

ORDINANCE NO. 2022-07

VILLAGE OF YORKVILLE  
RACINE COUNTY, WISCONSIN

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 55, ARTICLE IX OF THE  
CODE OF ORDINANCES OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,  
WISCONSIN, RELATED TO SIGNS

THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,  
WISCONSIN, DO ORDAIN AS FOLLOWS:

1. That Article IX of the Racine County Zoning Code as adopted under Section 55-1 of the Code of Ordinance for the Village of Yorkville be, and hereby is, repealed and recreated to read as follows on the attached Exhibit A incorporated herein by reference.

2. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 12<sup>th</sup> day of December, 2022.

VILLAGE OF YORKVILLE

Ayes: 5

By:   
Douglas Nelson, President

Nays: Ø

Attest:   
Michael McKinney, Administrator/Clerk

Abstentions: Ø

Absences: Ø

**EXHIBIT A**

**ARTICLE IX. – SIGNS**

**DIVISION 1. – GENERALLY**

**Sec. 20-1356. - Scope, purpose, and findings.**

- (1) *Scope and Purpose*
  - (a) The sign regulations of this division establish regulations for the fabrication, construction, and use of signs in the Village. The regulations govern the location, type, size, and height of signs within the Village.
  - (b) These sign regulations do not regulate every form and instance of visual communication that may be displayed. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more general purposes or findings set forth in this division.
- (2) *Findings.* The adoption of this division reflects the formal findings by the Plan Commission and Village Board that these sign regulations advance the following compelling governmental interests:
  - (a) Protecting Village residents. Signs can obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately require regulation.
  - (b) Protecting property values. Regulating signs preserves the character of various neighborhoods, creates a harmonious community, and encourages economic development. This division allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs.
  - (c) Promoting public health, safety and general welfare. Regulating signs helps protect all persons using public thoroughfares and rights-of-way within the Village in relation to the signage displayed thereon, or overhanging, or projecting into such public spaces.
- (3) *Interpretation and administration.* The regulations of this division must be interpreted and administered in a manner consistent with the First Amendment guarantee of free speech.
- (4) *Content neutrality.* Any sign allowed under this chapter may contain, in lieu of any other message or copy, any lawful noncommercial message, as long as the sign complies with all size, height, location and other applicable regulations of this division.

- (5) *Compliance required.* The sign regulations of this division and all local and state building codes apply to all signs in all zoning districts, except as may be otherwise expressly stated in this chapter.
- (6) *General government exemption.* The sign regulations of this division are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the Village, state, or federal government. The inclusion of the term "government" in describing some types of signs does not subject the government to regulation but instead is intended to help clarify the types of signs that are exempt under this general government exemption.

### **Sec. 20-1357. Signs – Definitions.**

The following definitions are used in this article:

*Abandoned or Obsolete Sign.* Any display or sign remaining in place or not maintained for a period of ninety (90) days, which no longer identifies an ongoing business, product, or service available on the premises where the display or sign is located or where the building, business, or establishment to which the display or sign is related has ceased operation. For purposes of this definition, abandonment for the applicable period shall be deemed conclusive evidence of abandonment regardless of the property, business, or sign owner's intent.

*Agricultural Homestead Sign.* A sign with the principal purpose of identifying the name and address of a farm operation and/or date of establishment.

*Awning.* A hood or cover which projects from the wall of the building. Some may be retractable, folded, or collapsed against the face of a supporting structure.

*Banner.* Any sign or attractant made of non-structural materials such as cloth or flexible plastics.

*Billboard.* A sign which may pertain to the premises where the sign is located or directs persons to a different location from where the sign is located.

*Canopy.* A roof-like cover that projects from the wall of a building. Canopies may be freestanding, such as a covering over a service station island.

*Changeable copy signs.* Any message on a sign that may be changed by electronic process. Includes electronic signs that display the time and temperature.

*Directly illuminated.* Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.

*Drive through Sign.* A menu or pre-menu information sign displaying menu-related information for a restaurant with a drive-through facility.

*Electronic Signs.* A sign which has an electronically controlled, illuminated display surface which allows all, or a portion, of the sign to be changed or illuminated in different ways.

*Flashing.* Any direct or indirect illumination of a sign on which artificial light is not stationary and constant in intensity and color at all times when in use.

*Government Sign.* A sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government.

*Ground Sign.* A freestanding, self-supported sign structure erected or supported from the ground containing one or more faces for sign or display purposes.

*Identification.* Any name or logo of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.

*Indirect illumination.* Shall mean a source of illumination outside of the actual sign.

*Marquee.* A permanent roof-like area to mount a sign that projects beyond a building wall at an entrance to a building or extends along and projects beyond the building's wall and is generally designed and constructed to provide protection against weather.

*Nonconforming sign.* Any sign that does not conform to the regulations of this article.

*Off-Premises sign.* Any sign that is five hundred (500) feet or more from a building or *Premises*.

*On-Premises sign.* Any sign that is less than five hundred (500) feet from a building or *Premises*.

*Pole Sign.* A sign that is mounted on a freestanding pole or other support.

*Portable Sign Structure.* Any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

*Premises.* A house or building, together with its land and outbuildings.

*Projecting Sign.* Any structure extending more than eighteen (18) inches, but less than sixty (60) inches from the face of a wall or building and not to exceed thirty-six (36) inches into the road right-of-way designed to carry a sign.

*Recreational Directory Signs.* A sign indicating the direction and/or distance to a specific cottage, resort, residence, or recreation facility that is located within an agricultural, resource conservation or park district.

*Roof signs.* A sign affixed to a roof of a building where the top edge of any point of that sign does not exceed the height of the roof plane to which it is affixed.

*Sandwich Board Sign.* An outdoor freestanding structure designed with an A-Frame construction no larger than twenty-five (25) inches wide by forty-five (45) inches tall capable of holding signage on both sides with a signage area typically twenty-four (24) inches by thirty-six (36) inches.

*Sign.* Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters designed for the purpose of conveying information or attracting attention.

*Temporary sign.* Any sign structure intended to display a sign for a short period of time.

*Time and/or temperature devices.* An electronic sign that displays the time, temperature, or both. Time and/or temperature information may be in addition to other sign copy or advertising.

*Wall Sign.* Structure attached to, erected on, or painted on the wall of a building that supports or permits the mounting of signage, such as letters, pictures and symbols.

*Way-finding sign.* A sign with the purpose of serving the public welfare through way-finding by displaying the address of the residence, name of the destination, arrow, and/or distance.

*Window sign.* Any sign area located within an enclosed building and visible from a public way, also including signage mounted onto window surfaces.

