

VILLAGE OF CLEVELAND
MANITOWOC COUNTY, WISCONSIN
ORDINANCE NO. 2019-O-08
AN ORDINANCE TO REPEAL AND REPLACE
TITLE 10, CHAPTER 1, ARTICLE G SIGNS

WHEREAS, the Plan Commission and Village Board of Cleveland have determined there is a need to promote local businesses and events, improve the local sense of place, provide a welcoming aesthetic to the Village, and protect First and Fourteenth Amendment rights granted under the U.S. Constitution; and

WHEREAS, signs inherently impact the public interest, health, safety, and welfare through their dimension, construction, illumination, location, and condition, among other factors; and

WHEREAS, the Plan Commission determined the Village’s sign regulations required extensive revision to address the identified needs, modern technologies, and developments in Federal and State laws and court interpretations, and therefore recommended repeal and replacement of the sign code in its entirety; and

WHEREAS, the purpose for zoning and sign regulation is to promote the health, safety, prosperity, aesthetics, and general welfare of the Village, which purpose will be supported and upheld through adoption and execution of a comprehensive sign ordinance; and

WHEREAS, the Village Board considered the recommendation of the Plan Commission and public comment during a properly noticed public hearing held June 18, 2019, and afterward approved the requested amendment.

NOW, THEREFORE, the Village Board of the Village of Cleveland do ordain as follows:

Section 1. Pursuant to Sec. 61.35 and Sec. 62.23, Wis. Stats., Title 10 *Land Use Regulations*, Chapter 1 *Zoning*, Article G *Signs*, of the Code of Ordinances of the Village of Cleveland, Manitowoc County, Wisconsin, is repealed and replaced with the ordinance entitled Title 10 *Land Use Regulations*, Chapter 1 *Zoning*, Article G *Signs*, dated June 18, 2019, and adopted by reference.

Section 2. Short Title. This ordinance may be referred to as the “Sign Ordinance of the Village of Cleveland, Wisconsin.”

Section 3. If any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

Section 4. This ordinance shall become effective July 1, 2019, or upon publication, whichever is later.

Adopted this 18th day of June, 2019.

VILLAGE OF CLEVELAND

/s/ Kathy Stolzmann

Kathy Stolzmann, Village President

ATTEST:

/s/ Stacy Grunwald

Stacy Grunwald, Village Clerk-Treasurer

MOTION: JACOB HOLZWART/JOHN ADER

VOTE: 6 Ayes 0 Noes 0 Abstentions

EFFECTIVE DATE: 06/25/2019

VILLAGE OF CLEVELAND, MANITOWOC COUNTY, WISCONSIN

ORDINANCE NO. 2019-O-08

**AN ORDINANCE TO REPEAL AND REPLACE
TITLE 10, CHAPTER 1, ARTICLE G SIGNS**

FULL TEXT

ARTICLE G – SIGNS

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Sec. 10-1-94. – Group Development Signs; Planned Unit Development Signs.

Sec. 10-1-95. – Sign Prohibitions, Limitations, Bulk Regulations, and Illumination.

Sec. 10-1-96. – Appearance, Construction, and Maintenance of Signage.

Sec. 10-1-97. – Sign Permits: Application, Enforcement, and Revocation.

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ARTICLE G – SIGNS

Sec. 10-1-90. Authority, Purpose and Intent.

- (a) *Authority.* This Article is adopted pursuant to Sec. 61.35 and Sec. 62.23, Wis. Stats.
- (b) *Purpose.* The purpose of this Article is to establish standards for the construction, fabrication, erection, and use of signs, and to regulate the location, type, material, size, height, illumination and animation of signage for all properties within the Village of Cleveland. The adoption of this Article reflects the formal finding of fact by the Village of Cleveland Plan Commission and Village Board that sign regulation advances the following compelling governmental interests:
 - (1) Reduce or eliminate signs and signage that cause unsafe traffic and visibility conditions.
 - (2) Protect the public from injury caused by faulty or uncontrolled construction and use of signs within the Village.
 - (3) Protect the public from injury caused by distractions, obstructions, and hazards created by certain signs or by cluttered, distracting, or illegible signage.
 - (4) Promote the public welfare, health, and safety of all persons by regulating the proper display, location, construction, and condition of signs within or visible from public spaces.
 - (5) Preserve the value of private property by assuring the compatibility of signs with surrounding land uses.
 - (6) Assure that public benefits derived from expenditures of public funds for the improvement and beautification of public streets and other public structures and spaces are protected by exercising reasonable controls over character and design of signage.
 - (7) Advance the aesthetic goals of the Village throughout the community and ensure the effectiveness and flexibility in the design, creativity, or use of signage without creating a detriment to the general public.
 - (8) Advance the vision, goals, objectives and policies of the Village's Comprehensive Plan.
- (c) *Intent.*
 - (1) This Article regulates exterior signs and signs intended to be viewed from beyond the boundaries of a site. It allows ample alternative channels of communication through distributed print media, broadcast media, and point-of-purchase display, and is to be interpreted consistently with the free speech guarantees provided by the Constitutions of the United States of America and the State of Wisconsin.
 - (2) It is intended that a sign be integral, accessory and subordinate to the structures and uses for the property on which it is placed. Regulation is therefore intended to ensure the sign is appropriate and adequate for its purpose and in this context.
 - (3) Any sign authorized by this Article may contain a noncommercial message.
 - (4) Signs not expressly included within this Article are prohibited.

Sec. 10-1-91. – Definitions.

- (a) *Definition of a Sign.* In this Article, the word "sign" means any object, device, display, structure, or part thereof, situated or visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, logos, symbols, fixtures, colors, illumination, animation or projected images.
- (b) *Exclusions.* For purposes of this Article, the definition of "sign" does not include:

- (1) Traffic control and other government signs located within a right-of-way, including signs erected by the Village for community wayfinding purposes, including the Village's Center Co-Sponsor Banner Program.
- (2) Decorations that are incidentally and customarily associated with any national holiday or religious holiday, or with any community festival or similar event.
- (3) Flags which do not contain a commercial message, logo, or colors.
- (4) Art works, including but not limited to wall murals, which do not contain a commercial message, logo, or colors; or which contain pictorial representations referring to businesses, merchandise, products, or services of an exclusively historic nature (meaning no longer offered as an active commercial enterprise).
- (5) Building colors and lighting which do not contain a commercial message, logo, or colors.
- (6) Interior site signs located on the interior of the grounds of outdoor recreational facilities, which are primarily oriented to persons within the grounds.
- (7) Interior building signs located on the interior of a building and not attached to a window, which are primarily oriented to persons within the building.
- (8) Window displays of merchandise, pictures, or models of products or services incorporated in a window display, which are not directly attached to an interior or exterior window surface.
- (9) Vehicles that are licensed, operable, and parked in legal parking spaces, except as provided in Section 10-1-92 (e) (2).
- (10) Umbrella signs with signage directly affixed via sewing, silk screening, painting, or similar method to a non-rigid umbrella which is mounted on or in the table or in an umbrella holder adjacent to the table for outside seating areas for a licensed business establishment.

(c) *Other Definitions.*

- (1) **Advertising.** Any writing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, goods, services, idea, or statement.
- (2) **Average Ground Level.** Average Ground Level is defined as the average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
- (3) **Building frontage.** The width of the building facade that fronts a public street.
- (4) **Business/tenant frontage.** The portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. For businesses located on the interior of a building without building frontage, the building elevation providing customer access shall be considered the business frontage.
- (5) **Changeable copy.** Sign copy that may be changed manually to provide different information such as boards with changeable letters, bulletin boards, and chalkboards.
- (6) **Commercial message.** Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business product, service, idea, or commercial activity.
- (7) **Copy.** Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.
- (8) **Customer entrance.** The entrance that the public can use when an establishment is open to the public.

