ORDINANCE #2607-20 OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Legislative and Licensing
Committee Date: May 19, 2020
Committee Recommendation: Approve - unanimous

Public Hearing: n/a
Council Date: June 16, 2020
Council Action: Adopted 14-0

Repeal and recreate Chapter 15.16 Sign Code

The Common Council of the City of Brookfield do ordain as follows:

PART I. Chapter 15.16, entitled “Sign Code” is hereby repealed and recreated to read as follows in Exhibit A, which is attached hereto and incorporate as if fully set forth herein.

PART II. Chapter 5.20 “Garage Sales”, Section 5.20.030 “Signs” is repealed and recreated to read as follows:

As authorized in §15.16.170.F.

PART III. Section 12.08.020 “Obstructions and encroachments” is amended by adding the following at the end of subsection B.1.:

, but only after entering into an agreement indemnifying the City and the City authorizes the encroachment. Projecting signs are limited to the Village Area Business and Planned Development District #2 zoning districts.

PART IV. Section 15.16.465 “Menu Boards” is created to read as follows:

Any construction that involves a drive-thru window with a menu board must show the menu board in the plans submitted for approval. Menu boards shall be constructed with the same materials and colors as the building. Free standing menu boards must be a monument sign, as that term is defined in §15.16.040, and no taller than 8 feet.

PART V. Section 15.16.100 “Building Address” is repealed.

PART VI. Section 17.112.050, “Building address numbers” is repealed and recreated as Section 15.04.295 as follows:

15.04.295 Building address numbers.

A. General Requirements.

1. Each parcel, residence, or principal building shall be issued a permanent address number by the city.
2. No address number other than the one assigned by the city may be used for the parcel, residence, or principal building.

3. The owner or occupant of any building in the city, upon written notice that he is using the wrong address number, shall, within thirty (30) days of the receipt of notice, discontinue use of such wrong address number.

4. Address numbers must be placed in a conspicuous location on the building or incorporated into a sign, visible from the street to ensure location by police, fire, and other emergency service providers. Number height shall be proportional, based on building or sign size and location, but no less than 6 inches. The location and size of the numbers must be approved by the Zoning and Building Administrator or designee. If address numbers are located on a sign, they shall be placed horizontally.

B. Responsibilities of the City Engineer.

1. The city engineer shall mathematically compute a permanent address number for each house and building located on any street or highway in the city. These computations shall be based on the Master Address Numbering Coordinate Grid on file in the office of the city engineer.

2. The city engineer shall maintain a permanent file containing therein all computed building address numbers.

3. Upon receipt of a final plat for a new subdivision or other development, the city engineer shall compute and assign address numbers for each buildable site on the plat and furnish a copy of the plat to the building inspector and the assessor upon which all address numbers shall be shown.

C. Responsibility of the Building Inspector. The building inspector, with issuance of a building permit for construction of a new building, shall issue the calculated and assigned address number and such number shall be mounted on the building in accordance with subsection (A) of this section before a final occupancy permit is granted.

PART II. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. If any section or portion of this ordinance shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any
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other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

PART IV. The provisions of this ordinance shall be in full force and effect from and after its passage and publication.

Adopted this 16th day of June 2020.

Approved:

Mayor Steven V. Ponto

Attested:

Deputy City Clerk Renee J. Tadych

Publication Date: June 20, 2020
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Exhibit A

I. GENERAL

15.16.010 Purpose.
The Brookfield Concept is to establish and maintain substantial open space around structures for generous light, air, convenience of access, safety from fire, and the enhancement of property values. Owners and occupants are encouraged to maintain their lawns, trees, shrubs, flowers, so as to achieve desired lot definition and privacy. To that end, it is declared that the regulation of signs within the city is necessary and in the public interest to further:

A. Protect property values within the city;
B. Preserve the beauty and the unique character of the city by aesthetically complementing the development which a sign identifies;
C. Promote a healthy and properly designed business environment;
D. Ensure that commercial retail establishments are easily identified by the traveling public;
E. Safeguard the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the city;
F. Protect against hazards to vehicular traffic movement through improper placement of signs;
G. Promote the public safety; by ensuring locations are easily identifiable for the provision of emergency services;
H. Promote the public welfare, convenience and enjoyment of travel and the free flow of traffic within the city;

15.16.020 Requirement of conformity.
No sign shall be erected, constructed, repaired, altered, located, or maintained in the city, except as provided in this chapter. Any person or entity violating any provisions of this chapter or failing to comply with any orders or regulations made hereunder shall be subject to the penalties hereof and those otherwise provided by law. Violators are subject to the penalties in Chapter 1.12 and each act of violation is subject to a forfeiture, each day being a separate violation.

