

**ORDINANCE TO AMEND SECTION 315-65, 315-73, AND 315-78  
OF THE MUNICIPAL CODE REGARDING SIGNS**

The City Common Council of the City of Burlington, Wisconsin, do ordain as follows:

**Section 1.** Sections 315-65, 315-73 and 315-78 of the City of Burlington Code of Municipal Ordinances, entitled "Signs prohibited in all zoning districts", "Detailed Sign Regulations by Sign Type" and "Sign permit application" respectively, are deleted in their entirety, and the following new replacement Section 315-65, 315-73 and 315-78 are hereby adopted:

**§ 315-65. Signs prohibited in all zoning districts.**

A. The following signs are hereby prohibited in all zoning districts in the City of Burlington unless a variance is granted by the Zoning Board of Appeals pursuant to the requirements of this chapter:

- (1) Any sign displaying flashing or intermittent lights or lights of changing degrees of intensity, except a sign meeting the requirements of § 315-70F.
- (2) Any sign that obscures or interferes with a sign displayed by public authority for the purpose of giving traffic instructions or direction or other public information.
- (3) Any sign that obstructs a clear view to and from traffic along any public street right-of-way, entrance, or exit.
- (4) Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution of the existence of danger or which is a copy or imitation of or which, for any reason, is likely to be confused with any sign displayed by public authority.
- (5) Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress or egress for any building, as required by law. No sign shall be attached to a standpipe.
- (6) Any sign or illumination that causes any direct glare into or upon any building, other than the building to which the sign may be related.
- (7) Off-site and off-premises signs which advertise businesses, establishments, activities, goods, products, facilities, or services or other message not made, produced, sold, or present on the premises or site where the sign is installed and maintained, other than those which are permitted under § 315-64 or 315-71 of this chapter.
- (8) Inflatable advertising devices or signs exceeding ten consecutive days in any one-month period.
- (9) Portable trailer signs, either fixed or movable, exceeding ten consecutive days in any one-month period.
- (10) Off-premises directional signs except as provided for by § 315-71B of this chapter.
- (11) Any sign that violates any provision of any law of the State of Wisconsin relative to outdoor advertising.
- (12) Snipe signs which do not identify a public utility such as a public telephone or which do not identify a recognized and/or real danger to public safety.

- (13) Sandwich signs. In accordance with § 315-74(a)(1), one freestanding sandwich sign not exceeding a maximum of six square feet per sign face may be permitted per business when such sign does not constitute a public safety or traffic hazard as determined by the Zoning Administrator.
- (14) Any sign located within a public right-of-way except as provided by this chapter.
- (15) Wall signs which are painted directly upon walls except wall murals that have been reviewed and approved by the Common Council, Plan Commission and Zoning Administrator.
- (16) Signs as a principal use in any zoning district except as otherwise provided for in this chapter.
- (17) The posting of any signs on any permanent or temporary structure or building, pole or tree located in any public street right-of-way, public park, or other public way or place within the City of Burlington except as permitted under the provisions of this chapter.
- (18) Vehicles or other property with "For Sale" signs when located within any public right-of-way.
- (19) Signs mounted to fences except as permitted under the provisions of this chapter.
- (20) Statues used for commercial purposes.
- (21) Temporary signs affixed to permanent signs.
- (22) Signs painted or mounted on rocks or other natural features or affixed to trees.
- (23) A sign on a motor vehicle or trailer parked on public or private property so as to be seen from the public right-of-way for more than three consecutive hours, which has attached thereto or located thereon any sign for the purpose of advertising a product or directing people to a business activity.
- (24) A sign of any character, including any sign advertising the exact nature and kind of business conducted on the premises, for the exhibition, by posting, painting or in any other manner displaying, of any statement, word, character, or illustration of any obscene or indecent nature.
- (25) Those signs which are prohibited by this chapter.
- (26) Searchlights for commercial purposes.

B. It shall be unlawful to erect a billboard sign in any area of the City. It shall be unlawful to change the copy of any existing billboard sign in the City without a sign permit.

### **§ 315-73 Detailed Sign Regulations by Sign Type**

- A. Development signs. The following regulations apply to all development signs placed in the City of Burlington:
  - (1) All development signs shall be freestanding signs.
  - (2) Residential development signs shall only provide the name of the subdivision or condominium development.
  - (3) A development sign shall contain the name of the development and shall not have any individual store names or similar features contained on it or attached to it.
  - (4) Lighting of a development sign may be provided by internal lighting, backlighting, the general lighting of the sign area, or by shielded spotlights.
- B. Temporary signs. A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood, or other light material and intended to be displayed for a short period

of time (30 or fewer consecutive days) and not more than twelve times per calendar year. Included in this category are retailers' signs temporarily displayed for the purpose of informing the public of a sale or special offer. Temporary signs must conform to all regulations of this section.

