

- (d) Noise. This issue shall be addressed with planting of trees and shrubs as well solid fencing. The type and character of the anticipated noise shall be taken into consideration when determining the extent of such provisions.
- (3) When more than one issue or conflict is evident, the Plan Commission may determine which issues should be considered more significant and may combine these requirements for landscaping, fencing, and buffering in order to address multiple issues.
- (4) The applicant shall demonstrate the way in which fencing, landscaping, and buffering shall occur in drawings that depict the location of buildings, topography, fences, and plant materials or the adjoining properties. These drawings shall include both scaled plans and sections to show the existing conditions and proposed improvements.

§ 340-60. Grading.

- A. Large-scale grading for the purpose of creating lots of excessive slopes shall not be permitted.
- B. In order to protect adjacent property owners from possible damage due to changes in existing grades, no change in the existing topography within 20 feet of the property line shall result in the slope to a ratio greater than three horizontal to one vertical. In no case shall any slope exceed the normal angle of slippage of the soil involved. The exception to this requirement shall be where retaining walls are built with the written consent of the abutting property owner and with the approval of the Plan Commission.
- C. Any berm with any portion thereof over five feet shall require a conditional use, in accordance with the definition within § 340-164; the standards for conditional uses within §§ 340-37 through 340-43, inclusive, and the standards of Subsections A and B within this § 340-60. [Added 12-7-2009 by Ord. No. 2009-07]

ARTICLE VI

Signs

§ 340-61. Permit required.

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except those signs excepted in § 340-64 and without being in conformity with the provisions of this chapter.

§ 340-62. Application for permit; surety bond.

- A. Application for a sign permit shall be made on forms provided by the Town Building Inspector and shall contain or have attached thereto the following information:
- (1) Name, address, and telephone number of the applicant and location of the building, structure, or lot to which or upon which the sign is to be attached or erected.

- (2) Name of the person, firm, corporation, or association erecting the sign.
- (3) Written consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.
- (4) A scaled elevation drawing of such sign indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.
- (5) A scaled site plan drawing indicating the location and position of such sign in relation to nearby buildings or structures.
- (6) Copies of any other permits required and issued for said sign.
- (7) Additional information as may be required by the Town Plan Commission.

B. Every applicant for a sign permit shall, before the permit is granted, execute a surety bond in a sum to be fixed by the Building Inspector, but not to exceed \$25,000, and it shall be of a form and type approved by the Town Attorney, indemnifying the municipality against all loss, cost, damages, or expense incurred or sustained by or recovered against the municipality by reason of the erection, construction, or maintenance of such sign. A liability insurance policy issued by an insurance company authorized to do business in the State of Wisconsin and approved by the Town Attorney in lieu of a bond may permit conforming to the requirements of this section. [Amended 6-4-2007 by Ord. No. 2007-1-BI]

§ 340-63. Review and approval.

- A.** Sign permit applications shall be filed within 35 days prior to the Town Plan Commission meeting to allow review. The Plan Commission shall review the application and approve or deny, in writing, the application within 60 days of first consideration at a Plan Commission meeting, unless the time is extended by written agreement with the applicant. [Amended 6-4-2007 by Ord. No. 2007-1-B]
- B.** A sign permit shall become null and void if work authorized under the permit has not been completed within six months of the date of issuance.

§ 340-64. Signs allowed in all districts without a permit.

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

- A.** Agricultural signs pertaining to the sale of products on a farm and not exceeding 32 square feet in area for any one farm.
- B.** Real estate signs not exceeding eight square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.
- C.** Name, home occupation, and warning signs not exceeding eight square feet in area located on the premises.

- D. Bulletin boards for public, charitable or religious institutions not exceeding 32 square feet in area located on the premises.
- E. Memorial signs, tablets, names of buildings, and date of erection when cut **into any** masonry surface or when constructed of metal and affixed flat against a structure.
- F. Official signs, such as traffic control, parking restrictions, information, and notices.
- G. Temporary signs or banners when authorized by the Plan Commission.

§ 340-65. Signs allowed in business and industrial districts with a permit.

Signs are allowed in the business and industrial districts upon the granting of a permit therefor for the purpose of advertising a business or activity located on the premises, subject to the following restrictions:

- A. Wall signs placed against the exterior walls of buildings shall not extend more than 12 inches outside of a building's wall surface and shall not exceed 20 feet in height above the mean building (first floor) grade. Sign area on the front of a building may equal in square footage the linear width of the front of the structure and on the side of a building may equal in square footage 25% of the linear length of the building. For example, a building 100 feet wide by 200 feet long would be permitted a one-hundred-square-foot sign facing the street and a fifty-square-foot sign on the side of the building.
- B. Projecting signs fastened to, suspended from, or supported by structures shall not exceed 100 square feet in area for any one premises; shall not extend more than six feet into any required yard; shall not be less than 10 feet from all side lot lines; shall not exceed a height of 20 feet above the mean building grade; and shall not be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley.
- C. Ground signs shall not exceed 20 feet in height above the mean building grade and shall not exceed 100 square feet on one side or 250 square feet on all sides for any one premises.
- D. Roof signs shall not exceed five feet in height above the roof, shall meet all the yard and height requirements for the district in which they are located, and shall not exceed 100 square feet on all sides for any one premises.
- E. Window signs shall be placed only on the inside of commercial buildings and shall not exceed 25% of the glass area of the pane upon which **the sign** is displayed.
- F. Combinations of any of the above signs shall meet all the requirements for the individual sign.

