

**Milton, Wisconsin, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 78 - ZONING  
>> ARTICLE V. - SIGNS >> DIVISION 1. GENERALLY >>**

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**DIVISION 1. GENERALLY**

Sec. 78-1681. Purpose of article.

Secs. 78-1682—78-1700. Reserved.

**Sec. 78-1681. Purpose of article.**

- (a) The purpose of this article is to establish standards for the fabrication, erection, and use of signs for all properties within the city. This article regulates the location, type, size, height and, to a limited extent, content of signage based on the finding that such regulation furthers six compelling governmental interests:
- (1) To promote the public welfare, health, and safety of all persons using the public thoroughfares and rights-of-way within the city 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 creativity of, the use of such devices without creating detriment to the general public;
  - (3) To aid in the proper development and promotion of business and industry;
  - (4) To reduce the visual clutter caused by advertising signage which the city has determined is a significant cause of unsafe traffic and visibility conditions;
  - (5) 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; and
  - (6) To implement signage recommendations contained within the city's comprehensive plan.
- (b) To promote commercial speech while not placing in the public messages which are harmful to the general public, all signage shall comply with the following content:
- (1) No obscene, profane or indecent language shall be permitted;
  - (2) The display of scenes depicting graphic violence and/or phrases or actions that are derogatory toward any class protected by federal law, or graphic scenes, language or messages that seek to threaten, intimidate and/or harass others are not permitted.
- (c) This article leaves ample and adequate channels of commercial speech communication for the messages portrayed on such advertising signage including, but not limited to, 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.

*(Code 1968, § 9.24(1); Ord. No. 374, § 1, 5-7-2013)*

**Secs. 78-1682—78-1700. Reserved.**

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**DIVISION 2. PERMITS**

Sec. 78-1701. General requirements.

Sec. 78-1702. Requirements.

Sec. 78-1703. Application procedure.

Sec. 78-1704. Granting an issuance.

Sec. 78-1705. Basis for granting.

Sec. 78-1706. Enforcement and revocation.

Sec. 78-1707. Appeals.

Secs. 78-1708—78-1730. Reserved.

**Sec. 78-1701. General requirements.**

Except as otherwise provided in division 1 of this article, no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a sign permit. This article 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. This article shall not apply to 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 are in place as of the date of the adoption of this article, and such signs may remain as legal nonconforming uses. Any alteration or relocation of such signs shall conform with the requirements of this article.

*(Code 1968, § 9.24(2)(A))*

**Sec. 78-1702. Requirements.**

- (a) A sign permit fee shall be required for any new sign and any modifications of any existing sign face or sign structure in an amount established by resolution of the common council.
- (b) Any sign permit granted under this article 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 building inspector in accordance with the provisions of this division may be erected, installed, constructed or maintained, except those signs specifically exempted from permit requirements.
- (d) The owner or tenant may include all such signs at one premises under one permit.

*(Code 1968, § 9.24(2)(B))*

**Sec. 78-1703. Application procedure.**

- (a) Each initial application for a sign permit shall be filed with the building inspector on a form provided by that office, prior to installation of a new sign or modification of an existing sign face or sign structure. Each application shall include:
  - (1) The name and address of the permit applicant.

- (2) The approved site plan for the subject property, per division 8, article II of this chapter, or if not previously required, a site plan for the subject property showing, at a minimum, the location of the proposed sign, the location of all existing signs on the subject property and within 100 feet of the proposed sign, all property lines, parking areas, driveways, public roads, and buildings.
  - (3) A diagram of the proposed sign listing the height, width, total square footage, method of attachment, method of illumination, and sign materials.
  - (4) The subject property's zoning designation.
  - (5) The total area of all signs on the subject property both before and after the installation of the proposed sign.
  - (6) The estimated value of the proposed sign.
  - (7) Proof of payment of the appropriate sign permit fee, when required.
  - (8) Any other item of information that may be reasonably required by the building inspector for the purpose of application evaluation.
- (b) Each application for an off-premises advertising sign shall, in addition to the information required in sub-part (a) include:
- (1) The written approval of the owner of the property on which the sign is to be located concerning placement and type of sign.
  - (2) The maintenance plan for the proposed sign.
  - (3) Verification that the sign is not located in a vision triangle or street/state highway right-of-way.

