

## CHAPTER 15.6 REGULATION OF SIGNS, BILLBOARDS, AND OTHER ADVERTISING MEDIA<sup>1</sup>

### 15.6.1 Legislative findings.

It is the findings of the ~~city plan commission~~ Planning and Architectural Review Commission and common council, after a comprehensive study and in conjunction with the Glendale Police Department and the building board, that reducing distractions and obstructions from signs will have a positive effect on traffic safety, and also will reduce hazards caused by signs projecting over or encroaching upon public right-of-ways. In addition, it has been found that the proper regulation of signs will serve to preserve and enhance the natural beauty and unique physical characteristics of the city as a community in which to live and work.

### 15.6.2 Purpose of chapter.

It is declared that the regulation of signs within the City of Glendale is necessary and in the public interest to:

- (a) Protect property value within the city.
- (b) Preserve the beauty and the unique character of the city by aesthetically complementing the development which it identifies.
- (c) Promote a healthy and properly designed business environment.
- (d) Safeguard the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the city.
- (e) Promote the public safety, welfare, convenience, and enjoyment of travel and the free flow of traffic within the City of Glendale.

### 15.6.3 Requirements of conformity.

It shall be illegal for a sign to be placed or maintained in the City of Glendale, except as provided in this chapter:

- (a) All new signs maintained contrary to the provisions of this chapter are declared to be illegal, subject to the penalties provided herein, and as may be provided by law.

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<sup>1</sup>Ord. No. 23-10, § 1, adopted April 24, 2023, changed the title of Chapter 15.6 from "Signs" to read as set out herein.

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- (b) Any person, firm or corporation violating any provisions of this chapter or failing to comply with any order or regulations made hereunder shall be subject to the penalties hereof, and those otherwise provided by law.

#### 15.6.4 Definitions.

- (a) The following definitions shall be applicable in this chapter:

*Abandoned sign.* A sign located on a property which becomes vacant and is unoccupied for a period of 60 days or more; any sign which pertains to a time, event, or purpose which no longer applies; or a sign which no longer directs attention to a business, activity, service, or product sold on the premises.

*Action signs.* Any sign, whether electronic or mechanical, that uses movement, motion, or change of lighting to depict or create motion, or create a special effect, or which broadcasts an audio moving picture, or is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign, or whose message or display is presented with patterns of light, rotating or changing fascia, or other means that may be changed at intermittent intervals by an electronic or mechanical process. Such signs include, without limitation by enumeration herein, light emitting diode signs, electroluminescent or digital signs, signage in which a message is displayed on an electric or digital screen and which can be changed without modification to the exterior of the sign, LCD or plasma display panels, electronic billboards, projection screens, signs which remotely change and control content, liquid crystal displays, signage which changes a display electronically or mechanically without physical alteration of the sign or which alter the physical structure of the sign in less than 24-hour intervals.

*Awning sign.* A fireproof space frame structure with translucent flexible reinforced vinyl covering designed in awning form, but whose principal purpose and use is signage. Such signs may be internally illuminated by florescent or other light sources in fixtures approved under national and local electrical codes.

*Area of sign.* That area of copy enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any point. This area does not include the main supporting sign structure, but other ornamental attachments are to be included in determining sign area.

*Banner.* Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.

*Billboard.* An off-premises sign that shows varying display of imagery or text created by manual installation on to a panel. Displays changed over long periods of times often months or years. Such displays may be illuminated by directing light towards the panel. Billboards do not

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internally illuminate (See digital or electronic billboards for signs that are programed, illuminate, and display messages for short period of time).

*Building front foot.* The maximum building width measured at grade on a straight line parallel to the street at which the building is addressed.

*Building orientation.* The position in which a building sits in reference to the street(s) and parking areas to which the building has access.

*Business front foot.* The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.

*Changeable copy (message) sign (manual).* A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign. Characters, letters, or illustrations are changed manually and not electronically or automatically. Such signs are on-premises signs.

*Contractor signs.* Any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

*Corner properties.* A property located at the intersection of two public streets with frontage on both public street rights-of-way.

*Digital or electronic billboard.* An off-premises sign that shows varying displays of imagery and text created with computer programs and software. Displays changed during specific periods of time though programing or real time scheduling. Such displays may measure audiences or provide dynamic content.

*Digital or electronic billboard – Bulletin Style.* A digital billboard that is 14 feet high by 48 feet wide offering 672 Square feet of advertising space.

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*Digital or electronic billboard – Poster Style.* A digital billboard that is 10 feet high by 22 feet wide offering 220 Square feet of advertising space.

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*Digital or electronic billboard – Junior Style.* A digital billboard that is 6 feet high by 12 feet wide offering 72 Square feet of advertising space.

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*Digital or electronic kiosk.* A small standalone device providing information, services, and advertising (on or off premises) on a screen which may or may not be interactive. Such signs are located in public or semipublic spaces and are intended for use by pedestrians.

*Directional signs.* Signs which designate entrances, exits, parking areas, and similar functional information without advertising other than the name or logo of the establishment.

*Electronic message board.* A type of changeable copy sign whose message or display is presented with patterns of lights or other means that may be changed at intermittent intervals by an electronic process. Illumination may be by light emitting diodes (LED's), fiber optics, light

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bulbs, or other illumination devices within a display area. Characters, letters, or illustrations are changed electronically or automatically. Such signs are on-premises signs.

*Fascia.* A parapet-type wall used as part of the fascia of a flat-roofed building and projecting not more than six feet from the building face immediately adjacent thereto. Such a wall shall enclose at least three sides of the projecting flat roof and return to a parapet wall or the building.

*Flags.* Any fabric or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

*Free-standing sign.* Any sign which is supported by a pole or pylon and is independent from any building.

*Grand opening sign.* A sign which calls attention to a new business or the announcement of a change in ownership.

*Holder of permit.* Collectively, the owner(s) of the premises on which a sign is located and the lessee(s) of the premises to which such sign pertains, all of whom must sign the application for a sign permit.

*Height of sign.* The overall height of a sign or sign structure as measured from the adjacent ground surface to the highest point of the sign or sign structure. In the case where a sign is to be located on a berm, the grade shall be determined by the average of the grades measured at the toes of slope at the front and back of the berm.

*Illegal sign.*

- (1) A sign without a permit.
- (2) A sign which does not conform to the letter of the ordinance or this chapter.
- (3) Any sign which has not been granted legal status. In addition, any sign except the following:
  - a. A sign allowed by this chapter and not requiring a permit.
  - b. A sign allowed by this chapter carrying a valid permit.

*Interchange.* An interchange of a highway, freeway is defined by the beginning or ending of payment widening at the exit from or entrance to the main traveled way or as otherwise defined by the State of Wisconsin Department of Transportation.

*Legal nonconforming sign.* A sign that did meet code regulations when it was originally erected, either by adherence to the previous sign ordinances of the City of Glendale or by a variance granted but does not comply with all the present regulations of this chapter.

*Maintenance.* The replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear, or damage beyond the control of the owner; or the reprinting of the existing copy without changing the wording, composition, or color of said copy.

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*Master identification sign.* A free-standing sign that identifies the name of a multi-tenant building or center but not the uses nor the tenants therein.

*Meaningful open space.* ~~For the purpose of this chapter, the area around the base of a sign, determined to be necessary for aesthetics and safety, by the common council or plan commission.~~ Meaningful open space shall be no less than 250 square feet unless otherwise specified and shall be landscaped. In instances where a freestanding sign is being placed in an area where 250 square feet is not possible then the meaningful open space shall complement the conditions of the property.

*Monument signs.* ~~A monument sign is a large, free-standing sign that sits close to ground level, has no space between the sign and the ground. A monument sign has a distinctive base that matches the architecture of the property, which may have materials such as brick, stone, rock, manmade masonry materials, concrete, or metal. A sign independent from any building that has a structural base of not less than 75 percent of the width of the sign face. (Ex. A sign with a face of eight feet wide would require a structural base of six feet or more in length.) The structural base of a monument sign is defined as a base constructed of natural stone, rock, brick, or man-made masonry material, excluding formed foam, "faux," or other synthetic masonry facsimiles lacking the durability, resistance to damage, and permanence of stone or masonry materials. A singular solid pour of concrete material with no brick, stone, or design component, shall not qualify as masonry material under the definition as set forth in this section.~~

*Off-premises sign.* A sign which is not appurtenant to the use of the property where the sign is located, or a product sold, or a service offered upon the property where the sign is located as purveyor of the merchandise or services advertised upon the sign.

*Parapet wall.* A wall extending above the plate line of the building.

*Pennant/streamers.* Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

*Permanent sign.* Any sign which is intended to be and is so constructed as to be in a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, and in permanent manner affixed to the ground, wall, or building.

*Planned sign program.* The establishment of an identification program for any multi-tenant operation within the city. Office parks, industrial parks, multi-tenant office and retail establishments are included as needing planned sign programs. The intent of a planned sign program is to give a uniform theme to signs in a development by size and color. Each sign covered by a planned sign program must be permitted separately.

*Plate line.* The point at which any part of the main roof structure first touches or bears upon an external wall.

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*Portable sign.* Any sign not permanently attached to the ground or a building. Tailorized signs, sandwich board signs, vehicles, and balloons are included in this definition.

*Projecting signs.* Any sign other than a wall sign affixed to any building or wall, whose leading edge extends beyond such building or wall.

*Roof line.* The highest point of the main roof structure or highest point on a parapet, but shall not include cupolas, pylons, projections, or minor raised portions of the roof.

*Roof sign.* A sign extending above the roof line.

*Seasonal signs.* A sign used to identify seasonal commercial establishments, including but not limited to garden centers, Christmas tree lots, and stands selling fruit and/or vegetables.

*Shingle sign.* A sign used to identify a business whose front is under a roof overhang, covered walkway, covered porch, or open lattice walkway.

*Sign.*

- (1) Any device for visual communications and the structure which supports it, which is used or is intended to attract the attention of the public, when the display of this device is visible beyond the boundaries of the property upon which the display is made.
- (2) The term "sign" shall not include national flags, flags of political subdivisions, and symbolic flags of any institution or business or badge or insignia of the United States, State of Wisconsin, Milwaukee County, City of Glendale, foreign countries, or official historic plaques.

