

# Town of St. Germain

## Sign Ordinance

The purpose of this ordinance is to create the legal framework to regulate, administer, and enforce off premises advertising and display within the Town of St. Germain. This ordinance recognizes the need to protect the safety, welfare and property values of the community while providing for adequate business identifications, advertising and communication. The ordinance also allows existing signs, at the time this ordinance is passed into law, to remain even though they are non-conforming signs, as long as they are maintained in good repair and they have a well maintained message on them.

### A. Definitions

- 1) Abandoned Sign:
  - a) Any sign that no longer correctly advertises a bona fide business, lessee or owner.
  - b) Any sign that no longer advertises a product or activity conducted or available on the premises where the sign is displayed.
  - c) Any sign the owner of which cannot be located at the owner's last address as reflected in the records of the Town of St. Germain.
  - d) Any sign that is no longer fully supported by the structure designed to support it for a consecutive ninety (90) day period from the Zoning Administrator's review.
  - e) Any sign that does not display a well maintained message for a consecutive 90 day period from the Zoning Administrator's review.
- 2) Attachments/Auxiliary Signs – A sign mounted separate and attached to the primary sign, which provide additional information.
- 3) Awning Sign – Any sign attached to, painted on or applied to an awning or awning canopy.
- 4) Banner Sign – A long strip of material affixed to the side of a structure, attached to a pole or other vertical device, or suspended between poles, trees or other vertical devices, that is designed, intended or used to advertise or inform, and that is visible from any place on the main traveled area of any town road, county or state highway.
- 5) Changeable Copy/Message Sign (Reader Board) Automatic – A sign that changes the content of the message displayed automatically by means of electronic symbols or non electronic symbols that change mechanically.
- 6) Changeable Copy/Message Sign (Reader Board) Manual – A sign that the content of the message is changed manually.
- 7) Double Faced Sign – A sign with copy on both signs of one sign board, two sign boards back to back, or two sign boards in a "V" format.
- 8) External Lighting – Lighting of a sign which mounts on the outside of a sign.
- 9) Ground Elevation – The average elevations upon which the sign supports are placed. This does not include a berm or other area elevated above the surrounding ground.
- 10) Height of Sign – The distance measured vertically from the ground elevation to the highest point of the sign.
- 11) Inflatable Sign – A Sign which is held up by means of inert gases, hot air or fans.
- 12) Internal Lighting – Illumination from within the sign.
- 13) Neighborhood Directional Sign – A sign that shows direction to an individual's house or business within a neighborhood.
- 14) Non Regulatory Governmental Sign – A sign owned by the Town of St. Germain, Vilas County, the State of Wisconsin or the Federal Government that does not have a regulatory message on it.
- 15) Off Premises Sign – A sign that advertises a residence, business, merchandise, product, service or entertainment that is offered off the premises from where the sign is displayed. It is a free standing sign supported by uprights, pylons, or foundation elements in or upon the ground and is not attached to a building.
- 16) On Premises Sign – a sign that advertises a residence, business, merchandise, product, service, or entertainment that is offered on the premises where the sign is displayed.
- 17) Owner – A person owning a sign.

