

ORDINANCE NO. 80 - 2020

AN ORDINANCE TO REPEAL ARTICLE VII OF CHAPTER 111 OF THE
VILLAGE OF SUMMIT VILLAGE CODE CONCERNING SIGNAGE
REGULATIONS AND TO CREATE CHAPTER 23 OF THE VILLAGE OF
SUMMIT VILLAGE CODE CONCERNING SIGNS

WHEREAS, due to the decision of the U. S. Supreme Court in Reed v. Town of Gilbert, and other cause, Village Staff have recommended that the Village of Summit sign regulations be updated to comply with current laws, regulations and legal interpretations; and

WHEREAS, the matter has been referred to the Village Plan Commission of the Village of Summit for report and recommendation; and

WHEREAS, the Village Plan commission of the Village of Summit has recommended that the existing signage regulations contained in the Village Zoning and Shoreland Protection Ordinance be repealed and replaced with new signage regulations in a separate Section of the Village Code; and

WHEREAS, the Village Board finds that this change to the Village Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super-majority requirement of Section 66.10015, Wisconsin Statutes does not apply to this Ordinance; and

WHEREAS, the Village Board of the Village of Summit, having carefully reviewed the recommendation of the Plan Commission of the Village of Summit, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such zoning amendment on the health, safety and welfare of the community, immediate neighborhood in which said uses will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the zoning amendment will not violate the spirit or intent of the Zoning and Shoreland Protection Code for the Village of Summit, will not be contrary to the public health, safety or general welfare of the Village of Summit, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhoods as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same, and such revisions are consistent with the recommendations found in the Village of Summit Comprehensive Plan; and

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 111 of the Village of Summit Village Code entitled, "Zoning and Shoreland Protection," Article VII entitled "Signage Regulations" is hereby repealed.

SECTION 2: Chapter 23 of the Village of Summit Village Code entitled "Signs" is hereby created as follows:

CHAPTER 23 SIGNS

23-01 PURPOSE AND INTENT

The intent of this Ordinance is to promote the public health, safety, and welfare by creating a framework for a comprehensive and balanced system of signs, and thereby facilitate an easy and pleasant communication system between people and their environment. This framework will be used by the Village to encourage the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the Village's expressed desire for quality development. The Village of Summit Sign Code has been put together after careful study of the Village's Comprehensive Plan, Design Standards, various plans and studies. With this purpose in mind, it is the intention of this section to establish standards for the construction, placement, style, size, materials, and maintenance of signs, and authorize the use of signs which promote traffic safety, community aesthetics, economic development, design creativity, protect property values, enable and promote free speech, provide for legibility, and adhere to the standards and materials of adopted Design Standards of the Village while preventing clutter and blight.

23-02 COMPLIANCE

- A. No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without conforming to the provisions of this Ordinance.
- B. Any sign displayed or erected which is not authorized by this Section and/or is not in compliance with all applicable regulations set forth herein following adoption of this Section shall be removed and may be subject to confiscation, unless deemed non-conforming under 23-15 of this Ordinance. In addition to all other available remedies, the Village shall have the right to recover from the owner or person placing such sign the full cost of removal and disposal of such sign.

23-03 SIGNS PERMITTED IN ALL RESIDENTIAL AND AGRICULTURAL DISTRICTS WITHOUT A PERMIT

The following signs with permission of the property owner are permitted in the R-1 Estate Residential District, R-2 Country Residential District, R-3 Village Residential District, R-4 Cottage Residential District, MF-1 Duplex Residential, MF-2 Multifamily Residential District, A-1 and A-2 Agricultural Districts without a permit, subject to the following regulations:

- A. Any lot may have a sign or signs without a permit as long as the sign(s) meets all of the following standards:
 - 1. On property less than four acres in size, the total square footage of all such sign(s) is less than 15 square feet in size; on property four acres in size or greater, the total square footage of all such sign(s) is less than 48 square feet in size, and
 - 2. All signs are more than 1 foot from a street yard and more than 5 feet from a side or rear lot line, and
 - 3. There is not more than one sign per lot for each 200 feet of street frontage, and
 - 4. In the event that Wisconsin Statutes Section 12.04 would permit a sign that is larger than the size limitations described in this subsection, such sign is allowed only for the period described in Wisconsin Statutes Section 12.04.
 - 5. The sign does not obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property, and all signs are subject to the requirements of Chapter 111-96(a)(3) and (4) – vision setback lines.
- B. Government Signage for Official traffic, safety and welfare, or notice/regulation compliance. No sign permit is required for a sign that is constructed, placed, or maintained by the Federal, State, or Local government or a sign that is required to be constructed, placed or maintained by the Federal, State, or Local Government either directly or to enforce a property owner's rights or the safety and welfare of the public. While no sign permit is required, these signs shall adhere to best practices for sign design and placement, the Village Design standards, and may be placed within the rights of way with a right of way permit by the government agency with jurisdiction of the right of way.

23-04 SIGNS PERMITTED IN THE FOLLOWING DISTRICTS WITHOUT A PERMIT (NC-Neighborhood Commercial, BP Business Park and IN Institutional)

The following signs with permission of the property owner are permitted in any lot in the NC-Neighborhood Commercial, BP Business Park and IN Institutional zoning districts without a permit, subject to the following regulations:

- A. Any lot may have a sign or signs without a permit as long as the sign(s) meets all of the following standards:

1. On property less than four acres in size, the total square footage of all such sign(s) is less than 32 square feet in size; on property four acres in size or greater, the total square footage of all such sign(s) is less than 128 square feet in size with each sign no more than 64 square feet in size, and
 2. All signs are more than 1 foot from a street yard and more than 5 feet from a side or rear lot line, and
 3. There is not more than one sign per lot for each 200 feet of street frontage, and
 4. In the event that Wisconsin Statutes Section 12.04 would permit a sign that is larger than the size limitations described in this subsection, such sign is allowed only for the period described in Wisconsin Statutes Section 12.04.
 5. The sign does not obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property, and all signs are subject to the requirements of Chapter 111-96(a)(3) and (4) – vision setback lines.
- B. Government Signage for Official traffic, safety and welfare, or notice/regulation compliance. No sign permit is required for a sign that is constructed, placed, or maintained by the Federal, State, or Local government or a sign that is required to be constructed, placed or maintained by the Federal, State, or Local Government either directly or to enforce a property owner's rights or the safety and welfare of the public. While no sign permit is required, these signs shall adhere to best practices for sign design and placement, the Village Design standards, and may be placed within the rights of way with a right of way permit by the government agency with jurisdiction of the right of way.
- C. The temporary use of one portable sign, up to ten (10) square feet in area, provided that the portable sign will not be located in any public right-of-way, will not be located any closer than 5 feet to an adjacent property, and will not cause a hazard to traffic or adjoining properties.
- D. Window Signs, except for painted signs and decals, shall be placed only on the inside of commercial buildings. Window signs shall not cover more than 1/3 of any window area.

23-05 SIGNS PERMITTED IN ALL RESIDENTIAL DISTRICTS WITH A PERMIT

In addition to the signs listed in Section 23-03, the following signs with permission of the property owner are permitted in the R-1 Estate Residential District, R-2 Country Residential District, R-3 Village Residential District, R-4 Cottage Residential District, MF-1 Duplex Residential and MF-2 Multifamily Residential District and are subject to the following regulations.

- A. Monument Signs placed at the entrance to a subdivision or residential development with the permission of the property owner and subject to approval by the Plan Commission. The number of monument signs within each subdivision or development shall be determined by the Plan Commission for appropriateness with traffic flow,

pedestrian safety, and design of the overall site. Monument signs shall be not less than five feet (5') from a side or rear lot line and may be placed in the right-of-way only within an easement granted for said purpose and upon approval of the Village for the same. The sign design shall follow the Design standards of the Village. The Plan Commission shall determine the appropriate size of the sign based on the design of the sign, its impact on traffic safety and its compatibility with adjacent land uses.

