

17.46 - SIGNS.

- (1) **INTENT AND PURPOSE.** (Am. Ord. #14-00) The intent of this section is to provide for and regulate the location and safe construction of signs in the Village in a manner that will ensure that signs are compatible with surrounding land uses, and to express the identity of individual proprietors and the community as a whole. No flashing or blinking signs other than traffic signs placed by a public agency shall be placed or erected within the Village. All signs, unless otherwise specified, shall be approved by the Plan Commission.

In considering a sign application, the Plan Commission shall consider the purpose of advertising; the appearance, location, lighting, height and size of the sign; safety of the operators of vehicles upon the adjoining streets and highways; the effect of the sign on property values within the immediate area; and the effect of the sign with respect to the scenic beauty of the vicinity in which the sign is proposed to be located.

- (2) **SIGN PERMIT.** (Am. Ord. #14-00; Am. Ord. #12-09; Am. Ord. #21-09) No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, structurally altered, nor shall the face of a sign be changed without a sign permit, except those signs exempted by subsection (3) below, and all signs shall fully conform to the requirements of this section. Applications for sign permits shall be filed with the Zoning Administrator who shall review them for completeness and approval or referral to the Plan Commission for their review and approval as may be required herein. A sign permit for a temporary sign, temporary real estate sign, or home occupation sign may be issued after review and approval by the Zoning Administrator. A sign permit shall become null and void if work authorized under the permit has not been completed within 60 days from the date of issuance (or renewed by the Zoning Administrator).

Applications for sign permits shall be made on forms provided by the Zoning Administrator, shall be submitted along with the necessary fees and removable bond (if applicable) as established by the Village Board, and shall contain or have attached thereto the following information:

- (a) Name, address and telephone number of the applicant and location of the building, structure or lot to which or upon which the sign is to be attached or erected.
- (b) Name of person, firm, corporation or association erecting the sign.
- (c) Written consent of the owner or lessee of the building, structure or land to which or upon which the sign is to be affixed.
- (d) A scale drawing of such sign indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.
- (e) A scale drawing indicating the location and position of such sign in relation to property lines and to nearby buildings or structures.
- (f) Copies of any other permit required and issued for said sign, including the written approval by the Building Inspector in the case of illuminated signs. The Building Inspector shall examine the plans and specifications, inspecting all wiring and connections to determine if the same complies with this Code.
- (g) Additional information as may be required by the Building Inspector or the Plan Commission.
- (h) A colored rendering, diagram or picture of the proposed sign(s). (Cr. Ord. #21-09)

