

**TOWN OF CEDARBURG
ORDINANCE NO. 2010-1**

An Ordinance to Amend Article VIII: Signs, of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin, particularly with regards to what are commonly called a-frame or sandwich board signs.

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;

WHEREAS, the Plan Commission of the Town of Cedarburg, by a majority vote of the entire Commission, has recommended the Town Board adopt the following amendments to Article VIII of the Town Code of Ordinances; and

WHEREAS, a Class 2 notice, in accordance with Ch. 985, Wis. Stats, has been published in advance of the Town Board considering this ordinance;

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).**

ARTICLE VIII. Signs

§ 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.G.~~ 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. H. 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. I. Any sign advertising or identifying a business or organization which is either defunct or no longer located on the premises.

K. J. 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. K. Projecting signs.

M. L. Portable and wheeled signs.

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

O. N. Inflatable signs and tethered balloons.

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

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

U. T. Signs entirely supported by a parapet wall.

V. U. 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. V. 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.

F. A-frame, sandwich board, sidewalk, or curb signs. For the sake of this section, "sandwich board" shall refer to a portable hinged or un-hinged a-frame, sandwich board, sidewalk or curb sign. These signs shall be subject to the following criteria below:

(1) A sign permit application shall be submitted to the Building Inspector for approval, showing the specific design, appearance, materials and location of the sandwich board 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 the sign.

(2) The sandwich board sign is to be permitted for an indefinite period, so long as a near original appearance is maintained.

(3) The colors, materials and lighting of every sandwich board sign shall be restrained and harmonious with the structure and site to which it principally relates.

(4) In no case shall sandwich board signs be greater than four (4) feet in height or greater than eight (8) square feet.

(5) Sandwich board signs shall be located off of the public right-of-way. Such 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.

(6) Sandwich boards must be displayed within 20 feet of a doorway. Under no circumstance should such sign be placed on a public pathway, the area between a pathway and the street, on a corner in such a way as to impede or interfere with pedestrians crossing the street, or in a space designated for parking.

(7) Sandwich board signs can only be displayed during the business hours of the entity it represents, or until dusk, whichever is earlier.

(8) All sandwich board signs shall be constructed of such a material and posted so as to remain in place under all weather conditions which are reasonably likely to occur during the time which the sign is posted. The following materials are prohibited: paper, reflective materials, chalk or cork board.

(9) Sandwich board signs shall be used to display prices, descriptions or business related messages in relation to the goods or services provided by said business.

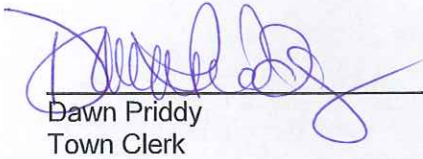
(10) If a business chooses to have a temporary sign, they cannot have their sandwich board sign up during the duration of their usage of the temporary sign. Both signs cannot be up at the same time. Once the temporary sign is down, the sandwich board sign can be put back up.

(11) Sandwich board signs can only be placed within the linear building frontage of the business or entity it represents and can only advertise that business.


(12) Sandwich board signs must have identifiable information including the name, address and telephone number of the business advertised permanently inscribed on the inside of the sign.

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 6th day of January, 2010.



Dawn Priddy
Town Clerk



David M. Valentine
Town Chairman