

## ARTICLE VIII: SIGNAGE REGULATIONS

### **Section 98-801 Purpose**

The purpose of this Article is to establish standards for the fabrication, erection, and use of signs and signage for all properties within the City of Lake Geneva. This Article regulates the location, type, size, and height of signage in order to protect and promote the public welfare, health, and safety of persons within the community; to aid in the development and promotion of business and industry; and to ensure implementation of the Comprehensive Plan of the City of Lake Geneva within the City's zoning districts. The adoption of this Article reflects the formal finding of fact on the part of the City of Lake Geneva Plan Commission and the Lake Geneva Common Council that regulation of signage furthers four compelling governmental interests:

- (1) To promote the public welfare, health, and safety of all persons using the public thoroughfares and right-of-ways within the City of Lake Geneva as to the signage displayed thereon, or overhanging, or projecting into such public spaces;
- (2) To advance the aesthetic goals of the City throughout the community, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public;
- (3) To reduce the visual clutter caused by advertising signage which the City has determined is a significant cause of unsafe traffic and visibility conditions; and
- (4) To limit the spread of unattractive strip commercial development, of which signs are a primary contributor, so as to be respectful of the reasonable rights of other advertisers and business entities whose messages are also displayed in such areas.

Furthermore, the City of Lake Geneva advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayed on such advertising signage, namely, print media, broadcast media, and point-of-purchase display, and is narrowly defined so as to limit any prohibitions on commercial speech on exterior signage.

### **Section 98-802 Sign Permits**

- (1) Except as otherwise provided in Subsection (2) below, it shall be unlawful for any person to erect, construct, enlarge, alter, move, or convert any sign in the City, or cause the same to be done, without first obtaining a sign permit for each sign from the City of Lake Geneva Zoning Administrator as required under this Article. This Section shall apply and be construed to require a permit for a change of copy on any sign or for any conversions or changes in the sign structure for which a permit has been previously issued. This Section shall not apply for a repainting with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure. No new permit is required for signs which have permits on the date in which this Chapter was adopted and which conform with the requirements of this Article on the date of its adoption unless and until the sign is altered or relocated in any way.
- (2) The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area as regulated by Section 98-806.
  - (a) Address numerals and identification signs not exceeding four square feet in area.
  - (b) Legal notices and other signs established, or ordered, by any governmental agency.
  - (c) Memorial signs and tablets displayed in cemeteries.

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- (d) On-premise directional signs which bear no advertising if under four square feet, and if limited to business site or business name or logo.
  - (e) Temporary signs which conform to the requirements of Section 98-807.
  - (f) Political signs and flags of government, religious, fraternal, or civic organizations.
  - (g) Auxiliary signs per Subsection 98-803(1)(b), if under four square feet.
  - (h) Menu Board signs per Subsection 98-803 (1)(j), if under four square feet.
- (3) **Community information signs** shall be permitted only as a conditional use within all zoning districts and upon any property within the jurisdiction of the City of Lake Geneva Zoning Code. As such, the review of a request for the erection of a community information sign shall comply with the requirements of Section 98-905 of the City of Lake Geneva Zoning Code. The proposed size, configuration, and design of the sign shall be described as part of the conditional use requirements. As a conditional use, the City of Lake Geneva may revoke the designation of an approved community information sign if such sign fails to comply with the requirements of this Article. Such action shall proceed per the requirements of Subsection 98-802(8). Upon revocation, the owner of said sign shall have 30 days to remove the sign at the owner's expense.
- (a) Such sign shall only display information regarding events and information of general interest to the residents of Lake Geneva. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
  - (b) Such sign may be located on private or public property (except for residential properties within the ER-1, SR-3, and SR-4 zoning districts.)
  - (c) Such sign shall conform to the visibility requirements of Subsection 98-804(1)(i).
  - (d) Such sign shall not be counted as adding to the area of signage on the subject property for the purposes of regulating sign area per Subsection 98-806(6).
- (4) **Permit Requirements:**
- (a) The sign permit fee shall be required for all new signs and any modifications of any existing sign face or sign structure (See Section 98-935).
  - (b) Any sign permit fee granted hereunder may not be assigned or transferred to any other sign or modified sign face or sign structure.
  - (c) Only those permanent or temporary signs which have been granted a permit from the Zoning Administrator in accordance with the provisions of this Section may be erected, installed, constructed or maintained.
  - (d) For all other signs (excluding free-standing signs) the owner or tenant may include all such signs at one premise under one permit if provisions of Subsection 98-802(5) are complied with.
  - (e) All signs which are located over a public right-of-way shall require the property owner or tenant to procure public liability insurance in a company licensed to transact business in Wisconsin for the principal sum of not less than \$25,000 liability to any one person or \$50,000 liability on account of any one accident. Such policy shall further have an endorsement protecting the City of Lake Geneva or its interest as the result of any accident or injury for which the City might become liable.