## **Sec. 20-1358. - Existing signs.**

- (a) Signs (including billboards) lawfully existing at the time of the adoption or amendment of this article may be continued, although the use, size, height, or location does not conform to the provisions of this article. However, they are deemed a nonconforming use or structure and the provisions of section 20-186 et seq. apply. Notwithstanding section 20-186 et seq., the zoning administrator is authorized to issue a zoning permit for conversion of an existing

nonconforming sign from static to digital display, even if the costs of conversion exceed fifty (50) percent of the equalized assessed value, as long as the sign meets the requirements of this article, and does not otherwise become more nonconforming in its overall size, location or height. A conversion from static to digital display that increases the nonconformity of the overall size, location or height of an existing nonconforming sign will require approval via the site plan review process or a petition for a variance to the village board of appeals.

- (b) Except as provided in subsection (a), a sign loses its legal nonconforming status if the overall size, design, structure, location or height of the sign is altered in any way that makes the sign less in compliance with requirements of this article than it was before alteration.
- (c) Notwithstanding subsection 20-1360(1), a zoning permit will be required for any structural alteration, addition, or repair to a legal nonconforming sign.

**Sec. 20-1359. - Obsolete signs.**

Upon vacating a commercial, industrial, agricultural, or institutional establishment, obsolete signs must be removed within sixty (60) days, or for wall signs, may be painted out to match the building's exterior color, by the owner, agent, or person having the beneficial use of the property, building, or structure upon which such signs may be found.

**Sec. 20-1360 - Prohibited signs and sign characteristics.**

- (1) No sign may be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit, except as provided herein and except for normal maintenance and repair, without being in conformity with the provisions of this article.
- (2) An applicant may seek village board review of an application for a sign permit for any prohibited sign or sign characteristic listed in this section. The village board will then either approve a variance for the sign along with reasonable conditions, or deny the sign application.
- (3) The following signs and sign characteristics are prohibited except as otherwise expressly stated:
  - (a) Signs for which no required permit has been issued;
  - (b) Signs that by reason of position, shape, color or design interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal or device;

- (c) Signs that use words such as "stop," "look," "danger," or any other word, phrase, symbol, or character in a manner that interferes with, misleads, or confuses users of streets or highways;
- (d) Fluttering, undulating, swinging, rotating, or otherwise moving signs, such as wind socks, motorized signs, pennants, pinwheels, festoons, inflatables, and streamers (does not apply to banner signs) except as may be allowed under Section 20-1380 and Section 12-1404;
- (e) Signs that project above the building parapet or eave;
- (f) Flashing, scrolling, or animated signs;
- (g) Beacons and search lights;
- (h) Abandoned signs;
- (i) Portable trailer signs with backlighting;
- (j) Signs that prevent free ingress to or egress from any door, window, or fire escape;
- (k) Signs attached to a standpipe or fire escape;
- (l) Roof signs;
- (m) Signs attached to or painted on a licensed motor vehicle if the sign:
  - (1) Directs attention to a business, service, commodity, or activity offered or sold on the premises; and
  - (2) If the vehicle is parked closer to the street than the nearest building wall (does not apply to vehicles parked for the purpose of immediate loading and unloading).
- (n) Signs attached to or painted on an inoperable or unlicensed vehicle (motorized or nonmotorized) located in view of the right-of-way;
- (o) Signs located in or obstructing required parking or loading spaces, or that otherwise obstruct vehicular or pedestrian access or circulation, or that pose any other hazard to motorized or nonmotorized travel;
- (p) Signs that violate the intersection visibility regulations of Sec. 20-1086;

- (q) Signs located in or that project into the right-of-way of a public street, except as expressly allowed under this division or as otherwise permitted by the Village;
- (r) Sign displays with a brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle;
- (s) No sign may be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered in any conservancy district, SWO district, or any floodplain district other than the FFO Urban Floodplain Fringe Overlay District; and
- (t) Signs that are located in a vision corner or vision triangle unless in compliance with section 20-1086.

**Sec. 20-1361. - Construction, maintenance and appearance.**

- (1) All signs must be constructed, mounted, and maintained so as to comply with all applicable provisions of the building code and electrical code.
- (2) The base or supports of all ground-mounted signs must be securely anchored to a concrete base or footing and must meet applicable minimum wind load capabilities.
- (3) The footing and related support structure of a permanent freestanding sign, including bolts, flanges, and brackets, must be concealed by landscaping.
- (4) Signs must be mounted so that the method of installation is concealed.
- (5) Signs must be anchored to minimize any lateral movement that would cause wear on the sign face or supporting members or connections.
- (6) All permanent signs and their supporting members must be constructed of standardized sign materials.
- (7) No combustible materials other than approved plastics may be used in the construction of electric signs.
- (8) All signs must remain in a state of proper maintenance, including 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 other components.



- (9) Any signs that are rotted, unsafe, or that are not in a state of proper maintenance must be repaired or removed by the licensee or owner of the sign or owner of the property upon which the sign stands, upon notice of the Village.
- (10) All signs erected or installed after December 15, 2022, must display in a conspicuous place thereon the date of erection, the manufacturer's name, the permit number, and the voltage of any electrical apparatus used in connection with the sign.
- (11) The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, must 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.
- (12) If a permitted sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit must be conditioned on the sign owner agreeing to hold the Village harmless and obtaining and maintaining in force liability insurance for such a sign in an amount of at least One Million Dollars (\$1,000,000) per occurrence per sign or such greater amount as the Village may reasonably determine.

**Sec. 20-1362. - Sign permits.**

- (1) A sign permit must be obtained for any and all signs that are located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered, unless otherwise expressly stated in this division.
- (2) Sign permits are not required for repainting, changing of parts, and preventive maintenance of signs if such activities result in absolutely no change in the appearance of the sign from that which was originally approved.
- (3) Notwithstanding section 20-81, a zoning permit application for a sign must be submitted to the Village's zoning administrator on forms provided by the zoning administrator. The zoning permit application must contain or have attached thereto at least the following information:
  - (a) Applicant's name, address, and telephone number.
  - (b) Location of building, structure, or lot to which or upon which the sign is to be located.
  - (c) Name of person, firm, corporation, or association erecting the sign.
  - (d) Written consent of the owner or lessee of the building, structure, or land to or upon which the sign is to be located. Owner or lessee's signature on the zoning permit application is considered written consent. The signature of an

owner's representative or agent is acceptable provided a letter of agency is on file with the Zoning Administrator.

