

DRAFTER'S ANALYSES: This ordinance makes multiple changes to the Madison General Ordinances to allow for the operation of a City-sponsored bicycle-sharing program in the City of Madison.

Non-Charter Provisions: This ordinance creates a new permit procedure in Chapter 10 that will allow for the placement of City-sponsored bicycle-sharing facilities in the right-of-way and on other City land through the granting of a bicycle-sharing facility privilege. Under newly created Sec. 10.33, the owner or managing agent of the City-sponsored bicycle-sharing program must apply to the Director of the Department of Planning and Community and Economic Development for the bicycle-sharing facility privilege. Once the application is approved, the City and the owner of the program must enter into a bicycle-sharing facility privilege agreement that covers all of the facility locations on right-of-way or other City land, which agreement shall include terms covering liability insurance requirements, indemnification of the City, removal of the facilities, restoration of the facility locations, sign contents, and annual permit fees. This procedure will not apply to facility locations on private property. In addition, newly created Sec. 8.15(3) will create an exemption to the nuisance provisions of Sec. 8.15 so that placement of City-sponsored bicycle-sharing facilities on park lands, greenways, and the Southwest Bike Path is not a violation of Section 8.15 which currently prohibits encroachments in those areas. The non-charter provisions of this ordinance also amend Chapter 31, the Sign Control Ordinance, as follows: item 6. clarifies that the definition of Advertising Signs does not include signs on City-sponsored bicycle-sharing facilities or bikes; items 7. and 8. create a permit fee for business signs on bicycle facilities on private property; item 9. exempts signs on bicycle sharing facilities on other city owned lands from requiring sign permits; and item 10. creates a subsection of the sign code to allow business signs on bicycle-sharing facilities on private property for a business located on the same zoning lot where a bicycle facility is located, as well as signs identifying the operator of the bicycle facility, a map, instructions and City information.

Charter Ordinance Provisions: State law and regulations and Sec. 31.046, MGO, currently prohibit signs or advertisements in the highway right-of-way with limited exceptions. The City Attorney has interpreted this law as restricting the City's ability to allow signs or advertisements on City-sponsored bicycle-sharing facilities located in the right-of-way (including the sidewalk) as proposed by B-cycle, LLC in RES-11-00106. By exercising the City's constitutional home rule rights to adopt a Charter ordinance, this ordinance would create a limited exception for advertisements on City-sponsored bicycle-sharing facilities located in the highway right-of-way, by amending Sec. 31.046(3)(c) to create an exception to the current prohibition, and by creating criteria for such signs in new Sec. 10.33(10). New Sec. 10.33(10) would allow signs on bicycle sharing equipment as follows: a two-sided sign with a system map and city information, directions for using the program, several small signs with the name or logo of the operator of the bicycle sharing program, a sign with the station location name, four small signs recognizing a sponsor of the bicycle facility, one sign with credit card information, and sponsorship signs on the bicycles. If adopted, the Charter provisions of this ordinance shall take effect 60 days from the date of passage and publication, subject to the referendum procedures of Wis. Stat. § 66.0101(5).

The Common Council of the City of Madison do hereby ordain as follows:
Pursuant to Wis. Stat. § 66.0101, 2009-10, and notwithstanding the provisions of Wis. Stat. § 86.19, 2009-10, the Common Council of the City of Madison do ordain as follows:

1. Section 10.33 entitled "Bicycle-Sharing Facilities" of the Madison General

Ordinances is created to read as follows:

"10.33 BICYCLE-SHARING FACILITIES.

- (1) Purpose. A City-sponsored bicycle-sharing program offers residents and visitors of the City the ability to use rented bicycles as an alternative form of short-term transportation. Such a program will be an important amenity and means of

transportation for City residents, workers and visitors, and will help bring visitors to the City's downtown, displace car traffic, take pressure off of the City's downtown parking needs, and improve public health by providing opportunities for exercise. This program will also help the City meet its goals of reducing air pollution and greenhouse gas emissions and having twenty percent (20%) of all downtown trips done by bicycle by 2020.

