

## § 275-61. Signs.

[Amended 7-22-2014 by Ord. No. 2524]

### A. Purpose and intent.

- (1) The purpose of this section is to provide for and regulate the design, location, and safe construction of signs in a manner to ensure that all signs are compatible with surrounding land uses, are well maintained, and express the identity of individual proprietors and the City as a whole. Signs allowed within the City of New Berlin are for the purpose of location and identification not for advertisement. All sign permits, unless otherwise specified, shall be applied for on forms provided by the Department of Community Development (DCD) and administratively reviewed by the Department.
- (2) In considering a sign application, DCD staff shall consider:
  - ~~(a) The proposed content;~~
  - ~~(b)(a)~~—The appearance, material for construction, location, lighting, height and size of the sign;
  - ~~(e)(b)~~—Safety of operators of vehicles upon the adjoining streets and highways;
  - ~~(d)(c)~~—The effect of the sign on property values within the immediate area;
  - ~~(e)(d)~~—The effect of such sign with respect to the scenic beauty of the vicinity in which the sign is proposed to be located;
  - ~~(f)(e)~~—The effect of such sign ~~and its content~~ with respect to enforcing state laws, county and City ordinances;
  - ~~(g)(f)~~—The effect of the sign with respect to the danger to human life because of falling or combustibility;
  - ~~(h)(g)~~—The effect of the sign ~~and content~~ with respect to the prevention of crime; and
  - ~~(i)(h)~~—The effect of such sign and display with respect to the general welfare, morals, and the conserving of the taxable value of lands and building located within the City and in the immediate area adjacent to the proposed location of the sign.

### B. Compliance.

- (1) No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered, ~~nor shall the face of a sign or color be changed~~ without a sign permit and conforming with the provisions of this chapter. No sign permit shall be issued to a business or property that does not have a zoning permit.
- (2) The Department of Community Development (DCD), upon review of a sign application, has the authority to administratively approve the sign application through the administrative permit policy, provided that it meets all the requirements of this chapter.

### C. Sign permit application requirements. Application for a sign permit shall be made on forms provided by the Department of Community Development and must contain or have attached thereto the following information:

- (1) Name, address, and telephone number of the applicant and the property owner; location of building, structure, or lot upon which the sign is to be attached or erected.
- (2) Name of person, firm, corporation, or association erecting the sign.
- (3) Written consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.
- (4) A scaled 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.
- (5) A scaled colored copy of the proposed sign showing the exact color scheme is required. Staff may require a superimposed rendering of the site with the proposed sign(s) be submitted on a disk (PDF file, JPEG, TIF, GIF format).
- (6) A scaled site plan indicating the location and position of such sign in relation to nearby buildings or structures or public streets and rights-of-way.
- (7) Fees. The applicant shall pay all applicable fees. The fee schedule is on file with the Department of Community Development. If a sign is erected before a permit is issued, the violator shall be assessed a double fee for the sign permit.
- (8) Additional information as required by the Department of Community Development, the Plan Commission, or the Community Development Authority (where applicable).

### D. Procedure. Procedures for sign permits shall follow the procedures set forth in § 275-29.

- (1) Sign permit applications shall be filed with the permit application center and forwarded on to the Department of Community Development, which shall review the application for its completeness, accuracy,

design integrity, material for construction. This determination and the permit shall be issued within five business days. If the application is incomplete or the sign application does not meet the requirements within the sign code, it may delay issuance of the sign permit or require that the application be forwarded to the Plan Commission or the Community Development Authority (where applicable) who shall approve or deny the application within 45 business days of receipt from the applicant. A sign permit shall be issued by the Department of Community Development. The permit shall become null and void if work authorized under the permit has not been completed within one year of the date of issuance.

- (2) Architectural Review Committee. Under special circumstances, the Department of Community Development shall forward sign permit applications to the Architectural Review Committee to review the materials for construction and design integrity of selected proposed signage.
- (3) Construction review. Staff may refer a sign permit request to Inspection Services for review of construction details or specifications prior to approval.
- (4) Inspection. The sign owner shall call the Department of Community Development or designated member of staff for an electrical inspection (if applicable) upon completion of all permit requirements and installation.
- (5) Appeal. An applicant may appeal a decision made by staff to the Plan Commission or the Community Development Authority (where applicable) for determination. An additional review fee as determined by the Director shall be required for any sign application that is forwarded to the Plan Commission or the Community Development Authority (where applicable) for review.
- (6) Waiver. An applicant may request a waiver from the Plan Commission or Community Development Authority (where applicable) for the requirements set forth in this section. All sign waiver requests are subject to an application review fee as established by the Director.

