

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

October 5, 2010
UDC _____

Repealing Sec. 31.041(1)(c) to eliminate the requirement of using permit tags on signs, amending Sec. 31.041(2) to correct an error and amending Sec. 31.046(2)(a) of the Madison General Ordinances to allow the display of portable signs on nonresidential uses on private property in all zoning districts and clarifying the criteria for such portable signs.

Drafted by: Lara Mainella

Date: September 28, 2010

SPONSOR: Alder Pham-Remmele

DRAFTER'S ANALYSIS: Currently, 2 x 3 foot portable signs can be displayed on private property in Commercial and the M1 districts. This ordinance amendment would allow such signs to be displayed on private property in other zoning districts (such as residential districts) but only on zoning lots that contain an established nonresidential use. For example, this amendment would allow a church located in a residential district to display portable signs meeting the criteria of Sec. 31.046(2)(a). This ordinance also clarifies that portable signs can only be displayed on the property in question, not neighboring property or rights-of-way, and cannot be displayed in a required vision clearance triangle. Finally, the ordinance eliminates the requirement of issuing metal permit tags for signs, because sign permits are now tracked by computer, and corrects a typographical error.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (c) entitled "Permit Identification Tag" of Subsection (1) entitled "Permit Required" of Section 31.041 entitled "Sign Permits and Fees" of the Madison General Ordinances is hereby repealed.

2. Subsection (2) entitled "Application for Sign Permit" of Section 31.041 entitled "Sign Permits and Fees" of the Madison General Ordinances is amended to read as follows:

"(2) Application for Sign Permit.

Applications for permits shall be filed on application forms provided by the Zoning Administrator. A photograph of the property, a plot plan, and construction and installation plans, including specifications and engineering data, shall accompany the application. When all of the provisions of this ordinance or other ordinances relating to such sign shall have been complied with and when the applicant has paid the required fee for every such application, the permit may be granted. ~~The~~ Zoning Administrator shall determine, consistent with the provisions of this ordinance, the form and contents of all applications for permits herein required. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected, or the applicant must make a sworn statement that the applicant is

Approved as to form:

authorized by the owner, lessee or other authorized occupant of the premises to erect the proposed sign(s).”

3. Subsection (2) entitled “Portable Signs” of Section 31.046 entitled “Miscellaneous Signs” of the Madison General Ordinances is amended to read as follows:

“(2) Portable Signs.

(a) Display on Private Property.

Hand-carried portable signs may be displayed on a zoning lot in any zoning district, with the owner's permission and without a permit. Other Portable signs may be displayed ~~on a zoning lot in the Commercial and M1 districts,~~ in any zoning district, on a zoning lot where a nonresidential use is established and the zoning lot does not contain a principle detached residential building, with a permit and subject to the following:

1. Size. The maximum area of the portable signs including all supporting structures, shall be no greater than two (2) feet by three (3) feet on a side, with a maximum of two (2) signable sides or faces. Sign copy shall not be displayed on more than two (2) sides or faces and shall not extend beyond the outer edges of the sign structure.
2. Number. A maximum of one portable sign (1) per street frontage and two (2) per zoning lot may be displayed.
3. The portable sign shall only be displayed when the business or organization to which the sign refers is open for business.
4. A portable sign shall be free-standing, self-supportive and constructed of substantial materials so as to withstand moderate wind velocity as required by Sec. 31.04(5)(f), and otherwise not create a hazard.
5. No portable sign shall be displayed within an entryway or exit that is required to remain unobstructed by any applicable ordinance, state or federal law, or within a vision clearance area required to be maintained under Chapter 28 or Chapter 10.
6. Illumination. Portable signs shall not be illuminated.
7. Any portable sign may only be displayed on the zoning lot in question, not neighboring properties or any portion of the right-of-way.”

EDITOR’S NOTE:

Sec. 31.041(1)(c) currently reads as follows:

- “(c) Permit Identification Tag. When the permit for any type of sign is issued, a metal tag shall accompany such permit. This tag shall be affixed to the sign at the time of erection, in a place visible for inspection, as proof of issuance of the permit.