



Legislation Text

File #: 49583, Version: 1

Fiscal Note

No appropriation required. Future revenues will be affected by the repeal of certain sign permit fees. The fiscal effect is anticipated to be minimal (less than \$1,000 per year).

Title

Amending Sections 31.03(2), 31.044(1)(e), 31.046(3)(c)3., 31.046(4)(a), 31.101(2)(b), 31.12(2)(g), 31.14(3)(c), 31.15(2) and 31.15(3), repealing Section 31.044(1)(f) and creating Section 31.14(2)(g) of the Madison General Ordinances (Sign Control Ordinance) to update or delete various definitions, clarify applicability with respect to commercial and noncommercial messages, and refine the number of signs allowed during an election campaign period.

Body

DRAFTER'S ANALYSIS: This ordinance makes a number of clarifications to the sign ordinance. This ordinance amends the definitions of several sign types to clarify that those signs only deal with commercial messages. The definitions of commercial and noncommercial messages are deleted because these concepts are defined by caselaw. The definition for neighborhood and subdivision identification signs are being repealed as is the process for approving them. The definition of scoreboard is revised to eliminate references to the content of messages on a scoreboard. The definition of advertising sign is revised to remove any reference to noncommercial messages and to remove an outdated reference to the bus shelter sign program, which no longer exists. The rules for political signs are revised so that during an election campaign period (defined by state law as the time from the first day that nomination papers may be circulated through the day of the election) a person may display a number of additional signs equal to the number of candidates or causes in that election; without regard to what the sign says. The definition of political sign is deleted. The exception for temporary holiday decorations is deleted from the list of exempt signs, as such decorations are likely not a sign, and the exception for temporary inflatable decorations is revised to make it clear such displays are not only for holidays. The definition of promotional banners is expanded to include any noncommercial message. The section establishing signage for the bicycle sharing program is amended to clarify such signs only relate to commercial messages. The section on manual changeable copy signs is updated to remove references to outdated sign types and clarify that such signs may be displayed wherever an identification sign is allowed, or on a variety of sign types in Group 2 and 3 districts, as well as non-residential uses in Districts of Special Control. The section allowing messages on windows in the Central District is clarified so that any noncommercial event, activity or cause may be announced on such signs. This ordinance also clarifies that any sign allowed in Group 1 under Sec. 31.14 may contain a noncommercial message in addition to or in lieu of any other message. Some of these changes are prompted by a growing number of court decisions defining needed changes in municipal sign ordinances after the United States Supreme Court ruling in *Reed v. Gilbert*, 135 S. Ct. 2218 (2015).

The Common Council of the City of Madison do hereby ordain as follows:
Please see "Body" in attachments.