E. General provisions.

- (1) Existing signs. Signs lawfully existing at the time of the adoption or amendment of this chapter may be continued although the use, size or location does not conform with the provisions of this chapter. However, it shall be deemed a nonconforming use or structure, and the provisions of Article VII of this chapter shall apply to specific nonconforming rights. ~~Any legal nonconforming sign hereafter relocated, moved, damaged, reconstructed, extended, enlarged, changed (including changing the sign face), altered, or modified shall be made to comply with the provisions of this chapter.~~ By maintaining a sign in the established right-of-way of an adjoining street or highway, the owner does so at his own risk, and no damages will be awarded if the removal is required for public use or safety or right-of-way acquisition.
- (2) Sign size. The size of a sign shall be in proportion and coordinate with the building and site on which it is located and shall adhere to the size requirements in this section.;
- (3) Measurement of sign area. In calculating the area of a sign to determine whether it meets the requirements of this chapter, DCD staff shall include the sign copy and any border or frame surrounding that copy. Supporting members of a sign shall be excluded from the area calculation. Area of irregularly shaped signs or signs containing two or more detached elements shall be determined by the area of the smallest regular polygon that will encompass all elements of the sign. (See Figure VIII-10.)
- (4) Measurement of sign height. The height of the sign shall be computed as the distance from the base of the sign at the existing or new grade to the top of the highest attached component of the sign.

Figure VIII-10  
Examples of Measurement of Sign Area



(4) Location.

- (a) All signs shall be constructed/erected on the business property.
- (b) All overhanging sign parts and the sign base shall be located on the property and behind the ultimate right-of way.
- (c) No sign shall be located within the vision clearance triangle. [See also § 275-56C(15).]
- (d) No sign shall identify or direct attention to a business, activity, or enterprise that is not located on the same premises as the sign. Off-premises signs, except official signs and special event signs identified in Section 275-61G(10) and signs within the special commercial sign areas identified in Section 275-61J, are prohibited in the City of New Berlin.
- (e) When required for safety, curbs, protective bumpers or planters shall be placed below signs to prevent damage from passing motor vehicles or pedestrians.
- (f) Signs shall not flash or blink other than approved Electronic Message Devices. Sirens, strobe lights and other illuminated devices shall not be used to draw attention to a sign or business.

(5) Maintenance.

- (a) The owner of any sign shall keep it in good maintenance and repair, which includes restoring, repainting to the same color, or replacement of a worn or damaged legally existing sign to its original condition. The owner shall also 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. Restoration or painting which ~~changes the name~~, size, ~~color, face~~ or location of a sign will require a new sign permit.
- (b) The owner of any sign shall be required to have all parts and supports of a sign properly painted as directed by DCD staff unless they are galvanized or otherwise treated to prevent rust and deterioration.
- (c) The sign owner shall be responsible for the maintenance of the sign. If the sign ownership should transfer, the new owner shall be responsible for the maintenance of the sign.
- (d) ~~If the name of the business changes, the property owner shall be required to submit a new sign application.~~

F. Construction standards.

(1) General standards.

- (a) Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals or devices.
- (b) 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.
- (c) No person shall display upon any sign or other sign structure any obscene, indecent, or immoral matter.
- (d) No signs 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 any such sign or any anchor, brace, or guide rod shall be erected, put up, relocated, or maintained so as to hinder or prevent free ingress or egress through any door, doorway, window, or fire escape or so as to hinder or prevent the raising or placing of ladders against such building by the Fire Department of the City, as necessity therefore may require.

(2) Lighting.

- (a) ~~All signs and architectural enhancements (neon/lumiline accents) must be turned off outside of normal business hours. Neon/lumiline enhancements to a building shall require that a separate application be filed as an architectural enhancement.~~
- ~~(a)(b)~~—No sign shall be lighted or flashing in such a way as to cause glare or impair driver visibility upon public ways or adjacent properties. ~~Signs shall be internally illuminated along arterials or major thoroughfares.~~ If external illumination is approved by staff, the fixture shall be mounted on a permanent unmovable base and the neck soldered so as to prevent the fixtures from being tampered with or redirected.
- ~~(b)(e)~~ All signs with electrical wiring shall require an electrical permit from the City Electrical Inspector.
- ~~(c)~~ Signs located within the Rural Commercial Area (See Figure X) shall not include external neon tube lighting or internal illumination. The Rural Commercial Area is defined in the City of New Berlin Comprehensive Plan – Chapter 12. Please refer to that document for specific information.

Figure X  
Rural Commercial Area



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- (3) Wind pressure and dead-load requirements. The applicant and installers shall ensure that all signs and other display 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 by the Building Inspector pursuant to the City Building Code Editor's Note: See Ch. 80, Building Construction. or other ordinance.
- (4) Supporting members or braces. The applicant and installer shall ensure that all signs shall be constructed of galvanized iron, properly treated wood, steel, copper, brass, or other noncorrosive incombustible material. Applicant and installer shall ensure that every means or device used for attaching any sign shall extend through the walls of the building if 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 walls. Small flat signs containing less than 10 square feet of area may be attached to a building by the use of lag bolts or other means.

