

**TOWN OF SPRINGDALE,  
DANE COUNTY, WISCONSIN**

**AN ORDINANCE CREATING TITLE IX, CHAPTER 4  
IN THE TOWN OF SPRINGDALE CODE OF ORDINANCES**

RECITALS

- A. Pursuant to the Wisconsin Statutes, including sections 12.04, 60.10(2)(c), 60.22(1) and (3), 60.23 (29), and 61.34(1), the Town of Springdale may regulate the size, shape, placement and other criteria related to signs within the boundaries of the Town.
- B. The Town of Springdale Land Use Plan states that the Town shall develop a signage ordinance that promotes rural business activities primarily related to agriculture and that ensures signage will not negatively affect the rural character of the Town.
- C. It is necessary to create Title IX, Chapter 4 of the Town of Springdale Code of Ordinances in order to ensure that signage does not negatively affect the rural character and scenic beauty of the Town; to promote rural business activities primarily related to agriculture; to comply with statutory requirements concerning communication of political messages; to ensure that signage is limited to those signs necessary to direct customers to on-premise businesses and agricultural activities; and to ensure that signage does not negatively affect public health, safety and welfare.
- D. The regulation of signs within the boundaries of the Town is in the public interest and serves a public purpose.

*NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Springdale that Title IX, Chapter 4 of the Town of Springdale Code of Ordinances is created to read as follows:*

**Chapter 4. SIGN ORDINANCE**

**4.01 TITLE.** This chapter shall be officially known, cited and referred to as the “Sign Ordinance, Town of Springdale, Dane County, Wisconsin.”

**4.02 AUTHORITY.** These regulations are adopted under the authority granted by the Wisconsin Statutes, including sections 12.04, 60.10(2)(c), 60.22(1) and (3), 60.23 (29), and 61.34(1).

**4.03 PURPOSE AND INTENT.** The purpose of this chapter is to ensure that signage does not negatively affect the rural character and scenic beauty of the Town; to promote rural business activities primarily related to agriculture; to comply with statutory requirements concerning communication of political messages; to ensure that signage is limited to those signs necessary to direct customers to on-premise businesses and agricultural activities; and to ensure that signage does not negatively affect public health, safety and welfare.

**4.04 JURISDICTION.** This chapter shall apply to all lands within the Town of Springdale.

**4.05 INTERPRETATION.** In their interpretation and application, the regulations contained herein shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. These regulations shall be construed broadly in favor of the Town of Springdale to promote the purpose and intent for which they are adopted.

**4.06 SEVERABILITY.** If any part or provision of this ordinance or the application of these regulations to any person or circumstance is adjudged invalid by any court of competent jurisdiction, the judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which the judgment shall be rendered. It shall not affect or impair the validity of the remainder of these regulations, or the application of them to other persons or circumstances. The Town Board hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application, which is judged to be invalid.

#### **4.07 DEFINITIONS.**

(1) Agricultural activities. Activities related to beekeeping; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; and raising of fruits, nuts, berries, sod farming and vegetable raising.

(2) Agricultural products. Products derived from beekeeping; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; and raising of fruits, nuts, berries, sod farming and vegetable raising.

(3) Sign. A device that is intended, designed or used for advertising display, identification, announcements, or related purposes, including signs, screens, billboards and other advertising devices of any type.

(4) Government sign. A sign authorized or installed by the Town, another governmental agency, the State of Wisconsin or the federal government, including, but not limited to, traffic-related signs.

(5) Non-conforming sign. A sign which does not comply with the regulations set forth in this chapter but was in existence on the effective date of this chapter.

(6) On-Premise sign. A sign identifying or advertising a business, person, activity, goods, products or services located on the property where the sign is installed and maintained.

(7) Political sign. Any sign containing a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

(8) Real estate sign. A sign used to offer for sale, lease, or rent the property upon which the sign is placed.

(9) Warning sign. A sign, less than 3 square feet, that warns the public about trespass to property, dangerous conditions (such as an aggressive dog), unusual hazards (such as drop-offs), high voltage, fire dangers, or explosives.

**4.08 PROHIBITION ON SIGNS.** All signs shall be prohibited in the Town except:

(1) Signs advertising or identifying agricultural products produced in the Town. Not more than three signs shall be erected by a property producing agricultural products in the Town. Any such sign shall not exceed 32 square feet in area on all sides and shall be located:

(a) Upon the property on which the agricultural products are produced;

(b) If the property on which the agricultural products are produced is not adjacent to a highway, upon other private property adjacent to a highway with the permission of the property owner; or

(c) If a privilege in street has been obtained pursuant to section 66.0425 of the Wisconsin Statutes, upon land within the road right-of-way.

(2) Signs advertising or identifying agricultural activities occurring in the Town. Not more than three signs shall be erected by a property hosting agricultural activities occurring in the Town. Any such sign shall not exceed 32 square feet in area on all sides and shall be located:

- (a) Upon on the property on which the agricultural activities are occurring;
- (b) If the property on which the agricultural activities are occurring is not adjacent to a highway, upon other private property adjacent to the highway with the permission of the property owner; or
- (c) If a privilege in street has been obtained pursuant to section 66.0425 of the Wisconsin Statutes, upon land within the road right-of-way.

(3) In areas zoned A-1, B-1, A-B, LC-1 and C-1, on-premise signs that are unlit, less than or equal to 6 square feet in size, and are necessary to direct customers to the on-premise business. Each property is limited to one (1) sign. Such signs shall comply with all other applicable Town, county, and state regulations.

(4) Political signs not exceeding 11 square feet in area and not having an electrical, mechanical or audio component, during an election campaign period as provided in section 12.04 of the Wisconsin Statutes. A political sign may exceed 11 square feet in area if the sign is affixed to a permanent structure, does not extend beyond the perimeter of the structure, and does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

(5) Real estate signs.

(6) Government signs.

(7) Warning signs.

#### **4.09 PERMITTED SIGNS.**

(1) Signs that are permitted in the Town pursuant to section 4.08 shall not:

- (a) Resemble, imitate, or approximate the shape, size, form, or color of Government signs, unless the sign is a Government sign.
- (b) Obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices or the safe flow of traffic.

- (c) Be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape.
  - (d) Be placed so as to obstruct or interfere with traffic or pedestrian safety and visibility.
- (2) The Town may remove a sign that:
- (a) Is located on Town property without approval of the Town Board;
  - (b) Poses a traffic hazard emergency or other emergency threat to public safety as determined by the building inspector; or
  - (c) Is erected or maintained in violation of this chapter.

#### **4.10 NON-CONFORMING SIGNS.**

- (1) Intent. Although the eventual elimination of non-conforming signs is important to the purposes stated in section 4.03, it is the intent of this chapter to avoid unreasonable invasion of property rights while accomplishing the removal of non-conforming signs.
- (2) Maintenance. A non-conforming sign may be continued if it is maintained in good condition. A non-conforming sign may be replaced, but only if the non-conforming sign is replaced by a sign of the same size and character. The replacement non-conforming sign shall not have lights.
- (3) Business continuation.
- (a) If a business with a non-conforming sign is sold to a new owner who continues the business, the non-conforming sign may be continued per paragraph (2).
  - (b) If a business with a non-conforming sign is sold to a new owner who does not continue the business, the non-conforming sign shall be removed and a replacement non-conforming sign shall not be erected.
  - (c) If a business with a non-conforming sign is discontinued or terminated, the non-conforming sign shall be removed.

#### **4.11 PENALTIES.** Should a sign be erected or maintained in violation of the provisions of this chapter, the owner of the land on which the sign is erected or

maintained shall, upon conviction, pay a forfeiture of \$100.00 plus applicable surcharges and court costs per violation. Each day that the violation continues to exist shall constitute a separate offense. An unlawful sign constitutes a public nuisance and may be enjoined.

**4.12 REVIEW.** A decision made by the Town under this chapter is subject to review pursuant to Chapter 68 of the Wisconsin Statutes.

*The foregoing ordinance was duly adopted by the Town Board of the Town of Springdale at a meeting held on the 16 of June, 2008.*

TOWN OF SPRINGDALE

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Ed Eloranta, Town Chairperson

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Vicki Anderson, Town Clerk

ENACTED: June 16, 2008

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