- (1) Election campaign signs. Temporary signs advertising political parties or candidates for election may be erected or displayed and maintained, provided that said signs meet all State of Wisconsin statutory requirements.
- (2) Real estate signs.
  - (a) Only one real estate sign may be located adjacent to each separate street frontage of a lot. Signs shall be located entirely within the property to which the signs apply; they shall not be directly illuminated. Real estate signs shall be removed within 15 days after a deed has been recorded for the sale or a lease signed for the rental or lease of the property. Real estate signs shall not exceed the following maximum area requirements:
    - [1] For the TN-R, Rm-1, Rm-2, Rm-3, B-1, B-2, B-2A, B-3, M-1, M-2, M-3, M-4, Q-1, I-1, P-1 and PUD Zoning Districts: 32 square feet.
    - [2] For all other districts: four square feet for individual lots and 64 square feet for subdivisions and condominium projects.
  - (b) No real estate sign shall be nearer than 10 feet to the property line if placed upon vacant property, and if placed on land improved by a building it shall not be placed nearer than five feet to any property line or public street right-of-way line unless the building is less than five feet from the property line or public street right-of-way line, in which case it may be placed in or upon a front or side door or window of the building. If there is a wall upon the property line, then such sign may be placed on or against such wall.
- (3) Construction signs. Temporary construction signs denoting the architect, broker, developer, engineer, contractor, or financial institution financing the project and applicable phone numbers are not to exceed 32 square feet in area and are not to be placed longer than the duration of the construction period. Construction signs shall not be illuminated.
- (4) Advertising signs. Temporary sign or advertising display constructed of cloth, canvas, fabric, paper, plywood, or other light material, no larger than indicated in Section 315-71D; and intended to be displayed for a short period of time.
  - (a) Time limits.
    1. Temporary signs may be displayed thirty (30) or fewer consecutive days and not more than twelve (12) times per calendar year.
    2. Every temporary sign shall be dated with indelible marker indicating the first day of display in the current usage period.
    3. Inflatable advertising devices or signs shall not exceed ten (10) consecutive days in a one (1) month period and twelve (12) times per year per business.

**§ 315-78. Sign permit application.**

- A. Application filing. A sign permit application and all applicable fees shall be filed with the Zoning Administrator on forms furnished by the Zoning Administrator prior to the commencement of work to construct any sign in the City of Burlington which requires a sign permit.
- B. Content of sign permit application. The sign permit application shall, at a minimum, contain the following information:
  - (1) Name, address, and telephone number of the applicant for the sign permit.

- (2) The location of the building, structure, lot, or property to which or upon which the sign is proposed to be attached or erected.
- (3) The name, address, and telephone number of the person, firm, corporation, or association erecting the sign.
- (4) Written consent of the property owner and lessee (if applicable) of the building, structure, lot, or property to which or upon which the sign is to be attached or erected.
- (5) A scaled drawing of such sign indicating the design, dimensions, materials to be used, lettering, colors, and type of illumination, if any, and the method of construction or attachment.
- (6) A scaled site drawing indicating the location and position of the property boundaries, any existing signs, and the proposed sign and a photograph of the building and/or site of the sign placement.
- (7) Information (or type of information message and/or images) to be displayed on the face(s) of the sign.
- (8) Calculations or other evidence showing that the sign structure and design meet the requirements of all applicable City codes and ordinances, including the City's applicable structure provisions of the Building Code and, if the sign is electrical, the City's Electrical Code.
- (9) Payment of all sign permit and other applicable fees as set forth by the City.
- (10) Include the first and last days of display for temporary signs.

C. Issuance of sign permit. The Zoning Administrator shall issue all sign permits for signs located, erected, moved, reconstructed, enlarged, expanded, altered, converted, operated, placed, or relocated in the City of Burlington and which meet the requirements of this chapter. If the Zoning Administrator denies the issuance of a sign permit, the reasons for said denial shall be so stated in writing to the applicant for the sign permit. If the Zoning Administrator issues a sign permit in error, then the Zoning Administrator shall issue an order to the sign owner and/or owner of the property upon which the sign is placed to have the sign removed pursuant to the procedures under § 315-75B of this chapter.

D. Expiration of permit. A sign permit shall become null and void if work authorized under said sign permit has not been completed within a six-month period following the issuance of said sign permit and the last day of display for a temporary sign.

**Section 2.** This ordinance shall take effect and be in full force after its passage and publication as required by law.

Introduced: February 18, 2014

Adopted: March 4, 2014

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Robert Miller, Mayor

Attest:

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Diahnn Halbach, City Clerk