- (9) **Electronic message sign:** A type of sign that displays words, lines, logos, graphic images, videos, or symbols, which may be changed electronically to provide different information, and which includes computer signs, electronic reader boards, video screens, LCD signs, electronic time and temperature signs, and other signs with electronically-controlled changing or moving displays. See Section 10-1-94.
- (10) **Elevation, building.** The view of any building or other structure from any one of four sides regardless of the configuration or orientation of a building. No building shall be treated as having more than four building elevations. Each elevation will generally be identified as a north, south, east or west building elevation.
- (11) **External illumination.** The lighting of an object from a light source located a distance from the object.
- (12) **Facade.** See "Elevation."
- (13) **Fuel Price Signs.** A type of sign that lists the price of gasoline sold onsite, as required by Wis. Stat. section 100.18(8). See Section 10-1-95.
- (14) **Group Development.** A Group Development is any development containing two or more structures containing principal land uses on the same lot; and/or any single structure on a single lot which contains five or more dwelling units or two or more non-residential uses. See Section 10-1-94.
- (15) **Height of sign.** The vertical distance from the base of the sign at average grade to the top of the highest attached component of the sign. See Section 10-1-99 for the measurement of sign height.
- (16) **Lighting, ambient.** Illumination in which the only light that falls onto the sign comes from sources that are available naturally (e.g. sunlight, moonlight) or from artificial lighting sources used for other purposes in the vicinity of the sign (e.g. street lights, lighting installed for other purposes or sites)
- (17) **Lighting, backlit.** Illumination that is arranged in such a way that the light is cast from behind the sign to the eyes of the viewer. Often, the lighting element is unshielded but concealed behind individual freestanding letters, creating a silhouette effect.
- (18) **Lighting, gooseneck.** Illumination resulting from light emitted directly from a shielded light fixture located at the top of the sign and angled downward onto the sign face. The light fixture is attached to a curved neck which is often flexible, allowing the user to position the light source onto the sign face. Other forms of downward angled light fixtures may be substituted for curved neck fixtures with approval of the Zoning Administrator.
- (19) **Lighting, internal.** Illumination emanating from a lighting element that is located behind the sign face and which is completely enclosed. Such illumination is diffused through a translucent material such as plastic or frosted glass. These include internally-lit cabinets or internally-lit individual letters or characters.
- (20) **Maintain.** Maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a Marquee Sign or Off-Premise Governmental Information Sign; or changing the face of an Off-Premise Advertising Signs.
- (21) **Plat phase.** The collection of lots, rights-of-ways, and outlots located within the perimeter boundary of a Final Plat.
- (22) **Sign area.** The entire face of a sign, including the extreme limits of writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display but not including any supporting framework. See Section 10-1-92.

- (23) **Sign face.** The area or display surface used for the message.
- (24) **Site.** A site shall include all lots that are contiguous, under unified single ownership and intended to remain under unified single ownership under the jurisdiction of this Article. A site may also be determined to be a portion of a single lot where more than one building in a Group Development (approved by the Village) contains separate businesses. For the purposes of this Article, the site shall be determined by the Zoning Administrator.
- (25) **Temporary sign.** A sign or advertising intended to be displayed for a certain limited period of time. If a sign display area is permanent, but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose. Refer to Figure 10-1-92(b) and Figure 10-1-92(d) for rules related to temporary signs.
- (26) **Three-dimensional sign.** Sign that has a depth or relief on its surface. Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture or statue-like trademarks), the sign area shall be measured at their maximum projection upon a vertical plane.
- (27) **Window pane.** The area defined by any combination of the window frame and mullions located within said frame.

Sec. 10-1-92. –Sign Groups, Sign Categories, and Sign Types. This Section provides the definitions and rules related to various Sign Groups, Sign Categories, and Sign Types. Signs shall be allowed on property in the Village in accordance with Figures 10-1-92(a) through 10-1-92(d), which regulate permits, quantity, area, location, height, lighting, and electronic messaging in relation to the zoning districts. The requirements set forth in Figures 10-1-92(a) through 10-1-92(d) shall be declared to be part of this Article. Any Sign Type not addressed by this Article shall be prohibited.

- (a) **Permanent Business Sign.** A permanent sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the site where the sign is located. A site or business is eligible to use the following signs. See Figure 10-1-92(a) for additional rules for Permanent Business Signs related to zoning districts.
 - (1) **Freestanding Sign Category.** A sign permanently resting on or supported by a slab, pedestal, post, pylon, or any other form of base located on the ground. The following Freestanding Sign Types are addressed by this Article:
 - a. **Monument Sign.** A type of Freestanding Sign in which the bottom edge of the sign face is located within one foot of a ground-mounted pedestal.
 - b. **Dual Post Sign.** A type of Freestanding Sign mounted to the sides or ends of two pylons or posts, with the sign area located between the outermost pylons or posts.
 - (2) **On-Building Sign Category.** A type of sign permanently affixed to an outside wall of a building. The following On-Building Sign Types are addressed by this Article:
 - a. **Wall Sign.** A type of On-Building Sign that is mounted directly on, and parallel to, a building façade or other vertical building surface. A Wall Sign also includes a sign located on the interior of a building that is intended to be viewed primarily from beyond the boundaries of the site. Whether an interior sign is considered a Wall Sign shall be determined by the Zoning Administrator during the sign permit review process.
 - i. The top edge of a Wall Sign shall not extend above the top edge of the vertical exterior wall or above the lowest edge of a roof line of the portion of the building to which it is mounted, except that one-quarter of a Wall Sign’s height may be permitted to project above the top edge of the wall through the Conditional Use Permit Process.

- ii. Wall Signs shall not project more than 24 inches horizontally beyond the edge of any wall or other surface to which they are mounted.
 - b. **Awning Sign.** A type of On-Building Sign that is directly affixed via sewing, silk screening, painting, or similar method to a non-rigid removable awning which is mounted to the facade of a building.
 - i. Sign copy shall be horizontally and vertically centered on the face(s) of the awning.
 - ii. Sign copy shall not project above, below, or beyond, the awning surface.
 - iii. Sign copy shall not exceed 75 percent of the area of an angled face of the awning.
 - iv. Sign copy shall not be more than 12 inches tall on a vertical face of the awning.
 - c. **Canopy Sign.** A type of On-Building Sign that is directly affixed via bolts, brackets, or similar method to a rigid permanent canopy which is mounted to, or adjacent to, the facade of a building.
 - i. Sign copy shall be horizontally and vertically centered on the face(s) of the canopy.
 - ii. Sign copy shall not project above or below the canopy face.
 - d. **Marquee Sign.** A type of On-Building Sign that is mounted to a permanent roof-like structure that projects out from the exterior wall of a structure and shelters the entrance and/ or entrance approaches to a building.
 - i. Sign copy shall be horizontally and vertically centered on the face(s) of the marquee.
 - ii. Marquee Signs shall require a Conditional Use Permit.
 - iii. Alternative forms of sign lighting may be approved through the Conditional Use Permit process.
 - e. **Projecting Sign.** A type of On-Building Sign that is mounted at any angle other than parallel to the wall on which it is mounted, extends beyond three feet from the face of the wall, which may or may not be illuminated.
 - i. Sign copy shall be horizontally and vertically centered on the face(s) of the projecting sign.
 - ii. Projecting Signs shall require a Conditional Use Permit.
- (3) **Pedestrian Sign Category.** A sign attached perpendicularly to the facade of a building and mounted just above sidewalk level, and which is oriented and sized for visibility to nearby pedestrians rather than to motorists. The following Pedestrian Sign Types are addressed by this Article:
 - a. **Blade Sign.** A type of Pedestrian Sign that is mounted perpendicular to the wall on which it is mounted, extends less than three feet from the wall, and is oriented to pedestrian traffic.
 - b. **Suspended Sign.** A type of Pedestrian Sign that is mounted perpendicular to the nearest wall and suspended from the underside of a horizontal plane surface, such as a covered porch, arcade, canopy, or marquee.
- (4) **Daily Notice Sign Category.** A sign typically used to advertise daily specials, daily menu items, or onsite events that change on a daily basis and which usually includes changeable copy. This type of sign is often associated with restaurants, taverns, retail stores, music venues, and retail stores. The following Daily Notice Sign Types are addressed by this Article:
 - a. **Menu Board Sign.** A type of Daily Notice Sign mounted flat against a wall containing changeable copy.
 - i. Menu Board Signs shall be securely affixed to the exterior wall of the building containing the use.