G. Signs permitted in all zoning districts without a permit. The following signs are permitted in all zoning districts without a permit, subject to the following and any other applicable regulations:

- (1) Yard signs. One yard sign may be allowed not exceeding six square feet. The sign shall be placed on the property and no such signs shall be erected or placed within a public right-of-way, on light poles, utility poles, etc. No yard signs shall be placed off premises.  
Real estate signs. One real estate sign not exceeding six square feet in area in a residential district or 32 square feet in other districts which acknowledges the sale, rental, or lease of the premises upon which the sign is temporarily located. In residential and non-residential zoning districts, the property owner and/or real estate company shall be allowed to place one sign on each street the property for sale abuts. Each sign must be placed on the property being sold, leased or rented. No real estate sign shall be located in a street right-of-way. No signs shall be placed off premises. Signs that become a hindrance or create a vision problem will be removed immediately. The property owner or real estate company shall be responsible for removing the signs no later than five days after the sale of the home.
- (2) Rummage sale and garage sale signs. One temporary rummage sale or garage sale sign not exceeding six square feet in area may be erected on the property having the sale and at the entrance to the subdivision.

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The signs shall be installed no sooner than 24 hours from the date of the rummage sale and such signs shall be removed within 24 hours following the sale. No such signs shall be erected or placed within a public right-of-way, on light poles, utility poles, etc.

- (3) ~~Memorial signs. Memorial signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.~~
- (4) ~~Flagpoles. Flagpoles shall be regulated as signs not requiring a permit and are permitted in any yard, provided that there are not more than three flagpoles on any lot, and flagpoles shall not exceed the height requirement for the district in which they are located. Flagpoles may display business name/logos in nonresidentially-zoned districts. Flagpoles displaying business logos may be permitted as long as other flags are flying in conjunction with it and it is presented to DCD staff as part of an overall coordinated signage plan. One logo flag of a company or business shall be allowed, provided that it is flown along with the American flag and shall not be larger than that flag and no larger than 32 square feet in size. Flagpoles shall be set back at least 10 feet from the base setback line in residential districts and at least 20 feet in all other districts. Flagpoles shall not be closer than 10 feet to a side or rear lot line. Flags and flagpoles do not include banners, pennants, streamers, standards, and ensigns.~~
- (5) ~~Holiday decorations. Holiday decorations may be erected and may encroach upon the street right-of-way, provided that such decorations will not cause a hazard to traffic or adjoining property.~~
- (6) ~~Official signs. Official signs, such as traffic control, parking restrictions, and public building directional signs, may be erected and may encroach upon the street right-of-way, provided that such signs will not cause a hazard to traffic or adjoining property.~~
- (7) ~~Election campaign signs. Election campaign signs may be erected, provided that permission is obtained from the property owner, renter or lessee prior to their placement and provided that such sign shall not be erected prior to the first day of the election campaign period, as defined in § 12.04, Wis. Stats., as it may be amended from time to time, and shall be removed within seven days following the election. No election campaign sign shall be located in a street right-of-way or on public property.~~
- (8) ~~Window signs. Window signs may be placed only on the inside of buildings and shall not be flashing. Signs displayed inside buildings and inside of the glass shall not be subject to the limitations on the number of signs.~~
- (9) ~~Light pole signs. Light pole signs shall require that a coordinated sign application be filed prior to installation of the signage. Light pole signs shall be allowed in addition to the two-sign limit for a property, subject to the final approval being granted by DCD staff. Staff shall also approve the size, number and content of the light pole signs.~~
- (10) ~~(2) Special Event Sign. A sign advertising or announcing a special communitywide event or activity conducted by, or sponsored by, or on behalf a unit of local government, a charitable organization, or a not-for-profit corporation. A special communitywide event or activity is one that seeks to attract donations, participants, or customers throughout the City. Signs shall not be erected 30 days prior to the event and signs shall be removed within 48 hours of the event.~~

H. Signs permitted in residential zoning districts with a permit. Signs are permitted in any R-1, R-2, R-2E, R-3, R-4, R-4.5, R-5, R-6, Rd-1 or Rm-1 Zoning District subject to the following regulations and other applicable standards in this chapter:

- (1) ~~Home occupation and professional home office signs. One sign or nameplate to identify the approved business conducted on the property. Said sign shall not exceed six square feet in area and shall be mounted flush against the dwelling. The sign shall not be illuminated. No signs shall be permitted for home occupations within the Rm-1 Districts.~~
- (2) ~~Farm or rural estate sign. One sign identifying the farm or estate property on parcels not less than five acres in area may be permitted. The sign shall not exceed 20 square feet in area.~~
- (3) ~~Temporary development signs. Allowed with an approved project. One sign at the entrance to the development is allowed for the purpose of designating a new building or development or for promotion of a subdivision for a limited period of time, provided that the sign shall not exceed 32 square feet in area or 8 feet in height. DCD staff shall specify the period of time the sign may remain, based on the size of the development, allowing a reasonable time to market the development. The sign shall be removed once all the lots are sold or all the leaseable space in the building has been filled.~~
- (4) ~~Temporary contracting business signs (painting, paving, landscaping, etc.) shall not exceed six square feet and shall be removed no later than five days following the completion of a project. Any project that takes longer than one week shall require that a sign permit application be filed for a temporary sign. No more than one sign may be placed on the property.~~
- (5) Residential Subdivision Monument Signs. A permanent monument sign displaying the subdivision name may be placed at each entrance to the subdivision, not to exceed two signs per subdivision street frontage. Applicant shall submit an application for a sign permit including the following items:

- (a) A site plan indicating the location of the sign;
- (b) Color rendering of the proposed sign.
- (c) ~~Residential Subdivision~~ monument signs may, at the discretion of DCD staff, be placed within the public right-of-way provided that such signs will not cause a hazard to traffic or adjoining property. A Release and Hold Harmless Agreement including the following language shall be required:
  - [1] All ~~subdivision residential~~ monument sign placement, relocation and removal shall be at the ~~sign owner's property owner's~~ sole expense.
  - [2] The ~~property sign~~ owner(s) agrees to remove the ~~subdivision residential~~ monument signs upon receiving ten (10) days written notice from the City of New Berlin when the ~~subdivision residential~~ monument signs would impede construction, reconstruction or maintenance of the road right-of-way or interfere with vision of users of the roadway or otherwise interfere with traffic.
  - [3] City shall not be liable for any liens filed against the property (signs).
  - [4] The ~~property sign~~ owner(s) further agrees to remove the ~~subdivision residential~~ monument sign(s) upon receiving thirty (30) days written notice from the City of New Berlin for any or no reason at all.
  - [5] All ~~subdivision residential~~ monument sign placement, replacement, relocation and removal shall be at the ~~property sign~~ owner's sole expense. If the individual ~~subdivisions residential~~ lots do not maintain the sign and it is in disrepair or becomes a hazard to public safety, the City shall have the authority to remove the sign.
  - [6] The ~~subdivision residential~~ homeowners association shall be responsible for paying all maintenance of the signs and associated landscaping. Written agreements shall be on file with the City of New Berlin from the Developer and/or the homeowners association as to the future maintenance and care for any proposed landscaping and structure/monument repairs and/or removal.
  - [7] If the ~~subdivision residential~~ homeowners association should become defunct, then the individual subdivision lots would be responsible for the maintenance of the sign and any landscaping.
  - [8] This document shall be construed as a permit only and not as an easement.

(6) Agricultural Signs. Permanent or temporary signs may be allowed up to a total of 32 square feet. No individual sign shall be greater than 20 square feet or 8 feet in height.

- I. Signs permitted in nonresidential zoning districts with a permit. Signs are permitted in B-1, B-2, B-3, B-5, O-1, O-2, O-3, M-1, M-2, ~~M-3~~, Q-1, L-1, I-1, P-1, ~~P-2~~ or PUD/ ~~SPO~~ Zoning District, subject to the following regulations and other applicable standards in this chapter. Existing deed restrictions and covenants or design guidelines and standards with more restrictive requirements shall be enforced in conjunction with the sign section of this chapter (§ 275-61):
  - (1) Sign type and permitted sizes.
    - (a) Wall signs or building signs. Wall signs and building signs shall be placed against the exterior walls of buildings and shall not extend more than 12 inches outside of a building's wall surface; shall not exceed one square foot in area for every one linear foot of building face width on which it is mounted; and shall not exceed the height or project beyond the building.
    - (b) Awning and canopy signs. Awning and canopy signs affixed flat to the surface of a marquee or canopy are permitted in lieu of a wall sign, provided that the sign does not extend vertically or horizontally beyond the limits of such marquee, awning, or canopy. An awning or canopy may extend up to 12 feet beyond the building to which it is affixed but shall not extend into a required front yard, side yard, or rear yard, nor shall it extend closer than one foot to the vertical plane formed by the curbline in a shopping center. A name sign not exceeding two square feet in area located immediately in front of the entrance to an establishment may be suspended from an awning or canopy, provided that the name sign is at least eight feet above the sidewalk. The canopy sign shall be considered one of the two allowable signs, subject to one of the signs being a monument/ground sign.
  - (c) Monument signs.
    - [1] All new signs and/or replacement of existing signs located along arterials or major thoroughfares shall be placed on a monument base constructed of the same material and color or shall enhance the exterior architecture of the principal building. Arterials include Calhoun Road, Cleveland Avenue, Greenfield Avenue, Lincoln Avenue, Moorland Road, National Avenue, Howard Avenue, Beloit Road, Coffee Road, Lawnsdale Road, Janesville Road, Racine Avenue, College Avenue, Sunny Slope Road, 124<sup>th</sup> Street, Small Road, and Grange Avenue.

