TOWN OF LAMARTINE
FOND DU LAC COUNTY, WISCONSIN

ORDINANCE AMENDING ZONING ORDINANCE
REGARDING SIGNS

The Town Board, upon proper notice with quorum present, and after having received the recommendation of the Town of Lamartine Plan Commission, hereby adopts the following amendments to the Town's Zoning Ordinance:

Section 14.0 repealed and is amended to read:

14.0 Signs.

14.1 Definitions. The following definitions shall apply to this Section:

a. Sign – A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, produce, place, activity, person, institution, organization, or business. Signs located completely within an enclosed building and not exposed to view from a street are not considered signs. Each display surface of a sign or sign face is considered a sign.

b. Sign Area – The space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure; or, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

c. Sign Face – The entire display surface area of a sign upon, against, or through which copy is placed.

d. Freestanding – A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building, and not including ground-mounted signs.

e. Government Sign - A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

f. Ground-Mounted Sign – A sign that extends from the ground or has support that places the bottom of the sign less than two feet from the ground.

g. Highway Sign – A freestanding sign, Integral Sign, or Ground-Mounted Sign that is erected and maintained within the view of motorists who are driving on a state or interstate highway.

h. Integral – A sign that is embedded, extruded, or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade.

i. Marquee - A canopy or covering structure bearing a signboard or copy projecting from and attached to a building.

j. Portable Sign – Any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled, or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

k. Roof Sign - A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascial

l. Temporary Sign – A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and is intended to be displayed for a limited period of time.

m. Window Sign – A sign that is attached to or located within three feet of the interior of a window and can be seen through the window from the exterior of the structure.

n. Billboard – A sign intended to lease to third parties and is itself the primary income generator and commercial use of the property upon which it is located.

o. Digital Billboard – A sign that is static and changes messages by any electronic process or remote control.

14.2 Sign Permit. No sign other than a Temporary Sign may be constructed, installed, or erected within the Town without a Building Permit and, in the case of Highway Signs, a Sign Permit issued by the Town Board. The fee for a Sign Permit shall be as set forth by separate resolution.

14.3 Signs in Residential Districts and Rural Residential Districts.

a. Allowed Sign Types:

i. Freestanding Signs.

ii. Government Signs.

iii. Ground-Mounted Signs.

iv. Portable Signs.

v. Integral Signs.

vi. Window Signs.

b. Dimensional Restrictions.

i. No sign face may exceed 16 square feet in area.

ii. Signs other than building-mounted signs may not exceed six feet in height above the ground, measured to the top of the sign structure.

iii. Building-mounted signs must be flush mounted and must not project above the roof line.

iv. Signs may not be located within road right-of-way or otherwise located in a manner that obstructs road vision.

v. No more than one sign is allowed on each lot.

14.4 Signs in Local Business & Industrial District.

a. Allowed Sign Types:

i. Freestanding Signs.

ii. Government Signs.

iii. Ground-Mounted Signs.

iv. Highway Signs.

v. Integral Signs.

vi. Marquee Signs.

vii. Portable Signs.

viii. Projecting.

ix. Window Signs.

x. Billboards.

xi. Digital Billboards.

b. Dimensional Restrictions.

i. The total of all sign faces on a lot may not exceed 64 square feet, regardless of the number of signs located on the lot.

ii. Signs other than building-mounted signs may not exceed eight feet in height above the ground, measured to the top of the sign structure.

iii. Building-mounted signs must be flush mounted and must not project above the roof line.

iv. Signs may not be located within road right-of-way or otherwise located in a manner that obstructs road vision.

v. No more than three signs are allowed on each lot.

c. Special Restrictions for Highway Signs.

i. Notwithstanding the forgoing restrictions in the Local Business & Industrial District, the following restrictions apply to Highway Signs:

1. No sign may exceed 300 square feet per face.

2. Minimum sign spacing on all roads is 500 feet.

3. Highway Signs may not exceed 20 feet in height.

4. Highway Signs must be placed on a permanent foundation.

14.5 Signs in Agricultural Districts (Intensive Farmland Preservation, Concentrated Farmland Preservation, Moderate Farmland Preservation, and General Agriculture).

