

SECTION 20
SIGN ORDINANCE (Adopted - July 20, 2010)

1. **GENERAL REGULATIONS** – all signs shall conform to the following regulations.

a. Signs in all districts

1. No sign shall be erected or used except in conformity with this Ordinance and only after site plan review and approval by the Zoning Administrator or his/her designee.
2. No signs or other advertising devices shall be permitted which:
 - i. Contain statements, words or pictures of any obscene, indecent or immoral character, such as will offend public moral or decency.
 - ii. Contain or imitate any official traffic sign or signal or contain the words: "stop," "go slow," "Caution," "danger," "warning," or similar words, except for officially-issued governmental signs.
 - iii. Are of size, location, movement, content, coloring, or manner of illumination which may be confused with or constructed as a traffic control device or which hide from view any traffic or street sign or signal, except for official governmental signs.
 - iv. Turn, revolve or have moving parts, have flashing lights, have exposed illumination, or are portable in nature; provided however, that permanent electronic changeable copy signs are permitted provided they meet the requirements of this ordinance and do not change displays more frequently than once every twenty (20) seconds.
 - v. Are not maintained in good condition and repair and kept clear and free from obnoxious and offensive substances, weed, rubbish, and flammable materials at all times.
 - vi. Project into a public right-of-way or easement, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers necessary to safely operate a vehicle or by reflecting light so as to be a safety hazard to drivers.
 - vii. Exceed Twenty (20) feet above grade in height.
 - viii. Are located within the public right-of-way, except for: 1) signs erected by or on behalf of a governmental agency to post legal notices, identify public property, convey public information, and direct or regulate traffic; 2) bus signs erected by a public transit company; 3) informational signs of a public utility regarding poles, lines, pipes, or facilities; and 4) emergency warning signs created and installed by a governmental agency or other entity authorized to do work in the public right-of-way.

3. The owner of any property on which any sign is placed and the person or entity maintaining the sign shall be equally responsible for the condition of the sign and the area in the vicinity thereof.

b. Signs in agricultural, commercial-recreation, and residential districts - For each lot or parcel, one non-illuminated sign may be permitted with a gross surface area of four (4) square feet or less and a maximum height of four (4) feet above grade, exclusive of building/house numbers and required traffic control signs. Such sign shall be temporarily or permanently affixed to the ground or permanently attached to the building as a wall sign. For multi-family, single family complexes, and non-residential uses in residential district, an entrance identification sign may be permitted with a gross surface area not to exceed a maximum of thirty (30) square feet and a maximum height of six (6) feet.

c. Permanent sign in business and commercial district - Signs in all Business and Commercial Districts shall be regulated as follows:

1. For each lot or parcel, one ground-mounted or free-standing sign may be permitted with a gross display area of one (1) square foot for each two (2) feet of frontage up to a maximum of sixty (60) square feet in total area. Up to Fifty (50) percent of gross surface area may be a changeable copy sign. All ground-mounted and free-standing signs shall be setback at least ten (10) feet from all property lines. If a lot contains more than six hundred (600) feet of frontage on a public road, a second sign meeting the criteria above may be erected. No free-standing sign or ground-mounted sign shall be located no closer than one hundred (100) feet to another sign along the same right-of-way.
2. The top of a ground-mounted or free-standing sign shall not be more than fifteen (15) feet above grade level.
3. In addition to a free-standing or ground-mounted sign for each lot, each business establishment may have one wall sign not to exceed ten (10) percent of its wall area facing the front lot line, up to a maximum of sixty (60) square feet. If no free-standing or ground mounted sign is present, then two (2) wall mounted signs may be permitted. To illustrate the requirement, a building with a 12' x 30' wall (360 sq. ft.) facing the front lot line and containing one tenant would get one wall sign up to 36 square feet. If to illustrate the requirement, a building with a 12' x 30' wall (360 sq. ft.) facing the front lot line and containing one tenant would get one wall sign up to 36 square feet. If to illustrate the requirement, a building with a 12' x 30' wall (360 sq. ft.) facing the front lot line and containing one tenant would get one wall sign up to 36 square feet. If at the discretion of the owner/applicant, up to eighteen (18) square feet on the allotted wall sign space may be used for a projecting sign, provided that the bottom of the sign is at least ten (10) feet above grade and the sign does not project more than five (5) feet from the side of the building, nor more than one (1) foot above the roof of the building.
4. A building mounted sign that projects from the face of the building shall have a minimum clearance of ten (10) feet above grade.