- (i) The 15-day time period(s), with beginning and ending dates, during which a temporary sign will be displayed and then removed (list all time periods if applying for multiple permits on one application). (Cr. Ord. #21-09)
- (3) **SIGNS PERMITTED IN INDIVIDUAL ZONING DISTRICTS WITHOUT A SIGN PERMIT.** The following signs are permitted without a sign permit, subject to the following regulations:
- (a) Memorial signs, tables, name of building and date of building erection signs in all zoning districts when cut into any masonry surface or when constructed of metal and affixed flat against a structure, and not illuminated.
 - (b) Name, home occupation, professional home office, on-site traffic control and directional signs, and warning signs in all zoning districts, provided that such signs shall not exceed 3 square feet in area. (Am. Ord. #21-09)
 - (c) Official ground signs such as parking restriction signs, information signs and notices in all zoning districts. Such signs may be placed at the curb line or pavement edge.
 - (d) Real estate signs temporarily advertising the sale, rental or lease of a lot, parcel of land, building, or part thereof, upon which the sign is located in all residential zoning districts, provided that such sign shall not exceed 4 square feet in area. In agricultural, business and industrial zoning districts, such real estate signs shall not exceed 32 square feet in area. All such signs shall be removed no later than 10 days after the date said lot, parcel, building, or part thereof, has been sold, rented or leased. All signs shall be located on private property and not on public property or in any public right-of-way. (Am. Ord. #21-09)
 - (e) Rummage sale signs. The display and placement of rummage sale signs shall comply with the same requirements as election campaign signs as set forth in section 9.19 and section 17.70(4). (Cr. Ord. #21-09)
 - (f) Temporary signs advertising the need for or availability of employment opportunities (e.g., "Welders Wanted—Apply Within") except for residential districts that do not allow major home occupations. (Cr. Ord. #9-10)
- (4) **SIGNS PERMITTED IN ALL ZONING DISTRICTS WITH A SIGN PERMIT.** (Am. Ord. #9-10)
- (a) Bulletin boards, ground signs or wall signs for public, charitable or religious institutions, provided that such signs shall not exceed 8 square feet in area.
 - (b) Temporary signs as provided in section 17.46(7)(e).
- (5) **SIGNS PERMITTED IN ALL AGRICULTURAL DISTRICTS WITH A SIGN PERMIT.** Agricultural ground signs advertising farm products produced on the premises or the sale of farm equipment, stock and personal goods, provided that such signs shall not exceed 16 square feet in area.
- (6) **SIGNS PERMITTED IN RESIDENTIAL DISTRICTS WITH A SIGN PERMIT.** The following signs are permitted in all residential districts with a sign permit, subject to the following regulations:
- (a) Permanent real estate development signs located on private property or within the public right-of-way at entrances or along streets or highways which designate a particular development and which only include the name of the development. If located on private property, such signs shall be at least 5 feet from the outer edge of the street right-of-way. Such signs shall be constructed and properly maintained so as to be aesthetically pleasing to the surrounding development. Prior to the issuance of a sign to be located within the public right-of-way, a written agreement shall be provided which places all maintenance responsibility on the developer(s) or owner(s) and

exempts the Village from all maintenance responsibilities. Drawings showing the size, location and design of such signs shall be submitted to the Plan Commission for review and approval prior to the issuance of a sign permit. (Am. Ord. #14-10)

- (b) Temporary real estate development signs for the purpose of directing attention to the opening and location of a new building or a new residential subdivision or development, provided that such signs shall not exceed a total of 32 square feet in area, unless approved by the Plan Commission, and provided further that such signs shall be at least 5 feet from the outer edge of the street right-of-way. Sign permits for such signs may be issued by the Zoning Administrator for a period until such time as 90% of all lots, parcels, building or part thereof has been sold, rented or leased. Temporary real estate signs shall require an annual sign permit that is valid for the duration of the current calendar year and renewal for subsequent years provided that it is removed no later than 10 days after the date the lot, parcel, building or part thereof meeting the 90 percent removal requirement has been sold, rented or leased by the original subdivider/developer at least one time. (Am. Ord. #21-09)

(7) **SIGNS PERMITTED IN BUSINESS, INDUSTRIAL AND INSTITUTIONAL DISTRICTS WITH A SIGN PERMIT.** The following signs are permitted in all business, industrial and institutional districts, subject to the following restrictions:

- (a) Wall signs shall not exceed 1.5 square feet of signage per one linear foot of building frontage, up to 300 square feet for any individual use. Signage is only permitted on building frontage. However, the Plan Commission may approve signage on any facade of a building when deemed appropriate for the use. In addition to signage on a building frontage, the Plan Commission may also permit directional wall signage on any facade of a building when it is necessary and appropriate for the use. Wall signs shall not extend above the ceiling level of the top floor of the building upon which they are located. (Am. Ord. #24-06)
- (b) Projecting signs, awning signs, canopy signs and marquees shall not be externally lighted; shall not exceed 100 square feet in area for any one premises; shall not extend more than 5 feet into any required yard; shall not extend into any public right-of-way; shall be located not less than 10 feet from all side lot lines; shall not exceed a height of 20 feet above the mean center line grade of the abutting street; and shall not be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley.
- (c) Ground signs shall meet the requirements set forth in Table 1. One ground sign may be allowed along each road the subject property has at least 50 feet of road frontage. All ground signs shall be mounted on a decorative base constructed of the same or similar materials as the principal building, e.g. stone, decorative block. All single-tenant ground signs shall include the street address coordinates for the property mounted on the base of the sign (minimum 5-inch numbering). No ground sign shall be placed closer than 80 feet to another ground sign or projecting, awning, canopy or marquee sign. See also section 17.46(13). Any time the Plan Commission reviews a permit for a ground sign, landscaping shall be required according to the following provisions: (Am. Ord. #5-90; Am. Ord. #10-90; Am. Ord. #24-06; Am. Ord. #02-08)
 - 1. The landscaping shall extend a minimum of 3 feet from the outer edge of the sign base on all sides. Where the area around the base of a sign is insufficient in size to accommodate landscaping, the Plan Commission may permit installation of a portion of the required landscaping at an alternate location on the site or at their discretion waive the landscaping requirement.