For a bicycle-sharing program to be successful, program facilities will have to be placed at optimal locations throughout the urban environment that prioritize visibility, location desirability, and convenience, among other considerations. However, due to a lack of sufficient public or private open space at optimal locations, it will be necessary, at certain locations, to place some of the facilities of a City-sponsored bicycle-sharing program within the City right-of-way, including on sidewalks and terraces. It may also be necessary, and desirable, to place these facilities on other City land.

Hence, to enable the success of the City-sponsored bicycle-sharing program, this section allows for the placement of bicycle-sharing facilities in the right-of-way and other City land through the granting of a bicycle-sharing facility privilege pursuant to the requirements of Wis. Stat. § 66.0425.

- (2) Applicability. The provisions of this ordinance shall only apply to bicycle-sharing facilities within the right-of-way or on other City land that are part of a City-sponsored bicycle-sharing program.
- (3) Definitions. For the purpose of this ordinance, the following words shall have the meaning indicated.
 - (a) Bicycle-Sharing Facility means a facility and all attachments and operational aspects thereto that are part of a bicycle-sharing program. This definition includes, but is not limited to, a rental station, informational signs, bicycles, solar panels, or other equipment attached to and necessary for the facility's operation.
 - (b) Bicycle-Sharing Program is a program which provides specially designed bicycles for short-term rent to the public at multiple facilities throughout the City and in which the users of the bicycles are able to return the bicycles at any other bicycle-sharing facility maintained by the program in the City.
 - (c) Bicycle-Sharing System is the entire network of bicycle-sharing facilities that make up a City-sponsored bicycle-sharing program, including facility locations on right-of-way, other City land, and private property.
 - (d) City-Sponsored means that the City provides a bicycle-sharing program support, either by running and operating such a program in cooperation with another party, providing an applicant direct financial support for the program, or providing an applicant with significant assistance in the operation and establishment of the program.
 - (e) Contact Information includes the address, telephone number(s), e-mail address(s), and any and all other means that would allow City staff to contact a person, including the address of any registered agent.
 - (f) Managing Agent is the person who, by virtue of his or her position, operates a bicycle-sharing program and has control, including physical and contractual, over the bicycle-sharing facilities used therein.
 - (g) Other City Land includes City park land, City-owned or leased greenways, and bike paths owned by or under the control of the City.
 - (h) Owner means any person who jointly or severally is vested with all or part of legal title to (or beneficial ownership of) the bicycle-sharing facilities.

- (i) Person means any individual, partnership, association, corporation, joint venture, limited liability company or partnership, trust, or other entity that may enter into contracts.
- (j) Right-of-Way means the surface and space above and below an improved or unimproved public roadway, highway, street, bicycle lane, public sidewalk and terrace in which the City has an interest, including any other dedicated right-of-way for travel purposes.
- (4) Administration. This section is administered by the Director of the Department of Planning and Community and Economic Development or her/his designee.
- (5) Application. The application for a privilege under this section may be made by either the owner or managing agent of the bicycle-sharing program and shall be made to the Department of Planning and Community and Economic Development and shall include and incorporate the following:
 - (a) Application Fee. A nonrefundable application and initial processing fee of five hundred dollars (\$500) shall accompany the application. There shall be no proration of the application and initial processing fee. This application fee shall cover all locations of bicycle-sharing facilities. Any application to increase the number of bicycle-sharing facilities by more than thirty-five percent (35%) shall be accompanied by a new fee under this section.
 - (b) Program Information. The application shall include the name, address, and telephone number of the bicycle-sharing program owner(s) and managing agent(s), and a basic description of the bicycle-sharing program, along with the means of City sponsorship of said program, the information required in sub. (c) below, and any other information as may be required by the Director of the Department of Planning and Community and Economic Development.
 - (c) Location Information. The application shall include a description and drawing of the proposed bicycle-sharing facility locations sufficient enough to permit City staff to draft a legal description of the privilege(s) sought. All right-of-way, greenway and bike path locations for which a privilege is sought must be approved by the City Engineer, or designee, who shall assure that the proposed location complies with all applicable ordinances and does not unnecessarily or unduly interfere with the public's right of travel at the location. All park land locations for which a privilege is sought must be approved by the Superintendent of the Parks Division, or designee, who shall assure that the proposed location complies with all applicable ordinances and does not unnecessarily or unduly interfere with the public's right of travel or use at the location. The applicant is urged to consult with the City Engineer and Superintendent of the Parks Division regarding proposed locations prior to submitting an application under this section.
- (6) Approval of Application. Subject to the required conditions of approval noted in Sub. (8), the Director of the Department of Planning and Community and Economic Development shall not approve the bicycle-sharing facility privilege application unless the requirements of this section are satisfied, and that all other applicable ordinances, resolutions and policies will be complied with. If the Director approves the bicycle-sharing facility privilege application, the Director shall inform the applicant in writing of this recommendation and the conditions of approval.

- (7) Agreement. Following concurrence of the applicant with the conditions of approval, the Director, in cooperation with the City Attorney, shall prepare a bicycle-sharing facility privilege agreement, setting forth the requirements and conditions under which the bicycle-sharing facility privilege is permitted, including the conditions set forth in Sub. (8) below. This agreement may be included as part of a general bicycle-sharing program operating agreement between the owner and the City, and may cover bicycle-sharing facilities not located on right-of-way or other City land. This agreement shall be binding upon the owner, the owner's heirs and assigns, and the terms and conditions contained in the agreement shall remain in full force and effect as long as the bicycle-sharing facility privilege exists. The Director is authorized to execute this bicycle-sharing facility privilege agreement on behalf of the City. Following receipt of the insurance certificate, a copy of the agreement shall be furnished to the applicant and the City Clerk. The Risk Manager shall monitor the insurance requirements.
- (8) Conditions of Approval. As a condition of approval of the application, the following conditions must be met and shall be included in the bicycle-sharing facility privilege agreement required under Sub. (7):
- (a) Insurance. The owner shall be required to furnish a Certificate of Insurance, on a form provided by the City, evidencing existence of general public liability and property damage insurance with the City of Madison being named as an additional insured. The insurance shall include contractual liability coverage with minimum limits of one million dollars (\$1,000,000) combined single limits per occurrence, which coverage owner agrees to keep in full force and effect throughout the term of the agreement entered into under this section.
- (b) Indemnification. The bicycle-sharing facility agreement shall include a requirement that the owner will hold harmless, defend, and indemnify the City, its officers, boards, committees, commissions, elected officials, employees and agents, from and against all liability, damages, and penalties resulting from the installation, use, maintenance, or presence of the bicycle-sharing facilities in the public right-of-way or on other City land.
- (c) Removal of Facilities. The owner shall remove the bicycle-sharing facilities in the right-of-way that are permitted under this section upon ten (10) days written notice by the City of Madison. Additionally, the owner or the owner's heirs or assigns shall be entitled to no damages for removal of the bicycle-sharing facilities, and if the owner shall not remove the same upon due notice, it shall be removed at the owner's expense.
- (d) Permits and Approvals. Owner is responsible for obtaining and maintaining all other required permits and approvals necessary to install and operate the program's facilities in the right-of-way or on other City land. Failure to have or maintain valid permits or approvals will cause the bicycle-sharing facility privilege granted under this section to immediately expire. Such expiration shall apply to the location in question, or the entire program, as the case may be.
- (e) Restoration. After a bicycle-sharing facility is removed, the owner shall restore the right-of-way or other City land to its original condition. City may charge the owner for its costs associated with restoring the right-of-way or other City property to its original condition if the owner fails to do so.