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- (5) **Application Procedure:** Each initial application for a sign permit shall be filed with the Zoning Administrator on forms to be provided by that office, prior to installation of a new sign or modification of an existing sign face or sign structure. Application shall include:
- (a) The name and address of the permit applicant.
  - (b) A legible scaled drawing with description and dimensions of the sign(s) to be erected or maintained under that permit and the sign's proposed location on the building or site.
  - (c) Written proof of consent from the property owner upon which the sign(s) are to be erected and maintained.
  - (d) Proof of payment of the appropriate sign permit fee, when required.
  - (e) Evidence of liability, insurance policy, or bond as required herein for signs located over a public right-of-way per Subsection 98-802(4), above.
  - (f) Any other item of information that may be reasonably required by the Zoning Administrator or Plan Commission for the purpose of application evaluation.
- (6) **Granting and Issuance:**
- (a) All sign permit applications shall be reviewed by the City staff, who shall deny or grant such applications, within ten business days of receipt of the complete application and payment of fee per (1)-(5), above. Upon granting, the Zoning Administrator shall issue the sign permit.
  - (b) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.
- (7) **Basis for Granting:** In reviewing a sign permit application, the City staff may consider the following factors in deciding whether or not to grant the issuance of a sign permit.
- (a) Whether the sign is compatible with the surroundings, pursuant to the objectives of proper design and zoning criteria.
  - (b) Whether the sign is designed, installed, and maintained to meet the sign users needs while at the same time promoting the surrounding environment desired by the general public.
  - (c) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety.
  - (d) Whether the sign is legible, readable, and visible in the circumstances in which it is to be used.
  - (e) Whether the sign, including size, height, illumination and location, is respectful of reasonable rights of other advertisers whose messages are displayed in the area.
  - (f) Whether the sign is in compliance with the provisions of this Article.
  - (g) Whether the sign is in compliance with the provisions of the City of Lake Geneva General Ordinances relating to traffic safety, traffic visibility setbacks, and the Zoning Ordinance.
- (8) **Revocation:**
- (a) Upon Class I notice and after a public hearing conducted by the Plan Commission, any permit may be revoked by the Plan Commission in the event that the applicant has failed

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to comply with the provisions of these regulations or any conditions that may have accompanied the permit at the time of granting.

- (b) Any sign permit issued by the Zoning Administrator shall be null and void and automatically revoked in the event that construction, installation, or manufacture of the sign has not been commenced within 180 days from the date of the issuance of such permit. If work authorized by such permit is suspended or abandoned for a period of 90 days any time after the work is commenced, the original permit shall become null and void. A new permit shall first be obtained to complete the work, and a new permit fee shall be required.
- (c) Upon any revocation the sign(s) subject to such revoked permits, whether free-standing, overhanging, or projecting shall be removed by the licensee within 45 days of such revocation.
- (d) Revocation shall not give cause to a right of total or partial reimbursement of license fees paid.
- (9) **Appeals:** Any permit application reviewed by the City staff and/or the Historic Preservation Commission, which is denied or any revocation, under (8) above, shall be subject to appeal to the Plan Commission per the requirements of the conditional use process. Charges for said appeal shall be returned if said appeal is successful.
- (10) **Signs in Historic and Special Districts:** In addition to these sign regulations, all signs within any historic or special district shall be subject to the provisions of Ordinance 96-2: City of Lake Geneva Historic Preservation Ordinance.
- (11) **Enforcement:** Any person, firm, or corporation violating any such provision of this article will be subject to issuance of a citation under this subsection without written notice or warning. (Ord. No. 01-20 4/9/01)
- (a) **Penalty:** Any person, firm, or corporation violating any provision of this Article shall be subject to a penalty, upon conviction thereof, by forfeiture under Section 98-936, together with the costs of prosecution. Each separate offense and each day a violation continues or occurs, shall constitute a separate offense.
- (b) **Other Remedies in Law or Equity:** Nothing under this Subsection shall prevent the City of Lake Geneva from exercising any other remedies, in law or equity, and the penalties outlined herein are cumulative and in addition to any other such remedies.
- (c) **Removal of Defective or Dangerous Signs by the City:** The Zoning Administrator shall cause to be removed any sign that endangers the public safety or health and extends or projects into any public thoroughfare or right-of-way within the City such as abandoned, dangerous, or materially defective signs or signs for which no permit has been issued. (Ord. No. 01-20 4/9/01)
- (d) **Revocation of General Business License:** In addition to all other penalties any person, firm, or corporation violating any provision of this article for a fifteen (15) day period shall have their General Business License revoked for non-compliance with this section. (Ord. No. 01-20 4/9/04)

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### **Section 98-803 Signage Definitions and General Signage Standards**

The following definitions shall be used by this Article to assist in the establishment of clear cut signage regulations. In general, Sign Purposes refers to where or how a sign is used. Sign Types refers to the style of the sign, and Sign Measurement explains how the dimensions of a sign are determined.

