

Title: Ordinance to regulate commercial signs

Effective Date: 4/19/1999

Category: Building Codes

STATE OF WISCONSIN

TOWN OF LAGRANGE

WALWORTH COUNTY

ORDINANCE NO. 001-99

AN ORDINANCE TO REGULATE COMMERCIAL SIGNS

The Town of LaGrange ordains as follows:

SECTION 1. PURPOSE

The Town of LaGrange has a reputation and tradition as a scenic area comprised of a mix of agricultural, rural residential, lake and recreation lands, bordering and incorporating a large segment of the Kettle Moraine State Forest. Signs have a strong, negative visual impact on the character, quality and aesthetics of the community, as well as distract drivers, impacting safety of the public. Since the Town of LaGrange relies on scenic beauty to maintain its agricultural, rural residential and recreational character, visual pollution created by commercial signs also has an adverse economic impact on the Town and its residents. This ordinance is enacted to protect and enhance the Town's agricultural, rural residential and recreational character, as well as to protect public safety.

SECTION 2. DEFINITIONS

As used in this ordinance, the following words shall have the indicated definitions.

A. "OFF-PREMISE SIGN" is a sign not located on the same parcel of property where the subject of the sign is made, grown, offered, located or takes place.

B. "ON-PREMISE SIGN" is a sign located on the same parcel of property where the subject of the sign is made, grown, offered, located or takes place.

C. "PERMANENT SIGN" is a sign located or erected on the same parcel of property for a time exceeding ninety (90) days within a calendar year.

D. "SIGN" shall mean any object, display, structure, or part thereof, situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, service, event or location, by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

SECTION 3. REGULATION OF OFF-PREMISE COMMERCIAL SIGNS

A. SIZE. No person, partnership, corporation or association shall erect, construct, enlarge, move, relocate or maintain an off-premise, permanent, commercial sign exceeding four (4) square feet in size on one face, with a maximum of two (2) faces.

B. LOCATION. No person, partnership, corporation or association shall erect, construct, enlarge, move, relocate or maintain an off-premise, permanent, commercial sign within 1,000 feet of another off-premise commercial sign.

C. HEIGHT. Height shall be measured from the ground on which the sign, or structure to which the sign is affixed, is located. No off-premise sign shall exceed fifteen (15) feet in height.

D. ILLUMINATION. No off-premise commercial sign shall be illuminated or contain any flashing, intermittent or moving light.

SECTION 4. REGULATION OF ON-PREMISE COMMERCIAL SIGNS

A. SIZE. No person, partnership, corporation or association shall erect, construct, enlarge, move, relocate or maintain an on-premise commercial sign exceeding the following sizes:

1. 16 square feet in total sign face area on property, streets or highways adjacent to roads with a speed limit of less than 55 M.P.H.; or

2. 32 square feet in total sign face area on property, streets or highways adjacent to roads with a speed limit of 55 or more M.P.H.

B. ILLUMINATION. No on-premise commercial sign shall contain any flashing, intermittent or moving light. Illumination shall be shielded and source should not be visible to prevent glare onto abutting properties, roads or lakes.

C. HEIGHT. Height shall be measured from the ground on which the sign or structure to which the sign is affixed is located. No on-premise sign shall exceed 15 feet in height.

SECTION 5. LOCATION OF ALL COMMERCIAL SIGNS

No person, partnership, corporation or association shall erect, construct, enlarge, move, relocate or maintain a commercial sign in a location with respect to distance from a public road or right of way as established by Walworth County in the County Zoning Code, as amended from time to time.

SECTION 6. APPLICABILITY

This ordinance shall apply to all signs erected, constructed, enlarged, moved or relocated from the date of publication of the enacted ordinance, and to the following legal non-conforming signs, except legal non-conforming signs regulated by Trans. 201 Wis. Administrative Code, as amended from time to time:

- A. Which are abandoned for a period of six (6) months;
- B. When there is a change in the principal use to which the non-conforming sign is accessory; or
- C. When the sign is altered, repaired or reconstructed that, in cumulative total, exceeds fifty (50) percent of the initial cost of the sign.

SECTION 7. ENFORCEMENT

A. PROCEDURE. The Town Board shall cause notice of a violation to be sent to the owner, agent or person having beneficial use of the property upon which a sign in violation of this ordinance is located. If the violation is not corrected within ten (10) days, the Town Board may direct that a citation be issued by the Town Attorney. Failure to give this notice shall not be a defense to a citation.

B. CITATION. The Town Board adopts the citation method of enforcement and citation form pursuant to §66.119 Stats., as amended from time to time. The forfeiture shall be a minimum of \$50 and maximum of \$200. Each day the sign violates the ordinance shall be a separate offense. Failure to pay shall result in incarceration in the county jail for up to fifteen (15) days. If the violation is corrected prior to issuance of the citation, the defendant may make a cash deposit in lieu of an appearance in Court in the amount of 50% of the forfeiture stated on the citation for each day the violation continued, plus penalty and jail assessments, otherwise the defendant must appear in Court. The cash deposit shall be paid to the Walworth County Clerk of Courts, who shall provide a receipt to the person paying the deposit.

C. SIGN REMOVAL. If the Court finds that the sign violated this ordinance and the violation has not been corrected, the Town Board may cause the sign to be removed and the costs imposed as a special assessment on the property on which the sign is located as a public improvement pursuant to §60.51 Stats., as amended from time to time.

SECTION 8. SEVERABILITY

If any part of this ordinance is declared to be invalid, the remainder of the ordinance shall not be affected by such declaration.

Enacted by the Town Board this 19th day of April, 1999.

APPROVED:

David Heilmeier, Town Chairman

ATTEST:

Elizabeth A. Sukala, Town Clerk