- 55 18) Planning & Zoning Committee – A committee appointed by the Town Board that is charged with  
56 the administration of this ordinance.
- 57 19) Permit – The authorization for a sign issued by the Town of St. Germain.
- 58 20) Real Estate Directional Sign – A temporary sign showing direction to property that is for sale.
- 59 21) Recreational Signs – A sign that is located on a recreation trail which informs users of the trail,  
60 any pertinent information concerning the trail. They may include and are not limited to,  
61 information, regulatory or directional in nature. These signs are typically installed and maintained  
62 by organizations that maintain the recreation trails.
- 63 22) Residential Neighborhood Identification Sign – A sign at the entrance of a residential  
64 neighborhood or along a road facing identifying the neighborhood.
- 65 23) Real Estate Sign – A sign that advertise the sale, rental or lease of the premises or land upon  
66 which said signs are located.
- 67 24) Regulatory Government Sign – A sign that is owned by the Town of St. Germain, Vilas County,  
68 the State of Wisconsin or the Federal Government that has a regulatory message on it.
- 69 25) Roof Sign – A sign erected, constructed, maintained upon the roof of a building.
- 70 26) Sign – any type of display, device, notice, figure, painting, drawing, message placard, poster,  
71 billboard, or other thing that is designed, intended or used to advertise or inform, and that is  
72 visible from any place on the main traveled area of any town road, county or state highway or  
73 public waterway. It does not include the flag, pennant, or insignia of any nation, state or town.
- 74 27) Sign Size - The area of one side of the sign enclosed by one continuous line, with two parallel  
75 sides, connecting the extreme points or edges of a sign. The area shall be determined using the  
76 largest sign area visible at any one time. This area does not include the main supporting sign  
77 structure, but all other ornamental attachments, inner connecting links, that are not part of the  
78 main supporting structure of the sign, are to be included in determining sign area.
- 79 28) Seasonal Community Event Sign – A sign that is erected to advertise a community event held in  
80 the St. Germain Community Area for a time period of at least thirty (30) days and not more than  
81 one hundred and twenty (120) days.
- 82 29) St. Germain Community Area – The area that encompasses the St. Germain Community Center,  
83 town baseball and soccer fields, pavilions and parking lots located on the corner of State  
84 Highways 155 & 70.
- 85 30) Temporary Construction Sign – A sign that advertises a contractor, sub-contractor or builder that  
86 is constructing a new building or remodeling an existing building.
- 87 31) Temporary Event Banner/Sign – A sign placed without a permanent structure containing a time-  
88 bound message.
- 89 32) Temporary Special Event Sign – A sign for events such as grand openings, vehicle, snowmobile,  
90 or craft shows, benefits, fund raisers, festivals and other limited term events.
- 91 33) Town – Town of St. Germain
- 92 34) White Arrow Sign – A sign six (6) feet by Seven and one half (7 ½) inches, with an eight (8) inch  
93 arrow point on one end and an eight (8) inch arrow tail on the other end, painted white with four  
94 and one half (4 ½) inch block lettering, or a sign forty (40) inches by seven and one half (7 ½)  
95 inches, with an eight (8) inch arrow point on one end and an eight (8) inch arrow tail on the other  
96 end, painted white with four and one half (4 ½) inch block lettering.
- 97 31) Zoning Administrator – A person employed by the Town of St. Germain and given the duties to  
98 administrate and enforce the sign ordinance by the Planning & Zoning Committee.
- 99

100 **B. Sign Standards**

- 101 1) Permit – No signs shall hereafter be located, erected, moved, totally reconstructed, extended,  
102 enlarged, converted or structurally altered without an approved Town Sign Permit unless  
103 specifically exempted by this Ordinance. It may be necessary to also obtain State and County  
104 permits.
- 105 2) Codes – At the time of construction and/or when the sign is rebuilt, not including changing the  
106 message, the sign shall conform to the latest edition of the applicable building and electrical  
107 codes.
- 108 3) Lighting – External lighting shall be shielded from view, pointed in a downward direction and shall  
109 be focused upon the sign to minimize stray lighting.
- 110