- (f) Signs. As a condition of approval, the owner must agree and acknowledge that all signs on the bicycle-sharing facility equipment are subject to Sec. 10.33(10) herein. Further, the owner agrees to give the City final approval of the specifications for any signs displayed on the bicycles, and such approved specifications shall be included in the agreement required under Sub. (7) and/or any bicycle-sharing program operating agreement between the owner and the City.
- (g) Waiver. In accepting the bicycle-sharing facility privilege, the owner agrees to waive any and all right to contest in any manner the validity of this ordinance or Wis. Stat. § 66.0425, or the amount of fees or compensation charged by the City.
- (h) Termination. The bicycle-sharing facility privilege will be terminated pursuant to the terms of the agreement required under Sub. (7). Following removal of the bicycle-sharing facility and restoration of the public area on which the facilities existed to the satisfaction of the City Engineer or the Superintendent of the Parks Division, as the case may be, the Director shall provide a document terminating the privilege to the owner, filing a copy with the City Clerk.
- (i) Annual fee. An annual permit fee for each bicycle-sharing facility location of fifty (\$50) dollars.
- (9) Operational Changes. If, at any time after approval of the application, the owner or managing agent desires to relocate existing program facilities subject to the agreement required under Sub. (7), or place new facilities in the right-of-way or on other City land (subject to the requirement of Sub. (5)(a) above), the applicant must submit an operational change request to the Director which shall include the information set forth in Sub. (5)(c) above, and shall proceed according to the procedures and requirements of Subsections (6) through (8).
- (10) Signs on City-Sponsored Bicycle-Sharing Facilities.
 - (a) Signs on City-sponsored bicycle-sharing facilities located on non-city owned private property shall be subject to Sec. 31.046(4).
 - (b) Signs on City-sponsored bicycle-sharing facilities on other city lands may be displayed in compliance with the requirements of sec. 10.33(10)(c) herein.
 - (c) [Ed. note: SEE BELOW FOR CHARTER ORDINANCE PORTION.]
- (11) Penalty. Any person causing or maintaining any bicycle-sharing facility in the right-of-way or on other City land contrary to this section shall be subject to a forfeiture of not less than twenty-five (\$25) nor more than five hundred dollars (\$500). Each day such violation continues shall be considered a separate offense.”

2. Subdivision (c) entitled “Signs on City-Sponsored Bicycle-Sharing Facilities in the Right-of-Way” of Section (10) entitled “Sign on City-Sponsored Bicycle-Sharing Facilities” of Section 10.33 entitled “Bicycle-Sharing Facilities” of the Madison General Ordinances is created as a **Charter Ordinance** to read as follows:

“(c) Signs on City-Sponsored Bicycle-Sharing Facilities in the Right-of-Way.

- 1. Purpose and Findings. As stated in Sec. 10.33(1), a bicycle-sharing program is critical to the well-being of the City of Madison, its residents and taxpayers. The City has considered options for providing a convenient, cutting-edge, public bicycle-sharing program for short-term travel about the city, especially the downtown area. To be successful, some of the facilities must be placed in the highway right-of-way. In order to fund a high quality City-sponsored program with the features the City desires, the program must be supported in part by allowing

limited advertising for sponsors on City-sponsored bicycle-sharing facility equipment and bicycles located in the right-of-way and on other City land.

The Common Council finds that the display of signs consistent with this section on City-sponsored bicycle-sharing facilities and bicycles, in the right-of-way and on other City land, will not cause aesthetic blight or traffic hazards of the sort unacceptable to the community. Rather, when included as part of the overall program, such signs will further the City's substantial governmental interests set forth in Sec. 10.33(1) by:

- a. Allowing the City to select and control the location and appearance of the equipment and signs;
 - b. Identifying the equipment as part of the City-sponsored bicycle program;
 - c. Providing necessary directions and instructions for using the bicycle program;
 - d. Allowing for attractive, well-maintained public bicycle equipment;
 - e. Providing information about sponsors of the program thereby defraying the costs of offering the program to the public;
 - f. Offering an environmentally beneficial transportation option that relieves vehicular congestion, reduces air pollution and greenhouse gas emissions;
 - g. Improving public health by providing opportunities for recreation and exercise;
 - h. The Common Council further finds that signs mounted on the bicycles used in the City-sponsored bicycle-sharing program are incidental to the primary use of the bicycles as vehicles.
2. Certain Wisconsin statutes and regulations, specifically Wis. Stat. § 86.19 and regulations adopted thereto, raise doubts about whether such signs may be placed within the highway rights-of-way. The determination of whether to place maps, directional information, instructions, operator or manufacturer logos, advertisements including business name and logo of sponsors, or other signs on City-sponsored bicycle-sharing facilities located on city sidewalks or terraces is a matter of the local affairs and government of the City of Madison. The Common Council of the City of Madison hereby determines that, to the extent Wis. Stat. § 86.19 and Wisconsin Administrative Code regulations restrict the City's ability to place signs or to sell or authorize the sale of advertisements on City-sponsored bicycle-sharing facilities within the limits of any street or highway right-of-way, the City will not be governed by Wis. Stat. § 86.19, to the extent stated herein.
3. Sign Criteria. The City, or the owner or managing agent operating under a bicycle-sharing facility privilege agreement under Sub. (7), may place advertisements and other signs on City-sponsored bicycle-sharing facilities in the street or highway right-of-way (except State Trunk Highways as defined in Wis. Stat. § 84.02) as follows:
- a. Poster Board Sign. One sign, permanently attached to the bicycle-sharing facility equipment, with not more than two (2) sign faces of not more than five feet and one inch (5'1") square feet in area per sign face. This sign shall not be illuminated, shall not include any flashing, moving, digital or electronic changeable copy features as those terms are defined in Chapter 31, and shall be oriented toward users of the facility and not toward the roadway, street frontage or motor vehicle traffic. At least one side of this sign shall include a map showing the bicycle-sharing system, other directional information, instructions for using the bicycle-sharing facility, and may also include:

- i. Maps and information about other City of Madison governmental services; and
- ii. A City of Madison logo and/or the logo and/or business name only of the owner, managing agent, or manufacturer of the bicycle-sharing facility of not more than one half (1/2) of a square foot in area each.

In lieu of a map and the signs in i. and ii. above, the other side of this sign may display text describing the bicycle sharing program and up to one logo and/or business name of the owner, managing agent or manufacturer of the bicycle-sharing facility of not more than one half (1/2) of a square foot in area.

- b. Sponsor Signs: Four (4) additional signs mounted on a piece of equipment necessary for the bicycle-sharing facility, not more than one twelve inches by nine inches (12" x 9") in area each, measured by drawing a box around the sign copy, to identify a sponsor of the facility. Such signs shall include only the logo and/or business name of the sponsor, and must include the words "sponsored by" or a similar statement to signify the sponsorship. Such signs shall not be illuminated nor shall they include any flashing, moving, digital or electronic changeable copy features as those terms are defined in Chapter 31.
- c. Operator Logos: In addition to the logos on the poster board sign under sub. 3.a.ii. above, the following signs bearing only the name and logo(s) of the owner, managing agent, or manufacturer of the bicycle-sharing facility or other symbol to identify the equipment as a bicycle sharing facility may be displayed on the facility equipment:
 - i. One 2-sided round sign of not more than two (2) square feet in area, per side, and
 - ii. up to two (2) additional signs of not more than one half (1/2) of a square foot mounted on the equipment;
 - iii. one sign incorporated into the instructional panel described in sub. f. below.

The logo signs under this subsection c. are solely to identify the equipment as a City-sponsored bicycle-sharing facility and shall not include any sponsorship advertising.

- d. One sign of not more than 20 square inches, mounted upon the payment equipment, to identify credit cards accepted for payment.
- e. One sign of not more than 105 square inches denoting the location name of the bicycle sharing station.
- f. One Instructional panel with information for operating the bicycle sharing facility mounted elsewhere on the equipment, that may include a twelve square inch sign bearing the logo or business name only of the owner, managing agent, or manufacturer of the bicycle-sharing facility, and no other logos, business names or sponsorship signs of any kind.
- g. Signs on Bicycles. Signs mounted on the bicycles provided under the City-sponsored bicycle-sharing program are considered incidental to the primary and principle use of the bicycles as vehicles. The bicycles may include signs identifying the business name or logo of the owner, managing agent, or manufacturer of the facility or the bikes, and the logo, business name or other sign copy identifying sponsors of the bicycle-sharing program. The specifications for any signs on the bicycles, including number, location, size, and materials, must be approved by the

City and included in the written bicycle-sharing facility privilege agreement.

4. Any sign on a City-sponsored bicycle-sharing facility in the highway right-of-way or other City land not authorized by this section is prohibited.
5. This Charter Ordinance, Sec. 10.33(10)(c), shall not apply to State Trunk Highways as defined in Wis. Stat. § 84.02.
6. Sec. 10.33(10)(c) is a Charter Ordinance adopted pursuant to Wis. Stat. § 66.0101, and Article XI, Sec. 3 of the Wisconsin Constitution and shall be effective upon sixty (60) days from passage and publication, subject to the referendum procedures of Wis. Stat. § 66.0101(5)."

3. New Subsection (3) entitled "Bicycle-Sharing Facilities" of Section 8.15 entitled "Regulation of Private Use of Greenways, Park Lands, and the Southwest Bike Path" of the Madison General Ordinances is created to read as follows:

"(3) Bicycle-Sharing Facilities. It shall not be a violation of this ordinance for bicycle-sharing facilities that are part of a City-sponsored bicycle-sharing program, as those terms are defined in Sec. 10.33, MGO, to be placed on City-owned or leased greenways and park lands or the Southwest Bike Path, provided that the owner of the facility has a valid bicycle-sharing facility privilege under Sec. 10.33 for the location and the Board of Parks Commissioners and/or the City Engineer, or their designees, as the case may be, approve the actual location of the bicycle-sharing facilities that will be located on City-owned or leased greenways and park lands or the Southwest Bike Path."

4. Current Subsections (3) through (5) of Section 8.15 entitled "Regulation of Private Use of Greenways, Park Lands, and the Southwest Bike Path" of the Madison General Ordinances are renumbered to Subsections (4) through (6), respectively.

5. Subdivision (c) entitled "Public Right-of-Ways" of Subsection (3) entitled "Hazardous or Prohibited Signs, Structures and Conditions" of Section 31.045 entitled "Unsafe and Unlawful Signs and Structures" of the Madison General Ordinances is amended by creating a new **Charter Ordinance** Paragraph 3, to read as follows:

"(c) Public Right-of-Ways.

1. No sign, advertisement, cabinet or obstruction, or any other object shall be placed upon, over, or in any public highway right-of-way, including the sidewalk, street, alley or public ground, or upon posts, trees or other supports in any public street or public ground, except that this section shall not be construed to prohibit the erection or placing of official traffic control devices, signs, signals or markers or other signs authorized by law or this ordinance, or of any other object specifically authorized by law of the State of Wisconsin or by these ordinances. This section shall not prohibit carrying of portable hand-held signs on the sidewalk or other pedestrian ways, when done so in compliance with Sec. 31.046(2)(b).
2. This subsection does not apply to those matters set forth in Sec. 3.14(4)(i), MGO. This is a Charter Ordinance adopted pursuant to Wis. Stat. § 66.0101, and Article XI, Sec. 3 of the Wisconsin Constitution.
3. This subsection does not apply to signs on City-sponsored bicycle-sharing facilities set forth in Sec. 10.33, MGO. This is a Charter Ordinance adopted pursuant to Wis. Stat. § 66.0101, and Article XI, Sec. 3 of the Wisconsin Constitution, and shall be effective upon sixty (60) days from passage and publication, subject to the referendum procedures of Wis. Stat. § 66.0101(5)."

6. Subsection (2) entitled "Definitions" of Section 31.03 entitled "Rules and Definitions" of the Madison General Ordinances is amended by amending therein the following:

Advertising Sign. A sign containing a commercial or noncommercial message directing attention to a business, commodity, service, political candidate or cause, public service, social

cause, charity, community affair or entertainment, not related to the premises at which the sign is located, or directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises where the sign is located. Advertising appearing on public transportation vehicles, ~~and signs authorized on Madison Transit Utility bus shelters under Sec. 3.14(4)(i), and signs on City-sponsored bicycle-sharing facilities and the bicycles provided as part of a city-sponsored bicycle sharing program located in the right-of-way or on other City lands in compliance with Sec. 10.33 are not advertising signs as defined herein and are not regulated by this ordinance.~~

7. New Paragraph 6. of Subdivision (a) entitled "Initial Sign Permit" of Subsection (3) entitled "Permit and Application Fees" of Section 31.041 entitled "Sign Permits and Fees" of the Madison General Ordinances is created to read as follows:

"6. Bicycle-sharing facility signs on private property under Sec. 31.046(4): \$100 for all permitted signs per facility."

8. Current Paragraph 6. of Subdivision (a) entitled "Initial Sign Permit" of Subsection (3) entitled "Permit and Application Fees" of Section 31.041 entitled "Sign Permits and Fees" of the Madison General Ordinances is hereby renumbered to Paragraph 7.

9. Subdivision (c) of Subsection (1) entitled "Signs Exempt from Permit" of Section 31.044 entitled "Signs Exempt from Permit" of the Madison General Ordinances is amended to read as follows:

"(c) 1. City Signs on City Property erected by Parks Division, Traffic Engineering Division, or the

~~Community and Economic Development Unit of the Department of Planning and Community and Economic Development on City-owned lands, park property or City-owned and occupied buildings.~~

Maximum Gross Area: Twenty-four (24) square feet.

Maximum Height: Minimum of two (2) feet and maximum of ten (10) feet above the curb.

Illumination: Yes.

Temporary: Yes.

2. Signs on City-Sponsored Bicycle-Sharing Facilities on City-Owned Lands. Signs on City-sponsored bicycle-sharing facility equipment located on other City land, as defined in Sec. 10.33, MGO are subject to the requirements of Sec. 10.33(10), MGO and not regulated herein."

10. Subsection (4) entitled "Bicycle-Sharing Facility Signs" of Section 31.046 entitled "Miscellaneous Signs" of the Madison General Ordinances is created to read as follows:

"(4) Bicycle-Sharing Facility Signs.

(a) The following signs may be displayed on a non-City owned zoning lot in any zoning district where a City-sponsored bicycle-sharing facility (as defined in Sec. 10.33) is permitted under Chapter 28, in addition to the signage permitted elsewhere in this ordinance:

1. Poster Board Sign. One (1) sign, permanently attached to the bicycle-sharing facility equipment, with not more than two (2) signs faces of not more than five feet and one inch (5'1") square feet in area per sign face. One side of the sign shall include a map and other information about the City-sponsored bicycle-sharing program, and may also include the logo and/or business name of a business or businesses located on the zoning lot where the facility is located, the name or logo of the operator or manufacturer of the bicycle-sharing facility, and a City of Madison logo. The other side of the sign may display a business sign for one or more businesses located on the zoning lot where the facility is located. Such sign shall not be illuminated.

2. One (1) additional sign located elsewhere on the bicycle-sharing facility equipment, of not more than one (1) square foot in net area, bearing only the logo and/or business name of a business located on the zoning lot. Such sign shall not be illuminated.
 3. Operator Logos: In addition to the logos on the poster board sign under sub. (a)1. above, the following signs bearing only name and logo(s) of the owner, managing agent, or manufacturer of the bicycle-sharing facility or other symbol to identify the equipment as a bicycle sharing facility may be displayed on the facility equipment:
 - a. One 2-sided round sign of not more than two (2) square feet in area, per side, and
 - b. up to two (2) additional signs of not more than one half (1/2) of a square foot mounted on the equipment.

The operator logo signs under this subsection 3. are solely to identify the equipment as a City-sponsored bicycle-sharing facility and shall not include any business signs or sponsorship advertising.
 4. One sign of not more than twenty (20) square inches, mounted upon the payment equipment, to identify credit cards accepted for payment.
 5. One (1) sign of not more than one hundred five (105) square inches denoting the location name of the bicycle sharing station.
 6. Signs on Bicycles provided as part of the City-sponsored bicycle-sharing program as described in Sec. 10.33(10)(c)3.g.
 7. One Instructional panel with information for operating the bicycle sharing facility mounted elsewhere on the equipment, that may include a twelve square inch sign bearing the logo or business name only of the owner, managing agent, or manufacturer of the bicycle-sharing facility, and no other logos, business names or sponsorship signs of any kind.
- (b) Permit Fees. There shall be one permit fee covering all signs displayed on a City-sponsored bicycle sharing facility, as established in Sec. 31.041.
- (c) Nothing in this section shall be construed to permit or allow the display of any advertising sign or off-premise directional sign on a bicycle-sharing facility on non-city owned zoning lots or private property. Any sign on a bicycle-sharing facility on non-city owned zoning lots or private property other than those expressly allowed under this subsection is prohibited."