*(Code 1968, § 9.24(2)(C); Ord. No. 374, § II, 5-7-2013)*

#### **Sec. 78-1704. Granting an issuance.**

- (a) The building inspector shall review the submitted application for compliance with the requirements of section 78-1703. Upon the receipt of a complete application, the building inspector shall review such application for compliance with the requirements of the remainder of this article and, except as provided in subpart (b), and subsection 78-1933(k) shall, in writing, approve or deny a sign permit based on the submitted application within ten working days of the acceptance of the complete application and payment of the required fee.
- (b) The technical review committee shall review applications for off-premises advertising signs for compliance with the requirements of section 78-1703. Upon receipt of the complete application, the technical review committee shall review such application for compliance with requirements of the remainder of this article and shall forward the application to the plan commission along with the written report of the technical review committee. The report shall state whether the application is in compliance with the requirements of this article, along with recommendations which the technical review committee may have regarding approval or denial of the sign permit. Following its review of the application and report of the technical review committee, the plan commission shall issue findings of fact addressing whether the application is in compliance with the requirements of section 78-1703 and including conditions, if any, for approval of sign, including any modification of the sign or its location, from that contained in the application. This subpart shall not apply to off-premises group signs as defined in section 78-1756, and regulated under subsection 78-1933(g) and athletic field off-premises advertising signs regulated under subsection 78-1933(k).
- (c) Denial of a sign permit shall not result in total or partial reimbursement of permit, fees paid.

*(Code 1968, § 9.24(2)(D); Ord. No. 374, § III, 5-7-2013)*

**Sec. 78-1705. Basis for granting.**

In deciding whether or not to grant the issuance of a sign permit, the building inspector or plan commission shall determine whether the proposed sign is in compliance with the provisions of this article. In such review, the building inspector or plan commission may also consider the following factors:

- (1) Whether the sign is compatible with the surroundings, pursuant to the criteria contained in this article.
- (2) Whether the sign is designed, installed, and maintained to meet the sign user needs, while at the same time promoting general public needs and desires.
- (3) Whether the sign is designed, constructed, installed or maintained in such a manner that it does not endanger public safety or traffic safety.
- (4) Whether the sign is legible, readable, and visible in the circumstances in which it is to be used.
- (5) Whether the sign, including its size, height, illumination and location is respectful of reasonable rights of other signs already displayed in the area.
- (6) Whether the sign is in compliance with all provisions of this Code, including those related to traffic safety, traffic visibility, sign setbacks, and structural integrity.

*(Code 1968, § 9.24(2)(E); Ord. No. 374, § IV, 5-7-2013)*

**Sec. 78-1706. Enforcement and 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 if the applicant has failed to comply with the provisions of this article or any conditions that may have accompanied the permit at the time of granting.
- (b) Any sign permit issued by the building inspector shall be null and void and automatically revoked if 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) The signs subject to any revoked permits shall be removed by the licensee within 45 days of such revocation.
- (d) Revocation shall not result in total or partial reimbursement of permit fees paid.

*(Code 1968, § 9.24(2)(F))*

**Sec. 78-1707. Appeals.**

- (a) Any person affected by a decision of the building inspector may petition for a hearing before the board of zoning appeals within ten days after the decision is served upon the applicant. The filing of such petition automatically stays removal of any sign involved and already legally erected until the board decides whether to sustain, modify or withdraw the notice. This decision shall be made by the board at a public hearing, of which the owner of the sign and petitioner for the appeal shall have reasonable written notice. At the hearing, all persons shall have a reasonable opportunity to show cause why the decision of the building inspector should be overturned or upheld.

- (b) Any person, including the city, aggrieved by the board's decision may seek judicial review thereof in any court of competent jurisdiction as provided by state statutes.

*(Code 1968, § 9.24(2)(G))*

**Secs. 78-1708—78-1730. Reserved.**

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**Subdivision I. In General**

Sec. 78-1731. Removal of defective or dangerous signs by the city.

Sec. 78-1732. Signs allowed without permit.

Secs. 78-1733—78-1750. Reserved.

**Sec. 78-1731. Removal of defective or dangerous signs by the city.**

- (a) If the building inspector determines that any sign exists in violation of subdivision V, division IV or in noncompliance with the requirements of article V for signs erected after the enactment of article V, as amended, then the building inspector shall notify the sign permit holder or the owner of the property on which the sign is located that such violation must be corrected within ten days of receipt of such notice on penalty of automatic revocation of any sign permit previously granted and summary removal of the sign by the city at the expense of the owner of the property.
- (b) If the building inspector causes such notice to be sent and the violation is not corrected within ten days, the building inspector shall revoke any sign permit for a sign which is defective, dangerous, causes a public nuisance, or does not comply with one or more requirements of this article that, based on its installation date, it is required to comply with, and it shall be the duty of the building inspector to remove such sign. The expense of removing such sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay such expense within one month of being billed therefore, or has not made arrangement for payment satisfactory to the city attorney, then such expense shall become a lien on the property and shall be placed upon the tax roll.