- (e) A drawing of such sign indicating the materials to be used, the type of illumination, if any, and the method of construction and attachment. Said drawing must be drawn at a scale no smaller than one-tenth ( 1/10 ) inch equals one (1) foot or dimensions must be shown on the drawing.
- (f) A drawing indicating the location and position of such sign in relation to nearby buildings, structures, and lot lines. Said drawing must include the sign's height above finished yard grade. Said drawing must be at a scale no smaller than one (1) inch equals fifty (50) feet or dimensions must be shown on the drawing.
- (g) Signs requiring state or federal approval must provide a copy of such approval with the sign permit application.
- (h) Additional information as may be required by the zoning administrator.

## **DIVISION 2. – ADMINISTRATION**

### **Sec. 20-1380. Signs for which no permit is required—All zoning districts.**

The following signs may be erected and maintained without a sign permit as long as they do not constitute a hazard or nuisance. Such signs are not counted as signs for purposes of determining the number of signs or amount of signage on a lot.

- (a) Signs erected and maintained pursuant to the discharge of governmental functions, or that are required by law, ordinance, or government regulation, or that are required to be posted in order to effectuate a legal right;
- (b) Operational signs designating entrances, exits, service areas, parking areas, restrooms and other such signs relating to the functional operation of the subject building or premises, including "no trespassing," "no hunting," and warning signs;
- (c) Signs, plaques, or carvings that are affixed to a building with identifying information of a building or occupants, addresses, or dates of construction that are necessary to the public interest and that:
  - (1) Are not illuminated; and
  - (2) Do not exceed two (2) square feet in area per sign.
- (d) Interior and inside-window signs intended for viewing from inside or outside the building, provided that such signs are permitted only on buildings

occupied by nonresidential uses and may cover or obscure no more than 40% of the subject building facade's total window area; and

- (e) Fuel price signs on lots occupied by fueling stations, as required by § 100.18(8), Wis. Stats.
- (f) Signs advertising events or activities sponsored or authorized by a governmental body, as defined in Wis. Stat. Sec. 19.82(1). Such signs are not subject to the signage requirements set forth in Secs. 1400(1)(a) or (b).

**Sec. 20-1381. - Signs for which no permits are required—Agricultural, resource conservation, and park districts.**

The following signs may be located in all agricultural, resource conservation, and park districts without a permit and subject to the conditions herein specified:

- (1) On-premises or off-premises recreational directory signs not to exceed two (2) in number not to exceed twelve (12) square feet in display area on one (1) side and twenty-four (24) square feet on all sides, five (5) feet in height and no closer than ten (10) feet to any right-of-way or property line.
- (2) Signs over show windows or doors of a nonconforming business establishment not to exceed two (2) in number announcing, without display or elaboration, only the name and occupation of the proprietor and not to exceed a total of twenty (20) square feet in area for all signs, and twenty (20) feet in height.
- (3) On-premises agricultural homestead signs, where the principal purpose of the sign is to identify the name and address of a farm operation and/or date of establishment, which may not exceed twenty-four (24) square feet in area on one (1) side and forty-eight (48) square feet in area on all sides, limited to one (1) sign for any one (1) farm, and such signs are located at least ten (10) feet from the outer limits of the street right-of-way or any property line, and such signs do not exceed ten (10) feet in height. Such signs may be exempt from the aforementioned height limit if painted upon the wall of an accessory structure. The size of such wall signs may exceed twenty-four (24) square feet if done in an aesthetically pleasing manner that is approved through a site plan review by the zoning administrator.
- (4) Residential subdivisions located in C2 conservancy zoning are prohibited from erecting signs permitted under this section.

**DIVISION 3. - Specific Sign Regulations.**

**Sec. 20-1400. - Signs allowed in all zoning districts.**

- (1) Signs allowed at any time.

- (a) Up to three (3) square feet of window signage or window signage covering up to 25% of the window, whichever is lesser, is allowed per window.
  - (b) Up to four (4) square feet of (non-window) temporary signage not more than six (6) feet in height is allowed per 100 (100) feet of lot frontage, subject to a maximum of thirty-two (32) square feet of signage per parcel.
- (2) Temporary signs on property being opened to the public. In addition to the other signs allowed under this section, six additional square feet of temporary signage per 100 feet of lot frontage, subject to a maximum of twelve (12) additional square feet of signage per parcel, may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, that the owner may not use this type of sign in a residential district on more than nine (9) days in a year and may not use this type of sign in any commercial district for more than 30 (30) days in a year. For purposes of this section, a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.
- (3) Additional temporary development signs for the purpose of designating a new building or development or for promotion of a subdivision may be permitted for a period up to two (2) years, and extensions may be granted for a period not to exceed five (5) years total. Signs may not exceed forty-eight (48) square feet in area on one (1) side and ninety-six (96) square feet in area on all sides; may not exceed twelve (12) feet in height, and must be located not closer than fifteen (15) feet from any street right-of-way and seventy-five (75) feet from any street right-of-way intersection, nor closer than ten (10) feet to any side or rear lot line. Only one (1) such sign is permitted per street frontage.
- (4) Additional temporary signs on property for sale, rent or lease. In addition to the other signs allowed under this section, up to twelve (12) additional square feet of temporary signage is allowed per 100 feet of lot frontage, subject to a maximum of twelve (12) additional square feet of signage per parcel in the following cases:
  - (a) The owner consents and that property is being offered for sale, rent or lease through a licensed real estate agent or through advertising in a local newspaper of general circulation or equivalent web-based advertising.
  - (b) For up to thirty (30) days following the date on which a contract of sale has been executed by a person purchasing the property.
  - (c) During the time between the issuance of a building permit for construction on the subject property and issuance of a certificate of occupancy.
  - (d) Up to thirty (30) days immediately following issuance of a certificate of occupancy for the subject property.

- (e) When a property is offered for sale and being opened to the general public, including a period of seventy-two (72) hours before that opening.
- (f) The traditional arm and post residential real estate signs are allowed.
- (g) For square footage and sign counting requirements, an arm and post sign with a small (2 sq. ft.) rider sign attached shall count as one sign.
- (h) Notwithstanding the above, commercial or non-residential real estate signs are allowed up to 32 square feet in area and shall not exceed ten (10) feet in height.

Note: Typical residential real estate signs are approximately 12 square feet and are double sided. Rider signs are typically 2 square feet. Commercial real estate signs are typically 32 square feet.

- (5) General regulations. Under the sign regulations of this section
  - (a) Any street frontage under 100 feet is counted as 100 feet. Additional allowances are per 100 feet and not awarded at a ratio.
  - (b) Each street frontage of a corner lot or double-frontage lot is counted separately and is given its own allowances.
  - (c) Additional signage allowances are not mutually exclusive; properties that meet multiple conditions that allow for additional temporary signage are allowed additional signage for each.
  - (d) Sign allowances under section 20-1400 can be subdivided or combined among individual signs, so long as any one sign does not exceed 12 square feet in a residential district or 32 square feet in any nonresidential district.
  - (e) The lessor of a property is considered the owner of the subject property if the lessor holds a right to use exclusive of others (or the sole right to occupy).