**Sign:** Any object, device, display, structure, or part thereof, situated outdoors and in view of the general public, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, logos, symbols, fixtures, projected images, or in-window signs (described as signs located inside buildings and visible from and located within five (5) feet of a window). Signs do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Building colors and outline lighting which do not convey a logo or message specific to the use (as determined by the Zoning Administrator) are not considered signs. Definitions of particular functional, locational, and structural types of signs are listed in this Section. (Traffic control and other public agency signs located within a right-of-way are not included within this definition and are not regulated by the provisions of this Article.) (Ord. No. 01-20 4/9/01)

#### **(1) Sign Purposes:**

- (a) **Advertising sign (Off-premise sign):** A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards. (Refer to Subsection 98-804(1)(j).) No new off-premise advertising signs shall be permitted within the City.
- (b) **Auxiliary sign:** A sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is under one square foot in area. Examples of such signs include "no trespassing" signs and signs which list prices of gasoline, up to one price listing sign per type of fuel, which must be displayed on a single structure.
- (c) **Business sign (On-premise sign):** A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located. Refer to Section 98-806.
- (d) **Community information sign:** A permanent sign approved with a conditional use permit which may have changeable copy and which is limited to the display of information of interest to the general community regarding scheduled public events and public activities. Refer to Subsection 98-802(3).
- (e) **Directional sign, Off-premise:** A sign which indicates only the name, direction, and/or distance of a governmental facility. Refer to Subsection 98-804(1)(f). This definition does not pertain to off-premise advertising signs. Refer to Subsection 98-803(1)(a).
- (f) **Directional sign, On-premise:** A sign which indicates only the name, logo (if under one square foot), and or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located.

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- (g) **Group sign:** A sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving two or more non-residential tenants, and are permitted on any form of permitted business or identification signage.
- (h) **Identification sign:** A sign indicating the name and/or address of the project, property owner, tenant and/or manager of the property, address, and name and phone number of the property manger.
- (i) **Temporary sign:** A sign or advertising display (including festoons, pennants, banners, pinwheels and similar devices) intended to be displayed for a certain period of time (as permitted by Section 98-807). Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose. Refer to Section 98-807.
- (j) **Menu Board Sign:** Menu board signs are on-building signs containing information about a business's menu, daily specials, or sales. One menu board sign can be mounted to the buildings front (street) façade per business on that property. Menu board signs are considered to be Wall signs.

**(2) Sign Types:**

- (a) **Awning sign:** A type of projecting, on-building sign (see (f), below) consisting of a fabric or fabric-like sheathing material.
- (b) **Freestanding sign:** A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. (Refer to Subsections (e) and (g), below.) The base and support(s) of any and all freestanding signs shall be concealed and shall comply with the State Building Code. The height of a freestanding sign shall be measured per Subsection (3)(a). Refer to Subsection 98-804(3)(a).
- (c) **Marquee sign:** A type of projecting, on-building sign (see (f), below) sheltering the entrance and/or entrance approaches of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events.
- (d) **Mobile sign:** A sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage. Refer to Subsection 98-804(3)(b).
- (e) **Monument sign:** A type of freestanding sign (See (2)(b), above) whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than six feet high. Refer to Subsections 98-804(1)(i) and (2)(a).
- (f) **Projecting sign:** A type of on-building sign, other than a wall sign which is attached to and projects more than one foot, generally perpendicular from a structure or building face. Refer to Subsection 98-804(3)(b).
- (g) **Pylon sign:** A type of freestanding sign (See (2)(b), above) whose bottom edge is located more than one foot above a ground-mounted pedestal or whose top edge is located more than six feet high (see monument sign).