111 **C. Signs Authorized Without a Permit**

- 112 1) Regulatory Governmental Signs – Regulatory Governmental Signs do not require a permit.
- 113 2) Temporary Construction Sign – Temporary construction signs at residential sites under
- 114 construction are allowed provided that each sign does not exceed six (6) square feet in size,
- 115 there is only one sign placed on each parcel of land per contractor with a maximum of four (4). A
- 116 temporary Construction sign per building site and the sign(s) is/are removed within thirty (30)
- 117 days after completion of the project and is the responsibility of the property owner to remove the
- 118 sign. Temporary construction signs at commercial sites under construction are allowed provided
- 119 that each sign does not exceed thirty-two (32) square feet in size, there is only one sign placed
- 120 on each parcel of land per contractor with a maximum of six (6). A temporary Construction sign
- 121 per building site and the sign(s) is/are removed within thirty (30) days after completion of the
- 122 project and is the responsibility of the property owner to remove the sign.
- 123 3) Special Event St. Germain Community Area Banner – A banner, not more than three (3) feet tall
- 124 and fifteen (15) feet wide, suspended between two permanent posts installed by the Town,
- 125 located on the north side of Highway 70 and west side of Highway 155, near the intersection of
- 126 Highway 70 & 155, that advertises a temporary special event held in the St. Germain Community
- 127 Area. The banner may be installed thirty (30) days before the temporary special event and must
- 128 be taken down within three (3) days after the temporary special event. The banner can only
- 129 contain the event name, date and time of the event and sponsor's name; no commercial
- 130 advertising. Temporary Event Banner/signs are not allowed in this area.
- 131 4) Real Estate Signs – A Real Estate Sign advertising the sale of a residence, not exceeding six (6)
- 132 square feet per sign face provided that it is removed within thirty (30) days after the closing of the
- 133 sale, rent or lease of the subject property. A Real Estate sign often has up to two information
- 134 riders attached to them that are included in the 6 square foot size of the sign. A Real Estate Sign
- 135 advertising the sale of a commercial property or vacant land not exceeding sixteen (16) square
- 136 feet per sign face provided that it is removed within thirty (30) days after the closing of the sale,
- 137 rent or lease of the subject property. A real Estate Sign advertising the sale of subdivision lots,
- 138 not exceeding thirty-two (32) square feet provided that it is removed upon the sale, rent or lease
- 139 of the subject property. There may be two (2) Real Estate signs per road facing, no closer than
- 140 two hundred feet of each other and two Real Estate signs per waterfront side, no closer than two
- 141 hundred (200) feet of each other, located above the high water mark, advertising the sale of a
- 142 residence or commercial property, not exceeding six (6) square feet provided they are removed
- 143 within thirty (30) days after the closing of the sale, rent or lease of the subject property.
- 144 5) Seasonal Community Event Signs – Seasonal Community Event Signs not exceeding thirty-two
- 145 (32) square feet do not need a permit.
- 146 6) Temporary Event Banner/Sign – A Temporary Event Banner/Sign not more than thirty-six (36)
- 147 square feet and it is erected no more than thirty (30) days before the event and removed within
- 148 seven (7) days after the event is over, are allowed without a permit.
- 149 7) Neighborhood Directional Sign – A sign, located on a Town Road that has single or dual posts,
- 150 with white arrows signs pointing in the direction of an individual's house or place of business.
- 151 Typical location for this type of sign would be at the beginning of the road. The size of the White
- 152 Arrow Sign is forty (40) inches by seven and one half (7 ½) inches, with an eight (8) inch arrow
- 153 point on one end and an eight (8) inch arrow tail on the other end, painted white with four and one
- 154 half (4 ½) inch block lettering.
- 155 8) Recreational Trails – Recreational Trail Signs do not require a permit.

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157 **D. Signs Authorized with a Permit**

- 158 1) Off Premises Signs
- 159 a) Highway 155 - Signs that are located on Highway 155, between Highway 70 and
- 160 the northern border of St. Germain; between forty-nine (49) and one hundred and
- 161 sixty (160) square feet have a maximum height of fourteen (14) feet above
- 162 ground elevation; have a maximum width of twenty (20) feet; and shall be no
- 163 closer than three tenths (.3) of a mile between each other, measured on the
- 164 same side of the road and not more than four (4) signs on the east side of Hwy
- 165 155 and not more than four (4) signs on the west side of Hwy 155. Signs that are
- 166 less than forty-nine (49) square feet have a maximum height of ten (10) feet

