) *Official traffic control devices or signs required.* No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the

particular prohibition, restriction or limitation.

- (f) *Changing location of parked vehicle.* After the parking limitations on any given street have expired, any change of location of not more than one stall following expiration of the parking period allowed shall be and constitute a violation of this chapter.
- (g) *Village president's authority to temporarily suspend restrictions.* For a limited and reasonable period of time, the village president, with the consent of the village board, may suspend the parking time limitations upon notification to village law enforcement officers. In the event there does not exist sufficient time to notify the village board of the desire of the village president to do so because of untimely notice or advance information or request to the village president, the president is then authorized to take such action without approval of the village board.

(Code 1992, § 10-1-20)

Sec. 40-67. - Parking during temporary snow removal or street maintenance.

- (a) *Street maintenance.* When it is necessary to clear or repair a village roadway or any part thereof, the public works director shall post such highways or parts thereof with signs bearing the words "no parking—street maintenance work." Such signs shall be erected at least two hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (b) *Special events.* Pursuant to the provisions of Wis. Stats. § 349.13, the village board is authorized to direct that temporary "no parking" signs be erected during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on village roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.
- (c) *Snow removal.* No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one hour from the time such area has been designated and marked with signs or barriers by the public works director indicating no parking due to snow removal.

(Code 1992, § 10-1-21)

Sec. 40-68. - Stopping or parking prohibited in certain specified places.

- (a) *Parking prohibited at all times.* It is unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control device:
 - (1) Within an intersection.
 - (2) On a crosswalk.

- (3) On a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers. The term "terrace or sidewalk area" means that area between the sidewalk and the nearest curblin running parallel or generally parallel thereto or in the absence of a sidewalk ten feet beyond the curblin.
- (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
- (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
- (6) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing, or at any time upon any street or portion of any street along any curb painted yellow as authorized by the village board.
- (7) In any place or manner so as to obstruct, block or impede traffic.
- (8) Within 15 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
- (9) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
- (10) Upon any bridge or viaduct.
- (11) Within 25 feet of the nearest rail of a railroad grade crossing.
- (12) At any place where any motor vehicle, or off-road vehicle, would block the usage of a street, alley or other roadway.
- (13) Upon any street or highway within the village limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which the vehicle is stopped or standing.
- (14) Upon any terrace or sidewalk in the village at any time.
- (15) In a loading zoning.
- (16) Between a safety zone and the adjacent curb or within 30 feet of a point of the curb immediately opposite the end of the safety zone.
- (17) Within 30 feet of a traffic signal, beacon, or sign on the approaching side.
- (18) Within 20 feet of any intersection or crosswalk.
- (19) At any place where the standing of a vehicle will reduce the usable width of a roadway for moving traffic to less than 18 feet.
- (20) Within 20 feet of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within 75 feet of such entrance when properly sign posted.

(b)

Parking in driveways. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property which such driveway is located, whether or not such driveway is posted to limit or restrict parking.

(c) *Vehicles not to block private drive, alley or fire lane.* No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. The access shall be deemed to be unreasonably restricted if any vehicle is parked within four feet of either side of the access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, a law enforcement officer may order the vehicle towed from such position at the risk and expense of the owner of the vehicle.

(d) *Parking vehicle for repair or to display for sale prohibited.* No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the village for the purpose of repairing the vehicle or to display such vehicle for sale.

(Code 1992, § 10-1-22)

Sec. 40-69. - Parking reserved for vehicles of disabled.

When official traffic signs indicating such restriction have been erected in accordance with section 40-4, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the state department of transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

(Code 1992, § 10-1-23)

Sec. 40-70. - Leaving keys in parked vehicle prohibited; parking vehicles with motor running.

(a) No person shall permit any motor vehicle to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle. When any law enforcement officer shall find any vehicle standing with the key in the ignition in violation of this section, such officer is authorized to remove such key from the vehicle and deliver the key to the village office for safe custody.

(b) No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than 15 minutes within 300 feet of any residence or in any area zoned residential within the village between the hours of 10:00 p.m. and 7:00 a.m.

(Code 1992, § 10-1-24)

Sec. 40-71. - Unattended parked motorized machinery.

It is unlawful for any person to permit any construction, compaction, earth-grading or farm machinery which is self-propelled and moves upon the surface of the earth and which is owned or controlled by said person to stand for any period of time unattended without locking the ignition system or otherwise rendering the machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting the machinery.

(Code 1992, § 10-1-25)

Sec. 40-72. - Angle parking.

Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the village except where vehicle parking markers indicate that angle parking is permissible. All vehicles shall park parallel to, and within one foot of the curb except where streets and parking lots are so marked for angle parking. No person shall at any time park a vehicle:

- (1) In any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings.
- (2) Backwards into angle parking spaces so designated and provided by appropriate markings.
- (3) With a trailer attached or any vehicle longer than 20 feet on any street where angle parking is so provided and allowed.

(Code 1992, § 10-1-26)

Sec. 40-73. - Specific parking prohibited zones.

It is unlawful to permit any vehicle to stand at any time in the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or traffic control device:

- (1) On the north side of Hall Avenue from George Street to U.S. Highway 141.
- (2) On both sides of Henriette Avenue west and east of U.S. Highway 141 for a distance of 1,000 feet.
- (3) On the south side of Hall Avenue between the R Family Restaurant driveway and U.S. Highway 141.
- (4) On the west side of Louisa Street from the south edge of the Mira-Louisa Street intersection north to the alley at the north and of the school property; parallel parking only is permitted on the west side of Louisa Street from the south edge of the Mira-Louisa Street intersection south to the alley at the south end of the school property except that no parking is allowed on the school shop driveway.
- (5) On the east side of Wilbert Street from Main Street south, a distance of 95 feet.

- (6) On the east side of Angle Street from the intersection of Henriette Avenue to U.S. Highway 141.
- (7) On Henriette Avenue from George Street to F.J. Street on both sides of the street.
- (8) On F.J. Street from Henriette Avenue to Fritzie Avenue on both sides of the street.
- (9) On the west side of F.J. Street from Henriette Avenue to Main Street.
- (10) On the east side of Louisa Street from Henriette Avenue to Lulu Avenue between the hours of 7:30 a.m. and 3:30 p.m. on school days.
- (11) On both sides of Fritzie Avenue between Sarah Street and Louisa Street during school hours.
- (12) On both sides of Hall Hay Street from Henriette Avenue to Mira Avenue between the hours of 7:30 a.m. to 3:30 p.m. on school days.
- (13) On the south side of Anderson Avenue from George Street to Wilbert Street.
- (14) On both sides of 7th Alley west of F.J. Street.
- (15) On the west side of Louisa Street from Hall Avenue to 6th Alley from May 1 to October 1, annually.

(Code 1992, § 10-1-27; Ord. No. 2025-002, § 1, 2-26-2025)

Sec. 40-74. - Winter parking.

No person shall park any motor vehicle on any street in the village between the hours of 1:30 a.m. and 7:30 a.m. during the months of December, January, February, and March so as not to interfere with the snow removal crew.

(Code 1992, § 10-1-28)

Sec. 40-75. - Parking, standing or stopping in school bus loading zones.

- (a) No vehicle, conveyance or object of any type may be stopped, parked or standing in a designated school bus loading zone during school hours or during any hours of special school related event. The village may, at its discretion, apply standard traffic marking stripes to delineate such areas and may, at its discretion, provide signs or other markers designating the school bus loading zones.
- (b) Zones designated. The below described area shall be designated as a school bus loading zone: Commencing at a point on the east curb line of Hall Hay Street in the Village of Crivitz that is 206 feet north of the north curblines of Henriette Avenue; thence north along the east curblines of Hall Hay Street a distance of 530 feet; thence east a distance of 12 feet; thence south and parallel with the east curblines of Hall Hay Street a distance of 530 feet; thence east to the point of beginning.

(Code 1992, § 10-1-29; Ord. No. 2025-002, § 2, 2-26-2025)

Sec. 40-76. - Unlawful removal of parking citations.

No person other than the owner or operator thereof shall remove a village parking ticket from a motor vehicle.

