### **REGULATION OF SIGNS**

#### A. PURPOSE OF SIGN REGULATION

The purpose of this ordinance is to promote and protect the public safety, comfort, convenience and general welfare by the orderly placement and erection of signs and billboards in the Town of Glenmore.

#### **B. DEFINITIONS**

- 1. <u>Animated Signs</u>. A sign with action or motion, flashing color changes, requiring electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements, such as flags, banners, or specialty items. This definition does not include public service signs, such as time and temperature, revolving, or changeable message signs.
- 2. <u>Architectural Projection</u>. Any projection which is not intended for occupancy and which extends beyond the façade of an exterior wall of a building, but shall not include signs.
- 3. Area of Copy. The entire area within a single, continuous perimeter composed of squares or rectangles which encloses the extreme limits of advertising message, announcement, or decoration of a wall sign.
- 4. <u>Area of Sign</u>. The total accumulative area of faces of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one (1) section or module, all areas will be totaled. Any irregular shaped sign area shall be computed using the actual sign-face surface.
- 5. <u>Background Area of Sign</u>. The entire background area of a sign upon which copy could be placed. In computing area of sign background, only that face or faces which can be seen from any one direction at one time shall be counted.
  - 6. Billboard. -- See "Off-Premise Signs"
- 7. <u>Building Façade</u>. That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.
- 8. <u>Building Façade Facing</u>. A resurfacing of an existing façade with approved material illuminated or non-illuminated.
- 9. <u>Business Identification Sign.</u> Any sign which promotes the name and type of business only on the premises where it is located.
- 10. <u>Canopy Sign</u>. Any sign attached to or constructed in, on, or under a canopy or marquee. For the purpose of this ordinance, canopy signs shall be controlled by the rules governing projection signs.
- 11. <u>Changeable Message Sign.</u> A sign, such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric or manual, where copy changes. Any sign may be, or include as part of it, a changeable message sign.

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- 12. <u>Directional Signs.</u> On premise incidental signs designed to guide or direct pedestrians or vehicular traffic.
- 13. <u>Double Faced Sign</u>. A sign with copy on two (2) parallel faces that are back to back, facing in opposite directions.
- 14. <u>Free Standing Signs</u>. A sign which is supported by one or more columns, uprights or braces, in or upon the ground.
- 15. <u>Grade</u>. The elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.
- 16. <u>Gross Area</u>. The area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, rules for Area or Copy apply.
- 17. <u>Ground Sign</u>. A sign erected on one or more freestanding supports or uprights not attached to any building.
- 18. <u>Height of Sign</u>. The vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign.
- 19. <u>Illuminated Signs</u>. A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.
- 20. <u>Legal Non-Conforming Sign</u>. A non-conforming sign that did meet code regulations when it was originally installed.
- 21. <u>Marquee</u>. Marquee is a permanent roofed structure attached to and supported by the building and projecting over public property.
  - 22. Marquee Sign. Any sign attached to or constructed in a marquee.
- 23. <u>Multiple Copy Sign</u>. A sign which advertises other than the name of the business and the principal product or service.
  - 24. Non-Conforming Sign. A sign that does not meet code regulations.
- 25. <u>Off-Premise Sign</u>. A sign which advertises goods, products, facilities or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.
- 26. On Premise Sign. Any sign identifying or advertising a business, person, activity, goods, products or services located on a premise where the sign is installed and maintained.
- 27. <u>Projecting Sign</u>. A sign, normally double faced, which is attached to and projects from a structure or building fascia.
  - 28. Revolving Sign. A sign which revolves three hundred sixty (360) degrees but does

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not exceed eight (8) rpm.

