



GRAFTON
QUALITY LIFE NATURALLY

Town of Grafton Ordinance No. 2011-06

**AN ORDINANCE AMENDING
TITLE 7 - Licensing and Regulation; CHAPTER 6 - Signs
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN**

WHEREAS, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

WHEREAS, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on 7/21/2011, and 7/28/2011, as required by Title 9.1.11 of the Code of Ordinances, Town of Grafton, Wisconsin; and

WHEREAS, a Public Hearing was held before the Town Board on 8/10/11, regarding the proposed Amendments to the Town's Code of Ordinances; and

WHEREAS, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

NOW, THEREFORE, the Town Board of the Town of Grafton does hereby ordain as follows:

Section 1

Title 7 Chapter 6: Signs of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

Title 7 - Licensing and Regulation.....

Chapter 6 - Signs

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7.6.1 Definitions.

- (A) Awning Sign – Any lettering or imagery sewn or printed on the fabric portion of an awning. Decorative awnings without lettering or imagery are not considered signs.
- (B) Billboard – (See "Off-Premise Sign").
- (C) Business Directional – Off-premises sign that gives directions to a specific business, resort or other approved facility.
- (D) Bulletin Boards – A sign with the name of the public, charitable or religious institution it serves and information pertaining to its meeting and activities.
- (E) Canopy Sign – A sign attached to or supported by a canopy.
- (F) Service Trade or Construction Trade Signs – A sign identifying individuals or companies involved in servicing design, construction, wrecking, financing, or development of a building/lot and/or identifying the future use of the building/lot.
- (G) Display – The complete structure which constitutes a sign; both the portion that includes the identification or advertisement and the construction elements required to support the sign.
- (H) Flashing Signs – A sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs which indicate the date, time and temperature will not be considered flashing signs.
- (I) Freestanding Signs – A sign which is attached to or part of a completely self-supporting structure other than a building.
- (J) Mailbox Sign – Sign affixed to the mailbox proper. Does not include signs physically attached to a post which also contains a mailbox, or signs attached to the top, bottom, front or back of a mailbox proper.
- (K) Memorial Signs – Tablets, name of buildings and date of erection when cut in to any masonry surface of when constructed of metal and affixed flat against a structure.
- (L) Message Centers and Time/Temperature Signs: Signs whose alphabetic pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:
 - (1) Fixed Message Electronic Signs. Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
 - (2) Computer Controlled Variable Message Electronic Signs. Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.
- (M) Monument Sign – Permanent signs where the entire bottom of the sign is affixed to the ground, not a building. Monument type signage shall be consistent with the materials, colors, and style of the building it advertises.
- (N) Name, Home Occupation and Warning Signs – A non-electric, on-premise identification sign giving only the name, address and/or occupation of an occupant or group of occupants and warning sign.
- (O) Off-Premise Sign – A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising." ("Billboard").
- (P) Projecting Signs – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (Q) Real Estate Signs – A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale will require approval if placed in road right-of-way from local jurisdiction. That would be one of the following: a Town of Grafton, County or State road.
- (R) Roof Signs – Any sign erected on the roof of a building.
- (S) Sign – A display used to identify or advertise a place of business or a product.

- (T) Subdivision Signs – Located at the entrances to a particular development which includes only the name of the development.
- (U) Temporary Signs – A sign not constructed or intended for long-term use.
- (V) Wall Signs – A sign or billboard affixed, attached or painted directly onto the exterior wall of a building with the face in a parallel plane to the plane of the building wall.
- (W) Window Signs – A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.

7.6.2 Permit Required.

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a permit except those signs excepted in Section 7.6.4 and without being in conformity with the provisions of this Ordinance.

7.6.3 Prohibited Signs.

- (A) Awning.
- (B) Banners, pennants, streamers, balloons and other gas-filled figures, except as a temporary sign.
- (C) Billboards.
- (D) Canopy.
- (E) Flashing or rotating signs, signs containing moving parts and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted. Message centers, time and temperature signs are permitted provided they meet all other provisions of this ordinance.
- (F) Inflatable signs and tethered balloons.
- (G) Portable and wheeled signs.
- (H) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
- (I) Signs which are attached or otherwise physically attached to rocks, trees or other living vegetation. Does not prohibit signs made of rocks or stone.
- (J) All signs that resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices and obstruct or interfere with the effectiveness of said devices.
- (K) Signs that create a hazard or dangerous distraction to vehicular traffic.
- (L) Signs in the public right-of-way unless otherwise provided for in Section 7.6.4.01.