(Code 1992, § 10-1-30)

Sec. 40-77. - Removal of illegally parked vehicles.

- (a) *Hazard to public safety.* Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator in charge, upon request of any law enforcement officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (b) *Removal by traffic officer.* Any law enforcement officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is permitted.
- (c) *Removal by private service.* The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (d) *Towing and storage charges.* In addition to other penalties provided in this chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

(Code 1992, § 10-1-32)

Sec. 40-78. - Parking of inoperable, wrecked or discarded vehicles.

- (a) *Parking prohibited.* No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public street or highway or parking lot longer than 24 hours after notification thereof from a village law enforcement officer. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the

premises a written notice setting forth briefly the applicable provisions of this section and the date of the notice. Any vehicle so tagged which is not removed within 24 hours after notice is declared to be a public nuisance and may be removed as provided in section 40-77.

- (b) *Exemptions.* This section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the village.

(Code 1992, § 10-1-33)

Sec. 40-79. - Parking of vehicles over 12,000 pounds or 16 feet restricted.

- (a) No person owning or having control of any truck, trailer, boat, snowmobile trailer, truck power unit, tractor bus or recreation vehicle with a weight in excess of 12,000 pounds or over 16 feet in length, or having a height of more than eight feet from the roadway shall park the same upon any street, avenue, or public way in the village zoned residential.
- (b) This section shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue, or public way in the village for the actual loading or unloading of goods, wares, or merchandise, providing, however, the loading and unloading, as used in this section, shall be limited to the actual time consumed in such operation. The village board may, however, designate specific truck parking zones.

(Code 1992, § 10-1-34)

Secs. 40-80—40-101. - Reserved.

ARTICLE VII. - SIGNS, CANOPIES, AWNINGS AND BILLBOARDS

Sec. 44-213. - Purpose of sign, canopy and awning regulations.

The purpose of this article is to establish minimum standards to safeguard life and property and promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards. The provisions herein contained shall be binding alike upon every owner of a building, every tenant and every person in charge or responsible for or who causes the construction, repair, relocation or alteration of any outdoor sign and other advertising structures in the village; painting, posting and general maintenance are excepted. Sign content is expressly not regulated by this article.

(Code 1992, § 13-1-140)

Sec. 44-214. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning (note: not all types of signs defined herein are permitted under this article):

Abandoned sign means a sign which no longer correctly advertises a bona fide business, owner, landlord/tenant, product or activity conducted, or product available on the premises where the sign is displayed or elsewhere.

Animated sign means any sign or part of a sign which changes physical position by movement or rotation or gives the illusion of such change of physical position.

Area of copy means the entire area within a single continuous perimeter composed of squares or rectangles which encloses the extreme limits of an advertising message, announcement, or decoration.

Area of sign means the area is the perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the sign may be placed unless they are designed as part of the sign. If the sign consists of more than one section or module, all areas will be totaled. The area of an irregularly shaped sign shall be computed using the actual sign face surface. The area of the irregularly shaped sign shall be the entire area within a single continuous rectilinear perimeter of not more than eight straight lines.

Attention-attracting object or device means an object or device often made of flexible material whether or not it contains text, logos or any other images such as a pinwheel, streamer, propellor, pennant or other such device which is intended to attract attention to the use or business being conducted on the site. These are separately mounted or may be suspended, hung, pinned or otherwise fastened to the ground, another sign or other structure in such a manner that the object or device is permitted to spin, fly or otherwise move due to the wind or motorization. Included are flexible banners/feather flags/bow flags. Governmental flags and decorative and promotional banners subject to [section 44-219](#) are not considered attention-attracting objects or devices. Specifically included in this definition are inflatables. (See also *Inflatable*.)

Awning means a movable hood or cover which projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure. For purposes of this article, the term "awning sign" means any awning. Decorative awnings without lettering or imagery are not considered signs.

Banner means a banner sign is generally constructed of a flexible non-rigid material (i.e., canvas, cloth, plastic, etc.) upon which goods, events or advertising has been placed, mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Billboard means a flat surface, as of a panel, wall or fence on which signs are posted advertising goods, products, facilities, or services not necessarily on the premises where the sign is located or directs persons to a different location from where the sign is located.

Blanketing means the unreasonable obstruction of view of a sign caused by the placement of another sign.

Building front means the horizontal, linear dimension of that side of a building which faces a street, a parking area, a mall, or other circulation area open to the general public; and having either a main window display of the enterprise or a public entrance to the building. (In industrial districts, a building side with an entrance open to industrial employees also shall qualify as a building front.)

Bulletin board means a sign used for the purpose of notification to the public of an event or occurrence of public interest, such as a church service, political rally, civic meeting or other similar event.

Canopy means any structure of canvas, other fabric, plastic, metal or wood or other material, which is permanently attached to any exterior building wall in any manner, intended to shield any wall, window, door, sidewalk or roadway from sun, rain or any other element, and which is not retractable such as an awning.

Canopy sign means any sign attached to or constructed in, on or under a canopy for the purpose of this article, canopy signs shall be controlled by the rules governing projecting signs.

Changeable copy sign (electronic) means a sign, or any portion of another sign type, which displays or has the ability to display electronically illuminated text, including scrolling or moving text, symbols or other images, utilizing LED, LCD or other digital or electronic technology. Such signs can display messages as copy, art, graphics, time, date, temperature, weather or information concerning civic or charitable events, or the advertising of products or services for sale on the premises. The term "changeable copy sign (electronic)" also includes traveling or segmented message displays. These are also commonly known as electronic message signs or boards, variable message signs, reader boards, electronic marquees, message centers or moving message displays.

Changeable copy sign (manual) means any sign that includes copy, letters, numbers or symbols which are designed to be changed through manual, mechanical or other non-digital means.

Contractor/project sign means a sign temporarily erected on a construction site announcing the project and the names of the project's contractor, subcontractors, architect, and financial institutions involved.

Copy area means the geometric area in square feet that encloses the actual copy message of the sign.

Directional sign means any sign that directs the movement or placement of pedestrian or vehicular traffic on a lot and does not contain any advertising copy.

Directly illuminated sign means any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.

Directory sign means any sign which is not a billboard on which the names and locations of occupants or the use of a building is given. The term "directory sign" shall include offices and church directories. Directory signs shall be encouraged for use with advertising of multiple-occupied commercial and industrial buildings.

Display surface or face means the display surface is the area made available by the sign structure for the purpose of displaying the advertising message, or which is intended to draw attention to the advertising message.

Distance of sign projection means the distance from the exterior wall surface of the building to the outer extremity of a sign attached to a building.

Electric sign means any sign containing internal electrical wiring which is attached, or intended to be attached, to an electrical energy source.

Electronic message unit sign means any sign whose message may be changed by electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information concerning civic, charitable or the advertising of products or services for sale on the premises. The term "electronic message unit sign" also includes traveling or segmented message displays.

Flashing sign means any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.

Flat sign/flush mounted. See *Wall sign*.

Freestanding (ground or pylon sign) means any sign which is supported by structures or supports in or upon the ground and independent of support from any building.

Grade means the elevation or level of the sidewalk closest to the sign to which reference is made. If no sidewalk is present, then grade shall be defined as the elevation or level of the street at the same point, measured at the street's centerline.

Gross area means the area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, the rules for area of copy apply.

Ground sign means a sign supported by poles, uprights or braces extending from the ground or an object on the ground but not attached to any part of any building. Also known as a "freestanding sign."

Height of sign means the vertical distance measured from the mean centerline street grade to the highest point of the sign. If sign and sidewalk are not in essentially parallel planes, then measured vertically at the horizontal midpoint of the sign.

Identification sign means any sign which carries only the name of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.

Illuminated awning means an internally illuminated awning fabricated from a translucent material, or one which is backlighted as to appear to illuminate the awning sign. An illuminated awning may be used for an awning sign when other requirements are met.

Illuminated canopy means an internally illuminated canopy, or one which is backlighted as to appear to illuminate the canopy sign.

Illuminated sign means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

Indirectly illuminated sign means a sign that is illuminated from a source outside of the actual sign.

