

Sign Ordinance 9-01
Town of Cloverland

Preamble

The Town of Cloverland recognizes that commercial signs are an integral and important part of commercial activities in the Town and that they provide a visual form of communication between places of business and the public. It is also important that sign structures are safe and do not present any inherent danger to the public. It is also important to protect good visibility along public right-of-ways, unobstructed by signs. Further, unattractive, garish signs and ones that detract from the Town's scenic and historical values threaten harm to its character. This unique character includes several identifiable elements: peacefulness, an unhurried feeling, Northwoods atmosphere, natural scenic beauty, quaintness and charm. It is the intent and design of this Ordinance to provide guidelines and requirements for the construction, placement and maintenance of commercial signs so that these goals are attained and values preserved.

NOW, THEREFORE, the Town Board of Supervisors of Town of Cloverland, Vilas County, Wisconsin, does hereby enact this Ordinance establishing regulations on the placement, construction and maintenance of commercial signs as an exercise of the police power and in accordance with the laws of the State of Wisconsin, including, but not limited to, Sections 60.22(3), 60.23(9) and Chapter 61 Wis. Stats.

SECTION I - APPLICABILITY

This Ordinance is applicable to commercial signs only

SECTION II - CONSTRUCTION OF SIGNS

No sign shall be constructed, or permitted, except in accordance with the provisions of this Ordinance. All signs shall also meet all the structural requirements of local and state building codes.

SECTION III - PERMIT REQUIRED

No sign shall hereafter be located, erected, moved, reconstructed expanded, enlarged converted or structurally altered without a sign permit unless otherwise provided for herein. Each application for a permit to erect a sign, whether temporary or permanent, shall be accompanied by a drawing showing the design, proposed size, style, color scheme, lettering type, lines and symbols, construction materials and method of illumination. The application shall also include a drawing showing the location of the sign with relation to buildings, property lines, streets and highways. Temporary signs may remain in place no longer than thirty (30) consecutive days.

SECTION IV - SIGNS PROHIBITED

1. Off-site Commercial Sign: No sign advertising commercial goods, products or services, which is located on a different lot or parcel of land from which the commercial advertiser's place of business is located shall be permitted, except for highway arrow type signs of the size, dimensions, color and location as approved by the State of Wisconsin and Vilas County Highway Department.
2. Abandoned Signs: Business signs advertising an activity, business, product or service which have been permanently abandoned or no longer in existence for one year, shall be removed within sixty (60) days thereafter.
3. Parking of Advertising Vehicles Prohibited: No person shall park any vehicle or trailer on the public right-of-way, public property or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon, any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any premises. This section shall not prohibit a sign lettered on a motor vehicle provided such vehicle is parked on the land upon which the commercial advertiser's place of business is located or to delivery or service vehicles actively engaged in delivering a product or providing a service to a commercial establishment or to such vehicle when it is parked at the owner's or user's home.
4. Sign Maintenance and Removal: It shall be the duty of the owner of any sign to maintain the sign in a state of good repair and safety. The Town Board may order repair of any sign in disrepair. Disrepair shall include, but is not limited to the following: peeling paint, rotted, warped and sun baked surfaces or structure. The Town Board may order repair to be done within forty-five (45) days, and in all cases of repairs ordered, the owner shall submit to the Town Board a letter certifying to the effect that the designated repairs have been made. A period of forty-five (45) days shall be allotted to have the repairs completed or the sign shall be removed. Notification of such removal action shall be made to the owner or responsible party within ten (10) days of the action being taken.
5. Placement of Signs: No sign shall be placed or located so as to obstruct traffic, create a hazard or nuisance to vehicular traffic or to the public, or in such a location as to obstruct visibility at an intersection.

SECTION V – LEGAL PRE-EXISTING SIGNS

The existing lawful use of a sign at the time of enactment of this Ordinance, or any amended thereto, may continue as a legal, non-conforming sign; provided, however, any such sign shall be made to conform to the terms of this Ordinance in the event it is destroyed or if the business which it advertises changes hands.

SECTION VI – ILLUMINATION

Externally and internally lighted signs are allowed. On externally lighted signs the illumination shall originate from above the sign and no glare shall be evident from above or beside the sign. No sideward illumination shall be permitted. No flashing or rotating lights are permitted on any sign.