- ii. **Menu Board Signs** shall not extend more than six inches from the wall on which they are mounted.
 - b. **Bulletin Board Sign.** A type of freestanding Daily Notice Sign located onsite containing changeable copy.
 - c. **Drive-Through Sign.** A type of Daily Notice Sign used in conjunction with drive-through or drive-in establishments.
 - i. Drive-Through Signs shall require a Conditional Use Permit.
 - ii. Drive-Through Signs shall be freestanding or mounted on the exterior wall of the building containing the use.
 - iii. Freestanding two-way microphone/ speaker devices shall not count toward the maximum permitted area of the Drive-Through Sign.
- (5) **Window & Door Sign Category.** A sign located within a building that is attached to the inside face of an exterior window, or door, or is etched into the glass face. The following Window & Door Sign Types are addressed by this Article:
 - a. **Window Sign.** A type of sign that is attached to the inside face of an exterior window, or door, or is etched into the glass face.
 - i. Window Signs may face toward the outside, the inside, or both.
 - ii. The smallest rectangle containing any Window Sign shall not exceed 50% of the area within the window frame.
 - b. **Door Sign.** A type of sign that is attached to the inside face of an exterior door or is etched into the glass face.
 - iii. Door Signs may face toward the outside, the inside, or both
 - iv. The smallest rectangle containing any Door Sign shall not exceed 50% of the area within the door frame.

Figure 10-1-92(a) PERMANENT BUSINESS SIGN GROUP							
Sign Categories & Sign Types	Sign Permit Required	Number of Signs Allowed	Sign Location Requirements	Sign Area Requirements per Side	Sign Height Requirements	Sign Lighting Allowed	Sign Electronic Messaging Allowed ^{1,4}
1. Freestanding Sign Category:*							
a. Monument Sign*	Yes	Limit of 1 Freestanding Sign per parcel, regardless of the number of businesses	Minimum sign setback from all property lines shall be greater than or equal to the sign height	Maximum of 1 sf of sign area for every foot of the site's street frontage up to 100 sf per side	20 ft max.	Ambient, Gooseneck, or Internal	Yes ^{1,4} Yes ^{1,4}
b. Dual Post Sign*							
2. On-Building Sign Category:* All On-Building Signs on the same building façade shall be the same Type of Sign (1-5), below							
a. Wall Sign ³		Limit of 1 On-Building Sign for each business, on each building façade that faces (roughly parallel to) a public street	Minimum overhang clearance: bottom of sign shall be a minimum of 15 feet above a drive, alley, or street; and a minimum of 8 feet above a sidewalk, path, trail, or other ground-level surface	Maximum of 1 sf of sign area for every foot of the building's façade length up to 200 square feet	No part of any signs shall extend higher than the building parapet or eave ⁸	Any ² Ambient or Gooseneck Ambient, Gooseneck, or Internal	No No No No No
b. Awning Sign ^{5,6}	Yes						
c. Canopy Sign ⁶							
d. Marquee Sign ^{4,6}							
e. Projecting Sign ^{4,6}							
3. Pedestrian Sign Category:* All Pedestrian Signs on the same building façade shall be the same Type of Sign (1-2), below							
a. Blade Sign ⁷	Yes	Limit of 1 Pedestrian Sign for each Business	Same as On-Building Sign Category	8 sf per side max.	Same as On-Building Category	Ambient	No No
b. Suspended Sign*							
4. Daily Notice Sign Category:*							
a. Menu Board Sign*		Limit of 1 Daily Notice Sign for each business	On-building. Max 6" from wall Within 10 ft of customer entrance. Must not block vehicle or pedestrian movement	8 sf max.	8 ft max.	Ambient	No No
b. Bulletin Board Sign*	Yes						
c. Drive-Through Sign*		Per CUP ⁴	Per CUP ⁴			Any ²	Yes ^{1,4}
5. Window & Door Sign Category:*							
a. Window Sign*	No	Limit of 1 window sign for each window	Inside Window or Etched Glass of Window	The smallest rectangle containing any Window Sign shall not exceed 50% of the area within the window frame	Not applicable	Ambient or Internal	Yes ^{1,4}
b. Door Sign*	No	Limit of 1 door sign per customer entrance	Inside Door or Etched Glass of Door	The smallest rectangle containing any Door Sign shall not exceed 50% of the area within the door frame	Not applicable	Ambient or Internal	No

* Refer to Section 10-1-92(a) for definition and rules for each Sign Category (numbered) and each Sign Type (lettered)

1. Refer to Section 10-1-93 for additional regulations
2. "Any" refers to either Ambient, Backlit, Cabinet or Gooseneck
3. Wall Signs shall not project more than 24 inches horizontally beyond the edge of any wall or other surface to which they are mounted.
4. Conditional Use Permit required
5. Sign copy shall not exceed 75 percent of the area of an angled face of the awning or 12 inches tall on a vertical face of the awning and shall not project above, below, or beyond the awning surface
6. Sign copy shall be horizontally and vertically centered on the face(s) of the sign structure
7. Blade Signs shall not extend more than three feet from the wall
8. One-quarter of a Wall Sign's height may be permitted to project above the top edge of the wall through the Conditional Use Permit process

Permitted Signs by Zoning District (P = Permitted, NP = Not Permitted)													
Sign Categories & Sign Types	A-1	R-1	R-2	R-3	R-4	R-5	B-1	B-2	MS-1	I-1	I-2	I-3	C-1
1. Freestanding Sign Category:*													
a. Monument Sign	P	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	P
b. Dual Post Sign	P	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	P
2. On-Building Sign Category:*													
a. Wall Sign	P	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
b. Awning Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
c. Canopy Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
d. Marquee Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
e. Projecting Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
3. Pedestrian Sign Category:*													
a. Blade Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
b. Suspended Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
4. Daily Notice Sign Category:*													
a. Menu Board Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
b. Bulletin Board Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	NP	NP	NP	NP
c. Drive-Through Sign	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP	NP
5. Window Sign Category:*													
a. Window Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP
b. Door Sign	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	NP ⁹	P	P	P	P	P	P	NP

9. Also permitted for legal, and principal, non-residential land uses within these Districts or Planned Unit Development Districts

- (b) **Temporary Business Sign.** A temporary sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the site where the sign is located. Temporary Business Signs do not require a Sign Permit and are typically used to promote temporary activities, including the sale or lease of commercial property. A site or business is eligible to use the following signs. See Figure 10-1-92(b) for additional rules for Temporary Business Signs related to zoning districts.
- (1) **Temporary Board & Banner Sign Category.** A sign located outside of a building for up to two 30 day periods of display in a calendar year. Such signs are often used for the purpose of informing the public of a sale or special offer/event. The following Temporary Board & Banner Sign Types are addressed by this Article:
- a. **Board Sign.** A type of Temporary Board & Banner Sign that is temporarily placed on the ground and is made of rigid material such as plywood or corrugated plastic.
 - b. **Banner/Pennant Sign.** A type of Temporary Board & Banner Sign that is made of flexible material such as cloth or vinyl and is supported along one or more sides or at two or more corners by wires, ropes, string, nails, or other removable fastening materials. Banner/Pennant Signs shall not be placed over windows or doors.
 - c. **Feather Sign.** A sign consisting of a piece of vertically elongated, flexible material such as cloth or vinyl which is affixed to a single pole driven in the ground.
 - d. **Inflatable Sign.** A sign capable of being filled with and expanded by air or other gas, including animated or "dancing" inflatable signs.
- (2) **Temporary Approved Development Sign Category.** A sign which is limited to display only during the active development of a building or plat. The following Temporary Approved Development Sign Types are addressed by this Article:
- a. **Active Building Board Sign.** A type of Temporary Approved Development Sign that is made of a rigid material such as plywood or corrugated plastic, which may be displayed only on the site of a building under construction, and only during the time period in which the Building Permit is valid.
 - b. **Active Plat Board Sign.** A type of Temporary Approved Development Sign that is made of a rigid material such as plywood or corrugated plastic, which may be displayed only on the site of a subdivision plat under construction, and only during the time period when less than 75 percent of the lots in the plat phase have been sold.
- (3) **Daily Notice Sign Category.** A sign typically used to advertise daily specials, daily menu items, or onsite events that change on a daily basis and which usually includes changeable copy. This type of sign is often associated with restaurants, taverns, retail stores, music venues, and retail stores. The following Daily Notice Sign Types are addressed by this Article:
- a. **Sandwich Board Sign.** A type of portable Daily Notice Sign placed on the ground and constructed in such a manner as to form an "A"- like shape, hinged or not hinged at the top, with each angular face held together at an appropriate distance by a supporting element such as a folding bar, latch, or chain. Sandwich Board Sign shall also include "T" – like shaped signs, a freestanding sign ordinarily in the shape of an upside down "T" which is readily moveable and not permanently attached to the ground or structure. Anything attached to a Sandwich Board Sign shall not project outside the perimeter of the sign face nor project in excess of one inch from the sign face. Sandwich Board signs shall be kept inside the business during closed business hours.
- (4) **Prohibited Temporary Sign Category.** Exterior signs or similar eye-catching devices with the characteristics described in Section 10-1-95(a)(2) are prohibited at all times by this Article.