**Sec. 20-1401. – Billboards permitted in all commercial and industrial districts with a permit.**

- (a) Billboards may be erected in all commercial and industrial districts with a permit and subject to the conditions specified in this section.
- (b) No billboard erected in the Village shall be within twenty (20) feet of a side or rear lot line and fifty (50) feet of a street right-of way line, and all such billboards shall be set back at least one hundred (100) feet from any freeway or expressway. Such street setback shall be measured from the

outer right-of-way line of the freeway complex including frontage roads regardless of jurisdiction.

- (c) Billboards designed, intended or located in a manner to be visible to the traveling public on a freeway or expressway shall be limited to seven hundred fifty (750) square feet in area including temporary cutouts or extensions but excluding ornamental base or apron, supports and other structural members. The maximum size limitation shall apply to each side of a billboard and may be double faced, V type or placed back to back.
- (d) Billboards designed, intended or located in such a manner as to be visible to the traveling public on a freeway or expressway shall be limited to forty (40) feet in height. Such height shall be measured from the mean centerline street grade of such freeway or expressway to which the billboard is oriented or ground level at the billboard location, whichever is higher.
- (e) Illuminated billboards shall be erected or maintained so that the beams or rays of light are effectively shielded so as not to cause glare or impair the vision of the driver of any motor vehicle and while changeable copy signs are allowed, they shall contain no flashing, intermittent or moving lights.
- (f) No billboard shall be erected within a two-thousand-foot radius of any other billboard or within two thousand (2,000) feet of any intersection, or within two thousand (2,000) feet of the property line of any airport, airfield or landing strip. In those instances where vision corners are a part of the right-of-way, the two-thousand-foot distance shall be measured from the intersection right-of-way lines as if the vision corner did not exist.
- (g) Billboards which are not designed, intended or located in a manner so as to be visible to the traveling public on freeways and expressways shall not exceed twenty (20) feet in height above mean centerline street grade and shall not exceed three hundred (300) square feet on one (1) nor six hundred (600) feet on all sides for any one (1) sign.
- (h) The owner of any billboard shall keep it in sound condition, well-maintained, and in good appearance and repair which includes restoring, repainting, or replacement of a worn or damaged legally existing billboard to its original condition, and shall maintain the premises on which the billboard is erected in a clean, sanitary, and inoffensive condition, free and clear of all obnoxious substances, rubbish, refuse, debris and weeds.
- (i) All billboards designed, intended or located in a manner to be visible to the traveling public on a freeway or expressway shall be erected on a single steel pole upright.

- (j) No off-premise changeable copy sign may be located within four hundred (400) feet of any "R-zoned" residential district from which the sign face is visible. The distance must be calculated as the shortest measurable distance between the nearest point of the sign to the edge of the residential zoning district, in a straight line and without regard to intervening structures.
- (k) Nuisance light on residential properties is prohibited. Spill light is considered a nuisance when measurement in the nearest habitable area of the residential property at the location where the alleged nuisance occurs reveals that such light produces 0.2 foot-candles or more measured perpendicular to the ground at approximately four (4) feet from the ground at which the measurement is taken.
- (l) The required light standard during daylight hours is five thousand (5,000) NITs (candelas per square meter), and five hundred (500) NITs (candelas per square meter) between dusk and dawn or the minimum standards set by the Federal Highway Administration, whichever is more restrictive.

**Sec. 20-1402. - On-premises signs permitted in all residential districts with a permit.**

The following signs may be located in any residential district and are subject to the conditions herein specified:

- (1) Single-family, two-family, and multi-family permanent residential development signs not to exceed forty-eight (48) square feet in area on one (1) side and ninety-six (96) square feet in area on all sides, that are located at entrances to subdivisions or developments or along abutting streets or highways, identifying residential complexes or displaying the property addresses. Said signs must be located on an outlot, permanent easement, or other common area and they must be located not closer than fifteen (15) feet to any street right-of-way, nor closer than ten (10) feet to any side or rear lot line. Said signs may also be located within a street center island, boulevard, or median strip with proper jurisdictional approval. Such signs may not exceed twelve (12) feet in height. No more than two (2) such signs are permitted for any one (1) subdivision or development.

**Sec. 20-1403. - On-premises signs permitted in all business and industrial districts with a permit.**

The following signs may be located in all business and industrial districts subject to the conditions herein specified:

- (1) Wall signs placed against the exterior walls of buildings may not extend more than twelve (12) inches outside of a building's wall surface may not exceed thirty (30) feet in height, and may not extend above the roof line of a flat roof, or the eave line of a building with a gambrel, gable, dome, or hip roof or the deckline of a building with a mansard roof. Total area of all wall signs may not exceed five hundred (500)

square feet in area for any one (1) premises; except that in multi-tenant shopping centers, the anchor tenant(s) may each have five hundred (500) square feet of allowable sign area and the total area of all individual wall signs for non-anchor businesses within such multi-tenant structures shall not exceed fifty (50) square feet per tenant. An anchor tenant is defined as the major store or stores within a shopping center exceeding forty thousand (40,000) square feet in total floor area.

- (2) Projecting signs fastened to, suspended from, or supported by structures may not extend more than six (6) feet from said structure; may not be less than ten (10) feet from all lot lines; may not exceed a height of twenty (20) feet; and the bottom of the sign may not be less than twelve (12) feet above the sidewalk or fifteen (15) feet above a driveway or an alley. Total area of all projecting signs may not exceed one hundred (100) square feet in area for any one (1) premises, regardless of the number of projecting signs on the site.
- (2) Marquee, awning, and canopy signs affixed flat to the surface of a marquee, awning, or canopy are permitted provided that the signs do not extend more than six (6) inches vertically or horizontally beyond the limits of such marquee, awning, or canopy. A marquee, awning, or canopy for a shopping center may not extend beyond a point one (1) foot back from the vertical plane formed by the curbline in the shopping center. No marquee, awning, or canopy may project into a required street yard, side yard, or rear yard, unless such structure already exists as an existing legal nonconforming structure or was approved by variance by the village board of appeals and such sign does not increase the dimensional nonconformity by more than six (6) inches. A name sign not exceeding two (2) square feet in area located immediately in front of the entrance to an establishment may be suspended from a marquee, awning, or canopy provided that the bottom of the name sign is at least twelve (12) feet above the sidewalk or fifteen (15) feet above a driveway or alley. Total area of all marquee, awning, or canopy signs may not exceed sixty (60) square feet in area for any one (1) premises, except that gas station canopies over gas islands may have an additional sixty (60) square feet in area for each additional canopy beyond the first one.
- (3) Ground signs may not exceed fifteen (15) feet in height and may not exceed one hundred (100) square feet on one (1) side or two hundred (200) square feet on all sides for any one (1) premises. Ground signs must be located not closer than fifteen (15) feet to a street right-of-way or closer than ten (10) feet to a side or rear lot line.
- (4) Pole signs may not exceed a height of twenty (20) feet; the bottom of the sign may not be less than six (6) feet above the lot grade; may not exceed two hundred (200) square feet on one (1) side or four hundred (400) square feet on all sides for any one (1) premises. Pole signs must be located not closer than twenty-five (25) feet from a street right-of-way or closer than twenty (20) feet to a side or rear lot line. The area of signs may be increased to a total of three hundred (300) square feet of one (1) side and six hundred (600) square feet on all sides if the sign is within