- 29. <u>Roof Sign</u>. A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by said building.
- 30. <u>Sign</u>. Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, signs shall also include all sign structures.
- 31. <u>Sign Structure</u>. Any structure which supports or is capable of supporting any sign, as devised in this code. A sign structure may be a single pole or may or may not be an integral part of the building.
- 32. <u>Swinging Sign</u>. A sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.
- 33. <u>Temporary Sign</u>. A sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis.
- 34. <u>Under Marquee Sign</u>. A lighted or unlighted display attached to the underside of a marquee protruding over public or private sidewalks or right-of-way.
- 35. <u>Wall Sign</u>. A sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall and which does not exceed more than six (6) feet above the parapet, eaves, or building façade of a building on which it is located or a sign which is painted on any exterior wall.
- 36. <u>Window Sign</u>. A sign installed on a window for purposes of viewing from outside the premises.
- 37. Zoning of Land Use. Shall mean the land use district as established by the Town Board.

### C. GENERAL REQUIREMENTS

- 1. <u>Scope</u>. This ordinance pertains to and regulates all billboards and signs in the Town of Glenmore.
- 2. <u>Animated Signs in Residential District</u>. No animated signs shall be erected or maintained in any residential land use district. No animated signs shall be erected or maintained closer than two hundred (200) feet from any residential zoned parcel on which there exists structures used for residential purposes.
- 3. <u>Marquee Signs</u>. Marquee signs may be placed on, attached to, or constructed in a marquee. Marquee signs shall be limited to the size of the marquee.
  - 4. <u>Building Façade Signs</u>. Copy area of a building façade facing shall not exceed forty

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- (40) percent of the background facing to which it is applied.
- 5. <u>Wall Signs.</u> Background area of wall signs shall not exceed thirty (30) percent of the building façade or four (4) square feet per lineal foot of the elevation upon which they are placed, whichever is greater.

### 6. Multiple Copy Signs.

- a. Copy area of multiple copy signs not to exceed thirty (30) percent of background to which applied.
- b. Principal identification sign is a sign which identifies only the name of the business and the principal product or service. These signs are not subject to any limitation of copy area to background.
- 7. <u>Free Standing Sign</u>. Free standing signs shall be located within the property lines and shall have a minimum clearance of ten (10) feet.

### 8. Ground Signs or Billboards.

- a. Such signs shall be located back of the street line a distance equal to, and not less than, the height of the sign.
- b. A ground sign, any part of which is located in the building setback of the right-of-way shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three (3) feet in height. Only one (1) ground sign shall be allowed in the front building setback per zoning parcel.
- c. Any ground sign or projecting sign within twenty-five (25) feet of an intersection or fifteen (15) feet of a driveway, measured from the point of intersection with a right-of-way, shall maintain a minimum of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall be not more than three (3) feet in height.
- 9. <u>Maximum Area of Signs</u>. The maximum area of signs shall be the accumulation of the area of all signs located on a parcel of record. The maximum area of signs may differ according to the zoning classification of a lot.
- 10. <u>Roof Signs</u>. Roof signs are only allowed in the Business and Industrial Districts and must meet the following requirement:

The highest point of the sign shall not exceed the highest point of the building on which the sign is situated.

- 11. <u>Stability</u>. Signs shall be constructed so that they will withstand a wind pressure of at least thirty (30) pounds per square foot surface, and will otherwise structurally be safe, and shall be securely anchored or otherwise fastened, suspended or supported that they will not be a menace to persons or property. No sign shall be suspended by chains or other devices that will allow the sign to swing, due to wind action.
  - 12. <u>Illumination</u>. All electrical signs shall conform to State electrical requirements.

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Illumination shall be directed entirely on the sign.

- 13. <u>Maintenance of Signs</u>. All signs and sign structures shall be properly maintained and kept in a neat and proper state of repair and appearance.
- 14. Removal of Obsolete, Non-maintained, or Abandoned Signs. All signs, including those painted on a building, which no longer serve the purpose for which they were intended, or are not maintained, or which have been abandoned, shall be removed by the business or property owner within ninety (90) days after the receipt of removal notice, or, upon failure of such removal, the town shall remove such signs at the expense of the property owner.
- 15. <u>Location</u>. All free standing, ground, and portable signs shall be located within the property lines.
- 16. <u>Residential District</u>. No sign facing a Residential District shall be closer than twenty-five (25) feet to that district line.