7.6.4 Permitted Signs.

7.6.4.01 All Districts Without A Permit

The following signs are permitted in all zoning districts without a permit subject to the following regulations:

- (A) Agricultural Signs pertaining to the sale of products on a farm and not exceeding 32 square feet in area for any one (1) farm.
- (B) Real Estate Signs which advertise the sale, rental, or lease of the premises.
 - (1) May not exceed eight (8) square feet in area.
 - (2) Shall be limited to one (1) sign facing each abutting public roadway.
 - (3) All temporary real estate, open house and directional signs may be displayed one (1) hour prior and removed one (1) hour after open house closing.
- (C) Name, Home Occupation, and Warning Signs not exceeding Two (2) square feet in area located on the premises.
- (D) Bulletin Boards for public, charitable or religious institutions shall not exceed 32 square feet in area. An additional 8' square feet shall be allowed for the name of the public, charitable or religious institution.
- (E) Mailbox Signs.
 - (1) Must be attached to the mailbox proper.

- (2) Shall be limited to the size of the mailbox proper.
- (3) Signs physically attached to the top, bottom, front or back of a mailbox or mailbox post are not considered to be a mailbox sign and are subject to the constraints of this chapter, including a sign permit when applicable.
- (F) Memorial Signs, tablets, names of buildings, and date of erection.
 - (1) When cut into any masonry surface or when constructed of metal and affixed flat against a structure.
 - (2) Shall not exceed four (4) square feet in area.
- (G) Election Campaign Signs.
 - (1) Provided that permission shall be obtained from the property owner, renter or lessee.
 - (2) Note – Signs are not allowed in the road right-of-way.
- (H) Service Trade or Construction Trade Signs.
 - (1) Shall not exceed six (6) square feet in area and shall be located on the property where work is being performed.
 - (2) Shall be removed within five (5) days after completion of remodeling, construction, project, or service provided.

7.6.4.02

All Districts With A Permit

- (A) Temporary Signs or Banners.
 - (1) Temporary Signs or Banners may be approved by the Building Inspector or, at Building Inspector's discretion, may be sent to the Plan Commission for action.
 - (2) Each property may be allowed a temporary sign or banner for a period of 30 days, not more than four (4) times a year for a maximum of 120 days per year.
 - (3) Each renewal shall require a new permit fee and may, at the discretion of the Building Inspector, require an inspection at the applicant's cost.
 - (4) A separate permit is required for each temporary sign or banner.
- (B) ~~Separate Permit Required. A separate permit is required for each temporary sign or banner.~~
- (C) Wall Signs.
 - (1) Shall not extend more than 16 inches outside of a building's wall surface.
 - (2) Shall not exceed 500 square feet in area for any one premises.
 - (3) Shall not exceed 20 feet in height above the mean building (first floor) grade. The formula to determine the size of a sign for each wall, shall be 1 linear foot = 1 square foot of sign.
 - (4) See Specific Zoning District if allowed.
- (D) Projecting Signs.
 - (1) Shall not exceed 100 square feet for single side nor 150 square feet for all sides
 - (2) Shall not exceed 12" in thickness for any one premises.
 - (3) Shall not extend more than six (6) feet into any required yard; shall not be less than 10 feet from all side lot lines
 - (4) Shall not exceed a height of 20 feet above the mean building grade.
 - (5) Shall not be less than 10 feet above the sidewalk or 15 feet above a driveway.
 - (6) See Specific Zoning District if allowed.
- (E) Pole Signs.
 - (1) Shall not exceed 20 feet in height above the mean building grade.
 - (2) Shall not exceed 100 square feet on one (1) side or 200 square feet on all sides for any one premises.
 - (3) Shall not be closer to a lot line than its height.
 - (4) See Specific Zoning District if allowed.
- (F) Roof Signs.
 - (1) May be erected on roof but shall not extend above roof line.

- (2) Shall meet all the yard and height requirements for the district in which it is located.
- (3) Shall not exceed 100 square feet on all sides for any one premises.
- (G) Window Signs.
 - (1) Shall be placed only on the inside of commercial buildings.
 - (2) Shall not exceed 25 (25%) percent of the pane upon which the sign is displayed.
- (H) Monument Signs.
 - (1) Shall be consistent with the materials, colors, and style of the building it advertises.
 - (2) Monument signs shall not exceed fifteen feet (15') in height.
 - (3) External point source lighting may be used on non-illuminated signage.
- (I) Business Directional Signs.
 - (1) Shall not exceed one (1) in number per site.
 - (2) Shall not exceed eight (8) square feet of display area.
 - (3) Shall be located at not more than one (1) location in the Town for each business.
- (J) Combinations of any of the above signs shall meet all the requirements for the individual sign.
- (K) Separate Permit Required.
A separate permit is required for each individual sign, regardless of sign type or specific size requirements.