- 167 above ground elevation; and shall be no closer than one tenth (.1) of a mile  
168 between each other, measured on the same side of the road.
- 169 b) Highway 70 – Signs that are between forty-nine (49) and one hundred and sixty  
170 (160) square feet have a maximum height of fourteen (14) feet above ground  
171 elevation; have a maximum width of twenty (20) feet; and shall be no closer than  
172 three tenths (.3) of a mile between each other, measured on the same side of the  
173 road. Signs that are less than forty-nine (49) square feet have a maximum height  
174 of ten (10) feet above ground elevation; and shall be no closer than one tenth (.1)  
175 of a mile between each other, measured on the same side of the road.
- 176 c) All other Town & County Roads – Signs that are thirty-two (32) square feet or  
177 less, have a maximum height of eight (8) feet, have a maximum width of eight (8)  
178 feet.
- 179 2) Residential Neighborhood Identification Sign – A residential neighborhood is permitted to have  
180 two (2) residential neighborhood identification sign for each entrance, street or road facing. The  
181 sign will not extend into the public right-of-way. The face of the sign will not exceed thirty-two  
182 (32) square feet. The height of the sign may not exceed ten (10) feet above the ground elevation  
183 and the maximum width is eight (8) feet.
- 184 3) Non Regulatory Governmental Signs – A Non Regulatory Government Sign requires a permit;  
185 however they are exempt from any permit fees.  
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#### 187 **E. Sign Permit Requirements**

- 188 1) Enforcement – The Town of St. Germain shall administer and enforce this ordinance.
- 189 2) Permit – A permit is not required for “Signs Authorized without a Permit.” A Permit must be  
190 obtained from the Zoning Administrator for all “Signs Authorized with a Permit.”
- 191 3) Application – Applications for Sign Permits are available from the Zoning Administrator. The  
192 applications shall contain the following:
- 193 a) Name, address, land phone, cell phone and if available, fax and e-mail, of the person or  
194 business applying for the permit.
- 195 b) Name, address, land phone, cell phone and if available, fax and e-mail, of the person or  
196 business owning the parcel of land on which the sign is erected.
- 197 c) A map showing the position of the sign in relation to nearby buildings, structures, property  
198 lines, existing right-of-ways
- 199 d) Name, address, land phone, cell phone and if available, fax and e-mail, of the person or  
200 business that will be erecting the sign.
- 201 e) Any other information the Planning & Zoning Committee may require showing compliance  
202 with this Sign Ordinance.
- 203 f) A copy of the sign’s plans and specifications. The method of construction and installation  
204 in the ground shall be explained in the plans and specifications.
- 205 4) Permit Fees – Permit fees for signs shall be established by the Town of St. Germain. The Permit  
206 Fees must relate to the cost of issuing the Permit and may vary based on the size, type and  
207 height of the sign.
- 208 5) Renewal Fees – Renewal fees shall be established by the Town of St. Germain and shall be due  
209 July 1 of every calendar year. Renewal fees not paid by the first of September will result in the  
210 sign permit being revoked.
- 211 6) The inventory of off premises signs will take place in April and May. The Inventory Report will be  
212 complete, taking into consideration the condition and status of the off premises signs, and will be  
213 due in the hands of the Zoning Administrator for review on June 1. The review complete, a  
214 renewal bill will go out on July 1, with sixty (60) days for sign owners to make payment.
- 215 7) At the time of the review, the Zoning Administrator will identify any signs which are in need of  
216 repair (repairs can include but are not limited to the structure, legibility of the message and  
217 cleaning of the sign) or removal. The owners will be contacted by July 1 and will have ninety (90)  
218 days from the date of the review to conform to the sign standard, correct the deficiency or file an  
219 appeal.  
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#### 222 **F. Prohibited Off Premises Signs & Practices**