2. Ground signs shall be landscaped with small shrubs, ornamental grasses, and perennials a minimum of 2 to 4 feet in height at the time of planting, depending on the height of the sign. Shrubs shall include evergreen varieties to provide green plantings year round.
3. The landscaping shall be placed and maintained as to not obstruct the view of an address placed on a monument sign.

TABLE 1. GROUND SIGN REQUIREMENTS

Building Type/Area and No. of Tenants	Maximum Sign Area (square feet)	Maximum Height (feet above mean centerline of adjacent roadway)	Minimum Setback (feet from property line)
Single and Multi-Tenant (< 3 tenants and < 25,000 SF gross building area)	80 SF per side 160 SF total	10 feet	5 feet
Multi-Tenant (4 to 9 tenants and 25,000 to 50,000 SF gross building area)	120 SF per side 240 SF total	15 feet	5 feet or ½ total sign height whichever is greater
Multi-Tenant (> 10 tenants and > 50,000 SF gross building area)	160 SF per side 320 SF total (or as approved by Plan Commission)	20 feet (or as approved by Plan Commission)	5 feet or ½ total sign height whichever is greater (or as approved by Plan Commission)

- (d) Roof signs shall not exceed 10 feet in height above the roof, shall meet the height requirements for the zoning district in which they are located, and shall not exceed 300 square feet on all sides for any one premises.
- (e) Temporary signs (as defined in section 17.08) shall be permitted subject to the following requirements: (Am. Ord. #3-01; Am. Ord. #11-01; Am. Ord. #07-09; Am. Ord. #15-09; Am. Ord. #21-09)
 1. Signs shall not exceed a total of 32 square feet in area (all sides).
 - 2.

Signs shall not be displayed in public rights-of-way and be at least 5 feet from all property lines and the street right-of-way.

3. Temporary signs may be displayed for a time period not to exceed 15 consecutive days per permit with a limitation of 12 permits issued per business address per calendar year.
4. Signs shall not be attached to a utility pole, traffic sign, living vegetation, motor vehicle, trailer, or other moveable structure or object.
5. Shall not be displayed above the roof line of a building.
6. Signs may be displayed upon issuance of a sign permit and payment of a permit fee established by resolution by the Village Board, except that the fee shall be waived by the Zoning Administrator for nonprofit organizations or nonprofit purposes by organizations and businesses. (Am. Ord. #9-11)
7. Signs shall be made, maintained and displayed in a neat, clean and hazard-free manner. Signs that are not neatly kept or maintained may be required to be repaired, replaced or removed by the Zoning Administrator.
8. Signs should be designed (including the color, lettering style, symbols and material) to be compatible with the design of the establishment's primary sign, abutting properties, and the general streetscape in the immediate vicinity of the establishment.
9. Signs displayed on days not authorized in a permit or without a permit are deemed to be a violation of the Zoning Code and subject to removal and/or municipal citation. Violations of the Zoning Code, terms or conditions of a permit, or complaints received by the Village regarding the use of temporary signs by a business operator or property owner may be grounds for not issuing subsequent temporary sign permits.
10. In addition to the requirements above, "sandwich board" signs are subject to the following:
 - a. Sandwich board signs shall not exceed 2 feet in width and 4 feet in height;
 - b. Only one sandwich board sign shall be displayed per business;
 - c. Signs shall only be displayed during regular business hours for that business and removed overnight and during other nonbusiness hours;
 - d. Signs shall not obstruct the public right-of-way or any sidewalk or walkway;
 - e. Signs shall be freestanding, easily portable and internally weighted so that it is stable and windproof;
 - f. Signs may be temporarily anchored to the ground but shall not be roped, chained or otherwise secured to any pole, post, tree, fire hydrant, railing, or other structure;
 - g. Signs displayed at or within 15 feet of the storefront of the business for which the sign is used shall:
 - (i) Not count against the temporary sign area allowance;
 - (ii) Shall be exempt from the time period limitation imposed above; and
 - (iii) Shall not be subject to a permit fee.
11. In addition to the requirements above, one "grand opening" and one "opening soon" sign shall be allowed for each new business establishment subject to the following:
 - a. "Grand opening" signs may be displayed up to 30 consecutive days within 3 months of the date of issuance of a certificate of occupancy;
 - b.