7.6.4.03 ~~Business And Manufacturing Districts With A Sign Permit~~

~~Signs are permitted in the Business and Light Manufacturing & Warehousing Districts upon the granting of a permit therefore, and are subject to the following regulations:~~

- (A) ~~Wall Signs.~~
 - (1) ~~Shall not extend more than 16 inches outside of a building's wall surface.~~
 - (2) ~~Shall not exceed 500 square feet in area for any one premises.~~
 - (3) ~~Shall not exceed 20 feet in height above the mean building (first floor) grade. The formula to determine the size of a sign for each wall, shall be 1 linear foot = 1 square foot of sign.~~
 - (4) ~~See Specific Zoning District if allowed.~~
- (B) ~~Projecting Signs.~~
 - (1) ~~Shall not exceed 100 square feet for single side nor 150 square feet for all sides~~
 - (2) ~~Shall not exceed 12" in thickness for any one premises.~~
 - (3) ~~Shall not extend more than six (6) feet into any required yard; shall not be less than 10 feet from all side lot lines~~
 - (4) ~~Shall not exceed a height of 20 feet above the mean building grade.~~
 - (5) ~~Shall not be less than 10 feet above the sidewalk or 15 feet above a driveway.~~
 - (6) ~~See Specific Zoning District if allowed.~~
- (C) ~~Pole Signs.~~
 - (1) ~~Shall not exceed 20 feet in height above the mean building grade.~~
 - (2) ~~Shall not exceed 100 square feet on one (1) side or 200 square feet on all sides for any one premises.~~
 - (3) ~~Shall not be closer to a lot line than its height.~~
 - (4) ~~See Specific Zoning District if allowed.~~
- (D) ~~Roof Signs.~~
 - (1) ~~May be erected on roof but shall not extend above roof line.~~
 - (2) ~~Shall meet all the yard and height requirements for the district in which it is located.~~
 - (3) ~~Shall not exceed 100 square feet on all sides for any one premises.~~
- (E) ~~Window Signs.~~
 - (1) ~~Shall be placed only on the inside of commercial buildings.~~
 - (2) ~~Shall not exceed 25 (25%) percent of the pane upon which the sign is displayed.~~

- (F) ~~Monument Signs.~~
 - (1) ~~Shall be consistent with the materials, colors, and style of the building it advertises.~~
 - (2) ~~Monument signs shall not exceed fifteen feet (15') in height.~~
 - (3) ~~External point source lighting may be used on non-illuminated signage.~~
- (G) ~~Combinations of any of the above signs shall meet all the requirements for the individual sign.~~
- (H) ~~Separate Permit Required.~~
~~A separate permit is required for each individual sign, regardless of sign type or specific size requirements.~~

~~7.6.4.04 Agricultural Districts With A Sign Permit~~

~~The following signs are permitted in all Agricultural Districts upon the granting of a permit therefore and are subject to the following regulations:~~

- (A) ~~Business Directional Signs.~~
 - (1) ~~Shall not exceed one (1) in number per site.~~
 - (2) ~~Shall not exceed eight (8) square feet of display area.~~
 - (3) ~~Shall be located at not more than one (1) location in the Town for each business.~~
- (B) ~~Separate Permit Required.~~
~~A separate permit is required for each individual sign, regardless of sign type or specific size requirements.~~

7.6.4.05 Residential Districts With A Permit

The following signs are also permitted in all Residential Districts upon the granting of a permit therefore, and are subject to the following regulations:

- (A) Subdivision Signs.
 - (1) A sign which includes only the name of the development
 - (2) A sign that displays a map of the subdivision.
 - (3) The entire sign, including any structure required for support or aesthetics shall not exceed thirty two (32) square feet in area.
 - (4) Shall conform to all yard requirements for the district in which it is located.
- (B) Separate Permit Required.
 A separate permit is required for each individual sign, regardless of sign type or specific size requirements.

7.6.4.06 Signs Facing I-43.

- (A) ~~Businesses or uses with contiguous frontage to I-43 and which offer gasoline sales, provide dining service or lodging accommodations may, if approved by the Plan Commission, be allowed an illuminated a sign not exceeding forty (40) square feet in size facing I-43. Plan Commission review and approval of these signs are based on a determination that the sign is in the public interest.~~
- (B) Any business or use which may be visible from the I-43 freeway but lacking contiguous frontage thereon shall not be permitted to display any sign that may be visible from I-43 unless otherwise approved by the Plan Commission.

