

ORDINANCE No. 554

An Ordinance of the Municipal Code of the City of Kiel Repealing and Recreating Section 17.33 (Signs)

The Common Council for the City of Kiel do ordain as follows:

SECTION 1: Section is repealed and recreated as follows:

SIGNS.

Signs are permitted in all districts, subject to the following regulations:

- (1) The following general rules for placement, appearance, and size shall be followed:
 - (a) No sign shall be created within the city until a permit has been obtained by the owner or their authorized agent from the Building Inspector. Applications shall be made in writing on a form furnished by the Building Inspector. There is no fee unless the cost of the exceeds \$200. If the cost exceeds \$200, the permit fee will follow the building permit fee schedule.
 - (b) All signs shall be reasonably attractive and the judge of the attractiveness of such signs is the Building Inspector. If the Building Inspector judges a sign not to be reasonably attractive, they will deny a permit for the installation of the sign.
 - (c) The area of the sign shall be calculated by measuring the total surface area on a square footage basis. If letters or graphics are mounted directly on a wall or fascia or in such a way as to be without a frame, the dimensions for calculating the square footage shall be the area extending 6 inches beyond the periphery around such letters or graphics. Each surface used to display a message or to attract attention shall be measured as a separate sign. Symbols, flags, pictures, wording, figures or other forms of graphics which are painted on or attached to windows, walls, awnings, or freestanding structures, or which are suspended by balloons or kites or on persons, animals or vehicles, shall be considered to be signs.
 - (d) Symbols, statues, sculptures and integrated architectural features on nonresidential buildings may be illuminated by floodlights, provided the direct source of the light is not visible from the public right-of-way or adjacent residential district.
 - (e) Signs or clocks attached to a building shall project not more than 6 feet from the face of such building and not extend below a height 10 feet above the sidewalk, street or alley.
 - (f) The word "banner" shall mean a piece of cloth, plastic, or paper attached by the edge, originally on a side, to a pole or staff, or directly to a building, and used to advertise an event or occurrence, or any commercial subject. No banner shall be displayed on a public or private building or property within the city for more than thirty (30) days in any one-year period, and if the sign is referencing an event, it shall be removed within five days after the event.

- (g) Signs are prohibited on public property without the written consent of the City Administrator. Generally, signs on public property are related to city department activities or government functions.
 - (h) If a sign consists of multiple types of signs (e.g. real estate and political and campaign sign), the building inspector will determine the primary purpose of the sign and apply the relevant code restrictions accordingly.
- (2) Real estate sales signs shall comply with the following requirements:
- (a) For the purpose of selling, renting or leasing property, a sign not in excess of 25 square feet per surface may be placed within the front yard of such property to be sold or leased. Such signs shall not be placed in the right-of-way of an abutting street.
 - (b) For the purpose of selling or promoting a residential project of 6 or more dwelling units, a commercial area of 3 acres or more or an industrial area of 10 acres or more, one sign not to exceed 100 square feet of advertising surface may be erected upon the project site. Such sign shall not remain after 90% of the project is developed.
- (3) Political and Campaign Signs. Political and campaign signs on behalf of candidates for public office or measures on election ballots are allowed subject to the following regulations:
- (a) Said signs may be erected not earlier than the commencement of the election campaign, as defined in Wis. Stat. § 12.04(1)(a), and shall be removed within 5 days following the applicable election.
 - (b) Signs shall not exceed 11 square feet in all zoning districts.
 - (c) No sign shall be located within 15 feet of a public right-of-way at a street intersection, nor within the public right-of-way or vision clearance.
- (4) The following signs are prohibited within the city:
- (a) Private signs are prohibited within the public right-of-way or easements.
 - (b) Illuminated signs or devices giving off an intermittent steady or rotating beam consisting of a collection or concentration of rays of light shall not be permitted in any district.
 - (c) There shall be no flashing or revolving sign in the front setback area or within 125 feet of a street intersection.
 - (d) No sign shall be permitted which, by reason of position, size, shape, form or color, would resemble, imitate or approximate, or interfere in any way with the proper functioning or purposes of, a traffic or railroad sign, signal or device or impede visibility to motor vehicle traffic.
 - (e) There shall be no use of revolving beacons, beamed lights or similar devices that would so distract automobile traffic as to constitute a safety hazard.
 - (f) Signs shall not be painted directly on the outside wall of a building or a trailer or other vehicle used just for display purposes. Signs shall not be painted on a fence, rock or similar structure or feature in any district. Paper and similar signs shall not be attached directly to a building wall by an adhesive or similar means.
 - (g) Signs which advertise goods, products or facilities or services not conducted

or sold on the premises where the sign is located or which direct persons to a different location from where the sign is located are not allowed in the City of Kiel. This prohibition includes changeable commercial signs commonly known as "billboards".

(h) No person shall park any vehicle or trailer on a public right-of-way or public property or private road so as to be seen 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 or directing people to a business activity located on the same or nearby property or any other premises.

1. This subsection shall not prohibit a "For Sale" sign on a vehicle for sale provided the vehicle is not parked on a public right-of-way.

(i) All free standing signs out-of-doors for advertising cigarettes or other tobacco products within 500 feet of any school, playground, public park, public library, church, or other place where minors may congregate.

(j) All free standing signs out-of-doors for advertising alcohol beverages, within 500 feet of any school, playground, public park, public library, church, or other place where minors may congregate.