one hundred (100) feet of the right-of-way of an interstate freeway and is designed and located to be read from the interstate freeway. One (1) pole sign within one hundred (100) feet of the right-of-way of an Interstate freeway may be up to thirty-five (35) feet in height.

- (6) Roof signs may not exceed ten (10) feet in height above the roof; may not extend horizontally beyond the wall of the roof to which they are attached; may not exceed height requirements for the district in which they are located; and may not exceed three hundred (300) square feet in area on all sides for any one (1) premises.
- (7) Changeable copy signs may be erected as wall signs, projecting signs, ground signs, canopy signs, or pole signs and must meet the requirements attendant to those sign types. Notwithstanding the provisions of section 20-1360(2), time and/or temperature devices may change their copy not more than once every four (4) seconds.
- (8) Window signs, except for painted signs and decals, that may be placed on the outside of the glass, may be placed only on the inside of buildings and only in first floor windows/doors. No permit is required for window signs that are not readable from the street right-of-way. The total area of all window signs requiring a permit shall not cover more than twenty (20) percent of the total window area or door window area to which they are applied, or one hundred (100) square feet, whichever is less.
- (9) Signs on any one (1) site are further limited as follows:
  - a. Shopping centers and multi-tenant buildings may provide one (1) ground or pole sign for each street frontage. Such facilities may also provide one (1) wall sign or one (1) sign for each business in the building.
  - b. Gasoline stations, service stations, convenience stores with pumps, or any combination thereof may provide one (1) ground sign and one (1) additional pole or ground sign. Wall signs and canopy signs may also be provided subject to total square footage limitations. Signs advertising incidental products for sale that are window signs or located on the gasoline pumps, and are not readable from the street right-of-way, will not require permits or be regulated in number.
  - c. For all other uses, total signs are limited to one (1) ground or pole sign and two (2) other signs per street-view frontage.
  - d. For subsections (9)(a), (b), and (c) above, window signs are not subject to the limitation on number of signs. However, such signs may not occupy more than twenty (20) percent of the total window area or one hundred (100) square feet, whichever is less.

- e. The total of all signs that require permits that are erected or placed on any one (1) premises may not exceed twelve hundred (1,200) square feet in total display area, except for multi-tenant shopping centers, which will be allowed an additional five hundred (500) square feet of display area for each anchor store beyond the first one, under subsection (1) above.
  - f. As an alternative to limitations in subsections (1), (2), (3), (4), and (5) above, the parcel owner may submit a master sign plan to the zoning administrator for review and to the Village board for approval. This master sign plan must indicate the type, construction, location, size and height of each proposed sign on the site. Approval of the master sign plan is required before issuance of the permit for the proposed sign on the property. After approval of a master sign plan, no sign shall be erected, placed, altered, moved, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this chapter. In cases of any conflict between the provision of such a plan and any other provisions of this chapter, the chapter shall control.
- (10) Any sign authorized in this chapter is allowed to contain non-commercial copy in lieu of any other copy.

**Sec. 20-1404. - On premises temporary signs in business or industrial district with a permit.**

- (a) A permit is required for temporary signs in business or industrial districts, including portable signs and banners, and such signs must conform to all regulations of this section. These provisions do not apply to subsections 20-1380(12), (14) and (19), section 20-1402(2), and subsection 20-1407(a).
- (b) Such signs for on-premises advertising purposes are allowed in any business or industrial district provided that such signs will not be located closer than fifteen (15) feet to any street right-of-way, will not be located closer than ten (10) feet to an adjacent property line, will not exceed twenty (20) feet in height {six (6) feet for a portable sign}, will not cause a hazard to traffic or adjoining properties, will not exceed thirty-two (32) square feet in area on one (1) side nor sixty-four (64) square feet in area on all sides for any one (1) premises.
- (c) The application for a temporary sign permit must state who is responsible for the removal of the sign and must include that person's address and telephone number. Such permit authorizing any temporary sign may not exceed thirty (30) days in a calendar year and the sign may not remain more than three (3) days after the expiration of the permit. Only one (1) such permit may be issued per premises per year.

**Sec. 20-1405. - On premises signs permitted in park and resource conservation districts with a permit.**

- (a) Public and private institutional and park name signs shall be permitted in the P-1, P-2, C- 1, and C-2 districts with a permit. Such signs may be erected as wall signs, projecting signs, ground signs, or pole signs and shall meet the requirements under section 20-1403.
- (b) Cluster residential developments in the C-2 district may have permanent residential development signs pursuant to the provisions of subsection 20-1402(1).

**Sec. 20-1406. - Institutional signs with a permit.**

Institutional signs in any zoning district, except for signs in zoning districts regulated by section 20-1405, must be located on the same premises as the institution and may be displayed after obtaining a zoning permit, subject to the following restrictions:

- (1) Projecting signs may not project further than four (4) feet into any required yard, except that no such projection is allowed into the shore yard. Roof, wall, or projecting signs may not exceed thirty-two (32) square feet in area for one (1) side and sixty-four (64) square feet in area on all sides, may not exceed the height requirement of the district, and the number of signs may not exceed two (2) signs per street frontage.
- (2) Ground signs must be located not less than fifteen (15) feet from the street right-of-way line, nor closer to the rear or side yard line than ten (10) feet. Such institutional ground signs may not at any point exceed fifteen (15) feet in height. The area of such sign may not exceed sixty-four (64) square feet on one (1) side and one hundred twenty-eight (128) square feet in area on all sides. The number of signs may not exceed two (2) signs per street frontage.