"Opening soon" signs may be displayed up to 30 consecutive days before the first day a business is open for business;

c. A permit is required but no permit fee shall apply.

12. Notwithstanding the above allowances and restrictions, the display of temporary signs on the day of all legal holidays and communitywide events, e.g., Maifest, Maxwell Street Days, etc., shall be allowed without a permit provided they are only displayed and removed that same day.

13. Temporary signs shall not include any internal artificial lighting. (Cr. Ord. #4-10)

14. Temporary signs shall not include changeable text or reader boards. (Cr. Ord. #4-10)

(f) **ON-SITE TRAFFIC CONTROL AND DIRECTIONAL SIGNS.** (Cr. Ord. #28-14) One or more directional signs such those used to identify parking lot entrances and exits, direct customers to drive-through windows, direct delivery vehicles to loading/drop-off areas, etc. may be installed on a property as needed and in locations on a property necessary to serve and in the number placed adjacent to driveways provided that:

1. No sign shall be placed in the street right-of-way, within a vision corner or otherwise designed or installed in a manner that obstructs vehicle sight lines or vision;

2. No sign shall exceed 4 feet in height;

3. No sign shall contain more than 6 square feet of sign area per side;

4. Signs shall be designed and constructed of materials that either match or are complimentary to the architecture and materials of the primary building(s) and other permanent signs already installed on or proposed for the site;

5. Signs may be attached to or installed on decorative pylons, posts or a masonry base provided they are comprised of materials and/or painted to match or be complimentary to the primary building;

6. Wall-mounted directional signs above 4 feet in height are prohibited;

7. Signs shall not include any graphics, marketing or advertising messages except that the sign may include the business name, logo and directional arrows as necessary to simplify the message and assist vehicles getting to, in and around a facility or property.

(g) **OFF-PREMISES BUSINESS SIGNS.** (Cr. Ord. #28-14) Ground signs located on a particular property serving the business(es) located on that property may incorporate off-premise signage benefiting one or more other businesses not located on the same property upon which the ground sign is installed provided the following minimum requirements have been met as determined by the Plan Commission:

1. The sign meets all requirements for ground signs in section 17.46(7)(c) above;

2. The sign shall be located along a street frontage or near the intersecting street where vehicles would be required to turn in order to gain access to the property(ies) or business(es) benefiting from the off-premises sign;

3. The property(ies) or business(es) benefiting from the sign should be located with ¼ mile from the sign location, on a local side street, cul-de-sac or other location that is not easily visible and/or accessible from the street where the sign is located;

4. At the discretion of the Plan Commission, the incorporation of an off-premises sign into an existing or new ground sign may result in a reduction in the number and/or size of signage needed to be displayed on the property(ies) or business(es) benefiting from the off-premises

signage;

