

**ORDINANCE 2026 - 03 TO AMEND CHAPTER 340 OF THE TOWN OF PORT
WASHINGTON MUNICIPAL CODE, KNOWN AS THE ZONING AND
SUBDIVISION CODE, TO MODIFY REGULATIONS FOR SIGNS AND STREET
YARD SETBACKS**

WHEREAS, the Town of Port Washington has enacted a Zoning and Subdivision Code, which is codified as Chapter 340 of the Town of Port Washington Municipal Code and known as the Zoning and Subdivision Code; and

WHEREAS, the Town Board of Supervisors of the Town of Port Washington, with assistance from the Town Plan Commission, periodically reviews Chapter 340 to ensure that the requirements are fair and equitable to allow Town property owners adequate use of property while protecting the health, safety and welfare of the general public; and

WHEREAS, after careful consideration at regular and publicly posted meetings, the Plan Commission discussed changes to the regulations for signs and street yard setbacks; and

WHEREAS, at the publicly posted meeting of December 10, 2025, the Plan Commission recommended approval to the Town Board to amend Chapter 340 to modify the regulations for sign and street year setbacks; and

WHEREAS, after due public notice, the Town Board held a public hearing on February 2, 2026, soliciting public comment regarding the Plan Commission recommendation; and

WHEREAS, the Town Board of the Town of Port Washington having carefully reviewed the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration and considered the effect of the proposed ordinance amendment on the health, safety and welfare of the community, has determined that the zoning amendment will not violate the spirit or intent of the Zoning and Subdivision Code for the Town of Port Washington, will not be contrary to the public health, safety or general welfare of the Town of Port Washington, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and is consistent with the recommendations found in the Comprehensive Plan 2035 for the Town of Port Washington.

NOW THEREFORE, the Board of Supervisors of the Town of Port Washington, do hereby ordain as follows:

SECTION I. Section 340-62. B. of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

- B. An applicant for a sign permit may, before the permit is granted, be required to execute a surety bond in a sum to be fixed by the Building Inspector, but not to exceed \$25,000, and it shall be of a form and type approved by the Town Attorney, indemnifying the municipality against all loss, cost, damages, or expense incurred or sustained by or recovered against the municipality by reason of the erection, construction, or

maintenance of such sign. A liability insurance policy issued by an insurance company authorized to do business in the State of Wisconsin and approved by the Town Attorney in lieu of a bond may permit conforming to the requirements of this section.

SECTION II. Section 340.63. A. of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

- A. Sign permit applications shall be filed within 28 days prior to the Town Plan Commission meeting to allow review. The Plan Commission shall review the application and, within 31 days of first consideration at a Plan Commission meeting, approve or deny the application in writing, unless the time is extended by written agreement with the applicant.

SECTION III. Section 340-64. G. of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

- G. Temporary signs or banners, which shall be removed within 7 days following the event or purpose for which the signs or banners were placed.

SECTION IV. Section 340-65 of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

§ 340-65. Signs allowed in business, industrial, and institutional districts with a permit.

Signs are allowed in the business, industrial, and institutional districts upon the granting of a permit therefor for the purpose of advertising a business or activity located on the premises, subject to the following restrictions:

- A. Wall signs placed against the exterior walls of buildings shall not extend more than 12 inches outside of a building's wall surface and shall not exceed 20 feet in height above the mean building (first floor) grade. Sign area on the front of a building may equal in square footage the linear width of the front of the structure and on the side of a building may equal in square footage 25% of the linear length of the building. For example, a building 100 feet wide by 200 feet long would be permitted a one-hundred-square-foot sign facing the street and a fifty-square-foot sign on the side of the building.
- B. Projecting signs fastened to, suspended from, or supported by structures shall not exceed 100 square feet in area for any one premises; shall not extend more than six feet into any required yard; shall not be less than 10 feet from all side lot lines; shall not exceed a height of 20 feet above the mean building grade; and shall not be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley.
- C. Ground signs shall not exceed 20 feet in height above the mean building grade and shall not exceed 100 square feet on one side or 250 square feet on all sides for any one premises.

- D. Roof signs shall not exceed five feet in height above the roof, shall meet all the yard and height requirements for the district in which they are located, and shall not exceed 100 square feet on all sides for any one premises.
- E. Window signs shall be placed only on the inside of commercial buildings and shall not exceed 25% of the glass area of the pane upon which the sign is displayed.
- F. Combinations of any of the above signs shall meet all the requirements for the individual sign.

SECTION V. Section 340-67 of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

§ 340-67. Signs allowed in residential districts with a permit.

The following signs are allowed in all R-1 and R-2 Residential Districts subject to the granting of a permit therefor and are subject to the following regulations:

- A. Permanent subdivision identification signs. At any entrance to a residential subdivision there may be not more than two signs identifying such subdivision. A single side of any such sign may not exceed 16 square feet, nor may the total surface area of all such signs at a single entrance exceed 32 square feet.
- B. Nonresidential uses allowed in a residential district with a conditional use permit may have signs advertising or identifying a business or activity located on the premises. Signs advertising or identifying nonresidential uses on the premises must meet the requirements of §340-65 and any other conditions required by the Plan Commission to protect the character of the surrounding area.

SECTION VI. Section 340-68 of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

§ 340-68. Election campaign signs.

Election campaign signs may be allowed in any district without a permit provided that permission shall be obtained from the property owner, renter or lessee and provided that such sign shall not be erected more than the election campaign period (§12.04, Wis. Stats.) and shall be removed within seven days following the election. No more than two campaign signs are permitted on properties in a business or industrial district, and the combined area of these signs shall not exceed 100 square feet.

SECTION VII. Section 340-69 of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

§ 340-69. Location.

- A. No sign except those permitted in §340-64, 340-67, and 340-68 shall be permitted to face a residential district within 100 feet of such district boundary.

- B. The location of all signs requiring a permit under this section must be approved by the Plan Commission. Signs may be located within a street yard or side yard, provided that the sign complies with the requirements of §340-50 Traffic visibility.
- C. No signs except those permitted under §340-64 or §340-68 may be placed in an existing public road right-of-way or within thirty-three feet of the centerline of a public road without permission of the jurisdiction responsible for maintaining the public right-of-way.

SECTION VIII. Section 340-164 of the Zoning and Subdivision Code of the Town of Port Washington Municipal Code is hereby amended to read as follows:

STREET YARD or SETBACK — A yard extending across the full width of the lot, the depth of which shall be the minimum distance from the nearest point of the principal structure to the existing property line abutting a street right of way, or a line running parallel to and thirty three feet from the centerline of an abutting street, whichever is more restrictive. Corner lots shall have two such yards.

YARD — An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation or a permitted sign, fence, lighting, or roadside stand. The street and rear yards extend the full width of the lot.

SECTION IX. Severability. The several sections and portions of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION X. This ordinance shall take effect immediately upon passage and publication or posting as provided by law.

ADOPTED THIS 2nd day of February, 2026.

BY THE TOWN BOARD OF SUPERVISORS

TOWN OF PORT WASHINGTON

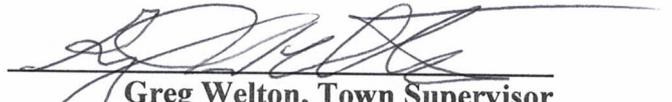
OZAUKEE COUNTY, WI



Michael Didier, Town Chair

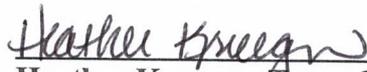


Gary Schlenvogt, Town Supervisor



Greg Welton, Town Supervisor

Attest:



Heather Krueger, Town Clerk