SECTION VII – SIGNS EXEMPTED

The following signs may be erected without a permit providing they do not constitute a hazard or nuisance or an obstruction to visibility:

1. Temporary, Political Posters, and Holiday Signs: Temporary, political posters, and holiday signs which do not exceed twelve (12) square feet in surface area, provided the sign does not contain any commercial content. Signs which solicit support for a candidate, political party or referendum question that is before the electorate in both the primary and general election, provided no political signs shall be located within 100 feet (100') of the Town of Cloverland Town Hall or Town property. No exempt signs shall contain flashing lights or moving parts or shall be erected in a location where it constitutes a traffic or pedestrian hazard or obstruction of visibility.
2. Real Estate Signs: Real estate signs, advertising property to be sold or leased, provided they do not exceed thirty-two square feet (32 sq. ft.) and are located on the property being sold or leased.
3. Construction Signs: Construction signs, not exceeding thirty-two square feet (32 sq. ft.), provided they are located on the construction site.

SECTION VIII – OTHER REQUIREMENTS AND LIMITATIONS

1. No sign shall exceed thirty-two square feet (32 sq. ft.) and only one sign per lot or parcel shall be allowed.
2. Sign Height: the maximum allowable height for any sign, as measured from the ground grade at the sign setback, shall be fifteen feet (15'). In cases of substantial variance between ground grade and the average centerline grade of the viewing pavement within two hundred feet (200') of the sign, said centerline average grade may be accepted in lieu of ground grade.

3. Sign Material and Color: All signs, including supports and support poles shall be constructed of wood or stone, or other materials simulating wood or stone, and that have the look and texture of wood or stone. All signs, sign backgrounds, including sign supports and support poles shall be finished with earth tone colors as per the attached chart.
4. Setbacks and Offsets: No sign shall be erected closer than fifteen feet (15') to the front lot line or five feet (5') from the side lot line, of a parcel of land, or closer than fifteen feet (15') to the right-of-way of any road or highway, whichever distance is greater.
5. Flat Wall Signs: Flat wall signs are permitted but may not exceed thirty-two square feet (32 sq. ft.).
6. Signs Composed of Individual Letters Fixed to a Building. Allowable sign area factor per linear foot of a building's front façade is 1.5 sq. ft. per each linear foot of building. Allowable sign factor per linear foot of a building's side façade shall be 1.0 sq. ft. In any event, the maximum size allowable is one hundred square feet (100 sq. ft.). Computation shall be by measurement of a rectangle around each letter of the sign.

SECTION IX – APPLICATION FOR SIGN PERMIT

All sign permit applications shall be filed with the Cloverland Town Clerk. The Town Clerk shall provide a copy to the Cloverland Plan Commission Chairperson. The Cloverland Plan Commission shall review all sign permit applications within thirty-five (35) days of the submission and file their report and recommendations with the Town Board. Upon review of the report and recommendation of the Plan Commission, the Cloverland Town Board shall approve or disapprove the sign permit application. In the event the Plan Commission fails to act on an application within thirty-five (35) days of submission, it shall be acted upon by the Town Board.

SECTION X – VARIANCES

Where, in the judgment of the Town Board, it would be inappropriate to apply literally the provisions of the Ordinance because undo hardship would result, the Town Board may waive or modify any requirement to the extent deemed just and proper. No hardship may be ruled as to color. A majority vote of the Town Board shall be required to grant any variance from this Ordinance and the reason and variance shall be entered in the meeting minutes, a copy of which shall be attached to the sign permit.

SECTION XI – VIOLATIONS, LEGAL ACTIONS AND PENALTIES

1. Violations and Notice: If any provision of the Ordinance is being violated, written notice of such violation shall be issued to the owner and/or occupant of such premises, indicating that the violation be abated or appealed to the Town Board within forty-five (45) days, and suggesting abatement measures.
2. Legal Actions: If the violation is not abated and no appeal is filed within the forty-five (45) day period, the violation shall be referred to the Town attorney for legal proceedings and to enforce the abatement and forfeiture.
3. Penalties: Violation of this Ordinance, or any provisions hereof, shall be subject to a forfeiture of Twenty-five dollars (\$25.00) for each day of violation, after the expiration of the forty-five (45) day notice, plus all other applicable costs and fees.
4. Enforcement: The Cloverland Town Board shall enforce the Sign Ordinance. The Cloverland Town Board shall make all rulings as to complaints in questionable or disputed situations.

SECTION XII – SEVERABILITY AND LIABILITY

Should any section, clause, provision or portion of this Ordinance be adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected hereby.

This Ordinance shall become effective upon passage and publication as provided by law.