

CHAPTER 15
SIGN ORDINANCE

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CHAPTER 15

SIGN ORDINANCE

15.01 PURPOSE

The purpose of these requirements is to ensure that the outstanding visual resources of the Town are protected, that the rural character of the town is preserved, and that traffic safety is enhanced by setting requirements for the size, number, placement, and lighting of signs.

15.02 APPLICABILITY

- A. Signs restricted.** Unless exempted under sub. B, no sign shall hereafter be located, erected, structurally altered, moved, or reconstructed, except as permitted by this chapter.
- B. Signs exempted.** The following shall be exempt from the requirements of this chapter:
1. Memorial signs and tablets displayed on public property or in cemeteries.
 2. Official traffic and parking signs, and informational, legal or directional notices erected by federal, state, or local units of government.
 3. Guidance signs authorized by the Wisconsin Department of Transportation under Trans. 200.03, Wis. Admin Code.
 4. Official government entity flags.
 5. Outdoor murals or other outdoor artwork, determined by the Planning commission, upon referral and recommendation of the Zoning Administrator, not to be signs.

15.03 GENERAL SIGN REQUIREMENTS

- A. General sign requirements.** The following requirements shall apply to all permitted signs.
1. No undulating, swinging, rotating, or otherwise moving sign shall be permitted.
 2. Except for flashing or fluttering time and/or temperature sign messages, any flashing, fluttering, or otherwise animated sign messages shall be reviewed and approved by the Plan Commission.
 3. No sign shall obstruct clear visibility of traffic along any public road or intersection of roads or driveways.
 4. No signs, except signs erected by a unit of government, shall project over or be located within any public right-of-way.
 5. Signs shall not resemble, imitate, or approximate the shape, size, form, or color of traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices, nor be lighted in such a way so as to cause glare or impair driver visibility upon public roads.

6. Signs shall not be located or maintained in such a way that prevents free ingress or egress from any floor, window, or fire escape; and no sign shall be attached to a fire escape.
7. Any spotlights used to illuminate signs shall be shielded such that their light source cannot be seen from adjoining roads or properties.
8. No sign shall be placed on or over the roof of any building.
9. No sign shall be painted or mounted on rocks or other natural features, except that nameplates and/or addresses for residences and "No Hunting," "No Trespassing," "No Dumping," and signs of a similar nature may be affixed to trees.
10. No sign shall contain obscene or derogatory language, symbols, or pictures.
11. Wall signs:
 - a. *Size.* The sign face area of a wall sign shall not exceed 15 percent of the area of the side of the building to which it is attached. If more than one sign is present, the combined sign face area shall not exceed 15 percent of the area of the side of the building to which they are attached.
 - b. *Design.* Wall signs shall not extend more than 6 inches from the building's wall surface, or beyond the end of the wall.
12. Window signs. The sign face area of window signs shall not exceed 20 percent of the glass area of the window.
13. Projecting signs:
 - a. *Size.* The sign face area of a projecting sign shall not exceed 24 square feet.
 - b. The sign shall not extend more than 5 feet from the wall to which it is attached.
 - c. The bottom of such sign shall be at least 7 feet above the grade directly below the sign.
 - d. The top of such sign shall not extend above the building's roof.
14. Freestanding signs:
 - a. *Size.* The maximum size of freestanding signs shall be as follows:
 - 1) Directional signs shall not exceed 3 square feet in sign face area.
 - 2) Nameplates and/or addresses for residences: "No Hunting," "No Trespassing," "No Dumping," and signs of a similar nature; "Open/Closed" signs; "Vacancy/No Vacancy" signs; temporary on-premise real estate signs; and operational signs designating entrances, exits, service areas, parking areas, restrooms, and other functional operations of a building or premises shall not exceed 4 square feet in sign area.