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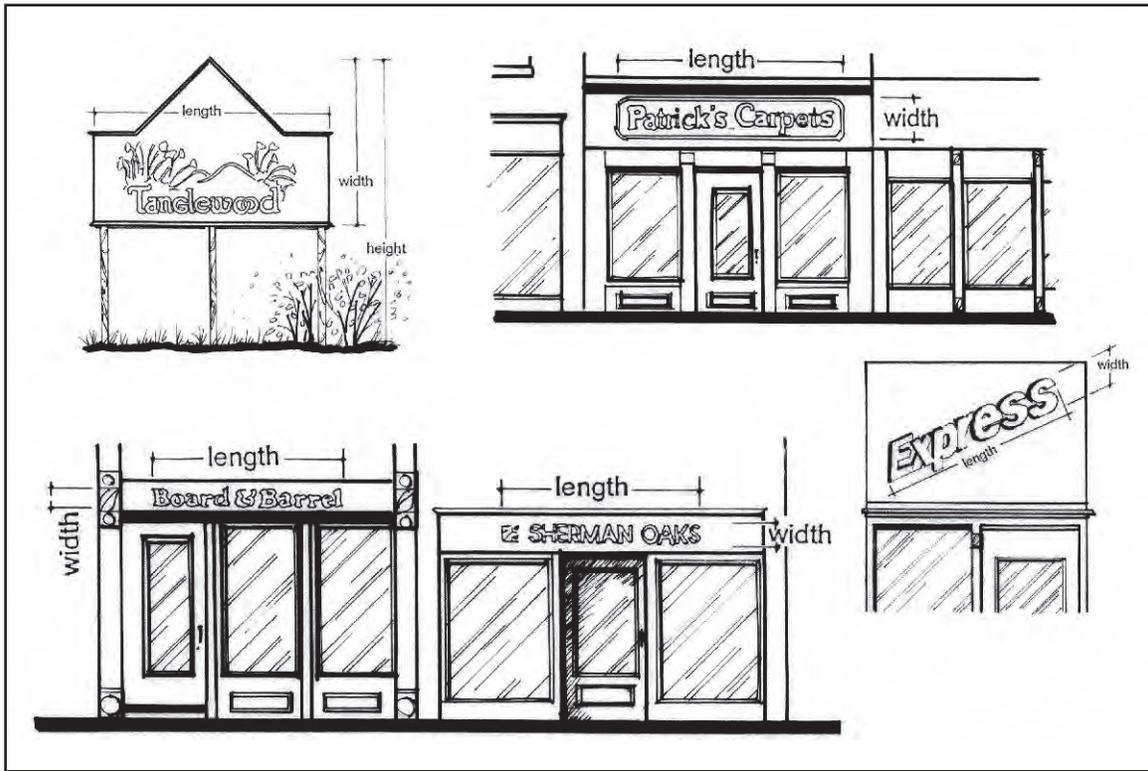
- (h) **Wall sign:** A type of on-building sign mounted parallel to a building facade or other vertical building surface. Refer to Subsection 98-804(3)(c).
- (i) **Personal greeting and congratulatory sign:** A temporary sign which is limited to thirty-two (32) square feet, and which is limited to a non-commercial, personal greeting or message used to announce, congratulate, or greet members of a family or work staff.
- (j) **In-Window Sign:** A sign located within a building that is located attached to the inside face of an exterior window and visible from the exterior of the building. (Ord. No. 01-20 4/9/04)
- (k) **Flags:** This section applies to Corporate Flags for Registered Corporation and decorative flags. (Ord. No. 03-04 3/24/03)
1. Flag poles shall not exceed 35' in height and shall be setback a minimum of 5 feet from any property line;
  2. Any flag flown in conjunction with the United States flag shall follow Federal Flag Code established by Congress;
  3. No more than one Corporate Flag or one decorative flag shall be flown on any one site;
  4. A Corporate Flag shall only be permitted in the GB, PB, PBP, PI, GI, HI, and PD Zoning Districts. The maximum size of any Corporate Flag shall not exceed 60 square feet;
  5. Corporate flag content is limited to the following:
    - A. Corporate logo.
    - B. Corporate colors.
    - C. Other solid color background.
    - D. Any combination of Corporate logo, Corporate colors or solid color background.
  6. No corporate or decorative flag may contain a slogan, price information, product information or image, or any other message that would make the flag appear to be a banner.

**(3) Sign Measurement:**

- (a) **Ground level:** The average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
- (b) **Sign area** shall be measured in the following manner:
1. In the case of a sign placed within a frame, a marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign, including the supports of monument signs not used for copy, shall not be counted as a part of the sign face area unless such structure or bracing is made a part of the sign's message. Where a freestanding on-premise sign (monument or pylon) has two or more display faces, the total area of all of the display faces which can be viewed from any single location shall be considered the sign face area.
  2. In the case of a sign whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.

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3. In the case of a sign whose message is applied to a background which provides no border or frame (such as individual letters to a building face or awning), sign face area shall be the combined areas of the smallest rectangles which can encompass each word, letter, figure, emblem, and other element of the sign message per a scaled, fully dimensioned drawing approved by the Zoning Administrator. Where such drawing is not provided, said area shall be the smallest area enclosed in a single rectangle.
4. Signs less than one square foot in area are not regulated by this Article.
5. The illustration on the following page demonstrates how sign face area is measured.

**Section 98-804 General Signage Regulations**

The regulations contained in this Section apply to signs in all districts.

**(1) Sign Prohibitions and Limitations:**

- (a) **No sign** shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.
- (b) Except for sequin-like eyecatcher devices, flags (as permitted by Subsection 98-803(2)(k)), and temporary signs (as permitted by Section 98-807), no fluttering, undulating, swinging, rotating, or otherwise moving signs or other decorations shall be permitted.
- (c) **No illuminated flashing signs** shall be permitted. Flashing signs are those which change their appearance more than once every 60 seconds. Electronic message center signs and time/temperature signs are permitted with a conditional use permit. Chasing lights shall not be allowed.

