

**STATE OF WISCONSIN  
MILWAUKEE AND OZAUKEE COUNTIES  
VILLAGE OF BAYSIDE**

**ORDINANCE NO: 21-723**

**An Ordinance to Repeal and Recreate Chapter 116  
of the Municipal Code with Regard to Signs**

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The Village Board of the Village of Bayside, Milwaukee and Ozaukee Counties, Wisconsin does ordain as follows:

Section One: Chapter 116 of the Municipal Code is hereby repealed and recreated to read as follows:

Chapter 116 - SIGNS

Sec. 116-1. - Regulated.

No sign shall be erected, posted, painted, or maintained upon any real estate or personal property within the village unless it complies with the provisions of this chapter. This article authorizes the use of signs visible from public rights-of-way, provided the signs are:

- (1) Compatible with the zoning regulations;
- (2) Designed, constructed, installed, and maintained in such a manner that they do not endanger public health and safety or traffic safety; and
- (4) Placed on private property.

Sec. 116-2. - Permit.

- (a) Except as otherwise provided in this chapter, no sign shall be posted, painted, erected or maintained in the village unless a written permit has been issued by the village manager, after recommendation of the village architectural review committee. No permit shall be granted to build, erect, maintain or operate any outdoor portable street graphic defined as any sign or graphic designed as or capable of being transported and not affixed to the ground; however, signs on vehicles are permitted. No permit shall be granted to build, erect, maintain, or operate any permanent sign in the right-of-way of any village street without the granting of a privilege by the village under 66.0425 Wis. Stats. Temporary signs in the right-of-way may be specially authorized by the village manager, or designee, due to unique circumstances of the property.
- (b) The village manager, or designee, shall notify the property owner of any violation of this section. If the owner does not move or remove (as appropriate) the sign within the timelines in section 116-3(b), or immediately if notified that the sign is a safety hazard, the village may remove such sign immediately and such person shall be punished, upon conviction, as provided in section 1-13.
- (c) Permits issued by authority of the village manager shall not require renewal and shall remain in effect unless the removal of the subject sign is required by other provisions of this chapter.
- (d) For all permitted signs an original permit fee in such amount as is established by the village board from time to time by ordinance or resolution shall be paid at the time of application and submission of schematic diagrams.

Sec. 116-3. - Maintenance.

- (a) Any sign that deteriorates or becomes unsightly shall be removed by the property owner.
- (b) The village manager, or designee, shall notify the property owner of a violation of this section. If that person does not remove or repair a sign within two days after receiving such notice, the village may issue a citation for violation of this chapter. Such person shall be punished upon conviction, as provided in section 1-13.

Sec. 116-4. - Exceptions to permit requirements in residential districts.

- (a) Signs shall be erected behind the front lot line and inside of the side setback lines of such property and shall not exceed six (6) square feet in area. Two-sided signs are permitted, but each side of the sign shall count toward the total sign square footage. Signs shall be removed within 180 days after installation and may be reinstalled after a 30-day waiting period. No more than three (3) signs are allowed on any such property at any single time. No signs shall be placed in the public right-of-way.

Sec. 116-6. – Signs in Business Districts.

- (a) *Generally.* Signs on properties located in the D and D-1 business districts and the F office park district may be maintained, erected, posted, or painted provided they conform to the provisions of this Article. All signs erected under the authority of this section whether installed outdoors or installed indoors but visible from any right-of-way shall conform to the following restrictions:
  - (1) For purposes of this section, a sign is a lettered board, billboard, or other public display placed on or before a building, room, shop, or office, or visible from the exterior of the building, room, shop, or office.
  - (2) A business site is defined as the legal description of a property in single ownership or control on which the business establishment is located.
  - (3) The permitted gross sign area for each single-tenant business site is 100 square feet. This square footage shall include all exterior signs, freestanding signs, wall-mounted signs, and window signs (excluding temporary signs). Two-sided signs are permitted, but each side of the sign shall count toward the total sign square footage. No single side of any sign shall exceed 50 square feet.
  - (4) The permitted gross sign area for each multi-tenant business site shall meet the same requirements as defined in subsection (a)(3) of this section, except that an additional 25 square feet shall be permitted per tenant space which has a separate entrance to the exterior of the building. This additional square footage shall include all tenant identification signs, as well as window signs (excluding temporary signs).
  - (5) Wall signs shall not project beyond the tops or ends of the wall surface to which the signs are attached and shall not extend more than 12 inches from the wall surface. Signs painted on walls are prohibited. No wall signs shall be installed higher than 15 feet above grade of the entrance to the structure housing the business.
  - (6) No sign attached to a building shall project above the highest eaves, cornice or top parapet line of the building; and the sign shall be located only on the front facade of the building.
  - (7) Freestanding signs shall not exceed eight feet in height above normal grade, and eight feet in maximum width. Directional signs shall not exceed four feet in height above normal grade and six feet in maximum width.
  - (8) Illuminating signs or signs containing illuminating material shall be subject to the following:
    - a. Internal illumination for signs must be nonintermittent.
    - b. A single-sided sign with internal illumination must have an opaque backing or be mounted on a wall. A two-sided sign with internal illumination does not require the opaque backing.