- 3) On premise signs shall not exceed 24 square feet in sign face area.
 - b. *Setback.* Such signs shall be located at least 10 feet from all lot lines. However in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned for residential purposes.
 - c. *Height.* Such signs shall not exceed a height of 12 feet.
 - d. *Vision Clearance.* In order to provide visual clearance for vehicles, freestanding signs located within 15 feet of an intersection of two public rights-of-way, or an intersection of a driveway and a public right-of-way, shall not exceed 3 feet in height or the bottom of the sign shall be at least 7 feet above grade.
15. Awning Signs
- a. The bottom of such sign shall be at least 7 feet above the grade directly below the sign.
 - b. Such signs shall not extend more than 5 feet from the wall to which the awning is attached.
16. Off-premise advertising signs. No off-premise advertising signs shall be permitted.
17. Vehicular signs. No motor vehicle or trailer, which has attached thereto or located thereon any sign for the purpose of advertising a product or directing people to a business activity, shall be parked in view of a public road for more than 3 consecutive hours.

15.04 SPECIFIC REQUIREMENTS FOR PARTICULAR SIGNS

In addition to the requirements of s. 15.03, general sign requirements, the following requirements shall be met for each specified sign. There shall be no specific requirements for particular signs that are not listed in this section, but such signs shall comply with the requirements of s. 15.03, general sign requirements.

A. Election campaign signs shall be subject to the following:

1. Such signs located on residential property, as defined in s. 12.04, Wis. Stats., shall not be erected or displayed prior to the election campaign period, as defined in s. 12.04, Wis. Stats., and shall be removed within 7 days after the election.
2. Such signs located on property other than residential property, as defined in s. 12.04, Wis. Stats., shall meet the following:
 - a. The signs shall not be placed on public property.
 - b. The signs shall not exceed 24 square feet in sign face area.
 - c. The signs shall not be erected or displayed earlier than 60 days prior to the election to which they pertain.
 - d. The signs shall be removed within 7 days after the election.
 - e. The sign shall not be illuminated.

B. Temporary real estate, advertising sale, rent, or lease signs. Temporary real estate signs, advertising the sale, rent, or lease of a property on which the sign is placed, shall be subject to the following:

1. Such signs shall be located at least 15 feet from the lot line.
2. Such signs shall not be illuminated.
3. Such signs shall be removed within 10 days of the sale, rent, or lease of the property.
4. The number of such signs shall be limited to one along each road that abuts the property.
5. The sign shall not exceed 4 square feet in sign face area.

C. Temporary on-site construction signs. Temporary on-site construction signs promoting a building under construction and/or the contractor(s) for such building, shall be subject to the following:

1. Only one construction sign shall be allowed per construction project.
2. No such sign shall exceed 24 square feet in sign face area.
3. No such sign shall be erected prior to beginning of construction.
4. All such signs shall be removed within one week after completion of construction and prior to occupancy.
5. Construction signs which are freestanding signs shall be located at least 15 feet from any public right-of-way.

D. Temporary new development signs. Signs promoting a new subdivision, apartment complex, and other new development shall not exceed 24 square feet in sign face area and shall be located on the premises of the new development. The sign permit for such signs shall expire after 2 years.

E. On-premise residential neighborhood signs. On-premise residential neighborhood signs shall be freestanding signs only, shall be limited to identifying the name of a neighborhood area such as a subdivision or housing development, shall not exceed 24 square feet in sign face area and shall be placed only at the entrance to the neighborhood area.

F. Advertising signs.

1. *Off-premise.* Advertising signs which are off-premise signs are not permitted.
2. *On-premise.* Advertising signs which are on-premise signs shall meet the following:
 - a. Number limited for freestanding and projecting signs. In the Natural Area, and General Agricultural districts, the maximum number of on-premise advertising signs which are freestanding or projecting signs shall be a total of 3 such signs per business.
 - b. Sign spacing for freestanding and projecting signs. This spacing requirement shall only apply to advertising signs which are freestanding or projecting signs. In the Single Family Residential-

20,000, Rural Residential, Commercial/Business, and Mobile Home/Manufactured Home Park districts, no on-premise advertising sign shall be located closer to any advertising sign than a distance equal to one-half of the required of the required minimum lot width for new lots in the zoning district in which the sign is located. In all other zoning districts, there shall be no spacing requirements for on-premise advertising signs.

G. Directional signs. Directional signs shall be subject to the following:

1. Directional signs are permitted where a change in travel direction is required as shown in the following illustration, examples 1 & 3. A directional sign which indicates that a use is straight ahead is permitted only where the person seeking the use might normally follow a main travel route (compare the following illustrations, examples 2 & 4).