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- [2] The width of the sign base shall be adjusted to match the width of the sign box/sign panel. The sign base shall be a minimum of 18 inches tall. The monument sign shall not exceed eight feet in height. The sign shall be set back entirely outside the ultimate right-of-way and vision triangle.
- [3] Monument signs shall not exceed 32 square feet in face area per side. The face area includes all surface area of the signage box and sign face but excludes the surface area of the signage base described.
- [4] Monument signs may be positioned either parallel or perpendicular to the public right-of-way.
- [5] Address plaque or numbers shall be required on the monument base or incorporated onto the sign face.
- [6] The applicant may request a waiver from the Plan Commission for the requirement for a monument sign. If the waiver is granted, only one wall sign shall be permitted. If the waiver is granted and the business has multiple street frontages and the building exceeds 10,000 square feet in size, two wall signs may be permitted.
- (d) Ground signs. Ground signs shall not exceed eight feet in height and shall be set back entirely outside the ultimate right-of-way and shall not exceed 32 square feet in area on one side.
- (e) Pole signs. All pole signs are prohibited.
- (f) Roof signs. Roof signs are prohibited.
- (g) Electronic Message Boards and Changeable Copy Reader Boards. EMBs or changeable copy reader boards may be erected as part of ground and monument signs and shall meet the requirements for those sign types.

[1] Changeable copy reader boards and EMBs can be added to ground and monument signs; however, the changeable copy area shall not exceed 50% of the total sign face area. Maximum size for changeable copy area is 24 square feet,

[2] The changeable copy portion of the sign must occupy a secondary position to the name of the business, development and/or tenant.

[3] EMB may display static images only. No blinking, flashing, moving, scrolling or animated messages permitted. A message/image on an EMB shall not flash, scroll, twirl or otherwise move when changing.

[4] Text or images, or any portions thereof, on an EMB may change up to, but not more frequently than once every 8 seconds.

~~[5] White or bright background colors are prohibited on EMBs. EMBs shall use only black or dark colored backgrounds.~~

[65] Illumination. The maximum illumination of any electronic message or manual changeable letter sign shall not exceed 15 foot-candles when measured with a light meter held perpendicular to the sign at a distance of 24 inches.

[76] Each sign shall be placed in such a manner so as to not interfere with, confuse or present any hazard to traffic or pedestrians. This determination is in the reasonable discretion of the Plan Commission.

[87] A sign containing an EMB shall not be located closer than 100 feet from a residentially zoned property. The distance shall be calculated as the shortest measurable distance between the face of the sign to the edge of the residential zoning district, in a straight line without regard to intervening structures. Right-of-way is not included and shall be subtracted from this measurement.

[98] Audio speakers and all forms of pyrotechnics are prohibited.

[9] Electronic Message Boards are not allowed within the Rural Commercial Area (See Section 275-61F(2)(c). City of New Berlin Comprehensive Plan – Chapter 12 and Figure X).

- (h) Off-premises signs. Off-premises signs are prohibited, except for where otherwise noted in this Section.

(2) Number of signs.

- (a) Only two signs may be permitted per business. Owners may elect for them to be any combination of wall signs, ground signs, or monument signs, not exceeding a total of two, and approved by DCD staff.
  - [1] Businesses with multiple street frontages and buildings exceeding 10,000 square feet may submit an application to the DCD for a possible third sign combination. One of the approved signs must be

a monument sign. Three wall signs will not be allowed. The building must meet both criteria for minimum building size and multiple street frontages.

- [2] Businesses within the New Berlin Industrial Park, Westridge, Towne Corporate or Moorland East that choose not to install a monument sign are permitted one wall sign. Businesses with multiple street frontages and buildings exceeding 10,000 square feet may submit an application to the DCD for a possible second wall sign. The building must meet both criteria for minimum building size and multiple street frontages.

**TABLE 275-61-1 SIGN COMBINATIONS**

	Business/Industrial Parks		All Other Areas	
	>10,000 SF and Multiple Right-of-Way Frontages	One right-of-Way Frontage	>10,000 SF and Multiple Right-of-Way Frontages	One Right-of-Way Frontage
Maximum of 1 Wall Sign		X		X
Maximum of 2 Wall Signs	X		X	
Monument Sign Required			X	X
Monument Sign Optional	X	X		
Maximum of 2 Signs Total		X		X
Maximum of 3 Signs Total	X		X	