*Street right-of-way.* A street right-of-way is the area between property boundaries in which traffic lanes, shoulders, ditches, street trees, sidewalks, bike facilities, multiple use paths, and transit amenities are placed for public use. Right-of-way areas vary regarding width. Rights-of-way may be under the jurisdiction of the City of Glendale, Milwaukee County, Wisconsin Department of Transportation, or the United States Federal Government.

*Temporary identification signs.* A sign, temporary in nature, that is used to identify a commercial establishment for a limited time period.

*Temporary sign.* Any sign, banner, or valance constructed of cloth, canvas, wood, light fabric, cardboard, wallboard, plastic, or other like materials, with or without frames, and any type sign not permanently attached to the ground, wall, or building, intended to be displayed for a short period of time only.

*Tenant boards (directory signs).* A sign providing an exterior listing to pedestrians or motorists of individual tenants within a multi-tenant center.

*Wall sign.* Any sign painted on or attached to and erected parallel to the face of or erected or confined within the limits of the outside wall of any building; and supported by such wall or building and which displays only one advertising surface. This definition includes signs composed of individual letters or symbols.

Window Pain. A framed sheet of glass in a window or door.

*Window sign.* Any sign placed inside or upon an interior window surface, and which is usually intended to be seen from the exterior.

( Ord. No. 23-02 , § 1, 3-8-2023; Ord. No. 23-10 , § 2, 4-24-2023)

#### 15.6.5 Legal non-conforming signs.

- (a) All signs with a replacement value of \$3,000.00 or more that became legal non-conforming in September 1991 shall be brought into conformance by September 2001. All signs with a replacement value of \$3,000.00 or more that became legal nonconforming in September 1994 shall be brought into conformance by September 2004. The legal nonconforming schedule of events is as follows:

<b>April/May 2000</b>	Check all signs for sign ordinance conformance
<b>May 2000</b>	Send a newsletter, notice or postcard to owners of nonconforming signs, outlining a conformance schedule
<b>June 2000</b>	15 month countdown meeting with sign owners and sign businesses
<b>September 2000</b>	12 month countdown meeting with sign owners and sign businesses
<b>March 2001</b>	Send a newsletter, notice or postcard to owners of nonconforming signs, outlining the remaining six month conformance schedule
<b>September 2001</b>	Conformance deadline
<b>October 2001</b>	Review the aforementioned steps, adjust as needed, and plan a conformance schedule for the September 2004 signs

- (1) Reasonable repairs and alterations may be made to legal nonconforming signs. However, in the event any such sign is hereafter damaged or altered to an extent exceeding 50 percent of the reproduction value according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this chapter.
  - (2) All non-conforming signs that do not have legal nonconforming status become illegal signs and must be removed by the owner within 30 days from receipt of notice from a responsible official.
  - (3) Any change in ownership or tenancy of a property which requires any change in the signs shall necessitate that the signs for the property or tenancy be brought into compliance with the provisions of this chapter.
- (b) Notwithstanding any of the foregoing provisions, free-standing signs erected prior to July 1, 2002, shall be exempt from conformance to the provisions of this code until such time

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as replaced, repaired or altered as set forth in subsection (a)(1) above, or upon a change of ownership of the premises, or there is a change in 50 percent or more of the identifying information on the sign. After July 1, 2002, free-standing signs are prohibited except as part of a planned sign program or as allowed by State statutes regulating political signs, or as temporarily allowed by the provisions of this code regulating temporary signs.

#### 15.6.6 Revocation of permits.

- (a) The community development department designated official, shall have the authority to revoke any permit which has been granted when the city official has determined that the sign authorized by the permit has been constructed or is being maintained in violation of the permit.
- (b) Notice of the community development decision to revoke a sign permit shall be served upon the holder of the permit, and the owner of the premises:
  - (1) By delivering personally a copy of the notice to the holder of the permit, or to one of its officers, and to the owners of the premises; or
  - (2) By leaving a copy of the notice with any person in charge of the premises; or
  - (3) In the event that no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by the certified mailing of another copy of the notice to the last known post office address of the holder of the permit and the owner of the premises.
- (c) The holder of the permit or the owner of the premises may appeal to the ~~plan~~ commission Planning and Architectural Review Commission the decision of the community development designee to revoke the permit. This appeal must be made within 15 days from the date when the notice was served.
- (d) If no appeal has been ~~taken-made~~ by the end of the ~~15-day~~ 15-day appeal period, then the permit is ~~revoked~~ revoked, and the sign is illegal. The community development department official then shall initiate the procedure for the removal of the illegal sign.

(-Ord. No. 23-02-, § 2, 3-8-2023)

#### 15.6.7 Removal of signs.

- (a) Responsible official. The community development director or designee or designated official is hereby authorized to require removal of any illegal sign as defined by this chapter.
- (b) Notice (Public Right of Way). The Community Development Director and Public Works Director or designees shall remove any illegal sign located within any public right of way within the City of Glendale without written or verbal notice.

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(c) *Notice (Private Property)*. Before bringing an action to require removal of any illegal sign on private property, the community development director or designee shall give written notice to the owner of the sign and the owner of the premises on which such sign is located. The notice shall state the reasons and grounds for removal, the deficiencies or defects in such sign, the violations charged and specify that the sign must be removed or made to conform with the provisions of this chapter within the notice period provided below. Service of notice may be made personally on the owner or lessee of the premises at the address specified in the permit or the last known address.

(1e) *Notice period.*

~~a.(1)~~ The notice period for permanent signs shall be 15 days.

~~b.(2)~~ The notice period for temporary signs shall be 12 hours.

(2e) *Re-erection of sign.* Re-erection of any sign or substantially similar sign on the same premises or on any other premises after a compliance notice has been issued shall be deemed a continuance of the original violation.

(de) *Abandoned signs.* Signs advertising or identifying a business or organization which is either defunct or no longer located on the premises must be removed within 30 days of the vacancy. The property owner and sign owner are responsible for the removal of the abandoned signs.

(ef) *Violations.* If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the community development planner that the sign has been removed or brought into compliance with the provisions of the chapter by the end of the notice period, then the community development planner shall certify the violations to the city attorney for prosecution. Violators shall be subject to section 1.1.7 of this Code of Ordinances. Each act of violation shall be subject to a forfeiture of no less than \$50.00 per day.

(fg) *Removal of any sign.*

(1) The community development planner is authorized to cause the removal of any sign existing in violation of this section, provided actual notice has been provided as required by subsection (c). All the actual costs and expenses of any such removal by the community development planner shall be borne by the owner of such sign installation and the owner of the premises on which located, both of whom shall be required to affix their signatures to the application for the sign permit, which shall provide that they agree to be bound by the terms of this chapter. Both shall be jointly and severally liable therefore.

(2) Both shall be subject to the penalties provided by the provisions of this chapter.

(-Ord. No. 23-02-, § 3, 3-8-2023)

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### 15.6.8 Requirements and procedures.

(a) *Requirement of permit.*

- (1) A sign permit shall be required before the erection, re-erection, construction, alteration, repairs, replacement, maintaining or locating of all signs regulated by this chapter. Where signs are illuminated electrically, a separate electrical permit shall be obtained as required by the Electrical Code of the City of Glendale. Upon renewal of any sign permit, or application for any sign permit subsequent to June 1, 2000, such permit shall be inclusive for any and all signs on a single parcel. Thereafter, the permit shall be subject to each individual sign complying with the requirements of this chapter.
- (2) A permit shall not be required for the following signs, provided, however, that such signs shall be subject to any and all applicable provisions of this chapter, including the building board approval:
  - a. Name plate signs as allowed under section 15.6.9(a).
  - b. Any sign four square feet or less in an area not otherwise prohibited by this chapter.
  - c. Repainting without changing wording, composition, or colors; or minor nonstructural repairs of less than \$250.00 (except electrical repair).
  - d. Relocation of a sign as required by city.
  - e. Political signs permitted as provided herein.
  - f. Window signs of a temporary nature in section 15.6.10(k).
  - g. Residential sale and lease signs six square feet or less.
  - h. Temporary construction signs. (See section 15.6.1)
  - i. Address marker/signs that exceed four square feet in area require ~~plan~~ Planning and Architectural Review Commission approval.
- (3) Nothing contained herein shall prevent the erection, construction, and maintenance of official traffic, fire and police signs, signals, devices, and marking of the State of Wisconsin and the City of Glendale or other public authorities, or the posting of notices required by law.

~~(4) Renewal.~~

~~a. Permits for signs do not expire.~~

~~b. Permits for Digital Billboard Sign permits must be renewed every three years and the fee tendered in accordance therewith. Prior to a permit being renewed, the sign will be inspected to determine whether the sign is in conformance with this chapter. If an existing digital billboard is found to be in compliance with this chapter, then a third-~~

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~~party engineering inspection with Engineer sign off will be required to verify the structural integrity of the structure. If an existing digital billboard is found to not be in compliance with this chapter then the owner of the sign shall have 6 months to remove the sign. In cases where the structure of the sign is unsafe then the structure shall be removed immediately.~~

(b) *Permit application and expiration.*

(1) To obtain a permit, the applicant shall file an application on a form furnished by the city. All applications shall be accompanied by the written consent of the lessee and owner/agent or trustee having charge of the property on which the sign is proposed.

(2) Sign Expiration / Renewal / Extension.

a. ~~Every sign permit issued by the community development director or designee or the plan commission~~ Commission Planning and Architectural Review Commission ~~Planning and Architectural Review Commission~~ under the provisions of this chapter shall expire by limitations and become null and void, if the work authorized by such permit is not begun within six (6) months and completed within twelve (12) months ~~120 days~~ from the date of such permit. Before such uncompleted work can be continued, a new permit shall be first obtained to do so.

b. It shall be the responsibility of the property owner, sign owner, or tenant to apply for a renewal of the permit prior to 120 days the end of the periods. The fee ~~The fee therefore shall be one half the amount required for new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work,~~ shall be as defined in section (c) below.

c. Only one renewal extension of 6 months shall be permitted. Expiration of a permit will require a new application, fee, review, and approval.