- d. Sign in industrial districts** - For each lot or parcel, one ground-mounted or free-standing sign not exceeding sixty (60) square feet in total area and fifteen (15) feet in height is permitted. In addition to a free-standing or ground-mounted sign for each lot, each industrial establishment may have one wall sign not to exceed the (10) percent of its wall area facing the front lot line, up to a maximum of sixty (60) square feet. No free-standing or ground-mounted sign shall be located closer than one hundred (100) feet to another sign along the same right-of-way.
- e. Signs for institutional uses** - Signs erected in any use district by public and private institutions, including but not limited to churches, village, township buildings and schools, shall not exceed forty (40) square feet in area six (6) feet in height, except that if the institution is within a residential district, such sign shall not exceed thirty (30) square feet in gross surface area and six (6) feet in height.
- f. Temporary land development project signs** - Signs pertaining to the sale, lease, rent, or development of any project requiring a building permit shall adhere to the requirements of the appropriate district. As permanent signs are erected, temporary signs shall be removed so that the total sign area does not exceed the maximum permitted by this ordinance. In no instance shall any temporary sign exceed twenty (20) feet in height above grade.
- g. Non-conforming signs** – Any sign which lawfully existed and was maintained at the time the Zoning Ordinance became effective, and which is subject to the regulation of this Ordinance, as amended, shall be deemed a legal, non-conforming sign. Non-conforming signs may remain provided they are not expanded, enlarged, or substantially altered other than routine maintenance and upkeep of the sign itself. It is intended that non-conforming signs be eventually removed or replaced by a conforming sign through natural attrition. *All* non-conforming signs that are obsolete due to discontinuance of the business or activity advertised thereon shall be removed within thirty (30) days of the close of said business activity.
- h. Temporary signs in all districts** - Temporary Signs, for the purpose of directing the public to seasonal promotions of crops, such as pick-your-own fruit, Christmas Trees, or special events located, or grown in the Village of Mayville, may be permitted by the Village Council, subject to the following:
1. The applicant shall file a complete application form and provide all information required by Section Signs. The Village Council may enact a Temporary Sign Permit fee to defray administrative expenses. This fee will be required for each sign. The fee may be waived by the Village Council.
 2. No temporary sign shall exceed Thirty-two (32) square feet in area.
 3. Temporary signs shall be set back at least ten (10) feet from all property boundary lines, or under discretion of Zoning Administrator.

4. Written permission from the landowner, where the temporary sign is to be placed, must be provided to the Village.
5. Temporary signs shall be removed immediately upon expiration of the thirty (30) day permit, or ending of special event, whichever is less.

i. Permits for permanent signs

1. **Erection, alteration, permit requirements** - No person shall erect, construct, enlarge, move, convert or substantially alter any sign within the Village of Mayville, or cause the same to be done, without first obtaining site plan review and approval from the Planning Commission and a sign permit from the Zoning Administrator or his/her designated agent, for each sign, as required by this Ordinance. This requirement shall not be construed to require a permit for a change in copy on a changeable copy sign, or the re-painting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not substantially altered. A new permit will not be required for signs heretofore erected in conformity with the ordinances of the Village of Mayville prior to the date of the adoption of this Ordinance.
2. **Permit limitations** - A sign permit issued by the Zoning Administrator or his/her designated agent shall become null and void if the construction permitted thereon is not commenced within 180 days from the date of issuance. If the work which is authorized by such permit is suspended, a new permit shall first be obtained before construction is again commenced.
3. **Failure to obtain permit** - Failure to obtain a permit under this article or to pay a required fee, shall subject a sign to removal or subject its owner to fines, as provided for violations of this Zoning Ordinance in Section i-8.
4. **Removal** - The Zoning Administrator or his/her designee may order the removal of any sign which is abandoned or erected or maintained in violation of this Ordinance. He or she shall give thirty (30) days' notice in writing to the owner of such sign or of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance. The Zoning Administrator or his/her designated agent may remove any sign or cause it to be removed immediately and without notice if, in his/her opinion, the condition of the sign or an existing non-conforming, billboard is such as to present an immediate threat to the safety of the public.

