

**TOWN OF CEDARBURG
ORDINANCE NO. 2009-14**

**An Ordinance to Amend Article VIII: Signs, of the Town of Cedarburg Code of Ordinances,
Ozaukee County, Wisconsin.**

WHEREAS, the Town of Cedarburg regulates the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the Town of Cedarburg, Wisconsin; and,

WHEREAS, the Town promotes the public health, safety, welfare and comfort of the general public by reducing distractions and obstructions from signs which would adversely affect traffic safety and alleviating hazards caused by signs projecting over or encroaching upon the public right-of-way;

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Article VIII. Signs, of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 320-83. Prohibited signs.

The following types of signs are prohibited in the Town of Cedarburg:

- A. Roof signs, unless specifically permitted by the Town Board.
- B. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. This provision is intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer. This does not apply to advertising vehicles as specified in § 320-88 E.
- C. Signs which are attached or otherwise affixed to rocks, trees, or other living vegetation.
- D. Signs which contain untruthful or misleading information.
- E. Signs which imitate, interfere with, obstruct the view of, or can be confused with any official traffic control sign, signal, or other device.
- F. Flashing or rotating signs, message crawl signs, digital electronic signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight. Signs indicating the current time and/or temperature may be permitted provided that they meet all other provisions of this article and subject to approval of the Plan Commission.
- G. A-frame, sandwich board, sidewalk, or curb signs, except as a temporary sign, as may be provided for in § 320-84B of this article.
- H. Banners, pennants, streamers, balloons, and other gas-filled figures, except as a temporary sign, as may be provided for in § 320-88D of this article.

I. Billboards and off-premises signs, except Town Board approved temporary off-premises signs to identify businesses during road construction and off-premises seasonal signs pursuant to § 320-88 E. Official Town bulletin boards are also allowed off premises.

J. Any sign advertising or identifying a business or organization which is either defunct or no longer located on the premises.

K. Any sign larger than 50 square feet in area except as may otherwise be permitted under the terms of this article and subject to review and approval by the Plan Commission or Park and Open Space Committee, if the sign is proposed to be located within a Town-owned park or preserve.

L. Projecting signs.

M. Portable and wheeled signs.

N. Signs or other advertising painted directly on walls unless specifically approved by the Plan Commission.

O. Inflatable signs and tethered balloons.

P. Signs attached to or erected or maintained on any standpipe, exterior stairway, fire escape, tower, or balcony so as to interfere with the use thereof.

Q. Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision or at any location where, by reason of position, shape or color, they may interfere with, obstruct the view of, or be confused with any official traffic sign, signal or device or which make use of the word "stop," "look," "danger" or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

R. Signs erected, constructed or maintained so as to obstruct any exit or any window opening necessary for required light or ventilation or which prevent free passage from one part of a roof to another.

S. A sign extending above the top or 10 inches beyond the side of the exterior wall to which such sign is attached.

T. Signs and associated lighting fixtures which project more than 10 inches from the exterior wall to which they are attached.

U. Signs entirely supported by a parapet wall.

V. Signs, cards, banners, pictures, handbills, sign posters, advertising, or notices of any kind, on any curb, street, walk, public street surface, fence, board, barrel, box, case, railing, pole, post, bridge, tree, barricade, material, bridge fender, dock, pile, building or structure of any kind on public ground, public waterway or upon any structure projecting over any public street, public ground or public waterway within the Town except by Town Board authorization.

W. Outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other nonrigid materials, except as may be otherwise permitted by this article.

§ 320-88. Permitted signs.

A. Residential uses. For all residential uses, the following signs are hereby allowed subject to issuance of a permit in accordance with § 320-80 of this article.

(1) Building name and address signs. Name and address signs of buildings containing four or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises, subject to the following:

(a) Type. Building name and address signs may be either wall signs or ground signs.

(b) Number. There may not be more than one name and address sign for each building, except that where a building abuts two or more streets, one sign may be allowed for each abutting street frontage.

(c) Area. Building name and address signs may not exceed six square feet in gross surface area.