### D. PERMIT

It shall be unlawful for any person to erect, construct, enlarge or structurally modify a sign or cause the same to be done in the Town of Glenmore without first obtaining a sign permit for each such sign from the Zoning Administrator, as required by this ordinance. Permits shall not be required for a change of copy on any sign, nor for the repainting, cleaning, and other normal maintenance and repair of the sign and sign structure.

- 1. <u>Application for a Permit</u>. Application for a permit shall be filed with the Zoning Administrator upon forms provided by the Zoning Administrator. The applicant shall provide all information required on the application for the permit.
- 2. <u>Permit Fees</u>. Application for permit shall be filed with the Zoning Administrator, together with a permit fee for each sign in accordance with the following schedule, provided, however, that the minimum fee for a permit shall be not less than Fifteen Dollars (\$15.00) for any sign or for an amount based on area, as follows:

Signs visible from a public street shall be calculated at a basis of thirty cents (\$0.30) per square foot. The calculation of the area of a ground sign, shall be based on gross area of one (1) face of the sign. The area of wall signs shall be the gross area, as calculated in this ordinance.

### E. SIGNS NOT REQUIRING A PERMIT

- 1. <u>Construction Signs</u>. Two (2) construction signs per construction site, not exceeding one hundred (100) square feet in area each, confined to the site of construction, and removed thirty (30) days after completion of construction or prior to occupancy, whichever is sooner.
- 2. <u>Directional and Instructional Non-Electric Signs</u>. Directional and instructional non-electric signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight (8) square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exits.

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- 3. <u>Non-Illuminated Emblems</u>. Non-illuminated emblems, or insignia of any nation or political subdivision, profit or non-profit organization.
- 4. <u>Government Signs</u>. Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of his/her public duty.
- 5. <u>House Numbers and Name Plates</u>. House numbers and name plates not exceeding two (2) square feet in area for each residential, commercial or industrial building.
- 6. <u>Interior Signs</u>. Signs located within the interior of any building or structure which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical, or material specifications of this ordinance.
- 7. <u>Memorial Signs and Plaques</u>. Memorial signs or tablets, names of buildings and date of erection, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other non-combustible material not more than four (4) square feet in area.
- 8. No Trespassing or No Dumping Signs. No trespassing and no dumping signs not to exceed one and one-half  $(1\frac{1}{2})$  square feet in area per sign.
- 9. <u>Public Notices</u>. Official notes posted by public officers or employers in the performance of their duties.
- 10. <u>Public Signs</u>. Signs required as specifically authorized for a public purpose by any law, statute, or ordinance.
- 11. <u>Political and Campaign Signs</u>. Political and campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:
- a. Said signs may be erected not earlier than thirty (30) days prior to the primary election and shall be removed within fifteen (15) days following said general election.
- b. Each sign, except billboards, shall not exceed sixteen (16) square feet in non-residential zoning districts and eight (8) square feet in residential zoning districts.
- c. No sign shall be located within fifteen (15) feet of the public right-of-way at a street intersection, nor over the right-of-way.
- 12. <u>Real Estate Signs</u>. One (1) real estate sales sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.
- a. In residential districts, such signs shall not exceed six (6) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.
- b. In all other districts, such signs shall not exceed thirty-two (32) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.

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- 13. <u>Temporary Window Signs</u>. In business, commercial and industrial districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed fifty (50) percent of the total window area, and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.
- 14. On Premise Symbols or Insignia. Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.
- 15. On Premise Temporary Signs. Temporary signs not exceeding four (4) square feet in area pertaining to drives or events of civic, philanthropic, educational, religious organizations, provided such signs are posted not more than thirty (30) days before said event and removed within fifteen (15) days after the event.
- 16. <u>Vehicular Signs</u>. Truck, bus, trailer or other vehicle, while operating in the normal course of business, which is not primarily the display of signs.
- 17. <u>Neighborhood Identification Signs</u>. In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or subdivision identification provided that the legend of such sign or display shall consist only of the neighborhood or subdivision name.
- 18. <u>Awnings</u>. Awnings with signs consisting of one (1) line of copy upon the border of the awning.
- 19. <u>Home Occupation Signs</u>. A sign, not exceeding nine (9) square feet in size, which is located on the property to which the sign pertains.