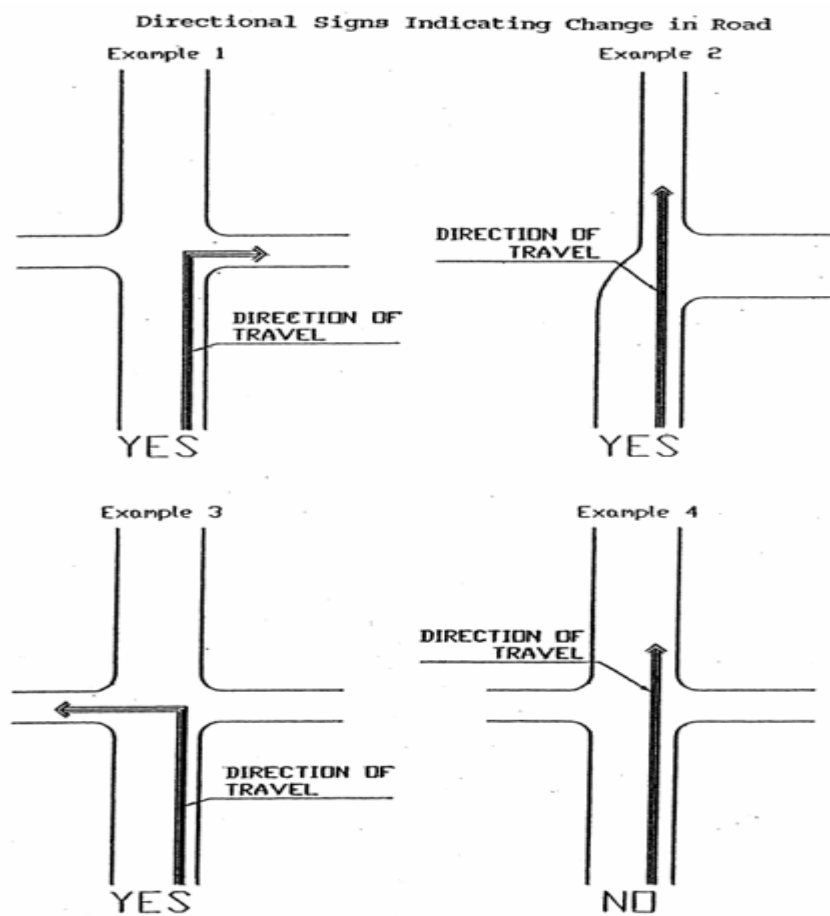


Figure 1 Directional Signs Indicating Change in Road

2. Number of signs unless limitation is waived, no more than 4 such signs shall be permitted for each use. If multiple travel routes to a particular use are logical, the Plan Commission, upon referral and recommendation of the Zoning Administrator, may waive this limitation and authorize the number of such signs deemed necessary.
3. Directional signs shall only contain information identifying the name of an establishment, the distance to the establishment, and a directional arrow. No other information shall be identified on the sign.

4. Such signs shall only be permitted in proximity of road intersections, but shall not obstruct clear visibility of traffic along any public road or intersection of roads.
5. *Size.* The sign face area of a directional sign shall measure 4 feet wide by 8 inches high.
6. No business which is located outside of the jurisdictional boundaries of the Town of Union or the boundaries of adjacent towns shall be identified on the directional sign.

H. Temporary farm produce signs. In order to help preserve the agriculture base of the town, the Town Plan Commission may permit signs advertising farm produce sales, in addition to directional signs permitted under s.15.04 (G).

1. *Size.* Such sign shall not exceed 32 square feet in sign face area.
2. *Height.* Such signs shall not exceed a height of 6 feet.
3. *Setback.* Such shall be located at least 15 feet from any public right-of-way.
4. *Design.* The sign shall not require a permanent location in the ground.
5. *Duration.* Such signs are permitted to be erected for no more than 60 consecutive days or no more than 120 days a year.
6. Such signs are only permitted for farms in the Town of Union and adjacent Towns.
7. The number of signs is limited to two per farm operation.