(d) Location. Building name and address signs may not be located closer than 10 feet to any property line, right-of-way, or driveway.

(e) Height. Building name and address signs may not exceed six feet as measured from preconstruction grade at the base of the sign.

(2) Subdivision identification signs. A permanent sign used to designate a residential subdivision entrance may be permitted subject to Plan Commission approval and the following criteria:

(a) Type. Subdivision identification signs shall be ground signs.

(b) Number. There may not be more than two subdivision identification signs for each point of vehicular access to the subdivision.

(c) Area. Subdivision identification signs may not exceed 32 square feet in area per sign.

(d) Location. Subdivision identification signs may not be located closer than 10 feet to any property line, right-of-way, driveway, or intersection of a vision triangle.

(e) Height. Subdivision identification signs may not exceed six feet as measured from preconstruction grade at the base of the sign.

B. Commercial, industrial, park, and institutional uses. For all commercial, industrial, park, and nonreligious institutional uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with § 320-80 of this article:

(1) Wall signs.

(a) Number. Except for the case of multi-tenant buildings as regulated in Subsection B(4), there may be not more than one wall sign for each principal building within any zoned district in the Town of Cedarburg.

(b) Area. Except in the case of multi-tenant buildings as regulated in Subsection B(4), the gross surface area of a wall sign may not exceed 2.5% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is less.

(c) Location. A wall sign may be located on the outermost wall of any principal building but may not project more than 10 inches from the wall to which the sign is to be affixed.

(d) Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign may not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(2) Freestanding ground signs.

(a) Number. There may not be more than one freestanding ground sign for each principal building.

(b) Area. The gross surface area of a ground sign may not exceed 32 square feet in area.

(c) Location. A ground sign may not be located closer than 10 feet to any property line, right-of-way or driveway.

(d) Height. A ground sign may not project higher than six feet above the center line of the nearest road.

(3) Awning, canopy, and marquee signs.

(a) Number. Except for the case of the multi-tenant buildings as regulated in Subsection B(4), there may not be more than one awning, canopy, or marquee sign exceeding an aggregate gross surface area of two square feet for each principal building. Awning, canopy, and marquee signs which are two square feet or less in aggregate gross surface area are exempt from the provisions of this article as specified in § 320-84.

(b) Area. The gross surface area of an awning, canopy or marquee sign may not exceed 50% of the gross surface area of the face of the awning, canopy, or marquee to which such sign is to be affixed or 30 square feet in area, whichever is less.

(c) Location. A sign may be affixed to or located upon any awning, canopy, or marquee subject to the review and approval of the Plan Commission.

(d) Height. An awning, canopy, or marquee sign may not project higher than the top of the awning, canopy, or marquee to which such sign is to be affixed.

(4) Multiple-tenant signs. Each business tenant shall be allowed to display one wall sign not exceeding 2.5% of the tenant's area of the building wall, including doors and windows, to which wall the sign is to be affixed or 60 square feet, whichever is less.

(5) Window signs.

(a) Neon signs. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding 300 square inches in size or 50% of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation is not allowed.

(b) Temporary signs. Temporary, non-illuminated window signs covering less than 25% of the individual window area shall be allowed for 30 days.

(c) Business decals. Business decals not exceeding two square feet in size shall be allowed.

(6) Changeable letter signs. Changeable letter signs shall only be allowed for institutional, religious, theater, and public service uses subject to Plan Commission approval.

(7) Fire number signs. Fire number signs issued by the Town of Cedarburg shall be placed within 10 feet of the right-of-way and in a close proximity to the driveway.

(8) Gasoline price signs. Gasoline price signs, as required by law, may not be larger than 20 square feet in area, one- or two-sided.

(9) Election campaign signs. Election campaign signs are permitted, provided that permission shall be obtained from the property owner, renter or lessee and provided that such sign shall not be erected prior to the first day of the election campaign period as defined in § 12.04, Wis. Stats., and shall be removed within seven days following the election. No election campaign sign shall be located in a street right-of-way. All election campaign signs permitted under this subsection shall conform to the provisions of § 320-87 of this article.