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(3) Digital Billboard Expiration / Renewal / Extension.

a. Every digital billboard sign permit issued by the community development director or designee or the Planning and Architectural Review Commission under the provisions of this chapter shall expire by limitations and become null and void if the work authorized by such permit is not begun within six (6) months and completed within twelve (18) months from the date of such permit. Before such uncompleted work can be continued, a new permit shall be first obtained to do so.

b. It shall be the responsibility of the property owner, sign owner, or tenant to apply for an extension of the permit prior to end of period. The fee shall be as defined in section 15.6.8 (c) below.

c. Only two extensions of 6 months shall be permitted, each with a maximum of 6 months. Extension of a permit will require a new application, fee, review, and approval.

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(4) Application Completeness. Applications are not considered complete until all application materials have been submitted, fees paid, and a preliminary review has occurred by staff. A determination that an application is complete does not indicate that a permit can be issued. The Community Development Director or designee or the Planning and Architectural Review Commission may request revisions, additional information or materials prior to a formal approval.

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(c) *Permit fees.*

(1) Before issuing any sign permit required by this chapter, the city shall collect a fee in accordance with the following schedule for new or replacement individual signs:

a. An administrative fee of 40 percent shall be added to each permit application (up to 500 SF) in addition to:

Sign Dimensions in Square Feet (Sq. Ft.)					
4—25	26—50	51—100	100—150	150—500	>500
\$50.00	\$75.00	\$100.00	\$150.00	\$1,000.00	7% of the sign's cost

b. *Temporary signs.* Notwithstanding section 15.6.8(c)(1)a., new or renewed temporary sign permit applications shall solely be charged \$50.00 regardless of size and without an additional administrative fee.

(2) Planned Sign Program (PSP) Fees. For properties with three or more tenants a planned sign program is required. The application for review by the ~~plan commission~~ Planning and Architectural Review -Commission shall be as noted in the following schedule:

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New Planned Sign program (PSP)	
New	\$150.00 for whole property
Revisions	\$100.00

Encroachment	
New and Revisions	\$300.00 + reimbursement of any engineering and legal fees associated with the review and processing.

(3) Appeals, Variance, and Special Exceptions Fees: The cost associated with an appeal, variance or special exception shall be as follows:

Appeals, Variance, and Special Exceptions	
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Appeals and Variances	\$300.00 + reimbursement of any engineering and legal fees associated with the review and processing.
Special Exception	\$300.00 + reimbursement of any engineering and legal fees associated with the review and processing.

(4) Renewal and Extension Fee: The cost associated with a sign permit where work has not begun, or is incomplete, and a request for a renewal or extension is being requested then the fees shall be as follows:

<u>Renewal and Extension Fee for uncompleted work</u>	
<u>Signs</u>	<u>Half the original application cost.</u>
<u>Digital Billboards</u>	<u>The 1<sup>st</sup> 6-months extension: 1/8 of the original fee</u> <u>A second 6-month extension: 1/4 of the original fee.</u>

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(5) Modifications to an Application: Modifications to previously approved application where the applicant is requesting a modification to the location, size, design, number of faces, etc. of previously approved application where the proposed sign is located on the same property as previously approved shall be as follows:

<u>Modification to a previously approved application.</u>	
<u>Signs</u>	<u>Within 9 months of issuance of permit, half the original application cost.</u>
<u>Digital Billboards</u>	<u>Within 9 months of issuance of permit, \$1,000. After 9 months modifications would require resubmittal of a new application.</u>

~~(4) The owner of a legal nonconforming sign which has been removed or brought into conformance according to the terms of this chapter shall not be required to pay a permit fee in order to obtain a permit for a replacement sign.~~

~~(65) Work Without a Permit: Where work, for which a permit is required by this chapter, is begun before a permit has been obtained, the fees above specified shall be~~

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quadrupled. The payment of such quadrupled fee shall not relieve any persons from complying fully with the requirements of this chapter in the execution of the work from any penalties prescribed herein.

(d) *License requirements.* A license for billboards and electronic billboards is required under title 7, chapter 23 of the Municipal Code. This is a yearly license.

(e) *Requirement of plans.*

a. Two copies of Pplans, renderings, or other pictorialization of non-residential signs and specifications shall be submitted with the application for each sign in excess of ~~four square~~four-square feet regulated by this chapter. Such plans shall show complete details; size of the sign in feet and inches and square feet, the method of attachment or support; locations and materials to be used; and the name, address of the person preparing the plans and specifications of such sign. Plans for supports for any sign subject to excessive stresses as determined by the community development director or designee shall be accompanied by structural computations. Sufficient data shall be submitted to show that supporting surfaces and other members of an existing building to which the sign is to be attached are in good condition and are adequately strong to support the load, including the proposed sign.

(f) *Approval.*

(1) Permits for signs requiring a permit, shall be reviewed by the community development director or designee. The community development director or designee may refer any sign to the ~~plan-commission~~ Planning and Architectural Review Commission. The community development director or designee/~~plan-commission~~ shall not issue a permit unless:

(2) All requirements of the Glendale Building Code are complied with and;

a. Approved by a majority vote of the ~~plan-commission~~ Planning and Architectural Review -Commission, if required, and;

b. Are granted a special exception by the plan ~~commission~~ Commission through the sign special exception process, ~~if required and~~.

(3) Design standards. The community development director or designee/~~plan commission~~ Planning and Architectural Review -shall Commission shall determine that the sign by its color, size, placement, or other design factors is not a detriment in terms of its general harmony with the property or building on which it will be placed, or with other properties or buildings in the immediate neighborhood. Among the other design factors which shall be weighed, without limitation because of enumeration, are:

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- a. Overall excellence in sign design and appropriate usage of materials for the type of use and related architectural compatibility, and, in the case of monument signs, conformity to the requirements for the structural base as set forth in section 15.6.4 of this chapter.
  - b. Sign placement in relation to street grade or property topography; parcel shape; primary and secondary streets; customer or other parking or loading; varying setbacks to avoid monotony along the street frontage;
  - c. Effective use of required landscaping, and of graphic symbols.
- (4) Through the approval process monument signs shall be the only style of signs to be approved along the North Port Washington Road and West Silver Spring Drive corridors even where legal non-conforming free-standing signs remain. The ~~plan~~ commission Planning and Architectural Review Commission shall further encourage, and may place reasonable conditions to effectuate, uniformity of theme as to the signage in the North Port Washington Road and West Silver Spring Drive corridors.
- (5) Through the approval process monument signs shall be the only style of signs to be approved along the North Green Bay Ave, and Good Hope Road, even where legal non-conforming free-standing signs remain. The Planning and Architectural Review Commission shall further encourage, and may place reasonable conditions to effectuate, uniformity of theme as to the signage in these corridors.
- (5) Notwithstanding any of the foregoing provisions, and as from time to time designated by the common council, the provisions of this title and chapter may be assigned to and applied by and under the jurisdiction of the community development authority as to all signage in redevelopment areas selected by the common council of the City of Glendale. The community development authority shall then have all procedural and approval authority as granted by this chapter only as to the extent provided in this chapter, and subject to all zoning regulations as from time-to-time adopted by the common council of the City of Glendale.
- (g) *Construction requirements.*
- (1) *Wind pressure, live load and dead load requirements.* All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area; and shall be constructed to receive all live and dead loads as required in the building code or other ordinances of the City of Glendale.
  - (2) *Lighting.* Illumination shall be so installed to avoid any glare, spill or reflection into any adjacent property, or onto a street or alley to create a traffic hazard. Any sign creating a nuisance will be reviewed by the community development director or designee or the police department for possible modifications or removal.

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(h) *Required signs.* Every building or group of buildings must be identified by a street number visible from the public right of way during the day and night.

(i) *Location requirements.*

(1) *Proximity to street right-of-way.*

- a. No permanent sign or part thereof shall be located or project closer than ten feet from the established street right-of-way line, except approved traffic directional signs.
- b. No sign within a plan development district shall be in a location other than that approved through the development agreement. If the location of the sign is not part of a planned development, then the sign shall meet the standards of Subsection (i)(1)(a) above.
- c. When a sign is in a zoning district where the building set back is zero feet to 15 feet or a build to line exist of zero feet to 15 feet then the sign may be located closer to the street right of way based upon site constraints. In such case the sign shall be designed at a pedestrian scale.

(2) *Encroachments agreements.*

- a. When a right-of-way is wide and not fully used or planned not to be fully used in the near future, and the sign would be required to be an unusual distance from the street (such as more than ten feet from where a public sidewalk is located) the applicant may request to have the sign located within the public right-of-way upon approval of the adoption of a resolution from city council for the encroachment of a private structure into the public right-of-way.
- b. The resolution shall contain language that the municipality or other state or federal agency may remove the sign at any time for maintenance, repair, construction or re-construction of the transportation facilities, or utility infrastructure. The removal of such structure will not require replacement.
- c. The resolution shall also contain language that the moving of any said structure to another location onto private property is at the cost of the property owner.
- d. The resolution shall be recorded with the register of deeds.

(3) *Obstruction of exits.* No sign shall obstruct any door, window or fire escape of any building.

(4) *Signs prohibited within limits of any street or highway.*

- a. No sign of any type whatsoever, shall be erected, placed, located, or maintained within the right-of-way limits of any street or highway, unless an encroachment agreement has been approved by city council and recorded as noted in (2) above. Highway limits include all the dedicated rights-of-way, encompassing the traveled portion of the highway, the shoulders, ditches, and adjacent dedicated

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areas. This prohibition applies to free standing signs whether or not such sign predates enactment of this section, and those placed on trees, utility poles, fence post stakes, and all other structures within the highway limits on which signs might be posted or placed.

