



Legislation Details (With Text)

File #: 46509 **Version:** 1 **Name:** Allowing portable signs on public sidewalks
Type: Ordinance **Status:** Passed
File created: 3/10/2017 **In control:** COMMON COUNCIL
On agenda: 9/5/2017 **Final action:** 9/5/2017
Enactment date: 9/14/2017 **Enactment #:** ORD-17-00094

Title: Amending Section 31.046(2) of the Madison General Ordinances to allow portable signs on public sidewalks and modify the allowable size of portable signs.

Sponsors: Marsha A. Rummel, Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. OrdinanceReport062817.pdf

Date	Ver.	Action By	Action	Result
9/5/2017	1	COMMON COUNCIL	Adopt	Pass
8/1/2017	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
6/28/2017	1	URBAN DESIGN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/7/2017	1	URBAN DESIGN COMMISSION	Refer	Pass
5/25/2017	1	DISABILITY RIGHTS COMMISSION	Return to Lead with the Recommendation for Approval	
5/24/2017	1	URBAN DESIGN COMMISSION	Refer	Pass
4/27/2017	1	DISABILITY RIGHTS COMMISSION	Table	
4/25/2017	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)	Return to Lead with the Following Recommendation(s)	Pass
4/19/2017	1	URBAN DESIGN COMMISSION	Refer	
4/18/2017	1	COMMON COUNCIL	Refer	Pass
3/21/2017	1	COMMON COUNCIL	Refer	Pass
3/10/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

The proposed ordinance has no fiscal impact.

Title

Amending Section 31.046(2) of the Madison General Ordinances to allow portable signs on public sidewalks and modify the allowable size of portable signs.

Body

DRAFTER'S ANALYSIS: This ordinance amendment is a companion to Legistar File # 46508, a Charter Ordinance to allow portable signs (sandwich boards) on public sidewalks. This ordinance makes the size requirements for portable signs on private property the same as those for the new portable signs on public property in the pending Charter ordinance. Under this ordinance, private property portable signs would have a maximum gross area of 30 inches wide and 48 inches high, to incorporate the maximum sign face of 2 x 3

feet. All elements of the sign including the supporting frame/structure shall fit within the maximum gross area of 30 x 48 inches. This ordinance also makes some housekeeping changes to the existing section for private property portable signs.

Legistar File # 46508 (the Charter Ordinance) and this ordinance should be considered and acted upon together.

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

1. 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 Group 2 and 3 districts 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. Maximum gross area of a portable sign on private property shall be thirty (30) inches wide by forty-eight (48) inches high. This is intended to incorporate a two by three (2 by 3) foot sign face on each side plus all supporting structures. All elements of the sign, including supporting structure or frame must fit within this maximum gross area. The maximum net area of the sign face shall be 2 by 3 feet per side with a maximum of two (2) signable sides or faces. The maximum height when measured vertically from the adjacent grade surface shall not exceed 48 inches. 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.
6. Illumination. Portable signs shall not be illuminated.
7. A mobile grocery store, as defined in Sec. 28.211, parked on private property in compliance with Chapter 28, if meeting the criteria for a portable sign, is exempt from the permit fee for a portable sign and from sub. 1. above, and shall not be counted for purposes of the maximum number on a zoning lot under sub. 2. above. Additionally, when such a mobile grocery store is open for business on a zoning lot, up to (1) additional portable sign per street frontage may be displayed on the lot to draw attention to the mobile grocery store, if the signs meet all criteria of this section and a permit fee is paid and permit obtained for the sign.

(b) Display Portable Signs on Public Property During an Event. Portable signs may be displayed in the right of way or on public property only as follows, and may be displayed without a sign permit during the following types of events, as follows:

1. Portable signs used in a parade for which a permit has been issued under Sec. 12.87 (11).
2. Portable signs displayed during and within the confines of an event for which a valid street use permit has been issued under Sec. 10.056, or displayed on private property

- directly adjacent to the area for which the street use permit has been issued and only while the street use permit is valid.
3. Portable signs used at a city park during and within the confines of an event for which a valid permit has been issued by the Parks Division of the City of Madison and only while the permit is valid.
 4. ~~Hand-carried portable signs on private property with the owner's permission or hand-carried signs on the public sidewalk or other pedestrian way, if the person carrying the sign or the sign itself is not in violation of other ordinances or laws applicable to the location and conduct, including but not limited to obstructing traffic, obstructing the sidewalk, trespassing, or conducting or participating in an event for which a parade permit, street use permit or park use special event permit would be required by city ordinance, but without such a required permit. Portable hand-carried signs shall be prohibited on certain bridges and overpasses as stated in Sec. 31.045(3)(j) and this exception shall not apply. Nothing in this exception shall be construed to limit the application of Secs. 31.045(3)(b) and (c) of this ordinance, Wis. Stat. ch. 86 and any regulations created by the Department of Transportation, or any other federal, state or local law that prohibits or restricts signs in highways or other right-of-ways, except as expressly stated herein.~~
- (c) ~~All other portable signs shall be prohibited. [New (c) is Charter Ordinance Legistar # ____]~~
- (d) Hand-carried portable signs on private property with the owner's permission or hand-carried signs on the public sidewalk or other pedestrian way, if the person carrying the sign or the sign itself is not in violation of other ordinances or laws applicable to the location and conduct, including but not limited to obstructing traffic, obstructing the sidewalk, trespassing, or conducting or participating in an event for which a parade permit, street use permit or park use special event permit would be required by city ordinance, but without such a required permit. Portable hand-carried signs shall be prohibited on certain bridges and overpasses as stated in Sec. 31.045(3)(j) and this exception shall not apply. Nothing in this exception shall be construed to limit the application of Secs. 31.045(3)(b) and (c) of this ordinance, Wis. Stat. ch. 86 and any regulations created by the Department of Transportation, or any other federal, state or local law that prohibits or restricts signs in highways or other right-of-ways, except as expressly stated herein.
- (e) All other portable signs shall be prohibited."