**Sec. 20-1407. - Agricultural signs with a permit.**

- (a) Agricultural signs pertaining to the sale of products actually grown on the farm or in connection with a roadside stand not to exceed thirty-two (32) square feet in area on one (1) side and sixty-four (64) square feet on all sides for no more than two (2) signs on any one (1) farm, such signs are located at least ten (10) feet from the outer limits of the street right-of-way or any property line, such signs do not exceed fifteen (15) feet in height, and such signs are located on the same premises as the products for sale.
- (b) Signs for agricultural businesses approved by conditional use shall be treated as commercial/industrial signs pursuant to section 20-1403 and are also allowed in agriculturally zoned districts.

### **Sec. 20-1408. – Signs in Shoreland Areas.**

All signs in shoreland areas that are readable to stream or lake users at any time of the year may not exceed twenty-five (25) square feet in area on one (1) side or fifty (50) square feet in area on all sides for any one (1) premises; the sign may not exceed a height of twenty (20) feet, may not be located closer than twenty-five (25) feet to any side lot lines, and may not be located closer than seventy-five (75) feet to the ordinary high water mark of any navigable water body, unless the signs are official signs of any public or governmental agency, such as railroad crossing signs, trespassing signs, signs indicating danger, or signs used as aids to service or safety including water dependent informational signs with public health, safety or regulatory information that are no larger than necessary to accommodate the information that needs to be displayed.

### **Sec. 20-1409. - Way-finding signs.**

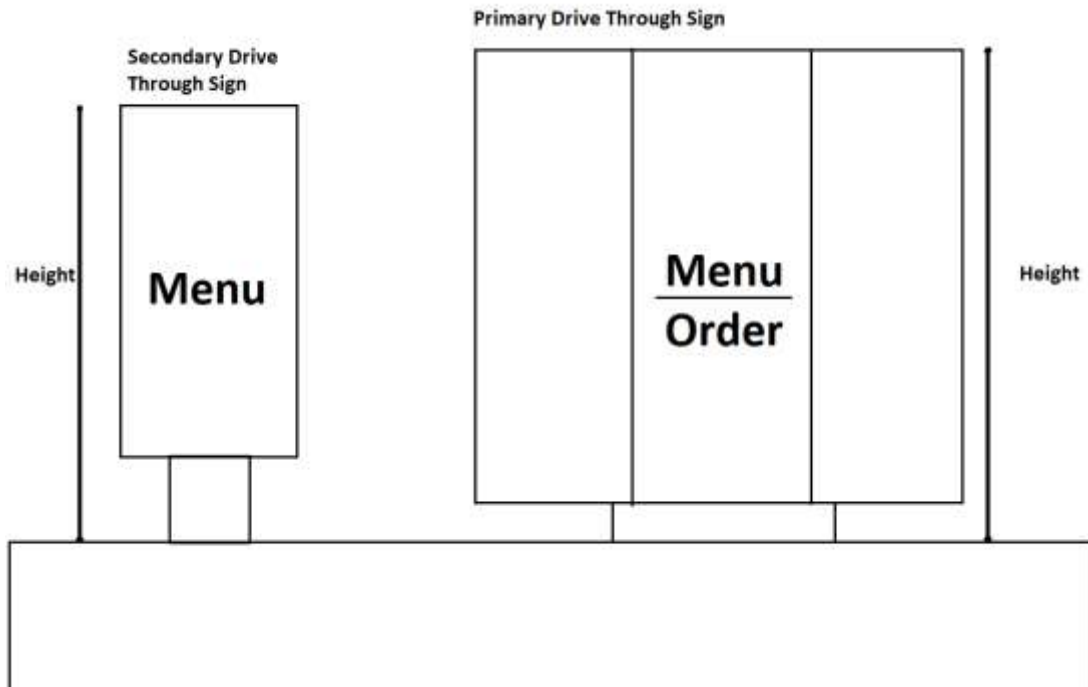
A single permanent sign placed by the property owner for the purpose of serving the public welfare through way-finding is permitted in all nonresidential zoning districts. Such way-finding signs may not exceed 12 square feet in area, except that such signs may be up to 30 square feet in area if a substantial landscape area is provided around the base of the sign and illumination on each side is limited to exterior lighting, not exceeding 1,100 lumens per 15 square feet of sign area.

### **Sec. 20-1410. - Drive-through signs.**

Drive-through signs are permitted in conjunction with drive-through uses, in accordance with the following regulations:

- (1) Drive-through signs must be located within 10 feet of a drive-through lane.
- (2) One primary drive-through sign not to exceed 36 square feet in area or eight feet in height is allowed per order station up to a maximum of two primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or six feet in height is allowed per lane.
- (3) Drive-through signs must be set back at least 25 feet from residential zoning districts.
- (4) Drive-through signs must be oriented to be visible by motorists in allowed drive-through lanes.
- (5) Internal illumination is permitted only when the sign is completely screened from view of abutting residential zoned lots.

#### **Figure 20-14010-1 Drive-Through Sign**



**Sec. 20-1411. - Sign illumination.**

- (a) Signs may not be erected or maintained if they contain, include, or are illuminated by any flashing light, electronic change in messages, electronic change in background colors, electronic change in light intensity, or electronic video display, except for electronic messaging signs permitted under § 20-1411.
- (b) External light sources used to illuminate signs must be effectively shielded so as to prevent:
  - (1) Beams or rays of light from being directed at any portion of the traveled way of any roadway; or
  - (2) Beams of light of such intensity or brilliance as to cause glare or impair vision of the operator of any motor vehicle.

**Sec. 20-1412. - Electronic signs.**

- (a) **Prohibited electronic signs.** The following types of electronic signs are prohibited:
  - (1) Video display signs
- (b) **Electronic messaging signs.** Unless otherwise expressly prohibited under this division, a freestanding sign or on-building sign may be an electronic

messaging sign or include electronic messaging elements, subject to compliance with the following regulations:

- (1) An electronic messaging sign or sign element may not exceed thirty (30) percent of the maximum sign area allowed for the subject sign type.
- (2) The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display may not blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance, except when the electronic message or display is changed to another message or display.
- (3) The images and messages displayed on an electronic messaging sign must have a minimum dwell time of at least twenty (20) seconds and may not contain any movement, animation, audio, video, pyrotechnics or other special effects. The images and messages displayed must be complete in and of themselves within the required dwell time.
- (4) The transition or change from one message to another must occur in two seconds or less and involve no animation or special effects.
- (5) Electronic messaging signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
- (6) Electronic messaging signs must have a nonilluminated background.
- (7) The maximum illumination level of the display on an electronic messaging sign may not exceed 0.3 footcandle above ambient light levels, measured as follows:
  - a. At least thirty (30) minutes past sunset, and with the electronic display either turned off, showing all black copy, or blocked, a footcandle (light) meter must be used to record the area's ambient light level. An ambient reading will be taken with the meter aimed directly at the electronic display and at the following distance:

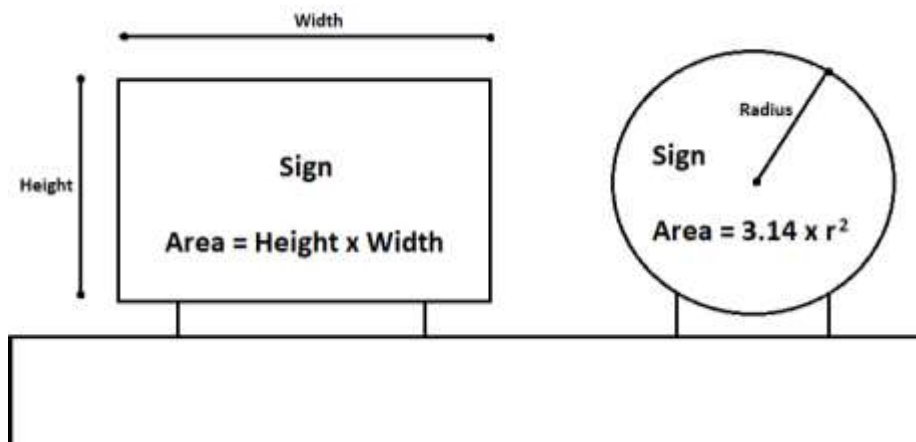
Electronic Display Area (square feet)	Measurement Distance (feet)
Up to 100	100
More than 100	150

- b. To establish the illumination level, the electronic display must be turned on to show all white copy and a second reading taken. The difference between the two readings is the electronic display's illumination level.
- (8) Electronic messaging signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one-half (1/2) hour before sunset and one-half (1/2) hour after sunrise.
- (9) Audio speakers are not allowed with any electronic messaging sign.
- (10) Any form of pyrotechnics is prohibited in association with an electronic messaging sign.

**Sec. 20-1413. - Measurements.**

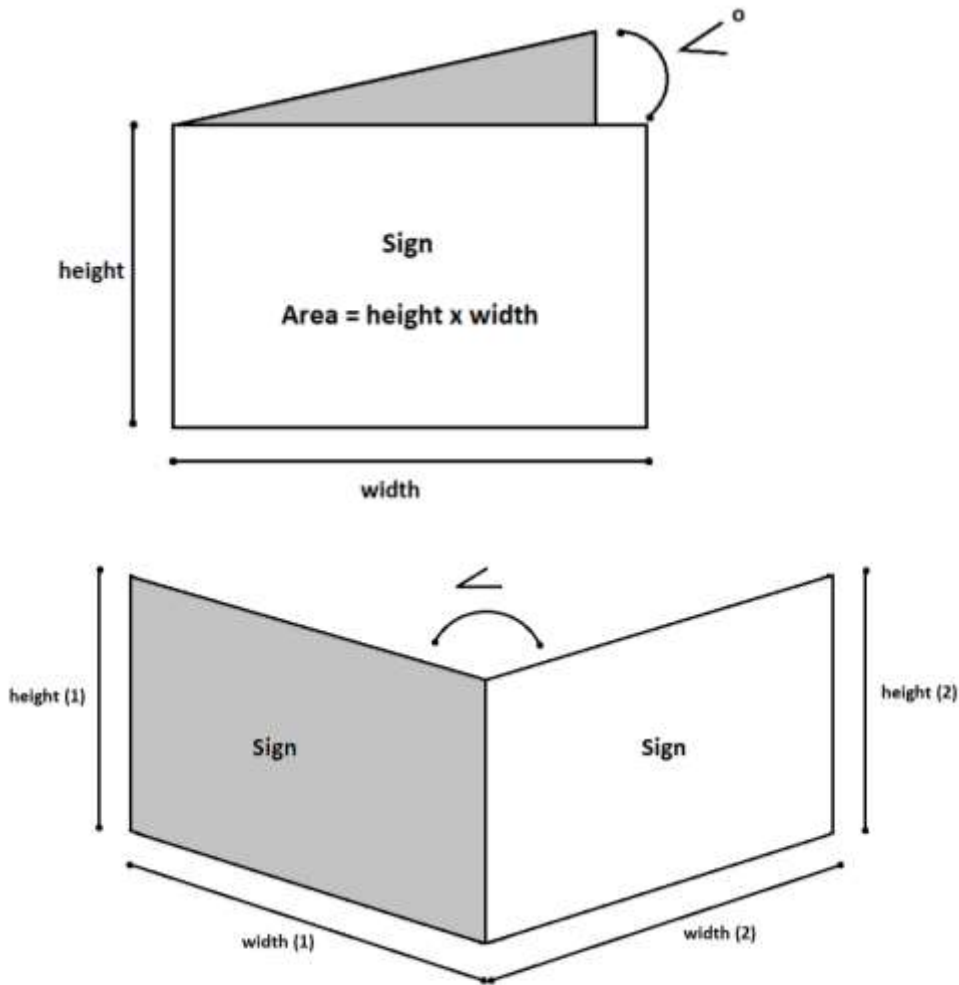
- (a) Measurement of sign area. Sign area is calculated as follows:
  - (1) The area of a sign enclosed in a frame or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face.

**Figure 20-1413-1 Sign Area**



- (2) When the sign faces of a multisided sign are parallel or within 30° of parallel, only one side of the sign is counted for the purpose of determining the area and number of signs. If the sign faces are not parallel or within 30° of parallel, all sign faces are counted in determining the number and area of signs on the subject lot.

**Figure 20-1413-2 Multisided Sign**



$$\text{area} = \text{height}(1) \times \text{width}(1) + \text{height}(2) \times \text{width}(2)$$

- (3) The area of a sign comprised of individual letters or elements attached to a wall is determined by calculating the area of the smallest square, rectangle, or circle that can be drawn around the letters and graphic elements of the sign. Signs consisting of individual letters and/or graphic elements will be measured as one sign when the distance between the letters and/or elements is less than the largest dimension of the largest sign letter.