5. The sign area used for the off-premises sign shall not exceed 50 percent of the total sign area.

(h) **ELECTRONIC MESSAGE BOARDS.** (Cr. Ord. #28-14) Electronic message boards may be permitted by the Plan Commission but only as an integral and subordinate portion of a freestanding monument or ground sign (and not a wall, projecting, window or any other sign) provided said monument sign complies with the provisions set forth in section 17.46(7)(c) above. Electronic message boards may be allowed with approval by the Plan Commission and shall meet all of the following requirements:

1. Electronic message boards may be allowed for permitted and conditional uses located within the B-1, B-2, B-3, B-4, B-5, I, M-1 and M-2 zoning districts, except on those lots within the boundaries of the Germantown Business Park and Willow Creek Business Park of Germantown;
2. Electronic message boards shall not be located within 150 feet of a residential zoning district boundary, or, be located, designed or operated in such a manner as to create in the opinion of the Plan Commission at the time of sign approval a negative visual impact on property used for existing residential uses;
3. Electronic message boards may be installed as part of an existing monument or ground sign which is in compliance with all applicable requirements of this chapter and other applicable requirements of law. No electronic message board may be installed on or otherwise be made part of a nonconforming sign;
4. Electronic message boards shall only display static messages. Messages shall not contain animation, effects simulating animation, or video. Messages shall not contain text or images that dissolve, fade, scroll, travel, flash, spin, revolve, shake or include any other type of movement or motion during the message interval. The message interval, i.e. the minimum amount of time a message is required to be displayed, shall not be less than 7 seconds. The transition interval, i.e. the maximum amount of time allowed to transition from one message to the next message, may include fading, dissolving or traveling but shall not exceed 3 seconds;
5. The sign area or display face of the message board shall be included in the calculation of sign area for the monument or ground sign to which it is attached, and, shall not exceed 40 percent of the total sign area allowed for the monument or ground sign to which it is attached;
6. Electronic message boards shall be equipped with a sensor or other device that is programmed to automatically determine the ambient light level and adjust or dim the message board light level to not exceed a maximum brightness level of 0.3 foot-candles above ambient light conditions during both daylight hours (i.e. sunrise to sunset) and night time hours (i.e. sunset to sunrise);
7. The electronic message board shall be programmed or set in such a manner that the display face will turn dark and emit no light in case of a malfunction;
8. The owner of the property upon which a ground sign containing off-premises signage is located is responsible for preparing and keeping up-to-date information in an electronic message board use and maintenance agreement that identifies the name and contact

information for the person(s) responsible for maintaining the message board and ensuring that the use and content of the message board complies with the provisions set forth herein on a continual basis.

- (8) **ELECTION CAMPAIGN SIGNS.** See section 9.19 of this Code.
- (9) **FACING OF SIGNS.** No sign which is within 100 feet of a residential district shall be permitted to face the residential district unless it is a sign permitted by subsections (3), (4) and (6) above, or unless it is permitted by the Plan Commission.
- (10) **LIGHTING, COLOR AND PLACEMENT.** (Am. Ord. #28-14) 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. Signs shall not be placed so as to obstruct or interfere with traffic visibility, nor be lighted in such a way as to cause glare or impair driver visibility upon public ways. Except for electronic message boards approved under section 17.46(7)(h) herein, signs may be illuminated, but nonflashing. The background panel and/or other non-message components of internally-illuminated signs shall be opaque or a dark color to prevent glare.
- (11) **RESERVED.** (Rep. Ord. #21-09)
- (12) **CONSTRUCTION AND MAINTENANCE STANDARDS.**
 - (a) Wind Pressure and Dead Load Requirements. All signs and other advertising structures shall be designed and constructed to withstand wind pressure of not less than 40 pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code or other ordinance.
 - (b) Protection of the Public. The temporary occupancy of a sidewalk or street or other public property during construction is permitted, provided the space occupied is roped off, fenced off or otherwise isolated to prevent hazard to pedestrians and property.
 - (c) Maintenance. The owner of any sign shall keep it in good maintenance and repair which includes restoration, repainting or replacement of a worn or damaged sign to its original condition, and shall maintain the premises on which the sign is erected in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds and grass.
 - (d) Sign Supports. Supporting members or braces of all signs shall be constructed of galvanized iron, properly treated wood, steel, copper, brass or other non-corrosive incombustible material. All projecting signs, if placed at an angle to the wall or roof of any building, shall be attached by such non-corrosive metal bolts, anchors, cable or other metal attachments as shall ensure permanent and safe construction and shall be maintained free from rust or other defects. Every means or device used for attaching any sign shall extend through a wall or roof of the building should the Building Inspector determine that the safe and permanent support of such sign so requires, and shall be securely anchored by wall plates and nuts to the inside of the wall or to bearings on the underside of 2 or more roof or ceiling joists in accordance with instructions given by the Building Inspector. Small flat signs containing less than 10 feet of area may be attached to a building by the use of lag bolts or other means to the satisfaction of the Building Inspector.
 - (e) Fire Protection Consideration. No sign or any part thereof or sign anchors, braces or guide rods shall be attached, fastened or anchored to any fire escape, fire ladder or standpipe, and no such sign or any part of such sign or any anchor, brace or guide rod shall be erected, put up or