15.16.030 Signs erected by governmental entities and required or authorized by law.
Nothing contained herein shall prevent the erection, construction, alteration, placement, maintenance or location of official signs, signals, devices and markings by the state, county, city or other public authorities, or the posting of notices required or authorized by law. Any sign, signal, device, or marking that is located on land owned by a political subdivision and erected,
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constructed, altered, placed or maintained by a political subdivision is exempt from the provisions of this chapter.

15.16.040 Definitions.

As used in this chapter:

“Banner” means any temporary sign made of flexible material and hung either with or without frames.

“Building front foot” means the maximum building width measured at grade on a straight line parallel to the street on which the building is addressed.

“Business front foot” means the width of the building space occupied by the particular business measured at grade parallel to the street on which the building is addressed if facing the street or along the face where the public entrance is located, if not.

“Changeable copy sign” means a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the surface of the sign and includes electronic message centers where the change is made by an electronic process.

“Face” the surface of the sign where the message is displayed.

“Fascia” means a parapet-type wall used as part of the fascia of a flat roofed building and projecting not more than six feet from the building face immediately adjacent thereto. Such a wall shall enclose at least three sides of the projecting flat roof and return to a parapet wall or the building.

“Flag” means a piece of fabric of distinctive design that is used as a symbol (as of a nation), as a signaling device, or as a decoration.

“Free-standing sign” means a sign supported by its own structure or support.

“Height” means the overall height of a sign, including the support structure where applicable, measured from the nearest adjacent road grade at the edge of the pavement to the highest point.

“Institutional” for purposes of this chapter means a school, religious organization, governmental entity, museum, public utility or post office.

“Maintenance” means replacing or repairing part of a sign made unusable by wear and tear, damage, or the reprinting of existing copy without further alteration.

“Master sign program” means a plan establishing sign sizes and locations for any multiple-tenant commercial building or multiple-building commercial property, such as, but not limited to, office parks, industrial parks, and retail centers.
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"Meaningful open space," means the area around the base of a sign necessary for aesthetics and safety.

"Monument sign" means a sign where the base is equal in width to, or larger than, the sign face.

"Multiple tenant commercial building or center" (MTCB/C) means a development in which there exists separate commercial activities in a building or buildings with necessary facilities, such as a pedestrian mall, designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a MTCB/C may, but need not, include common ownership of the real property upon which the center is located, common walls, multiple buildings, and multiple-occupant commercial use of a single structure. For the purpose of this chapter, MTCB/C shall also include separate parcels sharing common walls and facilities, but not necessarily common owners.

"Occupant front foot" means the lineal distance of the building space occupied by the particular occupant measured on a straight line parallel to the street. Where the building does not parallel a street, the front foot shall be measured along the exterior of the space occupied by the particular occupant.

"Parapet wall" means a wall extending above the plate line of the building.

"Person" means any person, firm, entity, organization, or corporation.

"Permanent sign" means any sign permanently affixed to the ground or building. For signs on vehicles, it means they will not be disturbed or removed by wind or weather, such as paint, magnets, or wraps.

"Sign" means any visual device, display, or illustration, and the structure which supports a free-standing sign, including inflatable shapes, which is used to convey a message through letters or characters that serve as visible signs of ideas, words, or symbols when the display of this device is visible beyond the boundaries of the real property upon which the display is located. Signs located completely within an enclosed building or structure and not visible or legible from the street or pedestrian way are not regulated as a sign for the purposes of this chapter, except for window signs at §15.16.130. "Sign area" means the extreme edges or, if painted on a wall or surface, the space enclosed within an outline, of all the writing or representations on the sign, excluding characters used for the property address.

"Temporary sign" means any sign not permanently attached to the ground, a surface, or building

"Wall sign" means any sign attached parallel to the face of an exterior wall of any building, including awning signs.

II. PERMITTING
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Exhibit A

15.16.050 Permit Required.

A. A sign permit is required before the erection, re-erection, construction, alteration, or placement of signs, except as otherwise provided in this chapter. Where signs are illuminated, a separate electrical permit shall be obtained as required by the electrical code (Chapter 15.08 of this code).

B. A permit is not required for the following; provided, however, that such signs may be subject to the provisions of this chapter:

1. Single-family residence: one permanent wall sign, three square feet or less in size;

2. Non-residential structure: a permanent wall sign or a free-standing sign within 10 feet of the building entrance, four square feet or less in area with letters no greater than three inches high. These signs do not count towards the maximum sign area allowed;

3. Repainting signs without changing wording, composition, or colors, and minor nonstructural repairs of signs, except that electrical repairs require an electrical permit;

4. Relocation of signs if required by the city;

5. Window signs;

6. One residential for sale or lease sign 6 square feet or less in area and 6 feet in height or less;

7. Open and closed signs less than 4 square feet in area;

8. Signs on private property authorized by state or federal law.

9. Driveway and parking lot signs as provided under §15.16140;

10. Garage sale signs;

11. Shingle sign as provided under §15.16.150;

12. Other temporary signs as provided under §15.16.170.1;


15.16.060 Permit—Application, procedure, and expiration.

A. Applications to obtain a sign permit shall be made on a form furnished by the Zoning & Building Administrator. All applications shall be signed by the owner(s) of the premises on which the sign is to be located and the lessee(s) of the premises to which the sign pertains, if any, which signatures shall indicate agreement to be bound by the terms of this chapter. No permit under
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this chapter shall be issued to any person or entity other than the owner and, if applicable, lessee of a premises.

B. Requirements of Plans.

1. One set of specifications, plans, color renderings or other pictures of signs shall be submitted with the application for each sign in excess of 4 square feet in area. Submissions shall, in a scaled drawing, show:

- sign size based on the specific type;
- the height;
- the meaningful open area;
- the method of attachment or support;
- the location of the proposed sign;
- the location of any building(s) on the premises and any other signs located or proposed to be located on the premises,
- location and pictures of signs on adjacent properties;
- any public easements on the property
- the materials to be used; and,
- the name, address and profession of the person designing plans and specifications for such sign, if applicable.

2. Sufficient data shall be submitted to show that the supporting surface or other members of an existing building to which the sign is to be attached, are in good condition and adequate to support the loads.

C. Permit Fees.

1. Applicants must tender a fee with their submission in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Total Square Footage of Sign</th>
<th>Application Fee</th>
<th>Renewal 3-Year Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 through 25 square feet</td>
<td>$50.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>26 through 50 square feet</td>
<td>$75.00</td>
<td>45.00</td>
</tr>
<tr>
<td>51 through 100 square feet</td>
<td>$100</td>
<td>45.00</td>
</tr>
<tr>
<td>101 square feet and over</td>
<td>125.00</td>
<td>45.00</td>
</tr>
<tr>
<td>Temporary signs, except for new business location banners</td>
<td>25.00</td>
<td></td>
</tr>
<tr>
<td>New master sign program</td>
<td>100.00</td>
<td></td>
</tr>
</tbody>
</table>
Total Square Footage of Sign | Application Fee | Renewal 3-Year Fee
--- | --- | ---
Amendment or exception to an existing master sign program | 50.00 | 
Variances or revocation appeal | 300.00 | 
Late renewal fee | 20.00 | 

2. Where work for which a permit is required by this chapter is begun before a permit has been obtained, the fees shall be quadrupled, but payment of quadrupled fee shall not relieve any persons from complying fully with the requirements of this chapter in the execution of the work or from any penalties prescribed herein.

D. Procedure.

1. Applications for sign permits shall be submitted to the Zoning & Building Administrator who will issue or deny permits based on the requirements of this chapter.

2. Appeal of permit determination. The decision of the Zoning and Building Administrator on a permit application shall be the initial determination as defined at Wis. Statutes Section 68.09, and may be appealed to the Plan Commission. The Plan Commission shall follow the procedures in Chapter 68 Wisconsin Statutes and its decision is the final determination for review purposes.

E. Permanent Sign Permit Duration and Renewal Expiration. New sign permits expire December 31 of the year issued and must be renewed prior to their expiration. Renewal permits are for three years and expire on December 31 of the third year. Renewal applications and fees must be submitted by September 10 to avoid a late fee in the amount set forth in subsection C.1. above. Renewal fees pay for the annual inspection required and performed under §15.16.220., therefore, unpaid renewal fees shall be included as special charge on the tax bill.

15.16.070 Variances.

A. Purpose. Variances are intended to allow flexibility from sign regulations while fulfilling its purpose. Nothing in this section, however, is intended to permit the erection or maintenance of signs which create the potential of public harm or for which there is no public benefit as expressed in §15.16.010.

B. Procedure.

1. Any applicant who desires a variance from any provision or requirement of this chapter may request one on their application or in writing prior to filing an application. If requested
prior to submitting an application the request should be filed with the Zoning and Building Administrator.

2. The Plan Commission shall schedule a hearing for variance requests at their next meeting, if the request is received at least seven days before the meeting to ensure it is included on the agenda.

3. Variance requests will be evaluated using the following criteria:
   a. Area. The proposed sign will not make it difficult or confusing to read it or existing signs in the vicinity.
   b. Design. The proposed sign is unique or of exceptional design or style so as to enhance the area.
   c. Site Difficulties. Unusual site factors, not created by the applicant, that preclude construction of a sign in accordance with this chapter which would be visible to the roadway adjacent to the site frontage.

   a. The Commission shall issue its decision in writing within 10 days of the hearing to the applicant and the Zoning and Inspection Administrator, which shall be a final determination as set forth in sec. 68.12 of the Wisconsin Statutes. The notice shall inform the parties of the right and time to appeal.
   b. The city opts out of the procedures in §2.08.080 of this code and Chapter 68 of the Wisconsin Statutes for administrative review of the Commission’s determination and a party aggrieved by the Commission’s final determination may appeal pursuant to sec. 68.13 of the Wisconsin Statutes.

III. REGULATIONS

15.16.080 Construction requirements and prohibitions.

A. There may only be one permanent sign per parcel, except as otherwise permitted.

B. In addition to the requirements of this Chapter, all signs are subject to the requirements of any applicable provisions of Title 15.

C. Wind Pressure and Load Requirements. All permanent signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive loads as required in the building code or other ordinances of the city.
D. Lighting.

1. Bare light bulbs, flashing, blinking, or rotating lights, exposed neon, and continuous bands of light are prohibited.

2. Any illumination shall be installed to avoid any glare or reflection into any adjacent property, or onto a street or alley to create a traffic hazard as determined by the Zoning & Building Administrator.

3. Lighted signs located in residential corridors shall be turned off at 10:00 p.m. or when the building is closed for business, whichever occurs later. Residential corridor means a street which predominately contains homes.

4. Only the portion of an awning sign with copy may be internally illuminated by fixtures approved under national and local electrical codes.

E. No sign may move by any mechanical means. This prohibition does not apply to how a sign's message is displayed.

F. No sign may have an audio component except menu boards.

G. Construction Over Public Property. No sign shall be erected which projects over any public sidewalk, right-of-way, or place at a height less than 8 feet nor without proof of insurance and an agreement indemnifying the city and authorizing encroachment. Such signs are only allowed in the Village Area Business and Planned Development District #2 zoning districts.

H. Architecture of free-standing signs.

1. Free-standing signs must be architecturally compatible with the principal building on the property so that sills, piers, reveals, capstones, medallions, etc. which are part of the architectural makeup of the building are incorporated into the sign.

2. The color and materials of the base shall reflect the principal building construction as close as possible. If there is no principal building, then using the materials listed in listed in 3. below.

3. The sign shall be constructed of aluminum, masonry, or similar products.

4. Polycarbonate backgrounds are prohibited unless required for changeable copy.

5. Unless provided elsewhere, the sign must be a monument sign.

6. Construction Requirements.
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a. No sign may have more than four faces.

b. Signs must be set back five feet from the ultimate right-of-way setback.

c. Height. The maximum height of a free-standing sign located five feet back from the base setback is 10 feet. A taller sign is allowed the further back it is located from the base setback line and is determined by drawing a line from the top of a theoretical 10 foot wall, located five feet back from the base setback line to the height of the building. The height may not be greater than what can be placed within the area of that resulting geometric figure, as illustrated in Figure 1, or 16 feet unless otherwise provided herein.

Figure 1. Sign Height Maximum based on distance from base setback line

7. Sign Area. The area of a free-standing sign shall be computed as either .6 square feet times the lineal front foot of the lot line or .8 square feet times the building front foot, whichever is greater, to a maximum of 150 square feet for retail use and 100 square feet for any other use. A property may have both a free-standing sign and a wall sign, but the total sign area allowed must be apportioned between these signs.

8. The sign shall be located in an area of Meaningful Open Space which shall be no less than two hundred fifty (250) square feet and landscaped with a variety of year-round plants, grass, or groundcover per the Non-Residential Site Development Standards found at §17.100.050.H.

9. Signs must be located at least 150 feet from free-standing signs on abutting properties. If the parcel is not large enough to place the sign at this distance due to the location of existing signs on abutting properties, the sign may be placed located less than 150 feet from those signs, but must be centered as much as possible on the property.
10. Free standing signs must incorporate the property address for individual buildings in the sign base.

11. A freestanding sign may include four tenant panels and an additional panel regarding the availability of an automatic teller machine on the site.

I. Changeable copy.

1. Changeable copy, including time, temperature, and motor fuel prices, is allowed but must be integrated into a permanent free-standing sign.

2. Changeable copy shall be included in the calculation of total permitted sign area allowed for the premises but may be no greater than fifty (50) percent of total sign area and must be located in the lower half of the sign face.

3. The following restrictions apply in all cases:
   a. There shall be only one changeable copy sign per permanent free-standing sign on each lot or parcel of land.
   b. Changeable copy may not be incorporated into a wall mounted sign;
   c. There may be changeable copy on each sign face;
   d. Allowed only when it does not interfere with, confuse, or present any hazard to traffic;
   e. Electronic message centers may display static images only. Messages may not transition by scrolling, travelling, fading or dissolving and must be completed within 1 second. Electronic message centers may not change messages more than once every 5 minutes, except that time and temperature may change as frequently as necessary to display the correct information. No blinking, flashing, animation, full motion video, or illusion of movement or animation, permitted.

15.16.090 Master sign program.

A. If more than one sign will be erected at a development which has a campus such as MTCB/C, planned development, office park, industrial park, office center, retail center, office, religious organization, or schools, there must be a master sign program, approved by Zoning and Building Administrator. The intent of a master sign program is to have a uniform theme of size, color, and style to signs in such developments. This requirement does not apply to a MTCB/C that has over 500,000 square feet of building space.

B. Approval of Master Sign Program is not permission to construct any particular sign. Each individual sign under an approved master sign program must be applied for and permitted separately when it is ready to be installed.
C. A master sign program, shall include the following components:

1. A consistent theme of color, size, and style for all signs proposed in the development, with no more than three colors used.

2. Proposed locations for all signs. Where possible wall signs shall be centered over tenant spaces;

3. The proposed size of individual signs expressed in minimum and maximum for sign type which will be proposed in exact terms when application is made for the individual signs;

4. The program may utilize any of the sign types allowed in this chapter, but they must conform to those particular regulations.

5. Plans, drawings and written policies governing the color, size, style, location and other features of the proposed signs for the tenants to follow.

15.16.100 Main signs.

A. The following uses are allowed a freestanding main sign at the parcel's entrance or on the property:

1. Retail or Office MTCB/C of five or more individual tenants or at least fifty thousand (50,000) square feet of building area;

2. Office MTCB/C of five or more tenants each having separate exterior building entrances;

3. Office parks and industrial parks;

4. Developments that have multiple parcel entry points, buildings, or uses including residential subdivisions, condominium or apartment complexes, and institutional uses.

B. Sign area .

1. A main sign may not be divided into more than six panels, one for the name of the development and five for tenants. The largest panel may not be more than 33 percent of the overall sign area.

2. MTCB/Cs, office and industrial parks, non-institutional developments with multiple parcel entrances with under 100,000 square feet of building area are permitted one freestanding sign of no more than 150 square feet in area for MTCB/C and 100 square feet in area for any other use.
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3. MTCB/Cs, office and industrial parks, non-institutional developments with multiple parcel entrances between 100,000 and 500,000 square feet of building area may be permitted one free-standing sign per street, not including Interstate 94, of no more than 150 square feet in area each or one sign per MTCB/C of 225 square feet in area.

4. Sign area for MTCB/Cs over 500,000 square feet of building area may have up to one sign per street, each no more than 225 square feet.

5. The total main sign area allowed for institutional uses, regardless of the number of building entrances or number of buildings, shall be based on the building sizes listed in paragraphs 1 through 4 above.

6. The main sign area for subdivisions, condominium and apartment complexes, regardless of the number of entrances to the subdivisions or the complex, may not be larger than 75 square feet per entrance with no more than one face per entrance.

C. No main sign shall be greater than 20 feet in height for retail, 16 feet for other uses, and 10 feet for subdivision, condominiums, and apartment developments.

15.16.105 Signs for properties located along Interstate 94

Any MTCB/C, office or industrial park, or development along Interstate 94 may have a sign on its property along the Interstate along with any monument or wall sign authorized within this Chapter. The monument sign located near the Interstate must be no larger than 225 square feet and 16' in height. Those properties may also have either a single wall sign, no greater than 250 square feet, or two wall signs of approximately the same size, which total no more than 400 square feet. Wall signs must be located on the façade, below the highest ridge of the building.

15.16.110 Wall signs.

A. Total Area.

1. The area shall be computed as 0.6 square feet times the width of the front lot line or 0.8 square feet times the building front foot, whichever is greater, to a maximum of 1250 square feet for retail or 100 square feet for any other use.

2. The maximum allowable area for a MTCB/C with a Master Sign Program shall be computed as 1.5 square feet per business front foot.

3. Wall signs under an approved Master Sign Program not at a MTCB/C shall have a minimum of thirty (30) square feet to a maximum of 150 square feet of area.

4. The total sign area allowed for a building not in a Master Sign Program or at a MTCB/C may be apportioned between two wall signs or a wall sign and a free-standing sign.
B. Placement.

1. A wall sign may not project more than 12 inches from the wall surface.

2. No part of a wall sign shall extend more than four feet above the plate line or above the roofline, except when it is erected on a parapet wall or fascia that is located on at least three sides of a building.

C. Awnings, for sign purposes, must be constructed of a fireproof, open-space frame structure with non-translucent material. Sign messages must be located on the vertical portion of the awning and may not be more than four square feet. Only the sign portion of the awning may be illuminated.

D. Building signs. Parcels containing multiple buildings or multiple functions in a building may have wall signs without a permit so long as they comply with all other applicable provisions of this section and are no greater than 12 square feet in area.

15.16.120 New suburban design building sites.

A. "New Suburban Design" means a development style where buildings are oriented toward the street with at least one major pedestrian entrance connected to the street/pedestrian way, no parking is located in the area between the building and the street, and the building is designed with "4-sided architecture", meaning all sides have equally aesthetic design, and the-street-side building facade conveys human scale through fenestration, articulation, detailing or landscape plantings.

B. Number of Signs. New suburban design buildings may have up to 3 wall signs, but if a free-standing sign is located on site then the limit is 2.

C. Area of Signs.

1. The maximum area for a wall and free-standing signs shall be computed as 0.5 square feet times the lineal front foot of each building elevation on which sign type will be placed.

2. The total of all signage on the site may not exceed 200 square feet.

D. Owners of new suburban design buildings may choose to comply with regulations for Wall Signs rather than this section.

15.16.130 Window signs.

No more than 25% percent of all windows facing the street on a building in a commercial or business zoned district may be covered by window signs. In this section window includes all the
space between the structural opening required for the window that is covered with glass including decorative and integral mullions.

15.16.140 Driveway entrance and parking lot signs.

For multi-building or multi-driveway premises:

A. Permit required when located at driveway entrances. No more than one free-standing sign shall be allowed at each driveway entrance to ensure safe access and egress from the public road, with a permit. No driveway entrance sign shall be greater than five feet in height or placed within the public right-of-way. The sign area of each side shall not exceed six square feet. If a driveway entrance is shared by 2 or more premises and each such premises would be permitted 1 driveway entrance sign, such signs may be incorporated into one eight square-foot sign. Monument style is not required.

B. No permit required when located away from driveway entrances. There may be as many driveway and parking signs located on the property away from the driveway entrances as necessary to ensure safe traffic flow within the property without a permit as long as they comply with the size and height requirements above and the sign faces are not visible from the right-of-way.

15.16.150 Shingle signs.

In this section, “Shingle sign” means an exterior sign located over a walkway or on a porch.

A. Shingle signs are allowed as part of a master sign program or in the Village Area Business district in compliance with all other applicable provisions of this chapter.

B. One shingle sign may be allowed for each entity and located immediately adjacent to a business within the space determined if the outer edges of the occupant front footage were extended out to the location of the sign.

C. Shingle signs shall be suspended from above with a minimum clearance of 8 feet between the bottom of the sign and the nearest grade or sidewalk. No part of a shingle sign shall extend beyond the edge of the overhang when suspended perpendicular to the building. Shingle signs placed parallel to the street may be attached to the fascia.

D. Shingle signs are limited to one square foot in area.

E. Compliance with Section 15.16.080.G., if over public right-of-way or public place.

15.16.160 Signs on vehicles
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Exhibit A

A. Vehicles and trailers which have signs permanently affixed and are more than 25 feet long or more than 10 feet tall:

1. may not be parked on public right-of-way or public property for longer than twelve consecutive hours in residentially zoned districts;

2. may not be parked on public right-of-way or public or private property for longer than two consecutive hours in commercial zoning districts, unless parked behind a building or structure, or within a fenced or screened area;

3. Persons aggrieved by the provisions of this subsection may apply for a variance by complying with the procedures set forth in Section 15.16.070. The request shall be reviewed upon the following criteria:

   a. Hardship created because of the lack of alternative parking;

   b. A variance would not be adverse to the public health, safety and welfare; and

   c. The variance would not be detrimental to the community and particularly the surrounding neighborhood.

B. No vehicle or trailer may be parked in the public right-of-way, or on public or private property with a temporary sign, other than sale prices displayed in or on windshields. For this subsection “temporary sign” does not include signs less than 6 feet square in size attached by magnets or vehicle wraps.

15.16.170 Temporary signs.

A. General. Temporary signs may not be illuminated, nor have mechanical or audio components. Any temporary sign erected without a permit, if required, or for which the permit or time period has expired, may be removed by the Inspection Services Department without notice.

B. Development and Construction.

1. Signs located at multi-building or parcel sites under one developer or owner.

   a. During construction and pre-construction sales, sites may have one sign on each street which the development abuts. Any sign must be placed on the property being developed.

   b. No sign may exceed 32 square feet in area.

   c. No sign may exceed eight feet in height.
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d. Even if the permit for such signs has not yet expired, all signs shall be removed 10 days after issuance of occupancy permit or in the case of a residential development, after 90 percent of the units have been issued occupancy permits.

2. Signs located on individual single-lot residential sites.

   a. During construction and preconstruction sales: without a permit, signs shall be not more than 6 square feet in area; for signs larger than 6 square feet a permit is required, but no more than 16 square feet of signs per parcel. No signs may exceed 6 feet in height.

   b. Signs must be removed within 10 days of final inspection completion.

C. Premises for Sale, Lease, and Rent.

   1. Non-residential premises.

      a. Are allowed one sign on each street which the premises or land abuts. Any sign must be placed on the property being sold, leased, or rented. The sign(s) may be single or double-faced.

      b. Signs will be permitted for 180 days and may be renewed for 180 day periods. The height may not exceed 8 feet. Permitted sign area for nonresidential premises signs is as follows:

          i. Parcels containing less than 10 acres are allowed sign(s) not exceeding 12 square feet in area each.

          ii. Parcels containing 10 acres or more are allowed sign(s) not exceeding 16 square feet in area each.

   2. Residential premises. No permit is required for one sign, six square feet or less. A permit is required for signs larger than 6 square feet in area or for more than one sign but in no case will a permit be issued for signs totaling more than 16 square feet. No signs may exceed 6 feet high.

D. New Business Locations. May have one banner that is no more than 30 square feet which shall not be displayed more than 10 days. No permit will be issued unless a new occupancy permit has been issued.

E. Seasonal commercial establishments. "Seasonal commercial establishment" means, but is not limited to, garden centers, Christmas tree lots, and fruit and vegetable stands. The sign area shall not exceed 32 square feet and height not more than 8 feet. The permit will be valid for the length of time the business will be active as indicated in the application.
F. Garage sales. Signs are limited to the days of the sale and cannot exceed six square feet in area. Signs shall not be placed on utility poles or boxes, light or traffic poles or in the city's right-of-way or trees in the right-of-way. The number of signs is limited to 5 per sale. Signs must have the permission of the property owner where it is located as indicated on the sign itself.

G. Banners.

a. Banners may not exceed 30 square feet in area.

b. Excluding banners at new business locations, no property, including multi-family, shall be issued sign permits for more than 4 banners in any calendar year and there may be no more than two banners erected, per site, at one time. This provision does not apply to one and two-family residentially zoned property.

d. Horizontal banners may not exceed 8' in height. Vertical banners may not exceed 12' in height.

H. Sidewalk signs are limited to sandwich boards, meaning a two-sided, temporary sign in an “A” shape frame, permitted in Planned Development Districts, the Village Area Business zoning district, or special neighborhood districts only, but not more than one sign per parcel and no more than 8 square feet in area. Signs must not interfere with pedestrian traffic or cause a tripping hazard and must be located on front of the property to which it is related.

I. Other temporary signs. For any sign not listed in this section, the total area for temporary signs displayed in any zoning district other than residential shall not exceed 32 square feet; in residential zoning districts it shall not exceed 12 square feet. In any zoning district, such signs may be free-standing and shall not exceed 6 feet in height. A sign may be single or double faced. Such signs shall be located only on private property with the owner’s consent. Where the land is vacant, such consent shall be indicated by the property owner’s signature on the sign or in writing to the Inspection Services Department.

15.16.180 Flags.

A. This section does not include pennants or streamers, which are prohibited by Section 15.16.190(C)(6).

B. Business Zoned or Used Properties.

   1. May display no more than 3 flags.

   2. The maximum area of any flag is 24 square feet.

   3. Free-standing flag poles shall be located in a setting of Meaningful Open Space, if the pole is not located within the Meaningful Open Space of a free-standing sign.
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C. No flags may be displayed higher than 35 feet.

D. No flags may be located in the public right-of-way, unless placed by the U.S. government, state, or City.

15.16.190. Prohibited Signs.

It is unlawful to erect or maintain the following signs:

A. Unapproved, temporary, or stand-alone changeable copy boards;

B. Portable signs on trailers and vehicles;

C. Off-premises signs, except:

1. Wall signs in the Office and Limited Residential/Commercial District No. 2 zoning district when the wall sign is located within nine hundred (900) feet of an anchor tenant. An anchor tenant is designated by lease or ownership of the property.

2. Placed in bus shelters owned or supervised by a public transit authority or commission. Such signs are limited as follows: 48 square feet total per shelter, which may be split between the interior and exterior, but on only one end wall. A bus schedule may be posted on the other end wall, but may be no larger than 4 square feet. No signs may be located on the long side of the shelter. No signs, other than the bus schedule, are allowed in any bus shelter located adjacent to single-family residential property;

3. Public building, place, or use signs.

D. Roof sign, which means a sign extending above the roof line. Roof line means the highest point of the roof ridge or the highest point on a parapet, but does not include cupolas, pylons, projections, or minor raised portions of a roof.

E. Pennant or streamer which means numerous tapered or dove-tailed banners, signs, streamers, fringe, or flag shapes, with or without any representation or writing thereon, all connected by one support and hung on a commercial property.

