

ORDINANCE

An Ordinance to amend Chapter 31 of the Manitowoc Municipal Code regulating Signs.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 31.220 is amended to read as follows:

“31.220 General Standards for All Signs.

...

(7) Balloons, ribbons, or any other attention-getting devices attached to signs may be prohibited at the discretion of the Building Inspector. The Building Inspector shall provide a 24-hour verbal notice for removal, or a 72-hour written notice prior to issuing a citation for violation of this subsection. ~~shall not be attached to a sign, including any supports.~~

...”

Section 2. Section 31.230 is amended to include the following:

“31.230 Electronic Message Displays.

...

(2) **General Standards.** An electronic message display when allowed by this chapter must comply with the following minimum standards:

...

(j) An electronic message display must be located more than 100 feet from an electronic message display on an adjoining parcel.

(k) The Building Inspector has the authority to grant or rescind exceptions to these standards, at his or her sole discretion, and only when safety concerns are not at issue.

...”

Section 3. Section 31.400 is amended to read as follows:

“31.400 Awning Signs.

(1) The awning, whether existing or proposed, must be conforming to all applicable regulations.

(2) The awning, whether existing or proposed, must be made of an opaque material, unless lettering is incorporated into the awning’s valance (i.e., the vertical flap of the canopy) whereby the lettering itself may be translucent. The lettering area may not exceed 10% of the square footage of the entire awning.

...

(6) The sign shall only be placed on the valance (i.e., the vertical flap of the canopy) that is parallel to the face of the building. An awning sign containing lettering requires an awning permit.

...

(8) If an awning has internal light (e.g., to light the area below the awning), the awning material must be opaque to allow the internal light to project only through the translucent lettering, if applicable.

(9) The area of an awning is determined by multiplying the length by the height of the awning.

”

Section 4. Section 31.500 is created to read as follows:

“31.500 Temporary and Special Event Signs.

(1) Temporary signs shall be allowed in excess of the sign limitations for permanent signs, in compliance with the following:

(a) Signs shall be allowed in residential districts and as allowed pursuant to the Sign Districts Map, MMC 31.820.

(b) Signs shall comply with the setback provisions of MMC 31.440(7), (8) & (13) for pylon signs.

(c) Signs shall be limited to 24 square feet in total area per property.

(d) Temporary signs are allowed in all sign districts. Signs located outside residential districts shall require a permit from the Building Inspector or approval from the Special Events Committee as part of an application for a special event.

(e) Signs must be properly maintained pursuant to MMC 31.210, and are presumptively in disrepair after 90 days.

(2) In addition to the limitations for temporary signs, special event signs shall comply with the following limitations:

(a) Signs shall be removed no later than ten days after the special event has ended.

”

Section 5. Section 31.600 is amended to include the following:

“31.600 Sign Districts.

The following sign districts are established and are depicted on the City’s adopted sign districts map:

...

SD-15 River Point PUD

”

Section 6. Section 31.620 is amended to read as follows:

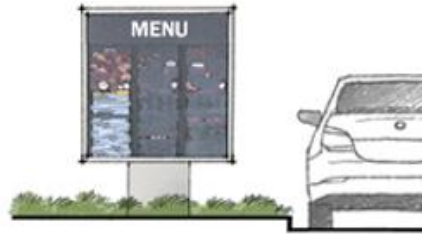
“31.620 Permissible Signage by Use.

...

(2) Restaurant with Drive-Through. A parcel with a restaurant with a drive-through may have two menu boards, provided:

(a) ~~¶~~ **The menu board is placed within six feet of the drive-through lane;**

- (b) ~~€~~ The total of all menu boards is no more than 32 square feet; ~~and~~
- (c) ~~€~~ Orders are taken via the menu board;
- (d) The menu board may be static or consist of an electronic message display in whole or in part; ~~and~~
- (e) Permit requirements: Sign approval is subject to staff review only, no permit is required.



An example of a menu board © Civic Webware

(3) Restaurant with Drive-in Service. A parcel with a restaurant with drive-in service may have a menu board, provided:

- (a) ~~€~~ The menu board is next to the parking space;
- (b) ~~€~~ The menu board is no more than three square feet; ~~and~~
- (c) ~~€~~ Orders are taken via the menu board; ~~and~~
- (d) Permit requirements: Sign approval is subject to staff review only, no permit is required.

(4) Fuel Station. A parcel with a fuel station as may be allowed by the City's zoning regulations may have a fuel canopy with signage on the vertical face, provided:

- (a) ~~€~~ The sign does not extend above or below the horizontal edge of the canopy face;
- (b) ~~€~~ The sign faces a public road; ~~and~~
- (c) ~~€~~ The sign copy does not exceed 25 percent of the canopy face; ~~and~~
- (d) Permit requirements: Sign approval is subject to staff review only, no permit is required.



A example of a fuel canopy © Civic Webware

(5) Multi-Tenant Commercial Building with Single Entrance. A building with a single entrance serving multiple businesses may place a business directory on the wall, provided:

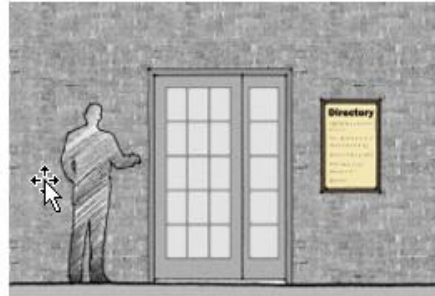
- (a) ~~€~~ The sign area does not exceed seven square feet;
- (b) ~~€~~ The edge of the sign face is located within two feet of the entrance; ~~and~~

(c) The sign copy is static; and

(d) Permit Requirements:

(i) For sign area that is seven square feet or less, sign approval is subject to staff review only, no permit is required.

(ii) For sign area that is greater than seven square feet, a sign permit is required.



An example of multi-tenant directory © Civic Webware

(6) Movie Theater. A movie theater that is licensed pursuant to MMC 11.170(2) may have additional wall signage on the front face of the building, provided:

(a) Each individual sign does not exceed six nine square feet;

(b) The wall signs are grouped together in a single row;

(c) Lighting is limited to ambient lighting;

(d) The sign copy is static;

(e) The number of signs is limited based on the number screens as follows: one screen – two signs; two screens – three signs; three screens – five signs; four screens – seven signs; five screens – nine signs; and six screens or more – 11 signs; and

(f) Permit requirements: sign approval is subject to staff review only, no permit is required.



An example of movie theater placards © Civic Webware

(7) Business Park Identification. In those instances where a business park is established with six or more individual parcels, a monument sign may be placed by the entrance to the business park, provided:

(a) Within the public right-of-way, with the approval of the jurisdiction with control of the right-of-way;

(b) In an outlot, provided the outlot is owned by the City or all of the lot owners within the business park; or

(c) Within an easement, provided the easement is approved by the City and all of the property owners in the business park have a real estate interest in the easement.

Such monument sign must comply with the following standards:

- (a) Maximum area: 32 square feet;
- (b) Maximum height: six feet;
- (c) Illumination: ambient, internal, gooseneck fixtures, ground-mounted;
- (d) Display type: static; **and**
- (e) Permit requirements: a sign permit is required;

”

(8) Subdivision Identification. In those instances where a residential subdivision is established with five or more individual parcels, not including outlots, a monument sign may be placed by the entrance to the subdivision **as follows:**

- (a) ~~w~~**W**ithin the public right-of-way, with the approval of the jurisdiction with control of the right-of-way;
- (b) ~~i~~**i**n an outlot, provided the outlot is owned by the City or all of the lot owners within the subdivision; ~~;~~ or
- (c) ~~w~~**W**ithin an easement, provided the easement is approved by the City and all of the property owners in the subdivision park have a real estate interest in the easement.

Such monument **signs** must comply with the following standards:

- (a) Maximum area: 32 square feet;
- (b) Maximum height: six feet;
- (c) Illumination: ambient, internal, gooseneck fixtures, ground-mounted;
- (d) Display type: static; **and**
- (e) Permit requirements: a sign permit is required.

(9) Campus Sign Plan. Parcels in the SD-01, SD-02, SD-07, or SD-08 Districts that are over five acres in size and are developed with building area that exceeds 100,000 square feet may have signage needs above those outlined in Appendix A. In those instances, the owner may apply for a Campus Sign Plan (Plan) to allow the review by the Building Inspector, Community Development Director and Public Infrastructure Director of the overall sign package for the property which may exceed the standards of the base district. The intent of the Plan is to allow a holistic review of all signage on the site to ensure it is consistent and appropriate with the intent of the ordinance. Said Plan must comply with the standards found within the applicable sign district with the following exceptions unless otherwise deemed appropriate by the review committee:

- (a) Maximum number: no limit if within the total allowed maximum area allotment.
- (b) Maximum area: 200 percent of the base district allotment.
- (c) Permit requirements: a sign permit is required.**

”

Section 7. Section 31.630 is amended to read as follows:

“31.630 Supplemental Signage.

In addition to the signage allowed in the other sections, an owner is allowed additional signage as specified in Appendix A that can be used for a wall sign (~~permanent or temporary~~) and/or a free-standing sign. Such signage may be used for commercial speech and noncommercial speech, including political messages and for indicating the property is for sale, rent, or lease.

Section 8. Section 31.850 is amended to include the following:

“31.850 Enforcing Officer.

The Building Inspector shall enforce this chapter and shall perform the following duties:

- (1) Issue permits and conduct inspections of property to determine compliance with the terms of this chapter;
- (2) Establish and enforce necessary or desirable regulations in writing, clarifying or explaining any provision of this chapter;
- (3) Receive and file any application for exceptions or appeals; and
- (4) Maintain permanent and current records of this chapter, including but not limited to the following: all permits, plans, exceptions and appeals.

(5) Grant or rescind accommodations or exceptions to any provision in Chapter 31 at his or her sole discretion, and only when safety concerns are not at issue. This authority is granted with the understanding that accommodations and exceptions to Chapter 31 will be infrequent.

”

Section 9. Appendix B Definitions is amended to read as follows:

“...

Sign districts map means the map adopted by the Common Council that shows the locations of various districts and other features used in the administration of the sign regulations as more fully set forth in MMC [31.820](#). While there may some similarity to the adopted zoning map, they are unrelated and serve different purposes.

Special event, for the purposes of this Chapter, means any event, activity, or circumstance of an entity which is not part of its normal daily activities and which occurs uninterrupted for a continuous period of time, not to exceed ten days.

...

Suspended sign means a sign installed below and supported by a canopy or similar feature.

Temporary sign means any banner, pennant, poster, or advertising display of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials and that appears to be intended or is determined by the Building Inspector to be displayed for a limited period of time and is not permanently mounted.

...”

Section 10. This ordinance shall take effect the day after publication.

APPROVED

Justin M. Nickels, Mayor

Fiscal Impact:

Funding Source:

Finance Director Approval: /

Approved as to form: / EGN

This ordinance was drafted by Eric G. Nycz, City Attorney