Inflatable means a freestanding or moored sign or advertising medium expanded or inflated with air or another gas, such as, but not limited to, an air dancer or balloon, which may or may not rise and float above the ground and may or may not be imprinted with a product name or logo. Types of inflatables included within this definition include, but are not limited to, air dancers, air tubes, crazy tubes, tube dancers, dancing inflatables, giant inflatables, inflatable product replicas, rotatable inflatables, inflatable costumes, tethered balloons or blimps, or inflatable mascots, figures or characters. (See also *Attention-attracting object or device*.)

Joint identification sign means a sign which serves a common or collective identification for two or more businesses or industrial uses on the same lot. Such sign may contain a directory to the uses as an integral part thereof.

Legal nonconforming sign means any sign which was already in existence and displayed on the effective date of the ordinance from which this article is derived, which met code requirements when originally installed, but not meeting the requirements and limitations of this article.

Marquee means a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.

Marquee sign means any sign attached to or constructed in a marquee.

Multiple-tenant commercial building (MTCB) means a commercial development in which there exists a number of separate commercial activities in which there are appurtenant facilities, such as parking, and which is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a MTCB may, but need not, include common ownership of the real property upon which the center is located, common wall construction and multiple-occupant commercial use of a single structure. A multiple-tenant commercial building can be retail, office or mixed use in character.

Nonconforming sign means any sign which does not conform to the regulations of this article.

Off-premises third-party sign means any sign, device or display which advertises goods other than that commonly available or services other than that commonly performed on the premises on which the sign is located.

On-premises sign means a sign identifying or advertising a business, person, activity, goods, products or services located on a premises where the sign is installed and maintained. This defined area does not include any area across a street/road from the area where business is conducted or any area developed for the purpose of erecting a sign.

Painted wall signs means signs painted directly onto a building wall.

Political sign means any sign displaying a candidate for an election, or a current referendum's or election's subject matter.

Portable sign/message boards means any sign not permanently attached to the ground or a building which is designed to be easily moved from one location to another.

Projecting sign means a sign other than a wall sign extending more than 18 inches, but less than four feet from the face of a wall or building; such sign may not extend more than three feet into the right-of-way. (See *Wall sign*.)

Pylon sign means any freestanding sign mounted on a pole or other pylon; also called a "pole sign."

Real estate sign means any sign which is used to offer for sale, lease or rent the property upon which the sign is placed.

Roofline means the highest point on any building where an exterior wall encloses usable floor area, including roof area provided for housing mechanical equipment.

Roof sign means a sign erected upon or above the roofline or parapet of the building or structure.

Sandwich sign means a hinged or unhinged A-frame portable sign which is generally temporary in nature and placed near the roadway.

Sign means any object or device or part thereof situated outdoors or indoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.

Sign contractor means any person, partnership or corporation engaged in whole or in part, in the business of erection or maintenance of signs, excluding the business which the sign advertises.

Sign inspector means that person charged with the responsibility to see that signage in the community is installed and maintained in compliance with this article. In the village, the sign inspector will be the zoning administrator or building inspector.

Sign permit means a building permit issued for the erection, construction, enlargement, alteration, moving, improvement, removal, conversion or demolition of any sign, issued pursuant to this article and the building code of the village.

Sign structure means any supports, uprights, braces and framework of the sign which does not include any portion of the sign message.

Subdivision identification sign means a sign identifying a subdivision wherein only the name of the subdivision is specified.

Swinging sign means a sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole to limit or prevent free swinging.

Temporary sign means any sign which is erected or displayed for a limited period of time not to exceed 30 consecutive days or which is displayed only during regular business hours and removed for storage at other times. A temporary sign shall not exceed 32 square feet in area. Examples of temporary signs include banners and decorative-type displays. For purposes of this article, a portable sign is not a temporary sign.

Tenant directory board means any sign on which the names of occupants or the uses of a building are given, including, but not limited to, those utilized at office buildings, retail centers and other multiple tenant commercial buildings.

Third-party sign means any sign which advertises or directs attention to a business, commodity, service or activity conducted, sold or offered elsewhere than on the lot on which the sign is located.

Time and temperature sign means an electrically controlled sign displaying time and temperature for public service information and may be incorporated into a business identification sign.

Traveling message means a message which appears to move across a variable message sign.

Variable message sign means an outdoor advertising sign, display or device without moving parts whose message may be changed by electronic process through the use of moving or intermittent light or lights. Also known as a "changeable copy sign (electronic)."

Wall sign means any sign attached parallel to, erected on or painted on the wall of a building or structure and projecting not more than 16 inches from such wall.

Window sign means any sign located completely within an enclosed building and visible from a public way. The term "window sign" shall not include any sign permanently attached in the window or directly painted on the glass.

(Code 1992, § 13-1-141)

Sec. 44-215. - Required permits for signs, canopies and awnings.

(a) *Permit required; payment of sign permit fee.*

- (1) Except those specified in section 44-216, no sign, awning or canopy, as defined in this article, shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a sign permit and without being in conformity with the provisions of this article. A sign permit is not required for a change of sign copy when no change in business name is involved.
- (2) Signs also shall meet all other structural requirements of other applicable codes and ordinances of the village including, as necessary and without limitation by enumeration, building permit and inspection requirements, site plan approval requirements and all applicable yard setback

requirements. If the sign will affect the structural strength of a building, is large enough to require structural supports and bracing, or is to have electrical wiring, a building permit from the building inspector shall also be required.

- (3) Signs shall not be erected or altered until a permit has been issued by the zoning administrator. The term "altered" shall be defined as any modification in the size, height, dimensions, location or mounting of a sign other than routine maintenance.
 - (4) The required sign permit fee shall accompany each sign application and shall be required for all new signs and any modifications of any existing sign face or sign structure. A fee shall not be charged for putting an existing sign in conformity with this article, or for a copy change when no change in business name is involved.
 - (5) Any sign permit granted hereunder may not be assigned or transferred to any other sign or modified sign face or sign structure.
- (b) *Application for a sign permit.* Any person, firm, corporation or organization desiring to place, erect, alter or relocate a sign, as herein defined, except an exempt sign, shall make application to the zoning administrator and shall provide in writing the following information:
- (1) The name, address, telephone number (land line, cellphone and fax), and email address of the applicant.
 - (2) The name, address, telephone number (land line, cellphone and fax), and email address of the owner of the premises upon which the sign is to be attached or erected, including written proof of consent from the property owner upon which the signs are to be erected and maintained.
 - (3) The name, address, telephone number (land line, cellphone and fax), and email address of the owner of the sign if said owner is neither the applicant nor the owner of the premises on which the sign is to be attached or erected.
 - (4) The street number and street name or tax parcel number of the land upon which the sign is to be attached or erected.
 - (5) A legible, scaled drawing with description and dimensions of the signs to be erected or maintained under that permit and the sign's proposed location on the building or site.
 - (6) The basic materials to be used in the construction of the sign.
 - (7) A description of all electrical equipment if the sign is to be lighted or illuminated.
 - (8) Information about the sign: dimensions, including display surface; materials; illumination; wiring; height above grade; and distance from lot lines.
 - (9) Proof of payment of the appropriate sign permit fee, when required.
 - (10) Any other item of information that may be reasonably required by the zoning administrator or other village officials for the purpose of application evaluation.
- (c) *Application review.*
- (1) If the application is complete and the sign conforms to the basic requirements of this article, the zoning administrator may issue a permit.