C. Religious uses. For all religious uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with § 320-80 of this article:

(1) Wall signs.

(a) Number. Except for the case of multi-tenant buildings as regulated in Subsection B(4), there may be not more than one wall sign for each principal building.

(b) Area. The gross surface area of a wall sign may not exceed 2.5% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is less.

(c) Location. A wall sign may be located on the outermost wall of any principal building but may not project more than 10 inches from the wall to which the sign is to be affixed.

(d) Height. A wall sign may not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign may not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(2) Freestanding ground signs.

(a) Number. There may not be more than one freestanding ground sign for each principal building.

(b) Area. The gross surface area of a ground sign may not exceed 32 square feet in area.

(c) Location. A ground sign may not be located closer than 10 feet to any property line, right-of-way, or driveway.

(d) Height. A ground sign may not project higher than six feet, as measured from the center line of the nearest road.

(3) Auxiliary freestanding sign or banner.

(a) Number. There may not be more than one freestanding auxiliary ground sign for each site.

(b) Area. The gross surface area of an auxiliary ground sign or banner may not exceed 48 square feet.

(c) Location. An auxiliary ground sign or banner may not be located closer than 10 feet to any property line, right-of-way, or driveway.

(d) Height. An auxiliary ground sign or banner may not project higher than six feet, as measured from the center line of the nearest road.

(e) Special conditions. Auxiliary signs and banners shall be attached to ground posts. While the sign or banner face and message may change throughout the year, the content of the sign message must directly relate to the religious organization's use and

operation. Auxiliary banners may not be displayed for more than 14 consecutive days and shall be limited to no more than four events per year (maximum total of 56 banner days per year).

D. Special event signs. For all special event signs, only the following signs are allowed for business uses subject to issuance of a permit in accordance with § 320-80 of this article:

(1) Grand opening signs. One grand opening sign not exceeding 48 square feet shall be allowed per business. The sign may be displayed for a maximum of 60 days.

(2) Banners. Special event banners shall be allowed for each business subject to the following:

(a) Banner size may not exceed 30 square feet.

(b) Banners may not be displayed for more than 14 consecutive days.

(c) Individual businesses may be limited to four banner events a year.

(d) There may be no more than one banner erected per site at one time unless the site is located on a corner lot or the lot has multiple road frontages. In this case, one banner for each side of the site abutting the road will be permitted.

E. Seasonal sign. Seasonal sign shall be defined as any sign meeting the criteria below and referring to agricultural activities. Seasonal signs may be on-premises or off-premises directional signs for the purpose of announcement of an agricultural seasonal event and may be permitted for a limited period of time in any district in accordance with § 320-80 of this article and subject to the following:

(1) A sign permit application shall be submitted to the Building Inspector for approval, showing the specific design, appearance and location of the sign and meeting other application criteria as stated in § 320-80. The Building Inspector may require the application be reviewed by the Town Board upon recommendation of the Plan Commission based upon the character of the area, the type and purpose of sign and the length of time permitted.

(2) Where the sign is to be located on the premises involved, such sign may be permitted for a period up to six (6) months.

(3) Where the sign is not to be located on the premises involved, such sign may be permitted for a period not to exceed four (4) months.

(4) In no case shall seasonal signs be greater than four (4) feet in height above road level or greater than sixteen (16) square feet.


(5) Seasonal signs shall not be posted on any signs or posts owned by any government entity or utility.

(6) Seasonal signs shall be located off of the public right-of-way. Signs classified as a public nuisance or a threat to public safety by the Building Inspector or other public official shall be removed as required under § 320-93 of this ordinance with the approval of the Town Administrator.


(7) Seasonal advertising vehicles shall be defined as signs placed on or affixed to farm implements which are parked on private property where the apparent purpose is to advertise a seasonal agricultural product or direct people to a seasonal agricultural business or activity. Vehicles with signage advertising activities other than seasonal agricultural activities are regulated under § 320-83.

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 7th day of October, 2009.



Dawn Priddy
Town Clerk



David M. Valentine
Town Chairman