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- (d) **No illuminated sign** shall be permitted unless the illumination of the sign is so designed that the lighting element (except neon signs) is not visible from any property within a residential zoning district. All illuminated signs shall comply with the State Electrical Code.
- (e) **No mobile signs** shall be permitted.
- (f) **Off-premise directional signs** shall be permitted only for governmental uses.
- (g) **No inflatable signs** shall be permitted, except as temporary signs.
- (h) **No advertising vehicle signs** shall be permitted, except as temporary signs. Refer to Subsection 98-804(3)(d).
- (i) **No sign** shall be placed so as to obstruct or interfere with traffic visibility.
- (j) **No off-premise advertising signs** shall be permitted except for the small blue highway information signs as provided within the right-of-way of USH 12 and STHs 50 and 120 per applicable State of Wisconsin Statutes. Existing legal off-premise advertising signs made nonconforming by this Article shall be permitted to continue as legal, nonconforming structures. These signs may not be relocated, structurally modified, or replaced if damaged over 50%. These legal nonconforming signs include the following list:
1. Large single faced billboard with two off-premise businesses advertised and one on-premise business advertised located near the intersection of STH 50 and STH 12 on Tax Parcel ZYUP-168.
  2. Large two faced billboard sign adjacent to and above the building located at 721 Williams Street. Tax Parcel No. ZF-28B.
  3. Three large single face billboard signs located at the southwest corner of the intersection of Sage Street and Sheridan Springs Road. Tax Parcel No. ZGC-11.
  4. Two smaller two faced pole signs located near the west side of the intersection of Grant Street and Elkhorn Road. Tax Parcel No. ZYUP-44A.
  5. Small wall sign on south face of the building located at 264 Center Street. Tax Parcel No. ZOP-259.
  6. Large single faced billboard located on north side of STH 120 near the intersection of STH 12 on Tax Parcel No. ZYUP-137I. Currently unused for several years, in a dilapidated condition, and under orders to remove.
  7. Large single faced billboard at the south lot line near CTH H right-of-way. Tax Parcel No. ZOP-373.
  8. Large two faced billboard sign near the southwest corner of Edwards Boulevard and Townline Road. Tax Parcel No. ZA4362 00003.
- \*This will include a sunset date of March 14, 2041 as depicted in the Pre-annexation agreement that was approved by the City upon the annexation of the property that occurred March 14, 2011. (Ord. No. 11-35)
- (k) **No pylon signs** shall be permitted.
- (l) **Obstructing windows** with paper covering is specifically prohibited under this section. This section applies to regulations under Section 98-806. (Ord. No. 01-20 4/9/01)

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(m) **In-Window Signs** shall be limited to a maximum area of written sign text message that does not exceed fifteen (15%) percent of the area of the window. The area of the text message shall be the smallest rectangular area that contains the entire text message. Text messages shall include letters, numerals, symbols, and product or company logos. Images, product displays, and wall boards that do not contain written text messages are not regulated by this rule. Area devoted to In-Window Signs shall not be counted as another type of sign area. There is no limit in the number of In-Window Signs and In-Window Signs shall not be subject to the design criteria of the Downtown Design District or other Overlay District regulations. All signage in the City shall come into compliance with this requirement as of May 1, 2001. (Ord. No. 01-20 4/9/01)

**(2) Sign Location Requirements:**

- (a) **No sign** shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any **authorized traffic control sign, signal or device**. Freestanding signs may not locate within vision triangles nor otherwise impede traffic or pedestrian visibility. Freestanding sign setbacks from right-of-way lines vary by zoning district -- refer to Sections 98-805 and 98-806.
- (b) **No sign** shall be located within a **required bufferyard** or within a permanently protected green space area. Refer to the City of Lake Geneva Zoning Code.
- (c) **No sign** shall be mounted or displayed on the **roof** of a structure.
- (d) **No sign**, temporary or otherwise, shall be displayed on private property without the owner's or renter's permission.
- (e) **Private signs** shall not be allowed within road **right-of-way** lines.
- (f) **Projecting signs** shall only be permitted as new signs per the rules of this Ordinance and may be maintained as legal nonconforming signs only if they exist as of the effective date of this Chapter, and are a minimum of seven feet over the elevation of a pedestrian way.
- (g) **Freestanding signs** shall be located a minimum of twelve feet from property lines or equivalent to their maximum height, whichever is lesser, except that on-premise directional signs less than 36 inches tall shall be located a minimum of one foot from a property line.
- (h) **Awnings** made of cloth are permitted. Such awnings shall be free of backlighting and only contain a lettering band with a single line of copy less than eight inches tall located on the vertical face of the awning and shall be located a minimum of seven and one-half feet for the fabric, and eight feet for the frame, over pedestrian ways.
- (i) No person shall erect, construct, or maintain any sign upon any property or building without the express consent of the owner or person entitled to possession of the property or building or their authorized representative.

**(3) Sign Configuration Requirements:**

- (a) **Freestanding sign configuration:** A freestanding sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs. Refer to Subsection 98-803(2)(b).

- (b) **Projecting sign configuration:** The bottom edge of a projecting sign shall be located a minimum of seven (7) feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. In no instance shall such sign be projecting more than four (4) feet into and over a public right-of-way or private street, drive, or parking area. (Ord. No. 01-24 8/13/01)
- (c) **Wall sign configuration:** A wall sign shall not extend beyond the edge of any wall or other surface to which it is mounted, nor shall it project more than twelve (12) inches from its surface. The height of a wall sign shall be measured from the base of the building below the sign to the top of the sign face. The top of the sign shall be no higher than the nearest portion of the building to which it is mounted without a conditional use permit. Signs painted directly on a wall or other portion of a building are not permitted. Refer to Subsection 98-803(2)(h).
- (d) **Advertising vehicle sign configuration:** No persons shall park any vehicle or trailer on a public right-of-way or on private properties so as to be seen from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same or nearby property or any other premise. Licensed business vehicles containing typical business signage and which are actively used on a daily basis for business purposes, are exempt from this prohibition. Refer to Subsection 98-804(1)(h).
- (e) **Menu Board Configuration:** Menu board sign surface area and its surrounding frame and structure shall not exceed four square feet. Menu board signs shall not extend beyond the edge of any wall or other surface to which they are mounted, nor shall they project more than three inches from the wall on which they are mounted. Moving signs such as traveling message boards, electronic message boards, and video screens are prohibited. Anything attached to a menu board sign shall not project outside the perimeter of the sign face nor project in excess of one inch from the sign face.