- (2) The zoning administrator shall review all applications within 30 days of submittal; the zoning administrator shall review the applications and apply the established sign design review guidelines prescribed in subsections (d) and (e) of this section.
- (d) *Basis for granting.* In reviewing a sign permit application, the zoning administrator may consider the following factors in deciding whether or not to grant the issuance of a sign permit (see also subsection (e) of this section):
- (1) Whether the sign is designed, installed, and maintained to promote the surrounding environment desired by the general public, pursuant to the objectives of proper design and zoning criteria.
 - (2) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety.
 - (3) Whether the sign is legible, readable, and visible in the circumstances in which it is to be used.
 - (4) Whether the sign, including size, height, illumination and location, is respectful of reasonable rights of other advertisers whose messages are displayed in the area.
 - (5) Whether the sign is in compliance with the provisions of this article.
 - (6) Whether the sign is in compliance with the provisions of this Code relating to traffic safety, traffic visibility setbacks, historic preservation and zoning.
- (e) *Sign design review guidelines.* In addition to the criteria established in subsection (d) of this section, the following sign review guidelines shall be used by the village board in acting on sign permit applications and by the zoning board of appeals in acting on appeals or variance requests:
- (1) Any signage affixed to a building should be dimensioned and located in such a manner that it fits the building's architectural features and proportions.
 - (2) All signs should be designed to fit the zoning and status character of the surrounding area. Special consideration should be made where proposed signage is located on or adjacent to locally identified historic structures or publicly owned recreation and conservancy areas. Signage in special planning areas, such as the downtown, or historic preservation areas, will be required to conform to the planned dominant architectural theme of the area. Signage in or abutting residential properties should be designed and located so as not to create a residential nuisance.
 - (3) As a general guideline and when feasible, ground-mounted, freestanding signs larger than six square feet shall be located at least 100 feet apart.
 - (4) Signs illuminated by floodlight or spotlights must be positioned in such a manner that none of the light spills over onto an adjoining property or glares or shines into the eyes of motorists or pedestrians, and may not exceed three footcandles at the lot line.
 - (5) As a general guideline, the number of colors and materials should be kept to a minimum.
 - (6) Landscape features will be encouraged as part of all ground-mounted signs. Landscape plantings or other landscape materials will not be counted as part of the allowable signage area.
- (f) *Permit issuance/denial.*
- (1)

All sign permit applications shall be reviewed by the zoning administrator who shall deny or grant such applications or refer the application to the village board within ten business days of receipt of the complete application and payment of fee. If the sign meets the requirements of this article and all other ordinances of the village, the zoning administrator shall issue a permit therefor.

- (2) If the sign permit is denied by the zoning administrator, within five days, a written notice of the denial shall be provided to the applicant, together with a brief written statement of the reasons for the denial.
- (3) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign, nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

(g) *Appeal of denial of sign permit.*

- (1) Any decision of the zoning administrator under this article may be appealed to the zoning board of appeals. A request for an appeals hearing shall be made in writing to the zoning administrator within 30 days of the date of permit denial.
- (2) A majority vote of the zoning board of appeals is required to modify the earlier determination of the zoning administrator.

(h) *Permit revocation; appeal.*

- (1) A sign permit may be revoked by the zoning administrator in the event that the applicant has failed to comply with the provisions of these regulations or any conditions that may have accompanied the permit at the time of granting.
- (2) The holder of a revoked sign permit may appeal such revocation action to the zoning board of appeals. A request for an appeals hearing shall be made in writing to the zoning administrator within 30 days of the date of the original permit revocation.
- (3) Upon any permit revocation or failure to prevail before the zoning board of appeals, the signs subject to such revoked permits shall be removed by the licensee within 30 days of such revocation.
- (4) Revocation shall not give cause to a right of total or partial reimbursement of license fees paid.

(i) *Standards for zoning board of appeals in reviewing appeals.* The zoning board of appeals may authorize upon appeal, in specific cases, issuance of a sign permit when such decision will not be contrary to the public interest, when owing to special conditions a literal enforcement of the provisions of this article will result in unnecessary hardship and so that the spirit of this article shall be observed and substantial justice done. No zoning board of appeals' appellate decision shall have the effect of allowing in any district uses prohibited in that district or permit standards significantly lower than those required by state law or this article.

(j) *Stay of proceedings during appeals.* An appeal shall stay all legal proceedings in furtherance of the action appealed from, unless the zoning administrator certifies to the zoning board of appeals that, by reason of facts stated in the certificate, a stay would, in the opinion of the zoning administrator, cause

immediate peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the zoning board of appeals or by a court of record on application, on notice to the zoning administrator and on due cause shown.

- (k) *Signs in historic districts.* In addition to these sign regulations, all signs within any historic district shall be subject to the provisions of the village's historic preservation regulations.
- (l) *Insurance.* Any person, firm or corporation engaged in the business of erecting, repairing, maintaining or relocating any sign shall maintain in effect at all times a policy of liability insurance with limits of \$100,000.00 for bodily injury and \$200,000.00 aggregate and \$100,000.00 property damage. Proof of insurance shall be presented to the zoning administrator before the sign permit is granted.
- (m) *Inspection.* The applicant shall, upon completion of the installation, relocation or alteration of the sign, notify the zoning administrator who may inspect the premises to inspect whether the sign complies with the regulations of this article.
- (n) *Permit validity.* Any sign permit issued by the zoning administrator shall be null and void and automatically revoked in the event that construction, installation, or manufacture of the sign has not been commenced within 180 days from the date of the issuance of such permit. If work authorized by such permit is suspended or abandoned for a period of 90 days any time after the work is commenced, the original permit shall become null and void. A new permit shall first be obtained to complete the work, and a new permit fee shall be required.

(Code 1992, § 13-1-142)

Sec. 44-216. - Signs not requiring a permit.

The following signs may be erected and maintained in all zoning districts, provided the sign is not located over a public water or right-of-way, except when noted, without a permit and without being deducted from gross sign surface area permitted:

- (1) *Bulletin boards.* One bulletin board per premises per street frontage, and not over 35 square feet in area, for public, charitable or religious institutions located on site.
- (2) *Government signs.* Government signs for control of traffic, parking and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of the public duty of such public officer. This includes legal notices, identification or directional signs erected by governmental bodies. Included within this definition are off-premises institutional signs.
- (3) *Interior signs.* Signs located within the interior of any building or structure which are not visible from the public right-of-way.
- (4) *Memorial signs.* Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface, or inlaid so as to be part of the building.
- (5) *Occupant signs.* Signs limited in content to name of occupant and address of premises. Occupant signs shall be a maximum of one per street front and no more than four square feet in sign area.

- (6) *Governmental notices.* Official governmental notices and notices posted by governmental officers in the performance of their duties; informational notices; or for other informational or regulatory purposes, to identify streets or to warn of danger.
- (7) *Temporary construction safety signs.* Temporary or permanent signs erected by public utility companies or construction companies to warn of dangerous or hazardous conditions.
- (8) *Traffic and service signs on private premises.* Traffic and parking signs and devices privately-owned and on private premises, and containing messages such as "exit only," "restricted for," and the like, the sole purpose of which is to direct and control traffic on the premises and which does not exceed seven feet above the curbline, nor contain more than ten square feet per face. Signs designating entrances, exits, service areas, parking areas, restrooms and other such signs relating to functional operation of the building or premises shall be permitted without a permit under this exception.
- (9) *Signs required by law.* Signs required by law, statute or ordinance, constructed and maintained according to the law, statute or ordinance under which the sign was erected.
- (10) *Real estate signs.* One "for sale" or "for rent" sign per street frontage may be placed on the offered property and shall not be more than ten square feet in size for residential property and not more than 32 square feet in area for nonresidential property. No such sign shall be closer than 12 feet to a lot line. The sign may only advertise the sale, rental or lease of the premises upon which it is located and contain the name or logo of the real estate company, or individuals and their respective addresses and telephone numbers, posting the sign. No such sign shall project higher than one story or 15 feet above curb level, whichever is lower, when attached to a building; detached or freestanding signs shall not be more than four feet in height, measured from the soil grade to the top of the signpost. Such signs shall be removed within 30 days after sale, rental or lease of the property.
- (11) *Signs in display windows.* Signs in the display window of a business which relate to services or products offered therein. This display sign exception is only permitted for properties in the following zoning districts: B-1 through B-6 districts. The window sign must direct attention to a business or profession conducted on the premises or to a product, service or entertainment sold or offered on the premises. Window signs shall be placed only on the inside of commercial buildings and shall not exceed 35 percent of the glass area of the pane upon which the sign is displayed.
- (12) *On-premises symbols or insignia.* Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historical agencies.
- (13) *On-premises temporary and portable signs in residential districts.* Temporary or portable signs under 20 square feet for the purpose of an on-site open house, model home demonstration, special event such as a birthday or anniversary, and for five days thereafter, but may not exceed a total period of 30 days per 12-month period.
- (14) *Civic event temporary signs.* Temporary off-premises signs not exceeding four square feet in residential or public lands districts, or 32 square feet in the B-1 through B-6 districts and I-1 districts, pertaining to drives or events of civic, philanthropic, educational, religious, or nonprofit

organizations, provided such signs are posted not more than 30 days before the event and removed within ten days after the event.