§ 340-66. Signs allowed in agricultural districts with a permit.

The following signs are allowed in all agricultural districts subject to the granting of a permit therefor and are subject to the following regulations:

- A. Business directory signs shall not exceed two in number, indicating the business name and the direction and distance to a specific business, resort or commercial recreation facility located within 10 air miles of the sign. No such signs shall exceed 50 square feet of display area.

§ 340-67. Signs allowed in residential districts with a permit.

The following signs are allowed in all R-1 and R-2 Residential Districts subject to the granting of a permit therefor and are subject to the following regulations:

- A. Permanent subdivision identification signs. At any entrance to a residential subdivision there may be not more than two signs identifying such subdivision. A single side of any such sign may not exceed 16 square feet, nor may the total surface area of all such signs at a single entrance exceed 32 square feet.

§ 340-68. Election campaign signs.

Election campaign signs may be allowed in any district without a permit provided that permission shall be obtained from the property owner, renter or lessee and provided that such sign shall not be erected more than the election campaign period (§ 12.04, Wis. Stats.) and shall be removed within seven days following the election. No more than two campaign signs are permitted on properties in a business or industrial district, and the combined area of these signs shall not exceed 100 square feet. No more than one campaign sign shall be erected on a property in a residential district.

§ 340-69. Facing.

No sign except those permitted in §§ 340-64 and 340-67 shall be permitted to face a residential district within 100 feet of such district boundary.

§ 340-70. Color and shape.

Other than official signs authorized by the appropriate granting authority, no signs shall resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. 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. No sign shall be placed so as to obstruct or interfere with traffic visibility.

§ 340-71. Flashing or moving signs.

- A. No sign shall contain, include or be illuminated by a flashing light.
- B. No sign shall contain moving letters or parts.

§ 340-72. Construction and maintenance.

- A. 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 Town Building Code or other ordinance.¹⁷
- B. 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 that the space occupied is roped off, fenced off or otherwise isolated.
- C. 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 existing sign to its original condition, and shall maintain the premises on which the sign is erected in a clean, sanitary, and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds, and grass.
- D. Supporting members or braces of all signs shall be constructed of galvanized iron, properly treated steel, copper, brass, properly treated timbers, or other noncorrosive incombustible material. All projecting signs, if placed at a right or other angle to the wall or roof of any building, shall be attached by such noncorrosive metal bolts, anchors, cable, or other metal attachments as shall ensure permanent and safe construction and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through the walls or roof of the building, should the Town Building Inspector determine that the safe and permanent support of such sign so requires, and shall be securely anchored by wall plates and nuts to the inside of the walls or to bearings on the underside of two or more roof or ceiling joists in accordance with instructions given by the Town Building Inspector. Small flat signs containing less than 10 square feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Building Inspector.
- E. No signs or any part thereof or sign anchors, braces, or guide rods shall be attached, fastened, or anchored to any fire escape, fire ladder, or standpipe. No such sign or any part of any such sign or any anchor, brace, or guide rod shall be erected, put up, or maintained so as to hinder or prevent ingress or egress through any door, doorway, or window or so as to hinder or prevent the raising or placing of ladders against such building by the Fire Department of the Town, as necessity therefor may require.

§ 340-73. Existing signs.

Signs lawfully existing at the time of the adoption or amendment of this chapter may be continued though the size or location does not conform to this chapter.

17. Editor's Note: See Ch. 150, Building Construction.

ARTICLE VII
Wireless Communication Facilities
[Added 9-2-1997 by Ord. No. 97-7]

§ 340-74. Affected facilities.

- A. Towers, masts, poles or other supporting structures 35 or more feet in height used for the purpose of commercial transmission and/or reception of radio frequency waves shall be defined as a principal use requiring a conditional use permit. As a principal use, the land used for the placement of the tower, mast or pole regulated under this article will be subject to the minimum lot size for the district in which it is placed.
- B. Additional towers located within 100 feet of the principal tower on an existing site shall be considered an accessory use.
- C. Antennas mounted to existing towers, masts, poles or other supporting structures and the building for housing the electronic equipment associated with the antennas and/or towers shall be defined as an accessory use.
- D. Amateur radio towers will be excluded from this article, but normal setback requirements for these towers as defined elsewhere in this chapter shall be met.
- E. AM multi-tower phased arrays are not addressed in this chapter and would require an ordinance revision if applied for.

§ 340-75. Permitted zoning districts.

Commercial wireless towers may be permitted in all zoning districts except R-1, R-2, and any lands within 500 feet of the existing or proposed rights-of-way of freeways, expressways and interstate and controlled trafficways and within 1,500 feet of their existing or proposed interchange or turning lane rights-of-way, except where this corridor overlays the B-1 or M-1 Zoning District.

§ 340-76. Height restrictions and setback requirements.

- A. Maximum tower height shall be limited to 300 feet in the A-1 and A-2 Zoning Districts.
- B. Maximum tower height shall be limited to 150 feet in the B-1 and M-1 Zoning Districts.
- C. Maximum tower height may not exceed its setback from the nearest lot line.
- D. Maximum height shall be defined as the vertical distance between the highest point of the antenna or tower, whichever is higher, and the ground directly below this point.
- E. All accessory structures shall meet the minimum setback requirements of the zoning district in which they are located.