### **Section 98-805 Regulations for the CR-5ac, ER-1, SR-3, SR-4, TR-6, and MR-8 Districts**

#### **(1) Rules for all Signs:**

- (a) Signs shall comply with all provisions of this Article, including Section 98-803 and Section 98-804 for general signage definitions and regulations.
- (b) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (2), below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.

#### **(2) Rules for Particular Sign Purposes:**

##### **(a) Identification Sign**

1. For one-family, two-family, three-family or four-family dwelling:
  - a. Permitted Sign Type: Wall Sign
  - b. Maximum Permitted Number per Lot: One
  - c. Maximum Permitted Area per Sign: Two square feet

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2. For multi-family dwelling of five or more units, or institutional use:
    - a. Permitted Sign Type: Wall Sign, Canopy Sign or Monument Sign
    - b. Maximum Permitted Number per Lot: One monument, plus one wall or canopy
    - c. Maximum Permitted Area per Sign: Twenty-Four square feet
  3. For group development or subdivision:
    - a. Permitted Sign Type: Wall Sign, Canopy Sign or Monument Sign
    - b. Maximum Permitted Number per Development: Per Plat or Conditional Use
    - c. Maximum Permitted Area per Sign: Thirty-Two square feet
    - d. Maximum Combined Permitted Area of All Signs: Per Plat or Conditional Use
- (b) **Auxiliary Sign** (such as "Beware of Dog" or "No Trespassing" for all land uses):
1. Permitted Sign Type: Wall Sign
  2. Maximum Permitted Number per Lot: Two
  3. Maximum Permitted Area per Sign: Two square feet
- (c) **On-Premise Directional Sign** (for multi-family, group development or institutional use):
1. Permitted Sign Type: Wall Sign or Monument Sign
  2. Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, one sign for each parking area conditions list. Institutional uses may use any additional number of signs as needed.
  3. Maximum Permitted Area per Sign: Nine square feet
- (d) **Temporary Sign** (per Section 98-807)
- (e) **On-Premise Business Sign** (for legal, non-conforming business only): Shall comply with provisions of Section 98-806.
- (f) **Off-Premise Directional Sign** (for governmental facility only):
1. Permitted Sign Type: Wall Sign or Monument Sign
  2. Maximum Permitted Number per Development: Per Conditional Use Permit
  3. Maximum Permitted Area per Sign: Four square feet
  4. Maximum Permitted Area of All Signs: Per Conditional Use Permit
- (g) **Community Information Sign** (per Section 98-802(3))
- (h) **Menu Board Signs:**
1. Permitted Sign Type: Wall Sign
  2. Maximum Permitted Number per Parcel: One per Business
  3. Maximum Permitted Area per Sign: Four square feet

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**Section 98-806 Regulations for the RH, NO, PO, NB, PB, GB, CB, PI, GI and UI Districts**

**(1) Rules for all Signs:**

- (a) Signs shall comply with all provisions of this Article, including Section 98-803 and Section 98-804 for general signage definitions and regulations.
- (b) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (3), below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.
- (2) **Rules for Particular Sign Purposes (All Residential and Institutional Land Uses):** Shall comply with provisions of Section 98-805.
- (3) **Rules for Particular Sign Purposes (All Office, Commercial and Industrial Land Uses):** (Ord. No. 01-21 4/9/01)
- (a) **For RH, PO, NB, PB, and PI Zoning Districts**
1. **Permitted Sign Type: On-Building (Wall or Awning) Sign:**
    - a. Maximum Permitted Number per Lot: Two On-Building Signs per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
    - b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 200 square feet for all combined sign faces may be used for any single business on a wall.
  2. **Permitted Sign Type: Monument Sign or Projecting Sign:**
    - a. Maximum Permitted Number per Lot: One Monument Sign per lot, for any lot containing more than four public parking space or One Projecting Sign per each business entrance for each exposed side of the principal building not directly adjacent to a residentially zoned property.
    - b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
    - c. Maximum Permitted Monument Sign Height: 8 feet
    - d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height
    - e. Maximum Permitted Area per Projecting Sign: 3 square feet
  3. **Permitted Sign Type: Menu Board:**
    - a. Menu board signs are permitted in all zoning districts.
    - b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
    - c. Menu Board Signs shall be securely affixed to the exterior wall of the building containing the use.
    - d. Menu Board Signs may be made of any material and must be in an approved locking case.

- e. Menu Board Signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.

**(b) For CB Zoning District**

**1. Permitted Sign Type: On-Building (Wall, Awning, or Marquee) Sign:**

- a. Maximum Permitted Number per Lot: One On-Building Sign per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 25 feet may be used for any single business on a wall.

**2. Permitted Sign Type: Monument Sign or Projecting Sign:**

- a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
- c. Maximum Permitted Monument Sign Height: 8 feet
- d. Maximum Permitted Monument Sign Setback: equivalent of greater to sign height
- e. Maximum Permitted Area per Projecting Sign: 3 square feet

**3. Permitted Sign Type: Menu Board:**

- a. Menu board signs are permitted in all zoning districts.
- b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
- c. Menu Board Signs shall be securely affixed to the exterior wall of the building containing the use.
- d. Menu Board Signs may be made of any material and must be in an approved locking case.
- e. Menu Board Signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.
- f. Menu Boards in the designated Downtown Design District are subject to the requirements of the Downtown Design District.

**(c) For NO Zoning District:**

**1. Permitted Sign Type: On-Building (Wall, Awning, or Marquee) Sign:**

- a. Maximum Permitted Number per Lot: One On-Building Sign per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.

- b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 25 feet may be used for any single business on a wall.
- 2. Permitted Sign Type: Monument Sign or Projecting Sign:**
- a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
- c. Maximum Permitted Monument Sign Height: 8 feet
- d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height
- e. Maximum Permitted Area per Projecting Sign: 3 square feet
- 3. Permitted Sign Type: Menu Board:**
- a. Menu board signs are permitted in all zoning districts.
- b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
- c. Menu Board Signs shall be securely affixed to the exterior wall of the building containing the use.
- d. Menu Board Signs may be made of any material and must be in an approved locking case.
- e. Menu Board Signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.
- (d) For GB, BI, and HI Zoning Districts:**
- 1. Permitted Sign Type: On-Building (Wall or Awning) Sign:**
- a. Maximum Permitted Number per Lot: Two On-Building Signs per each business fronting on that wall, for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall for all combined signage on that wall regardless of the number of business. A maximum sign area of 250 feet may be used for any single business on a wall.
- 2. Permitted Sign Type: Monument Sign or Projecting Sign:**
- a. Maximum Permitted Number per Lot: One Monument Sign per lot, One Projecting Sign per each business entrance for each exposed side of the principal use building not directly adjacent to a residentially zoned property.
- b. Maximum Permitted Area per Monument Sign: One-Quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot – up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
- c. Maximum Permitted Monument Sign Height: 8 feet

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Section 98-807 Temporary Signs*through*Section 98-807 Temporary Signs

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- d. Maximum Permitted Monument Sign Setback: equivalent or greater to sign height
  - e. Maximum Permitted Area per Projecting Sign: 3 square feet
- 3. Permitted Sign Type: Menu Board:**
- a. Menu board signs are permitted in all zoning districts.
  - b. Configuration Requirements for Menu Board Signs. 98-804(3)(e)
  - c. Menu Board Signs shall be securely affixed to the exterior wall of the building containing the use.
  - d. Menu Board Signs may be made of any material and must be in an approved locking case.
  - e. Menu Board Signs may not be illuminated by any means other than an ambient light source such as the sun or a street light.
- (e) **Auxiliary Sign** (such as required Gas Price Signs or "No Trespassing" sign):
- 1. Permitted Sign Type: Wall Sign or Freestanding sign
  - 2. Maximum Permitted Number per Lot: Per approved site plan.
  - 3. Maximum Permitted Area per Sign: Combined area of all auxiliary signs shall not exceed an area equivalent to 50% of the permitted freestanding or on-building sign area, whichever is greater.
- (f) **On-Premise Directional Sign:**
- 1. Permitted Sign Type: Wall Sign or Monument Sign
  - 2. Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, one sign for each parking area conditions list.
  - 3. Maximum Permitted Area per Sign: Nine square feet
- (g) **Temporary Sign** (per Section 98-807)
- (h) **Off-Premise Directional Sign** (for governmental facility only):
- 1. Permitted Sign Type: Wall Sign or Monument Sign
  - 2. Maximum Permitted Number per Development: Per Conditional Use Permit
  - 3. Maximum Permitted Area per Sign: Four square feet
  - 4. Maximum Permitted Area of All Signs: Per Conditional Use Permit
- (i) **Community Information Sign** (per Section 98-802(3))

**Section 98-807 Temporary Signs**

For all temporary signs, the owner or tenant must contact the Zoning Administrator and provide the name and address of the applicant, and the description and location of the sign to be erected prior to actual installation. Only one temporary sign may be displayed on a property at any one time. Except as provided by (1) through (5) below, any one lot is permitted to display a temporary sign for a maximum of thirty (30) days within any twelve (12) month period. Furthermore, any one lot is limited to a maximum of two temporary signs in any twelve (12) month period (political signs are exempt from this restriction). A portable sign is not a temporary sign.

