

City of Waukesha, Wisconsin

Ordinance No. 2022-_____

An Ordinance Amending Section 27.04 of the Waukesha Signs and Outdoor Advertising Code, Regarding Temporary Signs

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 27.04 of the Waukesha Municipal Code is hereby amended as follows:

(1) When Permit Required.

(a) The following Temporary Signs are allowed without a permit:

(i) One Yard Sign or Banner Sign, of no more than 32 square feet of Sign Area, per Premises in any commercial district.

(ii) Up to five Yard Signs or Banner Signs, with a maximum area of 32 square feet per sign and a maximum total area of 240 square feet, per Premises in any residential zoning district.

(iii) Flags that contain a Commercial message.

(iv) A-Frame Signs.

(v) Temporary Signs displayed on the inside of windows, covering not more than 25% of the area of each window.

(b) The following Temporary Signs shall not be erected, altered, or placed until a permit has been obtained pursuant to sub. (3) of this section:

(i) Yard Signs or Banner Signs of more than 32 square feet in area in any district or which exceed one in number per Premises in a commercial district.

(ii) Feather Signs.

(iii) Inflatables.

(c) All other Temporary Signs are not allowed unless expressly permitted by other provisions of this Municipal Code.

~~(2) **Rules Applicable to Specific Zoning Districts.** The allowance of Temporary Signs, number of allowed Temporary Signs, requirement of a permit, allowed size of Temporary Signs, time duration of display of Temporary Signs, and other Temporary Sign regulations in specific zoning districts are as follows:~~

~~(a) **RD, RS, and RM Districts.** No more than 5 Yard Signs or Banner Signs, with a maximum area of 32 square feet per sign and a maximum total area of all Signs of 240 square feet, are allowed without a permit. Temporary Signs displayed in the inside of windows are allowed without a permit and without any time or area restrictions. All other Temporary Signs are not allowed.~~

~~(b) **P-1, A-1, I-1 Districts.** One Yard Sign or Banner Sign, of no more than of 16 square feet of Sign Area, is allowed without a permit. Yard Signs and Banner Signs in excess of one in number or in excess of 16 square feet total Sign Area are allowed with a permit, subject to §27.04(4) and (5). All other Temporary Signs are not allowed.~~

~~(c) **B-1 and B-4 Districts.** One Yard Sign or Banner Sign, of no more than of 32 square feet of Sign Area, is allowed without a permit. Temporary Signs displayed in the inside of windows, covering not more than 25% of the area of each window, are allowed without a permit. Yard Signs and Banner Signs in excess of one in number or in excess of 32 square feet total Sign Area are allowed with a permit, subject to §27.04(4) and (5). All other Temporary Signs are not allowed.~~

~~(d) **B-2 District.** Temporary Signs displayed in the inside of windows, covering not more than 25% of the area of each window, are allowed without a permit. A-Frame Signs complying with §27.04(6) are allowed without a permit. One Banner Sign of no more than 32 square feet in Sign Area and complying with §27.04(4) is allowed without a permit. Banner Signs in excess of one in number or in excess of 32 square feet total Sign Area are allowed with a permit, subject to §27.04(4). All other Temporary Signs are not allowed.~~

~~(e) **B-3, B-5, and MM-1 Districts.** One Yard Sign or Banner Sign, of no more than of 32 square feet of Sign Area, is allowed without a permit. Temporary Signs displayed in the inside of windows, covering not more than 25% of the area of each window, are allowed without a permit.~~

~~Inflatable Signs complying with §27.04(7) are allowed with a permit. Yard Signs and Banner Signs in excess of one in number or in excess of 32 square feet total Sign Area are allowed with a permit, subject to §27.04(4) and (5). Feather Signs complying with §27.04(8) are allowed with a permit. All other Temporary Signs are not allowed.~~

~~(f) **M-1, M-2, and M-3 Districts.** One Yard Sign or Banner Sign, of no more than of 32 square feet of Sign Area, is allowed without a permit. Temporary Signs displayed in the inside of windows, covering not more than 25% of the area of each window, are allowed without a permit. Inflatable Signs complying with §27.04(7) are allowed with a permit. Yard Signs and Banner Signs in excess of one in number or in excess of 32 square feet total Sign Area are allowed with a permit, subject to §27.04(4) and (5). All other Temporary Signs are not allowed.~~

(2) **General Rules.** The following rules apply in all zoning districts.

