

**CITY OF WAUKESHA****Administration**

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Committee: Ordinance and License Committee	Date: 12/10/2018
Common Council Item Number: 18-1306	Date: 12/10/2018
Submitted By: Maria Pandazi, City Planner	City Administrator Approval: Kevin Lahner, City Administrator Click here to enter text.
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney Click here to enter text.
Subject: Review and possibly act on a proposal to repeal section 3.15: Sign Review Board and section 3.16: Sign and Outdoor Advertising Appeals Board, and to modify Chapter 27: Signs and Outdoor Advertising.	

Details: The main purpose of this change is to bring the city code into line with the Reed vs. Town of Gilbert decision by the U.S. Supreme Court, which stated that sign codes with content based restrictions are unconstitutional in most cases. Content based restrictions include distinctions such as For Sale Signs, Election Campaign Signs, and Construction Signs, etc., along with most permit exemptions. This code update will remove these distinctions and exemptions from the code and seeks to replace them with new regulations that will still achieve the desired results.

Additionally, since Reed vs. Gilbert and other changes in the law have left the city with very little room for flexibility or grey area in the sign review process, this proposal will eliminate the Sign Review Board and Sign Appeals Board. The Sign Review Board's responsibilities will be replaced with staff review, and the Plan Commission will take over the Sign Appeal Board's responsibilities. The change will give the code more clarity and will make the review process more straightforward for sign applicants. It will also reduce the wait time for a sign permit from as much as a month to no more than a day or two.

Along with the necessary changes, staff feels that now is also an appropriate time to update the sign ordinance so that it is less complicated and more user friendly, and so it reflects current best practices. Several code sections have been eliminated, and their content has been moved to more relevant locations. Regulations of feather signs, reader board signs, freestanding permanent signs, billboard signs, and signs in the downtown area have all changed to better reflect the purposes of the chapter.

Options & Alternatives:

[Click here to enter text.](#)

Financial Remarks:

The fee for Temporary Sign Permits has been changed from \$10 per week to \$1 per day since Temporary Sign Permits will be allowed for a maximum of 60 days per calendar year rather than six weeks. This change and the changes to the types of signs that require a Temporary Sign Permit may have a small effect on fee revenue. It is difficult to predict whether revenue will increase or decrease.

Staff Recommendation:

Staff Recommends approval of the changes to Section 3.15, Section 3.16 and Chapter 27 of the city ordinances.