

City of Black River Falls
PLAN COMMISSION – AGENDA

Wednesday – September 24, 2025 – 5:30 PM
City Hall – 101 S. Second Street, Black River Falls, WI

To participate remotely, join Zoom meeting:

<https://us02web.zoom.us/j/84781350713?pwd=Tb79ZW3a0g8ApGILytwS74grG84PE4.1>

Or Dial: 1-312-626-6799

Meeting ID: 847 8135 0713

Passcode: cityhall

1. Call to Order
2. Roll Call
3. Consider petition from the State of Wisconsin Department of Military Affairs to rezone Parcel 206-2577.0010 to B-3 Highway Business District – Action
4. Review & discuss Section 17.92 of the Code of Ordinances related to signs, canopies, awnings & billboard – Discussion & Possible Action
5. Adjourn

Posted: September 22, 2025



BLACK RIVER FALLS, WISCONSIN

A Fine Place to Raise Your Family • A Dynamic Location for Your Business



MEETING NOTICE

Please take notice that a public hearing will be held before the Plan Commission of the City of Black River Falls on **Wednesday, September 24, 2025 at 5:30 P.M.** at City Hall located at 101 S. Second Street in the City of Black River Falls to hear the petition of the State of Wisconsin Department of Military Affairs to rezone the property listed below from R-1 Single-Family Residential District to B-3 Highway Business District:

Tax Parcel No. 206-2577.0010.

This is a 9.92 acre parcel located at 441 State Highway 54.

A map is available at City Hall.

The rezoning would allow the State of Wisconsin Department of Military Affairs to reconstruct a DMA Readiness Center building, and provide personal vehicle parking, military vehicle storage, sidewalks, open space, and fencing on the property.

All interested persons are urged to attend.

Alex B. Chown
City Clerk
City of Black River Falls

Posted: August 22, 2025

PETITION FOR A PLAN COMMISSION HEARING

Type of Petition:

- ☒ Rezone
☐ Variance
☐ Conditional Use

Date of Hearing: September 24, 2025

Dates of Publication: September 3 & September 10, 2025

Property Owner(s): State of Wisconsin Department of Military Affairs

Legal Description of Property:

Lot 1 of Certified Survey Map No. 3345, recorded in Jackson County Register of Deeds on December 4, 2008 as Document No. 349021, being a part of the NE 1/4 of the NE 1/4 of Section 21, Township 21 North, Range 4 West, City of Black River Falls, Jackson County, Wisconsin. Said property previously described in Warranty Deed recorded on January 11, 1963 in Volume 166, Page 119 as Document No. 180988, described as follows:

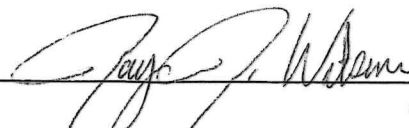
A parcel of land in the NE 1/4 of the NE 1/4 of Section 21, Township 21 North, Range 4 West, City of Black River Falls, Jackson County, Wisconsin, described as follows: Commencing at the Northwest corner of the NE 1/4 of the NE 1/4 of said Section 21, thence East along the North line of said Section 21 a distance of 30 feet, thence South parallel to the West line of the NE 1/4 of the NE 1/4 of said Section 21 a distance of 60 feet to the point of beginning; thence continuing South parallel to the West line of the NE 1/4 of the NE 1/4 of said Section 21 a distance of 801.4 feet; thence South 75 deg. 29' East 303.7 feet to the Northwestern line of State Highway No. 54, thence North 56 deg. 25' East along the Northwestern line of State Highway No. 54 a distance of 284.7 feet, thence North parallel to the West line of the NE 1/4 of the NE 1/4 of said Section 21 a distance of 717.6 feet, thence West parallel to the North line of said Section 21 a distance of 531.2 feet to the point of beginning.

Intended Use of Property:

DMA Readiness Center building, personal vehicle parking, military vehicle storage, sidewalks, open space, and fencing.

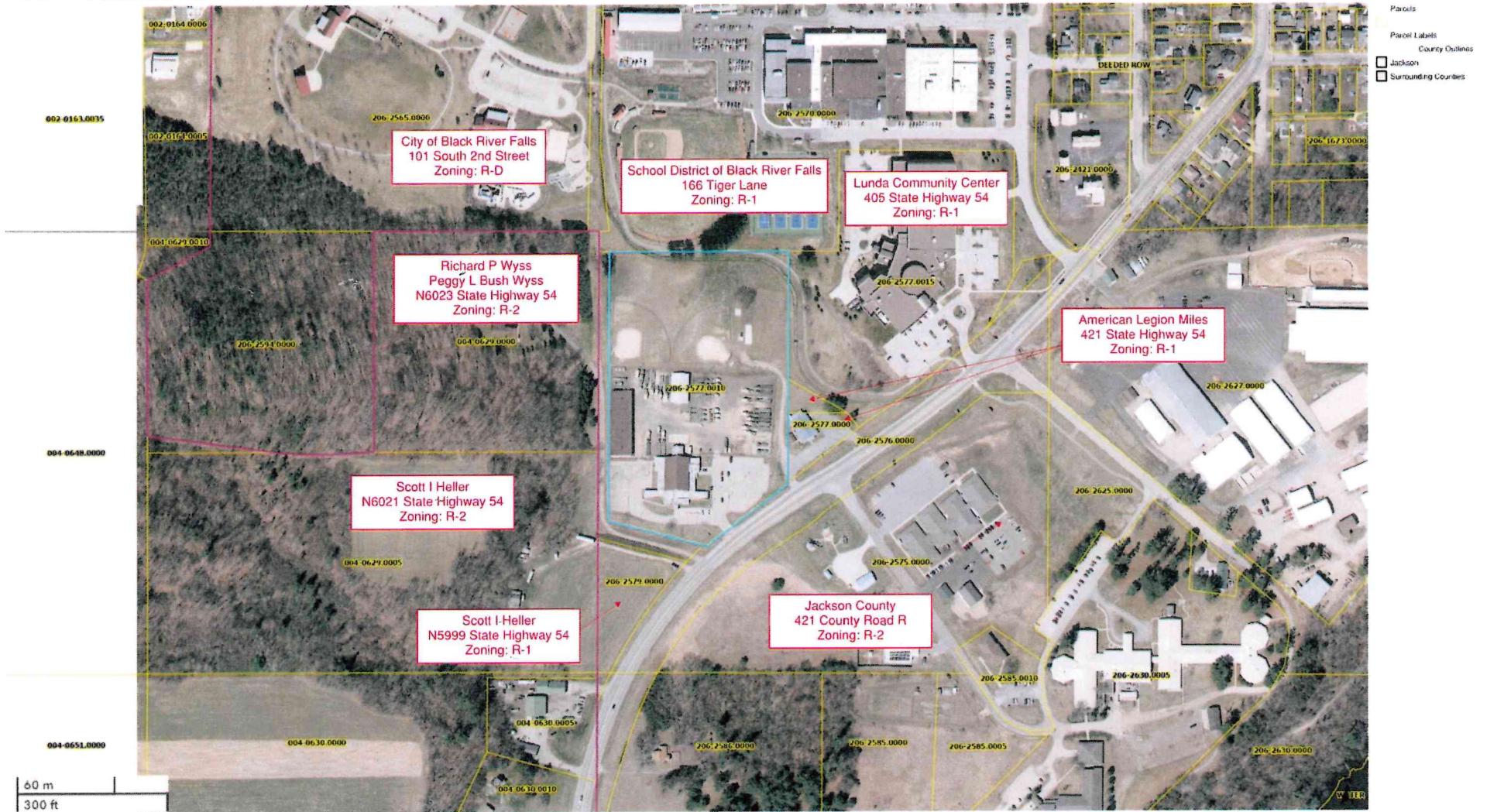
Current Zoning: R-1 New Zoning: B-3

Owner(s):

Signature:  Ryan J. Williams CFMO-DPM Date: 8/15/2025
Wisconsin Department of Military Affairs

Signature: _____ Date: _____

BRF Readiness Center Rezone



17.29 SIGNS, CANOPIES, AWNINGS AND BILLBOARDS

A) Purpose of Sign and Billboard Regulations. The purpose of this Chapter is to establish minimum standards to safeguard life and property and promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards. The provisions herein contained shall be binding alike upon every owner of a building, every lessee and every person in charge or responsible for or who causes the construction, repair, relocation or alteration of any outdoor sign and other advertising structures in the City of Black River Falls.

B) Signs, Canopies, Awnings and Billboards-Definitions. The following definitions are used in this Chapter:

- (1) Awning. A temporary hood or cover which projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure.
- (2) Billboard. A sign which advertises goods, products or facilities, or services not necessarily on the premises where the sign is located or directs persons to a different location from where the sign is located.
- (3) Blanketing. The unreasonable obstruction of view of a sign caused by the placement of another sign.
- (4) Canopy. A canopy is a shelter, with or without a sign, attached to or connected with a building and extending into a setback or over the public sidewalk.
- (5) Sign. A sign shall include anything that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location or product.
- (6) Directly Illuminated Sign. Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.

ZONING CODE 17.29 (7)

- (7) Directory Sign. Shall mean any sign on which the names and locations of occupants or the use of a building is given. This shall include offices and church directories.
- (8) Electronic Message Unit Sign. Any sign whose message may be changed by electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information concerning civic, charitable or the advertising of products or services for sale on the premises. This also includes traveling or segmented message displays but does not include Multiple Message Signs as defined herein.
- (9) Flashing Sign. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- (10) Grounds and/or Pole Sign. Any sign which is supported by structures or supports in or upon the ground and independent of support from any building. (Also referred to as "Free Standing Sign").
- (11) Identification Sign. Any sign which carries only the name of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.
- (12) Indirectly Illuminated Sign. Shall mean a sign that is illuminated from a source outside of the actual sign.
- (13) Marquee Sign. Shall mean any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.
- (14) Multiple Message Signs. An outdoor advertising sign, display or devices whose messages are on triangular louvered facings and are changed by electronic rotation of the louvers.
- (15) Nonconforming Sign. Any sign which does not conform to the regulations of this chapter.
- (16) Off-Premise Sign. Any sign, devise or display which advertises goods other than that commonly available or services other than that commonly performed on the premise on which the service is located.
- (17) Portable Sign. Any sign not permanently attached to the ground which is designed to be easily moved from one location to another.

ZONING CODE 17.29 (18)

(18) Premises. The land or building that is owned or occupied by the business, community group or individual proposing to erect a sign. Premise includes all contiguous lots or parcels owned or occupied by the same business, community group or individual.

(19) Projecting Sign. Any sign extending more than eighteen (18) inches, but less than six (6) feet from the face of a wall or building; such sign may not extend more than six (6) feet into the right-of-way.

(20) Real Estate Sign. Any sign offering for sale, lease, or rent the property upon which the sign is placed.

(21) Roof Sign. Any sign erected upon or over the roof or parapet of any building.

(22) Temporary Sign. Any sign intended to be displayed for a short period of time, including real estate, political or construction site signs, and banners, decorative-type displays or anything similar to the aforementioned.

(23) Wall Sign. Any sign attached to, erected on or painted on the wall of a building or structure and projecting not more than eighteen (18) inches from such wall.

(24) Window Sign. Any sign located completely within an enclosed building and visible from a public way.

(C) Required Permits For Signs, Canopies, Awnings And Billboards.

(1) Application. Except those specified in Section 17.29(D), no signs, billboards, awnings or canopies shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a sign permit and without being in conformity with the provisions of this Chapter. The sign shall also meet all other structural requirements of other applicable codes and ordinances of the City of Black River Falls. Signs shall not be erected or altered until a permit has been issued by the Building Inspector. "Altered" shall be defined as any modification in the size, height, dimensions, location or mounting of a sign other than routine maintenance.

(2) Required Information. Application for a sign permit shall be made in writing upon forms furnished by the Building Inspector which contain the following information about the sign: dimensions, including display surface; materials; illumination; wiring; height above grade; distance from lot lines; and the person, firm or corporation erecting or altering the sign.

(3) Fee. The fee for each sign permit shall be set by the City's building inspection firm.

ZONING CODE 17.29 (C)

(4) Insurance. Any person, firm or corporation engaged in the business of erecting, repairing, maintaining or relocating any sign shall maintain in effect at all times a policy of liability insurance with limits of Three Hundred Thousand Dollars (\$300,000.00) for bodily injury and One Million Dollars (\$1,000,000.00) aggregate and One Hundred Thousand Dollars (\$100,000.00) property damage. Proof of insurance shall be presented to the Building Inspector before the sign permit is granted.

(5) Inspection. Every sign shall be inspected and approved by the Building Inspector within thirty (30) days after it is erected or altered.

(6) Appeals. Any person, firm or corporation aggrieved by any permit denial or decision by the Building Inspector relative to the provisions of these sign regulations may appeal and seek review of such decision to the Board of Zoning Appeals.

(D) Signs Excepted. All signs, awnings and canopies must have a sign permit, except the following, provided that the following exempt signs may not be located over a public road right-of-way or in, on or over public water:

(1) Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two (2) feet in height and ten (10) feet in length.

(2) Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.

(3) Name, occupation and warning signs not to exceed four (4) square feet located on the premises.

(4) Bulletin boards for public, charitable or religious institutions not to exceed thirty-five (35) square feet in area located on the premises.

(5) Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against the structure.

(6) Official signs, such as traffic control, parking restriction, information and notices.

(7) Temporary signs for a period not to exceed fourteen (14) days authorized by the Zoning Administrator.

(8) Rummage sale and auction sale signs not to exceed eight (8) square feet in area, but use of this type of sign shall be limited to seventy-two (72) hours per sale.

(9) A sign for the purpose of designating a new building or development, for promotion of a subdivision, for announcement of a special event or for similar promotion

ZONING CODE 17.29 (D)

of a subdivision, for announcement of a special event or for similar special informational purposes may be permitted for a limited period of time in any district with the approval of the Plan Commission and subject to the following:

- (a) Drawings showing the specific design, appearance and location of the sign shall be submitted to the Plan Commission for approval.
- (b) The permitted size and location of any such sign shall be at the discretion of the Plan Commission based upon the character of the area, the type and purpose of the sign and the length of time permitted.
- (c) Where the sign is to be located on the premises involved, such may be permitted for a period up to one (1) year. An extension may be permitted for a period not to exceed two (2) years total.
- (d) Where the sign is not to be located on the premises involved, such sign may be permitted for a period not to exceed nine (9) months.
- (10) Signs designating entrances, exits, service areas, parking areas, restrooms and other such signs relating to functional operation of the building or premises shall be permitted without limitation other than reasonable size and necessity.
- (11) Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers or names of occupants of premises.
- (12) Flags and insignia of any government, (not affiliated with a religion or fascist creed), except when displayed in connection with commercial promotion.
- (13) Legal notices, identification information or directional signs erected by governmental bodies.
- (14) Integral decorative or architectural features of building, except letters, trademarks, moving parts or moving lights.
- (15) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

(E) Signs Permitted.

- (1) Commercial and Industrial Districts. Signs are permitted in the B-5 Shopping Mall District and the Industrial Districts subject to the following restrictions:

ZONING CODE 17.29 (E)

(a) Wall signs placed against the exterior walls of buildings shall not extend more than twelve (12) inches out from a building's wall surface, shall not exceed five hundred (500) square feet in area or forty percent (40%) of the wall surface (whichever is smaller) for any one (1) premises, and shall not exceed twenty (20) feet in height above the centerline street grade.

(b) Projecting signs fastened to, suspended from or supported by structures shall not exceed one hundred (100) square feet in area for any one (1) premises, shall not extend more than six (6) feet into any public right-of-way, shall not be less than ten (10) feet from all side lot lines, shall not exceed a height of twenty (20) feet above the mean centerline street grade and shall not be less than ten (10) feet above a driveway or an alley.

(c) Ground signs shall not exceed forty-five (45) feet in height above the centerline of the grade of the street from which the advertising is directed, and shall not exceed three hundred (300) square feet on one (1) side, nor six hundred (600) square feet on all sides for any one (1) premises. Any sign in excess of forty-five (45) feet in height requires a conditional use permit. Additionally, off-premise signs are subject to the set-back requirements of 17.29(I)(2)(i).

(d) Roof signs shall not exceed fifteen (15) feet in height above the roof, shall meet all yard requirements for the district in which it is located, shall be considered part of the structure in meeting all height requirements for the district in which it is located and shall not exceed three hundred (300) square feet on all sides for any one (1) premises.

(e) Window signs shall be placed only on the inside of commercial buildings and shall not exceed twenty-five percent (25%) of the glass area of the pane upon which the sign is displayed. Temporary painted specials on windows shall not be considered signs, but limited to 25% of glass area.

(d) Off-premise signs, displays and devices on or within the "adjacent areas" of all State, Freeway and Federal Aid Primary Systems, as defined in Chapter 84.30 of the Wisconsin Statutes, shall be regulated pursuant to Chapter 84.30 of the Wisconsin Statutes and Chapter Trans. 201, as revised, of the Wisconsin Administrative Code, provided, however, that where this Section (f) establishes more restrictive criteria for signs, then the provisions of this Section (f) shall supersede the state criteria. Spacing of signs along non-interstate highways shall be measured from other off-premise signs along the same side of the street and shall be at least three hundred (300) feet apart and not exceed three hundred (300) square feet per side. A State permit must be issued before a City permit is issued.

ZONING CODE 17.29 (E)

This is the sole Section for regulating off-premise signs for size and spacing. Additionally, off-premise signs are subject to the set-back requirements of 17.29(I)(2)(i).

(g) Directory signs for shopping centers are permitted as an alternative to ground signs, projecting signs and roof signs for individual stores in the shopping center. The top of a directory sign shall not exceed thirty (30) feet in height above the mean centerline street grade and the bottom of the sign shall not be less than ten (10) feet above the sidewalk and not less than fifteen (15) feet above a driveway or alley. The double supporting pylons shall not be greater than ten (10) feet apart. That portion of the directory sign which advertises the shopping center name shall not exceed ninety (90) square feet for one (1) side and a total of one hundred eight (180) square feet for all sides. That portion of the directory sign which advertises the individual store name shall not exceed fifteen (15) square feet for one (1) side and a total of thirty (30) square feet for all sides. Directory signs shall meet all side and rear yard requirements for the zoning district in which they are located.

(h) Any sign qualifying as more than one (1) of the above-listed types shall meet the requirements for each type.

(i) Bills and posters shall not be posted on the exterior of buildings or windows.

(2) B-1 Commercial Districts. Signs are permitted in the B-1 Commercial District subject to the following restrictions:

(a) Wall signs placed against the exterior walls of buildings shall not extend more than twelve (12) inches out from a building's wall surface, shall not exceed five hundred (500) square feet in area or forty percent (40%) of the wall surface (whichever is smaller) for any one (1) premises, and shall not exceed twenty (20) feet in height above the centerline street grade

(b) Projecting signs fastened to, suspended from or supported by structures shall not exceed one hundred (100) square feet in area for any one (1) premises, shall not extend more than six (6) feet into any public right-of-way, shall not be less than ten (10) feet from all side lot lines, shall not exceed a height of twenty (20) feet above the mean centerline street grade and shall not be less than ten (10) feet above a driveway or an alley.

(c) Window signs shall be placed only on the inside of commercial buildings and shall not exceed twenty-five percent (25%) of the glass area of the pane upon which the sign is displayed. Temporary painted specials on windows shall not be considered signs, but limited to 25% of glass area.

ZONING CODE 17.29 (E)

(d) Other signs are permitted by conditional use permits subject to the restrictions of Section 17.29(E)(1).

(2) Other Commercial Districts. Signs are permitted by conditional use in the B-2 and B-3 Districts subject to the restrictions of Section 17.29 (E)(1).

(3) Residential Conservancy and Agricultural Districts. All signs are prohibited in the R-1, R-2, R-3, R-4, R-Duplex, Conservancy, Agricultural, Historic Preservation, Planned Unit Development and Flood Districts, except the following:

- (a) Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two (2) feet in height and ten (10) feet in length.
- (b) Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.
- (c) Name, occupation and warning signs not to exceed four (4) square feet located on the premises.
- (d) Bulletin boards for public, charitable or religious institutions not to exceed thirty-five (35) square feet in area located on the premises.
- (e) Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.
- (f) Official signs, such as traffic control, parking restrictions, information and notices.
- (g) Temporary signs or banners, when authorized by the Zoning Administrator.
- (h) Awnings or canopies servicing only a particular single-family dwelling unit, provided the same shall conform to the regulations applicable to the zoning district in which the same are located.
- (i) House numbers or signs identifying parks or country clubs or official bulletin boards.

ZONING CODE 17.29 (E)

(j) An approved professional sign shall be a sign not exceeding six (6) square feet in area, stating only the name and business or profession of the occupant or the character or the use of the premises on which the sign is maintained. It shall not be illuminated and shall not move. Only one (1) such approved professional sign shall be maintained on a premise.

(F) Prohibited Signs.

(1) Signs Facing Residential Districts. No sign, except those permitted in Section 17.29(D) shall be permitted to face a residential district within fifty (50) feet of such district boundary.

(2) Traffic Interference. Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs or devices. Signs, canopies and awnings shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign, awning or canopy shall be placed so as to obstruct or interfere with traffic visibility.

(3) Moving or Flashing signs. No sign shall be erected which has any flashing, rotating or brilliant intermittent parts or lights or be reflecting-type bulbs, except those giving public service information such as time, date, temperature, weather or similar information or where allowed by conditional use permit. No signs, billboards or other advertising media, which creates a hazard or dangerous distraction to vehicular traffic or a nuisance to adjoining residential property, shall be permitted in any district.

(4) Number of Signs Permitted. No more than two (2) signs of any type shall be located on any premises, except that premises occupied by a shopping center may, as an alternative, have one (1) detached sign plus one (1) wall sign illuminated or otherwise for each place of business located in said shopping center provided that the aggregate total of all signs located on any premises so occupied shall not exceed the total area permitted for one (1) detached sign and one (1) wall sign as set forth in this Chapter. This Paragraph shall not apply to directional on-site signs or flat identification signs attached to buildings.

(G) Dangerous and Abandoned Signs.

(1) Removal. All signs shall be removed by the owner or lessee of the premises upon which the sign is located when a business which it advertises has not been conducted for a period of thirty (30) days or when, in the judgment of the Zoning Administrator such sign is so old, dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first.

(2) Alterations. Any sign which was erected before the adoption of this sign Chapter shall not be rebuilt or relocated without conforming to all of the requirements of this Chapter.

ZONING CODE 17.29 (G)

- (3) Violations. All signs constructed or maintained in violation of any of the provisions of this Chapter are hereby declared public nuisances within the meaning of this Code of Ordinances. In addition to the above penalty provisions for violation of this Chapter, the City Council, or its designee, may bring an action to abate the nuisance in the manner set forth in the Wisconsin State Statutes.
- (H) Variances or Exceptions. Exceptions to these sign regulations may be granted by the City Council, following a recommendation from the Plan Commission.
- (I) Construction and Maintenance Regulation for Signs.
- (1) Installation. All signs shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and supports shall be constructed of such material and with such workmanship as to be safe and satisfactory to the Building Inspector.
- (2) General Requirements.
- (a) Construction Standards. Signs shall be constructed in a safe structural manner in accordance with the National Building Code and the National Electrical Code with fireproof and fire-resistant materials and the Wisconsin State Codes, if more restrictive. All signs shall withstand a wind load pressure of thirty (30) p.s.f. of surface and shall also be fastened, supported and maintained so as to withstand a wind load pressure of thirty (30) p.s.f. per American Society of Engineering.
- (b) Roof Signs. No sign shall be located so as to project above the parapet line, unless approved by the Plan Commission. Roof sign structures shall be constructed entirely of steel or aluminum, and all faces shall be constructed of fire-resistant materials and shall withstand a wind pressure of thirty (30) p.s.f. per American Society of Engineering.
- (c) Illuminated Signs. Any illuminated signs shall not interfere with surrounding properties or traffic.
- (d) Prohibited Mountings. No signs shall be painted on, attached to or affixed to any trees, rocks, or other similar organic or inorganic natural matter, including utility poles or apparatus.
- (e) Blanketing. Blanketing of signs shall not be allowed.
- (f) Maintenance. All signs, including supports and attachments, shall be properly maintained and have an appearance that is neat and clean. All signs shall be kept in good structural condition, well painted, and clean at all times and the immediate premises shall be maintained in a clean,

ZONING CODE 17.29 (I)

sanitary and inoffensive condition and kept free and clear of all obnoxious substances, rubbish and weeds.

(g) Annexed Areas. All signs in newly annexed areas shall comply with this Article within five (5) years of annexation.

(h) Height Restrictions. All off-premise and on-premise signs must be constructed such that at least ten (10) feet of clearance exists between the bottom of the sign including any supporting structure, and the ground. Exceptions to this requirement can be granted by the Plan Commission as a Conditional Use Permit.

(i) Set-backs. Signs shall not be permitted within five (5) feet of a public right-of-way, except for municipal traffic control, parking and directional signs and as otherwise specified in this Chapter, or be located within five (5) feet of a property line.

(3) Search Lights. The City Council may permit the temporary use of a search light, pennants, streamers or spinners for advertising purposes in any district provided that the use will not be located in any public right-of-way, will not be located closer than ten (1) feet to an adjacent property and will not cause a hazard to traffic or adjoining properties. Such permits shall not be granted for a period of more than five (5) days in any six (6) month period.

(4) Signs on Public Rights-of-Way. Signs shall not be permitted on public rights-of-way except for traffic control, parking and directional signs and as otherwise specified in this Chapter.

(J) Specific Requirements.

(1) Electronic Message Unit Signs.

(a) Such signs may be used only to advertise activities conducted on the premises or to present public service information pursuant to Section 17.29(F).

(b) Segmented messages must be displayed for not less than one-half (1/2) second and more than ten (10) seconds.

(c) Traveling messages may travel no slower than sixteen (16) light columns per second and no faster than thirty-two (32) light columns per second.

(2) Portable Signs.

(a) Such signs shall be limited to use to thirty (30) days at a time following approval by the Zoning Administrator provided, however, that the Zoning Administrator shall not give approval for placement of a portable sign if it presents a vision obstruction and not more frequently than four (4) times per year at any one (1) location.

ZONING CODE 17.29 (J)

(b) The maximum size shall be twenty-five (25) square feet on each face, back-to-back.

(3) **MULTIPLE MESSAGE SIGNS.**

(a) Such signs are subject to the all other applicable provisions herein subject to the following restrictions.

- 1) The louver rotation time to change a message shall be one second or less.
- 2) The time a message remains in a fixed position shall be 6 seconds or more.

(K) **Nonconforming Signs.**

(1) **Signs Eligible for Characterization as Legal Nonconforming.** Any sign located within the City of Black River Falls limits on the date of adoption of this Chapter hereafter which does not conform to the provisions of this Chapter is eligible for characterization as a legal nonconforming sign and is permitted, providing it meets the following requirements:

(a) The sign was covered by a proper sign permit prior to the date of adoption of this sign ordinance.

(b) If no permit was required under the applicable law for the sign in question and the sign was, in all respects, in compliance with applicable law on the date of adoption of this sign ordinance.

(2) **Loss of Legal Nonconforming Status.** A sign loses its nonconforming status if one (1) or more of the following occurs:

- (a) The sign is structurally altered in any way, except for normal maintenance or repair, which tends to or makes the sign less in compliance with requirements of this Article than it was before alteration;
- (b) The sign is relocated.
- (c) The sign fails to conform to the City requirements regarding maintenance and repair, abandonment or dangerous or defective signs;
- (d) On the date of occurrence of any of the above, the sign shall be immediately brought in compliance with this Article with a new permit secured therefore or shall be removed.

(3) **Legal Nonconforming Sign Maintenance and Repair.** Nothing in this Article shall relieve the owner or use of a legal nonconforming sign or the owner of the property on which the sign is located from the provisions of this Article regarding safety, maintenance and repair of signs.

(L) **Awnings and Canopies.**

(1) **Permitted Awnings.** No awnings shall be erected or maintained, except such awnings as comply with the following requirements, and then only if the permit required hereunder

ZONING CODE 17.29 (L)

is first obtained and the same conforms to the regulations of the zoning district in which the same are to be located:

- (a) Support. Awnings shall be securely attached to and supported by the building and shall be without posts or columns beyond the setback line.
- (b) Height. All awnings shall be constructed and erected so that the lowest portion thereof shall be not less than eight (8) feet above the level of the public sidewalk or public thoroughfare.
- (c) Setback. No awning shall extend beyond a point four (4) feet into the right-of-way.
- (d) Advertising. No advertising shall be placed on any awning, except that the name of the establishment within the building to which the awning is attached may be painted or otherwise permanently placed in a space not exceeding twelve (12) inches in height on the front and side edges.

(2) Permitted Canopies. No canopies shall be erected or maintained, except such canopies as comply with the following requirements, and then only if the permit required hereunder is first obtained and the same conform to the regulations of the zoning district in which the same are to be located:

- (a) Support. The structural support of all canopies shall be designed by a licensed professional engineer and approved by the Building Inspector as in compliance with the Building Code of the City of Black River Falls. All frames and supports shall be of metal and designed to withstand a wind pressure as provided in Section (I) of this Code. All canopies shall be attached to a building, and no supports shall exist beyond the setback line between the canopy and the sidewalk or ground below.
- (b) Height Above Sidewalk. All canopies shall be constructed and erected so that the lowest portion thereof shall not be less than eight (8) feet above the level of the sidewalk or public thoroughfare.
- (c) Setback. No awning shall extend beyond a point four (4) feet into the right-of-way.
- (d) Advertising. No advertising shall be placed on any canopy, except that the name of the establishment may be painted or placed in a space not exceeding twenty (20) inches in average height on the front and side edges. Such name may be so painted or placed irrespective of any prohibition otherwise applicable hereunder, providing, however, that if such canopy shall contain more or other than the name of the establishment in letters more than twelve (12) inches on the front and side edges, it shall be considered as a sign and be subject to all the provisions hereof.
- (e) Canopy Insurance Requirements. Every applicant for a canopy permit, which will overhang the public street or sidewalk shall, before the permit is granted, file with the Zoning Administrator a liability insurance policy with minimum limits of Fifty Thousand Dollars (\$50,000.00) for personal injury to any person and One Hundred Thousand Dollars

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(\$100,000.00) for property damage which shall indemnify and save harmless the City from any and all damages, judgments, costs or expense which the said City may incur or suffer by reason of the granting of said permit.

(M) Abandoned Billboards And Signs. Except as otherwise herein provided, all billboards and/or sign messages shall be removed by the owner or lessee of the premises upon which an off-premise sign/billboard is located when the business it advertised is no longer conducted where advertised. If the owner or lessee fails to remove the sign/billboard, the Zoning Administrator shall give the owner thirty (30) days written notice to remove said sign/billboard and thereafter, upon the owner's or lessee's failure to comply, may remove such sign/billboard, any costs for which shall be charged to the owner of the property or may be assessed as a special assessment against the property. The Zoning Administrator may take any other appropriate legal action necessary to attain compliance.

N) Violations Of Sign Code.

- (1) Any person, firm or corporation who begins, erects or completes the erection or construction of any sign controlled by this Chapter prior to the granting of a permit shall pay a penalty of four (4) times the amount of the permit otherwise required.
- (2) If the Zoning Administrator or Building Inspector finds any sign regulated herein unsafe or insecure or is a menace to the public, it shall give written notice to the sign owner and to the property owner.
- (3) If such sign owner fails to remove or alter the sign so as to comply with the standards herein set forth within five (5) days after such notice, the Zoning Administrator may cause such sign to be removed or altered at the expense of the owner of the sign or the owner of the property upon which it is located so as to comply with the provisions of this Chapter.
- (4) Any person, firm or corporation who violates any provision of this Chapter shall be subject to the penalty of Fifty Dollars (\$50.00). Each day, or portion thereof, that such violation continues is hereby deemed to constitute a separate offense.