7.6.5 Facing.

No sign except those permitted in Section 7.6.4.01 shall be permitted to face a residential district within 100 feet of such district boundary.

7.6.6 Color And Shape.

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility.

7.6.7 Materials.

- (A) When deemed applicable by Town Staff or the Plan Commission, signage shall be integrated into and designed to be consistent with the building façade.
- (B) When deemed applicable by Town Staff or the Plan Commission, similar materials, colors, and styles shall be used to ensure the signage is consistent with the building design.

7.6.8 Exterior Lighting And Prohibition Of Flashing Signs.

- (A) All lighting for parking areas or for the external illumination of buildings or grounds, or for the illumination of signs, shall be directed away from and shall be shielded from all adjacent districts and shall also be so arranged as to not affect driver visibility adversely on adjacent thoroughfares.
- (B) All external illumination of buildings or grounds, or for the illumination of signs within fifty feet of a residential district boundary line shall be limited to a height of twenty feet.
- (C) The use of flashing or revolving lights, other than traffic-control lights, is specifically prohibited in all districts. This prohibition shall apply to all signs.
- (D) Message centers and time/temperature signs are not considered flashing.
- (E) Signs illuminated from within (backlit) are prohibited except that individual letters and symbols may be illuminated but not the whole sign.
- (F) No person may erect a sign with exposed electrical wires.
- (G) The use of unshielded lighting, including exposed incandescent light bulbs hung or strung on poles, wires, or any other type of support intended to illuminate a sign or other advertising device is expressly prohibited. Also, the use of ground-mounted fixtures is not recommended and applicants are encouraged to utilize other methods of illumination.
- (H) All sign lighting shall be so designed, located, shielded, or hooded so as to prevent the casting of glare or direct light upon adjacent roadways, surrounding properties, or into the sky.
- (I) In no case shall the lighting intensity of any sign, whether resulting from internal or external illumination, exceed 50 footcandles when measured with a standard light meter held perpendicular to the sign face at a distance of ten inches.
- (J) Electrical illumination of signs in residential districts shall be as regulated in the Wisconsin Industrial Commission Electrical Code.
- (K) All illumination of signs shall be provided utilizing electricity.

7.6.9 Construction And Maintenance.

- (A) **Wind Pressure and Dead Load Requirements.**
All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area; and shall be constructed to receive dead loads as required in the Town Building Code or other section of the Code.
- (B) **Protection of the Public.**
The temporary occupancy of a sidewalk or street or other public property during construction, removal, repair, alteration or maintenance of a sign is permitted provided the space occupied is roped off, fenced off, or otherwise isolated.
- (C) **Maintenance.**
The owner of any sign shall keep it in good maintenance and repair which includes restoring, repainting, or replacement of a worn or damaged legally existing sign to its original condition; and shall maintain the premises on which the sign is erected in a clean, sanitary, and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds, and grass.
- (D) **Supporting Members or Braces.**
The supporting members or braces of all signs shall be constructed of galvanized iron, properly treated steel, copper, brass, cedar posts, pressure treated naturally decay resisted material or other non corrosive incombustible material. All projecting signs, if placed at a right or other angle to the wall or roof of any building, shall be attached by such non corrosive metal bolts, anchors, cable, or other metal attachments as shall

ensure permanent and safe construction and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through the walls or roof of the building should the Town Building Inspector determine that the safe and permanent support of such sign so requires and shall be securely anchored by wall plates and nuts to the inside of the walls or to bearings on the under side of two (2) or more roof or ceiling, joists in accordance with instructions given by the Town Building Inspector. Small flat signs containing less than 10 square feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Building Inspector.

(E) Attachments.

No signs or any part thereof or sign anchors, braces, or guide rods shall be attached, fastened, or anchored to any fire escape, fire ladder, or standpipe and no such sign or any part of any such sign or any anchor, brace, or guide rod shall be erected, put up, or maintained so as to hinder or prevent ingress or egress through such door, doorway, or window or so as to hinder or prevent the raising or placing of ladders against such building by the Fire Department of the Town, as necessity therefore may require.

7.6.10 Sign Permit.

7.6.10.01 Application

Applications for a sign permit shall be made on forms provided by the Town Building Inspector.

(A) Application.