Figure 10-1-92(b) TEMPORARY BUSINESS SIGN GROUP						
Sign Categories & Sign Types	Sign Permit Required	Number of Signs Allowed	Sign Location Requirements	Sign Area Requirements per Side	Sign Height Requirements	Sign Lighting Allowed Sign Electronic Messaging Allowed
1. Temporary Business Sign Category:*						
a. Board Sign ^{*1, 4}	No		On-Building or Freestanding. Minimum sign setback from each property line shall be greater or equal to the sign height	Maximum of 1 sf of sign area for every foot of the building's facade length up to 64 square feet	10 ft max.	Ambient No
b. Banner/Pennant Sign ^{*1, 2, 4}	No	Limit of 2 Temporary Business Sign Types for each business, not to exceed a total of 30 days of display, twice in a calendar year	Freestanding only. Minimum sign setback from each property line shall be greater or equal to the sign height	16 sf max.	10 ft max.	Ambient No
c. Feather Sign ^{*1, 3}	No		Freestanding only. Minimum sign setback from each property line shall be greater or equal to the sign height	400 sf max.	20 ft max.	Ambient No
d. Inflatable Sign ^{*1, 3}	No					
2. Temporary Approved Development Pedestrian Sign Category:*						
a. Active Building Sign ^{*3}	No	Limit of 2 for each building with a valid Building Permit during construction Limit of 1 for each public street intersection at the perimeter of any plat phase with less than 75% of the lots sold	On-Building or Freestanding. Minimum sign setback from each property line shall be greater or equal to the sign height	32 sf per side max.	8 ft max.	Ambient No
b. Active Plat Sign [*]	No					
3. Daily Notice Sign Category:*						
a. Sandwich Board Sign [*]	No	Limit of 1 for each business	Within 10 ft of customer entrance. Must not block vehicle or pedestrian movement	6 sf max.	4 ft max.	Ambient No

* Refer to Section 10-1-92(b) for definition and rules for each Sign Category (numbered) and each Sign Type (lettered)

1. Must not block vehicle or pedestrian movement
2. Banner Signs may be attached to any building wall area but shall not cover any windows or doors
3. Must be securely fastened to the ground and shall not be located on a building roof
4. One Board or Banner Sign may be displayed beyond the time limits specified while the property is advertised for lease, sale, or rent. Signs shall be removed within 30 days of occupancy, lease, or sale.

Permitted Signs by Zoning District (P = Permitted, NP = Not Permitted)													
Sign Categories & Sign Types	A-1	R-1	R-2	R-3	R-4	R-5	B-1	B-2	MS-1	I-1	I-2	I-3	C-1
1. Temporary Business Sign Category:*													
a. Board Sign*	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	P	P	P	P	P	P	NP
b. Banner Sign*	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	P	P	P	P	P	P	NP
c. Feather Sign*	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	P	P	P	P	P	P	NP
d. Inflatable Sign*	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	P	P	NP	P	P	P	NP
2. Temporary Approved Development Pedestrian Sign Category:*													
a. Active Building Sign*	P	P	P	P	P	P	P	P	P	P	P	P	P
b. Active Plat Sign*	P	P	P	P	P	P	P	P	P	P	P	P	NP
4. Daily Notice Sign Category:*													
a. Sandwich Board Sign*	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	NP ⁴	P	P	P	P	P	P	P
<i>4. Also permitted for legal, and principal, non-residential land uses within these Districts or Planned Unit Development Districts</i>													

(c) **Permanent Miscellaneous Sign.** A permanent sign that is available to all sites in the Village regardless of land use. A site or business is eligible to use the following signs. See Figure 10-1-92(c) for additional rules for Permanent Miscellaneous Signs related to zoning districts.

- (1) **Site Directional or Informational Sign Category.** A Sign Category that includes signs that the Village finds essential in order to protect the public health, safety, and/ or welfare. Specifically, these signs are used to provide information essential to the following public purposes: to deliver mail; to identify property addresses for the provision of emergency services such as fire or rescue service; to identify the management of rental properties for the provision of emergency services; to provide information about parking limitations or warnings against trespass; and, to provide information about required traffic flow. The following Site Directional or Informational Sign Types are addressed by this Article:
 - a. **Address Sign.** A type of Site Directional or Informational Sign that contains address numerals.
 - b. **Building Management Identification Sign.** A type of Site Directional or Informational Sign indicating the name and/ or address of the property owner, tenant, and/ or manager of the property.
 - c. **Onsite Warning Sign.** A type of Site Directional or Informational Sign that indicates a warning from the property owner related to conditions onsite and/ or that cites a Village, State, or Federal law, order, rule, or regulation. Such signs shall contain no commercial message. Examples include signs listing parking hours or "No Trespassing," "No Loitering," or "Customer Parking Only" signs.
 - d. **Onsite Directional Sign.** A type of Site Directional or Informational Sign that includes a directional arrow or symbol that directs people to a specific destination within a development or site. Onsite Directional Signs may also include either the name, logo, or symbol of the destination, provided that the name, logo, or symbol is less than two square feet.
- (2) **Optional Miscellaneous Sign Category.** A Sign Category that conveys information which the Village of Cleveland finds essential to encourage placemaking, particularly related to officially-recognized historic places, officially-designated neighborhoods, and conveying information for the general public. Signs in this category are only permitted through official government action, including designation of historic places, creation of outlots in a Plat or Certified Survey Map, or Conditional Use Permit. The following Optional Miscellaneous Sign Types are addressed by this Article:
 - a. **Historic Marker Sign.** A type of Optional Miscellaneous Sign available to officially-recognized historic properties, sites, or districts, typically denoting the name of the building onto which it is mounted, its date of erection, and/ or historical information.
 - b. **Permanent Plat Sign.** A type of Optional Miscellaneous Sign typically indicating the name of a neighborhood, neighborhood association, or subdivision recognized by the Village of Cleveland.
 - i. Permanent Plat Signs shall be located and sized as shown on approved final plats or certified survey maps. Installation of Permanent Plat Signs to existing neighborhoods shall require a Conditional Use Permit.
 - ii. Permanent Plat Signs shall be configured as Dual Post Signs or Monument Signs.
 - c. **Off-Premise Governmental Information Sign.** A type of off-premise freestanding Optional Miscellaneous Sign, located outside of the right-of-way, typically providing information to the community and visitors regarding entry points to the community, scheduled public events, public activities, public announcements, and public facilities of a governmental nature, excluding traffic control, community wayfinding signs, and other government transportation or census related messages located within a right-of-way.
 - i. Off-Premise Governmental Information Signs shall require a Conditional Use Permit.
 - ii. Off-Premise Governmental Information Signs shall be configured as Monument or Dual Post Signs and may be illuminated by ambient, backlit, cabinet or gooseneck lighting.

- iii. Off-Premise Governmental Information Signs may have changeable copy or be configured as an Electronic Message Sign meeting the requirements of Section 10-1-93.

(3) **Home Occupation Signs.** See Section 10-1-33(c)

- i. One name plate, not more than three square feet in size, non-illuminated, may be permitted.