- b. Failure to comply with the provisions of this section shall be a violation of Wis. Stats. § 86.19, as well as this Chapter, and shall be subject to the penalties as provided by section 1.1.7 of the Glendale Code. In addition, if the sign is placed by a business entity as defined in Wis. Stats. § 13.62(5), or any successor legislative enactment or amendment thereto, or the sign advertises or promotes a business, a business telephone number, or an internet website, there is a rebuttable presumption that the business identified therein caused the sign to be placed and is responsible for any violation of this chapter. Each alleged sign shall be deemed a separate violation, and each day of placement, per sign, shall also be deemed a separate violation, of this provision.
  - c. Any sign violating this section shall be summarily removed by the department of public works or the police department.
  - d. This prohibition shall not apply to signs placed within the limits of streets or highways by duly constituted municipal, county, or state authorities for the guidance or warning of traffic, as provided in Wis. Stats. §§ 86.19(1) and (4). Nor shall it apply to mailboxes and paper boxes.
- (5) *Construction over public property.* No person, firm, or corporation shall erect or cause to be erected any sign which projects over any public sidewalk, street, alley or a public place without proper approvals, easements, or agreements from the city.
- (6) *Signs on vehicles.* No sign shall be erected or attached to any vehicle except for signs painted directly on the surface of the vehicle, magnetic signs, and bumper stickers. The primary use of such vehicles shall be in operation of the business and not in advertising or identifying the business premises. The vehicle shall be parked in a designated parking space, but shall not be parked in the right-of-way. Vehicles parked in a manner considered by the community development director or designee as a means of advertising shall be in violation of this chapter. Cartop carrier signs of a political nature are not ~~meant to be~~ excluded by this section.
- (j) *Inspections.* Unless waived by the community development director or designee, all signs for which a permit is required shall be subject to the following inspections:
- (1) Electrical inspection on all illuminated signs.
  - (2) Electrical inspections for any installation of indirect lighting for a sign.
  - (3) Site inspection to ensure ~~that~~ the sign has been constructed according to approved application and valid sign permit.

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(4) All digital billboards shall be inspected by a third-party engineer, mutually agreed upon by the owner of said structure and the city, who shall verify and provide written documentation that the structure and appurtenances meet State, local, and federal requirements. The third-party inspection shall be reimbursed at the applicant cost prior to operation of the digital billboard.

(k) *Maintenance.*

- (1) Each sign, including those specifically exempted from this Code in respect to permits and permit fees, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The community development director or designee shall have authority to inspect and shall have the authority to order the painting, repair, alteration, or removal of a sign which shall constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.
- (2) The community development director or designee shall follow the same procedure of notification described in section 15.6.7 "Removal of Signs".

(-Ord. No. 23-02-, § 5, 3-8-2023; Ord. No. 23-10-, §§ 3, 9, 4-24-2023)

**15.6.9 Permitted signs by use.**

- (a) *Single family residence.* A single-family residence is allowed a name plate sign not to exceed three square feet. No business signs are permitted in a residential district. Signs in residential districts may not be illuminated. Temporary rummage sale signs are allowed. One sign may be located on the property of the sale and two additional directional signs may be located on private property with the permission of the property owner.
- (b) *Public uses, institutional uses, schools and churches.*
  - (1) The total permanent sign area allowed for public uses, institutional uses, schools, and churches, shall be determined by the ~~plan commission~~ Commission Planning and Architectural Review Commission.
  - (2) Traffic directional signs are allowed.
  - (3) Landscaping is required at the base of all freestanding/ monument signs.
- (c) *Residential subdivisions, condominiums, and apartment complexes.* Residential subdivisions, condominiums, and apartment complexes are allowed residential entry-way signs. ~~These signs shall be approved by the plan commission.~~ Commission Planning and Architectural Review Commission. Subdivision, condominium and apartment complex signs shall, in addition to the requirements of this chapter, comply with the following guidelines:

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- (1) *Area:* Maximum area based upon site conditions as approved by the ~~plan commission~~Commission Planning and Architectural Review Commission generally 15-30 square feet.
  - (2) *Height:* Maximum six feet for freestanding signs and 15 feet for signs mounted on building walls.
  - (3) *Materials:* Wood, stone, copper, stainless steel, stucco, brick or any other material approved on a case-by-case basis by the ~~architectural control board~~Planning and Architectural Review Commission. Plan-Commission.
  - (4) *Lighting:* Lighting for subdivision and development signs shall be limited to ground lights directed at the sign.
  - (5) *Review:* Project name signs shall be designed to be integrated into an architectural or landscape feature. The sign(s) and landscape feature(s) shall be approved by the ~~plan commission~~Commission Planning and Architectural Review Commission-Commission.
- (d) *Office buildings.*
- (1) Office buildings with two tenants or individually-owned condominium suites, or less, are permitted a monument sign. In lieu of a monument sign on the property, each tenant or individually owned condominium suite with a separate exterior entrance may have a wall sign.
  - (2) Office buildings with three or more tenants or individually owned condominium suites qualify for the Planned Signed Program and must meet the requirements set forth in section 15.6.10(a).
  - (3) Traffic directional signs are allowed.
  - (4) Landscaping is required at the base of all freestanding ~~and~~ monument signs.
- (e) *Retail establishments and shopping centers.*
- (1) Retail buildings with two tenants or less are permitted ~~either a free standing sign or~~ a monument sign unless otherwise provided in (3) below. In lieu of ~~a free standing sign or~~ a monument sign on the property, each tenant may have a wall sign.
  - (2) Retail centers with three or more tenants qualify for the planned sign program and must meet requirements set forth in section 15.6.10(a).
  - (3) Individual retail establishments that have more than 20,000 square feet of first floor building area are permitted a monument sign and a wall sign.
  - (4) Traffic directional signs are allowed.
  - (5) Landscaping is required at the base of all freestanding ~~and~~ monument signs.
- (f) *Industrial uses.*

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- (1) Industrial buildings with two tenants or less are permitted a monument sign unless otherwise provided in subsection (f)(3) below. In lieu of a monument sign on the property, each tenant may have a wall sign.
  - (2) Industrial buildings with three or more tenants qualify for the planned sign program and must meet requirements set forth in section 15.6.10(a).
  - (3) An individual industry that has more than 50,000 square feet of first floor building area is permitted a monument sign and a wall sign.
  - (4) Traffic directional signs are allowed.
  - (5) Landscaping is required at the base of all freestanding ~~and~~ monument signs.
  - (g) *Corner properties.* (See definitions) Commercial establishments located on ~~corner~~ corner properties that do not qualify for the planned sign program will be allowed up to two signs. Such properties will be allowed either:
    - (1) A monument sign and a wall sign, or;
    - (2) Two wall signs to be placed on separate building fronts.
  - (h) *Commercial buildings.* All other commercial establishments not covered specifically by this section will be governed by the sign restrictions provided in section 15.6.10 hereof.
  - (i) *Planned developments.* Entrance markers must be approved by the ~~plan~~ Planning and Architectural Review Commission. Signs shall be compatible with the development.
  - (j) *Other developments.* Properties zoned industrial without a principal building and located south of Glendale Avenue and adjacent to Wisconsin Department of Transportation right of way for US\_43 may have a sign structure that may support not more than two signs subject to compliance with section 15.6.10(o) of this chapter.
  - (k) Corporate and institutional campus signage.
    - (1) Freestanding traffic directional signs on properties 10 acres or more:
      - a. Off-street traffic directional signs on private property that direct traffic from public rights-of-way shall require permits.
      - b. There is no limit to the number of directional signs to allow for orderly traffic flow with approval of the City Planner.
      - c. The traffic directional signs shall be monument-style signs or a two-post style sign. No single post signs are permitted. For monument style signs at least a 10-inch base shall be provided. The signs shall coordinate with all other signs on the property regarding design, style, fonts, colors, etc.
      - d. The overall sign shall not exceed 16 square feet.

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e. The traffic directional sign shall not exceed six feet, including base if a monument style sign.

f. The traffic directional sign shall be set back a minimum of 5 feet from any property line and shall be located so as not to impede vehicular or pedestrian traffic flow.

g. The traffic directional sign shall not impede vehicular or pedestrian traffic throughout the site/property.

(2) Wall sign traffic directional signs on properties ten (10) acres or more:

a. Off-street traffic directional signs on private property that direct traffic from public rights-of-way to specific building entrances.

b. The number of wall directional signs shall be limited to five for orderly traffic flow with approval of the Planner.

c. Wall signs shall be proportional to the building element which is attached. The signs shall coordinate with all other signs on the property with regard to design, style, fonts, colors, etc.

d. The overall sign size shall not exceed 10 square feet.

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(-Ord. No. 23-02-, § 6, 3-8-2023; Ord. No. 23-10-, § 4, 4-24-2023)

**15.6.10 Permitted signs by definition and requirements.**

NOTE: Refer to section 15.6.9 for permitted signs by use.

(a) *Planned sign program.* The program is developed for office, retail and industrial centers that have three or more tenants. The program allows commercial centers to have one free-standing sign (a master identification sign) to identify the name of the center, not the individual businesses within the center. Businesses within the center are allowed a wall sign to advertise their location within the commercial center. The intent of the planned sign program is to set forth a theme as to placement, lettering style, color, and related design considerations of signs, while at the same time reducing sign clutter.

(1) *Master identification sign.*

a. Master identification signs are free-standing signs which identify the name of a multiple-tenant building or center. Such signs shall not contain the names of tenants or occupants of the center. Only office, retail and industrial centers that qualify for the planned sign program (see section 15.6.9 for qualifications) will be permitted one free-standing master identification sign. This section is not meant to preclude the identification of the center being given the name of a principal tenant. It is meant to prohibit the use of tenant boards as main identification signs.