- (b) All multitenant buildings may provide a tenant directory as part of the Master Identification Monument Sign as defined below in Section 275-61(3)(b).
- (c) Separate wall or canopy or fascia signs may be allowed for each tenant in a retail, shopping, industrial or commercial center, subject to the approval of an overall coordinated sign plan by the DCD staff for the building. Size of wall signs approved in this manner shall be figured using the width of the bay occupied by each tenant.
- (e) Price signs for gasoline or diesel fuel sales as required by law other governmental regulatory entities, shall not be subject to limitations on numbers of signs; however, such price signs shall not exceed an additional 20 square feet in area and shall be incorporated into a permanent sign.
- (f) Directional signs six square feet in area or less and with a maximum height of four feet are allowed but shall require DCD staff approval. ~~Directional signs include, but shall not be limited to, those that read "enter," "exit," "shipping," and "receiving." Directional signs may include the business logo and/or the business name.~~
- (g) ATM. ATM network signs shall ~~be incorporated onto the sign face (ATM Network, Tyme, and Plus). The financial institution name shall be allowed on one face of the ATM unit and shall~~ require a sign permit.
- (3) Overall coordinated sign plan.
- (a) The overall coordinated sign plan shall be developed and submitted to DCD staff for any building that has more than one tenant in all zoning districts.
- (b) Master identification monument sign. The overall coordinated sign plan shall permit multitenant buildings to have one freestanding monument sign, ~~identifying the name of the industrial, commercial or office center as a master identification sign.~~  
~~[1] The master identification monument sign may display tenant names, but shall also include the name of the industrial, commercial or office center.~~  
 [1][2] Master identification monument signs shall not exceed 32 square feet in face area. The face area includes all surface area of the signage box and sign face but excludes the surface area of the signage base described. (See illustration. Editor's Note: Figure VIII-10 provides an illustration of sign area measurement. )  
 [2][3] The height of the master identification monument sign shall be limited to eight feet tall,

[3][4] The sign base shall be a minimum of 18 inches in height. The monument sign shall not exceed eight feet in height unless a waiver is approved by the Plan Commission or Community Development Authority and shall be set back entirely outside the ultimate right-of-way and vision triangle.

[4][6] Monument signs or master identification monument signs may be positioned either parallel or perpendicular to the public right-of-way.

[5][6] Address plaque or numbers shall be required on the monument base or face of the sign.

- (c) Wall signs. Individual businesses within the development are allowed a wall sign meeting the provisions in sections 275-61.1(1) and 275-61.1(2) in addition to the master identification monument sign.
- (d) ~~The intent of the overall coordinated sign plan is to set forth a theme for the placement, lettering style, color, construction, material and related design considerations of signs, while at the same time minimizing sign confusion and clutter. All multitenant buildings shall be required to submit an overall coordinated sign plan when applying for signage.~~

#### J. Special Commercial Sign Areas.

(1) Purpose. The Plan Commission and Common Council have determined that there are certain commercial areas in the city that warrant the designation as special commercial sign areas to permit additional and/or larger signage because:

- (a) Such areas are characterized by intense commercial activity and a high concentration of retail, commercial and business uses along major streets;
- (b) The uses to which such signs pertain have long street frontages and/or have a significant setback from the right-of-way;
- (c) Major roads in these areas have wide right-of-ways, divided highways and a higher speed of traffic; and
- (d) Sign locations are buffered from residential areas.

(2) Designation. The City hereby designates special commercial sign districts for qualifying businesses within the areas described below:

(a) Moorland Road Business Corridor. The Moorland Road Business Corridor is defined as non-residential properties abutting Moorland Road north of the rail road tracks to Greenfield Avenue and properties abutting both sides of Moorland Road south of the Moorland Commons and Moorland Reserve developments to College Avenue. This area also includes properties abutting Beloit Road between Towne Drive and I-43. Any property that has right-of-way adjacent to the areas described above or has an access point connecting the development to Moorland Road are considered to be located within the Moorland Road Business Corridor. See map below.

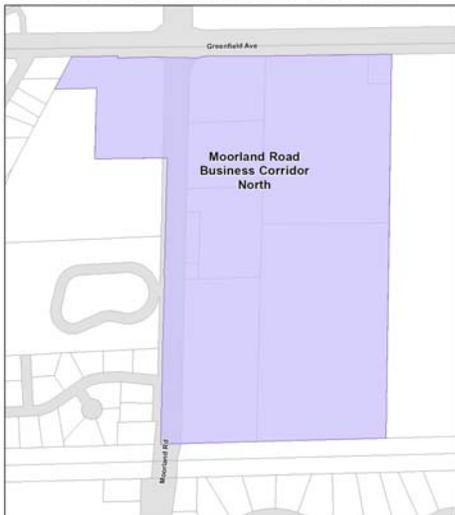
(b) City Center. The City Center is defined as the area identified in the Comprehensive Plan as City Center Mixed Use Commercial. See map below.

Figure VIII-11  
Commercial Sign Areas

New Berlin City Center



Moorland Road Business Corridor North



Moorland Road Business Corridor South



(3) Moorland Road Business Corridor. The areas identified within the Moorland Road Business Corridor are subject to the sign standards listed below.