(a) Regardless of the restrictions in subsections (1)(a) through ~~(c)~~~~(f)~~, any Premises may display Non-Commercial Temporary Signs, Banner Signs, or Yard Signs without a permit, and without limitation as to their number, up to a maximum of 25 square feet of additional Temporary Sign Area.

(b) If a Premises has not reached its limit of Gross Sign Area under §27.03(3), then the remaining unused Gross Sign Area may be allocated to Temporary Signs, in addition to the Temporary Sign Area limits in this section.

(c) Temporary Signs requiring a permit may be displayed a maximum of 60 days per calendar year per Premises.

~~(d) Flags with Commercial content shall be deemed Banner Signs.~~

(e)~~(d)~~ Temporary Signs are not permitted on public property or public rights of way, except A-Frames in the Central Business District in compliance with §27.04~~(6)~~~~(7)~~ and Flags in compliance with §24.06(e).

(3) **Application for Temporary Sign Permit.** For Temporary Signs requiring a permit, the following application process shall be followed:

(a) All Applications for a Temporary Sign permit shall be made on a form furnished by the Department. One application form is required per Temporary Sign. Application for a permit shall include (i) a scale drawing of the Temporary Sign showing materials, message, colors, and construction; (ii) a scale drawing or photo of the building façade with Temporary Sign location, if building-mounted; (iii) a scale plot plan showing the Temporary Sign location and relevant site features including the locations of all buildings on the Premises and any other Signs located,

or proposed to be located on the Premises; and (iv) an inventory of all existing Signs on the Premises with dimensions and areas.

- (b) Permit applications for all Temporary Signs shall be accompanied by anon-refundable fee as shown in a fee schedule published by the Department and amended from time to time.
- (c) The permit shall be granted unless the application is incomplete, the application is not accompanied by the appropriate fee, or the applicationshows that the proposed Temporary Sign would not comply with the provisions of this Chapter.
- (d) Upon approval or denial of a Temporary Sign Permit, the Department shall promptly notify the applicant of its decision in writing. Approval or denial of the application shall be noted on a copy of the application and forwarded to the applicant.

(4) Banner Sign Design Standards.

- (a) All Banner Signs shall be firmly affixed to the structures on which they are mounted at least at all four corners, with no slack.
- (b) Banner Signs shall not be creased, folded, ripped, or faded.

(5) Yard Sign Placement and Design Standards.

- (a) Yard Signs shall be firmly affixed to the ground.
- (b) Yard Signs shall not be placed in a public right of way or on other publicproperty, and all Yard Signs shall be set back at least 5 feet from any lot line.
- (c) Yard Sign support structures may not exceed 5 feet in height, and totalYard Sign height may not exceed 8 feet.
- (d) Yard Signs shall be maintained in good condition and shall not be ripped,creased, folded, rusted, rotting, peeling, faded, or display similar deterioration.

(e) Yard Signs are not permitted in the Downtown Shopping Area.

(6) Flags that Contain a Commercial Message.

- (a) Each Premises may display no more than one Flag that contains a Commercial message per street frontage.
- (b) Such Flags must be securely attached to a flagpole, which must in turn be either securely attached to a wall by a bracket designed for holding flagpoles or firmly planted in the ground.

(c) Such Flags may not be ripped, faded, or show similar deterioration.

(d) Such Flags may not exceed 32 square feet in total area.

(e) Flags that contain a Commercial Message which are fixed to buildings with a zero-setback may extend into the Right-of-Way subject to the following limitations:

(i) Flags must be placed so that no part of the Flag or flagpole is less than 6', 6" above the sidewalk immediately beneath it or extends to less than 2 feet from the inner curb line.