- 223 1) Inflatable Signs are prohibited.
- 224 2) Changeable Copy/Message Signs either automatic or manual are prohibited.
- 225 3) Any sign attached to a motor vehicle, trailer, farm implement or other mobile equipment which is
- 226 parked in a position visible to traffic on a public road, waterway or parking area and which
- 227 remains unmoved for a period longer than seven (7) days in a sixty (60) day period, is prohibited.
- 228 The exception to signs attached to a motor vehicle, trailer, farm implement or other mobile
- 229 equipment is a vehicle that is parked in a business's parking lot because the owner of the vehicle
- 230 is temporarily staying overnight or the vehicle is parked on property that is under construction and
- 231 it belongs to one of the businesses that are involved in the construction project.
- 232 4) Any sign for which a permit has not been issued and which is not a "Sign Authorized without a
- 233 Permit", is prohibited.
- 234 5) No sign shall be attached to any tree or trees.
- 235 6) Moving or flashing lights used to illuminate or draw attention to a sign is prohibited.
- 236 7) Any sign that has moving parts used to draw attention to a sign is prohibited.
- 237 8) No portion of a privately owned sign, or its supporting structures, such as poles or cables, shall
- 238 be placed on, or within the air space above, publicly owned property, a public right-of-way or a
- 239 proposed public right-of-way.
- 240 9) Signs shall not be placed so as to obstruct the visibility of pedestrians and motorists at
- 241 intersections and driveways.
- 242 10) Sign frames that do not have a message on them and are advertising the sign space for rent, are
- 243 prohibited, except for the period of time, not more than two years when the message is changing
- 244 or has expired and a new advertiser is not yet available.
- 245

#### 246 **G. Existing Signs**

247 Any sign that is non-conforming, at the time this ordinance becomes law, is allowed to remain as  
248 long as it is maintained in good repair and it has a well maintained message on it with the exception of  
249 signs attached to trees. If the sign needs to be rebuilt, it has to be rebuilt with the same type of materials  
250 that were originally used and cannot be made larger than the existing sign. If the design of the sign is  
251 changed, the sign must then conform to this ordinance. An example of changing the structure would be a  
252 sign that has a wood frame currently and the owner wants to rebuild it using a metal frame instead of  
253 wood.

#### 254 **H. Administration**

- 256 1) Administration – The Town Board shall appoint a Zoning Administrator and enforce the terms and
- 257 conditions of this Ordinance.
- 258 2) Enforcement – The Zoning Administrator shall issue permits as required by this Ordinance. The
- 259 Planning & Zoning Committee shall ensure that signs comply with this ordinance; enforce the
- 260 requirement that all signs properly comply with this Ordinance by procuring a permit; maintain a
- 261 yearly inventory of all off premises signs and initiate appropriate action to enforce compliance
- 262 with this Ordinance. All signs that are in existence at the time this Ordinance becomes law, will
- 263 be inventoried and the following permit renewal period they will be issued a permit and the
- 264 appropriate renewal fee will be charged.
- 265 3) Planning & Zoning Committee Powers – The Planning & Zoning Committee shall have the power
- 266 and authority to administer and enforce – this Ordinance. Included among such powers are the
- 267 following specific powers:
- 268 i) Every sign for which a permit is required shall be subject to the inspection and approval of the
- 269 Zoning Administrator, including verification of the use of the property it is erected upon.
- 270 ii) If the zoning administrator is denied admission to inspect any sign, inspection shall be made
- 271 under the authority of a warrant issued by a court of proper jurisdiction. When applying for
- 272 such a warrant, the Zoning Administrator shall submit an affidavit setting forth a belief that a
- 273 violation of this Ordinance exists with the respect to a particular sign, and the reasons for
- 274 forming this belief. The affidavit shall designate the place and name of the person believed to
- 275 own or possess the sign and the owner of the property the sign is installed upon. If the court
- 276 finds probable cause exists for the search of the sign, and supporting structures, then a
- 277 warrant authorizing the search shall be issued. The warrant shall describe the property with
- 278 sufficient certainty to identify the same. This warrant shall constitute authority for the Zoning