The cost of removal shall be paid by the owner of the sign or the building, structure or premises on which it is located.

5. **Exemptions - Class 1.** Signs located within a building or structure and not visible to people outside the building or structure are exempt from the sign requirements in the ordinance.

Class 2. The following exemptions shall not be construed as relieving the owner of such sign from the responsibility of complying with applicable provisions of this

ordinance. These exemptions shall apply to the requirements for site plan review and permitting of signs only, and no sign permit shall be required for the erection of the following signs:

- i. Signs erected by an official government body or agency and deemed necessary for the protection of the public health, safety or welfare.
- ii. Official flags of government.
- iii. Signs required to be maintained by law or government order rule or regulation.
- iv. Any single, non-illuminated sign with a gross surface area of four (4) square feet or less provided no other sign exists on the lot or parcel (excluding traffic control signs and house/building address signs.)
- v. Holiday decorations and greetings in season without any commercial message.
- vi. Any sign which sets forth the house or building address, provided that the individual characters on the sign do not exceed twelve (12) inches height.in
- vii. Scoreboards on athletic fields.
- viii. Price, volume, warnings and similar information required to be displayed by law including, but not limited to, information on pay phones, warnings on equipment (e.g., gas pumps), price and volume/quantify displays on machines (e.g., price and volume on gas pumps and digital displays showing the amount of money deposited in a coin- operated vending machine); provided, however, that: 1) the information is displayed at the minimum size required by law up to a maximum of four (4) square feet; and 2) the information is not intended to be legible to a person of average eyesight standing on the property line.
- ix. Memorial tablets, building dedication tablets, historical markers, and similar signs incorporated into the architecture of the building by moldings, embossing or engraving on the face of the building or when constructed of bronze or other non-combustible material, up to a maximum of four (4) square feet

6. Application – An application for site plan approval shall be made to the Planning Commission. Following approval of the site plan, an application for a sign permit under this article shall be made. The applications may be made on the same form, provided by the Village, and shall contain or have attached thereto the following information:

- i. Name, address and telephone number of applicant.
- ii. A brief description of the type of proposed sign.
- iii. Location of building, structure or lot to which the sign is to be attached.
- iv. A site plan drawing showing location of all other existing signs and of all other proposed or existing structures showing the sign height, and location of the sign on the site of the property.
- v. Name and address of the person, firm, corporation, or association erecting or attaching the sign.
- vi. Written consent of the owner of the property on which any sign is to be located.
- vii. A drawing or sketch of the proposed sign, in color, indicating specific dimensions, plan and specifications of the material to be used in its construction, sign colors, lettering and content (copy) to be placed on the sign (the actual

typeface style should be approximated) , method of illumination , if any, and the method of construction and attachment.

viii. Where appropriate, details on electrical wiring, with sufficient data to determine if building code or other applicable Village or County codes and regulations are addressed.

7. **Inspection** - After a sign permit is issued, the person erecting, constructing, enlarging, altering or converting a sign shall notify the Zoning Administrator upon completion of the work for which permits were required. All free-standing signs shall also be subject to a footing inspection. All electrical signs shall be subject to a final electrical inspection.
8. **Fees** - A fee shall be paid for the site plan review process and for the issuance of sign erection permits in accordance with a fee schedule which shall be adopted and amended from time to time by the Village Council. Such schedule of fees shall be designed to reimburse the Village for all of its direct costs incurred in the inspection and regulation of signs and issuance of permits.
9. **Special conditions** - Non-signs. The following exceptional displays shall not be considered as signs under this definition.
 - i. Any display of official court or public office notices.
 - ii. Awnings or canopies which are completely devoid of any message or symbol.
 - iii. Time and temperature displays without any advertising or commercial matter up to a maximum of six (6) square feet providing all clearances prescribed herein for signs similarly located are maintained.
 - iv. Official flags of governments, approved by the government.