maintained so as to hinder or prevent free ingress or egress through a door, doorway or window or so as to hinder or prevent the raising or placing of ladders against a building by the Fire Department of the Village, as necessity therefor may require.

- (f) **Removal Required.** (Cr. Ord. #21-09) Signs for existing businesses, institutions or other nonresidential operations shall be removed and/or the sign faces replaced, removed or modified within 60 days after said business or operation ceases operation.
- (13) **EXISTING SIGNS.** (Am. Ord. #21-09) Signs lawfully existing at the time of the adoption or amendment of this section may be continued even though the use, size or location does not conform with the provisions of this section; provided, however, that such signs shall be deemed a nonconforming use or structure where the provisions of section 17.48 of this chapter shall apply except that the replacement of a sign face with the same or nearly identical sign face may be approved with a permit by the Zoning Administrator.
- (14) **METHODOLOGY FOR MEASURING SIGN AREA.** (Cr. Ord. #3-98) The area of a sign shall be determined as follows:
- (a) The height multiplied by the width of any sign cabinet, fixture or placard used to convey any words, letters, figures, numerals, phrases, sentences, emblems or logos to the public.
 - (b) Where more than one cabinet, fixture or placard is used, the areas shall be measured by drawing a rectangle enclosing the entire perimeter of all cabinets and/or fixtures.
 - (c) Where no cabinet or fixture is used, e.g., individual 3-dimensional letters or symbols attached directly to a wall, the area shall be measured by drawing a single rectangular box around the extreme limits of the advertising message.
 - (d) Decoration, framing and other nonstructural embellishments shall not be included in the sign area, provided that no advertising copy or graphics are contained on such embellishments. The total area of the sign structure, including any embellishments, may not exceed twice the area of the sign or 160 square feet, whichever is greater.
 - (e) The permit fee shall be based on the area of the entire sign structure.
- (15) **OFF-PREMISES ADVERTISING SIGNS.** (Cr. Ord. #32-99; Am. Ord. #21-09; Am. Ord. #9-11)
- (a) All off-premises advertising signs, including temporary signs and billboards, are prohibited within the Village of Germantown except for the following:
 1. Official and temporary signs displayed within the Village for public agencies, charitable organizations and religious institutions;
 2. Election campaign signs and rummage sale signs;
 3. Temporary directional signs for businesses, residential developments, schools and institutions when adjacent streets are temporarily closed for repairs or similar reasons (subject to any other specific limitations set forth herein or other sections of the Village Code);
 4. *Off-Premises Business Signs.* (Cr. Ord. #28-14) Permanent directional signs benefiting one or more businesses when incorporated into a permanent ground sign as set forth in section 17.46(7)(g).