### F. SPECIFIC ZONING DISTRICT REQUIREMENTS

- 1. Residential Districts and Agricultural District
- a. In the Residential Districts and Agricultural District, all signs are prohibited, except for the following non-flashing, non-illuminated, permanent signs under the conditions specified.
- (1) **Real Estate Signs.** Real estate signs, which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located. No sign shall exceed eight (8) square feet in area. Corner lots shall be permitted two (2) such signs, one facing each street.
- (2) **Nameplate Signs.** Nameplate signs, not to exceed two (2) square feet, located on the premises. Corner lots shall be permitted two (2) such signs, one (1) facing each street.
- (3) Agricultural signs pertaining to the products of the agricultural premises not to exceed thirty-two (32) square feet in area for one (1) farm. Height of this respective sign shall not exceed eight (8) feet. Two (2) such signs shall be permitted per farm.
- (4) **Bulletin Boards.** Bulletin boards or similar devices for churches and religious institutions shall not exceed thirty-two (32) square feet in area located on the premises. Height of said sign shal not exceed eight (8) feet and may not be located within the building setback lines.

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- (5) **Memorial Signs.** 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 building.
- (6) **Official Signs.** Official signs, such as traffic control, parking restrictions, information and notices.
- (7) **Home Occupation Signs.** A home occupation sign shall not exceed nine (9) square feet in size and shall be located on the property to which the sign pertains.
- (8) **Off Premise Signs.** Off premise signs shall not exceed sixteen (16) square feet in area for a single faced sign. Double faced signs shall be no greater than thirty-two (32) square feet in area with no single face having more than sixteen (16) square feet of area.
- b. **Safety Standards**. All outdoor advertising structures, post signs, accessory signs, or advertising statuary which are declared to be a traffic hazard by the Zoning Administrator, shall be relocated or rearranged in accordance with safety standards. A sign in direct line of vision of any traffic signal, from any point in the traffic lane, shall not have red, green or amber illumination, nor be illustrated in such a way so as to interfere with vision of said signal, nor be illustrated in such a way as to be distracting.
  - c. **Mounting.** All signs shall be mounted in one of the following manners:
- (1) Flat against a building or wall;
- (2) Or otherwise mounted so that the backs of all signs or sign structures showing to public view shall be painted and maintained a neutral color or a color that blends with surrounding environment.
  - d. **Height.** No sign shall exceed a height of twenty (20) feet.
- e. **Ground Signs**. Any ground sign greater than three (3) feet in height shall have at least ten (10) feet of under-clearance.
- f. **Number of Ground Signs**. One (1) ground sign shall be allowed per zoning parcel.
- g. **Setbacks**. Signs shall meet all yard requirements of the Zoning District, excepting those instances as set forth in **Regulation of Signs** C. General Requirements 8. a, b, and c of this ordinance.

### 2. All Business District and Industrial Districts.

- a. **Projection.** In these Districts, where limitations are imposed by this ordinance on the projection of signs, from the face of the wall of any building or structure, such limitations shall not apply to identification canopy or marquee signs indicating only the name of the building or the name of the principal occupant of the building or the principal product available therein, provided that any identification sign located on a marquee or canopy shall be affixed flat to the vertical face thereof.
  - b. Safety Standards. All outdoor advertising structures, post signs, accessory

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signs, or advertising statuary, which are declared to be a traffic hazard by the Zoning Administrator, shall be relocated or rearranged in accordance with safety standards. A sign in direct line of vision of any traffic signal, from any point in the traffic lane, shall not have red, green or amber illumination, nor be illustrated in such a way so as to interfere with vision of said signal, nor be illustrated in such a way as to be distracting.