a. Allowed Sign Types:

i. Freestanding Signs.

ii. Government Signs.

iii. Ground-Mounted Signs.

iv. Integral Signs.

v. Portable Signs.

vi. Window Signs.

b. Dimensional Restrictions.

i. No sign face may exceed 32 square feet in area.

ii. Signs other than building-mounted signs may not exceed 10 feet in height above the ground, measured to the top of the sign structure.

iii. Building-mounted signs must be flush mounted and must not project above the roof line.

iv. Signs may not be located within road right-of-way or otherwise located in a manner that obstructs road vision.

v. No more than two signs are allowed on each lot.

14.6 Signs in Conservancy District

a. Allowed Sign Types

i. Government Signs

b. Dimensional requirements

i. No sign face may exceed 16 square feet in area.

ii. Signs other than building-mounted signs may not exceed six feet in height above the ground, measured to the top of the sign structure.

iii. Building-mounted signs must be flush mounted and must not project above the roof line.

iv. Signs may not be located within road right-of-way or otherwise located in a manner that obstructs road vision.

v. No more than one sign is allowed on each lot.

14.7 Temporary Signs.

a. Temporary Signs are allowed in all districts provided that no more than one temporary sign with a sign face no larger than 64 square feet may be on any lot at any time. No Temporary Sign may be displayed for a continuous period exceeding 60 days.

14.8 Illumination. Signs that are illuminated must be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled ways of any nearby public way in such an intensity or brilliance as to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle No lights shall be installed within 200 feet of any residential or rural residential property.

14.9 Indemnification. By applying for a building permit for a sign, all persons engaged in the erection and maintenance of the sign, including the applicant, shall indemnify, defend, and hold harmless the Town, its officers, agents, and employees from and against any and all third-party claims arising out of the installation or maintenance of the sign, or otherwise related to the sign.

14.10 Abandoned Signs. No sign in the Town may be abandoned by the owner. Any sign or billboard not properly and reasonably maintained by the owner shall be removed by the owner within thirty days of receipt of a written notice from the Town. Failure to remove an abandoned sign, plus any foundation, within that period shall cause the Town to remove the sign after an additional ten-day written notice is mailed to the owner. Removal expenses will be charged to the owner of the sign or to the owner of the land where the sign is located. In the event removal costs are unpaid, they may be charged against the property as a special charge.

14.11 Non-conforming signs

a. A sign loses its non-conforming status if one or more of the following occurs:

i. If the sign is damaged by fire, flood, explosion, or earthquake, war, riot or Act of God, the sign may be reconstructed and used as before if it is reconstructed within three months after such calamity, the sign is relocated.

ii. The sign fails to conform to the Town requirements regarding maintenance and repair, abandonment or dangerous or defective signs.

iii. Nothing in this Article shall relieve the owner or lessee of a legal non-conforming sign from the provisions of this Ordinance regarding safety, maintenance and repair of signs.

14.12 Penalty. Any person, partnership, corporation, or other entity that violates or fails to comply with any provisions of this Section, or any regulations or permit issued hereunder, shall be subject to a forfeiture of not less than $150.00 nor more than $500, together with the costs of prosecution, including reasonable attorneys' fees. Each day that a violation continues shall be deemed a separate offense for purposes of calculating forfeitures. The Town may also pursue equitable relief, including injunctions and abatement orders, in the event of a violation.

This Ordinance shall take effect upon its passage and publication as required by law. The Town Clerk/Treasurer and Town Attorney are hereby authorized and directed to take all action necessary to incorporate the terms of this Ordinance into the Town's Zoning Ordinance.

Dated this 9 day of Oct, 2023.

TOWN OF LAMARTINE

By: Randy Kuik
Randy Kuik, Chairperson

Attest: Travis Kloetzke
Travis Kloetzke, Supervisor #1