23-06 SIGNS PERMITTED IN ALL MU Mixed Use, NC Neighborhood Commercial and BP Business Park DISTRICTS WITH A PERMIT

In addition to the signs listed in Section 23-04, the following signs with permission of the property owner are permitted in all Mixed Use, Neighborhood Commercial and Business Park districts subject to the following restrictions and approval by the Building Inspector or Plan Commission as specified.

A. Monument Signs. Monument signs may be erected, and are encouraged, in the Village MU Mixed Use, NC Neighborhood Commercial and BP Business Park Districts. Monument Signs shall include the address of the property for public safety purposes.

1. Height:

- a. Monument signs shall not exceed 10 feet in height above the mean centerline street grade.
- b. The Plan Commission may allow a monument sign up to 15 feet in height above the mean centerline street grade upon finding that the following conditions exist:
 - (i) the parcel, landscaping and grounds are of substantial size so that the sign is not overly obtrusive;
 - (ii) the parcel topography is such that in order to have the sign be no more than 10 feet above the mean centerline street grade, a sign would have to be six and one-half feet (6.5') in height from the ground, or less;
 - (iii) the sign is located not less than 15 feet from the road right-of-way;
 - (iv) landscaping at the base of the sign is determined to be substantial.

2. **Area:** The face of a monument sign shall not exceed 75 square feet in area on any side. The area of the base may be larger than the sign face as permitted by the Plan Commission.
3. **Setbacks:** Monument signs in the NC Neighborhood Commercial and BP Business Park Districts shall be located not less than 10 feet from a street right-of-way and not less than 5 feet from any other lot line, unless a special exception is granted by the Plan Commission for a reduced setback.

4. **Number of Monument signs:** The number of Monument Signs per property shall be

determined by the Plan Commission for appropriateness with traffic flow, pedestrian safety, and design of the site, and there shall be no more than two monument signs per property or more than one monument sign per street frontage if the property has two or more street frontages unless a special exception is granted under Section 111-389 for the property to exceed said limit.

5. Design of Monument signs: The design of monument signs shall complement the architecture of the building and signs already proposed for the site.

B. Ground Signs.

1. Height: Ground signs shall not exceed five feet (5') in height from the adjacent grade.
2. Area: The face of a Ground sign shall not exceed shall be more than 5 feet in height; or exceed 30 inches in length or more than 7 square feet.
3. Setbacks: Ground signs may be placed adjacent to driveways provided that no ground sign shall be placed in the street right-of-way. All ground signs shall be designed in a manner to minimize obstruction of motorists' vision.
4. Number of Ground signs: The number of ground signs allowed per property shall be determined by the Plan Commission during site plan approval, based upon traffic flow, pedestrian safety and any required traffic and site studies and plans submitted for the development or property.
5. Design of Ground signs: The design of Ground signs shall complement the architecture of the building and signs already on or proposed for the site.

- C. Pole Signs.** A Pole sign is a sign that is mounted on a free-standing pole or other support so that the bottom edge of the sign face is 10 feet or more above grade.

Future approvals restricted: No new pole sign shall be erected in the Village after March 31, 2020. Any modification to an existing pole sign is subject to being submitted to and receiving the approval of the Plan Commission prior to the modification being made.

D. Wall Signs.

1. Area: Wall signs placed against the exterior walls of buildings shall not exceed 20% of the wall area, with a maximum area of 500 square feet for any one premise. On buildings exceeding 50,000 square feet in area the Plan Commission may permit signs exceeding 500 square feet in area and may specify a maximum number of signs.
2. Number: The Plan Commission may permit more than one wall sign per building tenant when such multiple signs are deemed necessary to the orderly development of the building/property in order to provide safe pedestrian and vehicle traffic operations, particularly with buildings that have more than one street yard. A multi-

tenant building may allow the end tenant to have a sign of same size or smaller as the front signage located on the building side wall.

E. Reader Boards are an aspect of a monument, ground, or wall sign.

1. Reader boards on an exterior wall, provided that they are not internally illuminated and do not exceed 24 square feet.
2. Reader boards as a part of a monument or ground sign must receive Plan Commission approval.

F. Marquee, Awning, or Canopy Signs. These signs are permitted if the content does not exceed eight inches (8") in height. If the letters are more than eight inches (8") in height, then such signs shall be considered wall signs and shall comply with all applicable requirements for wall sign location and area.

G. Permanent Banner Stand Signs. Approval of these types of signs must receive Plan Commission approval to determine the location of the sign(s), size and the number of signs allowed on the premises along with the support members and maintenance plan.

H. Temporary Banners and Pennants. The Building Inspector may approve a sign permit for the temporary use of banners and pennants in any NC Neighborhood Commercial or BP Business Park district for a period of not more than 30 days in any 90 day period provided that the banner or pennants will not be located in the street right-of-way and will not cause a hazard to traffic or adjoining properties. Banners shall not exceed 150 square feet in area. No new banner shall be displayed for at least 30 days following removal of the previous banner. Banners extending over the Village of Summit right-of-way shall be permitted upon Plan Commission approval.

I. Inflatable Advertising. The Building Inspector may approve a sign permit for the temporary use of inflatable advertising in any NC Neighborhood Commercial or BP Business Park district for a period of not more than fourteen days in any 90 day period provided that the inflatable shall be located at least 15 feet from the street right-of-way or property line and will not cause a hazard to traffic, pedestrian or adjoining properties. The size shall not exceed 15 feet in height and eight feet (8') in width.

23-07 SIGNS PERMITTED IN ALL IN Institutional DISTRICTS WITH A PERMIT

In addition to the signs listed in Section 23-04, the following signs are permitted with the permission of the property owner in all IN Institutional districts subject to the following restrictions and approval by the Building Inspector or Plan Commission as specified.

A. Monument Signs. Monument signs may be erected and are encouraged in the Village Institutional Districts. Monument Signs shall include the address of the property for public safety purposes.

1. Height: Monument signs shall not exceed 20 feet in height above the mean

centerline street grade.

2. **Area:** The face of a monument sign shall not exceed 120 square feet in area on any side. The area of the base may be larger than the sign face as permitted by the Plan Commission.
3. **Setbacks:** Monument signs shall be located not less than 10 feet from a street right-of-way and not less than five feet (5') from any other lot line.
4. **Number of Monument signs:** The number of Monument Signs per property shall be determined by the Plan Commission for appropriateness with traffic flow, pedestrian safety, and design of the site, and there shall be no more than four monument signs per property or more than one monument sign per street frontage if the property has two or more street frontages unless a special exception is granted under Section 111-389 for the property to exceed said limit.
5. **Design of Monument signs:** The design of monument signs shall complement the architecture of the building and signs already proposed for the site.

B. Ground Signs.

1. **Height:** Ground signs shall not exceed 5 feet in height from the adjacent grade.
2. **Area:** The face of a Ground sign shall not exceed 20 square feet.
3. **Setbacks:** Ground signs may be placed adjacent to driveways provided that no Ground sign shall be placed in the street right-of-way. All Ground signs shall be designed in a manner to minimize obstruction of motorists' vision.
4. **Number of Ground signs:** The number of ground signs allowed per property shall be determined by the Plan Commission during site plan approval, based upon traffic flow, pedestrian safety and any required traffic and site studies and plans submitted for the development or property.
5. **Design of Ground signs:** The design of Ground signs shall complement the architecture of the building and signs already on or proposed for the site.

C. Wall Signs.

1. **Area:** Wall signs placed against the exterior walls of buildings shall not exceed 5% of the wall area, with a maximum area of 500 square feet for any one premise. On buildings exceeding 50,000 square feet in area the Plan Commission may permit signs exceeding 500 square feet in area and may specify a maximum number of signs.
2. **Number:** The Plan Commission may permit more than one wall sign per building when such multiple signs are deemed necessary to the orderly development of the building/property in order to provide safe pedestrian and vehicle traffic operations, particularly with buildings that have more than one street yard.

- D. Reader Boards** are an aspect of a monument, ground, or wall sign. Reader boards that are placed on an exterior wall are allowed provided that they are not internally illuminated and do not exceed 24 square feet. Reader boards that are a part of a monument or ground sign must receive Plan Commission approval.
- E. Permanent Banner Stand Signs.** These types of signs must receive Plan Commission approval to determine the location of the sign(s), size and the number of signs allowed on the premises along with the support members and maintenance plan.