15.05 PERMITS

A. The following signs shall require a sign permit:

1. Directional signs.
2. Signs which are any of the following:
 - a. Wall, freestanding or projecting signs.
 - b. Residential neighborhood signs.
 - c. Temporary new development signs.
3. Off-premise signs

B. All other signs not listed in sub. (A) shall not require a sign permit, but shall comply with the other requirements of this chapter.

C. The changing or altering of the sign face area shall require a sign permit, unless the sign is exempted from the permit requirement as provided in sub. (B). The changing of text or logos or the repainting and routine maintenance of signs shall not be deemed changes or alterations requiring a sign permit.

15.06 NONCONFORMING SIGNS

- A.** Except as specified in sub. (B), nonconforming signs may continue, but structural alterations or repairs to the sign or support structure are prohibited, unless the sign is brought into conformity with this Ordinance.
- B.** Signs that are nonconforming because they are in a public right-of-way; are flashing, fluttering, or moving signs; contain obscene language, symbols, or pictures; or which remain beyond a time limit specified by this chapter or by the sign permit shall be removed or brought into compliance. If such sign is not removed or brought into compliance, the owner or lessee of the property upon which the sign is located shall be subject to prosecution and penalties as provided in chapter 15.09, enforcement.

15.07 ABANDONED SIGNS

- A.** Abandoned signs shall be removed by the owner or lessee of the property upon which the sign is located, unless the sign's message is changed in compliance with this Ordinance. Such removal or change of message shall be completed within 1 year of the date upon which it becomes an abandoned sign.
- B.** If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner 60 days written notice to remove said sign or change its message in compliance with this Ordinance. Upon failure to comply with this notice, the owner or lessee of the property upon which the sign is located shall be subject to prosecution and penalties as provided in chapter 15.09 enforcement.

15.08 PROCEDURES

- A.** Sign permits
 - 1. Applicability. This section only applies to those signs requiring a sign permit as specified in s. 15.05, permit requirements, that are erected, moved, structurally altered, or reconstructed.
 - 2. Applications.
 - a. All applications for sign permits shall be made to the Zoning Administrator on forms furnished by the Town of Union Plan Commission and shall include the following:
 - 1) Name, address, and signature of the applicant.
 - 2) Name, address, and signature of the property owner of the site for the proposed sign, if different from the applicant.
 - 3) Type, description, and dimensions of the proposed sign.
 - 4) Location of building, structure, or lot to which or upon which the sign is to be attached or erected.
 - 5) A plan, drawn at a scale which produces a clearly legible drawing, showing the following:
 - a) The spatial relationship of the proposed sign to abutting public roads and rights-of-way, private roads, and navigable water.

- b) The special relationship of the proposed sign to existing structures and adjacent freestanding or projecting signs.
- b. Fee. All sign permit applications shall be accompanied by a fee established by the Town Board of Supervisors.
- c. No application shall be accepted by the Zoning Administrator until complete as judged by the Zoning Administrator and all fees established by Town of Union have been paid in full.
- 3. Permit issuance or denial. Applications for sign permits shall be reviewed by the Zoning Administrator for compliance with the requirements of this Ordinance. If compliance is found, the sign permit shall be issued. If compliance is not found, the sign permit shall be denied and the reasons for denial stated.
- 4. Expiration. All sign permits shall expire 12 months from the date of issuance. No sign shall be erected, moved, reconstructed, or altered after expiration of a sign permit, unless a new sign permit is obtained.
- 5. Termination. If a sign does not comply with the issued sign permit or this Ordinance, the sign permit shall be terminated by the Zoning Administrator.

15.09 ENFORCEMENTS

A. Violations

- 1. It shall be unlawful to locate, erect, construct, reconstruct, alter, enlarge, extend, convert, or relocate any sign or use any sign in violation of the provisions of this Ordinance, or amendments or supplements thereto, lawfully adopted by the Town Board of Supervisors. It shall also be unlawful to fail to obtain permits as required by this Ordinance or to fail to comply with any requirement or condition imposed by the Board of Appeals or Town Plan Commission.
- 2. Each and every day of violation as described in sub. (1) may be deemed a separate offense and violation.
- 3. Any person, firm, association, or corporation or representative agent failing to comply with the provisions of this Ordinance may be subject to prosecution under the terms of this Ordinance and the penalties set forth in Section 15.09(C), of this ordinance.