- (15) *Political signs.* Political message, public election or referenda signs during an election campaign shall comply with Wis. Stats. § 12.04(1). The sign shall be a maximum of 32 square feet. Political signs shall not be located within the vision clearance triangle on corner lots or on public property or street rights-of-way.
- (16) *Rummage/garage sale signs.* Rummage or garage sale signs not to exceed eight square feet in area, but use of this type of sign shall be limited to 72 hours per sale. Rummage or garage sale signs may not be located within street right-of-way lines. Rummage/garage sale signs shall not create a visibility or traffic hazard (as determined by the zoning administrator or a law enforcement officer). Such signs shall be erected no sooner than 48 hours prior to the sale and shall be removed within 48 hours after such sale.
- (17) *Open/close signs.* Illuminated and non-illuminated signs not exceeding ten square feet in area announcing that a business is open or closed.
- (18) *Decorative features.* Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
- (19) *Contractor/project signs.*
 - a. No permit is necessary for a contractor/project sign on a construction site.
 - b. Contractor/project signs shall be not more than six square feet in area per contractor, subcontractor, architect or lending institution and may be freestanding. Contractor/project signs shall not exceed six feet in height. Such signs may be single- or double-sided.
 - c. All contractor/project signs may be consolidated on one sign, the area of which consolidated sign is to be calculated at six square feet per contractor, subcontractor, architect or lending institution listed to a maximum area of 32 square feet per side. In the alternative, all contractor/project signs may also be incorporated with a temporary sign accessory to a subdivision development under section 44-217(1), provided that such a sign would require a permit; this alternative may also be used with a sign serving a commercial or residential parcel.
 - d. Contractor/project signs may be erected for the duration of the construction project and shall be removed within 30 days from the first occupancy of the premises. The zoning administrator shall have the authority to cause such signs to be removed if, in the discretion of such zoning administrator or upon information and belief, the first occupancy of the premises has occurred or the work done by the contractor, subcontractor or architect, or financing by the lending institution has been completed.
- (20) *Athletic field signage.* A sign permit is not required for signs, banners, and scoreboards designed solely for view from inside spectator areas and displayed on interior walls, fences, or other structures located within an athletic field at a park, school or other public or private athletic complex. The approval of the village board is required to display a sign, banner or scoreboard under this subsection in a village park. Scoreboards that qualify under this subsection may include flashing

elements, if adequate screening is provided to screen the views from abutting streets, as approved by the zoning administrator. For purposes of this subsection, the term "school" shall mean public schools as defined in Wis. Stats. § 115.01(1), private schools defined in Wis. Stats. § 115.001(3r) and technical colleges authorized under Wis. Stats. ch. 38. Athletic field signage may be illuminated.

(Code 1992, § 13-1-143)

Sec. 44-217. - Residential signs requiring a permit.

In addition to those permitted signs not requiring a permit pursuant to section 44-216, the following nonflashing, nonilluminated signs (except as otherwise provided) are permitted under the conditions specified in all residential districts and planned unit developments (residential) established by the village's zoning regulations:

- (1) *Temporary signs accessory to subdivision developments or other permitted improvements in residential districts.* Subject to the following:
 - a. *Content.* The signs shall be only for the purpose of identification of homes for sale or rent in the subdivision under construction, of lots for sale, or for the identification of other nonresidential uses under construction.
 - b. *Area, number and setback.* Such signs shall not exceed two in number for each subdivision nor 50 square feet each in area. They shall observe the front yard requirement of the principal use and shall be located at least 50 feet from all other boundaries of the site.
 - c. *Height.* No sign shall project higher than eight feet above curb level.
 - d. *Time limitations.* The sign shall be removed by the applicant or property owner within two years of the date of the issuance of a sign permit or when the parcels being advertised are sold, whichever occurs first.
- (2) *Permanent subdivision identification signs.* Subject to the following:
 - a. *Content.* The signs shall bear only the name of the subdivision or development.
 - b. *Area, and number.* There shall be not more than two signs located at each entrance to a subdivision. No sign shall exceed 32 square feet in area. Such identification signs shall only be erected after review and approval by the zoning administrator.
 - c. *Height.* No sign shall project higher than 12 feet above curb level.
 - d. *Location.* The location of any such sign shall be at the discretion of the zoning administrator based upon the character of the area; the type and purpose of the sign.
- (3) *Nonflashing, illuminated church bulletins.* Subject to the following:
 - a. *Area and number.* There shall be not more than one sign per lot, except that on a corner lot, two signs (one facing each street) shall be permitted. No sign shall exceed 32 square feet in area nor be closer than five feet from any lot line.
 - b. *Projection.* No sign shall project beyond the property line into the public right-of-way.
 - c. *Height.* No sign shall project higher than one story or 15 feet above the curb level, whichever is lower.

(4) *Bed and breakfast signs.* Subject to the following:

- a. *Content.* The sign shall bear only the name, address and other pertinent information regarding the bed and breakfast establishment.
- b. *Area and number.* There shall not be than one sign per lot street frontage, No sign shall exceed 16 square feet in area. Such sign shall have a ten feet setback from a public right-of-way or lot line.
- c. *Projection.* No sign shall project beyond the property line into the public right-of-way.
- d. *Height.* No sign shall project higher than six feet above the street level.

(5) *Home occupation/professional home office.* Subject to the following:

- a. *Content.* The sign shall bear only the name, address, hours and other pertinent information regarding the on-site home occupation or professional home office maintained in compliance with the village zoning regulations.
- b. *Area and number.* There shall not be more than one sign per lot. No sign shall exceed 12 square feet in gross area. Such sign shall have a ten-foot setback from a public right-of-way or lot line, and illumination shall be indirect.
- c. *Projection.* No sign shall project beyond the property line into the public right-of-way.
- d. *Height.* No sign shall project higher than six feet above the street level.

(Code 1992, § 13-1-144)

Sec. 44-218. - Commercial, agricultural and industrial signs requiring a permit.

- (a) *Permitted signs.* The following signs in this section shall require a sign permit to be issued unless otherwise specified. Signs may be permitted in specific zoning categories, subject to the following restrictions.
- (b) *Height and setback requirements.* In commercial or industrial zoning districts where setbacks are required for building construction, no part of any sign shall extend over the property line. In zoning districts where no front yard setbacks are required, a sign must be attached to the building and shall project no more than four feet over the abutting public sidewalk or established street grade.
- (c) *Number of signs permitted.*
 - (1) *Total number.* No more than two allowable signs of any non-directory type shall be located at any business, except that premises occupied by a shopping center may, as an alternative, have one on-site detached directory sign, plus one wall sign for each place of business located in the shopping center.
 - (2) *Corner lots.* Businesses with streets fronting both sides shall be allowed two types of signs for each street frontage; no street frontage buildings shall be allowed two of the same type of sign for that particular business.
- (d) *Types of signs; maximum size; number; location.*
 - (1)

Type 1, directory signs. Directory signs advertising an off-site business or activity conducted, an area of interest, or a service available, at a specific location are not permitted. New billboards after the effective date of the ordinance from which this article is derived are permitted.