*(Code 1968, § 9.24(2)(H); Ord. No. 299, 10-20-2009)*

**Sec. 78-1732. Signs allowed without permit.**

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 the Summary of Maximum Sign Areas and Numbers (For Nonresidential Users) Table in section 78-1934:

- (1) Signs in the nature of cornerstone or commemorative or historical markers erected by a public or nonprofit organization.
- (2) Signs required or authorized by any law, statute, or ordinance, or which are designed to identify any public area or installation or which give notice of any traffic regulation or hazard.
- (3) Nameplates or address plates of not more than two square feet in area with letters, numbers, or symbols of not more than eight inches in height.
- (4) Informational signs placed in or upon telephone booths by the telephone company owning such booths.
- (5) On-premises directional signs which bear only the business name or logo and if under

four square feet in area.

(6) Temporary signs which conform to the requirements of subdivision IV, division 4 of this article.

(7) Auxiliary signs if under four square feet in area.

*(Code 1968, § 9.24(2)(l); Ord. No. 299, 10-20-2009)*

**Secs. 78-1733—78-1750. Reserved.**

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**Subdivision II. General Signage Standards**

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Sec. 78-1751. Purpose of subdivision.

Sec. 78-1752. Sign purposes.

Sec. 78-1753. Directional sign, off-premises.

Sec. 78-1754. Directional sign, on-premises.

Sec. 78-1755. Group sign.

Sec. 78-1756. Group sign, off-premises.

Sec. 78-1757. Identification sign.

Sec. 78-1758. Temporary sign.

Secs. 78-1759—78-1780. Reserved.

**Sec. 78-1751. Purpose of subdivision.**

The standards and terms of this subdivision shall be used in this subdivision to assist in the establishment of clear signage regulations. The definition of the term "sign" is as provided in section 78-1.

(Code 1968, § 9.24(3))

**Sec. 78-1752. Sign purposes.**

- (a) *Advertising sign, off-premises.* 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. Refer to section 78-1756 for regulation of off-premises group signs, subsection 78-1933(k) for regulation of athletic field off-premises signs and subsection 78-1933(l) for regulation of all other off-premises advertising signs.
- (b) *Auxiliary sign.* An auxiliary sign is one which provides special information such as price, hours of operation, parking rules, 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 directories of tenants in buildings, "no trespassing" signs, menu boards, 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-premises.* A business sign is one 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 subdivision III, division 4 of this article for more detailed regulations.
- (d) *Community information sign.* A community information sign is 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 section 78-1833 for more detailed regulations.

(Code 1968, § 9.24(3)(A)(1)—(4); Ord. No. 299, 10-20-2009; Ord. No. 374, § V, 5-7-2013)

**Sec. 78-1753. Directional sign, off-premises.**

A directional off-premises sign is one which indicates only the name, direction, and/or distance of an institutional facility. Refer to section 78-1832(g) for more detailed regulations. This definition does not pertain to off-premises advertising signs, which are prohibited under section 78-1832(j).

*(Code 1968, § 9.24(3)(A)(5))*

**Sec. 78-1754. Directional sign, on-premises.**

An on-premises directional sign is one which indicates only the name or logo of the business (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 such facility or building is located. For each parking area that has a capacity for more than five cars, one sign, not more than four square feet in area shall be allowed to designate each entrance and/or exit; and one sign, not more than nine square feet in area, shall be allowed to designate the conditions of use of the parking area.

*(Code 1968, § 9.24(3)(A)(6))*

**Sec. 78-1755. Group sign.**

A group sign is one 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 nonresidential tenants, and shall limit information to the name and logo of the development and its businesses. The maximum area for a group sign shall be the sum of the allowable freestanding sign maximum areas in the zoning district for each business included on the group sign.

*(Code 1968, § 9.24(3)(A)(7))*

**Sec. 78-1756. Group sign, off-premises.**

An off-premises group sign is a type of off-premises advertising sign displaying only the name, occupants, and/or direction of a unique and generally recognized business district or business park that has been identified as such by the city, and located at an entrance to that business district or business park. An off-premises group sign also includes a small blue highway information sign allowed per applicable State of Wisconsin Statutes in limited locations along certain state or federal highways.

*(Ord. No. 299, 10-20-2009)*

**Sec. 78-1757. Identification sign.**

An identification sign is one indicating the name and/or address of the tenant of the unit or manager of the property located upon the residential premises where the sign is displayed. Refer to section 78-1902 for more detailed regulations.

*(Code 1968, § 9.24(3)(A)(8); Ord. No. 299, 10-20-2009)*

**Sec. 78-1758. Temporary sign.**

A temporary sign or advertising display (including festoons, pennants, banners, pinwheels and similar devices) is intended to be displayed for a certain limited period of time. Included in the definition of the term "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 subdivision IV, division 4 of this article for more detailed regulations.

*(Code 1968, § 9.24(3)(A)(9); Ord. No. 299, 10-20-2009)*

**Secs. 78-1759—78-1780. Reserved.**

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**Subdivision III. Sign Configurations**

Sec. 78-1781. Advertising vehicle sign.

Sec. 78-1782. Awning signs.

Sec. 78-1783. Freestanding sign.

Sec. 78-1784. Marquee sign.

Sec. 78-1785. Mobile sign.

Sec. 78-1786. Monument sign.

Sec. 78-1787. Personal greeting and congratulatory sign.

Sec. 78-1788. Projecting sign.

Sec. 78-1789. Pylon sign.

Sec. 78-1790. Sandwich board sign.

Sec. 78-1791. Wall sign.

Sec. 78-1792. Variable message sign (VMS).

Sec. 78-1793. Decorative sign.

Secs. 78-1794—78-1810. Reserved.

**Sec. 78-1781. Advertising vehicle sign.**

No vehicle or trailer shall be parked on public rights-of-way or on private properties so as to be seen from a public right-of-way, which attached to or located thereon is 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 premises. Business vehicles which contain typical business signage and which are actively used for business purposes are exempt from this prohibition. Refer also to section 78-1832(j).

*(Code 1968, § 9.24(3)(B)(1))*

**Sec. 78-1782. Awning signs.**

An awning sign is mounted to building and shall be limited to 12-inch tall script, either on the valance or the awning/canopy area. Script larger than 12 inches or occupying more than ten percent of the canopy area must be approved as a conditional use. Backlit awning and backlit canopy signs are prohibited in the B-3 central business district.

*(Code 1968, § 9.24(3)(B)(2); Ord. No. 299, 10-20-2009)*

**Sec. 78-1783. Freestanding sign.**

A freestanding sign is 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. The base or supports of any and all freestanding signs shall be securely anchored to a concrete base or footing, except for public and institutional street and directional signs installed in public rights-of-way. 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 landscaping. The height of a freestanding sign shall be measured per section 78-1811.

*(Code 1968, § 9.24(3)(B)(3))*

#### **Sec. 78-1784. Marquee sign.**

A marquee sign is a type of projecting, on-building sign sheltering the entrance and/or entrance approaches of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events.

*(Code 1968, § 9.24(3)(B)(4))*

#### **Sec. 78-1785. Mobile sign.**

A mobile sign is mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers the principal commercial use of which is for signage. These are prohibited. Refer also to section 78-1832(f).

*(Code 1968, § 9.24(3)(B)(5))*

#### **Sec. 78-1786. Monument sign.**

A monument sign is a type of freestanding sign with a bottom edge located within one foot of a ground-mounted pedestal. The base or supports of any and all monument signs shall be securely anchored to a concrete base or footing. The 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 landscaping. See also section 78-1832(a) and subdivision VI of this division.

*(Code 1968, § 9.24(3)(B)(6))*

#### **Sec. 78-1787. Personal greeting and congratulatory sign.**

A personal greeting and congratulatory sign is a temporary sign which is limited to 32 square feet, and to a noncommercial, personal greeting or message used to announce, congratulate, or greet members of a family or work staff.

*(Code 1968, § 9.24(3)(B)(7))*

#### **Sec. 78-1788. Projecting sign.**

A projecting sign is a type of on-building sign, other than a wall sign, which is attached to, shall not be greater than 12 square feet in area, and shall not project more than three feet generally perpendicular from a building face. The bottom edge of such sign shall be located a minimum of ten feet from ground level directly under the sign. Such sign shall be mounted directly to the building. In no instance shall such sign be projecting into and over public right-of-way or private street, drive or parking area, except by conditional use permit in the B-3 central business district. Refer also to section 78-1854.

*(Code 1968, § 9.24(3)(B)(8))*

**Sec. 78-1789. Pylon sign.**

A pylon sign is a type of freestanding sign erected upon one or more pylon or post. The base or supports of any and all pylon signs shall be securely anchored to a concrete base or footing. The height of a pylon sign shall be measured from the average ground level adjacent to the sign to the top of the sign. Pylon signs shall be erected so that they do not impede pedestrian and/or traffic visibility. 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 landscaping. Refer also to sections 78-1851 and the table in section 78-1934.

*(Code 1968, § 9.24(3)(B)(9))*

**Sec. 78-1790. Sandwich board sign.**

A sandwich board sign is designed to be self-supporting by means of an easel construction, and displayed on the ground paved surface, not to exceed six feet in height or 2.5 feet in width. Such signs count toward the total sign area and sign number requirements of a business, and may be displayed only during business hours in a location approved by the building inspector.

*(Code 1968, § 9.24(3)(B)(10))*

**Sec. 78-1791. Wall sign.**

A wall sign is a type of on-building sign mounted parallel to a building facade or other vertical building surface. Wall signs shall not project more than 12 inches beyond the edge of any wall or other surface to which they are mounted. 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.

*(Code 1968, § 9.24(3)(B)(11))*

**Sec. 78-1792. Variable message sign (VMS).**

A variable message sign is a sign that displays words, numbers, lines, logos, figures and/or symbols that can change electronically to provide different information. Variable message signs may be allowed per the requirements of subsections 78-1933(h) [and] (i).

*(Ord. No. 299, 10-20-2009; Ord. No. 374, § VI, 5-7-2013)*

**Sec. 78-1793. Decorative sign.**

A decorative sign is a type of sign which has a primary architectural or aesthetic purpose rather than a primary business advertising purpose, in the determination of the plan commission. A decorative sign shall be made of a unique, contextual material that is artfully integrated into the overall site or business design, may incorporate the business name or logo as the only means of business identification, shall only be allowed in a nonresidential zoning district, and shall not count against sign quantity or area limits of this article. Prior to installation, a decorative sign will be subject to site plan approval per the requirements of section 78-272.

*(Ord. No. 299, 10-20-2009)*

**Secs. 78-1794—78-1810. Reserved.**

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**Subdivision IV. Sign Measurement**

Sec. 78-1811. Ground level.

Sec. 78-1812. Sign area.

Secs. 78-1813—78-1830. Reserved.

**Sec. 78-1811. 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.

*(Code 1968, § 9.24(3)(C)(1))*

**Sec. 78-1812. Sign area.**

Sign area shall be measured in the following manner:

- (1) In the case of a sign placed within a frame, or other similar structure, sign area consists of the entire surface area within the frame or similar structure. 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 area unless such structure or bracing is made a part of the sign's message. Where a freestanding 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 area.
- (2) In the case of a sign on which the message is fabricated together with the background which borders or frames that message, sign area shall be the total area of the entire background.
- (3) In the case of a sign on which a message is applied to a background which provides no border or frame (such as individual letters mounted to a building face or awning), sign area shall be the combined areas of the smallest rectangle(s) which can encompass each word, letter, figure, emblem, and other element of the sign message, using a scaled, fully dimensioned drawing provided by the applicant and approved by the building inspector.

*(Code 1968, § 9.24(3)(C)(2); Ord. No. 299, 10-20-2009)*

**Secs. 78-1813—78-1830. Reserved.**

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**Subdivision V. General Signage Regulations**

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Sec. 78-1831. Application of subdivision regulations.

Sec. 78-1832. Sign prohibitions and limitations.

Sec. 78-1833. Community information signs.

Secs. 78-1834—78-1850. Reserved.

**Sec. 78-1831. Application of subdivision regulations.**

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

(Code 1968, § 9.24(4))

**Sec. 78-1832. Sign prohibitions and limitations.**

- (a) Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
- (b) No private sign shall be attached to or painted on any natural feature (e.g., tree or rock), fence, public utility pole, public light pole or traffic regulatory structure.
- (c) No fluttering, undulating, swinging, rotating, or otherwise moving signs, pennants or other decorations shall be permitted.
- (d) No illuminated flashing signs shall be permitted. Variable message signs, as defined in section 78-1792, are permitted with a conditional use permit. Chasing lights shall not be allowed.
- (e) No illuminated sign shall be permitted unless the illumination of the sign is so designed that the lighting element (except for neon signs) is not visible from any property within a residential zoning district. Refer also to section 78-1999.
- (f) No mobile or portable signs shall be permitted.
- (g) No off-premises directional signs shall be permitted for nongovernmental or noninstitutional uses. Off-premises directional signs do not include off-premises group signs as defined in section 78-1756 and regulated under subsection 78-1933(g). See also section 78-1833 for more detailed regulations.
- (h) No inflatable signs shall be permitted.
- (i) No advertising vehicle signs shall be permitted. Refer also to section 78-1781.
- (j) No off-premises advertising signs shall be permitted except as shall be allowed pursuant to subsection 78-1933(l). This subpart does not apply to off-premises group signs as defined in section 78-1756 and regulated under subsection 78-1933(g) and athletic field off-premises signs regulated under subsection 78-1933(k).
- (k) Window obstruction by interior or exterior window-mounted signs shall not exceed more than

25 percent of the total surface area of all windows on the building that face public streets and are within 25 feet of such public streets area devoted to signage within windows shall not count toward the sign area maximum permitted for the use or building, except if the sign serves as the primary business sign in the opinion of the zoning administrator. In such cases, maximum area shall be per the wall sign standards of the zoning district in which the sign is placed.

*(Code 1968, § 9.24(4)(A); Ord. No. 299, 10-20-2009; Ord. No. 362, § I, 1-15-2013; Ord. No. 374, § VII, 5-7-2013)*

### **Sec. 78-1833. Community information signs.**

- (a) Community information signs shall be permitted only as a conditional use within all zoning districts and upon any private property. As such, the review of a request for the erection of a community information sign shall comply with the requirements of division 3, article II of this chapter and shall also give preference to signs and locations which minimize the number of signs for each institution and the total number of signs, and indicate directional changes from arterial streets. 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 may revoke the designation of an approved community information sign if such sign fails to comply with the requirements of this section. Such action shall proceed per the requirements of section 78-1706. Upon revocation, the owner of such sign shall have 30 days to remove the sign at the owner's expense.
- (b) Such sign shall only display information regarding events and information of general interest to the residents of the city. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
- (c) Such sign may be located on private or public property, including rights-of-way if allowed by the specific conditional use permit granted.
- (d) Such sign shall conform to the visibility requirements of subdivision VI of this division and subdivision V of division 4 of this article.
- (e) 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 subdivision II, division 4 of this article.
- (f) Such signs may have variable message sign components per the regulations within subsection 78-1933(i).

*(Code 1968, § 9.24(4)(B); Ord. No. 174, 2-18-2003; Ord. No. 299, 10-20-2009)*

### **Secs. 78-1834—78-1850. Reserved.**

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**Subdivision VI. Sign Location Requirements**

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Sec. 78-1851. Prohibited location.

Sec. 78-1852. Private signs.

Sec. 78-1853. Projecting signs.

Sec. 78-1854. Freestanding signs.

Sec. 78-1855. Minimum clearance; projection.

Secs. 78-1856—78-1880. Reserved.

**Sec. 78-1851. Prohibited location.**

- (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, as provided under division 4 of this article and subdivision III, division 4 of this article.
- (b) No sign shall be located within a landscaped bufferyard if required under division 5, article IV of this chapter.
- (c) No sign shall be mounted or displayed on, or extend above the roof, if attached to the building.

*(Code 1968, § 9.24(4)(C)(1)—(3))*

**Sec. 78-1852. Private signs.**

Private signs shall be allowed within road right-of-way lines only by conditional use permit, in consideration of the advice and rules of the appropriate city, county, and state authorities.

*(Code 1968, § 9.24(4)(C)(4))*

**Sec. 78-1853. Projecting signs.**

Projecting signs located over a vehicle circulation area shall not be permitted.

*(Code 1968, § 9.24(4)(C)(5))*

**Sec. 78-1854. Freestanding signs.**

Except where allowed in the B-3 zoning district, freestanding signs shall be located a minimum of ten feet from property lines, except that on-premises directional signs less than 36 inches tall shall be located a minimum of one foot from a property line.

*(Code 1968, § 9.24(4)(C)(6); Ord. No. 299, 10-20-2009; Ord. No. 378, § 1, 7-16-2013)*

**Sec. 78-1855. Minimum clearance; projection.**

Aside from freestanding signs which are not pylon signs, all signs shall have a minimum clearance from grade of ten feet to the bottom of the sign and shall not project beyond the curbline under any circumstances.

*(Code 1968, § 9.24(4)(C)(7))*

**Secs. 78-1856—78-1880. Reserved.**