(5) No advertising sign shall be permitted within seventy-five (75) feet of any residential district boundary line unless said sign is completely screened from said residential district by a building, solid fence, or an evergreen planting, which planting shall be not more than two (2) feet shorter than the height of the sign at the time said evergreens are planted; said evergreens shall be spaced not more than one-half (1/2) the height of the tree for regular varieties and one-third (1/3) the height of the tree for columnar varieties of trees; said evergreen planting shall be continuously maintained.

(6) Construction and maintenance regulations for signs shall be the following:

(a) All signs shall be properly secured, supported and braced and shall be kept in reasonably good structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and other supports shall be constructed of such material and with such workmanship as to be safe and satisfactory to the Building Inspector.

(b) No sign shall be erected so that any portion of the sign or its supports attach to or interfere with the free use of any fire escape, exit, any required stairway, door, ventilator or window; and no sign shall be erected that will interfere with, obstruct, confuse, or mislead traffic.

(c) All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area; and shall be constructed to receive dead loads as required in the building code or other ordinances.

(7) Violations for dangerous and abandoned signs shall be the following:

(a) All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of six (6) months or when, in the judgment of the Building Inspector, such sign is so old, dilapidated or has become so out of

repair as to be dangerous or unsafe, whichever occurs first. If the owner or lessee fails to remove it, the Building Inspector may cause the sign to be removed at the cost of the owner, following reasonable written advance notice. The owner may appeal the Building Inspector's decision to the Board of Appeals.

- (b) Any sign which was erected before the adoption of this sign ordinance shall not be rebuilt or relocated without conforming to all of the requirements of this ordinance.
- (c) All signs constructed or maintained in violation of any of the provisions of this Ordinance are hereby declared public nuisances within the meaning of this Code of Ordinances. In addition to the above penalty provisions for violation of this chapter, the Common Council or Building Inspector may bring an action to abate the nuisance in the manner set forth in the Wisconsin Statutes.

(8) SIGNS IN RESIDENTIAL (R) DISTRICTS. Within the "R" districts, the following signs are permitted, subject to the following regulations:

- (a) In the R-1 and R-2 districts, one nameplate sign shall be permitted for each dwelling, and such sign shall not exceed 4 square feet in area per surface; if the sign identifies a permitted home occupation, not more than 50% of its surface area shall be devoted to said home occupation; and such sign shall be so constructed as to have not more than 2 surfaces for advertising purposes.
- (b) Illuminated flashing signs shall not be permitted within "R" districts.
- (c) In R-3 districts, one nameplate sign of 2 square feet per unit shall be permitted for each dwelling group up to a maximum of 12 square feet and such sign shall be so constructed as to have not more than 2 surfaces for advertising purposes.

(9) SIGNS IN COMMERCIAL (B) DISTRICTS. Within the "B" districts, nameplate and business signs are permitted subject to the following regulations:

- (a) The aggregate square footage of sign space per lot shall not exceed the sum of 3 square feet for each front foot of building.
- (b) No individual sign shall exceed 200 square feet in area per surface.

(10) SIGNS IN INDUSTRIAL (I) DISTRICTS. Within the "I" districts, nameplate, business and advertising signs shall be permitted subject to the following regulations:

- (a) The aggregate square footage of sign space per lot shall not exceed the sum of 4 square feet per front foot of building, plus one square foot per front foot of property not occupied by a building.
- (b) No individual sign surface shall exceed 250 square feet of surface and shall be counted toward square footage permitted.

(11) SIGNS IN CONSERVANCY (C) DISTRICTS. Within the "C" districts, nameplate signs are permitted subject to the following regulations:

- (a) One nameplate shall be permitted for each public building for identification purposes, for each park for identification purposes, or for community services. Such sign shall not exceed the sum of 3 square feet for each front foot of building it is identifying. No individual sign shall exceed 200 square feet in area per

surface.

(b) Variances or exceptions to these sign regulations may be granted by the Board of Appeals.

(12) The following rules shall apply to nonconforming signs.

(a) Any sign located within the city limits on the date of adoption of this chapter or located in an area annexed to the City of Kiel hereafter which does not conform with the provisions of this chapter shall be classified as a legal nonconforming sign and shall be permitted, provided it also meets the following requirements:

- i. The sign was covered by a proper sign or building permit prior to the date of adoption of this ordinance.
- ii. If no permit was required under the applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of this ordinance.

(b) A sign loses its nonconforming status if one or more of the following listed events occurs. The sign shall be immediately brought into compliance with this ordinance or shall be removed on the date of occurrence of any of the said events, which are the following:

- i. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or does make the sign less in compliance with requirements of this ordinance than it was before alteration;
- ii. The sign is relocated;
- iii. The sign fails to conform to the city's requirements regarding maintenance and repair, abandonment or dangerous or defective signs.

(c) Nothing in this ordinance shall relieve the owner or user of a legal nonconforming sign or the owner of the property on which the sign is located from the provisions of this ordinance regarding safety, maintenance and repair of signs.

(13) A violation of any of the provisions of this chapter shall be enforced by the Building Inspector. The penalty for any violation shall be as set forth in Section 25.04 of the Kiel Code of Ordinances.

SECTION 2: This ordinance shall take effect on upon passage and publication in accordance with the law.

Ordinance No. 554 introduced on November 13, 2018, by Alderperson _____, seconded by Alderperson _____.

Upon a call of votes thereof, the result was as follows:

_____	Votes Cast
_____	Votes Aye
_____	Votes Nay

The Mayor declared Ordinance No. 554 introduced and approved this 13th day of November,

2018.

MICHAEL STEINHARDT, Mayor

COUNTERSIGNED:

JAMIE J. AULIK, City Administrator