- (a) Number of signs. Only three signs may be permitted per business. Per Section 275-61(1)(c)[1] monument signs are required along arterials.
- (b) Wall Signage.

[1] Maximum number of two wall signs permitted per business.

[2] Wall signs and building signs shall be placed against the exterior walls of buildings and shall not extend more than 12 inches outside of a building's wall surface; shall not exceed 1.25 square foot in area for every one linear foot of building face width on which it is mounted; and shall not exceed the height or project beyond the building.

[3] The maximum area of a wall sign may be increased by 25% if the building elevation where the sign is located faces the right-of-way and is set back by more than 150-feet from the public right-of-way.

(c) Monument Signs.

[1] Monument signs shall adhere to the stipulations outlined in Sections 275-611(1)(c) and Section 275-611(3)(b) with exception to the items listed below.

[2] Each parcel may have a maximum of one monument sign per street frontage. Monument sign(s) may be placed anywhere on the property that is outside of the ultimate right-of-way, vision triangle and circulation areas, but is limited to a maximum of one monument sign per street frontage.

[3] Where at least one access point is commonly shared within a development and cross access is provided, off-premise monument and directory signage for the businesses located within the development is permitted. Signage shall be integrated into an overall coordinated sign plan for the entire development. Coordinated sign plan shall be reviewed and approved by DCD.

[4] The total monument sign height shall not exceed thirteen feet.

[5] Maximum size of the monument sign face:

[a] The area for a single tenant monument sign shall not exceed 75 square feet per side.

[b] The area for a multi-tenant master identification monument sign that incorporates tenant names shall not exceed 100 square feet per side.

[c] Square footage calculations do not include any architectural elements of the sign

[6] Electronic message boards shall adhere to the regulations outlined in Section 275-611(1)(g).

(4) City Center. The areas identified within the City Center are subject to the standards listed below.

(a) Number of signs. Only three signs may be permitted per business. Owners may elect for them to be any combination of wall signs or monument signs subject to the requirements listed below. Per Section 275-611(1)(c)[1] monument signs are required along arterials.

(b) Wall Signage.

[1] Maximum number of two wall signs permitted per business.

[2] Wall signs and building signs shall be placed against the exterior walls of buildings and shall not extend more than 12 inches outside of a building's wall surface; shall not exceed 1.25 square foot in area for every one linear foot of building face width on which it is mounted; and shall not exceed the height or project beyond the building.

[3] The maximum area of a wall sign may be increased by 25% if the building elevation where the sign is located faces the right-of-way and is set back by more than 150-feet from the public right-of-way.

(c) Monument Signs.

[1] Monument signs shall adhere to the stipulations outlined in Sections 275-611(1)(c) and Section 275-611(3)(b) with exception to the items listed below.

[2] Each parcel may have a maximum of one monument sign per street frontage. Monument sign(s) may be placed anywhere on the property that is outside of the ultimate right-of-way, vision triangle and circulation areas, but is limited to a maximum of one monument sign per street frontage.

[3] Where at least one access point is commonly shared within a development and cross access is provided, off-premise monument and directory signage for the businesses located within the development is permitted. Signage shall be integrated into an overall coordinated sign plan for the entire development. Coordinated sign plan shall be reviewed and approved by DCD.

[4] Multi-tenant monument signs shall have at minimum: a base, a mid-section including field of text and a top element. The top element/feature (typically anchor tenant's name and/or plaza name) shall not be included within the square footage calculations, but shall be architecturally integrated into the overall sign.

[5] The total monument sign height shall not exceed thirteen feet.

[6] Maximum size of the monument sign face:

[a] The area for a single tenant monument sign shall not exceed 32 square feet per side.

[b] The area for a multi-tenant master identification monument sign that incorporates tenant names shall not exceed 36 square feet per side.

[c] Square footage calculations do not include any architectural elements of the sign.

[7] Electronic message boards shall adhere to the regulations outlined in Section 275-61(1)(g).

[8] ~~City-Center-p~~Public entry signage.

[a] The face area ~~for for~~ "City-Center" public entry signs shall not exceed 48 square feet.

[b] In order to maintain a cohesive design throughout City Center, the design of the public entry signs shall be coordinated with and approved by the Department of Community Development.

[c] Public entry signs shall be constructed of durable and long-lasting materials such as metal, stone, brick, masonry or other durable materials.

[d] Public entry way signage may be permitted within the City right-of-way upon review and approval by the Director.

J. Portable/temporary signs.

(1) Department of Community Development staff may permit the temporary use of a portable sign, such as banners, pennants, and/or balloons, for display purposes in any district, provided that the portable sign meets the following criteria below. The permit application process in § 275-61C shall be required for portable signs. All temporary banners installed without a permit shall be assessed a double fee. These types of sign permits shall only be charged the base sign fee plus the filing fee.