(ii) Flags in the Right-of-Way may not exceed 25 square feet in total area.

~~(6)~~(7) A-Frame Signs.

(a) Central Business District Sidewalks. A-Frame Signs may be placed without a permit on sidewalks only in the B-2 Central Business District, provided their use and placement on the sidewalk complies with the following:

(i) A-Frames shall be set back at least 1 foot from the curb.

(ii) A-Frames shall be placed to allow an unobstructed area of travel of no less than 4 feet for pedestrian traffic on the sidewalk.

(iii) Displays placed on A-Frames shall not project beyond the A-Frame's edges.

(iv) A-Frames shall be kept inside the business Premises when the business is closed.

(v) A-Frames must be self-supporting and may not be leaned against a building, light post, or other structure.

(vi) A-Frames may not be rusted, peeling, faded, or show similar deterioration.

(vii) A-Frames may not contain any reflective materials, and may not resemble traffic-control signs.

(viii) One A-Frame per Premises may be displayed.

(ix) A-Frames may not exceed 3 feet wide and 4 feet high, with a maximum surface area of 12 square feet.

(x) A-Frames may not be illuminated or electrified.

- (b) **All Other Locations.** A-Frame Signs may be used in all districts, subject to the following:
- (xi) A-Frames shall be set back at least 5 feet from property boundaries.
 - (xii) Displays placed on A-Frames shall not project beyond the A-Frame's edges.
 - (xiii) A-Frames shall not be displayed outside of business or event hours.
 - (xiv) A-Frames must be self-supporting and may not be leaned against a building, light post, or other structure.
 - (xv) A-Frames may not be rusted, peeling, faded, or show similar deterioration.
 - (xvi) A-Frames may not contain any reflective materials, and may not resemble traffic-control signs.
 - (xvii) One A-Frame per Premises may be displayed.
 - (xviii) A-Frames may not exceed 3 feet wide and 4 feet high, with a maximum surface area of 12 square feet.
 - (xix) A-Frames may not be illuminated or electrified.

~~(7)~~**(8) Inflatables.**

- (a) Inflatables shall not face a residential district.
- (b) Inflatables may not be placed on the same Premises for more than 60 days in any 12-month period.
- (c) Inflatables shall not be placed on the roof of any building and shall not exceed the height of the principal structure on the Premises.
- (d) Inflatables must be firmly anchored to the ground so that they cannot shift more than 3 feet horizontally under any condition.
- (e) Inflatables must be set back from the property line a distance at least equal to their height.
- (f) No more than one Inflatable shall be placed per 50 feet of street frontage, with a maximum of 4 Inflatables allowed per Premises.
- (g) Inflatables shall conform to all applicable building and electrical codes.

(8)(9) Feather Signs. Feather Signs are allowed in the B-3, B-5, and MM-1 districts only, subject to the following restrictions in addition to all other requirements applicable to Temporary Signs:

- (a) Feather Signs shall not be placed on the same Premises for more than 60 days in any calendar year.
- (b) Feather Signs must be firmly anchored to the ground.
- (c) No more than one Feather Sign shall be erected per 50 feet of streetfrontage.
- (d) No more than 4 Feather Signs shall be allowed per property.
- (e) Feather Signs shall not exceed 15 feet in height and shall be set back from the property line a minimum distance equal to their height.
- (f) Feather Signs shall not be erected less than 50 feet away from any other Feather, Banner, or Yard Sign.

~~(g) Feather Signs shall count towards allowable Temporary Sign Area.~~

(9)(10) Multi-Tenant Buildings. If more than one business occupies a building, then any Temporary Signs must be placed within that part of the first floor area that is considered the Premises of the associated business. Detached Temporary Signs may not be placed farther than 20 feet from the building.

(10)(11) Portable Signs. Portable Signs and any other type of Temporary Sign not mentioned in this section are prohibited except where expressly permitted by other provisions of this Chapter.

Section 2. This ordinance shall take effect the day after publication.

Passed the ____ day of _____, 2022.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk