

ORDINANCE #2012-03
TOWN OF HAMILTON
SIGN/BILLBOARD CONTROL ORDINANCE

AN ORDINANCE REGULATING LARGE OUTDOOR SIGNS WITHIN THE TOWN OF HAMILTON,
LA CROSSE COUNTY, WISCONSIN.

SECTION 1.0 PURPOSE & AUTHORITY

1.01 Purpose and Applicability

This ordinance provides a guideline for the use of Signs in the Town of Hamilton as authorized by Sec. 60.23 (29), Wisconsin Statutes.

1.02 Authority

This ordinance is enacted pursuant to Sec. 60.23 (29) and Sec 60.61, Wisconsin Statutes.

SECTION 2.0 DEFINITIONS

- A. Banner: A Sign without a permanent structure containing a time-bound message and used in aggregate no more than seven days in any calendar year on any private parcel.
- B. Office: The Town of Hamilton office that has been designed by the Town Board as having responsibility for administering this ordinance.
- C. Governmental Sign: A Sign authorized and erected by this municipality, another governmental body, the State of Wisconsin, or the federal government.
- D. Highway: Any roadway that is accessible to the public and maintained by the town or by the county for purposes of vehicular traffic.
- E. Owner: A person owning a Sign.
- F. Person: Any individual or entity, including a firm, partnership, association, corporation, Limited Liability Company, trustee, and their legal successors.
- G. Sign: An object, including a structure, wall, image, or movable device displaying any message visible to the public. Notices legally placed on public property and removed on a daily basis are not considered Signs. Letters individually painted on or attached to a building that merely identify the owner or occupant or name of the establishment are not considered Signs, except that they shall not exceed thirty two square feet in aggregate size or ten percent of the surface on that side of the building, whichever is greater.
- H. Special Event Sign: A Sign for events such as grand openings, displays, craft shows, benefits, fund-raisers, festivals, and other limited term events and that in aggregate are used no more than 15 days in any calendar year on any private parcel, which include commander boards.
- I. Warning Sign: A Sign, less than three square feet, that warns the public about trespass to private property, presence of pedestrians, dangerous conditions such as an aggressive dog and unusual hazards such as drop-offs, high voltage, fire dangers and explosives, or rules pertaining to parking.

SECTION 3.0 GENERAL PROVISIONS

3.01 Prohibited Signs

- A. Except as specifically permitted by this Ordinance or conditional use permit, no outdoor Sign may be placed or constructed in the Town of Hamilton.
- B. Except as permitted by this ordinance or a conditional use permit, no Signs, including the exempt Signs listed in Section 3.02 below, may (1) exceed twenty feet, in height; (2) be lighted; or (3) exceed 32 square feet in area.

3.02 Exemptions to the Ordinance

The following Signs are exempt from the provisions of this Ordinance:

- A. Governmental Signs and Flags
- B. Banners
- C. Warning Signs
- D. Special Event Signs
- E. Real Estate signs less than three square feet in size
- F. Political or religious Signs within 60 days of an election or 3 days after in areas not zoned for residential and 3 square feet during said time period in locations zoned residential.
- G. Signs less than three square feet in size stating the name of a business on that site.
- H. Any Sign temporarily authorized by the Town Board. A temporary permit for this purpose shall specify any limits on the size, location and length of time the sign may be placed.
- I. Any Sign placed within land zoned Commercial.
- J. Any Sign that was in existence on or before the effective date of this Ordinance is exempt from the provisions of this Ordinance so long as the Sign (1) remains in the exact location that it was at on the effective date of this Ordinance, (2) remains the same size or smaller, and (3) does not have lights added to it after the effective date of this Ordinance.

SECTION 4.0 ENFORCEMENT, PENALTIES & INJUNCTION

4.01 Enforcement

This ordinance may be enforced by the Town Board, any local or state health official, or any law enforcement official authorized to act within the Town. The Town Board, by resolution, may also designate such other officials or individuals as the Town Board deems appropriate to enforce this Ordinance.

4.02 Penalties

Each person or entity found to be in violation of any provisions of this chapter shall for each offense be punished by a forfeiture of not less than Twenty Five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00), and in default of payment thereof imprisonment not to exceed Thirty (30) days for each violation. Each day of a continuing violation shall be

deemed a separate violation. The standard forfeiture for violation of this ordinance shall be \$100.00.

4.03 Injunction: Additional Remedy

The operation or maintenance of any devise, equipment, instrument, vehicle, or machinery in violation of any provision of this Ordinance, or any other violation of this Ordinance, shall be deemed and is declared to be, a public nuisance and may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.

SECTION 5.0 SEVERABILITY & CONFLICT

5.01 Severability

This Ordinance and its individual provisions are declared to be severable. If any section, clause, provision, or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, this decision shall not affect the validity of the Ordinance as a whole. All parts of the Ordinance not declared invalid or unconstitutional shall remain in full force and effect.

5.02 Conflict

If any part of this Ordinance is found to be in conflict with any other Ordinances or with any other part of this Ordinance, the most restrictive or highest standard shall prevail. If any part of this Ordinance is explicitly prohibited by federal or state statute that part shall not be enforced.

SECTION 6.0 EFFECTIVE DATE

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis Stats.

Adopted by the Hamilton Town Board of the Township of Hamilton, La Crosse County, Wisconsin, this 25th day of October, 2012.

Richard Schomburg, Town Chairman

Attest Sara Schultz, Town Clerk

Date Published November 2, 2012