Figure 10-1-92(c) PERMANENT MISCELLANEOUS SIGN GROUP							
Sign Categories & Sign Types	Sign Permit Required	Number of Signs Allowed	Sign Location Requirements	Sign Area Requirements per Side	Sign Height Requirements	Sign Lighting Allowed	Sign Electronic Messaging Allowed ^{1,4}
1. Site Directional or Informational Sign Category:*							
a. Address Sign*	No	1 per address	On-Building and visible from street	6 sf max.	10 ft max.	Ambient	No
b. Building Management Identification Sign*		1 per multi-tenant building	On-Building and next to main entrance		6 ft max.		No
c. On-Site Warning Sign*		2 per site or business ⁶	On-Building or Freestanding		8 ft max.		No
d. On-Site Directional Sign* ²		2 per site or business ⁶					No
2. Optional Miscellaneous Sign Category:*							
a. Historic Marker Sign*	Yes	As determined by the Plan Commission	As determined by the Plan Commission	As determined by the Plan Commission	As determined by the Plan Commission	Ambient	No
b. Permanent Plat Sign* ⁴		Per Final Plat or Certified Survey Map	In Plat or Certified Survey Map Outlot	100 sf max.			No
c. Off-Premise Governmental Information Sign*		1 per site with a CUP ⁴	per CUP ⁴	100 sf max.	20 ft max.	Any ³	Yes ^{1,4}
d. Home Occupation Signs: See Section 10-1-33(c)							
a. Home Occupation Sign*	No	Limit of 1	On-Building or within building window	3 sf max.	8 ft max.	Ambient	No
* Refer to Section 10-1-92(c) for definition and rules for each Sign Category (numbered) and each Sign Type (lettered)							
1. Refer to Section 10-1-93 for additional regulations							
2. May also include either the name, logo, or symbol of the destination, provided the name, logo, or symbol is less than two square feet							
3. "Any" refers to either Ambient, Backlit, Cabinet or Gooseneck							
4. Conditional Use Permit required							
5. Minimum sign setback from all property lines shall be greater than or equal to the sign height for freestanding dual post historic marker signs, unless an exception is granted by the Plan Commission							
6. More than two per site or business may be allowed with a permit approved by the Zoning Administrator, or if approved as part of a site plan permit, provided the Village finds the additional signs essential in order to protect the public health, safety, and/or welfare							

- (d) **Temporary Miscellaneous Sign:** A temporary sign that does not contain a commercial message. The following sign types are available to all land uses. See Figure 10-1-92(d).
- (1) **Yard Sign Category.** A Sign Category that is intended to accommodate a wide variety of sign purposes (e.g. garage sale signs, for sale signs, real estate sales signs, political signs, "slow down for kids" signs, community event signs, etc.), often needed on a temporary basis. Such signs are freestanding and mounted on one or two stakes or posts and do not have footings. The following Yard Sign Types are addressed by this Article:
- a. **Stake Sign.** A type of Yard Sign that consists of a sign face erected upon one or more metal wires or wood, metal, or plastic stakes of no more than 3 inches in width.
 - b. **Frame Sign.** A type of Yard Sign that consists of a frame into which a sign face can be inserted and erected upon two wood, metal, or plastic stakes or ground spikes.
 - c. **Arm & Post Sign.** A type of Yard Sign mounted on a post or posts, either with a bracket arm extending outward to support a hanging sign, with the sign attached directly to the side of the post, or with the sign mounted between two posts.
- (2) **Street Banner Sign Category.** A Sign Category that is intended to promote public events of Village-wide interest displayed over a public street, alley, or highway.
- a. Street Banners shall be permitted only upon approval by the Village Board.
 - b. Street Banners shall be displayed for limited period of time as approved by the Village Board.
 - c. Street Banners shall be erected only in locations approved by the Village Board.
- (3) **Prohibited Temporary Sign Category.** Exterior signs or similar eye-catching devices with the characteristics described in Section 10-1-95(a)2 are prohibited at all times by this Article.

Figure 10-1-92(d) TEMPORARY MISCELLANEOUS SIGN GROUP

Sign Categories & Sign Types	Sign Permit Required	Number of Signs Allowed	Sign Location Requirements	Sign Area Requirements per Side	Sign Height Requirements	Sign Lighting Allowed	Sign Electronic Messaging Allowed
1. Yard Sign Category.*^{1,2,3}							
a. Stake Sign*	No	Limit of 2 Yard Signs per site. Note, not 2 per business or dwelling unit. ³	Must be located on-site. ² Minimum sign setback from each property line shall be greater than or equal to sign height	6 sf max. ⁴	4 ft max.	Ambient	No
b. Frame Sign*							No
c. Arm and Post Sign*				9 sf max.	6 ft max.		No
2. Street Banner Sign Category.*^{2,5}							
a. Street Banner Sign*	Yes	As determined by Village Board	As determined by Village Board ²	As determined by Village Board	As determined by Village Board ²	As determined by Village Board	No

* Refer to Section 10-1-92(d) for definition and rules for each Sign Category (numbered) and each Sign Type (lettered)

1. A Yard Sign may be displayed permanently, but typically is not.
2. Must not block vehicle or pedestrian movement
3. Any number of Yard Signs is permitted during an election campaign period as defined in Wis. Stats. 12.04, and limited back to two yards signs within seven days after the election campaign period ends.
4. Width of the sign stake shall not exceed three inches
5. Shall require Village Board approval

- (e) **Prohibited Signs.** “Prohibited Signs” is a Sign Group containing various Sign Types that are not allowed within the Village except as legal nonconforming signs subject to the requirements of Section 10-1-99. The following are prohibited:
- (1) **Abandoned Sign.** Any sign remaining in place on a site or a portion of a site (such as a single tenant in a multitenant building) that has been vacant, closed, or otherwise unoccupied for a period of 90 days.
 - (2) **Advertising Vehicle Sign.**
 - a. An unlicensed or inoperable vehicle, or a trailer or other piece of equipment, or a licensed and operable business vehicle, which contains any sign or advertising device, and which is parked on a public right-of-way or in a location so as to be seen from a public right-of-way.
 - b. Notwithstanding subsection (a), the following shall not be considered Advertising Vehicle Signs and are permitted:
 - (i) A licensed and operable business vehicle parked onsite at the place of business in a parking space shown on a site plan approved by the Village that is designated for business vehicle, parking or storage.
 - (ii) A licensed and operable business vehicle legally parked onsite in a driveway or an off-street parking space at the residence of an employee of the business.
 - (iii) A licensed and operable business vehicle, trailer, or other piece of equipment parked at a site where the business has been engaged by the property owner, tenant, or lessee of the property to perform work or provide services, not to exceed ten (10) consecutive days, unless a permit for a longer time has been issued by the village as part of approval of a building permit under Title 10 Chapter 7 *Building Code*.
 - (iv) A licensed and operable business vehicle parked at other sites not to exceed eight (8) hours in a twenty-four hour period in the ordinary course of business, such as at commercial and retail stores, professional offices, financial institutions, restaurants, post office.
 - c. For purposes of this Section 10-1-92 (e)(2)(b), “business” does not include a home occupation described in sec. 10-1-33 of the village code.
 - (3) **Beacon/Search Beacon Sign.** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.
 - (4) **Commercial Message Flag Sign.** A flag attached to a freestanding or wall-mounted flag pole that contains a commercial message.
 - (5) **Flashing/Scrolling/Animated Sign.** A sign having lights or illumination which flashes, scrolls, moves, rotates, twinkles, blinks, flickers, varies in intensity of color, or uses intermittent electrical pulsations. Electronic Message Signs meeting the definition and requirements of Section 10-1-93 of this Article shall not be considered flashing, scrolling, or animated signs.
 - (6) **Mobile/Portable Sign.** A sign not permanently attached to the ground that is designed to be moved from one location to another. Also, a sign mounted on a frame or chassis designed to be easily relocated, including unlicensed or inoperable vehicles and/ or trailers whose principal commercial use is for signage. Licensed and operable business vehicles, trailers, or other pieces of equipment shall not be considered mobile or portable signs. Sandwich Board Signs meeting the definition and requirements of Section 10-1-92(b)(3)a of this Article shall not be considered mobile or portable signs.
 - (7) **Off-Premise Advertising Sign.** A sign which directs attention to a business, commodity, service, or entertainment that is conducted, sold, or offered elsewhere than upon the site where the sign is displayed. Off-Premise Advertising Signs include billboards.

- a. Off-Premise Advertising Signs are generally prohibited Village-wide, with the exception of Off-Premise Governmental Information Signs, Temporary Board Signs, Temporary Banner/Pennant Signs, Temporary Yards Signs and Temporary Street Banner Signs.
 - b. Existing legal Off-Premise Advertising Signs made nonconforming by this Section shall be permitted to continue as legal, nonconforming signs, subject to the requirements of Section 10-1-99.
- (8) **Pylon Sign.** A type of Freestanding Sign erected upon one pylon or pole, generally with the pylon or pole mounted in the middle of the sign area.
- (9) **Roof Sign.** A sign displayed above the eaves or cornice of a building.

