

**Chapter 447**

**SIGNS**

**[HISTORY: Created and adopted by the Village Board of the Village of Plover 2-15-2023.  
Amendments noted where applicable.]**

**GENERAL REFERENCES**

Zoning — See Ch. 550.

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**§ 447-1. Purpose and Intent**

- A. To encourage the effective use of signs as a means of communication in the Village and to maintain and enhance the beauty and unique character, while enhancing the aesthetic environment by eliminating visual blight.
- B. To enhance the Village's ability to attract sources of economic development and growth.
- C. To protect pedestrians and motorists of the Village from damage and injury caused or partially attributable to the distractions and obstructions which are hereby declared to be caused by improperly sized or situated signs.
- D. To minimize the possible adverse effect of signs on nearby public and private property.
- E. To promote the public safety and welfare, convenience, and the enjoyment of travel, while maintaining the free flow of traffic within the Village.
- F. To provide relatively uniform sign regulations among the Village, City of Stevens Point, and Portage County.

G. Establish a system to appropriately address and permit a reasonable variety of sign types based on the zoning district, location, and use of a property, subject to the standards and permit procedures of this chapter.

H. Provide for the enforcement of the provisions of this chapter.

### **§ 447-2. Compliance required**

A sign may be erected, placed, established, painted, created or maintained in the Village only in conformance with the standards, procedures, exemptions and other requirements of this chapter. All signs not expressly permitted in this chapter are deemed to be prohibited, unless otherwise regulated by Federal or State statute.

### **§ 447-3. Definitions.**

The words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Chapter 550, Zoning, shall be given the meanings set forth in Chapter 550. Words and phrases not defined in this chapter nor in Chapter 550 may be interpreted and defined by using common and practical sources, including but not limited to other Village Ordinances, applicable industry standards, and state statutes.

**ABANDONED SIGN** — A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity and/or for which no legal owner can be found with reasonable diligence.

**ADDRESS SIGN** — A sign that is required to be erected or placed by federal, state, or local government(s) for the purposes of identifying a property or buildings address and/or the occupants.

**AREA** — See "Sign Area ."

**AWNING** — Canvas, cloth or other nonrigid structures supported above windows or door openings.

**BANNER SIGN** — A sign made of fabric or any nonrigid material with no enclosing framework.

**BILLBOARD/OFF-PREMISE SIGN** — A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced or manufactured where said sign is located, including but not limited to billboards or outdoor advertising. Off-premise signs and billboards shall be subject to the freestanding sign height and area limitations of the zoning district for which it is located.

**CANOPY SIGN** — Any sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, window, entrance or outdoor service area.

**CHANGEABLE COPY SIGN** — A sign on which the copy changes through mechanical, digital and/or manually (physical labor) means. Examples of changeable copy signs include, but are not limited to, electronic time and temperature signs, and reader boards with changeable letters.

**CONSTRUCTION SIGN** — A temporary sign identifying an architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.

**COPY** — The wording, images, graphics, and/or symbols on a sign surface in either permanent or removable letter form.

**ELECTRICAL SIGN** — A sign or sign structure in which electrical wiring, connections and/or fixtures are used.

**FACADE** — The entire front or any other face of a building, including the parapet.

**FESTOON** — A string of balloons, ribbons, tinsel, small flags or pinwheels.

**FLAG** — Any fabric, banner or bunting often containing distinctive colors, patterns or symbols used as a symbol of a business, corporation, government, political subdivision or other entity.

**FLASHING SIGN** — A sign which contains an intermittent or sequential flashing light source primarily to attract attention. It does not include changeable copy signs, animated signs or signs which, through reflection and/or other means, create an illusion of flashing or intermittent light.

**FREESTANDING SIGN** — Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

**GOVERNMENT SIGN** — Any temporary or permanent sign erected and maintained by a federal, state, or local government or a sign that is required to be erected, placed or maintained by the federal, state or local government.

**GROUND SIGN** — A freestanding sign that is less than eight feet in height.

**HEIGHT OF SIGN** — The vertical distance measured from the highest point of the sign to the surface grade beneath the sign. When earthwork is conducted to deliberately increase the elevation of the surface grade beneath the sign to increase the total height of the sign, the surface grade for the purposes of determining the height of the sign may be determined by the elevation of the site surface prior to the earthwork, at the discretion of the Community Development Manager or his/her designee.

**NON-RESIDENTIAL IDENTIFICATION SIGN** — A sign whose copy is limited to the name and address of a building, institution or person and/or to the activity or occupation being identified. Examples of onsite uses include, but are not limited to, churches, schools, hospitals, sanitariums, clubs, libraries or similar public and institutional uses.

**ILLEGAL SIGN** — A sign which does not meet the requirements of this chapter and is constructed after the effective date of this chapter.

**ILLUMINATED SIGN** — A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

**INCIDENTAL SIGN** — A sign emblem or decal informing the public of goods, facilities or services available on the premises, e.g., credit card sign or sign indicating hours of business. "Incidental sign" shall include signs placed on items for sale.

**LOT** — A parcel of land legally defined by the Portage County Land Description Office on a subdivision map recorded with the Portage County Register of Deeds or a parcel of land defined by a legal record or survey map.

**MAINTENANCE** — For the purpose of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign. (Non-conforming signs are subject to the requirements of Section 447-17.)

**MINOR SIGN** – A sign that is not permanently affixed to the ground or structure, which is not illuminated and is designed to be easily moved, and is temporary. Minor signs include, but are not limited to, banners, posters, for sale signs, window signs, and yard signs.

**MULTI-FACED SIGN** — A sign with two or more faces.

**NONCONFORMING SIGN** — A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.

**ON-PREMISES SIGN** — A sign which pertains solely to the use(s) of the premises on which the sign is located.

**OWNER** — For the purpose of this chapter, the owner of the sign is presumed to be the person recorded as the owner of the sign on official records (such as the sign permit), unless facts to the contrary are officially recorded or otherwise brought to the attention of the Community Development Manager or his/her designee, e.g., a sign leased from a sign company. In the absence of a sign permit, the owner of the sign is presumed to be the owner or lessee of the parcel or premises upon which the sign is located.

**PARAPET** — The extension of a false front or wall above a roofline.

**PORTABLE SIGN** — A sign mounted on a frame or chassis, designed to be easily relocated and not meant to be permanently affixed to buildings, poles or the ground.

**PROJECTING SIGN** — A sign, normally double-faced, other than a flat wall sign, which is attached to and projects more than 18 inches from a building facade. A projecting sign is not a canopy sign.

**REAL ESTATE SIGN** — A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

**ROOF SIGN** — Any sign erected over the soffit or eave line of a building.

**ROTATING SIGN** — A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

**SHOPPING CENTER** — Refers to a concentration of retail stores and/or service establishments that are located within one or more structures under the ownership and management of one or more businesses, developers or corporations and usually located on one parcel.

**SIDEWALK SIGN** — A temporary sign placed on the sidewalk during regular business hours.

**SIGN** — A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, must not be considered a sign. Each display surface of a sign or sign face must be a sign.

**SIGN AREA** — Freestanding sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign shall not be counted as a part of the sign's message. Where a sign has two display faces, back-to-back, the area of only one face should be considered the sign face area. Where a sign has more than one display faces, the maximum area that can be viewed simultaneously from any point should be considered the sign face area. In the case of a freestanding or wall sign whose message is applied to a background which provides no border or frame, sign area shall be the area of the smallest rectangle which can encompass all of the signs copy. In the case of wall signs whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.

**SIGN FACE** — The area of a sign on which copy is placed.

**SNIPE SIGN** — A sign or poster affixed to a tree, fence, utility pole, etc (often intended to be temporary and is placed within a road right-of-way or on government property).

**STREET FRONTAGE** — The length of the property line of any one premises along a public right-of-way. The street frontage with the greatest length may be used to determine allowable freestanding signage on corner lots.

**SUBDIVISION IDENTIFICATION SIGN** — A sign identifying a recognized subdivision, condominium complex or residential development. Subdivision signs which are temporary in nature (advertising lots for sale) may be displayed for a period not to exceed two years. Extensions may be granted for the temporary subdivision signs upon approval by the Community Development Manager or his/her designee. Subdivision identification signs that are proposed to be permanent (identifying the name of a subdivision, condominium complex, or other development) are subject to all other applicable standards of this ordinance.

**TEMPORARY SIGN** — A sign or advertising display that is used only temporarily and is not permanently mounted or displayed. When determining whether a sign is temporary or permanent, the durability and weather resistance of the material used may be a relevant factor. If a sign display area is permanent but the copy displayed is subject to periodic changes, the sign shall not be considered temporary.

**VISION OBSTRUCTION** — Refers to the placement of any sign that would interfere with the vision of pedestrian, vehicular, or other traffic upon the public streets, sidewalks, and alleyways . Sign placement will be reviewed so as not to create a vision obstruction adjacent to street intersections, rights-of-way, alleys, sidewalks and/or adjacent access points (public or private driveways). Such area is established and defined per Chapter 550 - Zoning, § 550-43(F). No sign in excess of three feet above curb grade nor support pole larger than 12 inches in diameter may be installed in this area. Freestanding signs must have at least 10 feet of clearance between the bottom of the sign and the grade at the right-of-way line.

**WALL SIGN** — A sign attached to or mounted on a building facade or other vertical building surface that does not project more than 18 inches from the building surface. A roof sign shall not be considered a wall sign.

**WINDOW SIGN** — A sign installed inside a window and intended to be viewed from the outside.

**§ 447-4. General sign regulations.**

- A. Wall sign limitations. Wall signs shall not project higher than the building soffit or eave height and shall not extend beyond the edge of any wall or other surface to which they are mounted, unless otherwise approved by the Plan Commission. (This does not refer to projecting signs.)
- B. Location requirements. All signs, banners, flags, canopies and other displays shall not be located or overhang any right-of-way, including alleys and sidewalks, except as otherwise permitted in § 447-6 of this chapter. All signs shall be set back a minimum of 10 feet from the right-of-way or future right-of-way as shown on the Official Map, except that all signs located in the area highlighted in Exhibits 1 and 2 below and minor signs shall be set back a minimum of five feet from the right-of-way.
- C. Vision obstructions. All signs, banners, flags, canopies and other displays shall not create any vision obstructions onto a public right-of-way, alley, sidewalk, adjacent drive or private drive entering onto a street or alley.
- D. Landscaping requirements. All freestanding signs shall be set in a landscaped base of appropriate size to provide shrubs and base plantings that will enhance and complement the sign, subject to approval by the Community Development Manager or his/her designee.
- E. Lighting. Unless otherwise specified by this chapter, all signs may be illuminated. Underground wiring is required on all signs which utilize electricity. In no instance shall an exterior lighting fixture be oriented so that the lighting element or transparent shield is visible from the right-of-way or from adjacent residential zoning districts. Signs regulated by this chapter may not utilize any revolving beacon light.
- F. Changeable copy. Unless otherwise specified by this chapter, any sign permitted herein may use manual or automatic changeable copy.
- G. Minor Signs. Minor signs shall be temporary in nature and are allowed within all zoning districts subject to the following regulations. Residentially zoned parcel(s) shall contain no more than eight (8) minor signs on the premises at any given time. The cumulative size of all minor signs on the premises shall not exceed 32 square feet, whereas no single minor

sign may exceed 16 square feet in size. Non-residentially zoned parcel(s) shall contain no more than eight (8) minor signs on the premises at any given time. The cumulative size of all minor signs on the premises shall not exceed 64 square feet, whereas no single minor sign may exceed 32 square feet.

(1) Window signs.

- i. The total area of all window signs on a lot may not cover more than 50 percent of the total window area where the signs are placed.
- ii. Window signs are not limited to, nor counted toward, the limitations (area or number of signs) of 447-4(G).

(2) Temporary Signs

- i. The duration of which a minor sign may be erected on a property may be determined by the Community Development Manager or his/her designee taking into consideration the potential nuisance, sign condition, and/or its temporal relation to a special event or activity.
- ii. Examples include: subdivision identification signs, minor signs, construction signs, seasonal decorations, real estate signs.

H. Shopping center requirements.

- (1) In a shopping center under single ownership or control, one freestanding multiple tenant sign may be erected on each street frontage, provided that a minimum separation distance of 200 feet, measured along the frontage, is maintained between such signs. Multiple tenant signs shall not exceed 150 square feet in sign area.
- (2) Only one wall sign, not to exceed 100 square feet is permitted per tenant in a shopping center. A tenant’s request for more than one wall sign or for a wall sign greater than 100 square feet shall require Plan Commission approval.
- (3) A shopping center may display one wall identification sign in addition to the permitted wall sign, provided that such sign does not exceed 100 square feet.

I. Table of Regulations. All freestanding and walls signs permitted under this ordinance shall conform to the standards of Table 1, unless otherwise specifically regulated by Table 2 or other applicable sections of this chapter.

(2) Table 1

ZONING DISTRICT(S)	R-1, R-2, R-3, R-4, AND R-5	R-6 AND R-7	B-1, B-2, B-3, B-4 M-1, M-2, AND M-3	(C)
<b>FREESTANDING SIGNS:</b>				
<b>MAXIMUM NUMBER OF</b>	One (1) freestanding or one wall sign	Residential Use: One (1) freestanding (or one wall sign) per parcel.	One (1) freestanding sign per frontage, per parcel	One (1) freestanding sign per

<b>SIGNS ALLOWED</b>	per parcel*	Office/Commercial Use: One (1) freestanding sign per frontage, per parcel (minimum 200ft separation)	(minimum 200ft separation)	parcel
<b>MAXIMUM HEIGHT</b>	Five (5) Feet	Eight (8) Feet	20 Feet	Eight (8)
<b>MAXIMUM AREA</b>	Six (6) Square Feet	32 Square Feet	B-1 = 50sq.ft Less than 200ft of frontage: B-2, B-3, B-4, M-1, M-2, M3 = 100sq.ft Greater than 200ft of frontage: B-2, B-3, B-4, M-1, M-2, M-3 = 150sq.ft	32 Square Feet
<b>WALL SIGNS:</b>				
<b>Total Number Allowed</b>	One (1) wall or freestanding sign per parcel*	One (1) wall or freestanding sign per parcel*	N/A	N/A
<b>Maximum Area</b>	Four (4) Square Feet	32 Square Feet	Shall not exceed one square foot per linear foot of building frontage on which it is located (Max = 500sq.ft)	N/A

(2) Table 2

<b>MISC SIGNS:</b>			
<b>SIGN TYPE</b>	<b>PERMITTED ZONING DISTRICTS</b>	<b>DIMENSIONAL LIMITATIONS</b>	<b>ADDITIONAL STANDARDS AND CONSIDERATIONS</b>
<b>Subdivision Identification Sign(s)</b>	R-1, R-2, R-3, R-4, and R-5	<ul style="list-style-type: none"> <li>o Max Area = 32sq.ft</li> <li>o Max One (1) per Development</li> </ul>	No sign shall project into an adjacent property nor within any clear vision triangle. A Subdivision Identification Sign may be placed within the ROW, yet is subject to approval by the Community Development Manager or his/her designee.
	R-6 and R-7	Max Area (Multi-Family) = Two (2) sq.ft per dwelling unit not to exceed 32sq.ft	
<b>Non-Residential Identification</b>	R-1, R-2, R-3, R-4, and R-5	<ul style="list-style-type: none"> <li>o No more than one (1) Freestanding and one (1) wall sign per parcel.</li> <li>o Max Area = 20sq.ft (each)</li> </ul>	

<b>Signs*</b>	R-6 and R-7	<ul style="list-style-type: none"> <li>○ No more than one (1) Freestanding and one (1) wall sign per parcel.</li> <li>○ Max Area = 32sq.ft (each)</li> </ul>
<b>Projecting Signs</b>	B-1, B-2, B-3, B-4, M-1, M-2, and M-3	<ul style="list-style-type: none"> <li>○ Projecting signs are permitted when the sign is proposed on a building that has a setback of 10 feet or less from the street right-of-way.</li> <li>○ Projecting signs shall not overhang the right-of-way and shall be a minimum of 8.5 feet above the finished grade.</li> <li>○ Projecting signs shall not exceed 12 square feet in area.</li> </ul>

Bonus for ground signs: When a ground sign is used, the permitted square footage of the ground sign may be increased by 25 square feet or the permitted square footage of wall signage may be increased by 50 square feet.

**§ 447-5. Prohibited signs.**

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs.
- B. Flashing signs.
- C. Rotating signs.
- D. Searchlights.
- E. Snipe signs.
- F. Signs imitating or resembling official traffic or government signs or signals.
- G. Signs (and/or copy) placed on vehicles or trailers which are permanently parked or located for the primary purpose of displaying said sign(s).

**§ 447-6. Signs not requiring a permit.**

The following types of signs are permitted in all zoning districts and are exempt from permit requirements, yet shall conform to all other requirements of this chapter.

- A. Flags.
- B. Government signs.
- C. Public signs, notices, or any sign relating to an emergency.
- D. Address signs.
- E. Incidental signs.
- F. Temporary Signs.
- G. Window signs.

**§ 447-7. Off-premises signs.**

- A. Location requirements. Off-premises signs shall only be allowed in the B-1, B-2, B-3, B-4, M-1 and M-2 Zoning Districts.
- B. Either one on-premises or off-premises sign is permitted on each street frontage per lot of record, Section §447-4(I) applies to off-premises signs where applicable.

**§ 447-8. Sign permit.**

- A. Required. Unless otherwise provided by this chapter, all signs shall require a permit and payment of fees as described below. No signs shall be erected, displayed, altered or enlarged until an application has been filed and a permit for such action has been issued. Permits shall be issued only if the Community Development Manager or his/her designee determines that the sign complies or will comply with all applicable provisions of this chapter.
- B. Permit applications. Application for a permit for the erection, alteration or relocation of a sign shall be made to the Community Development Manager or his/her designee upon a form provided by the Village and shall include the following information:
  - (1) Name, address and telephone number of the owner of the sign.
  - (2) Street address or location of the property on which the sign is to be located along with the name, address and telephone number of the property owner.
  - (3) The type of sign or sign structure as defined in this chapter.
  - (4) A site plan showing the proposed location of the sign along with the locations and square footage areas of all existing or proposed signs on the same premises. Signs located on adjacent properties shall also be shown on the site plan.
  - (5) Clear and legible specifications and scale drawings showing the materials, design, dimensions, structural supports and electrical components of the proposed sign.
  - (6) Certificate of insurance pursuant to § 447-9 of this chapter.
  - (7) Such other information as the Community Development Manager or his/her designee may require to show full compliance with this chapter and all other applicable ordinances of the Village.
  - (8) Signature of applicant and property owner.
  - (9) Payment of a fee as provided Chapter A600 - Fees

**§ 447-9. Indemnification and insurance.**

- A. All persons involved in the maintenance, installation, alteration or relocation of any sign shall agree to hold harmless and indemnify the Village and its officers, agents and employees against any and all claims of negligence resulting from such work insofar as this chapter has not specifically directed the placement of a sign.

- B. Every sign contractor shall maintain all required insurance and shall file with the Village a satisfactory certificate of insurance to indemnify the Village against any form of liability with a minimum of \$300,000 per occurrence and aggregate with regard to bodily injury and property damage.

**§ 447-10. Maintenance required; removal of abandoned or dilapidated signs.**

- A. Maintenance and repair of signs. Every sign for which permits are required, including Village signs, shall be maintained in a safe, presentable and good structural condition at all times, including painting, repainting, cleaning, replacement of defective parts and other acts required for maintenance of said sign. The Community Development Manager or his/her designee shall require compliance with all standards of this chapter and shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated.
- B. Abandoned signs. All abandoned signs shall be removed within six months by the owner or lessee of the premises upon which the abandoned sign is located or within 30 days of written notice by the Community Development Manager. Upon failure to comply with this notice, the Village may cause the abandoned sign to be removed, the expense of which shall be charged to the tax roll of the property on which the abandoned sign is located.
- C. Deteriorated or dilapidated signs. The Community Development Manager or his/her designee shall cause to be removed any deteriorated or dilapidated signs under the provisions of § 66.0413, Wis. Stats.

**§ 447-11. Enforcement.**

It shall be the duty of the Community Development Manager or his/her designee to enforce the provisions of this chapter.

**§ 447-12. Nonconforming signs.**

- A. Legal nonconforming sign criteria. Any sign located within the Village corporate limits as of the date of the adoption of this chapter or located within an area annexed to the Village hereafter which does not conform to the provisions of this chapter is a legal nonconforming sign and is permitted, provided that it also meets the following requirements:
  - (1) The sign is covered by a proper sign permit prior to the date of adoption of this chapter.
  - (2) If no permit was required under applicable law for the sign in question and the sign was, in all respects, in compliance with applicable ordinances on the date of the adoption of this chapter.
- B. Loss of legal nonconforming status.
  - (1) A sign loses its legal nonconforming status if one or more of the following occur:
    - (a) The nonconforming sign is/was relocated.

- (b) The sign is structurally altered in any way which makes or tends to make the sign less compliant with the requirements of this chapter than it was before alteration, except for normal maintenance or repair.
  - (c) The sign is damaged to such an extent that the cost to repair or reconstruct said sign exceeds 50% of the value of the sign. A nonconforming sign damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold or infestation after March 2, 2006, may be restored in accordance with the provisions of § 62.23(7)(hc), Wis. Stats.
  - (d) The sign, except for copy on a changeable copy sign, is replaced and such replacement results in an improvement of more than 50% of the actual value of the sign at the date of the commencement of the improvement. For purposes of this section, "replacement" shall mean the alteration, addition or improvement to a sign, its structure and/or bracing but shall not include the value of any building or other permanent improvement to which the sign may be attached.
  - (e) The sign fails to conform to this chapter regarding maintenance and repair, abandonment or dangerous or defective signs.
- (2) On the date of occurrence of any of the above, the sign shall be brought into compliance with this chapter and a new permit secured within 60 days or it shall be removed.
  - (3) Portable signs lose their legal nonconforming status five years after this chapter is adopted by the Village Board. All portable signs shall be removed no later than December 31, 2000.
  - (4) Temporary signs lose their legal nonconforming status 30 days after this chapter is adopted by the Village Board. All nonconforming temporary signs shall be removed no later than 60 days after adoption of this chapter.
  - (5) A sign whose sole nonconformity involves setback from the right-of-way shall be considered a legal conforming sign and shall not be identified as a legal nonconforming sign; however, such sign may not overhang the right-of-way nor create a vision obstruction.

C. Legal nonconforming sign maintenance and repair.

- (1) Nothing in this chapter shall relieve the owner or user of a legal nonconforming sign or the owner of the property on which the sign is located from the provisions of this chapter regarding safety, maintenance and repair of signs; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure in any way which makes it lose its legal nonconforming status as outlined in Subsection B above.
- (2) The Community Development Manager or his/her designee may declare any sign unlawful if it endangers public safety by reason of inadequate maintenance, dilapidation or abandonment. Any such declaration shall be in writing and shall

state the reasons of the Community Development Manager as to why any sign owned, kept, displayed or maintained by any person within the Village is in violation of this chapter.

**§ 447-13. Violations and penalties.**

It shall be unlawful to construct or use any land, engage in any development activity, or construct or use any structure on land in violation of any of the provisions of this chapter or otherwise neglect, refuse or fail to comply with any provisions of this chapter. Any person who violates or fails to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to the penalties set forth in Chapter 550, Zoning, of this Code and, in addition, shall pay all costs and expenses, including actual reasonable attorney and other fees involved. Each day a violation exists or continues shall constitute a separate offense.

**§ 447-14. Variances.**

- A. In pursuit of obtaining a permit, the applicant may submit an application to the Board of Zoning Appeals for a variance from specific requirements of this chapter. A variance may be granted by the Board of Zoning Appeals where the literal interpretation of this chapter would create a substantial hardship for the sign user and the following criteria are met:
- (1) A literal application of this chapter would result in a demonstrated practical difficulty or necessary hardship to the property.
  - (2) The granting of the requested variance would not be materially detrimental to the owners in the vicinity.
  - (3) Hardship caused the sign user under a literal interpretation of this chapter is due to conditions unique to that property and does not apply generally to the Village.
  - (4) The granting of the variance would not be contrary to the general objectives of this chapter.
- B. When granting a variance, the Board of Zoning Appeals may attach additional requirements necessary to carry out the purpose and intent of this chapter in the public interest.