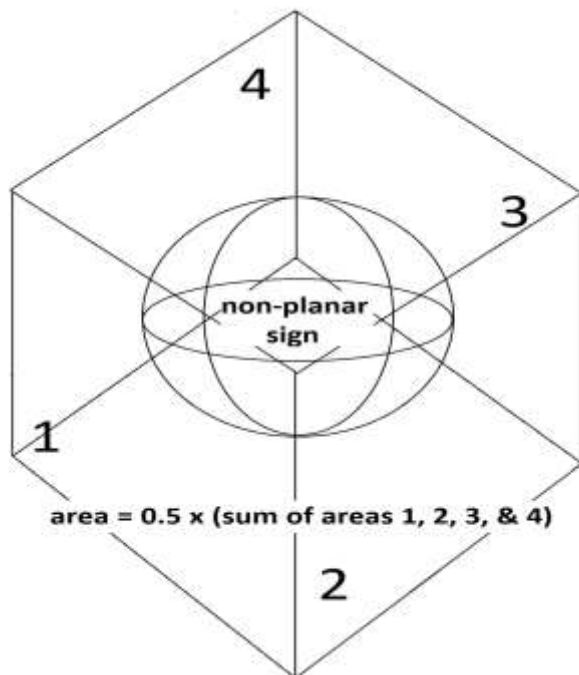
**Figure 20-1413-3 Individual Letter Signs**



# Individual Letter Signs

- (4) Spherical, free-form, sculptural or other nonplanar sign area is measured as fifty (50) percent of the sum of the areas using only the four (4) vertical sides of the smallest four-sided polyhedron that will encompass the sign structure.

**Figure 20-1413-4 Nonplanar Signs**



- (b) Assignment of sign area: multitenant buildings. The allowable area for signs is based on the linear feet of a building facade assigned to each tenant.
- (c) Measurement of sign height. The height of a sign is measured by calculating the distance from the base of the sign at normal grade to the top of the sign face. Normal grade is the lower of:
- (1) The existing grade prior to construction; or

- (2) The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- (d) Measurements for specific sign types
- (1) Sidewalk signs shall be located within 3 feet of the building face of the business, leave a minimum of five (5) feet of contiguous clear sidewalk space for pedestrian movement, and shall not have any other devices attached to it such as balloons or ribbons.
  - (2) Wall signs project not more than twelve (12) inches from the wall on which the sign is mounted.

**NOTICE OF PUBLIC HEARING  
VILLAGE OF YORKVILLE**

PUBLIC NOTICE is hereby given that the Village of Yorkville Plan Commission and Village Board will hold a public hearing at 6:00 p.m. on Monday, December 12, 2022, in the Village Board Room at the Union Grove Municipal Center, located at 925 15<sup>th</sup> Avenue, Union Grove, Wisconsin, regarding proposed revisions to Chapter 55 of the Village's Municipal Code of Ordinances regarding signs and outdoor lighting. A copy of the proposed ordinance changes will be available for public inspection prior to the public hearing, beginning on Monday, November 28, 2022, and for at least two weeks during regular office hours at the Village Office, before consideration and possible adoption by the Village Board. If you have any questions, please contact the Village Administrator/Clerk at (262) 878-2123.

Dated the 28<sup>th</sup> day of November and the 5<sup>th</sup> day of December, 2022.

Michael McKinney  
*Administrator/Clerk*

\*\*\* Proof of Publication \*\*\*

STATE OF INDIANA )  
SS.  
LAKE COUNTY )

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Michael McKinney  
Administrator/Clerk  
PUB: NOVEMBER 28, DECEMBER 5, 2022 109954 WNAJLP

Christina Palma, being duly sworn on oath, says that he/she is one of the printers of THE JOURNAL TIMES, a daily newspaper published and distributed in the City of Racine, County of Racine and State of Wisconsin, and that a notice, of which the annexed printed slip is a true copy, has been published in the said JOURNAL TIMES for

the term of 2 weeks, once each week successively, commencing the 28 day of November, 2022, and ending December 5, 2022.

VILLAGE OF YORKVILLE / LEGALS

925 15TH AVENUE  
UNION GROVE, WI 53182

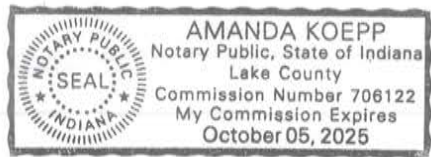
ORDER NUMBER 109954

Christina Palma

Subscribed and sworn to before me this 6 day of December, 2022.

Amanda Koepf  
Notary Public

My Commission Expires \_\_\_\_\_



Section: Legal

Category: 0099 Legal Notices

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Dated the 1<sup>st</sup> and 8<sup>th</sup> days of December, 2022.

Michael McKinney  
*Administrator/Clerk*

# Affidavit of Printing State of Wisconsin

County of Racine

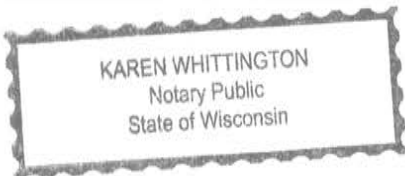
City of Union Grove

**Southern Lakes Newspapers, LLC**, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 2 time(s) for 2 consecutive weeks(s); That the first publication was on the 1<sup>st</sup> day of December, 2022; The last publication was on the 8<sup>th</sup> day of December, 2022.

Signed Heidi Schulz  
By Heidi Schulz, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this  
9 day of December 2022.

Karen Whittington  
Notary Public, State of Wisconsin  
My commission expires 4/20/26



**NOTICE OF PUBLIC HEARING**  
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Michael McKinney  
Administrator/Clerk

(Published in Westine Report  
Dec. 1 & 8, 2022  
WNAXLP - 429303)

**Village of Yorkville**  
**Notice of Newly Enacted Ordinances**

Please take notice that, on Monday, December 12, 2022, the Village Board of the Village of Yorkville adopted the following ordinances:

- Ordinance 2022-07, entitled "An Ordinance repealing and recreating Chapter 55, Article IX of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, related to signs."
- Ordinance 2022-08, entitled "An Ordinance repealing and recreating Chapter 55, Article X of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, related to outdoor lighting."

These ordinances take effect upon publication of this notice. The full text of these ordinances may be obtained from the Village of Yorkville Administrator/Clerk's office, 925 15<sup>th</sup> Avenue, Union Grove, Wisconsin 53182, or through the Village's website at [www.villageofyorkville.com](http://www.villageofyorkville.com). The phone number for the Administrator/Clerk is (262) 878-2123.

Michael McKinney  
*Administrator/Clerk*

# Affidavit of Printing State of Wisconsin

County of Racine

City of Union Grove

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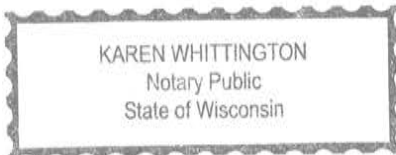
Signed Heidi Schulz  
By Heidi Schulz, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

16<sup>th</sup> day of December, 2022.

Karen Whittington  
Notary Public, State of Wisconsin

My commission expires 1/20/24



## NOTICE OF NEWLY ENACTED ORDINANCES Village of Yorkville

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The phone number for the Administrator/Clerk is (262) 878-2123.

Michael McKinney  
Administrator/Clerk

(Published in Westine Report  
Dec. 15, 2022  
WNAXLP - 430326)