- (2) *Type 2, wall signs.* Wall signs on and parallel to the exterior wall of a building or structure, and not extending more than six inches from the wall surface, shall not exceed 20 feet in height or a gross area for any one premises as follows:
 - a. 100 square feet in a B-1, B-2 or B-4 district or AEO district.
 - b. 200 square feet in a B-3, B-5 or B-6 district.
 - c. 400 square feet in an I-1 or SP-1 industrial district.
- (3) *Type 3, projecting signs.* Projecting signs fastened to, suspended from, or supported by a building or structure, shall not exceed in gross area for any one premise: 40 square feet on each of two faces in a B-1 or B-2 district or AEO district; 60 square feet on each of two faces in a B-3, B-4, B-5 or B-6 highway business district; and 80 square feet on each of two sides in an I-1 or SP-1 district. Such signs shall not extend more than five feet into any required yard nor more than two feet into any public right-of-way; shall not be less than ten feet into any public right-of-way; shall not be less than ten feet from any side lot line; shall not exceed a height of 20 feet above the mean centerline street grade; and shall not be less than ten feet above a pedestrian sidewalk nor less than 15 feet above a road, street, alley or driveway. A permit is required.
- (4) *Type 4, ground signs.* Ground signs and their supporting structure shall comply with all yard requirements of the district in which they are located and shall not exceed in gross area for any one premise: 80 square feet on each side in the B-1, B-2 or AEO district; 120 square feet on each side in the B-3 or B-4 district; or 160 square feet on each side in the B-5, B-6 or I-1 district. Such signs shall not exceed 20 feet in height above mean centerline street grade. A permit is required.
- (5) *Type 5, roof signs.* Roof signs shall comply with all yard and height restrictions of the zoning district in which they are located and shall not exceed in gross area for any one parcel. A permit is required.
- (6) *Type 6, window signs.* Window signs may be placed in the windows of business establishments provided their combined area does not exceed 50 percent of the gross area of all windows on the same side of the building. No permit required.
- (7) *Type 7, recreational directory signs.* Recreational directory signs indicating the direction to a cottage, resort, residence or similar use. Recreational directory signs are not permitted.
- (8) *Type 8, off-premises third-party signs.* Off-premises third-party signs are prohibited except that a business in a B-1, B-2, B-3, B-4, B-5 B-6 or I-1 district may host one off-premises third-party or community/directory pylon or ground sign directing customers to another business location. No business shall employ or utilize more than one off-premises directory/community sign within the limits of the village. Shared signs shall comply with the dimensional requirements of subsections (d) (4) and (5) of this section, except that the secondary directory sign's dimensions shall not exceed 50 percent of the primary sign's maximum allowable dimensions. Such signs shall share the same pylon or ground sign mountings when possible.

(9) *Type 9, shopping center/industrial park directory signs.* In a shopping center or industrial park, one freestanding identification/directory sign for each street upon which the development fronts may be permitted showing the name of the center or park and represented business or industries. Directory signs for shopping centers or industrial parks are permitted as an alternative to ground signs or projecting signs for individual stores in the shopping center or business in the industrial park. The top of a directory sign shall not exceed 32 feet in height above the mean centerline street grade and the bottom of the sign shall not be less than ten feet above the sidewalk and not more than 16 feet above a driveway or alley. Double supporting pylons shall not be greater than ten feet apart. That portion of the directory sign which advertises the shopping center or industrial park name shall not exceed 100 square feet for one side and a total of 200 square feet for all sides. That portion of the directory sign which advertises the individual store/business name shall not exceed 16 square feet for one side and a total of 32 square feet for all sides. Directory signs shall meet all yard requirements for the zoning district in which they are located.

(e) *Permitted locations of signs requiring a permit.* The following are permitted locations of signs requiring a permit:

Zoning District	Types of Signs Permitted
B-1, B-2, B-3, B-4, B-5, B-6, P-1	2, 3, 4, 5, 6, 8, 9
I-1, SP-1	2, 3, 4, 5, 6, 8, 9
A-1, A-2, A-3	2, 3, 4, 5, 6, 8
C-1	3, 6
AEO	Per district requirements

(Code 1992, § 13-1-145)

Sec. 44-219. - Special sign requirements.

A sign permit is required in any zoning district for the following special sign types:

(1) *Searchlights.* The zoning administrator may permit the temporary use of a searchlight for advertising purposes in any district, provided that the searchlight will not be located in any public right-of-way, will not be located closer than ten feet to an adjacent property and will not cause a hazard to traffic or adjoining properties. Searchlight permits shall not be granted for a period of more than five days in any six-month period.

(2)

Sandwich board signs. In instances when the property owner or business tenant in a B-1, B-2 or B-3 district wishes to erect an on-premises temporary sandwich board sign advertising that business, the following conditions shall apply:

- a. Sandwich board signs shall be no greater than three feet by three feet on a side, with a maximum of two sides or faces.
 - b. Sandwich board signs shall not be illuminated in any fashion.
 - c. All sandwich board signs shall be stationary, freestanding, self-supportive, and constructed of substantial materials so as to withstand moderate wind velocity and otherwise not create a hazard.
 - d. Sandwich board signs shall be neat in appearance, constructed of finished all-weather materials and kept well maintained.
 - e. Sandwich board signs shall not be secured, tethered, installed, or propped up against any utility pole, traffic device, utility equipment, street trees, street furniture, streetlights, parking meters, or other public fixtures.
 - f. A maximum number of one sandwich board sign per business may be displayed. The sandwich board sign shall only be displayed when the business or organization to which the sign refers is open for business. All sandwich board signs shall be removed at the end of the business operations and stored within the interior of the building at the close of each business day.
 - g. Sandwich board signs shall be placed at grade level and shall not create any vision or other hazard for the public. In no event shall it impede the movement of pedestrians.
 - h. No sandwich board sign shall be displayed within the entryway or exit that is required to remain unobstructed by any applicable ordinance, state or federal law.
- (3) *On-site banner signs.* On-site banner signs, whether permanent or temporary, shall not be erected for over 60 days.
- (4) *Over-the-street banners.* Over-the-street banners are not permitted, except for civic activities.
- (5) *Neon signs.* Exterior neon or gas illumination signs require a sign permit.
- (6) *Signs accessory to roadside stands.*
- a. *Content.* The signs shall only be for the purpose of identification of the roadside stand and advertising the agricultural products for sale therein.
 - b. *Area and number.* The signs shall be on the same zoning lot (either zoned agricultural or with a conditional use permit in other zoning districts) as the roadside stand, and there shall be not more than three signs per parcel. No sign shall exceed 12 square feet in area nor be closer than 50 feet from any other zoning lot.
 - c. *Projection.* No sign shall project beyond the property line into the public way.
 - d. *Height.* No sign shall project higher than 15 feet above the curb level.
 - e. *Permit.* A sign permit is required for this type of sign.

Sec. 44-220. - Prohibited or restricted signs; electronic signs; inflatables.

- (a) *Traffic interference.* Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs or devices. Signs, canopies and awnings shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign, awning or canopy shall be placed so as to obstruct or interfere with traffic visibility.
- (b) *Moving or flashing signs.* No sign shall be erected which has any flashing, rotating or brilliant intermittent parts or lights, bare reflecting-type bulbs, or utilizes a spot or beacon light to illuminate a sign, except those giving public service information, such as time, date, temperature, weather or similar information. Public information display signs require approval by the village board. No signs, billboards or other advertising media which creates a hazard or dangerous distraction to vehicular traffic or a nuisance to adjoining residential property shall be permitted in any district.
- (c) *Signs on public rights-of-way.* Signs shall not be permitted on public rights-of-way, except for municipal traffic control, parking and directional signs and as otherwise specified in this article.
- (d) *Billboards.* No new billboards shall be permitted in the village after the original effective date of the ordinance from which this article is derived. Billboards existing on the effective date of the ordinance from which this article is derived may be maintained, repaired and have copy changed. Billboards located upon property annexed to the village and existing as of the effective date of the ordinance from which this article is derived are permitted to remain unless the owner structurally alters such billboard in any manner. If damaged, or if structural alteration is made/required, such billboard shall be permanently removed.
- (e) *Painted wall and other prohibited signs.* Painted wall signs are signs which are painted directly onto the surface of the building; new painted wall signs are prohibited in the village. No person shall paste or otherwise fasten any paper or other material, paint, stencil or write any number, sign, name or any disfiguring mark within any street right-of-way, on any sidewalk, curb, gutter, street, post, fire hydrant, pole or tree, any other sign, building, fence or other structure, nor shall any of the objects be defaced in any manner. Existing painted wall signs may be maintained, provided existing copy is maintained and preserved.
- (f) *Immoral sign subjects.* Signs which bear or contain statements, words, pictures, or symbols of obscene, pornographic or immoral subjects are prohibited.
- (g) *Roof signs.* Roof signs are prohibited in the village.
- (h) *Swinging signs.* Swinging signs are prohibited.
- (i) *Third-party signs.* Third-party signs and billboards are prohibited, except as provided in section 44-218(d) (6).
- (j) *Advertising vehicle sign configuration.* No persons shall park any vehicle or trailer on a public right-of-way or on private properties so as to be seen from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purposes of providing advertisement of

products or directing people to a business activity located on the same or nearby property or any other premises. Business vehicles containing typical business signage and which are actively used on a daily basis for business purposes are exempt from this prohibition.