B. Prosecution

- 1. Civil proceedings. Pursuant to s. 66.12, Wis. Stats., an action for violation of this Ordinance shall be a civil action.
- 2. Notification. The Zoning Administrator shall serve any violators with a notice of violation stating the following:
 - a. The nature of the violation.
 - b. That the violator shall be subject to:
 - 1) Civil action to remove or otherwise eliminate the violation, and/or

- 2) Penalties, upon conviction, as set forth in s. 15.09(C), penalties.
- c. Injunction. Compliance with this Ordinance may also be enforced by an action for injunction at the suit of Town of Union or the owner or owners of real estate within the zoning district affected by such violation.
- d. Penalty. Those actions commenced on behalf of Town of Union my, in addition, seek a forfeiture or penalty as outlined herein.

C. Penalties

1. Any person, firm, association, or corporation or representative agent who fails to comply with the provisions of this Ordinance or any order of the Zoning Administrator issued in accordance with this Ordinance shall, upon conviction thereof, forfeit not less than \$10 nor more than \$500 and the cost of prosecution for each violation including costs, disbursement and attorney fees; and in default of payment of such forfeiture and costs shall be imprisoned until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate violation.

15.010 DEFINITIONS

A. Construction of Language

1. In interpreting the various contest of this Ordinance, the following rules of construction shall apply:
2. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - a. "And" indicates that all connected words or provisions shall apply.
 - b. "And/or" indicates that the connected words or provisions may apply singly or in any combination.
 - c. "Or" indicates that the connected words or provisions may apply singly or in any combination.
 - d. "Either....or" indicates that the connected words or provisions shall apply singly but not in combination.
3. In case of conflict between the text and a diagram or graphic, the text controls.
4. All references to departments, committees, commissions, boards, or other public agencies are to those of the Town, unless otherwise indicated.
5. All references to public officials are to those of the Town, and include designated deputies of such officials, unless otherwise indicated.
6. The term "building" includes the word "structure." A "building" or "structure" includes any part thereof.
7. The term "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.

8. The term “dwelling” includes the word “residence” and the word “lot” includes the words “plat” or “parcel”.
9. All references to “Title”, “Chapter”, or “Section” shall refer to this Sign Ordinance unless another meaning is clear from the context of the reference.
10. The words “shall”, “will”, and “must” are always mandatory and not discretionary. The word “should” indicates that which is recommended but not required; and the word “may” is permissive.
11. The present tense includes the past and future tenses, and the future tense includes the past.
12. The singular number includes the plural, and the plural number includes the singular.
13. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.
14. Any words not herein defined shall be presumed to have their customary dictionary definitions.

15.011 WORD DEFINED

- A.** The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

Sign – Any device, structure, fixture, placard, painting, emblem, or visual that uses distinctive words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message or attracting attention. Sign includes the sign faces as well as any sign supporting structure.

Sign, Abandoned or Discontinued: A sign pertaining to a use that has ceased, or relates to an individual, firm, or association, profession, business, commodity, or product that no longer exists, or relates to an activity or purpose that is no longer applicable.

Sign, Address: A municipality-issued sign that designates the street number and/or street name for identification purposes.

Sign, Animated: A sign depicting action, motion, or light or color changes through electrical or mechanical means.

Sign, Awning: A sign that is constructed into, drawn on, or otherwise affixed onto an awning.

Sign, Balloon: A lighter-than-air, gas-filled balloon, tethered in a fixed location that contains a sign on its surface or attached to the balloon in any manner.

Sign, Banner: Signs made of any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing that is anchored on two or more edges or at all four corners.

Sign, Building: Any sign, including but not limited to wall and projecting signs, that is attached to and supported by a building; whether it is the wall, window, roof, awning, canopy or marquee of the building.

