

TOWN OF WINCHESTER

Ordinance # 2015-01

**Town of Winchester Sign Regulation Ordinance**

**Purpose** The purpose of this ordinance is to regulate, administer, and enforce outdoor sign advertising and displays visible from public rights-of-way within the Town of Winchester, other than those signs visible from the main-traveled way of an interstate or federal-aid highway that are regulated by Wis. Stat. Sec. 84.30 (3)(e). This ordinance recognizes the need to protect the safety, welfare, and aesthetics of the public and the community, the need for well-maintained and reasonably attractive sign displays within the community, and the need for adequate business identification, advertising, and communication. The intent of this ordinance is to permit the erection and use of signs visible from public rights-of-way, provided the signs are in conformity with this ordinance, designed, constructed, installed, and maintained in such a manner that they do not endanger public safety or traffic safety.

**Statement of Authority** This ordinance is adopted pursuant to authority, power and duties granted to the Town Board, in the exercise of village powers under Sec. 60.10, Wis. Stats., as well as authority under Sec. 60.23, Wis. Stats., to regulate and control persons in the Town in certain uses, activities, businesses and operations within the Town.

Signs regulated under this ordinance include all permanent signs.

A permanent sign is defined as a sign which is in place, in such a manner to display its message with the intent to advertise, for more than 60 calendar days per year.

**General provisions for signs regulated under this ordinance**

1. All permanent signs shall be erected, altered, or maintained in accordance with the current uniform building code.
2. Signs shall not be permitted in the public right-of-way, except for municipal traffic control, parking and directional signs and as otherwise specified in this ordinance.
3. Permanent signs in commercial, business, and industrial zoning districts shall comply with all of the standards and limitations set forth in the Winnebago County Zoning Code Chapter 23, Article 12, as amended from time to time.
4. The total area of all permanent signs located on any tax parcel shall not exceed 32 square feet.

**Prohibited signs**

In addition to the signs prohibited by reference to the Winnebago County Zoning Code, Chapter 23, Article 12-8, the following signs are prohibited:

1. Signs that bear or contain statements or pictures of obscene, pornographic, lewd, or profane subjects.
2. Signs that look similar to official traffic control signs.
3. Any signs attached to natural objects other than "no trespassing" signs.

**Non-conforming signs**

Permanent signs not in compliance on the date this ordinance is adopted shall be non-conforming signs but may remain. Such signs must be maintained as provided in this ordinance and shall not become dilapidated or abandoned as provided in this ordinance.

**Dilapidated, Unmaintained, and Abandoned Signs**

1. Dilapidated and Unmaintained Signs. Signs allowed by this ordinance shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for proper maintenance of the sign. Signs that are

determined by the Town to be dilapidated, unmaintained, and/or unsafe shall be subject to the razing provisions of Wis. Stats. Sec. 66.0413, the expenses of which will be assessed as a special charge to the tax roll of the property on which the abandoned sign is located.

2. Abandoned Signs. Abandoned signs shall be removed by the owner or lessee of the premises, when, for a business sign, the business it advertises is no longer conducted; and for an advertising or directional sign, when lease payment/rental income is no longer provided. If the owner or lessee fails to remove the sign, the Town shall give the owner sixty (60) days written notice to remove said sign. Upon failure to comply with this notice, the Town may cause removal to be executed, the expenses of which will be assessed as a special charge to the tax roll of the property on which the abandoned sign is located.

**Enforcement**

Violations of the ordinance are also punishable by forfeitures of not less than \$100.00 and not more than \$500.00 per violation, plus costs and attorneys' fees. Each day a violation exists constitutes a separate offense. The town may also seek equitable and injunctive relief in the event of a violation.

The town chairperson or his/her designee shall be responsible for the enforcement of this ordinance.

**Conflict with County Zoning Code**

In the event any of the provisions of this town ordinance conflict with Chapter 27 of the Winnebago County Zoning Code (shoreland zoning), the county ordinance shall control.

In the event any of the provisions of this town ordinance conflicts with any other provisions of the Winnebago County Zoning Code, the terms of the town ordinance shall control.

**Severability.**

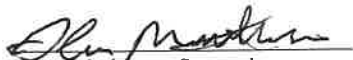
If any provision of this ordinance is invalid or unconstitutional, or is the application of this ordinance to any person or circumstance is invalid or unconstitutional, the invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.


**Effective Date**

This ordinance shall be effective upon passage and publication/posting of the ordinance as provided by law.

Adopted this 1<sup>st</sup> day of June, 2015.

  
Lawrence C. Kriescher, Chairman

  
Glen Mathison, Supervisor

  
Ben Joas, Supervisor

Aye: 3

Nay: 0

Attest:   
Holly Stevens, Clerk