

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

**TABLE OF CONTENTS**

<b>20.01 Title .....</b>	<b>1</b>
<b>20.02 Purpose .....</b>	<b>1</b>
<b>20.03 Applicability.....</b>	<b>1</b>
<b>20.04 Definitions .....</b>	<b>1</b>
<b>20.05 Permit Required .....</b>	<b>3</b>
<b>20.06 Permit Requirement Exceptions .....</b>	<b>3</b>
<b>20.07 Prohibited Signs.....</b>	<b>4</b>
<b>20.08 Signs Permitted in R Residential District With a Sign Permit.....</b>	<b>4</b>
<b>20.09 Signs Permitted in TRD Transitional Residential District With a Sign Permit .....</b>	<b>5</b>
<b>20.10 Signs Permitted in TNDO Traditional Neighborhood Design Overlay District With a Sign Permit.....</b>	<b>5</b>
<b>20.11 Signs Permitted in RD Rural District With a Sign Permit .....</b>	<b>5</b>
<b>20.12 Signs Permitted in A-1 Farmland Preservation District With a Sign Permit .....</b>	<b>6</b>
<b>20.13 Signs Permitted in A-2 General Agricultural District With a Sign Permit.....</b>	<b>6</b>
<b>20.14 Signs Permitted in C Commercial District With a Sign Permit.....</b>	<b>6</b>
<b>20.15 Signs Permitted in I Industrial District With a Sign Permit.....</b>	<b>7</b>
<b>20.16 Application for Permit.....</b>	<b>7</b>
<b>20.17 Sign Permit Fee .....</b>	<b>7</b>
<b>20.18 Permit Decision .....</b>	<b>7</b>
<b>20.19 Indemnification .....</b>	<b>8</b>
<b>20.20 Nonconforming Signs.....</b>	<b>8</b>
<b>20.21 Construction, Maintenance, and Repair of Signs .....</b>	<b>9</b>

<b>20.22 Variances</b> .....	<b>9</b>
<b>20.23 Enforcement</b> .....	<b>10</b>
<b>20.24 Effective Date</b> .....	<b>10</b>

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

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TOWN OF ELDORADO**

The Town Board of the Town of Eldorado, Fond du Lac County, Wisconsin does ordain as follows:

**20.01 Title.** This Chapter shall be known and referred to as "Sign Regulations, Town of Eldorado, Fond du Lac County, Wisconsin."

**20.02 Purpose.** The purpose of this Chapter is to regulate, administer, and enforce outdoor sign advertising and displays visible from public rights-of-way within the Town of Eldorado, other than those signs visible from the main-traveled way of an interstate or federal-aid highway that are regulated by Wis. Stat. § 84.30(3)(e). This Chapter recognizes the need to protect the safety, welfare, and aesthetics of the public and the community, the need for well-maintained and reasonably attractive sign displays within the community, and the need for adequate business identification, advertising, and communication. The intent of this Chapter is to permit the erection and use of signs visible from public rights-of-ways, provided the signs are in conformity with this Chapter, designed, constructed, installed, and maintained in such a manner that they do not endanger public safety or traffic safety and are legible, readable and visible in the circumstances in which they are used, and respectful of the reasonable rights of other advertisers whose messages are displayed.

**20.03 Applicability.** This Chapter applies to all outdoor sign advertising and displays visible from public rights-of-way within the Town of Eldorado, other than those that are visible from the main-traveled way of an interstate or federal highway and are governed by Wis. Stat. § 84.30(3)(e).

**20.04 Definitions.** The following definitions shall apply to this Chapter:

- (1) Abandoned Sign - A sign whose use is discontinued for a period of 12 months or longer, is composed of obsolete advertising matter, is without advertising, or is in need of substantial repair.
- (2) Atypical Sign - Signs such as banners, pennants, streamers, inflatables, and sandwich boards that are intended to be non-permanent and are easily movable.
- (3) Awning Sign - Any lettering or imagery sewn or printed on the fabric portion of an awning.
- (4) Business Directional Sign - An off-premises sign that gives directions to a specific business or establishment.
- (5) Bulletin Board - A sign with the name of the institution it serves and information pertaining to its activities.
- (6) Canopy Sign - A sign attached to or supported by a canopy.

- (7) Construction Trade/Service Trade Sign - A temporary sign identifying individuals or companies involved in servicing, design, construction, wrecking, financing, or development of a building or lot.
- (8) Electric Sign - A sign, other than a Flashing Sign, containing internal electrical wiring that is attached to, or intended to be attached to, an electrical energy source.
- (9) Flashing Sign - A sign whose illumination is not kept constant in intensity at all times when in use and/or that exhibits changes in light, color, direction, animation, or text. Illuminated signs that indicate only the date, time, and temperature are not considered Flashing Signs.
- (10) Freestanding Sign - A sign that is attached to or is part of a completely self-supported structure other than a building.
- (11) Garage Sale Sign - A sign advertising the location of a temporary residential garage sale.
- (12) Government Sign - A sign posted by a governmental entity.
- (13) Identification Sign - A sign indicating the name and/or address of the resident, tenant, or manager of the property located upon the residential premises where the sign is displayed.
- (14) Interior Sign - A sign located in the interior of a building or structure.
- (15) Mailbox Sign - A sign, other than an Identification Sign, affixed to a mailbox.
- (16) Memorial Sign - The name of a building and date of erection cut into any masonry surface or constructed in metal and affixed flat against a structure.
- (17) Mobile Sign - A sign mounted on a frame or chassis designed to be easily relocated, including trailers whose principal use is for signage.
- (18) Monument Sign - A permanent sign the entire bottom of which is affixed to the ground.
- (19) Obscene Sign - A sign that bears or contains statements of pictures of obscene, pornographic, lewd, or profane subjects.
- (20) Off-Premise Sign - A sign advertising an establishment not located on the property on which the sign is located.
- (21) Political or Campaign Sign - A sign supporting or opposing a political candidate or campaign placed during the "election campaign" period as defined in Wis.

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

Stat. § 12.04 and removed within seven days after that period.

- (22) Projecting Sign - A sign that is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (23) Real Estate Sign - A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.
- (24) Roof Sign - A sign erected on the roof of a building.
- (25) Subdivision Sign - A sign located at an entrance to a particular development that only includes the name of the development.
- (26) Temporary Sign - A sign not used for longer than sixty days.
- (27) Traffic Look-Alike Sign - A sign that uses any word, phrase, symbol, shape, form, or character in such manner and location as to interfere with moving traffic, including signs that incorporate typical street-type and/or traffic control-type signage, designs, or colors.
- (28) Wall Sign - A sign affixed to or painted directly on the exterior wall of a building with the face in a parallel plane to the plane of the building wall.
- (29) Window Sign - A sign attached to, placed upon, or painted on the interior of a window or door of a building that is intended for viewing from the exterior of the building.

**20.05 Permit Required.** Except as otherwise provided in Sections 20.06 and 20.07 of this Chapter, no person may erect, construct, enlarge, or structurally modify a sign in an area subject to this Chapter without first obtaining a Sign Permit for each sign from the Town Board. Sign Permits are not required for a change in copy on a sign, nor for the repainting, cleaning, or other normal maintenance and repair of the sign or sign structure.

**20.06 Permit Requirement Exceptions.** The following signs are allowed without a Sign Permit:

- (1) Atypical Signs.
- (2) Construction Trade/Service Trade Sign.
- (3) Garage Sale Signs not exceeding nine square feet in area, provided that such signs are present only on the day(s) the sale occurs.
- (4) Government Signs.

- (5) Identification Signs not exceeding nine square feet in area.
- (6) Interior Signs.
- (7) Political or Campaign Signs, provided that such signs may not exceed thirty-two square feet in area in non-residential zoning districts and nine square feet in residential zoning districts.
- (8) Real Estate Signs, provided that (a) such signs are located entirely within the property to which the sign applies, (b) such signs are on site only for the period required to sell or lease the property, and (c) provided that such signs may not exceed nine square feet in area.
- (9) Temporary Signs, provided that such signs may not exceed nine square feet in area.

**20.07 Prohibited Signs.** The following signs are prohibited in the areas of the Town of Eldorado subject to this Chapter:

- (1) Abandoned Signs.
- (2) Bulletin Boards.
- (3) Mailbox Signs.
- (4) Mobile Signs.
- (5) Obscene Signs.
- (6) Signs attached to natural objects other than "no trespassing" signs.
- (7) Signs within vision triangles. For purposes of this provision, "vision triangle" refers to the area determined by measuring 80 feet along the centerlines of the closest adjacent road surfaces from the point of intersection of the roads and connecting those points with a line, thus defining a triangular area including right-of-way and property adjacent thereto.
- (8) Traffic Look-Alike Signs.

**20.08 Signs Permitted in R Residential District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Subdivision Signs, Window Signs.
- (2) Area. No sign may exceed nine square feet in area.

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

- (3) Height. No sign may exceed eight feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.09 Signs Permitted in TRD Transitional Residential District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit. Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Subdivision Signs, Window Signs.
- (2) Area. No sign may exceed nine square feet in area.
- (3) Height. No sign may exceed eight feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.10 Signs Permitted in TNDO Traditional Neighborhood Design Overlay District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Business Directional Signs, Canopy Signs, Electric Signs, Flashing Signs, Freestanding Signs, Memorial Signs, Monument Signs, Off-Premises Signs, Projecting Signs, Roof Signs, Wall Signs, Window Signs.
- (2) Area. No sign may exceed thirty-two square feet in area.
- (3) Height. No sign may exceed twenty feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.11 Signs Permitted in RD Rural District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Canopy Signs, Freestanding Signs, Memorial Signs, Monument Signs, Window Signs.
- (2) Area. No sign may exceed sixteen square feet in area.
- (3) Height. No sign may exceed twenty feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no



case may any part of the sign project beyond the right-of-way line.

**20.12 Signs Permitted in A-1 Farmland Preservation District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Business Directional Signs, Canopy Signs, Freestanding Signs, Memorial Signs, Monument Signs, Window Signs.
- (2) Area. No sign may exceed thirty-two square feet in area.
- (3) Height. No sign may exceed twenty feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.13 Signs Permitted in A-2 General Agricultural District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Business Directional Signs, Canopy Signs, Freestanding Signs, Memorial Signs, Monument Signs, Window Signs.
- (2) Area. No sign may exceed thirty-two square feet in area.
- (3) Height. No sign may exceed twenty feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.14 Signs Permitted in C Commercial District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Business Directional Signs, Canopy Signs, Electric Signs, Flashing Signs, Freestanding Signs, Memorial Signs, Monument Signs, Off-Premises Signs, Projecting Signs, Roof Signs, Wall Signs, Window Signs.
- (2) Area. Each lot is limited to 400 square feet of gross signage with no individual sign exceeding 300 square feet.
- (3) Height. No sign may exceed 30 feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

**20.15 Signs Permitted in I Industrial District With a Sign Permit.**

- (1) Signs Allowed by Sign Permit: Sign types identified in Section 20.06 of this Chapter not meeting the standards set forth in that Section, Awning Signs, Business Directional Signs, Canopy Signs, Electric Signs, Flashing Signs, Freestanding Signs, Memorial Signs, Monument Signs, Off-Premises Signs, Projecting Signs, Roof Signs, Wall Signs, Window Signs.
- (2) Area. Each lot is limited to 400 square feet of gross signage with no individual sign exceeding 300 square feet.
- (3) Height. No sign may exceed 30 feet in height.
- (4) Setback. A sign may be set up to and parallel with the right-of-way line, but in no case may any part of the sign project beyond the right-of-way line.

**20.16 Application for Permit.** An application for a Sign Permit shall be filed with the Town Clerk and shall contain the following information:

- (1) The name, address, and telephone number of the applicant.
- (2) Scale drawings with descriptions and dimensions of the proposed sign, the construction, size, dimensions, and kind of materials to be used to construct the sign and the sign structure, and the location and position of the sign in relation to nearby buildings and other structures.
- (3) A description of any buildings on the premises upon which the sign is to be erected.
- (4) Any other information that the Town may require.
- (5) The applicant's signature.
- (6) A check for all required fees.

**20.17 Sign Permit Fee.** The fee for a Sign Permit shall be in an amount established by the Town Board by resolution in the Town of Eldorado Fee Schedule.

**20.18 Permit Decision.** The Town Board shall act on an application for a Sign Permit within 45 days of its submittal. The Town Board may approve, conditionally approve, or deny an application for a Sign Permit.

If a Sign Permit is denied, written notice of the denial shall be provided to the applicant. An applicant may appeal an adverse decision on the applicant's sign permit application

by filing an appeal with the Town's Zoning Board of Appeals within 20 days after receiving written notice of the adverse ruling. The Zoning Board of Appeals shall take action on the appeal within 60 days after receiving the appeal application.

Sign Permit applications for Flashing Signs, where allowed by this Chapter, may not be approved unless the Town Board finds that the following additional conditions are met:

- (1) The sign will not unreasonably interfere with adjacent or nearby properties and adjacent or nearby road rights-of-way.
- (2) The sign's illumination, including the type and intensity of illumination, does not exceed that necessary to reasonably display the sign's message.
- (3) The sign does not interfere with any traffic control devices.

The Town Board may, through the Sign Permit, make any terms of this Chapter more restrictive if necessary for the approval of a Sign Permit for a Flashing Sign. The Town Board may deny a Sign Permit for a Flashing Sign that otherwise complies with this Chapter if it finds that the conditions above are not met.

**20.19 Indemnification.** By accepting a Sign Permit, all persons engaged in the construction, installation, or maintenance of a sign, including the applicant, shall indemnify, defend, and hold harmless the Town, its officers, agents and employees from and against any and all third party claims arising out of the installation or maintenance of the sign, or otherwise related to the sign.

**20.20 Non-conforming Signs.** Any sign located in the Town of Eldorado as of the date of adoption or amendment of this Chapter that does not conform to the provisions of this Chapter as adopted or amended is a legal, non-conforming sign if the sign was legally constructed prior to the date of adoption or amendment of this Chapter. A sign loses its legal, non-conforming status if one of the following occurs:

- (1) The sign is structurally altered in any way (other than normal maintenance and repair) that makes the sign less compliant with the requirements of this Chapter than it was before the alteration.
- (2) The sign is relocated.
- (3) The sign is abandoned.
- (4) The sign fails to conform to the requirements of Section 20.21 of this Chapter.

A non-conforming sign can be reconstructed to its former state if it is destroyed by wind, vandalism, fire, ice, or flood.

**CHAPTER 20  
SIGN REGULATIONS  
TOWN OF ELDORADO**

**20.21 Construction, Maintenance, and Repair of Signs.**

- (1) All signs shall be constructed to withstand a 30 pound per square foot wind load.
- (2) No sign may be suspended by chains or other devices in a manner that allows the sign to swing due to wind action. Signs must be anchored to prevent lateral movement.
- (3) Every sign shall be maintained in a safe, presentable and structurally sound condition at all times. This includes restoring, repainting, or replacing a worn or damaged sign to its original condition. This also includes maintaining the premises on which the sign is erected in a clean and sanitary condition, free and clear of noxious substances.
- (4) In addition to complying with the provision of this Chapter, all signs in which electrical wiring or connections are used shall be subject to all applicable provisions of State code. No person may erect any sign with exposed electrical cords or wires.
- (5) The use of unshielded lighting, including exposed incandescent light bulbs hung or strung on poles, wires, or any other type of support intended to illuminate a sign is prohibited.
- (6) All sign lighting shall be designed, located, shielded, or hooded so as to prevent the casting of glare or direct light upon adjacent roadways, surrounding properties, or into the sky.

**20.22 Variances.** The Board of Appeals may grant such variances to the terms of this Chapter that will not be contrary to the public interest when, owing to special conditions, literal enforcement of the terms of this Chapter would result in practical difficulty or unnecessary hardship to the applicant. When deciding whether to grant a variance, the Board of Appeals shall consider the following issues:

- (1) Whether the circumstances necessitating the variance are of the applicant's making.
- (2) Whether the applicant's request mitigates unusual site conditions.
- (3) Whether the applicant's request would create a detriment to the neighborhood or reduce property value.
- (4) Whether the applicant's request is consistent with the spirit and intent of this Chapter.

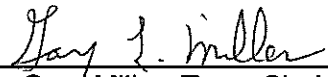
- (5) Whether the applicant would experience a hardship that prohibits the applicant from making reasonable use of its property in the absence of a variance.
- (6) Any other issues that the Board of Appeals determines are relevant.

**20.23 Enforcement.** Violations of this Chapter are also punishable by forfeitures of not less than \$100 and not more than \$500 per violation, plus costs and attorneys' fees. Each day a violation exists constitutes a separate offense. The Town may also seek equitable and injunctive relief in the event of a violation.

**20.24 Effective Date.** This Chapter shall take effect upon its adoption and publication or posting as required by law. All prior Chapters inconsistent with this Chapter are hereby repealed.

Dated this 26<sup>th</sup> day of November, 2013  
Published this 1<sup>st</sup> day of December, 2013

TOWN OF ELDORADO

By:   
Gary Miller, Town Chairperson

Attest:   
Lori Linger, Town Clerk