- (k) *Floodlighted and illuminated signs.* Signs may be floodlighted or illuminated, subject to the following restrictions:
 - (1) *Proper shielding.* Signs which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled ways of a public right-of-way and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operations of a motor vehicle, are prohibited.
 - (2) *Improperly illuminated signs a nuisance.* Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any residential property, and which are of such intensity or brilliance as to cause a public nuisance, are prohibited.
 - (3) *Illumination impairment of traffic signs prohibited.* No sign shall be so floodlighted or illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.
 - (4) *Compliance with village lighting regulations.* The illumination of signs shall be in compliance with village standards or the illumination from the sign shall not exceed 2.0 footcandles as measured at any point along the property boundary line, whichever is more restrictive. The maximum brightness level shall not be obtrusive (as determined by the zoning administrator) to surrounding and abutting properties or the neighborhood, and at no time shall the sign be operated at a brightness level greater than the manufacturer's recommended levels or as directed by the village, whichever is more restrictive. The brightness or intensity of a sign's illumination or display may be restricted further if more than necessary for adequate visibility as determined by the village. No variable message or changeable copy sign may be illuminated to a degree of brightness that is greater than necessary for adequate visibility.
- (l) *Signs in conservancy districts.* No commercial advertising sign shall be permitted in any conservancy zoning district.
- (m) *Flashing signs.* All flashing, undulating, rotating or swinging signs, as defined in [section 44-214](#), are prohibited regardless of the frequency of the flashing. Electronic changeable copy signs complying with subsection (n) of this section and flags shall not be considered in violation of this subsection prohibiting flashing signs.
- (n) *Changeable copy signs (electronic); time and temperature signs.* Following issuance of a sign permit, electronic changeable copy signs, variable message signs, or electronic message signs, as defined in [section 44-214](#), may be displayed on a pylon, tower, roof, ground, or shopping center/industrial park directory sign in a commercial, industrial/manufacturing or office district, according to the following standards:
 - (1)

Compliance with other sign requirements; on-premises requirement. Such signs shall comply with all applicable provisions of this article (placement, area, etc.) for the type of sign in question. Such signs shall be used only to advertise activities conducted on the premises or to present public service announcements.

- (2) *Integration into other signage.* Changeable copy signs, variable message signs, or electronic message signs must be integrated into the primary permitted sign for such building or development. There shall be only one changeable copy sign or electronic message sign on each lot or legal parcel of land. These types of signs may not be incorporated into a wall sign or building-mounted sign. The changeable copy portion of the sign must be no greater than 25 percent of total sign face area and shall occupy a secondary position to the name of the tenant, business or service. The changeable copy sign may be double-faced.
 - (3) *Alternating displays; segmented messages.* The display of the electronic changeable copy or images shall not alternate, change, fade in or out, or otherwise change more frequently than once per minute. Segmented messages must be displayed for not less than two seconds and more than ten seconds.
 - (4) *Racing or scrolling signs prohibited.* Racing, scrolling, traveling, pixelating or moving characters or images, or those that have the appearance of movement, are prohibited, including as a method of changing copy.
 - (5) *Exceptions.* Exceptions to the prohibitions in this subsection (n) are scoreboards under section 44-216(20) and time, date and temperature signs with changeable copy displaying only the time and temperature. The time, date and temperature may be displayed on any sign permitted by this article in a nonresidential district. The time, date and temperature may change as frequently as necessary to display the correct time and temperature, and may alternate between the time, date and temperature.
- (o) *Use of projected images in conjunction with signs.* Any projected images, video or other electronic light or laser displays projected onto a building, structure or sign are prohibited.
- (p) *Standards for all electronic or illuminated signs.*
- (1) *Improper types of display.* The display on any electronic or illuminated sign shall not, nor appear to, flash, undulate, pulse or portray explosions, flashes of light, fireworks, or blinking or chasing lights. The display shall not give the illusion of moving toward or away from the viewer, expand or contract, bounce, rotate, spin or otherwise portray movement or animation as it comes onto, is displayed on, or leaves the sign board.
 - (2) *Minimum static display time.* Each message display shall remain in a static state for at least ten seconds. No message shall require more than ten seconds to be displayed in its entirety.
 - (3) *Illumination and background colors.* The display shall have a dark background with only the message or foreground lit in a white, red, orange, yellow, amber or light tone or shade of the colors. Only one such color for sign illumination is permitted.
 - (4)

Ambient light monitor requirement. The sign shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic sign based upon ambient light conditions.

(q) *Attention-attracting objects or devices.* Any type of attention-attracting object or device, as defined in section 44-214, whether or not attached to or displayed in connection with a sign, are prohibited, except by special permit from the zoning administrator for a period not to exceed ten days in a six-month period. However, inflatables are exempted from the provisions of this subsection and are governed by subsection (r) of this section.

(r) *Inflatables.*

- (1) The use of inflatables, as defined in section 44-214, shall be limited because inflatables are generally more distracting and hazardous to pedestrian and traffic safety, tend to have anchoring devices that are less reliable under wind pressure, and out of scale and less compatible with area signage and structures.
- (2) The use of inflatables is limited to no more than seven consecutive days in any six-month period. A sign permit is required from the zoning administrator.
- (3) Inflatables shall be set back 50 feet from the traveled portion of any public street or highway and 70 feet from any intersection, unless a different placement is approved by the zoning administrator.
- (4) Inflatables shall not exceed 35 feet in height and may not be displayed from rooftops.
- (5) Inflatables shall not occupy parking spaces for the disabled, drive aisles or required parking spaces for multitenant properties.
- (6) Exempt from the permit requirement of this subsection (r) are novelty-type balloons two feet or less in diameter moored less than ten feet above the ground, and inflatable holiday or other decorations displayed temporarily on a private residential property, provided that such inflatable does not contain or depict any commercial message, logo or symbol.

(s) *Portable signs/message boards.*

- (1) The use of portable, temporary or non-fixed signs or message boards is prohibited within the village, unless the owner or tenant of the property on which such type of sign is to be located first obtains a portable/temporary sign permit from the zoning administrator. Such permit is valid for the calendar year and is subject to review by the zoning administrator for compliance with the requirements of this subsection. The use of portable signs/message boards are limited to no more than five days per month at any one premises. A sandwich sign is not a portable message board.
- (2) The zoning administrator shall not issue a permit for placement of a portable sign/message board if it presents a vision obstruction. The maximum size of a portable sign/message board shall be 20 square feet on each face, back-to-back. Portable signs/message boards shall be located at least 15 feet from any public rights-of-way, shall not have flashing lights, shall not be illuminated in a manner as to obstruct highway visibility, and shall be securely fastened to prevent any hazardous condition.

Sec. 44-221. - Awnings and canopies.