- c. The light source for signs with external sources of illumination shall be focused and shielded to illuminate the sign only, avoid light spill, and conceal the light source from view.
  - d. No illuminated sign may create glare, light spill, or reflection onto adjacent property or on to a street or alley such as to create a traffic hazard or to exceed 0.2 footcandles within five feet inside a residential property line. No unshielded light, string of lights, or flashing light shall be permitted.
  - e. An internally illuminated sign shall light only lettering and images. The background portion of the sign shall be opaque and not illuminated. There shall be an exception for portions of signs depicting changeable information. Such signs may incorporate a lighted background around the changeable portion only.
  - f. Signs which are painted or otherwise attached to a canopy, awning, or marquee, are prohibited. Exceptions shall be made for nameplate signs on the vertical valance portion of the canopy, awning, or marquee, but such exception shall be limited to lettering or logos at a nine-inch maximum height. Canopies, awnings, and marques shall not be illuminated.
  - g. Illuminated signs shall be illuminated only during business hours.
- (9) In no event shall a window sign exceed 25 percent of the window opening in which it is located. The total square footage of window signs per building tenant shall not exceed 15 square feet. The same limit shall apply to single-tenant buildings.
- (10) The square footage of a sign shall be calculated as the sum of the area within a regular rectangle or circle that will encompass all elements of the actual sign face. This shall include any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed. There shall be an exception for the accessory portions of the sign which shall be included within the overall height and width of the sign. For example, an eight-foot-wide sign is not permitted to have additional supports, etc., beyond the eight-foot permitted overall width.
- (b) *Facilities dispensing hazardous materials.* Signs for facilities dispensing hazardous materials shall be subject to the following provisions:
- (1) The permitted gross sign area for facilities dispensing hazardous materials is 200 square feet. This square footage shall include all exterior freestanding signs, wall-mounted signs, window signs (excluding temporary signs), gasoline price signs, signs mounted on equipment, and any other signs on the premises. Two-sided signs are permitted but each side of the sign shall count toward the total sign square footage. No single side of any sign shall exceed 50 square feet. Signs required by law such as canopy height and safety information, shall be excluded from the total sign square footage and location limitations.
  - (2) Illumination for a freestanding sign permitted by subsection (b)(1) of this section shall be in accordance with subsection (a)(8) of this section.
  - (3) The permitted gross sign area for multi-tenant facilities dispensing hazardous materials shall meet the same requirements as defined in subsection (b)(1) of this section, except an additional 25 square feet shall be permitted per tenant space which has a special entrance to the exterior of the building. This additional square footage shall include all signs, including window signs (excluding temporary signs).
  - (4) Canopy structures sheltering facilities dispensing hazardous materials, shall be constructed of materials to match the other buildings on the site. The canopy fascia, roof, etc., may be painted in contrasting colors.
- (c) *Pennants, banners, balloons, etc.* Pennants, banners, balloons, streamers, kites, or any lightweight plastic, fabric, Mylar, or other material drawing attention to a property, whether or not containing a

message, suspended from a tether and designed to move about in the air or remain suspended in the air shall be prohibited unless approved as a banner under section 116-8. Revolving and animated signs are prohibited in the village. Search lights, smoke, fireworks; replicas of people, animals, and objects (greater than five feet in height or width); and signs emitting noise of any sort, are prohibited within the village.

Sec. 116-7. - Signs for institutional and nature center district properties.

All signs erected under the authority of this section shall be subject to approval of the architectural review committee and shall conform to the following specific restrictions:

- (1) No sign shall exceed 25 square feet in total area.
- (2) Freestanding signs shall not exceed six feet in height above the normal grade level.
- (3) No illuminating sign or sign containing illuminating material shall be erected unless the back of the sign is adjacent to and shielded by an opaque background and the illumination radiating from the sign is nonintermittent. The source of the light shall not be more than 24 inches from the vertical face and shall be illuminated only during normal business hours.
- (4) All permanent signs erected, installed or maintained in the "G" nature center district shall be subject to written amendment of any development agreement between a nature center operator and the village, including village board approval thereof.

Sec. 116-8. - Temporary signs.

(a) Temporary signs. The village manager, or designee, is authorized to grant permission for the erection of temporary signs or banners on nonresidential property and on village-owned property or on street rights-of-way provided that permission shall not be granted for the erection of a sign immediately in front of or adjacent to property not owned by the applicant unless the written consent of the other affected property owner is filed with the village. A permit fee in an amount as established by the village board from time to time by ordinance or resolution will be charged for each such temporary sign, which permit shall be valid for not more than fifteen days per calendar quarter unless an extension is granted by the village manager. Banners are only permitted on a temporary basis for a period of fifteen days per calendar quarter annually. The village manager, or designee, shall have the authority to grant one ten-day extension per calendar quarter for each temporary sign display.

(b) Banners must conform to section 116-6. No banner shall be illuminated, and no banner may be placed on any property where the owner or operator had maintained or displayed a banner within the 30 days previous.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Bayside this 15<sup>th</sup> day of July, 2021.

VILLAGE OF BAYSIDE

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Eido M. Walny, Village President

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Lynn A. Galyardt, Administrative Service  
Director/Village Clerk