Sign, Directional: “Signs containing directional information about public places owned or operated by federal, state, or local governments or their agencies; publicly-or privately-owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.” (§Trans 201.05, (1)(h) Wis. Admin. Code)

Sign, Electronic: A sign whose message may be changed by electronic process. (§Trans 201.15, Wis. Admin. Code)

Sign Face: As defined in §84.30, Wis. Stats.: “The material components of a sign on which the advertising or other information is displayed including any trim, border, or molding.”

Sign, Flashing: A sign whose artificial illumination is not kept constant in intensity at all times when in use and that exhibits changes in light, color, direction, or animation.

Sign, Freestanding: A permanent sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure.

Sign, Inflatable: A sign that is an air-inflated object, which may be of various shapes, made of fluttering fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

Sign, Interactive: An electronic or animated sign that reacts to the behavior or electronic signals or motor vehicle drivers.

Sign, Local Arrowboard: A sign intended solely for the purpose of directing people to an establishment that requires a turn off the traveled way.

Sign, Mechanical Movement: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement such as used for banners or flats.

Sign, Multiple Messages: “An outdoor advertising sign, display, or device whose messages are triangular louvered facings and are changed by electronic rotation of the louvers.” (§Trans 201.15, Wis. Admin. Code)

Sign, Neon: A sign illuminated by a neon tube, or other visible light-emanating gas tube, that is bent to form letters, symbols, or other graphics.

Sign, Nonconforming: A sign lawfully in existence on the date the sign ordinance was enacted and effective (_____) that does not conform to the provisions of this ordinance but was in compliance with the applicable regulations at the time it was constructed, erected, affixed or maintained will be regarded as nonconforming. Provided, however, a sign constructed during the period of time following the day on which the Supreme Court

released its opinion in *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (June 18, 2015) and the date the provisions of this ordinance were enacted and effective must not be considered a non-conforming sign unless it conformed to the regulations in effect on the day immediately preceding the release of the Supreme Court's decision in *Reed v. Town of Gilbert*.

Sign, Off-Premise: A sign that pertains to goods, products, or services which are not sold, manufactured, or distributed on or from the premises or facilities upon which the sign is located or that directs attention to a specific activity, business, or event that is not situated or conducted on or from the premises or facilities upon which the sign is located.

Sign, On-Premise: A sign located on the same lot on which the individual, firm, association, corporation, profession, business, commodity, or product promoted on the sign is located.

Sign, Permanent: A sign whose intended use appears to be indefinite and that is attached or affixed to a building, window, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal of the sign.

Sign, Permit: A permit, issued by the Zoning Administrator, stating that a sign may be established, located, or altered subject to any conditions placed on the authorization and the provisions of this Ordinance.

Sign, Portable: Any sign that is visible from the road, sidewalk, or navigable water designed to be transported or moved and is not permanently attached to the ground or a structure or building, including flags not exempted from this ordinance. Portable signs differ from signs indicating limited duration or one-time event signs in that they are intended to be displayed indefinitely, but can be easily transported and displayed in more than one location.

Sign, Projection: A sign, generally oriented perpendicular to the face of a building wall, which is attached to a building and which extends more than 6 inches from a building wall, typically having two viewable sides.

Sign, Reflective: A sign containing any material or device that has the effect of intensifying reflected light.

Sign, Revolving: A sign that revolves in a circular motion rather than remaining stationary on its supporting structure.

Sign, Roof: A building-mounted sign erected upon, against, or over the roof of a building.

Sign, Supporting Structure: Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

Sign, Two-Face: A sign with two sign faces where the interior angle formed by the theoretical intersection of the faces is 45 degrees or less and the faces are 18 inches or fewer apart.

Sign, Variable Message: "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." (§Trans 201.15, Wis. Admin. Code)

Sign, Vehicular: A sign affixed to, displayed from, or painted on a stationary motor vehicle, other vehicle, trailer, or semi-trailer.

Sign, Wall: A sign painted on a building wall and all other signs, including signs placed on or over windows, oriented parallel to the face of a building wall, which are attached to a building wall and where no part of the structure of the sign extends more than 6" out from a wall as measured near the points of attachment to the building, nor above the roof of the building, nor beyond the end of a wall.

Adopted by Town of Union – September 16, 2025