- 279 Administrator to enter the sign area and to inspect the sign. Upon issuance of a Stop Order  
280 from the Zoning Administrator, work on any Sign that is being conducted in any manner  
281 contrary to this Ordinance shall be immediately stopped. This notice and order shall be in  
282 writing and shall be given to the owner of the Parcel, the Sign Owner, or to the person  
283 performing the work. The Stop Order shall state the conditions under which work may be  
284 resumed.
- 285 iii) The Zoning Administrator has the authority to deny any Sign Permit Application if the Sign will  
286 violate this Ordinance. The applicant has sixty (60) days to file an appeal with the Planning &  
287 Zoning Committee. After the sixty (60) day period and there has been no appeal filed, the  
288 application is null and void.
- 289 iv) The Zoning Administrator has the authority to revoke any Sign Permit authorized under this  
290 Ordinance if the sign violates this Ordinance or any other law. The Sign Owner has sixty (60)  
291 days to bring the sign into compliance or file an appeal with the Planning & Zoning  
292 Committee. After sixty (60) days from the Permit being revoked, the Town of St. Germain  
293 may apply for a court order authorizing the Town to remove the sign at the owner's expense.
- 294 v) Any unabated violation of this Ordinance may be referred to the Town Board by either the  
295 Planning and Zoning Committee or the Zoning Administrator. Upon receipt of such a referral,  
296 the Town Board may authorize the Town Attorney to commence an action in the circuit court  
297 seeking an order to force compliance with this Ordinance. Each day that a violation exists  
298 may result in the imposition of a daily forfeiture in the amount of \$\_\_\_\_\_. In the event an  
299 enforcement action must be commenced, and if the Town is the prevailing party, the Town  
300 shall be entitled to collect its actual attorney fees and costs necessary to force compliance  
301 with this ordinance.
- 302 4) Appeals – Appeals to the determination of the Zoning Administrator may be made in writing  
303 directly to the Chairperson of the Planning & Zoning Committee. The Planning & Zoning  
304 Committee will hear the appeal within sixty (60) days of receipt of the appeal by the Chairperson.  
305 Variances may be granted if all of the following criteria are fulfilled:
- 306 i) That the circumstances are not of the applicant's making;  
307 ii) That the applicant's request mitigates unusual site conditions;  
308 iii) That the applicant's request would not create a detriment to the neighborhood or reduce  
309 property value;  
310 iv) That the applicant's request is consistent with the spirit and intent of this ordinance.

311  
312 **I. First Amendment Protection**

313 Any sign allowed under this Ordinance may contain, in lieu of any other text, any otherwise lawful non-  
314 commercial message that does not direct attention to a business operated for profit or to a commodity or  
315 service for sale and that complies with all other provisions of this Ordinance including the specific  
316 provisions for signage in the land use category on which the sign is placed. The Owner of any sign which  
317 is otherwise allowed by this Ordinance may substitute noncommercial copy in lieu of any other copy  
318 without additional approval or permitting. The purpose of this provision is to prevent any inadvertent  
319 favoring of commercial speech over noncommercial speech, or favoring of any noncommercial message  
320 over any other noncommercial message. This provision prevails over any more specific provision to the  
321 contrary.

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323 **J. Severability and Conflict**

- 324 1) Severability – This ordinance, and its parts, are declared to be severable. If any section, clause,  
325 provision, or portion of this Ordinance is declared invalid or unconstitutional by a court of  
326 competent jurisdiction, this decision shall not affect the validity of the Ordinance as a whole. All  
327 parts of the ordinance not declared invalid or unconstitutional shall remain in full force and effect.
- 328 2) Conflict – If any part of this Ordinance is found to be in conflict with any other Ordinance or with  
329 any other part of this Ordinance, the most restrictive or highest standard shall prevail. If any part  
330 of this Ordinance is explicitly prohibited by federal or state statute, that part shall not be enforced.

331  
332 **K. Effective Date**

333 This Ordinance shall be effective on \_\_\_\_\_.