- (a) *Permitted awnings.* No awnings shall be erected or maintained, except such awnings as comply with the following requirements, and then only if the permit required hereunder is first obtained and the same conform to the regulations of the zoning district in which the same are to be located:
- (1) *Support.* Awnings shall be securely attached to and supported by the building and shall be without posts or columns beyond the setback line.
 - (2) *Height.* All awnings shall be constructed and erected so that the lowest portion thereof shall be not less than eight feet above the level of the public sidewalk or public thoroughfare.
 - (3) *Awning extension from curblines.* No entrance awning shall extend beyond a point eight feet into the right-of-way.
 - (4) *Advertising.* No advertising shall be placed on any awning, except that the name and logo of the establishment within the building to which the awning is attached may be painted or otherwise permanently placed in a space not exceeding eight inches in height on the front and side edges.
- (b) *Permitted canopies.* No canopies shall be erected or maintained, except such canopies as comply with the following requirements, and then only if the permit required hereunder is first obtained and the same conform to the regulations of the zoning district in which the same are to be located:
- (1) *Support.* The structural support of all canopies shall be properly designed and be approved by the zoning administrator as in compliance with the building code of the village. All frames and supports shall be designed to withstand wind pressure as provided in this article. All canopies and awnings shall be attached to a building, and no supports shall exist beyond the setback line between the canopy or awning and the sidewalk or ground below.
 - (2) *Height above sidewalk.* All canopies shall be constructed and erected so that the lowest portion thereof shall not be less than eight feet above the level of the sidewalk or public thoroughfare.
 - (3) *Canopy extension from curblines.* No entrance canopy shall extend beyond a point eight feet from the face of a wall or building.
 - (4) *Advertising.* No advertising shall be placed on any canopy, except that the name and logo of the establishment may be painted or placed in a space not exceeding 24 inches in average height on the front and side edges. Such name may be so painted or placed irrespective of any prohibition otherwise applicable hereunder; providing, however, that if such canopy shall contain more or other than the name of the establishment in letters more than eight inches high on the front and side edges, it shall be considered as a sign and be subject to all the provisions hereof.

(Code 1992, § 13-1-148)

Sec. 44-222. - Prohibited sign features.

Landscape features such as plant materials, berms, boulders, fencing and similar design elements unincorporated or in conjunction with freestanding signs are encouraged and shall not be counted as allowable sign area. The base of signs shall be landscaped so as to conceal footings, mountings, brackets, and related

structural elements.

(Code 1992, § 13-1-149)

Sec. 44-223. - Nonconforming signs.

(a) *Generally.*

- (1) *Nonconforming sign criteria.* Signs existing as of the effective date of the ordinance from which this article is derived which do not conform to the provisions of this article are nonconforming signs and shall be subject to the provisions of this section. Nonconforming signs may be maintained. No nonconforming on-premises sign shall be altered or moved to a new location without being brought into compliance with the requirements of this article. (Refer to subsection (b) of this section.) Compliance is the responsibility of the property owner.
- (2) *New signs not permitted.* Business signs on the premises of a nonconforming use or building may be continued per this section, but new signs for such uses shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area, may be erected only upon the complete removal of all other signs existing at the time of adoption of the ordinance from which this article is derived.
- (3) *Removal upon business termination.* Nonconforming signs shall be removed when the principal structure located on the premises undergoes a change of use or shall be removed per section 44-224. Closing businesses must remove their signs within 30 days of closing.
- (4) *Change in sign user.* When there is a change in the sign user (excluding off-premises signs) or owner of the property on which the sign is located, the new sign user or new property owner shall forthwith notify the zoning administrator of the change. No new sign permit is required unless there is modification of the sign face or sign structure.

(b) *Alteration of signs.*

- (1) *Alteration defined.* For the purpose of this article, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign, its frame, its supporting structure, or its lighting, including changing the message (except for marquee or off-premises advertising signs), symbols, color, material, height or location.
- (2) *Maintenance exception.* Altering a sign does not include maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a marquee sign; or changing the face of an off-premises advertising sign.

(c) *Loss of legal nonconforming status.*

- (1) In addition to the standards in subsections (a) and (b) of this section, a sign may also lose its nonconforming status if one or more of the following occurs:
 - a. If the sign is damaged by fire, flood, explosion, earthquake, vandalism, war, riot or act of God; or structurally altered in any way, except for normal maintenance and repair; the sign may be reconstructed and used as before if it is reconstructed within three months after such calamity,

unless the damage to the sign is 50 percent or more of its replacement value, in which case, the constructed sign shall comply with the provisions of this article.

b. The sign is relocated;

c. The sign fails to conform to the village requirements regarding maintenance and repair, abandonment or dangerous or defective signs;

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

(d) *Legal nonconforming sign maintenance and repair.* Nothing in this article shall relieve the owner or use of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this article regarding safety, maintenance and repair of signs. However, legal nonconforming signs shall not be reinstalled, reconstructed or have their useful life extended.

(Code 1992, § 13-1-150)

Sec. 44-224. - Dangerous and abandoned signs.

(a) *Removal of dangerous signs.* All signs shall be removed by the owner or tenant of the premises upon which the sign is located if in the judgment of the zoning administrator, such sign is so old, dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first. If the owner or tenant fails to remove it, the zoning administrator may remove the sign at cost of the owner, following adequate written notice. The owner may appeal the decision of the building inspector to the zoning board of appeals.

(b) *Abandoned signs.* Except as otherwise herein provided, all sign messages shall be removed by the owner or lessee of the premises upon which an off-premises sign is located when the business it advertised is no longer conducted where advertised. If the owner or lessee fails to remove the sign, the zoning administrator shall give the owner 60 days' written notice to remove the sign and thereafter upon the owner's or lessee's failure to comply may remove such sign, any costs for which shall be charged to the owner of the property or may be assessed as a special assessment against the property, or the zoning administrator may take any other appropriate legal action necessary to attain compliance.

(c) *Violations.* All signs constructed or maintained in violation of any of the provisions of this article after the date of adoption are declared public nuisances within the meaning of this Code. In addition to the penalty provisions for violations of this article, the zoning administrator or village board may bring an action to abate the nuisance in the manner set forth in state law or village ordinances.

(Code 1992, § 13-1-151)

Sec. 44-225. - Construction and maintenance regulations for signs.

(a) *Installation.* All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and other supports shall be

constructed of such material and with such workmanship as to be safe and satisfactory to the building inspector or zoning administrator.

(b) *General requirements.*

- (1) *Construction standards.* All signs, except flat signs and those signs weighing less than ten pounds, shall be designed, fastened and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area and shall be constructed, attached, fastened or anchored to adequately support the dead load and any anticipated live loads (i.e., ice, snow) of the sign.
- (2) *Projection.* Signs including supports shall not interfere with surrounding properties or traffic.
- (3) *Prohibited mounting.* No signs shall be painted on, attached to or affixed to any trees, rocks, or other similar organic or inorganic natural matter, including utility poles or apparatus.
- (4) *Maintenance.* All signs, including supports and attachments, shall be properly maintained and have an appearance that is neat and clean. All signs shall be kept in good structural condition, well-painted, and clean at all times and the immediate premises shall be maintained in a clean, sanitary and inoffensive condition and kept free and clear of all obnoxious substances, rubbish and weeds.
- (5) *Annexed areas.* All signs in newly annexed areas shall comply with this article within three years of annexation.

(Code 1992, § 13-1-152)

Sec. 44-226. - Variances or exceptions.

Variances or exceptions to these sign regulations may be granted by the zoning board of appeals following a recommendation from the zoning administrator, pursuant to the procedures of the village zoning regulations.

(Code 1992, § 13-1-153)

Sec. 44-227. - Violations of sign code.

(a) *Construction without permit.* Any person, firm or corporation who begins, erects, improperly alters, or completes the erection or construction of any sign, awning or canopy controlled by this article prior to the granting of a sign permit shall pay a penalty double the amount of the permit otherwise required.

(b) *Compliance notice.*

- (1) If the zoning administrator finds any sign, awning or canopy regulated herein unsafe or insecure or is a menace to the public, or has been improperly erected, altered or maintained, it shall give written notice to the sign owner and to the property owner.
- (2) If such sign, awning or canopy owner fails to remove or alter the sign, awning or canopy so as to comply with the standards herein set forth within five days after such notice, the zoning administrator may cause such sign, awning or canopy to be removed or altered at the expense of the owner of the sign, awning or canopy or the owner of the property upon which it is located so as to comply with the provisions of this article, per Wis. Stats. § 66.0627.

(c)

Violations; penalties. Any person who shall violate any of the provisions of this article shall be subject to a penalty which shall be as follows:

- (1) Any person found guilty of violating any part of this article who has previously been notified of being in violation, upon conviction thereof, be subject to a forfeiture as prescribed by section 44-330.
- (2) Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this article shall preclude the village from also maintaining any appropriate action to prevent or remove a violation of any provision of this article.

(Code 1992, § 13-1-154)

Secs. 44-228—44-247. - Reserved.