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**Section 98-808 Appearance,  
Construction, and Maintenance of  
Signage**

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**Section 98-808 Appearance, Construction,  
and Maintenance of Signage**

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- (1) For each lot: one "For Sale," "For Rent," or "Garage Sale" sign, not more than six (6) square feet in area, up to thirty-two (32) square feet for vacant commercial and industrial properties.
- (2) For construction on or development of a lot, one sign not more than thirty-two (32) square feet in area, indicating the name of the contractors, engineers or architect, or products being used in the construction of a building but only during the time that construction or development is actively under way.
- (3) For a temporary event of public interest such as a neighborhood garage sale or church fair, one sign, not over thirty-two (32) square feet in area located upon the site of the event. Such sign shall not be erected more than 30 days before the event and shall be removed immediately after the event.
- (4) Temporary political signs are permitted without restriction so long as they locate per the requirements of 98-804 (2)(d) and (e), do not impair vision, or do not otherwise create a public nuisance. Such sign shall not be erected more than 30 days before the election and shall be removed within 48 hours after the election.
- (5) For each real estate subdivision that has been approved in accordance with the City of Lake Geneva Land Division Regulations, two temporary development project identification signs are permitted to be located on some portion of the subject subdivision. Each such sign shall be not more than thirty-two (32) square feet in area. These signs shall comply with the visibility standards of Subsection 98-804(1)(i). These signs shall be permitted to remain within the subject subdivision until a time at which building permits have been issued for 80 percent or more of the lots in the subdivision.
- (6) One personal greeting/congratulatory sign per premises shall be permitted for up to seven days, which is limited to eight feet in height and thirty-two (32) square feet in dimension and which is not intended for commercial purposes.

**Section 98-808 Appearance, Construction, and Maintenance of Signage**

- (1) All signage within the jurisdiction of this Article shall remain in a state of proper maintenance. Refer to Subsection 98-808(2), below.
  - (2) Proper maintenance shall be 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 components thereof.
  - (3) The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Article, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
  - (4) The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.
  - (5) Any signs which may be, or may hereafter become rotted, unsafe, or in a state which is not properly maintained shall 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 Zoning Administrator.
  - (6) All signs shall be constructed and mounted so as to comply with State Building Codes.
  - (7) All signs shall be constructed and maintained to conform with State Electrical Codes.
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Section 98-809 Nonconforming Signs *through* Section 98-809 Nonconforming Signs

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- (8) The base of signs shall be landscaped so as to conceal footings, mountings, brackets, and related structural elements.
- (9) All signs shall in no instance create a traffic visibility or other safety hazard.
- (10) Signage found to be in violation of the provisions of this Article shall be subject to the provisions of the City of Lake Geneva Building Code.

**Section 98-809 Nonconforming Signs**

(1) Nonconforming Signs

- (a) Signs legally existing as of the effective date of this Chapter which do not conform to the provisions of this Article, shall be nonconforming signs and shall be subject to the provisions of Subsection 98-809(2). Nonconforming signs may be maintained. No nonconforming on-premise sign shall be altered or moved to a new location without being brought into compliance with the requirements of this Article. Refer to Subsection 98-809(2)(a), below.
- (b) Business signs on the premises of a nonconforming use or building may be continued per Subsection 98-809(2), but new signs for such uses shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of adoption of this Article.
- (c) Closing businesses must remove their signs within 60 days of closing. (Ord. No. 99-14 10/11/99)
- (d) Signage not in compliance with the provisions of this Section shall be subject to the provisions of Subsection 98-809(2).
- (e) Whenever there is a change in the sign user (excluding off-premise signs), owner, or owner of the property on which the sign is located, the new sign user, owner, or new property owner shall forthwith notify the Zoning Administrator of the change. No new sign permit is required unless there is modification of the sign face or sign structure.

(2) **Removal of Nonconforming Signs**

(a) Alteration of Signs

1. For the purpose of this Article, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign, its frame, its supporting structure, or its lighting including: changing the message (except for marquee or off-premise advertising signs), symbols, color, material, height, location, or any other alterations as determined by the Zoning Administrator. With the granting of a Conditional Use Permit, nonconforming signs may be altered in sign face appearance in any manner, and may be altered in sign frame, supporting structure and lighting in any manner that does not increase the degree for non-conformance. The consideration of said permit shall evaluate the quality and character of the proposed non-conforming sign with the character of nearby development and community objectives. This conditional use shall expire ten (10) years after date of issuance. (Ord. No. 99-14 10/11/99) The ten year expiration period shall not be extended by subsequent conditional use approvals for modification of the same non-conforming sign unless specifically stated in the subsequent conditional use approval. (Ord. No. 08-12 08/11/08)

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Section 98-809 Nonconforming Signs *through* Section 98-809 Nonconforming Signs

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2. Altering a sign does not include maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a marquee sign; or changing the face of an off-premise advertising sign.
  3. For a period extending ten years from the Effective Date of this Ordinance, a tenant sign which comprises part of a group Sign may be replaced to accommodate a new tenant sign without triggering the need to bring the entire Group Sign, or any of its parts, into compliance with the provisions of this Ordinance.
    - (b) The penalties of the City of Lake Geneva Building Code shall be applicable to violations of the provisions of this Article.
- (3) Exemptions for Historic Signs
- (a) The following historic signs shall be exempt from this Section and may be maintained with altered messages: the Pillsbury sign on the south wall of Dunn Lumber and True Value Hardware, 826 North Street.