F. Abandoned signs, which means the failure to remove copy from permanent signs that exist on a premises 60 days after the use of the premises has ceased and is vacant or any temporary sign which contains a date or time that has passed.

G. Inflatable shapes and structures.

H. Signs within right-of-way Limits of Any Street or Highway.
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1. No sign shall be erected, placed, located, or maintained within the right-of-way limits of any street or highway except those set by municipal, county or state authorities as provided in Section 86.19, Wisconsin Statutes. Street or highway limits include all rights-of-way, encompassing the travelled portion of the highway, the shoulders, ditches, and adjacent areas. This prohibition applies to all free-standing signs and those placed on trees, utility poles, fence post stakes, and all other structures within the right-of-way street or highway limits.

2. Failure to comply with the provisions of this subsection is a violation of Section 86.19, Wisconsin Statutes, as well as this chapter.

3. Any sign in violation of this subsection shall be removed without notice by the department of public works, inspection services, or the police department.

I. No sign shall be erected, placed, located, or maintained:

i. at or near the intersection of any streets so as to obstruct free and clear vision of the intersection;

ii. or at any location where, by reason of position, shape, and color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or

iii. which makes use of the words “stop,” “look,” “danger” or other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse traffic.

IV. Administration.

15.16.200 Sign maintenance.

Each sign, including those exempt from the permit requirements of this chapter, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports that are not made of galvanized or rust-resistant material. The Zoning & Building Administrator or designee shall have the authority at any time to inspect and order the painting, repair, alteration, or removal of a sign which constitutes a hazard to safety, health, or public welfare. The Zoning & Building Administrator shall follow the notification procedure in 15.16.230 for maintenance or removal.

15.16.210 Inspections.

All permanent signs are subject to the following inspections:

A. Electrical inspection of all illuminated signs;
B. Site inspection to insure that the sign has been constructed according to an approved application and the sign permit;

C. Annual inspection to insure that the sign continues to conform to the permit and has been adequately and properly maintained.

15.16.220 Permit revocation.

The Zoning & Building Administrator is authorized to revoke any sign permit upon determination that the sign has been constructed or is being maintained in violation of the permit or the provisions of this chapter.

A. Written notice of the decision of the Zoning & Building Administrator to revoke a sign permit and the reasons therefore shall be served upon the holders of the permit as follows:

1. By personally delivering copies of the notice to the permit holders or to one of their officers; or

2. By leaving a copy of the notice with any person in charge of the premises or if no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by mailing copies of the notice to the permit holders; or

3. electronic mail.

B. The permit holder may appeal the revocation decision of the Zoning & Building Administrator to the Plan Commission by filing a written notice with the City Clerk. An appeal must be filed within 30 days from the date when the notice was served. The Plan Commission shall consider the appeal at its next regularly scheduled meeting. The decision of the Plan Commission shall be final.

C. If no appeal has been taken by the end of the appeal period or if the Plan Commission has upheld the decision of the Zoning & Building Administrator on appeal, the permit is deemed revoked and the sign is illegal. The Zoning & Building Administrator then shall initiate the procedure for the removal of the illegal sign.

15.16.230 Removal of signs.

A. Notice. The Zoning & Building Administrator or designee is authorized to remove, or have removed, any illegal sign. Before taking action to require removal of any illegal sign, the Zoning & Building Administrator or designee shall give a written compliance notice, unless: the Plan Commission has already ruled on an appeal; the sign is in the public right-of-way; a temporary sign erected without a permit, if required or for which the permit has expired. The notice must be given to the permit holder or, if no permit has been issued, to the owner(s) of the premises on
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which such sign is located. The notice shall state the reasons and grounds for removal, specifying the deficiencies with citation to the applicable Code section. Service of notice may be made as follows:

1. By personally delivering copies of the notice to the permit holders or to one of their officers; or

2. By leaving a copy of the notice with any person in charge of the premises or if no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by mailing copies of the notice to the permit holder; or

3. by electronic mail.

B. Compliance Period.

1. The compliance period for permanent signs shall be 10 days.

2. The compliance period for temporary signs shall be 48 hours.

C. Failure to Correct. Erecting any sign or any substantially similar sign on the same premises without fixing the defect after a compliance notice has been issued is a continuance of the original violation.

D. If the permit holder or premises owner has not demonstrated to the satisfaction of the Zoning & Building Administrator that the sign has been removed or brought into compliance with the provisions of the chapter by the end of the compliance period, the Zoning & Building Administrator may issue municipal citations.

E. Removal. The actual cost and expense of any removal by the City shall be borne by the permit holder or, if no permit had been issued, by the owner(s) of the premises on which the sign is located.