(a) Portable/temporary signs shall be located outside any public right-of-way; will not be located closer than 10 feet to an adjacent property; will not be over 32 square feet in area; will not extend over or onto any street, alley, sidewalk, or other public thoroughfare without the approval of the Director; and will not cause a hazard to traffic or adjoining properties.

(b) Portable/temporary sign permits shall expire after 45 days or a date stipulated on the sign permit. No business shall be issued more than 4 portable sign permits in any given year (from January 1 to December 31).

(c) Portable signs shall not be illuminated.

(d) ~~Temporary event signage shall also require a temporary sign permit. All events should have a valid zoning permit or approval from the City prior to any signage approval.~~

(e) ~~Temporary contracting business signs (painting, paving, landscaping, etc.) shall not exceed six square feet and shall be removed no later than five days following the completion of a project. Any project that takes longer than one month shall require that a sign permit application be filed for a temporary sign. No more than one sign may be placed on the property.~~

(f) Portable sandwich board signs shall be permitted without a sign permit provided they are placed directly in front of the business storefront and they are only displayed during business hours of operation. One portable sandwich board sign is allowed per business. Portable sandwich board signs shall not exceed 4 feet in height and 2 feet in width.

(2) The Department of Community Development staff may permit the temporary placement of directional signs by commercial establishments in construction zones for the purpose of identifying or showing the alternative access location of businesses affected by the construction. Placement of signs shall be at a point of barricade or detour. Signage shall not be placed in the travel portion of the road, block vision, or operation of construction vehicles. The business shall coordinate with the contractor for specific placement

of the signage. The temporary signage shall be removed following completion of the construction project. This type of signage is subject to the following regulations:

- (a) Single businesses affected by the construction are permitted to have one temporary sign at the point of barricade or detour. The signage is not to exceed six square feet in area.
  - (b) A development of four or more businesses is permitted to place one temporary sign at the point of barricade or detour for all businesses within the development affected by the construction. Signage for four or more businesses is not to exceed 32 square feet per side in area.
  - (c) The Director or his designee may remove signs that cause confusion, present a safety hazard or are located within the right-of-way.
  - (d) The Director may order sign removal if the sign is considered a safety hazard or impedes the progress of a construction project.
  - (e) Signage may be removed at the discretion of the construction manager during individual phases of the construction project.
- (3) Portable trailer signs are prohibited. Construction trailer signs shall require a sign permit and shall not exceed 32 square feet.

~~K.—Temporary construction/development signs. Temporary signs are permitted for projects with a valid zoning permit within the City of New Berlin only after the applicant has applied for and received a sign permit from the DCD. The permit procedures outlined in § 275-61C and D shall be required for all temporary construction/development signs. All other provisions of the Sign Code shall apply.~~

~~(1) Number of signs. Only one sign will be permitted per frontage on any parcel. All subcontractors and lending/financial partners shall be located on the same sign.~~

~~(2) Size. Temporary construction/development signs shall not exceed 32 square feet in area and shall not exceed eight feet in height.~~

~~(3) Duration. Temporary signs shall be removed following completion of the construction project, the installation of a permanent sign for the development or on a date stipulated by the sign permit. In multiphased projects, the principal development sign shall remain for a period of three years or until all the parcels have been conveyed.~~

~~(4) Illumination. Temporary construction/development signs shall not be illuminated. Construction trailers shall not be floodlit to display signs.~~

#### L-K Enforcement.

- (1) Order to remove signs. No sign shall advertise a business that is in violation of this chapter or for which no zoning, occupancy and/or building permit has been issued. If the Director or his designee finds that any sign or other display structure regulated herein has been constructed or erected or is being maintained in violation of this chapter, the sign will be removed by the Director or his designee. Any sign located in a City of New Berlin right-of-way ~~or advertising events not located within the City~~ will be removed immediately.
  - (a) Unsafe or hazardous signs. Any sign which is hereinafter found to be unsafe or insecure, or is a menace to the public, or by reason of its location creates a traffic hazard, or is dangerous to persons and property, as determined by the Director, his designee, the City Police Department or the Safety Commission, shall be removed, except for those on private property.
  - (b) Abandoned signs. Any sign ~~which does not advertise a bona fide business or product sold, or~~ which is dilapidated or out of repair, shall be removed by the property owner.
  - (c) Maintenance. If the sign owner violates the maintenance requirements of this chapter, the sign shall be removed by the property owner.
- (2) Compliance. A business or property that has signage that does not meet the requirements of the current Sign Code shall be required to bring all signage into compliance ~~according to Article VII of this chapter, when they apply for any signage on the property.~~
- (3) Penalty.
  - (a) If a sign is displayed before a permit is issued, the violator shall pay twice the normal amount for the sign permit. If the sign owner violates the maintenance requirements as set forth in this chapter, the owner must pay a fee equal to the rate paid for the sign permit.
  - (b) Any person who violates any provision of this section or any order, rule, regulation or determination regarding signs shall be subject to the penalties prescribed in Article X of this chapter.

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