- c. **Mounting.** All signs shall be mounted in one of the following manners:
- (1) Flat against a building or wall;
- (2) Back to back in pairs, so that back of sign will be screened from public view;
- (3) In clusters in an arrangement which will screen the back of the signs from public view;
- (4) Or otherwise mounted so that the backs of all signs or sign structures showing to the public view shall be painted and maintained a neutral color or a color that blends with surrounding environment.
- 3. <u>B-1 Community Business.</u> In B-1 Community Business, business signs and advertising devices are permitted, subject to the following conditions:
- a. **Area.** The gross area in square feet of all signs on a zoning lot shall not exceed three hundred (300) square feet.
- b. **Content.** Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "Men's Clothing", "Drugs", "Jeweler", and the like, and the year the business was established, and the street number thereof. Signs may advertise articles of merchandise sold on the premises.
  - c. **Height.** No sign shall exceed a height of thirty (30) feet.
- d. **Number of Ground Signs.** One (1) ground sign shall be allowed per zoning parcel.
- e. **Setbacks.** Signs shall meet all yard requirements of the Zoning District, excepting those instances as set forth in **Regulation of Signs** C. General Requirements. 8. a, b, and c of this ordinance.
- 4. <u>I-1 General Industrial</u>. In I-1 General Industrial, business signs are permitted, subject to the following conditions:
- a. **Area.** The gross area in square feet of all signs on a zoning lot shall not exceed four hundred (400) square feet.
- b. **Content.** Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "Men's Clothing", "Drugs", "Jeweler", and the like, and the year the business was established, and the street number thereof. Signs may advertise articles of merchandise sold on the premises.
  - c. **Height.** No sign shall exceed a height of thirty (30) feet.

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- d. **Number of Ground Signs.** One (1) ground sign shall be allowed per zoning parcel.
- e. **Setbacks.** Signs shall meet all yard requirements of the Zoning District, excepting those instances as set forth in **Regulation of Signs** C. General Requirements. 8. a, b, and c of this ordinance.

# G. OFF-PREMISE POSTER PANEL AND PAINTED ADVERTISING SIGNS

- 1. All off-premise poster panel and painted bulletin signs are prohibited in the Town of Glenmore regardless of the nature, size and location, except as provided herein.
- 2. Off-premise poster panel and painted bulletin signs shall not be erected in the Town of Glenmore in any location, unless a permit is first obtained therefore from the Town of Glenmore Zoning Administrator. Said permit shall not be issued unless a complete application, as requested by the Town of Glenmore Zoning Administrator, is filed at the time of the application for the permit.
- 3. All off-premise signs which contain, include, or are illuminated by any flashing, intermittent or moving light or lights, or those of red, green, or amber color at intersections, are prohibited. Lights from any illumination shall be shaded, shielded, or directed so that the light intensity or brightness will be minimized to the surrounding areas. Such illumination shall be direct and the source of light shall not be exposed, when facing a Residential Zone. There shall be no direct illumination upon a roadway, or no glare or source of light shall be visible.
- 4. There shall be no off-premise signs in the town which are more than thirty (30) feet in height above the adjacent street level.
- 5. Any off-premise sign three hundred one (301) square feet or more in size, must have a spacing of at least one thousand (1,000) feet between it and any other off-premise sign. Any off-premise sign three hundred (300) square feet or less in size, must have a spacing of at least five hundred (500) feet between it and any other off-premise sign three hundred (300) square feet or less in size.
- 6. Off-premise poster panel and painted bulletin signs in the town (off property) shall only be allowed in Business and Industrial Districts and in those Districts shall be subject to the further limitations of this ordinance.
- 7. Off-premise signs three hundred (300) square feet in size or less shall be permitted uses in Industrial Districts and Business Districts only. Off-premise signs greater than three hundred (300) feet but less than five hundred one (501) square feet may be allowed as a Conditional Use in the Business and Industrial Zones.
- 8. Off-premise signs shall be permitted in the Residential and Agricultural Districts. In no case, however, shall a single faced sign be greater than sixteen (16) square feet in area and in no case shall a double faced sign be greater than thirty-two (32) square feet. Double-faced signs may be no greater than thirty-two (32) square feet in area with no single face having more than sixteen (16) square feet of area.
  - 9. No off-premise sign permitted by this ordinance, or any other ordinance of the town,

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shall in any manner project over the right-of-way of any highway or roadway in the town.