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- b. The area of a master identification sign shall be determined by the following formula:
    - 1. Centers of 100,000 square feet of building area or under will be permitted one ~~free-standing monument~~ sign of no more than 150 square feet.
    - 2. Centers over 100,000 square feet of building area will be subject to restrictions imposed by the ~~Plan Commission~~Commission Planning and Architectural Review Commission.
  - c. Height of a master identification sign.
    - 1. Height of a master identification sign shall not exceed ten feet and shall be a monument sign.
    - 2. Centers of over 100,000 square feet of building area will be subject to height restrictions imposed by the ~~plan commission~~Commission Planning and Architectural Review Commission.
  - d. The approved Plan Sign Program shall be signed by all owners of the property or their authorized agents and the Community Development Director or Designee as authorized by the ~~Plan Commission~~Commission Planning and Architectural Review Commission.
  - e. A master identification sign shall be located in a landscaped area of meaningful open space, of at least 250 square feet.
- (2) *Wall signs (planned sign program).*
- a. Individual businesses within retail and industrial centers are permitted a wall sign in addition to the master identification sign. In office centers, only tenants with separate exterior entrances will be permitted a wall sign.
  - b. The maximum area for each wall sign shall not exceed 150 square feet. (A guideline to follow when determining wall sign size is one square foot of signage per every lineal business front foot of tenant space).
- (3) *Tenant board signs (planned sign program).* Tenant board signs are permitted for all industrial uses and office centers. Retail establishments not having street frontage or exterior entrances will be permitted a tenant board sign. Tenant board signs may be visible to internal traffic only. Sign letters identifying businesses may not exceed three inches in height. Location and number of signs are to be determined by the ~~plan commission~~Commission Planning and Architectural Review Commission.
- (4) *Traffic directional signs (planned sign program).* Traffic directional signs are permitted for retail, industrial and office centers. The signs must meet the size, height, and location requirements set forth in section 15.6.10(g).
- (5) *Requirements and procedures of the planned sign program.*

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- a. All properties that qualify for the planned sign program must submit to the ~~plan commission~~ Planning and Architectural Review Commission- a planned sign program plan for their property. No sign permit shall be issued for an individual business located on a property that requires a planned sign program, until such a program plan is submitted and approved by the ~~plan-commission~~ Planning and Architectural Review Commission-. After the approval of a planned sign program, no sign shall be erected, placed, painted, or maintained, except in conformance with the planned sign program.
  - b. The planned sign program plan submittal must contain the following information:
    1. An accurate plot plan of the property indicating the location of buildings, building entrances, parking lots, driveways, landscaped areas and sign locations;
    2. A building elevation drawing or rendering of any building face to which signs are to be attached;
    3. A landscape plan for meaningful open space.
    4. Computation of the maximum allowable total sign area, and the maximum dimensions and area for individual signs;
    5. Standards for consistency among signs to be located on the property will be made with regard to:
      - i. Lettering or graphic style;
      - ii. Lighting.
      - iii. Material; and
      - iv. Color, or colors allowed.
  - c. The planned sign program may contain such other features and restrictions as the owners and the ~~plan-commission~~ Planning and Architectural Review Commission- may reasonably determine and agree to.
  - d. ~~The approved plan sign program shall be signed by all owners of the property or their authorized agents and the community development planner as authorized by the plan-commission~~ Commission Planning and Architectural Review Commission-.
  - e. A planned sign program may be amended by filing a revised planned sign program for ~~plan-commission~~ Planning and Architectural Review Commission review and approval.

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- (6) *Other signs (planned sign program).* Properties that are required to have a planned sign program that are also allowed to have a digital billboard under this chapter shall integrate standards for the digital billboard into the planned sign program.
- (b) *Free-standing signs.* Except to the extent allowed in section 15.6.5(b), or other specific provisions of the code relating to government or temporary signs, or the planned sign program, or by State laws regulating political signs, free-standing signs shall not be allowed. Where allowed, free-standing signs shall be subject to the following regulations:
- (1) *Identification.* A freestanding sign may identify the individual business, building, or building complex only by name, or by name and principal service offered, where the name does not identify the principal service offered. For all uses, the sign may identify up to two businesses that occupy the same building and may identify the availability of an on-site automatic teller machine.
  - (2) *Total area.* A freestanding sign may be double faced. The area of each free-standing sign face shall be computed as .6 square foot times the lineal front foot of the property, to a maximum of 150 square feet.
  - (3) *Placement and construction requirements.*
    - a. A freestanding sign shall be permanent in construction and subject to the requirements of the Building Code of the City of Glendale.
    - b. The height of a freestanding sign shall be no more than 15 feet.
    - c. The sign shall be located in a landscaped area of open space of at least 100 square feet.
    - d. Freestanding signs must be at least 60 feet from monument signs and other freestanding signs.
    - e. A freestanding sign must be set back ten feet from the front property line.
- (c) *Wall signs.*
- (1) *Identification.* A wall sign may identify the individual business, building, or building complex only by name, or by name and principal service offered, where the name does not identify the principal service offered. For all uses, the sign may identify up to two businesses that occupy the same building.
  - (2) *Total area.*
    - a. In business centers containing two tenants or less, the total area of wall signs shall be computed as .8 square foot times the building lineal front foot, to a maximum of 150 total square feet.
    - b. The area of each wall sign in centers that require a planned sign program shall not exceed 150 square feet.

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- c. In the case of corner properties, when two wall signs or a monument sign and a wall sign are proposed, the area of each wall sign shall be computed as .5 square foot times the lineal front foot of the building. Wall signs cannot exceed 100 square feet in area.

(3) *Placement and construction requirements.*

- a. A face of a wall sign may not project more than 12 inches from the wall.
- b. A wall sign that identifies a business must be placed on the wall of the structure which the business occupies.
- c. No part of a wall sign shall extend above the roof line unless it is erected on a parapet wall or fascia which extends above the roof line of a flat roof on at least three sides of a building.
- d. A wall sign is allowed on a roof surface only if the roof surface is within 25 degrees of being vertical (i.e. mansard roof).

(d) *Monument signs (see definitions).*

- (1) *Identification.* A monument sign may identify the individual business, building, or building complex only by name, or by name and principal service offered, where the name does not identify the principal service offered. For all uses, the sign may identify up to two businesses that occupy the same building.

(2) *Total area.*

- a. The area of each monument sign face shall be computed as .6 square foot times the lineal front foot of the property, to a maximum of 150 square feet.
- b. A monument sign may have multiple faces.
  - 1. When the angle between sign faces measures 45 degrees or less, the total sign area shall be computed by measuring the square footage of a single face.
  - 2. When the angle between sign faces measures greater than 45 degrees, the total sign area shall be computed by adding the square footage of each face.
- c. In the case of corner properties, when a monument sign is proposed in conjunction with a wall sign, the area of a monument sign shall be computed as .4 square foot times the lineal front foot of the property. Monument signs on corner properties cannot exceed 100 square feet in area.

(3) *Placement and construction requirements.*

- a. A monument sign shall be permanent in construction and subject to the requirements of the Building Code of the City of Glendale.
- b. Height of a monument sign shall be no more than ten feet.

- c. The sign shall be located in a landscaped area of open space, of at least 100 square feet.
  - d. Monument signs must be at least 60 feet from free-standing signs and other monument signs.
  - e. A monument sign must be set back ten feet from the front property line.
- (e) *Awning signs (see definitions).*
- (1) The area of a non-illuminated awning sign shall be calculated as the area of the copy and/or logo enclosed by one continuous line, connecting the extreme points of the copy and/or logo.
  - (2) When awning signs are entirely illuminated changing the appearance or characteristics of the awning in any manner, the entire area of the awning will be calculated as the sign area. Illuminated awnings will require ~~plan commission~~ Commission-Planning and Architectural Review Commission approval.
  - (3) When only the area of the awning where the copy and/or logo is located and illuminated, the area of the sign will be measured as the length and height of the illuminated portion of the awning.
- (fg) *Traffic Directional Signs.* Traffic directional signs are permitted and located solely for the purpose of relieving traffic congestion and promoting the safe flow of traffic:
- (1) One single or double-faced free-standing sign shall be permitted for each driveway. Traffic directional signs may be located up to the property line and shall be no higher than five feet above the established grade.
  - (2) The area of each side of a traffic directional sign shall not exceed six square feet.
  - (3) Twenty-five percent of the area of each side of a traffic directional sign may be used for the business name or logo.
  - (4) Internal traffic directional signs may be located within larger properties to direct traffic to specific site locations. Such signs may be single or double sided as needed, may be no taller than five feet, and no larger than six square feet.
  - (5) Traffic directional signs shall not be illuminated but may have reflective lettering.
- (h) *Tenant board signs (directory).* Exterior tenant or directory signs are to be used to guide visitors to individual businesses within a multiple-tenant commercial building. Only centers that meet the requirements of the planned sign program will be permitted tenant board signs. Letters identifying businesses may not exceed three inches in height. Location of the tenant board sign shall be determined by the ~~plan commission~~ Planning and Architectural Review Commission.
- (i) *Flags (commercial properties).*
- (1) Advertising flag.

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- a. Only one flag may be utilized for advertising purposes.
- b. Maximum area of a flag shall be 24 square feet.
- c. The flag must consist of the name of the individual business, building, or building complex.

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(2) Location and height requirements (all flags).

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- a. A flag may only be suspended on a permanent, established flag pole that is no more than 35 feet high, unless otherwise approved by the ~~plan commission~~ Commission-Planning and Architectural Review Commission.
- b. A flag pole shall be set back ten feet from the front property line and located in a setting of meaningful open space.

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(j) Shingle signs (see definitions).

- (1) One sign, not exceeding one square foot in size; shall be allowed for each business front and shall be adjacent to the business which it identifies.
- (2) The sign shall be suspended from a roof overhang, covered walkway, covered porch, or open lattice walkway. No part of a suspended sign shall extend beyond the edge of the overhang. Signs placed parallel to the street may be attached to the fascia. A minimum clearance of six feet eight inches shall be maintained between the bottom of the sign and the nearest grade or sidewalk.

(k) Window signs (see definitions).

(1) Permit Required. Window signs do not need a permit if less than ten percent of the window is covered. Window signs that cover over ten percent of a window require a permit to be issued in accordance with this section and in the sole discretion of the community development planner.

(2) Maximum Size. In no instance may more than 25 percent of an individual window panel may be covered. ~~Identical copy may not be repeated on the same face of the building.~~

(3) Location. Window signs must be placed behind a clear glazed window opening and not in unglazed openings.

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~~A window sign permit will be valid for all window signs of the establishment issued the permit. Permits for window signs will be issued for one year and may be renewed annually.~~

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- (l) Neon signs. ~~Neon window signs or other~~ Exterior neon displays may be permitted in cases where they are custom designed to be compatible with the building's architectural character and where their color has been selected to harmonize with the building's exterior ~~colors~~ colors. ~~Lighting may use traditional neon, or neon like moder technology.~~ Such lighting shall be subject to review and approval of the city ~~plan commission~~ Planning and Architectural Review Commission.