23-08 TEMPORARY SIGNS ON CONSTRUCTION SITES or SIGNS ON DEVELOPMENT SITES REQUIRING A PERMIT

- A.** Temporary signs may be permitted by the Building Inspector in any district for a limited period of time not to exceed one year for a property where a Preliminary Plat has been approved by the Village Board, a site plan has been approved by the Plan Commission, or a building permit is open and construction is occurring.
- B.** The Building Inspector shall determine the number, size, and location of temporary construction site or development site signs on any one property to ensure safety for traffic and pedestrians. Each temporary construction site or development site sign shall not exceed 48 square feet in area and shall not be less than 5 feet from a street right-of-way, or any side or rear lot line. The Building Inspector may grant up to three, one year extensions to the one year limit or until occupancy is received for a building under construction on the property, whichever occurs first.

23-09 BUILDING PERMIT

- A.** A building permit shall be required for erecting a sign structure as regulated under this ordinance and for changing or replacing a sign structure except for sign structures under .03 and .04. Sign applications that meet a Plan Commission approved sign plan for a development site may be approved by the Building Inspector without Plan Commission approval. Maintenance work such as repainting does not require a permit. Any maintenance, replacement of sign face, structure or base shall require a permit.
- B.** Permit applications shall be filed with the Building Inspector, who shall review the application for its completeness and accuracy. If the application is complete and meets the design guidelines approval may be granted by the Building Inspector, at the Building Inspector's discretion. If the application is deemed not to meet the design guidelines the Building Inspector shall within 45 days of receipt of said application deny, in writing, the application. The applicant can appeal to the Plan Commission to review the permit and make the determination of approval or denial, within 30 days of receipt of the written denial. A permit shall become null and void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.

- C. The owner of any sign which is otherwise allowed under this Section may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary. This provision does NOT create a right to increase the total amount of sign area permitted on a lot.
- D. Applications for a building permit shall be made on forms provided by the Building Inspector and shall contain or have attached thereto the following information:
1. Name, Address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.
 2. Name of Person, firm, corporation, or association erecting the sign.
 3. Written Consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.
 4. A Scale Drawing of such sign indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.
 5. A Scale Drawing indicating the location and position of such sign in relation to nearby buildings or structures.
 6. A photograph of all existing signs, including signs to be replaced.
 7. Copies of any other permit required and issued for said sign, including the written approval by the Building Inspector, in the case of illuminated signs, who shall examine the plans and specifications, re-inspecting all wiring and connections to determine if the same complies with the Electrical Code.
 8. Additional Information as may be required by the Building Inspector or Plan Commission.

23-10 DESIGN, CONSTRUCTION AND MAINTENANCE STANDARDS

A. General

Signs shall be constructed in such a manner that they will not be a hazard to neighboring properties and will withstand the forces of severe weather. Signs shall be maintained in a clean and sanitary manner, shall be repainted or repaired when necessary and all accessory features of signs (such as lighting) shall be maintained in an operable condition. Signs shall not be permitted to become aesthetically offensive in appearance. Signs shall be secured to buildings, poles, and posts and shall not be placed in a manner which interferes with the provision of public services such as electrical service, telephone service, natural gas service and fire protection.

B. Facing

No sign except those permitted in Sections 23-03 shall be permitted to face a residence within 100 feet of such residence.

C. Lighting and Color

1. Interference with official signs. Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices.
2. Interference with public safety. Signs shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape and no sign shall be attached to a standpipe or fire escape. Signs shall not be placed so as to obstruct or interfere with traffic visibility, nor be lighted in such a way as to cause glare or impair driver visibility upon public ways.
3. Lighting. Signs may be illuminated, but such illumination shall comply with the standards of ANSI/IES RP-39-19 or its successor publication.. Signs in residential districts shall not be illuminated except for monument signs as listed in Section 23-05(A).
4. Monument signs are required to be externally lit unless a finding is made by the Plan Commission that allowing internal illumination would be compatible with the general area, and that the impact of such a sign will not visually impact any nearby residential areas.

D. Animation

Signs shall not revolve, flash, scroll, blink, chase, or otherwise be animated in nature. Flashing signs are those that change characters or blink more than once every three (3) seconds. Electronic Message signs may fade over not less than three (3) seconds nor more than five (5) seconds to allow for the changing of messages, Pictures, characters, etc. may be part of an electronic message, but all images on an electronic message sign shall not be animated.

E. Color and Material

Signs shall be designed to complement the architecture of the structure(s) they represent. Wherever possible, signs on multi-tenant buildings should be guided by an approved sign plan for the development with regards to size, font and color. Signs

should have uniform letter coloring, size, and shape unless the Plan Commission finds that alternate color schemes appropriately complement the architecture and use of the structure. Monument and ground signs shall be constructed of brick, dimensional building stone, larger wood beams or other decorative building materials, and often feature landscaped element(s) within the sign design. The sign cabinet for ground and monument signs may be of a metal or quality plastic material if the appearance is found to be consistent with the quality of the rest of the sign and the architecture of the development.

23-11 EXISTING SIGNS

Signs lawfully existing at the time of the adoption or amendment of this Ordinance may be continued although the use, size or location does not conform with the provisions of this Ordinance. However, it shall be deemed a nonconforming use or structure; and the provisions of Section 111-225 of this Ordinance shall apply.

23-12 DEFINITIONS

Readerboard: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

Sign: A structure or an image, display, or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure or parcel of land, which is (a) visible from the public right-of-way, private street, or an adjoining property, and (b) designed to communicate a non-artistic message.

Sign, abandoned Signs that the building inspector determines advertise an abandoned or discontinued use. These signs shall be removed by the property owner within 30 days after abandonment of the principal use. If the sign remains, the Village Board may thereafter direct the removal with such expenses charged to the property owner.

Sign area: The entire area within a geometric form enclosing the extreme limits of writing, representation, emblem or any other figure of similar character, together with any frame, structure, or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. The geometric form shall be limited to a circle, triangle or parallelogram.

Where a sign has two or more faces, the area of all faces shall be included in determining the area of a sign, except where two such faces are placed back to back and are at no point more than two feet from one another, the area of the sign shall be taken either as the area of one face – if the two faces are of equal area, or the area of the larger face – if the two faces are of unequal area.

<u>Sign, awning</u>	Any sign that is mounted or painted on, or attached to an awning, canopy, or marquee or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.
<u>Sign, banner</u>	Any sign made of fabric or any non-rigid material with no enclosing framework. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be regulated as banner signs.
<u>Sign, ground</u>	A sign not exceeding five feet in height, placed adjacent to driveways.
<u>Sign, inflatable</u>	Any sign designed or constructed with the ability to be mechanically filled with air or gas.
<u>Sign maintenance</u>	The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic design or structure of the sign.
<u>Sign, monument</u>	Any sign where the entire bottom of the sign or the structure to which the sign is affixed is generally in contact with the ground.
<u>Sign, painted wall</u>	A sign that is applied with paint or similar substances on the face of a structure and is considered to be a wall-mounted sign for calculation purposes.
<u>Sign, pennant</u>	Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
<u>Sign, permanent banner stand</u>	A sign made of fabric or other non-rigid material with a fixed, enclosing framework.
<u>Sign, portable</u>	Any sign that is not permanent, affixed to a building, structure or to the ground. Such sign is sometimes mounted on wheels to make it transportable.
<u>Sign, temporary</u>	Any sign not constructed or intended for long-term use.
<u>Sign, wall</u>	Any sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from such building or structure.

SECTION 3: CONTINUATION OF EXISTING PROVISIONS.

The provisions of this Ordinance, to the extent they are substantively the same as those of the ordinance in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this Ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this Ordinance for the time that such provision was in

effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

SECTION 4: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 12TH day of March, 2020.

Village of Summit



Jack Riley, Village President

ATTEST:



Debra Michael, Administrator/Clerk/Treasurer

Published and/or posted this 23 day of December, 2020.

