

ARTICLE IV. PERFORMANCE STANDARDS

Need purpose?

Sec. 114-41. Traffic, Parking and Access

- (a) VISION CLEARANCE AT INTERSECTIONS. To provide clear vision for motorists at intersections, there shall be a vision clearance area required on properties adjacent to certain intersections of streets with other streets and public alleys in accordance with the following requirements:
1. In the vision clearance area, no buildings, fences, structures or landscaping shall be permitted that will block vision between the heights of 2 ½ feet and 10 feet above the plane through the mean curb-grades within the triangular space as defined in Paragraph 3 below.
 2. Allowable installations in the vision clearance area include public utility poles and supports, other utility structures, official traffic signs and signals, mailboxes, sign poles or columns that do not exceed a diameter of 18 inches, and trees that have branches no lower than 10 feet above grade, and where the trunk doesn't exceed 18 inches in diameter.
 3. The size of the required vision clearance area shall be determined by the characteristics of the street intersection based on the following standards:
 4. Except as provided below, properties adjacent to intersections shall have a vision clearance area defined as a triangle whose two legs are measured along the right-of-way lines of the adjoining or intersecting streets or alleys. The length of these legs shall be measured in the direction away from the intersection as follows: **(see Plate 1)**
 - a) Fifteen (15) feet from the intersection of the rights-of-way along the right-of-way of a street or alley on which traffic must stop or yield.
 - b) The distance along the right-of-way of a street or alley on which traffic does not stop or yield shall depend on the posted speed limit for that street as follows: twenty five (25) feet for streets with a 25 mph or less speed limit, or where there is no posted speed limit; thirty five (35) feet for streets with a thirty (30) or thirty five (35) mph speed limit; fifty (50) feet for streets with a forty (40) mph or higher speed limit.
 - c) The third leg of such triangle shall be the connection of the two previously described lines.
 5. Properties adjacent to intersections that have four-way stop signs or traffic signals are exempt from the vision clearance requirement.
 6. Properties located within the area regulated by the Downtown Design Standards, as provided in Section 22-063 of this code, may have different vision clearance requirements, as approved by the Design Review Committee.

(b) **LOADING REQUIREMENTS.** In all districts adequate loading areas shall be provided so that all vehicles loading, maneuvering or unloading are completely off the public ways and so that all vehicles need not back onto any public way.

(c) **GENERAL PARKING REQUIREMENTS.** In all districts and in connection with every use, there shall be provided, at the time any use or building is erected, enlarged, extended or increased, off-street parking stalls for all vehicles in accordance with the following:

1. Adequate access to an improved public street shall be provided for each parking space and driveways shall be at least ten (10) feet wide for one and two-family dwellings and a minimum of sixteen (16) feet wide for all other uses.
2. Except for one- and two-family dwellings, all parking spaces shall be designed so that each space can be safely accessed without moving any other vehicle.
3. Dimensions.

- a) **Parking spaces:** The size of each parking space shall be nine (9) feet wide by eighteen (18) feet deep, except parallel parking spaces which shall be nine (9) feet by twenty two (22) feet.
- b) **Aisles:** Traffic aisles which provide direct access to parking spaces shall be dimensioned as follows:

Angle of Spaces	Aisle Width
90°	24 feet
60°	18 feet
45°	13 feet
30°	12 feet
Parallel	15 feet (1-way); 24 feet (2-way)

All two-way traffic aisles shall be a minimum of twenty-four (24) feet wide.

One-way

traffic aisles, when not providing direct access to parking spaces, shall be a minimum of fifteen (15) feet wide. See Plate 2 for illustrations.

INSERT PLATE 2

FOR ILLUSTRATIVE PURPOSES ONLY. See text for requirements.

- c) **Handicapped-Accessible spaces.** When required, handicapped-accessible parking spaces and accesses shall be dimensioned in accordance with the Wisconsin Administrative Code, as amended.
4. **Surfacing.**
 - a) All off-street parking areas and driveways shall have an improved surface consisting of a hard surface of bituminous paving over a base course, Portland cement concrete, seal coating, or a brick, paver or block design laid over a base with adequate load bearing capacity.

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- b) A reasonable time shall be allowed for compaction of new parking lots constructed on fill, but not to exceed six (6) months.
 - c) All off-street parking areas shall be graded and surfaced with a hard surface, properly drained. Such properties with parking area(s) for five (5) or more vehicles shall have aisles and spaces clearly marked. Hard surfaced parking areas shall be maintained to remain dust free and generally smooth, and parking space and aisle markings shall be maintained to be clearly discernible.
5. Landscaping. A headlight screen, with an initial height adequate to screen automobile headlights, shall be required for properties and uses in non- residential districts, under the following circumstances:
- a) Whenever a parking space which is angled 45 degrees or greater is located within 20 feet of a right-of-way line and is across the right-of- way from any residential use, a headlight screen of dense shrubbery or similar landscape screening shall be planted between said parking spaces and the right-of-way line.
 - b) Whenever a parking space which is angled 45 degrees or greater is located within 10 feet of a lot line which is adjacent to a one- or two- family principal structure, provided that said principal structure is within 50 feet of the parking space and that the structure is in direct line of the headlights of a vehicle parked within the space, a headlight screen consisting of a fence, a hedge, or similar screening shall be located between the parking spaces and the property line.
6. Whenever a parking area is adjacent to or near a property line, curbs, landscaping, or other barriers shall be installed so as to prevent parked vehicles from extending over any lot line.
7. Joint Use. The Zoning Administrator may approve joint use of parking facilities for two or more uses or activities only under the following conditions:
- a) The uses utilizing the parking facility must operate at different times of the day, so that there is no conflict in the use of the parking area.
 - b) The main entrance of any use which utilizes the parking facility may be no more than 300 feet from the nearest driveway of the parking facility.
 - c) All parties to the joint use, including the owner(s) of the parking facility, must sign an agreement which allows for the joint use and outlines the hours of operation of the various uses of the facility, subject to review and approval by the Zoning Administrator.
 - d) The Zoning Administrator and the City Engineer must find that the joint use will not result in any increased congestion in the public streets and will not otherwise violate the intent of this Section.
8. Zoning of Parking Areas. Except for parking areas allowed as a Specified Use in the CB District, as a Conditional Use in other designated districts, and approved joint use parking areas, all parking areas shall be in the same or less restrictive zoning district as the use that the parking area serves.
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(d) DRIVEWAYS

1. Openings for vehicular ingress and egress shall not exceed twenty-four (24) feet at the property line and thirty (30) feet at the roadway unless prior approval is granted by the Department of Public Works.

(e) LOCATION OF PARKING AREAS; USE OF YARDS

1. Except for approved joint use parking areas, the location of required parking spaces shall be on the same lot or contiguous parcel of land as the specified use.
2. No parking stall or driveway, except in residential districts, shall be closer than twenty-five (25) feet to a residential district lot line unless it has been approved by the Zoning Administrator or Plan Commission. Natural topographic barriers, privacy fencing, shrubbery or similar devices may be utilized to waive or vary these requirements.
3. Except for one- and two-family dwellings, parking areas may be located on any required yard, subject to buffer and setback requirements as enumerated elsewhere in this Section. All vehicles must be parked on an improved surface as described above. Except as provided below, no vehicles of any kind may be parked on lawns or landscaped areas.
4. For one- and two-family dwellings, yard setback areas as required by this Ordinance may be used for parking, subject to the following requirements:
 - a) No more than twenty five percent (25%) of the area of the street yard may be used for parking; however, a driveway of up to twenty (20) feet wide is permitted regardless of street yard area. The Zoning Administrator may waive or vary this requirement for unique situations, such as extra wide lots, location of existing landscaping features, location of existing curb cuts, or spacing of drives as required by the City Engineer.
 - b) Vehicles may only be parked on an improved parking surface as described above. Parking on lawn areas is prohibited; however, short term parking for the purpose of moving into a home, etc., is permitted for a period not to exceed 48 hours. Notwithstanding the above, recreational vehicles, boats, campers/trailers and similar vehicles which are parked for long-term seasonal storage may be parked on lawn areas, provided that such storage is in the rear yard or side yards only.

(f) HANDICAPPED-ACCESSIBLE PARKING SPACES. In addition to the required number of parking spaces enumerated below, handicapped accessible parking spaces must be provided in accordance with the Wisconsin Administrative Code, as amended.

1. For parking lots of 20 spaces or less, the number of required handicapped-accessible parking spaces are in addition to the number of spaces required below and may not be counted in the total number of spaces required for a use.
2. For parking lots of over 20 spaces, the required handicapped-accessible spaces may be counted in the total number of spaces required for a use.

(g) NUMBER OF PARKING SPACES REQUIRED

1. Whenever "floor area" is used for the purpose of determining the number of parking spaces required for a use, only those areas within a use which generate parking demand need be counted as "floor area". Stairwells, mechanical rooms, unfinished attic and basement areas, closets, etc., are generally not counted as floor area for this purpose.

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2. Whenever determination of required parking spaces is dependent on occupancy, such as the number of employees, etc., the number used shall be based on the period of maximum occupancy.
 3. When calculating the required number of spaces, any fractional result of 0.25 or more shall be rounded up to the next whole number.
 4. Each use, except as described otherwise in Section 8, shall provide parking spaces in accordance with the following schedule:
 - a) Automobile repair garages, service garages, and gas stations – One (1) space for each 300 square feet of floor area.
 - b) Bowling alleys – Four (4) spaces for each alley.
 - c) Churches, auditoriums and theaters used for live performances, community centers, and other places of public assembly – One (1) space for each five (5) seats.
 - d) Cinemas and movie theaters – One (1) space for each six (6) seats.
 - e) Colleges, secondary and elementary schools – One (1) space for each two (2) employees plus one (1) space for each four (4) students of 16 years of age or more.
 - f) Financial institutions; business, government, and professional offices – One (1) space for each 400 square feet of floor area.
 - g) Funeral homes – Twenty (20) spaces for each viewing room.
 - h) Hospitals, sanitariums, institutions, rest and nursing homes – One (1) space for each three (3) beds plus one (1) space for each three (3) employees plus one (1) space for each physician.
 - i) Hotels, motels – 1.25 stalls for each guest room.
 - j) Manufacturing and processing plants (including meat and food processing plants), laboratories and warehouses – One (1) space for each 2,000 square feet of principal building area or one (1) space for each two (2) employees on maximum shift, whichever is greater.
 - k) Medical and dental clinics – One (1) space for each 300 square feet of floor area.
 - l) Motor vehicle sales (new and used) – One (1) space for each 800 square feet of floor area used plus 300 square feet of outdoor display area for each motor vehicle to be displayed.
 - m) Two-family and Multi-family dwellings:
 1. Efficiency units – One (1) space per unit.
 2. One-bedroom units – One (1) space per unit.
 3. Two or more bedroom units – 0.75 spaces per bedroom, per unit.
 - n) Repair shops – One (1) space for each 300 square feet of floor area.
 - o) Retail and service stores – One (1) space for each 300 square feet of floor area.
 - p) Restaurants, bars, places of entertainment – One (1) space for each 200 square feet of floor area plus one (1) space for each two (2) employees.
 - q) Retirement homes, elderly housing, congregate housing, orphanages, convents, and monasteries – One (1) space per 1,000 feet of principal floor area.
 - r) Rooming and boarding houses, fraternity and sorority houses, and rectories – One (1) space for each of seventy five percent (75%) of the number of beds contained therein.
 - s) Single-family homes – Two (2) spaces.
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- t) Uses not listed. In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.
 - u) Combinations of any of the above uses shall provide the total of the number of stalls required for each use.

(h) Downtown Parking

1. The following requirements shall apply to parking in the CB Central Business District.
 - a) Except as provided below, parking stalls are not required to be provided for uses in existing buildings in the CB Central Business District, but when they are provided, they shall conform to the requirements of size, access, surfacing and barriers, but not number of stalls as specified above.
 - b) Uses in new buildings, additions to existing buildings, and reconstruction of buildings that increases the square footage of the building area on the property shall provide parking spaces only for the increased floor area at seventy five percent (75%) of the amount as enumerated in Section 114.59 (7).
 - c) Whenever the interior remodeling or renovation of existing buildings adds additional dwelling units, parking spaces shall be provided for these new units at seventy five percent (75%) of the amount as enumerated in Section 114.59 (7).
2. The following requirements shall apply to parking in the GB General Business District.
 - a) Uses on all properties within the CBT District shall provide seventy five percent (75%) of the required number of spaces as enumerated in Section 114.59 (7).
3. The parking spaces as required in sections (a) and (b) above may be provided off-site, if the following requirements are met:
 - a) Parking spaces shall be located not more than one thousand three hundred twenty feet (1,320') from the property line of the use being served.
 - b) The availability of the off-site parking spaces shall be evidenced by a written agreement between the owner of the land on which the parking is located, and the owner of the use that requires the parking. This written agreement shall be in the form of a lease, contract, easement or similar instrument, and shall be for a minimum duration of one year. The written agreement shall be recorded with the Grant County Register of Deeds and a copy provided to the City.
 - c) If the owner of a building or use no longer has the right to maintain or use off-site parking spaces on a separate parcel, the owner of a building or use shall accommodate all required off-street parking spaces on the site of the building or use, obtain a variance, or obtain a new off-site parking agreement in accordance with this chapter. If the owner is unable to accommodate the off-street parking spaces, is unable to obtain a variance, or is unable to arrange a new off-site parking agreement, then the owner of a building or use shall pay a per parking space fee to the City as provided in Section (d) below.

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4. In lieu of providing the parking spaces as required in sections (a) and (b) above, a per parking space fee may be paid to the City, in an amount as established from time to time by the Common Council. The fee shall be paid at the time the building permit is issued for the project that results in the need for parking, or at the time an off-site parking agreement expires. Said fee shall be used by the City to provide parking improvements in the downtown area.
- (i) BICYCLE PARKING REQUIREMENTS. In all districts and in connection with every use, except single-family residential, there shall be provided, at the time any building is erected, enlarged, extended or increased, off-street parking spaces for bicycles in accordance with the following:
1. Design Criteria and Dimensions
 - a) Bicycle parking requirements can be fulfilled by lockers, racks, or equivalent structures in or upon which the bicycle may be locked by the user.
 - b) Bicycle racks shall accommodate locking of the bicycle frame and at least one wheel with u-locks.
 - c) Bicycle racks shall support a bicycle upright by its frame at two points of contact to prevent bicycles from pivoting or falling over. Common examples of bicycle racks meeting this criterion include the Inverted "U", "A", and Post and Loop Racks.
 - d) Bicycle parking shall be provided on an improved hard surface and securely anchored to a supporting surface. Installation of bicycle racks shall also conform to the requirements set forth by the bicycle rack manufacturer.
 - e) Bicycle racks shall be installed with adequate space beside the parked bicycle so that a bicyclist will be able to reach and operate their locking mechanism.
 - f) Required bicycle spaces shall be at least three (3) feet by six (6) feet, with a vertical clearance of at least six (6) feet.
 2. Location
 - a) Bicycle parking shall be located on the same lot as the building or use served, except for shared parking as provided in this section.
 - b) Bicycle racks shall be located such that they are visible from the street and/or main building entrance with lighting that is a minimum of one foot candle per square foot at ground surface.
 - c) Bicycle racks intended for the sole use of employees or tenants of a property can be located inside of a parking garage, building or near an employee or tenant entrance.
 - d) Bicycle parking shall be located in designated areas, which minimize pedestrian and vehicular conflicts.
 - e) Bicycle parking located within an automobile parking area shall be clearly designated and located as close to a building entrance as possible.
 3. Shared Bicycle Parking Facilities
 - a) Bicycle parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements governing the number of spaces required in relation to the use served.

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- b) Such facilities shall be located on one of the lots on which a use served is located; provided, that such facilities are also located not more than three-hundred (300) feet walking distance from all of the buildings, structures, or uses of land which such bicycle rack facilities are intended to serve.
4. Number of Spaces
- a) No bicycle spaces are required for single-family uses.
 - b) For multi-family uses, the number of bicycle parking spaces provided shall be twenty five percent (25%) of the total number of parking spaces required for automobile parking for a building or use as enumerated in Section 114.59 (7).
 - c) For all uses other than single-family and multi-family, the number of bicycle parking spaces provided shall be ten percent (10%) of the total number of parking spaces required for automobile parking for a building or use as enumerated in Section 114.59 (7).
 - d) After the first twenty five (25) bicycle parking spaces are provided, additional bicycle parking spaces required are one half (0.5) the normal amount.
5. HIGHWAY ACCESS
- a) No direct private access shall be permitted to the existing or proposed rights-of-way of any controlled access arterial street without permission of the highway agency that has access control jurisdiction.
 - b) No direct public or private access shall be permitted to the existing or proposed rights-of-way of the following:
 - 1. Arterial streets intersecting another arterial street within 100 feet of the intersection of the right-of-way lines.
 - 2. Streets intersecting an arterial street within 50 feet of the intersection of the right-of-way lines.
 - 3. Streets intersecting or interchanging with a controlled access highway within 1,500 feet of the most remote end of the taper of the turning lanes of the intersection or interchange.
 - 4. Access barriers, such as curbing, fencing, ditching, landscaping or other topographic barriers, shall be erected to prevent unauthorized vehicular ingress or egress to the above specified streets or highways.
 - 5. Temporary access to the above rights-of-ways may be granted by the Plan Commission after review and recommendation by the highway agencies having jurisdiction. Such access permit shall be temporary, revocable and subject to any conditions required and shall be issued for a period not to exceed 12 months.
6. FRONTAGE STREETS
- a) Frontage Streets, where required, shall provide access to abutting properties and protection for vehicles from fast or heavy traffic on highways or arterial streets. The right-of-way for frontage streets shall be adjacent, parallel and directly abutting the right-of-way of the principal highway or street.
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Sec. 114-42. Performance Standards

(a) Any use in the Industrial Districts shall comply with the following regulations:

1. Noise. At no point on the district boundary nor beyond property lines of individual lots within the district shall the sound level of any individual operation or level exceed the limits shown in the following table:

Cycles per Second	7:00am-10:00pm	10:00pm-7:00 am
0-75	70	67
75-150	67	62
150-300	59	54
300-600	52	47
600-1,200	46	41
1,200-2,400	40	35
2,400-4,800	34	29
Over 4,800	32	27

Frequencies and sound levels shall be measured with an Octave Band Analyzer and Sound Level Meter which comply with the USA Standards prescribed by the United States of America Standards Institute.

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, heat frequency, impulse character, periodic character or shrillness.

- (b) Contaminants. The limits on emission for particular contaminants shall be determined and enforced as provided for under section NR 154.02, Wisconsin Administrative Code.
- (c) Liquid and Solid Waste. Any disposal of wastes on the property shall be done in such a manner that it will conform to the regulations of this Chapter. No wastes shall be discharged into a storm sewer or roadside ditch or drainage area except clear and unpolluted water. All liquid waste disposal shall be in conformance with section COM81-85 and COM10, State of Wisconsin Department of Natural Resources Administrative Code NR 125.01 or as amended.
- (d) Electrical Emission. There shall be no electrical emission beyond the property line which would adversely affect any other use or adjacent property owners.

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- (e) Glare and Heat. There shall be no reflection or radiation, directly or indirectly, or glare or heat beyond the property line if it would constitute a nuisance, hazard or be recognized by a reasonable person as offensive. Provided, however, that nothing in this section shall prohibit night illumination of a property within the district.
- (f) Vibrations. There shall be no operation or activity which would cause ground transmitted vibrations in excess of the limits set forth in the table below beyond the boundary of this district, under any conditions, nor beyond the property line if it would adversely affect any other use within the district.

Ground Transmitted Vibrations:
Maximum Permitted Displacement

Frequency	Along Subdivision
Cycles per second	Boundaries (In Inches)

0-10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and over	.0001

Sec. 114-43. Accessory Dwelling Units

(a) It is the policy of Mauston to permit accessory dwelling units in a manner that enhances residential neighborhoods and helps residents meet their housing needs. The following standards apply:

1. Accessory dwelling units are a permitted use in the SR zoning district.
2. The property owner must occupy either the primary dwelling or accessory dwelling unit as their principal residence.
3. A maximum of one accessory dwelling unit is permitted per residential lot.
4. An accessory dwelling unit may be incorporated within an existing dwelling, an existing accessory building, or a new accessory building.
5. When proposed as a new structure separate from the existing dwelling unit, an accessory dwelling unit must comply with the following standards:
 - a) The facade of the accessory dwelling must be at least 20 feet further from the street than the facade of the principal dwelling.
 - b) The width of the accessory dwelling unit parallel to the street may not exceed 60% of the width of the single-family dwelling.
 - c) The height to the eave of the accessory dwelling may not exceed 80% of the height to the eave of the principal dwelling.
 - d) These requirements do not apply to preexisting buildings converted to accessory dwelling units.
6. Accessory dwelling units may not exceed 30 percent of the total area of the principal dwelling, up to a maximum size of 600 feet, whichever is smaller in size.
7. The accessory dwelling unit shall not be sold separately from the principal dwelling or the remainder of the property.

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8. No additional parking is required for accessory dwelling units.
 9. The accessory dwelling shall be connected to the central water and sewer system of the principal dwelling. There shall not be a separate metering system for the accessory dwelling.
 10. The property owner shall sign an affidavit before a notary public affirming that the owner occupies the principal dwelling.
 11. Any accessory dwelling unit must meet the same development standards and any municipal, state, or federal building code and permitting required for the principal dwelling unit structure. A building permit for the ADU must be obtained within one (1) year of approval.

Sec. 114-44. Swimming Pools

- (a) *Exempt pools.* Storable children's swimming or wading pools, with a maximum diameter of 15 feet and a maximum wall height of 18 inches and which are so constructed that it may be readily disassembled for storage and reassembled to its original integrity, are exempt from the provisions of this section.
 - (b) *Permit required.* Pools are a type of land use covered by this chapter which are allowed as permitted uses or conditional uses under the different standard zoning districts, pursuant to the procedures of this chapter.
 - (c) *Construction requirements* A permit for a swimming pool shall not be issued unless the following construction requirements are observed:
 1. *Approved materials.* All materials and methods of construction in the construction, alteration, addition, remodeling or other improvements and pool installation shall be in accord with all state regulations and codes and with any and all ordinances of the city now in effect or hereafter enacted.
 2. *Plumbing.* All plumbing work shall be in accordance with all applicable ordinances of the city and all state codes. Every private or residential swimming pool shall be provided with a suitable draining method, and in no case shall waters from any pool be drained into the sanitary sewer system, onto lands of other property owners adjacent to that on which the pool is located or in the general vicinity.
 3. *Electrical installations.* All electrical installations, including lighting and heating but not limited thereto, which are provided for, installed and used in conjunction with a private swimming pool shall be in conformance with the state laws and city ordinances regulating electrical installations.
 - (d) *Setbacks and other requirements.*
 1. Private swimming pools shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.
 2. All swimming pools shall be at least ten feet from any lot line or building unless designed and approved as an addition to a building.
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(e) *Enclosures.*

1. *Fence; in-ground pools.* All outdoor, in-ground swimming pools shall have a fence or other solid structure not less than four feet in height completely enclosing the pool with no opening therein, other than doors or gates, larger than three inches square. All gates or doors opening through the enclosure shall be kept securely closed and locked at all times when not in actual use and shall be equipped with a self-closing and self-latching device designed to keep and be capable of keeping such door or gate securely locked at all times when not in actual use.

2. *Above-ground pools; pool wall barrier.*

a. An approved barrier shall consist of a solid wall of durable material of which the pool itself is constructed and shall extend directly above the vertical water enclosing wall of the pool. Such walls shall extend more than three feet above the level of the ground immediately adjacent to the pool. Such a solid pool wall barrier shall not be located within six feet of any other wall or fence or other structure which can be readily climbed by children. Every entrance to a pool, such as a ladder, must be secured or adequately safeguarded to prevent unauthorized entry into the pool.

b. The pool enclosure may be omitted where portable pools are installed above ground and have a raised deck around the entire pool perimeter with an attached enclosed railing a minimum of 36 inches high on the top.

(f) *Compliance.* All swimming pools existing at the time of passage of this chapter not satisfactorily fenced shall comply with the fencing requirements of this section or when water is placed in the pool. Enclosures on existing pools shall be inspected by the zoning administrator or designee for compliance. Variations in enclosure requirements that do not adversely affect the safety of the public may be approved.

(g) *Draining and approval thereof.* No private swimming pool shall be constructed so as to allow water to drain into any sanitary sewer nor to overflow upon or cause damage to any adjoining property. Provisions may be made for draining the contents of any swimming pool into a storm sewer, but such installation shall be subject to prior approval by the DPW.

(h) *Filter system required.* All private swimming pools within the meaning of this chapter must have, in connection therewith, some filtration system to assure proper circulation of the water therein and maintenance of the proper bacterial quality thereof.

Sec. 114-45. Mobile Homes

(a) STATUTES APPLY. The provisions of Section 66.058 of the Wisconsin Statutes and HSS 177 of the Wisconsin Administrative Code, and the definitions therein are hereby adopted by reference. To insure uniformity between City of Mauston ordinances and State of Wisconsin regulations, any future amendments, revisions or modifications of the statutes and Wisconsin Administrative Codes incorporated herein are hereby made a part of this chapter.

(b) LOCATION OUTSIDE MOBILE HOME PARK

1. It is hereby declared to be the policy of the City of Mauston, that no mobile home shall hereinafter be placed outside of a mobile home park within the City of Mauston.
 - a. Temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations for that street, alley or highway. In case of emergency or breakdown such parking or stopping shall be permitted for not more than 4 hours.
2. Existing mobile homes outside of a mobile home park shall be classified as existing nonconforming uses and subject to the provisions of Chapter 114 and other applicable chapters of the Municipal Code of the City of Mauston.

(c) PERMITS, LICENSE AND FEES

1. Parking Permit Fee – There is hereby imposed on each mobile home located in the City of Mauston, a monthly parking fee as determined in accordance with Section 66.058, Wisconsin Statutes. Said fees shall be paid to the City Treasurer on or before the 15th day of the month for which such fees are due.
2. Mobile Home Park License – It shall be unlawful for any person to operate upon property owned or controlled by him within the City of Mauston a mobile home park without having first secured a license therefor from the City Clerk. The application for such license shall be accompanied by a fee for each space in the existing or proposed park. The fee shall be in the amount as established from time to time by resolution of the Common Council. The annual license shall expire yearly on June 30th.
 - a. It shall be the full responsibility of the mobile home park licensee to collect the parking permit fee as described in 114-163 (c)(1), from each mobile home owner. Said fees shall be paid to the City Treasurer on or before the 15th day of the month for which such fees are due.
3. Revocation of Licenses and Permits – The Common Council is hereby authorized to revoke any license or permit issued pursuant to this chapter for violation of any provision of this chapter or any other health or police regulation of the City or the state.

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4. All license or permit fees not paid shall be extended upon the tax roll as a delinquent tax against the parcel where such park, camp or home is or was situated at the time when such liability was incurred. All proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such delinquent license or permit fee.

(d) MANAGEMENT OF MOBILE HOME PARKS. In addition to the duties of the mobile home park operator or manager as described in HSS 177 of the Wisconsin Administrative Code the following shall apply:

1. Each mobile home shall be numbered and said numbering shall correspond with Lot # of park plan. All numbering shall be easily visible from the street.
2. Furnish information to the City Clerk and City Assessor on mobile homes added to the park within 5 days of their arrival, on forms furnished by the Assessor.

(e) APPLICABILITY OF PLUMBING, HVAC, ELECTRICAL AND BUILDING REGULATIONS.

1. All plumbing, HVAC, electrical, building and other work on or at any licensed mobile home park, or at or within any mobile home within or outside of a mobile home park, shall be in accordance with this code and the requirements of the Building Codes as designated in Chapter 102 of the Municipal Code and the regulations of the State Board of Health.

(f) MOBILE HOME PARKS

1. GENERAL PROVISIONS

- a) A mobile home park may be established as a Conditional Use within the MF District. A mobile home park shall contain a minimum of ten mobile home spaces and no mobile home shall hereinafter be placed outside of a mobile home park within the City of Mauston.

When submitting an application for a Conditional Use Permit, the applicant shall concurrently submit preliminary park plans which clearly show or provide the following items of information:

- i. Unit density.
- ii. Lot layout and areas.
- iii. Setback lines.
- iv. Location of recreation areas.
- v. Location and extent of related non-residential uses (laundromat, shelter, etc.).

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- vi. Location of park sign.
 - vii. Traffic, parking and access plans.
 - viii. Sidewalk layout.
 - ix. Utility improvements, including lighting.
- b. Construction, alteration, or extension of a mobile home park shall be subject to the issuance of a permit as set forth in Chapter 102 of the Municipal Code.
 - c. Operation of a mobile home park shall be subject to the issuance of a license as set forth in this chapter and compliance with the provisions set forth in Wisconsin Statutes and Wisconsin Administrative Codes.
 - d. Any newly-placed mobile home in an existing mobile home park, any mobile home placed in a new mobile home park, or any improvement to an existing mobile home exceeding 50% of the assessed value shall conform to applicable sections of Chapter 104, Flood Plain Zoning.
 - e. All mobile home parks established in the City shall comply with the requirements set forth hereunder.

2. ENVIRONMENTAL REQUIREMENTS

- a. Density: The maximum allowable density in a mobile home park development shall be eight units or lots per acre.
- b. Minimum lot size: Individual lots within a mobile home park must contain an area of not less than four thousand square feet.
- c. Required separation between mobile homes: Mobile homes shall be separated from each other and from other buildings or structures by at least 20 feet. Structural attachments to mobile homes, such as porches, storage sheds, and the like, are considered part of the mobile home. Detached accessory structures shall be allowed only if included and approved as part of the original mobile home park plan and shall not be closer than 5' to the principal structure of any lot line.
- d. Setbacks: Each mobile home shall be located a minimum of ten feet from any mobile home lot line. There shall be a minimum distance of twenty feet between the mobile home stand and abutting park street right of way. All mobile homes shall be located at least fifteen feet from any park boundary except where the adjoining property is also a mobile home park.

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- e. Recreation areas: In all mobile home parks there shall be one or more recreation areas which are accessible to park residents. The size of such recreation areas shall be based on a minimum of two hundred square feet for each lot. No such outdoor recreation area shall contain less than 2,500 square feet. Recreation areas shall be located so as to be free of traffic hazards and should, where the topography permits, be centrally located.
 - f. Allowable uses: Only single family mobile homes and any approved accessory structures included in the original plans and specifications and revisions thereof are allowed in mobile home parks. Mobile homes without plumbing are prohibited.

Parks, playgrounds, open space and the following commercial uses are allowed when they are for the exclusive use of park residents: Mobile home park office; Laundromat; Clubhouse and facilities for private, social or recreation clubs.

- g. Signs: Signs which pertain to the lease, sale, or hire of individual mobile homes, not more than four square feet in area, shall be allowed, as well as one non-illuminated mobile home park identification sign not more than fifty square feet in area and located in proximity to the mobile home park entrance.

3. ACCESS REQUIREMENTS

- a. Street access in all mobile home parks: Safe and convenient access shall be provided by means of streets or roads, except that in those mobile home parks in which grouping or clustering of parking spaces or other such design features are employed in the layout, direct access need not be provided to every lot. However, in all cases direct access adequate for fire protection and other emergency vehicles shall be provided.
- b. Park Entrance: Entrances to mobile home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.
- c. Internal Streets: Surfaced roadways shall be of adequate width to accommodate anticipated traffic and in any case shall meet the following minimum requirements.

Roadway width, all streets	25 feet
Right-of-way width	40 feet

Dead end streets, including cul-de-sacs, shall be limited in length to 1,000 feet and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 85 feet.

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4. STREET CONSTRUCTION AND DESIGN STANDARDS. All street construction and design in mobile home parks shall be approved by the Director of Public Works.
 5. PARKING REQUIREMENTS
 - a. Occupant Parking: A minimum of two parking spaces shall be provided for each mobile home lot. Such spaces shall be located within 150 feet of the mobile home lot to be served.
 - b. Parking Space: Each parking space shall contain a minimum of 180 square feet. The space shall be paved with a smooth, hard, and dense surface which shall be durable and well drained under normal use and weather conditions.
 - c. Use of Right-of-Way for Parking: In no instance shall the required street pavement width be used for parking purposes. The remaining right-of-way on either side of the street pavement may be used for parking purposes.
 - d. Parking Restrictions: Parking of boats, trailers, campers, snowmobiles or other motorized vehicles shall be restricted to an area or areas provided by the park management specifically for said purpose and in the event no such area as provided by park management, such boats, trailers and campermobiles shall not be parked in a mobile home park.
 6. WALKWAYS. All parks shall be provided with safe, convenient, all-season pedestrian access, the design and construction of which shall be subject to the approval of the Director of Public Works.
 - a. Common Walk System: A common walk system shall be provided and maintained where pedestrian traffic is concentrated. Such common walks shall have a minimum width of two and one-half feet.
 - b. Individual Walks: All mobile home stands shall be connected to common walks or to a paved street or roadway by individual walks. Such individual walks shall have a minimum width of two feet.
 7. MOBILE HOME STANDS. The dimensions of every mobile home stand shall not be less than 15 feet by 70 feet. The area of the mobile home stand shall be improved to provide adequate support for the placement and tie-down of the mobile home, thereby securing the superstructure against uplift, sliding, rotation and overturning.
 - a. The mobile home stand shall be provided with anchors and tie-downs such as cast-in-place concrete "dead men" eyelets embedded in concrete foundations or runway sewer augers, arrowhead anchors, or other devices securing the stability of the mobile home.
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- b. Anchors and tie-downs shall be placed at least at each corner of the mobile home stand and each shall be able to sustain a minimum tensile load of 2,800 pounds. Where located in a flood hazard area, newly- placed mobile homes shall be anchored as follows:

Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations. Mobile homes less than fifty feet long shall require only one additional tie per side.

Frame ties shall be provided at each corner of the mobile home with 5 additional ties per side at intermediate points. Mobile homes less than fifty feet long shall require only four additional ties per side.

All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

Any additions to the mobile home shall be similarly anchored. The placement of all new mobile homes in addition to the standards listed above, must also meet the residential development standards in the floodfringe as found in applicable sections of Chapter 104, Flood Plain Zoning.

- c. Mobile home park developments shall comply with Chapter 104, Flood Plain Zoning, of this code where applicable.

8. STREET AND PUBLIC WALKWAY ILLUMINATION REQUIREMENTS. All parks shall be lighted as determined by the Plan Commission.

- a. EXISTING MOBILE HOME PARKS. The lawful nonconforming use or layout of a mobile home park existing at the time of the adoption or amendment of this ordinance may be continued even though the use or layout does not conform with the provisions of this ordinance. However, only that portion of the land in actual use may be so continued and the park may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this ordinance.

Owners and operators of all existing mobile home parks and subdivisions located in the regional floodplain shall file an evacuation plan with the building inspector indicating alternate vehicular access and escape routes, including mobile home hauler routes, with the appropriate local disaster preparedness authorities and shall provide for adequate surface drainage to minimize flood damage.

Sec. 114-46. Modifications and Exceptions

(a) HEIGHT. The district height limitations set forth in this ordinance may be exceeded, but such modifications shall be in accordance with the following:

1. Architectural projections, such as spires, belfries, parapet walls, cupolas, domes, flag poles, elevator penthouses, roof-top mechanical equipment, flues and chimneys shall be exempt from the height limitations, provided however, that such projections shall not have a total area greater than twenty five percent (25%) of the roof area of the building, and shall not be used as habitable space.
2. Special structures, such as gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, flag poles, silos and smoke stacks are exempt from the height limitations of this ordinance, provided that such structures shall not occupy more than twenty five percent (25%) of the total area of the lot, and provided that the structures meet the minimum setbacks for principal structures for the district in which they are located.
3. Essential services, utilities, water towers, electric power and communications transmission lines are exempt from the height limitations of this ordinance.
4. Communication structures, such as radio and television transmission and relay towers and aerials shall not exceed in height three (3) times their distance from the nearest lot line.
5. Public or semipublic facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of fifty (50) feet, provided that for each foot by which the height of such building exceeds the maximum height otherwise permitted in the district in which it is located, the required yards shall be increased by a foot more than the standard yards of the district in which it is located.

(b) YARDS. The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

1. Uncovered decks, porches, stairs, landings, fire escapes and like structures may project into any required yard, not to exceed ten (10) feet of projection and not closer than fifteen (15) feet to any street or rear lot line, and not closer than five (5) feet to any side lot line.
2. Uncovered handicap access ramps shall be exempt from the yard requirements.
3. Architectural projections, such as chimneys, flues, sills, eaves, belt courses and ornaments, may project into any required yard, but such projection shall not exceed two (2) feet.
4. Essential services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this ordinance.
5. Landscaping, vegetation, mail boxes, light fixtures and flag poles are exempt from the yard requirements of this ordinance, except as restricted in 114-159 (a).
6. The required street yard may be decreased in any Residential or Business district to the average of the existing street yards of abutting structures on each side, but in no case less than fifteen (15) feet in any residential district.

Sec. 114-47. Signs

(a) **PERMIT REQUIRED.** No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered except so as to comply with the provisions of this section. It shall be unlawful for any person to locate, erect, construct, enlarge or structurally modify a sign or cause the same to be done within the City of Mauston without first obtaining a sign permit for each sign from the Building Inspector, unless specifically exempted by this Section.

(b) **GENERAL REGULATIONS**

1. **Conflicts.** In the case of conflicting sign requirements and limitations, the more stringent shall apply.
2. **Advertising.** Other than billboards, political signs and temporary signs as permitted by this Section, signs shall advertise only those locations, products, goods, or services available upon the same premises as the sign.
3. **Installation.** All signs shall be properly secured, supported and braced. Signs shall not be fastened to window frames. Every sign and its framework, braces, anchors and other supports shall be constructed of such material and with such workmanship as to be safe and satisfactory to the Building Inspector.
4. **Maintenance.** All signs, including supports and attachments, shall be kept in reasonable structural condition and shall be kept clean and well painted at all times.
5. **Blanketing.** Blanketing of signs shall not be allowed.
6. **Illumination.** When permitted, both indirect and directly illuminated signs shall concentrate light only upon the area of the sign. Light sources shall be shielded as necessary to prevent glare upon the street or adjacent properties.

(c) **DEFINITIONS AND REQUIREMENTS.** The following definitions and sign requirements shall apply to all signs. Refer to Section 114-165 (g) for regulations specific to each zoning district, and to Section 114-165 (h) for regulations specific to temporary signs.

1. **Area of Sign.** The entire area within a single perimeter enclosing the extreme limits of a sign, not including any structural elements. The area of a multiple- faced or irregular-shaped sign shall be computed on the basis of the smallest area of the sign that can be enclosed by two contiguous rectangles. Only one side of a double-faced sign shall be used in computing the area of a sign, provided that the information on both sides is the same.
 2. **Awning.** A hood or cover that projects from the wall of a building, which can be retracted, folded or collapsed against the face of a supporting structure.
 3. **Banner Sign.** Any temporary sign of lightweight fabric, vinyl or similar material that is intended to promote a business, product or event. National, state or municipal flags shall not be considered a banner sign.
 4. **Billboard.** A sign that advertises goods, products or facilities, or services not on the premises where the sign is located or is intended to direct persons to a different location from where the sign is located. Also known as an off-premises advertising sign.
 5. **Blanketing.** The unreasonable obstruction of view of a sign caused by the placement of another sign.
 6. **Building Frontage.** The horizontal width of a building where it is oriented towards the right-of-way. On a corner lot, each face of the building facing a right-of-way is considered a separate building frontage.
 7. **Building Sign.** A sign attached to, painted on or made a part of a wall or a projection of a wall on a building, or erected upon or over the roof or parapet of
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- any building. For the purposes of this Ordinance, there are four types of building signs.
- a. Awning/Canopy/Marquee Sign. Any sign attached to or made part of an awning, canopy or marquee, including any sign hanging from underneath the awning, canopy or marquee. Hanging signs may not be lower than 8 feet above a walkway or public sidewalk.
 - b. Wall Sign. Any sign attached to, erected on or painted on the wall of a building or structure and projecting not more than twelve (12) inches from such wall.
 - c. Projecting Sign. Any sign extending more than twelve (12) inches, but no more than five (5) feet from the face of a wall or building. Projecting signs may not be lower than eight (8) feet above a walkway or public sidewalk.
 - d. Roof Sign. Any sign erected upon or over the roof or parapet of any building. The highest point of the sign may not be more than fifteen (15) feet above the roof surface or the coping of the building. The combined height of the building and the sign shall not exceed the height requirement for the zoning district in which it is located.
8. Canopy (or Marquee). A shelter attached to or connected with a building to provide cover over a door, entrance, window or outdoor service area.
 9. Construction/Development Sign. Any temporary sign giving the name or names of contractors, architects, lending institutions, funding sources, responsible for construction on the site where the sign is placed, together with other pertinent information included thereon
 10. Directly Illuminated Sign. Any sign designed to give artificial light directly through a transparent or translucent material from a source of light originating within or upon such sign.
 11. Directional Sign. Any sign which provides instruction or direction and is located entirely on a property to which it pertains, or adjacent to a driveway serving the property, and does not exceed eight (8) square feet in area. This includes, but is not limited to, such signs as those identifying entrances and exits, drive-through windows, restrooms, telephones, and parking areas.
 12. Electronic Message Unit Sign. Any sign on which the message may be changed by an electronic process, including such messages as copy, art, graphics, time, date, temperature, weather or information concerning civic and charitable events or the advertising of products or services available on the premises. This also includes traveling or segmented message displays.
 13. Flashing Elements. Portions of any directly or indirectly illuminated sign (except for Electronic Message Unit signs) which contain artificial light which is not maintained stationary and constant in intensity and/or color at all times when in use. Where signs with flashing elements are permitted, the intensity of any single bulb or other light-emitting source cannot exceed twenty-five (25) watts. Bare reflecting-type bulbs of any kind are not allowed as flashing elements unless they are properly shaded so as not to interfere with surrounding properties. No more than twenty-five (25) percent of the area of any sign may contain flashing elements.
 14. Freestanding Sign. Any permanent sign which is supported by structures or supports in or upon the ground and independent of support from any building.
 15. Height of Sign. The distance measured from the established grade at the ground level of the sign to the top-most element of the sign structure.
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16. Indirectly Illuminated Sign. A sign that is illuminated from a source outside of the actual sign, which is directed at the sign and is installed for the purpose of sign illumination.
 17. Institutional Sign. A sign for a public, educational, charitable or religious institution, which may include areas for movable copy.
 18. Movable Board Sign. A two-sided sign designed to be temporarily placed on the sidewalk outside of a business that advertises goods or services available therein. A movable board sign located on a public sidewalk shall only be displayed during the hours the business is open, may not be fixed in a permanent position, shall not be located in front of another business, and may not be illuminated. The City accepts no liability for any movable board sign placed on a public right-of-way.
 19. Multi-Family Complex Sign. A freestanding sign that displays the name of a multi-family apartment complex and related information (such as the phone number, vacancy status, etc.).
 20. Neighborhood Identification Sign. A sign displaying the name of a particular neighborhood or subdivision located at the entrance to said area. A Neighborhood Identification sign may be illuminated and may be combined with a brick, masonry or stone wall and landscaping.
 21. Nonconforming Sign. Any sign which does not conform to the regulations of this Section.
 22. Occupant Frontage. In a multi-tenant building, the horizontal width of the business occupancy parallel to the front of the building or to its main entrance. In the case of an end unit with a wall face that faces a street right-of-way, each wall face may be considered a separate occupancy frontage.
 23. Personal Greeting/Congratulatory Sign. A temporary sign with a non- advertising message providing a greeting or message to announce, congratulate or welcome.
 24. Public Event Sign. A temporary sign displaying information of interest to the general community regarding scheduled public events, public activities, fundraising events, religious or educational events or activities, or events of a philanthropic entity. Such signs shall not include product advertisement or an activity for private profit.
 25. Political Message Sign. A temporary sign supporting a candidate for office or urging action on any other matter on the ballot of a primary, general or special election or urging that a matter be placed on a ballot of a primary, general or special election.
 26. Portable Sign. A temporary sign mounted to a rigid structure which is not permanently affixed to the ground and which can be moved from one location to another, not including a moveable board sign.
 27. Real Estate Sign. Any sign that is used to offer for sale, lease or rent the property upon which the sign is placed.
 28. Sign. A sign shall include anything using words, letters, numbers, symbols or graphics that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location, individual, event or product.
 29. Sign Setback. The distance from any property line to the plane formed by the nearest edge or element of the sign structure, extended to the ground.
 30. Street Frontage. The distance measured along the lot line adjacent to a public right-of-way. Each separate street adjacent to a lot is considered a separate
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street frontage. When multiple signs are allowed, each sign shall use the frontage along which it is intended to be viewed as its street frontage for the purposes of determining sign area.

31. Temporary Sign. Any sign intended to be displayed for a limited period of time, including banners, movable board signs, portable signs, ground signs, flags, pennants, inflatable figures and balloons. The signs may be used for advertising a product, business or publicizing a special event. Seasonal or holiday lights, wreaths, trees, or other common holiday decorations are not considered temporary signs. Temporary signs shall be erected so as not be loosened as a result of wind or weather and shall be properly maintained.
 32. Warning Sign. Signs which are intended to warn of regulations, restrictions or safety hazards affecting the property, e.g. "No trespassing", "beware of dog", "no parking", etc.
 33. Window Sign. Any sign that is visible to the public located completely within a window or attached to or painted upon the surface of a window of a building.
- (d) PERMIT-EXEMPT SIGNS. The following signs are exempt from the requirement that a permit be obtained and, unless otherwise stated, are permitted in all zoning districts:
1. Commemorative plaques of recognized historic agencies, commemorative signs recognizing a historic event, site or person, or identification emblems of historical agencies, not exceeding eighteen (18) square feet.
 2. Directional signs, in the Business and Manufacturing districts.
 3. Emblems or insignia of any nation or political subdivision, or non-profit organization, provided such signs shall not be illuminated nor exceed two (2) square feet in area.
 4. Government or official signs for the control of traffic and other regulatory purposes, danger signs, railroad crossing signs and signs of public utilities indicating danger, wayfinding signs, and aids to service or safety which are erected by or on the order of a public officer in the performance of his duty. Such signs shall be subject to approval by the Department of Public Works and the Building Inspector.
 5. Home-based professional office signs, home occupation identification signs, Bed and Breakfast establishment signs, and professional office signs (in the MF District) when located on the same premises as an approved Conditional Use. Such signs may not be illuminated and are limited to four (4) square feet in area. See Section 114-118 for further regulations.
 6. House numbers and name plates not exceeding two (2) square feet in area for each residential, institutional, business or manufacturing building.
 7. Interior signs. Signs located within the interior of any building or structure which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specifications of this or any other applicable code, statute, or ordinance.
 8. Memorial signs or tablets, names of buildings and date of erection, inscriptions or emblems, which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than 4 square feet in area and affixed flat against the structure.
 9. Municipal signs. Signs erected by the City of Mauston upon municipal property, buildings, parks or public recreational facilities.
 10. Official notices posted by public officers or employees in the performance of their duties.
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11. Religious symbols or identification emblems of religious orders.
 12. Warning Signs.
 13. Window signs. Signs attached or affixed to the surface of a window;
 14. Temporary Signs. Some temporary signs are permit exempt, as described in Section (h).

(e) PROHIBITED SIGNS. The following signs are prohibited:

1. Signs containing any obscene, indecent, or immoral matter.
2. Signs which interfere with the safe conduct of travel on sidewalks, streets and highways. Advertising signs that are similar in appearance to traffic control signs and devices are prohibited.
3. Any other sign that creates an unreasonable hazard or threat to public safety is hereby prohibited.
4. Signs (other than billboards) which advertise a product or business which is no longer available or carried on upon the premises on which the sign is located. Such signs shall be removed within twelve (12) months of the cessation of such sales or business.

(f) APPLICATION FOR A SIGN PERMIT

1. Application for a sign permit shall be made in writing upon a form furnished by the Building Inspector. With such application there shall be submitted plans showing:
 - a. Location or position of the sign structure on the lot or building on which it shall be attached or erected, and
 - b. Drawings and specifications showing area, height, location and setback of the sign, method of construction, and attachment to the building or other structure, or anchoring in the ground.
 - c. Any other information deemed necessary by the Building Inspector to meet the requirements of this Section.
2. Permit fees shall be in the amount as established from time to time by the Common Council.

(g) ZONING DISTRICT REGULATIONS FOR PERMANENT SIGNS

1. Residential Districts:

- a. Types Allowed. The following types of permanent signs are permitted in the SR, MH, and MF districts. Allowable temporary signs are described in Section (h).

i. Institutional Signs.

- a. Maximum Area: Thirty (30) square feet.
- b. Maximum Height: Ten (10) feet.
- c. Minimum Setback: Five (5) feet.

ii. Multi-Family Complex Signs, in the MH District only.

- a. Maximum Area: Thirty- Five (35) square feet.
- b. Maximum Height: Ten (10) feet.
- c. Minimum Setback: Five (5) feet.

iii. Neighborhood Identification Signs.

- a. Maximum Area: Twenty (20) square feet.
- b. Maximum Height: Ten (10) feet.

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- c. Minimum Setback: Five (5) feet.
 - iv. Fraternity/Sorority Signs, where such uses are permitted.

- a. Maximum Area: Twenty (20) square feet.
- b. Maximum Height: Ten (10) feet.
- c. Minimum Setback: Five (5) feet.
- v. Home Occupation Signs, where such uses are permitted, subject to the standards in 114-118 or as approved as part of CUP.

- a. Maximum Area: Four (4) square feet.

- b. Illumination: The above permitted signs may be illuminated, except for the Home Occupation Signs. Flashing elements are prohibited.

2. NB District:

- a. Types Allowed. The following types of permanent signs are permitted in the NB Neighborhood Business District, subject to the requirements herein. Allowable temporary signs are described in Section (H).
 - i. Building Signs:
 - a) Maximum Cumulative Area: One (1) square foot per each linear foot of building frontage or, in the case of a multi-tenant building, one square foot per each linear foot of occupant frontage.
 - b) Maximum Number per Building or Occupancy: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.
 - ii. Freestanding Signs.
 - a) Maximum Area: One (1) square foot per each linear foot of street frontage, up to a maximum of seventy-five (75) square feet.
 - b) Maximum Height: Twenty-five (25) feet.
 - c) Maximum per Lot: One (1).
 - iii. Institutional Signs.
 - a) Maximum Area: Thirty (30) square feet.
 - b) Maximum Height: Ten (10) feet for freestanding signs.
 - c) Minimum Setback: Five (5) feet.
- b. Illumination. All permitted signs may be illuminated. Flashing elements are prohibited.

3. GB District.

- a. Types Allowed. The following types of permanent signs are permitted in the GB General Business District, subject to the requirements herein. Allowable temporary signs are described in Section (h).
 - i. Building Signs:
 - a. Maximum Cumulative Area: One and a half (1.5) square feet per each linear foot of building frontage or, in the case of a multi-tenant building, one and a half square feet per each linear foot of occupant frontage.
 - b. Maximum Number per Building or Occupancy: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.
 - ii. Institutional signs.

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- a. Maximum Area: Thirty (30) square feet
 - b. Maximum Height: Ten (10) feet.
 - c. Minimum Setback: Five (5) feet.
 - iii. Freestanding Signs.
 - a. Maximum Area: One and a half (1.5) square feet per each linear foot of street frontage, up to a maximum of 100 square feet.
 - b. Maximum per Lot: One (1).
 - c. Maximum Height: Twenty Five (25) feet.
 - d. Minimum Setback: Five (5) feet.
 - iv. Multi-Family Complex Signs, and only when allowed as a conditional use.
 - a. Maximum Area: Thirty-five (35) square feet.
 - b. Maximum Height: Ten (10) feet.
 - c. Minimum Setback: Five (5) feet.
 - b. Illumination. All signs in the GB districts may be illuminated . Flashing elements (except for Electronic Message Unit signs) are prohibited.
4. CB District.
- a. Types Allowed. The following types of permanent signs are permitted in the CB Central Business District, subject to the requirements herein. Allowable temporary signs are described in Section (h).
 - i. Building Signs:
 - a) Maximum Cumulative Area: Two (2) square feet per each linear foot of building frontage or, in the case of a multi-tenant building, two square feet per each linear foot of occupant frontage.
 - b) Maximum Number per Building or Occupancy: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.
 - ii. Electronic Message Unit Signs:
 - a) The maximum area dedicated to an electronic message unit shall be 50 percent of the sign area or 35 square feet (whichever is larger) per sign face and shall be inclusive of the maximum area permitted for the sign structure.
 - iii. Freestanding Signs:
 - a) Maximum Area: Two (2) square feet for each linear foot of street frontage, up to a maximum of 150 square feet.
 - b) Maximum per Lot: One (1) per street frontage; however, for lots where a street frontage is 200 feet or more, one
 - i. additional sign is permitted along that frontage; however, the aggregate area of all signs may not exceed the maximum area noted above.
 - c) Maximum Height: Twenty-five (25) feet.
 - d) Minimum Setback: Five (5) feet.
 - b. Illumination. All signs in the CB district may be illuminated . Flashing elements (except for Electronic Message Unit signs) are prohibited.
5. PB District.
- a. Types Allowed. The following types of permanent signs are permitted in the PB Planned Business District, subject to the requirements herein. Allowable temporary signs are described in Section (h).
 - i. Billboard signs.
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- a) Maximum Area: 400 square feet per side.
 - b) Maximum Height: 30 feet.
 - c) Minimum Setback: 15 feet.
 - d) Maximum Number per Lot: For highways with speed limit <65 mph, one (1) per lot with a minimum spacing between signs of 500 feet of highway frontage. For highways with speed limit 70 mph, one (1) per lot with a minimum spacing between signs of 1500 feet of highway frontage.
 - e) Location: Billboards are only allowed on lots that have frontage on a State or Federal highway, or a highway business route. No billboards may be installed adjacent to or within 300 feet of an interchange, intersection at grade, off-ramp, safety rest area, or wayside. Said 300 feet shall be measured along the highway from the beginning or ending of the pavement widening at the exit from or entrance to the main-traveled way of the primary highway.
 - f) Residential Setback: Billboards shall be setback a minimum of four hundred feet (400') from a property zoned residential, or from a structure used as a residence which is located on lands not zoned residential.
- ii. Building signs:
 - a) Maximum Cumulative Area: Two and a half (2.5) square feet per each linear foot of building frontage or, in the case of a multi-tenant building, two and a half (2.5) square feet per each linear foot of occupant frontage.
 - b) Maximum Number per Building: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.
 - iii. Electronic Message Unit signs.
 - 1. The maximum area dedicated to an electronic message unit shall be 50 percent of the sign area or 35 square feet (whichever is larger) per sign face and shall be inclusive of the maximum area permitted for the sign structure.
 - iv. Institutional signs. Shall meet the applicable requirements for Building Signs and/or Freestanding Signs in this Section.
 - v. Freestanding signs.
 - a) Maximum Area: Two and a half (2.5) square feet for each linear foot of street frontage, up to a maximum of 200 square feet.
 - b) Number Per Lot: One (1) per street frontage; however, for lots where a street frontage is 200 feet or more, one additional sign is permitted along that frontage; however, the aggregate area of all signs may not exceed the maximum area noted above.
 - c) Maximum Height: Thirty (30) feet.
 - d) Minimum Setback: Five (5) feet.
 - b. Illumination. All signs in the PB District may be illuminated. Flashing elements are permitted; however, flashing elements that may create a hazard as determined by the Zoning Administrator are prohibited.
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6. Industrial Districts.

a. Types Allowed. The following types of permanent signs are permitted in the GI and HI districts, subject to the requirements herein. Allowable temporary signs are described in Section (h).

i. Billboard signs;

- a) Maximum Area: 400 square feet per side.
- b) Maximum Height: 30 feet.
- c) Minimum Setback: 15 feet.
- d) Maximum Number per Lot: For highways with speed limit <65 mph, one (1) per lot with a minimum spacing between signs of 500 feet of highway frontage. For highways with speed limit 65 mph, one (1) per lot with a minimum spacing between signs of 1500 feet of highway frontage.
- e) Location: Billboards are only allowed on lots that have frontage on a State or Federal highway, or a highway business route. No billboards may be installed adjacent to or within 300 feet of an interchange, intersection at grade, off-ramp, safety rest area, or wayside. Said 300 feet shall be measured along the highway from the beginning or ending of the pavement widening at the exit from or entrance to the main-traveled way of the primary highway.
- f) Residential Setback: Billboards shall be setback a minimum of four hundred feet (400') from a property zoned residential, or from a structure used as a residence which is located on lands not zoned residential.

ii. Building Signs:

- a) Maximum Area: Two and a half (2.5) square feet per each linear foot of building frontage or, in the case of a multi-tenant building, two and a half (2.5) square feet per each linear foot of occupant frontage.
- b) Maximum Number per Building: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.

iii. Electronic Message Unit Signs.

- a) The maximum area dedicated to an electronic message unit shall be 50 percent of the sign area or 35 square feet (whichever is larger) per sign face and shall be inclusive of the maximum area permitted for the sign structure.

iv. Institutional Signs. Shall meet the applicable requirements for Building Signs and/or Freestanding Signs in this Section.

v. Freestanding Signs.

- a) Maximum Area: Two and a half (2.5) square feet for each linear foot of street frontage, up to a maximum of 200 square feet.
- b) Number Per Lot: One (1) per street frontage; however, for lots where a street frontage is 250 feet or more, one (1) additional pole sign is permitted along that frontage;

however, the aggregate area of all signs may not exceed the maximum area noted above.

c) Maximum Height: Thirty (30) feet.

d) Minimum Setback: Five (5) feet.

- vi. Illumination. All signs in the manufacturing districts may be illuminated. Flashing elements are permitted.

(h) REGULATIONS FOR TEMPORARY SIGNS

1. Residential Districts – Permit Exempt. Temporary signs are allowed in the SR, MH, and MF districts without a permit, subject to the following requirements:
 - a) Except for signs approved by the Common Council, all signs shall be located entirely within the property boundaries.
 - b) Signs shall not obstruct the visibility from any intersection or driveway.
 - c) Signs shall be adequately supported and anchored. Any sign that is frayed, damaged, dirty, worn, or that becomes loosened from its supports so that the sign is sagging, shall become an illegal sign and may be treated in the same manner as any other illegal sign under the provisions of this Chapter.
 - d) Signs shall not be lit and shall not include any electrical, mechanical, video or audio device.
 - e) Except for signs promoting a public event, charitable event or educational activity taking place at another location, signs must be promoting or otherwise related to a use that is permitted on the property where the sign is located.
 - f) Signs related to a specific event or activity shall not be installed more than five (5) days prior to the start of such event or activity, and shall be removed within two (2) days following the event or activity.
 - g) Total sign area shall not exceed sixteen (16) sq. ft. without a permit, and no individual sign shall exceed nine (9) sq. ft. in area.
2. Residential Districts – Permit Required. Additional signs beyond that identified in Section (h)(1) above shall require a sign permit.
 - a) A permit is required for each twelve (12) sq. ft. of additional sign area.
 - b) The additional permitted signs shall be allowed to remain for a maximum of fourteen (14) days per issued permit, and the property shall be limited to a maximum of four (4) additional permits per year.
 - c) The total area of temporary signs on any property is limited to a maximum of 0.5 sq. ft. of sign area for each foot of lot frontage.
3. Non-Residential Districts – Permit Exempt. Temporary signs are allowed in the non-residential districts without a permit, subject to the following requirements:
 - a) Except for signs approved by the Common Council, and movable board signs in the CB District, all signs shall be located entirely within the property boundaries.
 - b) Signs shall not obstruct the visibility from any intersection or driveway, or the movement of pedestrians on a public sidewalk.
 - c) Signs shall be adequately supported and anchored. Any sign that is frayed, damaged, dirty, worn, or that becomes loosened from its supports so that the sign is sagging, shall become an illegal sign and may be treated in the same manner as any other illegal sign under the provisions of this Chapter.

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- d) Signs shall not be lit and shall not include any electrical, mechanical, video or audio device.
 - e) Except for signs promoting a public event, charitable event or educational activity taking place at another location, signs must be promoting or otherwise related to a use that is permitted on the property where the sign is located.
 - f) Signs related to a specific event or activity shall not be installed more than five (5) days prior to the start of such event or activity, and shall be removed within two (2) days following the event or activity.
 - g) Total sign area shall not exceed sixteen (16) sq. ft. without a permit.
4. Non-Residential Districts – Permit Required. Temporary signs in addition to the signs described in Section (h)(3) above are subject to a sign permit and the following requirements
- a) A permit is required for each sixteen (16) square feet of additional temporary sign area. Each sign shall be allowed for a maximum of fourteen (14) days, and the business or entity shall be limited to a maximum of four (4) additional permits per year.
 - b) Special Event Signs: Unlimited temporary signs are allowed with a permit for grand openings, sales, or other special events. Signs for each event shall be allowed for a maximum of thirty (30) days, and the property shall be limited to a maximum of two (2) events per year.
 - c) Except for Special Event Signs, the total amount of temporary signs allowed on a property is limited to a maximum of one and one-half (1.5) square feet of sign area for each linear feet of building frontage, or occupant building frontage for multi-tenant buildings.
5. NON-CONFORMING SIGNS.
- a) All signs, except temporary signs, that are in existence as of the adoption of this ordinance and that do not conform to this Section shall be considered as non-conforming and are subject to the requirements of Section 114-117.
 - b) Signs that are legal but non-conforming under this Section may not be enlarged, heightened, altered in shape, or moved. The copy on such signs may be altered, but only within the existing area of the sign.
6. DANGEROUS AND ABANDONED SIGNS; VIOLATIONS.
- a) 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 twelve (12) months or when, in the judgment of the Building Inspector, such sign is so old, dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first. If the owner or lessee fails to remove it, the Building Inspector may remove the sign at the cost of the owner, following adequate written notice. The owner may appeal the Building Inspector's decision to the Board of Appeals.
 - b) Alterations. Any sign that was erected before the adoption of this sign ordinance shall not be enlarged, rebuilt or relocated without conforming to all of the requirements of this Section.
 - c) Violations. All signs constructed or maintained in violation of any of the provisions of this sign ordinance are hereby declared public nuisances within the meaning of this Code of Ordinances. In addition to the above penalty provisions for violation of this
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Chapter, the Building Inspector may bring an action to abate the nuisance in the manner set forth in the Wisconsin State Statutes.

Sec. 114-48. Board of Appeals

- (a) ESTABLISHMENT. There is hereby established a Board of Appeals for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this ordinance which are in harmony with its purpose and intent.
- (b) ORGANIZATION
 - 1. The Board of Appeals shall organize and adopt rules of procedure for its own governance in accordance with the provisions of this ordinance. Meetings shall be held at the call of the Chairman or of two members and shall be open to the public. Minutes of the meeting shall be kept by the Secretary, showing the vote of each member upon each question, the reasons for the Board's determination and its findings of fact. These records shall be filed in the Office of the City Clerk and shall be a public record.
 - 2. The concurring vote of four members of the Board shall be necessary to correct an error, grant a variance, make an interpretation or permit an accessory, temporary, unclassified, or unspecified use.
- (c) POWERS. The Board of Appeals shall have the following powers:
 - 1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Chapter or of any ordinance adopted pursuant thereto:
 - 2. To authorize upon appeal in specific cases such variance from the terms of the ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
 - 3. To consider substitution of a nonconforming use with a more restrictive nonconforming use.
 - 4. To hear and grant applications for temporary uses in any district, when such uses do not involve the erection of a substantial structure, are compatible with the neighboring uses and have been reviewed and recommended by the Plan Commission. The permit shall be temporary, revocable, subject to any conditions required by the Board, and shall be issued for not more than 12 months.
 - 5. The Board may, at any time request assistance from other City officers, departments, commissions and boards.
- (d) APPEALS.
 - 1. Appeals from the decision of the Building Inspector or Zoning Administrator concerning the enforcement of this ordinance may be made to the Board of Appeals by any person aggrieved or by any officer, department, board, or bureau of the City. Such appeals shall be filed with the Zoning Administrator within 30 days after the date of the decision of the Building Inspector or Zoning Administrator.
- (e) APPLICATION. Application for appeals and/or variances shall be on a form supplied by the Zoning Administrator and shall be accompanied by the following:
 - 1. The names and addresses of the appellant or applicant and all property owners of record within 100 feet of the property.

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2. A site plan of the subject property showing all information necessary to establish the case for appeal or variance.
 3. Additional information required by the Zoning Administrator, Plan Commission, Director of Public Works, Building Inspector or the Board.
 4. Any other information which the applicant deems relevant in support of the application.
 5. An application fee in the amount as established from time to time by the Common Council.
- (f) HEARINGS. The Board of Appeals shall fix a reasonable time and place for the hearing, give public notice thereof at least ten days prior to the hearing and shall give due notice to all parties in interest, the Building Inspector, and the Chair of the Plan Commission. At the hearing the appellant or applicant may appear in person or by agent.
- (g) STANDARDS. A variance from the provisions of this ordinance shall not be granted by the Board unless the variance request meets the following standards.
1. Area Variance. An area variance is defined as a request for a deviation from a zoning restriction governing area, setback, frontage, height, bulk or density.
 - a. The proposed variance will not be contrary to the public interest or result in harm to the general public.
 - b. The property has a special condition or unique physical limitation, such as a steep slope, soil type, wetland areas, etc., that limits the ability of the applicant to conform to the regulations.
 - c. The special condition or unique physical limitation creates an unnecessary hardship, which exists when compliance with the strict letter of the restrictions governing area, setbacks, height, etc., would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such restrictions unnecessarily burdensome.
 - d. The special condition or unique physical limitation must relate to the property and not to the owner, since a personal condition or preference of a landowner is not a condition affecting property.
 - e. The hardship must be unique to the property and not self-created.
 2. Use Variance. A use variance is defined as a request to use the property for a purpose not permitted by the regulations.
 - a. The proposed variance will not be contrary to the public interest or result in harm to the general public.
 - b. The property has a special condition or unique physical limitation, such as a steep slope, soil type, wetland areas, etc., that limits the ability of the applicant to conform to the regulations.
 - c. The special condition or unique physical limitation creates an unnecessary hardship, which exists when compliance with the strict letter of the regulations results in the applicant having no reasonable use of the property in the absence of a variance. The variance should not conflict with the purpose of the zoning ordinance.
 - d. The special condition or unique physical limitation must relate to the property and not to the owner, since a personal condition or preference of a landowner is not a condition affecting property.
 - e. The hardship must be unique to the property and not self-created.
- (h) DECISION
- a. The Board of Appeals shall decide all appeals and applications within 30 days of the final hearing and shall transmit a signed copy of the Board's decision to the
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- appellant or applicant, the Building Inspector, the Chair of the Plan Commission, and the City Clerk.
- b. Conditions may be placed upon any building permit ordered or authorized by the Board. Conditions may be placed on any decision made which does not involve a building permit.
 - c. Variances, substitutions, or use permits granted by the Board shall expire within twelve (12) months unless a building permit has been approved (if required) and substantial work has commenced pursuant to such grant.
- (i) WETLAND AND FLOODLAND MAPPING DISPUTES
- a. Wetland disputes. Whenever the board of appeals is asked to interpret a lakeshore shoreland-wetland or floodland district boundary where an apparent discrepancy exists between the city's final wetland inventory map and actual field conditions, the city shall contact the state department of natural resources (DNR) to determine if the wetland inventory map is in error. If the DNR staff concurs that the particular area was incorrectly mapped as a wetland, the board of appeals shall direct the city plan commission to initiate appropriate action to rezone the property within a reasonable amount of time.
 - b. Floodland disputes. Whenever the board of appeals is asked to interpret a floodland boundary where an apparent discrepancy exists between the federal flood insurance study and the actual field conditions, the following procedure shall be used. The floodland boundary shall be determined by use of the flood profiles contained in an engineering study, or where such information is not available to the board of appeals, the person contesting the location of the district boundary shall be given the opportunity to present his own technical evidence. Where it is determined that the floodplain is incorrectly mapped, the board of appeals shall advise the city plan commission of its findings and the plan commission shall proceed to petition the common council for a map amendment.
- (j) REVIEW BY COURT OF RECORD. Any person or persons aggrieved by any decision of the Board of Appeals may appeal such decision to the court of record. All appeals must be filed with the court within 30 days after receipt of a copy of the Board's decision by the applicant or appellant.
- (k) RE-APPEALS. No appellant may resubmit the same or similar appeal in person or by agent for the same property within 6 months after the decision by the Board.

Sec. 114-49-50. Reserved