Each separate, individual sign shall require a separate, individual sign permit application and fee. Multiple signs meeting the requirements of an individual sign shall be subject to the approval of the Plan Commission. The Plan Commission reserves the right to limit the total number of signs based on individual or cumulative sign requirements.

(B) Contents.

Applications shall contain or have attached thereto the following information:

- (1) Name, address, and telephone number of the applicant; location of building, structure, or lot to which or upon which the sign is to be attached or erected.
- (2) Name of person, firm, corporation, or association erecting the sign.
- (3) Written consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.
- (4) A scale drawing of such sign indicating the dimensions, the materials to be used, colors, type of illumination if any, and the method of construction and attachment. Seventeen (17) color chips must be provided as well as seventeen (17) copies of plans.
- (5) A scale plat plan indicating the location and position of such sign in relation to nearby buildings or structures. Must show set-backs. Seventeen (17) copies of Plat Plan must be submitted with application.
- (6) Site photos showing building, location of proposed sign and adjacent buildings or structures.
- (7) Copies of any other permits required and issued for said sign.
- (8) Additional information as may be required by the Town Plan Commission.
- (9) Staff may require a 3-D image of monument signs for review.

(C) Every applicant for a sign permit shall be responsible for the Construction and Maintenance as required in Section 7.6.8. Failure to meet those requirements shall constitute a violation of the Sign Code. If the Town is required to complete any work required under Section 7.6.8, or to remove the sign due to violation or public nuisance, the Town may impose a special charge, in the amount of any costs required for construction, maintenance or staff payable with the next succeeding tax roll.

(D) Submission.

Sign permit applications and fees shall be filed with the Town Clerk. The Town Building Inspector or Town Planner shall review the application for its completeness and accuracy.

- (E) **Submission Deadline.**
All sign application information must be submitted fifteen (15) working days prior to the Plan Commission meeting.
- 7.6.10.02 **Permit Expiration**
 - (A) **Construction Required.** A sign permit shall become null and void if work authorized under the permit has not been completed within twelve (12) months of the date of issuance, which may be extended by the Building Inspector.
 - (B) Sign permits are approved by the Plan Commission for a specific amount of time. The applicant is responsible for renewing the permit, if desired, upon expiration of the approved timeframe.
- 7.6.10.03 **Renewal**
 - (A) Expired permits or permits nearing their expiration date require a permit renewal.
 - (B) Each renewal shall require a new permit fee and shall require a visual inspection by the Building Inspector at the applicant's cost. (See Sec. 1.3.4, TGO.)
- 7.6.10.04 **Fees**
 - (A) The fee for a sign permit shall be set from time to time by the Town Board. (See Sec. 1.3.4, TGO.)
 - (B) Every Applicant for a sign permit shall be responsible for the Construction and Maintenance as required in Section 7.6.8. Failure to meet those requirements shall constitute a violation of the Sign Code. If the Town is required to complete any work required under Section 7.6.8, or to remove the sign due to violation or public nuisance, the Town may impose a special charge, in the amount of any costs required for construction, maintenance or staff payable with the next succeeding tax roll.
- 7.6.10.05 **Enforcement**
 - (A) The Town Building Inspector, Plan Commission, Board of Supervisors and Staff (as directed by the Town Plan Commission or Board) shall be responsible for the enforcement of this section of the Code.
 - (B) Failure to comply with the requirements of this Section of the Code shall result in a Notice of Non-Compliance.
 - (C) Failure to respond to a Notice of Non-Compliance within fifteen (15) days of issuance shall result in a Notice of Violation.
 - (D) Failure to respond to a Notice of Violation within fifteen (15) days of issuance shall result in a mandatory appearance at the Town Plan Commission meeting to determine the work necessary to comply with this Code, at the cost of the responsible party, which may be assessed against the property.

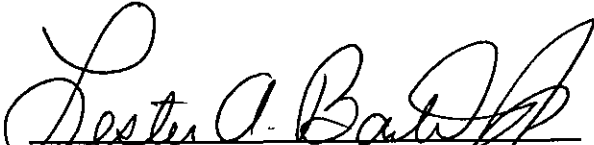
Section 2.

Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

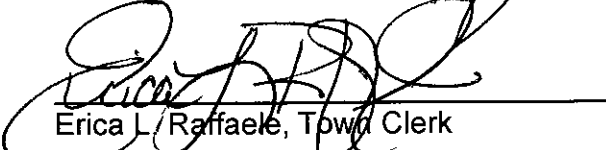
Section 3.

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this _____.



Lester A. Bartel, Jr., Town Chairman



Erica L. Raffaele, Town Clerk

Posting Date: