

## **ORDINANCE 070620-03**

### **Repealing and Recreating Article XII – SIGNAGE STANDARDS, Repealing and Recreating Definitions and Adding Definitions to Section 18-13**

#### **SECTION 1.**

##### **Sec. 18-191 - Purpose and intent.**

The Village of Fontana has a reputation and historic tradition as a highly scenic, primarily residential, vacation community. Signs have strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone of the neighborhood. Since the Village of Fontana relies on scenery and physical beauty to maintain the high desirability of its primarily residential character, aesthetic considerations assume economic value.

It is the intent to protect and enhance the village's character and economic base through the provision of appropriate and aesthetic signing. In addition, it is the intent of the village to limit the size, type, and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety. In view of these facts, the Village of Fontana adopts the policy that a sign should serve, primarily to identify an establishment, organization, or enterprise. As identification devices, signs must not subject citizens to excessive competition for their attention. As appropriate identification devices, signs must harmonize with the building, the neighborhood, and other signs in the area.

##### **Sec. 18-192 - Sign permit required.**

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a sign permit (except those signs listed in Sections 18-193, 18-194, and 18-195) and without being in conformity with the provisions of this chapter.

##### **Sec. 18-193 – Signs permitted in all districts without a permit.**

The following signs are permitted in all zoning districts without a permit, subject to the following regulations:

- (1) A single on-site information sign notifying of a state or federal historic designation. No such sign shall exceed 2 square feet in area.
- (2) Any sign placed by the village, state or federal authorities whether temporary or permanent.
- (3) Interior window signs not exceeding more than 15 percent for all combined window areas on the same facade of the structure. Area devoted to signage within windows shall not count toward the sign area maximum permitted for the use.
- (4) Noncommercial flags, pennants and banners.
- (5) Signs approved as part of a planned development.
- (6) Temporary miscellaneous yard signs such as for sale, for rent, rummage sale, etc. Limited to one sign per site and a maximum area of 6 square feet. Any number of yard signs is permitted within an election campaign period, but must be removed within one week of the end of the election period.

### **Section 18-194 - Signs permitted in non-residential districts without a permit.**

The following signs are permitted in all residential zoning districts without a permit, subject to the following regulations:

- (1) Local nonprofit, charitable community information signs and other signage as approved by the zoning administrator, or by the village board as recommended by the zoning administrator, to be erected on village-owned property. Signage must meet the following requirements:
  - (a) Event must be held in the Village of Fontana;
  - (b) Signage shall be erected no more than 20 days prior to the event date;
  - (c) Signage must be taken down within one day following the event;
  - (d) Only one sign shall be allowed on the Reid Park ballfield backstop and one sign on the beach fence, per event;
  - (e) Maximum size per sign shall not exceed 32 square feet.
- (2) Commercial flags subject to the following requirements:
  - (a) Such signs shall be permitted only within the Village Center or Resort Business Districts.
  - (b) One wall and one pole-mounted sign shall be permitted for each business.
  - (c) All such signs shall not exceed 15 square feet per each sign.
  - (d) Such signs may only be displayed during business hours.
  - (e) Existing commercial flags shall be limited to the number, location, and area established as of the effective date of this chapter as demonstrated by property owners and as approved by the zoning administrator.
- (3) On-premises directional sign.
  - (a) Permitted sign type. Wall sign or monument sign.
  - (b) Maximum permitted number per lot. One sign for each vehicular entrance, one sign for each vehicular exit, one sign for each parking area conditions list.
  - (c) Maximum permitted area per sign. Three square feet or larger with a conditional use permit.

### **Section 18-195 - Signs requiring a permit.**

- (1) Menu board sign. For each business located in the NB, CB, VC, or PD District, one menu board sign per business shall be permitted per the following requirements:
  - (a) The menu board sign shall be located on the same property as the advertised business.
  - (b) The menu board sign shall not be located in a public right-of-way or on public property, including, but not limited to, any public street, alley, sidewalk or public path.
  - (c) The menu board sign shall not be located within the vision triangle of any intersection, or in any manner that obstructs the visibility of vehicles traveling on any street, alley, driveway, parking area, sidewalk or public path, as determined by village staff.
  - (d) The menu board sign may be freestanding or located on an exterior wall of the building containing the business.
  - (e) If freestanding, the menu board sign shall be stored within the building during all times the business is not open for customers.
  - (f) A freestanding menu board sign shall not exceed 42 inches in height.
  - (g) The menu board sign area shall not exceed 12 square feet per side.

- (h) The menu board sign may not be illuminated, except by ambient light.
- (i) The menu board sign may not be provided with an electrical connection or self-contained electrical source.
- (j) The menu board sign shall not count toward the maximum number of permitted signs requirement and shall not count toward the total sign area requirement.

(2) Awning Signs.

(a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan).

(b) Measurements:

1. Height: All awnings shall be constructed and erected so that the lowest portion thereof shall be not less than 8' above the ground level directly below the sign.
2. Setback: No awning shall extend beyond a structure to less than one foot from the curb line.
3. Top Face: Any sign located on an awning face may take up a maximum of 30% of the total face surface area.
4. Side Face: Any sign located on an awning side face may take up a maximum of 50% of the total side face surface area.
5. Valance: Any sign or words on the valance of an awning may take up a maximum of 50% of the total valance surface area.

(c) Additional Requirements:

1. Awnings shall be securely attached to and supported by the building and shall be without posts or columns.

(3) Canopy Signs.

(a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan).

(b) Measurements:

1. Height: All canopies shall be constructed and erected so that the lowest portion thereof shall be not less than 8' above the ground level directly below the sign.
2. Setback: No canopy shall extend beyond a structure to less than 2' from the curb line.
3. Front Face: Any sign located on the front face of a canopy may take up a maximum of 50% of the total front face surface area.
4. Top Face: No signs are allowed on the top face of any canopy.
5. Valance: Any sign or words on the valance of a canopy may take up a maximum of 50% of the total valance surface area.

(c) Additional Requirements:

1. The structural support of all canopies shall be approved so as to be in compliance with the building code of the Village and shall meet State building codes. All frames and supports shall be of metal and designed to withstand a wind pressure as provided in subsection 18-197(1) of this Code. All canopies shall be attached to a building, and no support shall exist on the street side of the setback line between the canopy and the sidewalk or ground below.

(4) Changeable Copy Sign.

- (a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan), OP Office Park District, RP Research Park District, IN Institutional District.
- (b) Measurements: The measurements of a changeable copy sign must adhere to the requirements of the relevant sign type.
- (c) Number of signs allowed. The number of signs allowed shall adhere to the requirements of the relevant sign type.
- (d) Additional Requirements:
  - 1. The following types of permanent signs may be or have a portion of their sign feature a changeable copy sign: Monument sign and wall sign.
  - 2. The sign setback shall be greater than or equal to the sign height from any property line.

(5) Monument Signs.

- (a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan), OP Office Park District, RP Research Park District, IN Institutional District.
- (b) Measurements:
  - 1. Total Height: The maximum height for any monument sign shall be 10 feet from the ground. This includes all parts of the sign such as the base, the sign, a sign cap, or any other object attached to the monument sign.
  - 2. Base Height: The height of any base structure for a monument sign shall be at least 2 feet from the ground.
  - 3. Sign Width: The maximum width for any monument sign shall be 10 feet.
  - 4. Base Width: The base structure of any monument sign shall be at least 75% of the sign width.
  - 5. Sign Cap: A sign cap may be placed on top of the monument sign but shall not exceed the width of the base.
- (c) Number of signs allowed. Limit of one sign per site regardless of the number of businesses.
- (d) Additional Requirements:
  - 1. Monument signs shall be located within a landscaped planter. The minimum area of this planter must be equal to the total area of the sign located within the planter. A landscape plan shall be approved by the Zoning Administrator.
  - 2. The sign setback shall be greater than or equal to the sign height from any property line.
  - 3. Construction materials of a monument signs shall match that of the principal structure.
  - 4. The monument sign base shall be constructed of a solid material such as brick, metal or other material approved by the Zoning Administrator.

(6) Low Profile Monument Sign:

- (a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan), OP Office Park District, RP Research Park District, IN Institutional District.

- (b) The maximum height of a low profile monument sign shall be 6 feet from the ground and the maximum width shall not exceed 8 feet. This includes all parts of the sign.
- (c) The sign setback shall be greater than or equal to the sign height from any property line.
- (d) Number of signs allowed. Limit of one sign per site regardless of the number of businesses.
- (e) Low profile monument signs shall be located within a landscaped area, the landscaped area must be equal to the total area of the sign located within the planter. A landscape plan shall be approved by the Zoning Administrator.
- (f) Construction materials of a low profile monument signs need not match that of the principal structure, but shall be of a solid material and durable nature.

(7) Projecting Sign.

- (a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan).
- (b) Measurements:
  1. Height: Any projecting sign shall not exceed a height of 20' above the centerline street grade; and shall be a minimum of 8' in height above the ground level directly below the sign.
  2. Projection: Any projecting sign shall not extend into any public right-of-way.
  3. Area: Projecting signs shall not exceed 25 square feet in area on each side of a two-sided sign or 50 square feet for all sides.
  4. Number of signs allowed. One sign for each business on each building façade that faces a public street.

(8) Wall Sign.

- (a) Districts Where Allowed: NB Neighborhood Business District, VC Village Center District, CB Central Business District, RB Resort Business District, PD Planned Development District (if approved as part of a development plan), OP Office Park District, RP Research Park District, IN Institutional District.
- (b) Measurements:
  1. Height: The top of the sign shall not be higher than the bottom of the second story window or the top of the wall of a one-story building.
  2. Projection: A wall sign shall not extend more than 12" from the building's wall surface.
  3. Area of all wall sign(s) shall not exceed 1 square foot per lineal foot of the respective lot frontage toward which the sign(s) is displayed, up to a maximum sign area for all combined sign faces seen at one time.
  4. Number of signs allowed. One sign for each business on each building façade that faces a public street.

**Sec. 18-196 - Prohibited signs.**

The following signs are prohibited in all zoning districts:

- (1) Any sign not otherwise permitted in this chapter is prohibited.
- (2) Off-premises signs (including billboards). Off-premises directional signs shall be permitted only for governmental uses. No new off-premises advertising signs shall be permitted within the village

except for the small blue highway information signs as provided within the right-of-way of STH 67 per applicable State of Wisconsin Statutes.

- (3) Fluttering, undulating, inflatable, swinging, rotating, or otherwise moving signs or other decorations, including sequin-like, eye-catcher devices, with the exception of noncommercial flags, banners, and pennants per subsections 18-193-4 and commercial flags per subsection 18-194-3.
- (4) Roof signs.
- (5) Any sign in the public right-of-way except for a government purpose including, but not limited to, traffic control, parking and directional signs and as otherwise specified in this chapter.
- (6) Any sign that uses any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.
- (7) Any sign which obstructs or interferes with the effectiveness of railroad or traffic signs, signals, or devices.
- (8) Signs and appurtenances which prevent free ingress to or egress from any door, window or fire escape; and any sign attached to a standpipe or fire escape.
- (9) Signs that obstruct or interfere with traffic visibility or are lighted in such a way as to cause glare or impair driver visibility upon public ways.
- (10) Internally illuminated signs are prohibited. Internally illuminated signs existing as of the effective date of this chapter are to be considered legal, fully conforming and are permitted to remain in their location and configuration as of the effective date of this chapter so long as their appearance is not altered.
- (11) No illuminated flashing signs shall be permitted. Flashing signs are those that change their appearance more than once every 60 seconds. Electronic message center signs and time/temperature signs are permitted with a conditional use permit. Chasing lights shall not be allowed.
- (12) No illuminated sign shall be permitted unless the illumination of the sign is so designed that the lighting is down-lit or back-lit (silhouette) and the lighting level does not affect adjacent property, pursuant to the standards of section 18-165. All illuminated signs shall be extinguished at the close of business conducted within the building or upon the premises to which the sign is attached or located whichever is earlier. All illuminated signs shall comply with the state electrical code. A separate permit shall be required for compliance with the electrical ordinance.
- (13) No sign shall be attached to or painted on natural objects, such as trees or rocks.
- (14) Any sign that contains any matter, in writing or in a depiction, which predominantly appeals to prurient interests.
- (15) No person shall erect, construct or maintain any sign, temporary or otherwise, upon any property or building without the express written consent of the owner or renter of the property or building or their authorized representative.
- (16) No sign shall be placed so as to obstruct or interfere with traffic visibility.
- (17) No mobile, plastic, pylon, or neon signs shall be permitted.
- (18) No sign shall be located within a required bufferyard or within a green space area.
- (19) Private signs shall not be allowed within road right-of-way lines.

**Sec. 18-197 - Construction and maintenance standards.**

- (1) Wind Pressure and Dead Load Requirements: All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area; and shall be constructed to receive dead loads as required in the Village Building Code or other ordinance.
- (2) Protection of the Public: The temporary occupancy of a sidewalk or street or other public property during construction, removal, repair, alteration or maintenance of a sign is permitted provided the space occupied is provided with barricades and appropriate notifications and warnings.
- (3) Maintenance: The owner of any sign shall keep it in good maintenance and repair which includes restoring, repainting or replacement of a worn or damaged legally conforming, existing sign to its original condition. Sign supports and brackets shall be routinely inspected and repaired by the owner so as to maintain the integrity and safety of the support system. A sign which is not repaired, painted or maintained pursuant to written notification and order by the Zoning Administrator shall be subject to removal, and an owner who fails to comply with this section shall be subject to penalty.
- (4) Awning or Canopy Maintenance: The owner of any awning or canopy shall keep it in good maintenance and repair which includes restoring, repainting or replacement of a worn or damaged legally conforming, existing awning or canopy to its original condition. Supports and brackets shall be routinely inspected and repaired by the owner so as to maintain the integrity and safety of the support system. An awning or canopy which is not repaired, painted or maintained pursuant to written notification and order by the Zoning Administrator or designee shall be subject to removal, and an owner who fails to comply with this subsection shall be subject to penalty.
- (5) Construction of Signs and Supporting Members or Braces: The method of construction and materials used shall be subject to the approval of the Zoning Administrator.
- (6) Abandoned Signs: All signs or sign messages shall be removed by the owner or lessee of the premises upon which a sign is located when the business it advertises is no longer conducted, or the product or service advertised is no longer available. If the owner or lessee fails to remove the sign within 60 days of the business closing the Village may remove or cause the sign to be removed and the cost associated with said removal is to be assessed as a special assessment against the property on which said sign is located.

**Sec. 18-198 - Nonconforming existing signs, canopies and awning.**

- (1) A legally nonconforming sign, canopy or awning shall be kept in good repair. A sign, canopy or awning which is not repaired, painted or maintained within 90 days of written notification by the Zoning Administrator shall be removed and the owner shall be subject to penalty.
- (2) A legally nonconforming sign, canopy or awning, although it shall be maintained, may not be replaced except by a conforming sign, canopy or awning; except that the face of the nonconforming sign may be changed or modified provided that the new sign face is of the same dimensions of the existing sign and may be incorporated into the existing frame and supporting structure.
- (3) A legally nonconforming sign may not be enlarged or modified to increase the nonconformity.
- (4) If there is a change in ownership of the business or institution which the sign is representing, the face of the nonconforming sign may be changed or modified provided that the new sign face is of the same dimensions as the existing sign and may be incorporated into the existing frame and supporting structure.

- (5) A legally nonconforming sign, canopy or awning shall be discontinued and removed when the business identified on the sign, or in conjunction with which the canopy or awning exists, has closed or moved or the use of the building upon which the sign, canopy or awning is displayed or attached, is changed. A legally nonconforming sign, canopy or awning shall be deemed abandoned and shall be discontinued and removed if the property upon which such sign, canopy or awning is located remains vacant for a period of 60 days.
- (6) The Zoning Administrator, upon determining that a nonconforming sign, canopy or awning exists on any property, shall notify the owner, agent or person having beneficial use of the property of the existence of such nonconforming sign, canopy or awning and shall provide a copy of this Article with such notice.

**Sec. 18-199 - General provisions.**

The following general provisions apply to all signs in all zones and land uses unless otherwise stated:

- (1) Sign Area Measurement: The area of a sign face or lettering not enclosed in a frame, is determined by calculating the smallest square, circle, rectangle, triangle, or combination that will encompass the extreme limits of the sign, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This area calculation does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
- (2) Total sign area of combinations of any sign types shall not exceed all requirements for an individual sign.
- (3) Electronic Message Signs: An electronic message sign is considered a sign that uses changing lights to form a message or messages wherein the sequence of messages and the rate of change are electronically programmed and may be modified by electronic processes. All electronic message signs shall require a conditional use permit.
  - (a) Types of Signs: The following signs are allowed to be or have a portion of their sign area be an electronic message sign:
    1. Monument signs.
    2. Wall signs.
  - (b) Rate of Change: The frequency of the message change shall not exceed once every 60 seconds. The message shall not flash or move, but may scroll into place within 3 seconds from the start of the transition.
  - (c) Brightness:
    1. Brightness levels shall conform to the standards set in Illumination Section of this Article [subsection] 18-199(5)(b).
    2. Electronic message sign shall have the capability to lower the intensity of the light being emitted after it is erected.
    3. Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the maximum brightness level.
- (5) Illumination.
  - (a) Hours of Operation: All illuminated signs within 150' of any residential zoning district shall be turned off between the hours of 8:00 p.m. and 7:00 a.m. unless the establishment is engaged in



the operation of business during such period, in which case the sign may be lit during the hours of operation only.

- (b) Brightness: Signs may not have a luminance level of more than 0.3 of a foot-candle above the average ambient light level measured 150' from the face of the sign or have a luminance level of more than 0 foot-candles at the lot line.
- (c) Internal Illumination: If the sign is internally illuminated the light source shall be visible only through a translucent surface or recessed into the sign. The following types of signs may be internally illuminated:
  - 1. Monument signs.
  - 2. Wall signs.
- (d) External Illumination: If the sign is externally illuminated the light sources not be visible from the right-of-way. The following types of signs may be externally illuminated:
  - 1. Awning signs.
  - 2. Monument signs.
  - 3. Wall signs.
- (e) Direction: The illumination of signs shall be diffused or indirect and shall be arranged so no direct rays shall reflect into a public way or any lot on the perimeter of the premises on which the signs are located.
- (f) Prohibited:
  - 1. Exposed light bulbs, flashing, blinking or traveling and similar illumination are prohibited.
  - 2. No temporary sign shall be illuminated.

**Sec. 18-200 - Sign, awning or canopy permit.**

- (1) Application. Application for a sign, awning or canopy permit shall be made on forms provided by the Zoning Administrator, designee or City Clerk and shall contain or have attached thereto the following information:
  - (a) Name, address and telephone number of the applicant. Location of building, structure or lot to which or upon which the sign, awning or canopy is to be attached or erected.
  - (b) Name of person, firm, corporation or association erecting the sign, awning or canopy.
  - (c) Written consent of the owner or lessee of the building, structure or land to which or upon which the sign, awning or canopy is to be affixed.
  - (d) A scale drawing of such sign, awning or canopy indicating the dimensions, materials to be used, type of illumination, if any, and the method of construction and attachment.
  - (e) A plat of survey prepared by a land surveyor registered in Wisconsin or other map drawn to scale and approved by the Zoning Administrator or designee showing the location of such sign, awning or canopy in relation to property lines, buildings and structures.
  - (f) Copies of any other permit required and issued for the sign, awning or canopy, including the written approval of the Building Inspector so as to be in keeping with the Village Building Code. In the case of illuminated signs, awnings or canopies, all plans specifications, wiring and connections shall comply with the Village Electrical Code.
  - (g) Additional information as may be required by the Village, its Zoning Administrator or its Plan Commission.

- (2) Permit. Sign, awning or canopy permit applications shall be filed with the Zoning Administrator, who shall review the application for its completeness and accuracy.
  - (a) Said Zoning Administrator shall have discretion to approve or deny the application. If not satisfied with the decision of the Zoning Administrator, applicant shall have the right to submit an appeal to the Plan Commission.
  - (b) A sign, awning or canopy permit shall become null and void if work authorized under the permit has not been completed within 6 months of the date of issuance.
- (3) Standards. No permit shall be granted for a sign, canopy or awning unless the following standards are met:
  - (a) The character of the sign, canopy or awning should be consistent with the design of the building.
  - (b) Materials and colors shall compliment the building and be compatible with other buildings in the area.

## SECTION 2.

### Section 18-13 – Definitions repealed and recreated.

Section 18-13 Definitions are repealed and recreated as follows:

- (1) ~~Awning sign: A type of projecting, on-building sign consisting of a fabric or fabric-like sheathing material. A sign painted or otherwise adhered to an awning.~~

Awning sign: A temporary hood or cover projecting from the wall of the building. An awning may be retracted, folded or collapsed against the face of a supporting structure.

- (2) ~~Monument sign: A type of freestanding sign whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than six feet high.~~

Monument Sign: A freestanding sign that is detached from a building and has a support structure that is a solid appearing base constructed of permanent material.

- (3) ~~Projecting sign: A type of on-building sign, other than a wall sign, that is attached to and projects more than one foot, generally perpendicular from a structure or building face.~~

Projecting Sign: An on-premises attached sign end-mounted or otherwise attached to an exterior wall of a building which projects from the wall to which it is attached.

## SECTION 3.

### Section 18-13 Definitions added.

Section 18-13 Definitions:

- (1) Canopy Sign: A sign located on a canopy, which is a shelter, attached to or connected with a building and extending into a setback or over the public sidewalk.

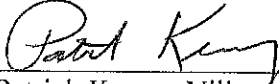
- (2) Changeable Copy Sign: A sign with characters, letters, or illustrations that can be changed or rearranged manually or electronically without altering the face or surface of the sign. All changeable copy signs shall require a conditional use permit.
- (3) Low Profile Monument Sign: A form of a monument sign that also is a freestanding sign detached from a building. This sign has a 2-pylon support structure and the area under the sign face is above the ground.


**SECTION 4.**

This Ordinance shall be in full force and effect upon its passage, approval and publication as required by law.

**PASSED AND ADOPTED** by the Village Board of the Village of Fontana-on-Lake Geneva, Walworth County, Wisconsin, this 6<sup>th</sup> day of July, 2020.

VILLAGE BOARD OF THE VILLAGE OF  
FONTANA-ON-GENEVA LAKE

By:   
Patrick Kenny, Village President

Attest:   
Theresa Loomer, Village Clerk