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- (m) *Time and temperature signs.* Permitted only through review and approval by the ~~plan commission~~Commission-Planning and Architectural Review Commission.
- (n) *Electronic message centers.*
- (1) *Zoning district allowed.*
- a. Electronic message centers are allowed in the following zoning classifications with a special exception granted by the ~~plan commission~~Commission-Planning and Architectural Review Commission:
- i. M-1 when located adjacent to Good Hope Road west of Range Line Road.
- ii. B-1 "B" when located on a property with one use/tenant and adjacent to Port Washington Road between Henry Clay and Silver Spring Drive.
- iii. When part of a planned development district and such electronic message center is integrated into the development agreement. In such instances not more than one electronic message board is permitted per planned development district.
- iv. When located within a S-1 Special (Institutional) District. Only one electronic message center is allowed per monument sign per property.
- (2) *Scrolling, flashing, moving.*
- a. Electronic message centers shall not have scrolling, flashing, or moving elements.
- (3) *Sign area.* Fifty percent of the allowed monument sign area.
- (4) *Number of electronic message centers.* One double sided sign is permitted.
- (5) *Design standards.*
- a. The digital portion of any such sign must be enclosed on both sides by other sign materials such as brick, stone, wood and/or other distinctive design materials.
- b. Electronic message boards may only be used in combination with a monument ~~style~~ sign. Incorporation with a pylon, pole, or wall signs is not permitted.
- c. The background of any electronic message center shall be solid in color.
- (6) *Malfunctions.* The digital message area shall either freeze or go blank in the event of a malfunction.
- (7) *Automatic brightness compensation.*
- a. Signs that contain changeable copy produced by light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and ensure that the sign is visible but not necessarily radiant. Automatic dimming is required to maintain the appropriate illumination levels at all times of day and weather conditions.

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(8) *Minimum fixed message.*

- a. Changeable copy shall remain fixed for a minimum period of one minute between changes.

(9) *Sign copy change time.*

- a. Where the changeable copy consists of light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, cathode ray tubes (CRTs), or another light source, the actual change between sign copy shall be instantaneous
- b. Where copy changes by an automated process other than those processes listed above (e.g. rotating panels, slats, or discs), the actual change between sign copy shall be accomplished within two seconds or less.

(o) *Digital billboards.*

(1) *Permit required.*

- a. No digital billboard may be erected or placed unless a sign permit has been issued by the city. Face changes to the digital billboard shall require a new permit.
- b. Structures where digital billboards are mounted shall require all appropriate permits such as but not limited to a building permit and electrical permit.

(2) *License.*

- a. A bill posting license is required for persons, companies, agencies, or other ownership. A bill posting license is also required for any person, company, agency, or organization that is renting, leasing, or maintaining such sign. For bill posting license refer to chapter 7 of the Municipal Code.

(3) *Permit application procedure.*

- a. All applications for a digital billboard shall be made on a form furnished by the department of community development. One application form is required per digital billboard. Back-to-back signs are considered two signs. A digital billboard with two faces but enclosed in one display cabinet is considered one sign.
- b. Application for the permit shall include:
  1. Scale drawing(s).
  2. A scale plot plan showing sign location and relevant sign features, property lines, and other site features as needed for evaluation.
  3. A drawing showing all property lines and building footprints within 1,000 feet ~~or 5,000 as may be necessary~~.
  4. A drawing showing the view corridor of the proposed digital billboard.

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5. A drawing showing the height of the sign compared with surrounding structures and the top of the tree line in the area.
  6. Elevations of the proposed structure and digital display board to scale.
  7. An illustration of the proposal to scale as well as an illustration of the proposal within context.

8. Architectural details and drawings depicting design elements as required.

9. Landscaping plan for surrounding area at base of sign.

10. Drawings showing access locations for maintenance, including vehicle turning radius.

11. Engineering drawings with engineers' stamp regarding structure design of sign.

12. Any other information requested to allow proper evaluation of the proposal.

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c. Permit applications shall be accompanied by a non-refundable fee as shown in the fee schedule published by the city and amended from time to time.

d. Permits may be granted subject to conditions as deemed necessary at the discretion of the reviewer to adhere to the policy and purpose of this chapter.

- (4) *Development agreement required.* In all planned development districts south of Glendale Avenue directly adjacent to Interstate 43 (I-43), a development agreement is required per title 13, article D. When an existing development agreement has been approved by the common council, the development agreement shall be amended by the council. When a development agreement is nonexistent, then one shall be created and approved by the council. Such a development agreement shall be recorded with the register of deeds prior to issuance of any permits.
- (5) *Municipally-owned land.* When a digital billboard is to be erected on a municipally owned property, a development agreement and lease agreement shall be approved by the common council. Such a development agreement and lease agreement shall be recorded with the register of deeds prior to issuance of any permits.
- (6) *Bases for application denial.* Permit applications shall be granted unless, in the sole discretion of the community development director or designee:
  - a. The permit application is not complete, does not otherwise comply with the requirements of this chapter, or is not accompanied by the required fee.
  - b. The permit application indicates that the proposed digital billboard sign would not comply with this chapter.

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- c. The digital billboard sign would be aesthetically incompatible with the character of buildings, other structures, or the surroundings on or adjacent to its site.
- d. The digital billboard sign would obstruct any views of scenic or historic importance.
- e. The digital billboard sign would create an unreasonable restriction of light, air, or view from nearby windows.
- f. The digital billboard sign would interfere with neighboring permitted uses such as solar panels, antennas, etc.
- g. The digital billboard would otherwise adversely impact the health, safety, morals, or general welfare of the public.

(7) *Digital billboard sign regulations.*

- a. *Area limitations.* Digital billboards, where permitted, shall be subject to the following:
    - 1. Bulletin Style / Horizontal digital billboards shall not be more than 14 feet high and 48 feet wide, nor exceed 672 square feet in area.
    - 2. Poster digital billboards shall not be more than ~~five ten~~ feet high and ~~2236~~ feet wide, nor exceed ~~180-220~~ square feet.
    - 3. Bulletin Style / Vertical digital billboards shall not be more than 48 feet high and 14 feet wide nor exceed 672 square feet in area.
  - b. *Location.* Digital billboards, where permitted, shall be subject to the following:
    - 1. The sign shall be freestanding only, and shall not be erected or attached to, suspended from, or supported on a building.
    - 2. Digital billboard signs may be located on industrial-zoned properties (M-1), located directly adjacent to Interstate 43 (I-43), located directly adjacent to and parcels south of Glendale Avenue, and north of the southern municipal boundary.
    - 3. Digital billboards signs may be located in a planned development district (PD) when a general development plan, specific development plan and development agreement have been approved by the common council through the requirements of title 13, article D,~~i~~
      - a) ~~where~~ located directly adjacent to Interstate 43 (I-43), located south of Glendale Avenue, and north of the southern municipal boundary and within 200 feet of (I-43).
- ~~W.4.~~ Electronically illuminated digital billboards shall not be located within ~~500~~ 200 feet of a local intersection or interstate interchange. Such dimension

shall be measured by the furthest edge of pavement, barrier, or soundwall, whichever is furthest from the center line of the road.

5. Only one digital billboard structure may be located on a property.
  6. No digital billboard shall be located within 200 feet of any residential district from which the sign face is visible. The distance shall be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential zoning district, in a straight line and without regard to intervening structures. In situations where the digital billboard is within 200 feet of a residential district, a berm or landscaping screen may be placed to create a visual barrier. The landscape barrier shall be installed and constructed prior to installation of the sign and its support structure.
- c. *Number per structure.* A maximum of two digital billboards may be located on any one billboard structure.
  - d. *Setback from property line.* Digital billboard signs shall be setback 25 feet of a property boundary, or a distance approved by the State of Wisconsin.
  - e. *Limit of number of digital billboards-in city.*
    1. Structures. At no time shall the total number of digital billboards located in the City of Glendale exceed five structures with a maximum of 10 display boards (2 per structure).
  - f. *Permitted zoning areas.*
    1. Billboard signs are permitted in the M-1 Warehouse, Light Manufacturing, Office and Service zoning districts and PD Planned Development District when allowed by a development agreement.
  - g. *Spacing between digital billboards.*
    1. Digital Billboards adjacent to and south of Glendale Avenue. No digital billboard shall be permitted within 500 feet of another billboard ~~sign~~ on the same side of Interstate 43 (I-43), or as approved by the State of Wisconsin.
  - h. *Height of digital billboards.* The maximum height of billboards shall be 60 feet. In no event shall the maximum height of any billboard exceed the height requirements for buildings in the underlying zoning district regulations. The minimum height shall be 12 feet above grade. Architectural elements may exceed the height maximum height of 60 ft by no more than 5 feet.
  - i. *Electrical permits required.* Where the digital billboard is illuminated, a separate electrical permit shall be obtained as required by the electrical code.

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j. *Building permits required.* The structure in which a digital billboard is intended to be attached shall obtain all applicable permits which may include but are not limited to building, grading, and erosion control permits ~~for example.~~

k. Agreement For Reimbursable Services. An agreement for reimbursable services shall be submitted with all digital billboard applications.

l. *Electronic displays.*

1. Electronically-illuminated digital billboards shall not utilize visual effects such as flashing, moving images or letters, or alternating images.
2. Messages or images may change no faster than every eight seconds and the change must be made in one-half second or less.
3. The electronic display portion of the billboard sign may not exceed 500 nits in design luminance at night or 3,000 nits in design luminance during daylight hours.
4. Illumination shall be confined to the facing of the sign or billboard and shall not cause glare onto abutting properties.
5. Digital billboards shall bear an Underwriter's Laboratories Inc. label of approval or that of any other certified agency.

m. *Prohibitions.*

1. Audio speakers and all forms of pyrotechnics are prohibited.

n. *Vegetation.*

1. Existing vegetation or vegetation that was identified on an approved site plan or planned development shall not be removed to accommodate a digital billboard or to provide better visibility of a digital billboard unless a revised site plan and landscaping plan is submitted, reviewed, and approved by the ~~plan commission~~ Commission Planning and Architectural Review Commission. Coniferous trees shall not require replacement unless they are part of a landscaping plan specifically intended to screen areas of one property to another. Replacement of deciduous trees shall be located on the property. Deciduous trees removed that are:
  - i. Each 3—7" diameter at breast height (dbh) tree shall be replaced with one 5—7" DBH tree or two 3" DBH trees;
  - ii. Each 8—11" DBH tree shall be replaced with two 5—7" DBH trees or three 3" DBH trees;
  - iii. Any 12" DBH tree or larger shall be replaced with three 5—7" DBH trees or six 3" DBH trees.

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2. Vegetation within the public right-of-way. Vegetation within the city, county, state, or federal rights-of-way shall not be removed. Vegetation within state rights-of-way shall follow Wisconsin Code and Statutes.

3. Digital Billboard shall have landscaping at the base of the sign consisting of deciduous and evergreen trees and shrubs, as well as perennials.

4. Landscaping on the site will also be required to screen the view of the digital billboard structure and equipment from local public right of ways, public sidewalks, parking areas, and view corridors from pedestrian areas and residential streets.

**oA.** *Design guidelines:*

1. Electronic billboard structures shall be designed to have a unified structural design with architectural appeal.
2. Electronic billboard structures shall consider architectural elements that provide a strong base, middle, and top.
3. Electronic billboard structures shall be more than just an engineering solution but shall be designed to enhance the environmental design of the community.
4. No ~~one~~single architectural style is dictated by these standards. Design style shall be unique and timeless.
5. A shroud or other architectural element shall be used around the main structural support element as well as any horizontal or cantilevered elements.

**oB.** *Maintenance.*

1. A structural/maintenance report shall be submitted after the first ten years of construction and then every five years thereafter to the City of Glendale. Such reports shall indicate any structural repairs necessary and provide a timeline for such repairs. Such reports shall be prepared by a licensed structural engineer. If a report is not furnished by January 1st of the tenth year or any following five-year period of the sign, then the sign permit shall be considered expired and a new permit will be required in addition to the report.

(-Ord. No. 23-02-, §§ 7—9, 3-8-2023; Ord. No. 23-11-, §§ 5, 6, 4-24-2023)

**15.6.11 Temporary signs.**

- (a) *Permits.* Permits for non-residential temporary signs shall be issued by the community development planner only when the sign is specifically allowed by this chapter.

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- (1) *Permit validity:* A temporary sign permit shall be issued only for the active use-period of the sign.
  - (2) *Without a permit:* Temporary signs erected on private property without a permit shall be removed within 48 hours of verbal or written notification.
  - (3) *Renewals:* Renewals for any temporary signs shall be reviewed and subject to approval by the community development planner or designee. The application for renewal must include a written statement of the reasons for renewal and the specific additional time period requested. A new application fee shall be required for renewals.
  - (4) ~~*Plan-commission approval:* Any temporary sign proposal that cannot meet Code requirements shall be reviewed by the plan-commission. If approved, the proposal shall be returned to the plan commission for any extension prior to the expiration of the initial or previous sign permit. An additional application fee for plan commission is required. Fee shall be based upon adopted fee schedule for plan commission appearances.~~
- (b) *General design standards for temporary signs.*
- (1) *Location:* Temporary signs shall be permitted in all zones unless otherwise specified.
  - (2) *Illumination:* Temporary signs shall not be illuminated.
  - (3) *Right-of-way:*
    - a. No temporary sign shall be erected within the public right-of-way.
    - b. Any temporary sign erected with the public right-of-way may be removed by the community development planner or designee.
- (c) *Development signs for commercial, industrial, residential, and mixed-use developments.* Development signs are used to identify future development or a development under construction:
- (1) *Quantity:* A development may have one free-standing sign on each street which the development abuts. The sign must be placed on the property being developed.
  - (2) *Area:* Each development's sign may not exceed 32 square feet in area.
  - (3) *Number of faces and relationship to street:* This sign may be single- or double-faced and may be perpendicular or parallel to the street.
  - (4) *Setback:* A development sign shall be set back ten feet from the public right-of-way. For developments where the buildings are designed to be less than ten feet, the community development director or designee shall allow a location that does not block vision triangles at intersections or driveways.
  - (5) *Height:* The sign may not exceed eight feet in height.

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- (6) *Time period:* Sign permits shall expire upon completion of the development. The signs shall be removed no later than ten days after the announced completion of the development; or in the case of a residential development, after 90 percent of the units are sold.
- (7) *Permit:* A permit is required.
- (8) *Permit fee:* A permit fee is required.
- (d) *Sale, lease, and rent signs.* Sale, lease, and rent signs are temporary signs which indicate that some premises or vacant lot is for sale, lease, or rent.
- (1) *Quantity:* Premises or vacant land for sale, lease, or rent may have one free-standing sign on each street which the development abuts. The sign must be placed on the property being sold, leased, or rented.
- (2) *Area:*
- a. *Nonresidential and mixed use:* Sign area shall not exceed 16 square feet.
- b. *Single family residential:* Signs in residentially zoned areas may be no larger than six square feet and need not obtain a permit.
- (3) *Setback:* Signs shall be set back a minimum of five feet from the property line and shall not be located in any intersection vision triangles.
- (4) *Number of faces and relationship to street:* This sign may be single- or double-faced and may be perpendicular or parallel to the street.
- (5) *Height:* Maximum height of eight feet.
- (6) *Time period nonresidential and mixed use:* Non-residential signs will be originally permitted for 90-day periods. Permits may be issued for additional 90-day periods, if the premises are less than 90 percent occupied or vacant space of 2,000 square feet or more remains unoccupied. Upon 90 percent occupancy, or less than 2,000 square feet of vacant space remaining, the sign must be removed within seven days.
- (7) *Time period single family residential:* Signs in single family residential zoned areas must be removed within seven days of the final sale or rental of the property.
- (8) *Permit:* A permit is not required.
- (9) *Permit fee:* A permit fee is not required.
- (e) *Political signs.*
- (1) A "political sign" is a temporary sign supporting [thea](#) candidacy for office or urging action on any other matter on the ballot of primary, general, and special elections as deemed by Wis. Stats. § 12.04.
- (2) *Permit:* A permit is not required.
- (3) *Permit fee:* A permit fee is not required.

(f) *Contractor or subcontractor signs.*

- (1) *Number of faces:* A sign may be single- or double-faced.
- (2) *Number of signs:*
  - a. One sign is permitted for each street frontage abutting a development or project.
  - b. The total combined area of all subcontractor signs on a consolidated sign cannot exceed 32 square feet.
- (3) *Location:* A sign may be free-standing and may be parallel or perpendicular to the street.
- (4) *Area:* The sign area may be no more than 16 square feet per contractor or subcontractor. The total combined area of all subcontractor signs on a consolidated sign cannot exceed 32 square feet.
- (5) *Setback:* A development sign shall be set back ten feet from the public right-of-way. For developments where the buildings are designed to be less than ten feet, then the community development director or designee shall allow a location that does not block vision triangles at intersections or driveways.
- (6) *Height:* The sign may not exceed eight feet in height.
- (7) *Time period:* If a consolidated sign is used, the sign permit shall expire upon completion of the project. If not consolidated on a single sign, individual contractor or subcontractor signs shall be removed within two days after the function of the contractor or subcontractor on the property is completed.
- (8) *Permit:* A permit is required.
- (9) *Permit fee:* A permit fee is required.

(g) *Signs for a promotional event.*

(1) Free Standing Signs and Banners:

a. Area: In no event may any temporary sign exceed 40 square feet in area. The size of the sign shall be proportional to the open space in which it is placed or the building wall in which it is hung.

b. ~~(2)~~ Time period: Temporary signs shall be issued for a specific time period up to a maximum of four weeks. One extension may be granted upon the applicant showing compliance and the continued necessity of the sign.

c. ~~(3)~~ Promotional event signs in windows: Opaque background window coverage shall be considered a temporary sign and in no event shall the sign obstruct more than 25 percent of the window area.

(2) Window Signs

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- a. Area: A temporary window sign may not be more than 25 percent of the windowpane area.
  - b. Time Period: Temporary signs shall be issued for a specific time period up to a maximum of four weeks. One extension may be granted upon the applicant showing compliance and the continued necessity of the sign.
  - c. Design: Promotional event signs in windows: Opaque background window coverage shall be considered a temporary sign

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- (h) *Construction directional signs.* Temporary construction signs are used to guide patrons to a commercial establishment during periods of road or building construction.
  - (1) *Permits:* All approved signs may be erected without permits but must be removed immediately upon completion of the project.
  - (2) *Location:* The location of the construction directional signs shall not be placed in any vision triangle at any intersection or driveway.
  - (3) *Size:* The size of such signs shall be proportional to their location and use. Scaled to vehicle users or pedestrians etc.
  - (4) *Excessive size or locational conflict:* If a complaint should arise from the size or location of the sign then the community development director or designee shall evaluate the situation and if in their opinion modifications are necessary then the signs shall be adjusted as requested.
- (i) *Seasonal signs.*
  - (1) *Permits:* A permit is required.
  - (2) *Permit fee:* A permit fee is required.
  - (3) *Area:* The area of such signs shall not exceed 32 square feet.
  - (4) *Height:* The height of such signs shall not exceed ten feet.
  - (5) *Location:* Seasonal signs are only permitted in non-residential zoned areas.
  - (6) *Time period:* A permit for a seasonal sign shall expire after 45 days.
- (j) *Special event signs for nonprofit organizations.*
  - (1) *Area:* Maximum of 40 square feet.
  - (2) *Permit:* A permit is required.
  - (3) *Permit fee:* A permit fee is not required.
  - (4) *Number:* One per street frontage.

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- (5) *Location:* Placed on parcel in a commercial (B Districts) industrial (M districts), and institutional (S districts) districts with the permission of the landowner.
  - (6) *Setback:* Sign(s) shall be set back five feet from all property lines and outside of all vision triangles.
  - (7) *Written permission:* Written permission from the property owner shall be submitted with the application for the permit.
  - (8) *Time period preceding event:* The display of any nonprofit signs shall be limited to a period of 30 calendar days immediately preceding the special event.
  - (9) *Time period prior to event:* The nonprofit organization responsible for the erection or distribution of any such sign shall be jointly and severally liable for the removal of the sign within ten business days after the special event to which they sign refers. If such signs are not removed within the prescribed period, the community development director of designee may remove them, and may cite any responsible party.
- (k) *Temporary identification signs.* A temporary sign may be used to identify a commercial establishment until such a time that a permanent sign is constructed.
- (1) *Permit:* A permit is required.
  - (2) *Permit fee:* A permit fee is required.
  - (3) *Time period:* Temporary Identification Signs shall expire six months from issuance. Issuance of additional temporary identification sign permits may occur as needed.
  - (4) *Height:* The temporary sign shall not exceed eight feet in height.
  - (5) *Area:* The temporary sign shall not exceed 32 square feet in area.
  - (6) *Location:* The temporary sign must be set back at least ten feet from the front property line.
- (l) *Residential message signs.*
- (1) *Permit:* Temporary signs placed by the owner or occupant of a residential property are allowed without a permit.
  - (2) *Location:* Signs must be located on the private lot of the owner or occupant. Signs shall not obstruct the vision triangle on corner lots.
  - (3) *Quantity:* No more than two signs are allowed on any property at any single time.
  - (4) *Area:* A maximum of three and one-half square feet on each side of the sign.
  - (5) *Time period:* Signs that have a dated event must be removed within three days after the end of the event.
  - (6) *Condition:* The signs shall be maintained to avoid deterioration in their appearance and condition. When the sign is deteriorated in appearance and condition it shall be replaced, removed, or repaired.

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(m) *Temporary signs that are prohibited.*

- (1) *Inflatable signs.* Inflatable signs are prohibited except for: Balloons or inflatable figures used in a parade, festival or similar civic event.
- (2) *Novelty balloons.* Novelty balloons less than two feet in diameter and less than three feet in any dimension which are tethered or moored.
- (3) *Hot air balloons.* Registered hot air balloons in use and or moored, but not being used as a sign.
- (4) *Promotional pennants, and streamers.* No owner or occupant of any property shall install or display any pennant(s), or streamer(s) except for the village, which may place seasonal flags or pennants within the public right-of-way.
- (5) *Sandwich boards.* Sandwich boards shall be prohibited except as permitted by special ordinance in special districts.

(-Ord. No. 23-10-, § 7, 4-24-2023)

**15.6.12 Prohibited lighting and signs.**

- (a) *Lighting.* Bare light bulbs shall not be permitted other than for time and temperature. Further, no flashing, blinking, or rotating lights shall be permitted to be attached to any sign or building.
- (b) *Signs.* It shall be unlawful to erect or maintain the following signs:
  - (1) Portable signs.
  - (2) Off-premises signs.
  - (3) Pennants or streamers or signs which move by any means except flags when permitted as provided in section 15.6.10(i) herein and except time and temperature signs conforming hereto.
  - (4) Projecting signs.
  - (5) Roof signs.
  - (6) Sandwich boards.
  - (7) Billboards.
  - (8) Window signs in excess of 25 percent of the window area.
  - (9) Action signs as defined in section 15.6.4. An action sign mounted on a truck, or other moving vehicle, is a prohibited sign except when transported to and from a given destination, and provided further that such vehicle is not being employed or operated for advertising or display purposes. It shall be presumed that a sign which traverses a street at less than the speed limit, stops or engages in a pattern of stopping, standing,

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or parking in a manner not required by regulations governing the street, or which vehicle traverses the same street on a repeated basis more than two times in a one-hour period without visiting a destination, is displaying a prohibited sign, and is not engaged in the course of permitted travel within the City of Glendale.

1. Notwithstanding any of the foregoing prohibitions, a sign as otherwise prohibited by this section may be permitted as part of a planned sign program in a planned unit development in a tax incremental financing district within the City of Glendale.
2. A sign that is otherwise prohibited by this section may also be permitted in the M-zoning districts, or a planned-unit development district, which is not part of a Tax Incremental Financing District, under the following terms and conditions:
  - a. Visibility of the sign shall be constructed such as to essentially be in view by operators of vehicles on an interstate highway.
  - b. The owner or user of the sign shall cause such sign and parcel to be taxable for real estate tax purposes or shall enter into a payment in lieu of taxes agreement as mutually agreed with the City of Glendale.
  - c. Such signs shall not aesthetically interfere with or be detrimental to a residential district, nor a commercial district whose patrons and customers may be negatively impacted by the presence and appearance of such sign.
  - d. A suitable maintenance agreement shall be entered into, as mutually agreed with the City of Glendale.

Failure to comply with the foregoing, shall be a basis for revocation of any approval granted under this subsection

(10) Signs, other than informational signs such as traffic, directions, or route information, on public structures such as rest stops, park benches, bus shelters, or any similar structure.

(11) Digital Billboards except for geographic areas where specifically permitted.

( Ord. No. 23-02 , § 10, 3-8-2023)

**15.6.13—15.6.16 Reserved.**

**15.6.17 Sign appeals.**

- (a) *Purpose of appeals.* Appeals of the decision of city staff or the ~~plan commission~~ Planning and Architectural Review Commission- conveying the literal enforcement of this chapter

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may be made by any person aggrieved or by any officer, department, board or bureau of the city. For properties that may have unique circumstances where flexibility may be appropriate see section 15.6.18 Special Exceptions.

- (b) *Decision of the city staff.* Appeals to the ~~plan-commission~~ Planning and Architectural Review Commission- may be taken by any person aggrieved by the decision of city staff.
  - (1) Such written appeals specify the reason for such as appeals shall be filled with the community development department within 30 days, after the date of written decision of the City administrator, community development director, or designees.
  - (2) The department of community development shall transmit to the ~~plan-commission~~ Planning and Architectural Review Commission- all documents that constitute the record against which the action appeal from was taken.
  - (3) Upon receipt of the record, the ~~plan-commission~~ Planning and Architectural Review Commission-, in its sole discretion shall grant the appeal, deny the appeal, or modify and approve the appeal.
- (c) *Decision by the ~~plan-commission~~ Planning and Architectural Review Commission.* Appeals to the ~~plan-commission~~ Planning and Architectural Review Commission -may be made by any person aggrieved by the decision of the City Council.
  - (1) Such written appeals specifying the reason for such appeal shall be filed with the department of community development by the applicant within 30 days, after the date of written decision of the ~~plan-commission~~ Planning and Architectural Review Commission-.
  - (2) The department of community development shall transmit to the city council all papers constituting the record against which the action appealed from was taken.
  - (3) Upon receipt of the record, the city council, in its sole discretion shall grant the appeal, deny the appeal, or modify and approve the appeal.
- (d) *Procedures.*
  - (1) Upon denial of a sign permit, requests for an appeal shall be made in writing to the city within 30 days from denial of a permit. An appeal fee in the amount of \$300.00 shall be required of the applicant at the time that a request for hearing is made.
  - (2) The ~~plan-commission~~ Planning and Architectural Review Commission -/city common council shall make the final decision on appeals using the following criteria:
    - a. An alleged error in any order, requirement, decision, or determination made by an administrative official or ~~commission~~ Commission -in enforcing the sign code.
  - (3) Should the ~~plan-commission~~ Planning and Architectural Review Commission / city common council find in favor of the applicant the application will be forwarded to the staff with directions to issue a permit in accordance with the decision. If the ~~commission~~ Commission finds that the appeal should not be granted, it shall inform

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the applicant of the reasons for such decision within the motion and minutes of the ~~plan commission~~Planning and Architectural Review Commission.

(-Ord. No. 23-02-, § 10, 3-8-2023)

#### 15.6.18 Exceptions.

- (a) Authority. The ~~plan commission~~Planning and Architectural Review Commission may determine and vary the regulations of this article in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the ~~commission~~Commission makes a finding of fact based upon the standard hereinafter prescribed, that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the regulations of this article.
- (b) All requests for sign exceptions shall be made on forms furnished by the department of community development and shall include the application fee as established in the Municipal Code.
- (c) The department of community development shall transmit the application materials to the ~~plan commission~~Planning and Architectural Review Commission.
- (d) Hearings. A public hearing shall be held by the ~~plan commission~~Planning and Architectural Review Commission unless the ~~commission~~Commission determines, with no dissenting vote, that such a hearing is not necessary to protect the public interest. If held, the ~~plan commission~~Planning and Architectural Review Commission shall fix a reasonable time and place for the hearing of an exception and give notice thereof by publication of a class 2 notice, pursuant to Wis. Stats. Ch. 985. Notice of the public hearing shall be mailed to the petitioner, the clerk of any municipality whose boundaries are within 1,000 feet of any land included in the petition and the owners of all lands lying within 300 feet of and lands included in the petition. The failure to give any notice to any property owner shall not invalidate the action taken by the ~~plan commission~~Planning and Architectural Review Commission.
- (e) Standards for exceptions.
  - (1) The ~~plan commission~~Planning and Architectural Review Commission shall not vary the regulations of this section as authorized in subsection (a) above unless it shall make findings based upon the evidence presented to it in each specific case that all the following conditions are present:
    - a. The particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
    - b. The conditions upon which the application for an exception is based would not be applicable generally to other property within the same zoning classification.

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- c. The purpose of the exception is not based exclusively upon a desire for economic or other material gain by the applicant or owner.
  - d. The alleged difficulty or hardship is caused by this article and has not been created by any person presently having an interest in the property.
  - e. The granting of the exception will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
  - f. The proposed exception will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- (2) The ~~plan-commission~~ Planning and Architectural Review Commission may impose conditions and restrictions upon the premises benefited by an exception as may be necessary to comply with the above standards to reduce or minimize the injurious effect of such exception upon other property in the neighborhood, and to better carry out the general intent of this article.
  - (3) Authorized exceptions. Exceptions shall be granted by the ~~plan-commission~~ Planning and Architectural Review Commission only in accordance with the standards set forth in subsection (e)(1) above. Authorized exceptions shall be considered a unique request and shall not be construed as precedent for any other authorized exceptions.
  - (4) Anyone who believes they have a unique condition should file an application with the department of community development for an exception.
- (f) Sign exception procedure.
- (1) The applicant submits a complete sign exception application and relevant fees to the department of community development.
  - (2) The proposed sign is reviewed by the department of community development and referred to the ~~plan-commission~~ Planning and Architectural Review Commission for any exception(s).
  - (3) The ~~plan-commission~~ Planning and Architectural Review Commission determines if a public hearing should be held.
    - a. If the public hearing is waived, the ~~plan-commission~~ Planning and Architectural Review Commission shall review the application materials and approve, reject, or modify and approve the sign exception(s).
    - b. If the public hearing is requested, the hearing shall be scheduled for the next available ~~plan-commission~~ Planning and Architectural Review Commission meeting. After the public hearing is closed, the ~~plan-commission~~ Planning and

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Architectural Review Commission shall consider the information presented and approve, reject, or modify and approve the sign exception(s).

(-Ord. No. 23-02-, §§ 10, 3-8-2023)