- 10. No more than one (1) off-premise sign per zoning lot, subject to spacing requirements, or one painted bulletin is permitted on the same zoning lot.
- 11. No sign built within one hundred (100) feet of an intersection shall have less than ten (10) feet of under clearance, unless erected on or against an existing building. Off-premise business signs shall not be located within the front yard setbacks, where such setbacks are established.
- 12. Any off-premise sign for advertising purposes in the town greater than three (3) feet in height shall have at least ten (10) feet of under clearance, unless erected upon or against an existing building.
- 13. Any off-premise signs erected in the town shall be erected on no more than two (2) uprights and shall be engineered to withstand at least thirty (30) pounds per square foot wind load.
- 14. No off-premise advertising signs shall be allowed to be placed on the roof of an existing building.
- 15. All off-premise signs shall also meet the sign requirements of the respective Zoning Districts. In case of a conflict, the most restrictive requirement shall apply. Ground signs shall also meet the requirements of **Regulation of Signs** C. General Requirements 8. a, b, and c.

### H. ALTERATION - RELOCATION

No sign or billboard in the Town of Glenmore shall hereafter be altered, rebuilt, enlarged, extended or relocated, except in conformity with the provisions of this Chapter. The changing of movable parts of signs that are designed to be changed or the repainting of display matter in conformity herewith shall not be deemed to be alterations within the meaning of this ordinance.

### I. NON-CONFORMING SIGNS

- 1. <u>Notification of Non-Conformity</u>. The Zoning Administrator shall survey the town for signs which do not conform to the requirements of this section. Upon determination that a sign is a non-conforming sign, the Zoning Administrator shall use reasonable efforts to notify, either personally or in writing, the user or owner of the property on which the sign is located.
- 2. <u>Non-conforming Signs</u>. Any sign located within the town limits on the date of adoption of this section or located in an area annexed to the town thereafter, which does not conform with these provisions, is eligible for characterization as a "non-conforming" sign and is permitted, provided it also meets the following requirements:
- a. The sign was covered by a sign permit, or a permit was issued prior to the date of adoption of this section if one was required.
- b. No sign permit was required for the sign in question and the sign was in all respects in compliance with applicable law on the date of construction or installation.
  - 3. Continuation of Non-conforming Status. A non-conforming sign shall maintain its

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non-conforming designation provided:

- a. No structural modification of a non-conforming sign is permitted, except where such modification will result in having the effect of bringing such sign more in compliance with the requirements of this section, except for changing of copy and normal maintenance, or
  - b. The sign is not relocated, or
  - c. The sign is not replaced.
- d. The total structural repairs or alterations to such a non-conforming sign shall not, during its life, exceed fifty (50) percent of the assessed value of said sign existing at the time it became non-conforming.
- 4. Loss of Non-conforming Status. Any changes, except as provided in **Regulation of Signs** I. Non-Conforming Signs 3. a, b, c, and d, shall result in the loss of non-conforming status.

# J. ABANDONED SIGNS AND DETERIORATED OR DILAPITDATED SIGNS

- 1. All signs or sign messages shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted or when rental or compensation is no longer provided if said sign is of the off-premise type. If the owner or lessee fails to remove it, the Zoning Administrator shall give the owner sixty (60) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator, or his duly authorized representative, may remove the sign at cost to the sign owner.
- 2. The Zoning Administrator shall cause to be removed any deteriorated or dilapidated signs under the provisions of Wisconsin Statutes 66.05.

#### K. PENALTY

Any sign erected without a permit shall be removed at the owner's expense, or brought into compliance within thirty (30) days of written notification of the Zoning Administrator. In the event that the owner does not remove, or bring into compliance, the Zoning Administrator may order removal or compliance.