Sec. 10-1-93. – Electronic Message Signs; Fuel Price Signs.

- (a) Electronic Message Signs.
- (1) Electronic Message Signs shall require a Conditional Use Permit.
 - (2) Electronic Message Signs shall be permitted only within the B-1, B-2, I-1, I-2 and I-3 zoning districts.
 - (3) No more than one Electronic Message Sign shall be permitted per site, unless approved via a conditional use permit.
 - (4) No Electronic Message Sign may contain messages or images for the sale of products not sold on site or for businesses or services not provided or sold on site, except for emergency government notifications such as Amber Alerts.
 - (5) Electronic Message Signs may be integrated into the design of the following Sign Types: Monument Signs, Dual Post Signs, Drive-Through Signs, Window Signs, or Off-Premise Governmental Information Signs.
 - a. No more than 75 percent of a sign's area as determined under Sec. 10-1-95 (f) shall contain an Electronic Message Sign.
 - b. Electronic Message Signs shall count toward the site's maximum permitted signage.
 - (6) Electronic Message Signs shall be maintained so as to be able to display messages in a complete and legible manner. Messages and non-text images shall not change appearance more than once every five seconds, and transitions between messages shall be via instantaneous change (one second or less). Use of Electronic Message Signs for images, text, or lighting that change appearance in a manner not permitted above shall be considered flashing, scrolling, or animated signs, which are prohibited per Section 10-1-92(e).
 - (7) Electronic Message Signs shall comply with the lighting requirements of Section 10-1-95(g). Electronic Message Signs shall be equipped with photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination
 - (8) In addition to the setback requirements of this Article, no Electronic Message Sign shall be located within 100 feet of any residential dwelling, bed and breakfast establishment, boarding house, rooming house and tourist rooming house.
- (b) Fuel Price Signs.
- (1) Fuel Price Signs shall not be separate signs, but rather shall be integrated into the design of a permitted Freestanding Sign, described in Section 10-1-92(a)(1) and in Figure 10-1-92(a).

- (2) Fuel Price Signs may list up to one price per type of fuel, which shall be displayed on a single structure.
- (3) Fuel Price Signs may be illuminated, per the lighting requirements of Section 10-1-95(g).
- (4) Fuel Price Signs may contain changeable copy or Electronic Message Signs, per the requirements of Section 10-1-93(a), including a Conditional Use Permit.

Sec. 10-1-94. – Group Development Signs; Planned Unit Development Signs.

- (a) Group Development Signs.
 - (1) To accommodate increased signage needs for multi-tenant buildings, Group Developments defined under Section 10-1-91(c), shall be permitted an increase in total permitted sign area and height. Group Development Signs may be increased by up to 50 percent in area and up to five (5) feet in height.
 - (2) Each business shall be eligible for integration into a Group Development Sign. The allocation of sign area for each tenant shall be determined by the property owner.
 - (3) Group Development Signs shall be Freestanding Signs per Section 10-1-92(a)(1).
 - (4) Group Development Signs may be illuminated, per the lighting requirements of Section 10-1-95(g).
- (b) Planned Unit Developments. The types of Sign Groups, Sign Categories, and Sign Types allowable for parcels zoned Planned Unit Development (PUD) shall be determined as part of the PUD approval. Subsequent permits for signage shall be filed and reviewed according to the rules and regulations of this Article for each Sign Group, Sign Category and Sign Type as permitted within the PUD.

Sec. 10-1-95. – Sign Prohibitions, Limitations, Bulk Regulations, and Illumination.

- (a) **Sign Prohibitions.**
 - (1) No sign shall be erected at any location where it may, by reason of its position, shape, color or design, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, nor shall such sign make use of words such as “stop,” “look,” “danger,” or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse users of streets or highways.
 - (2) No fluttering, undulating, swinging, rotating, or otherwise moving signs such as windsocks, motorized signs, pennants, and streamers shall be permitted. This shall not apply to Banner Signs as defined in Section 10-1-92(b)(1)b, Feather Signs as defined in Section 10-1-92(b)(1)c, Inflatable Signs as defined in Section 10-1-92(b)(1)d, or Street Banners as defined in Section 10-1-92(d)(2)a.
- (b) **Sign Limitations.**
 - (1) Consent of Legal Owner of Property. Except as required by state law, no sign may be displayed without the consent of the legal owner of the property on which the sign is mounted or displayed. For purposes of this policy, “owner” means the holder of the legal title to the property and any party and person holding a present legal right to possession, control, or use of the property.
 - (2) No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
 - (3) No sign shall be placed in a manner that would impede vehicular or pedestrian safety, or impede access or visibility. Signs shall not be placed in a Vision Clearance Triangle, refer to Section 10-1-80.

- (4) No private sign shall be attached to or painted on any natural feature (e.g. tree or rock), fence, fire hydrant, public utility pole, public light pole, or traffic regulatory structure.
 - (5) Except for permitted Awning, Canopy, Projecting, Marquee, Blade, and Suspended Signs, or unless otherwise allowed by this Article, no sign shall be permitted within or extending into a public right-of-way.
 - (6) Except for Street Banner Signs, no sign shall be permitted within or extending over a public street beyond the face of the curb, or pavement edge when a curb is not present.
 - (7) No person shall: paste, tape, staple, or otherwise fasten any paper or other material to, nor paint, stencil, or otherwise write or color any object, vegetation, or pavement located within any street right-of-way; nor shall any of such object, vegetation, or pavement be defaced in any manner. The only exception to these restrictions is that painting may be allowed on curbs when approved by the Village Board upon receiving a favorable recommendation from the Director of Public Works, after his/her investigation of a written request.
 - (8) It shall be unlawful to maintain any sign which is wholly or partially illuminated by floodlights or spotlights, unless the lighting elements are completely concealed from view from the public rights-of-way.
 - (9) Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage.
- (c) **Sign Setbacks.** Freestanding signs shall be set back a distance greater than or equal to the height of the sign and shall be setback no less than five (5) feet from the property line. See Subsection (d)(1) below.
- (d) **Sign Height.**
- (1) The maximum permitted sign height shall be as prescribed in Figures 10-1-92(a-d).
 - (2) The height of a freestanding sign shall be measured from the Average Ground Level adjacent to the sign to the top of the sign, or from the centerline grade of the nearest adjacent public road, if such information is supplied with the permit application and confirmed by the Zoning Administrator, whichever is higher.
- (e) **Minimum Ground Clearance.** All Awning, Canopy, Projecting, Marquee, Blade, and Suspended Signs shall have a minimum clearance of 15 feet above areas used for vehicular movement and a minimum of 8 feet above a sidewalk, path, trail, or other ground-level surface.
- (f) **Measurement of Sign Area:** The measurement of sign area is based on the arrangement of sign copy and sign background:
- (1) Sign area shall be measured from a single vantage point. Sign faces on a single sign structure but intended to be read from different directions shall not be added together to determine the sign area. For example, for a freestanding sign that faces two directions, sign area shall be measured only as it is visible from one direction.
 - (2) Sign area shall be measured as the sum of the smallest rectangles and right triangles enclosing the entire sign message and any and all background panel surfaces to which the sign copy is attached. For signs comprised of individual letters, which are each individually mounted directly to a wall surface without the use of a panel, sign area shall be measured as the sum of the smallest rectangles and right triangles enclosing the entire sign message. For signs comprised of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture or statue-like trademarks), the

total sign area shall also be measured to include the sum of the smallest rectangles enclosing the three-dimensional objects as projected upon a vertical plane.

- (3) Sign area shall not include any elements of the sign structure designed solely for support of the sign structure and located below or to the side of the sign message. Examples of parts of a freestanding sign structure which are exempt from the sign area include the sign base and the supporting columns, posts, or poles.

(g) **Sign Illumination:**

- (1) **Electrical Permit.** All signs in which electrical wiring and connections are to be used shall comply with all applicable provisions of the state electrical code. Only UL labeled (Underwriter Laboratories) equipment shall be installed. If the sign contractor is not UL listed, the applicant shall have a licensed electrician obtain an electrical permit prior to installation and supervise the work. Electric service to signs shall be concealed from public view.
- (2) **External Illumination.** Exterior illumination of signage shall be limited to direct illumination from a shielded light source or individual solid letters with internal lighting sources that backlight the wall in a “halo” effect. The lighting element of all such fixtures shall not be visible from public rights-of-way or adjoining properties.
- (3) **Internal Illumination.** Internally illuminated signs shall permit light to shine fully through the lettering and graphic element of the sign. The background for such lettering and graphics shall be opaque or translucent and shall transmit light at a level substantially less than that transmitted through the lettering and graphics. If the contrast between the lettering or graphic elements and background does not permit adequate legibility, a translucent white boarder of up to one inch in width may be placed around said lettering or graphic elements.
- (4) **Brightness Limitation.**
 - a. **Electronic Messaging Signs.**
 - i. In no instance shall lighting intensity from an Electronic Messaging Sign exceed 0.30 foot-candles above ambient lighting conditions on a cloudless night when measured at an Appropriate Distance with a standard light meter held four feet above the ground level with the light sensor pointed toward the sign face. **Appropriate Distance** shall be calculated as the square root of the area (of a single side) of the sign, multiplied by 100, and rounded down to the nearest whole number. For example, if a sign measures 85 square feet: multiply 85 times 100, which equals 8500; calculate the square root of 8500, which is 92.2; and round down to 92 feet to determine the Appropriate Distance.
 - ii. In no instance shall lighting intensity from an Electronic Messaging Sign exceed 0.50 foot-candles above ambient lighting conditions on a cloudless night when measured horizontally at the property line adjacent to a residential dwelling, bed and breakfast establishment, boarding house, rooming house or tourist rooming house.
 - b. **All Other Illuminated Signs.** In no instance shall lighting intensity from an illuminated sign exceed:
 - i. Within the R-1, R-2, R-3, R-4, and R-5 zoning districts, 0.50 foot-candles above ambient lighting conditions on a cloudless night when measured at all property lines with a standard light meter held four feet above the ground level with the light sensor pointed toward the sign face.
 - ii. Within All Zoning Districts, seventy-five (75) foot-candles above ambient lighting conditions on a cloudless night when measured with a standard light meter held four feet above the ground level with the light sensor pointed toward the sign face from a distance of one foot to the sign face.

- (5) **Glare.** All artificial illumination shall be designed, located, shielded, and directed so as to prevent the casting of glare or direct light upon adjacent public rights-of-way or surrounding property.
- (6) **Reflectors and Lights.** Where gooseneck sign lighting is allowed reflectors or other shields may be required to concentrate the illumination upon the area of the sign so as to prevent glare upon the street or surrounding property.

Sec. 10-1-96. – Appearance, Construction and Maintenance of Signage.

- (a) All signs shall be constructed, mounted, and maintained so as to comply with the appropriate detailed provisions of the Building Code as adopted by the Village relating to the design, structural members and connections. Signs shall also comply with the applicable provisions of the Electrical Code as adopted by the Village, and any other ordinances or regulations.
- (b) The base or support(s) of all ground-mounted signs shall be securely anchored to a concrete base or footing, and shall meet applicable minimum wind load capabilities.
- (c) The footing and related supporting structure of a permanent Freestanding Sign, including bolts, flanges, and brackets, shall be concealed by landscaping.
- (d) Signs shall be mounted so that the method of installation is concealed. Unless necessary to securely fasten a sign, signs applied to masonry surfaces should be mechanically fastened to mortar joints only and not directly into brick or stone to avoid damaging these surfaces. Drilling to provide electrical service should follow the same rule. Any damage to masonry surfaces exposed from the removal of a sign shall be repaired by the property owner.
- (e) No permanent sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action, except for approved Suspended Signs. Signs shall be anchored to minimize any lateral movement that would cause wear on the sign face or supporting members or connections.
- (f) All permanent signs and their supporting members shall be constructed of materials appropriate for the sign type and location, such as aluminum or aluminum composite; cast or calendared film; PVC, acrylic, or polycarbonate; or medium density overlay wood.
- (g) Sign materials should be compatible with the design of the face of the façade where they are placed and should contribute to the legibility of the sign.
- (h) No combustible materials other than approved plastics shall be used in the construction of electric signs.
- (i) All signage within the jurisdiction of this Article shall remain in a state of proper maintenance. Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all its components.
- (j) Every Freestanding or On-Building Sign shall have marked in a conspicuous place the date of erection, the manufacturer's name, the permit number, and the voltage of any electrical apparatus.
- (k) The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Article, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
- (l) The owner, lessee, licensee or manager of a sign, and the owner of the land on which the sign is located, shall keep grass or weeds and other growth cut, and debris and rubbish cleaned up and removed from the site on which the sign is located.
- (m) Any signs which are or become rotted, unsafe, or in a state which is not properly maintained shall be repaired or removed by the owner, lessee, licensee or manager of the sign or the owner of the property upon which the sign stands, upon notice of the Zoning Administrator.

- (n) If any sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner agreeing to indemnify and hold the Village harmless from any and all damages, claims and liabilities, including property damage, personal injury, and death arising out of the location and use of the sign, and obtaining and maintaining in force commercial general liability insurance for such a sign in such form and such amount as the Village may reasonably require from time to time, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign. The Village shall be named as an additional insured to the policy.

Sec. 10-1-97– Sign Permits: Application, Enforcement and Revocation.

(a) Applicability.

- (1) No signs requiring a permit under Figures 10-1-92(a-d) shall be erected, installed, constructed, or maintained without the granting of a permit from the Zoning Administrator in accordance with the provisions of this Section.
- (2) For signs requiring a permit in Subsection (a)(1), above:
 - i. A permit is required to change copy on any sign or for any conversions or changes in the sign structure.
 - ii. Replacement of a tenant sign panel on a Group Development Sign containing the same color, size, design, and style as the original on an approved sign structure with removable panels shall not require a permit. Any tenant panel that is vacant or missing shall be replaced within thirty (30) days.
 - iii. This Section shall not apply to repainting or refacing with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure.
- (3) No new permit is required for signs which are in place as of the effective date of this Article, and such signs may remain as legal nonconforming signs. Any alteration or relocation of such signs shall conform to the requirements of this Article. Refer to Section 10-1-99 for rules pertaining to nonconforming signs.
- (4) A sign permit may not be assigned or transferred to any other sign, including a modified sign face or modified sign structure.
- (5) The owner or tenant may request all signs at one site be included under one permit.
- (6) Any sign type not addressed by this Article shall be prohibited. In the case of questions as to the classification of a sign, the question shall be submitted to the Zoning Administrator for determination as to the applicable Sign Group, Sign Category and Sign Type.

(b) Sign Permit Application. Each sign permit application shall include:

- (1) The name, address, phone number, and email address of the applicant.
- (2) The name of the business or land use the proposed sign will serve.
- (3) The name, address, phone number, email address, and signature of the property owner.
- (4) The name, address, phone number, and email address of the sign contractor.
- (5) The property’s zoning designation.
- (6) The property’s current land use or uses for entire subject property, including all indoor and outdoor areas.
- (7) A Signage Plan, drawn to a recognizable scale, shall be submitted showing the following:

- a. Location, type, height, width, and area of the proposed sign.
 - b. Location, type, height, width, and area of all existing signs on the property and indication of whether existing sign(s) will remain or be removed/replaced.
 - c. All property lines and buildings on the property.
 - d. All parking areas, driveways, and public roads.
 - e. Method of attachment, structural support, method of illumination, and sign materials.
 - f. Approximate value of the sign to be installed, including cost of installation.
 - g. Signage plans shall be approved and stamped by a professional engineer registered in the State of Wisconsin and accompanied by a statement of compliance with state laws.
- (8) If the sign contractor is not UL listed (Underwriter Laboratories), the applicant shall have a licensed electrical subcontractor to supervise the work and obtain an electrical permit.
- (9) Payment of the sign permit fee, as established from time to time by the Village Board.
- (10) A written statement that all temporary signs will be removed in compliance with this Article.
- (11) A Consent and Authorization signed by the property owner on forms provided by the village granting authorization for the village, its agents and contractors, to have access and to come upon the property on which the sign is located and to remove the sign from the property under Section 10-1-97(e) through (g) and Section 10-1-98(a) if the sign is in violation of this ordinance. The Consent and Authorization shall be binding on the property owner and all successors in interest. The removal of the sign shall be at the expense of the property owner.
- (12) Any other information that may reasonably be requested by the Zoning Administrator for the purpose of application evaluation.
- (13) Any existing or proposed sign on property abutting a State Highway, United States Highway, or Interstate Highway shall also require approval from the Wisconsin Department of Transportation or the Federal Highway Administration and any other jurisdictions.
- (c) Granting and Issuance.**
- (1) The Zoning Administrator shall review the application to ensure it is complete per the requirements of Subsection (b), above.
 - (2) In cases where no other review or approvals are required under this Article, the Zoning Administrator shall review the application for compliance with Subsection (d), below, and shall, in writing, approve or deny the application within 10 working days after the complete application and fee payment were accepted.
 - (3) In certain cases, a sign permit requires approval of a Conditional Use Permit. After the Zoning Administrator has determined the sign permit application complies with Subsection (d), below, the application shall be referred in accordance with the Village's conditional use permit application procedures. Within 10 working days of action by the Village Board, the Zoning Administrator shall approve or deny the sign permit application.
 - (4) Denial of a sign permit shall not result in total or partial reimbursement of permit fees paid.
 - (5) A granted sign permit shall be assigned a permit number and shall expire, and be null and void, if the sign is not attached or erected within 180 days after the permit is approved.
- (d) Basis for Granting a Sign Permit.** In deciding whether or not to grant a sign permit, the Zoning Administrator shall determine whether the proposed sign is in compliance with the provisions of this Article. In such review, the Zoning Administrator may also consider the following factors:

- (1) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety.
 - (2) Whether the sign is in compliance with all provisions of the Village of Cleveland Municipal Code and Building Code, including those related to traffic safety, traffic visibility, sign setbacks, and structural integrity.
- (e) **Enforcement and Revocation of Sign Permit.**
- (1) A sign permit may be revoked if the applicant has failed to comply with the provisions of this Article or any conditions that may have accompanied the permit at the time of issuance. Revocation requires written notice by the Zoning Administrator.
 - (2) In the event that construction, installation, or manufacture of a sign for which a permit has been issued has not commenced within 180 days from the date of permit approval, the permit shall expire, and shall be null and void and automatically revoked. If work authorized by such permit is suspended or abandoned for a period of 90 days any time after the work is commenced, the original permit shall become null and void. In such cases, a new permit shall be obtained to complete the work and a new permit fee shall be required.
 - (3) Any sign subject to a revoked permit shall be removed by the licensee, sign owner, or property owner within 60 days of such revocation.
 - (4) Revocation shall not result in total or partial reimbursement of permit fees paid.
- (f) **Appeals.** Any person affected by a decision of the Zoning Administrator may petition for a hearing before the Zoning Board of Appeals. The filing of such petition automatically stays removal of the sign involved, if already erected, until the Zoning Board of Appeals decides whether to sustain, modify, or withdraw the notice of revocation.
- (g) **Removal of Signs in Violation of this Article.**
- (1) If the Zoning Administrator determines that any sign exists in violation of this Article, the Zoning Administrator shall notify the sign permit holder and the owner of the property on which the sign is located. The notice shall require the violation to be corrected within 60 days of the date notice was mailed or the sign permit shall be automatically revoked and the sign may be removed by the Village at the expense of the property owner.
 - (2) If notification is sent and the violation is not corrected within 60 days, the Zoning Administrator shall revoke the permit for any sign which is in violation of this Article. It shall be the duty of the Zoning Administrator to cause removal of the sign.
 - (3) The expense of removing the sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay the expense within 60 days of the invoice date, or has not made arrangement for payment satisfactory to the Village, then the expense shall become a lien on the property and placed on the tax roll.
 - (4) Any sign illegally placed in a public right-of-way or on public property shall be subject to immediate removal and confiscation without notice by the Zoning Administrator.
- (h) **Access for removal.** Permission for access to the property for removal of the sign hereunder is included in the sign application documentation. The owner of the property is deemed to have provided permission for removal.

Sec. 10-1-98. – Removal of Sign and Sign Structures where Business is no Longer in Operation.

- (a) A building, portion of a building, or site shall be determined to be vacated based on the following criteria:
(1) vacancy, (2) cessation of some or all utilities, or (3) lapse or termination of occupational license.
Vacation of a building, structure or site shall have the following effect:
- (1) At 90 days, nonconforming signs shall lose their legal nonconforming status.
 - (2) At 90 days, the owner of the property shall take action regarding any Permanent or Temporary Business Signs and/or sign structures associated with the vacant building, portion of a building, or site located on the property. At the property owner's option, the property owner shall do one of the following: remove all signs and structures, or retain the structures and install blank sign faces. If the property owner is granted an extension under Subsection (3) below, the requirement shall not apply during the extension period.
 - (3) An extension allowing signs and/or sign structures associated with vacant buildings, portions of buildings, or sites to remain on the property for an additional 180 day time period after the original 90 days have lapsed may be granted under the following conditions:
 - a. The property owner shall submit an application with the appropriate fee and allow the Zoning Administrator or Building Inspector to inspect the signs and/or sign structures on the vacated building, portion of a building, or site.
 - b. Signs shall be properly blanked out and contain no commercial message.
 - c. If a sign and/or sign structure has been damaged during the vacated period to the point it becomes a safety hazard or blight on the property, the property owner shall remove the sign and/or sign structure.
 - d. After the original 180 day extension, one additional 180 day extension may be approved by the Zoning Administrator for up to one year upon submittal of a new application and fee. Any additional applications for an extension, beyond the first year, shall be approved by the Plan Commission.
 - e. Owners of nonconforming signs may also apply for an extension; however, the sign shall not thereafter be reestablished except in full compliance with this Article.
 - (4) A sign or sign structure shall be deemed abandoned if it has either been left without a sign face or the permit holder no longer has any interest in the site as owner or tenant for a continuous period of 90 days. The property owner shall remove the sign structure unless granted an extension under Subsection (3), above.
 - (5) If an abandoned sign and/or sign structure have not been removed, the Zoning Administrator shall notify the property owner and/or last known occupant of the property on which the sign is located, via certified mail, return receipt requested. The notice shall require the recipient to remove the sign and/or structure or obtain an extension within 60 days of the date notice was mailed.
 - (6) If the property owner and/or last known occupant have not complied within 60 days after the date notice was mailed, the Zoning Administrator shall revoke the sign permit and cause removal of the sign and/or sign structure.
 - (7) The expense of removing the sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay the expense within 60 days of the invoice date, or has not made arrangement for payment satisfactory to the Village, then the expense shall become a lien on the property and placed on the tax roll.
 - (8) Access to the property for removal of the sign hereunder is included in the sign application documentation. The owner of the property is deemed to have provided permission for removal.

Sec. 10-1-99. – Nonconforming Signs.

- (a) **Nonconforming Signs.** Permanent signs existing as of the effective date of this Article, which do not conform to the provisions of this Article, such as brightness, scrolling, size, height, and location provisions, shall be nonconforming signs.
- (b) **Continuation of a Nonconforming Sign.**
 - (1) Nonconforming signs may be maintained.
 - (2) Nonconforming signs shall not be altered or moved to a new location without being brought into compliance with the requirements of this Article. See Subsection (c), below, for what would constitute an alteration of a sign.
 - (3) When the site containing a principal structure undergoes a change of zoning all nonconforming signs shall be brought into conformance with the provisions of this Article or shall be removed.
 - (4) Whenever there is a change in the sign user (excluding Off-Premise Advertising Signs), sign owner, or owner of the property on which the sign is located, the new sign user, sign owner, or new property owner shall promptly notify the Zoning Administrator of the change. No new sign permit is required unless there is modification of the sign face or sign structure. The sign will continue to be considered nonconforming.
- (c) **Alteration of Nonconforming Signs.**
 - (1) For the purpose of this Section, alteration of a sign is considered to be any change to the sign's frame, supporting structure, lighting, material, height, location, or any other alterations as determined by the Zoning Administrator.
 - (2) Altering a sign does not include maintaining the existing appearance of the sign; changing the appearance of the sign face; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a Marquee or Governmental Information Sign; or changing the face of an Off-Premise Advertising Sign.
 - (3) A tenant sign which comprises part of a Group Development Sign may be replaced to accommodate a new tenant sign without triggering the need to bring the entire project identification sign, or any of its parts, into compliance with the provisions of this Article.