

ARTICLE XIII. REGULATION OF SIGNS

Amended July 12, 2012

A. PURPOSE OF SIGN REGULATIONS

The purpose of this ordinance is to promote and protect the public safety, morals, comfort, convenience and general welfare by the orderly placement and erection of signs and billboards in the Town of Morrison.

B. DEFINITIONS

1. Animated Signs. A sign with action or motion, flashing, color changes, requiring electrical energy, electronic or manufactured sources of supply, but not including wind actuated elements, such as flags, banners, or specialty items. This definition does not include public service signs, such as time and temperature, revolving, or changeable message signs.

2. Architectural Projection. Shall mean any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

3. Area of Copy. The entire area within a single, continuous perimeter composed of squares or rectangles which encloses the extreme limits of advertising message, announcement, or decoration of a wall sign.

4. Area of Sign. The area of the largest single face of the sign within a perimeter which forms the outside shape, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one (1) section or module, all areas will be totaled. Any irregular shaped sign area shall be computed using the actual sign-face surface.

5. Background Area of Sign. The entire background area of a sign upon which copy could be placed. In computing area of sign background, only that face or faces which can be seen from any one direction at one time shall be counted.

6. Billboard - See "Off-Premise Signs".

7. Building Facade. That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

8. Building Facade Facing. A resurfacing of an existing facade with approved material illuminated or non-illuminated.

9. Business Identification Sign. Any sign which promotes the name and type of business only on the premises where it is located.

10. Canopy Sign. Any sign attached to or constructed in, on, or under a canopy or marquee. For the purpose of this Ordinance, canopy signs shall be controlled by the rules governing projecting signs.

11. Changeable Message Sign. A sign, such as a manual, electronic or electric controlled time and temperature sign, message center or reader board, whether electronic, electric or manual, where copy changes. Any sign may be, or include as part of it, a changeable message sign.

12. Directional Signs. On premise incidental signs designed to guide or direct pedestrians or vehicular traffic.

13. Double Faced Sign. A sign with copy on two (2) parallel faces that are back to back, facing in opposite directions.

14. Free Standing Signs. A sign which is supported by one or more columns, uprights or braces, in or upon the ground.

15. Grade. The elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.

16. Ground Sign. A sign erected on one or more free-standing supports or uprights and not attached to any building.

17. Gross Area. The area of a sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols, the rules for Area or Copy apply.

18. Height of Sign. The vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign.

19. Illuminated Signs. A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

20. Legal Nonconforming Sign. A nonconforming sign that did meet code regulations when it was originally installed.

21. Marquee. Marquee is a permanent roofed structure attached to and supported by the building and projecting over public property.

22. Marquee Sign. Any sign attached to or constructed in a marquee.

23. Multiple Copy Sign. A sign which advertises other than the name of the business and the principal product or service.

24. Nonconforming Sign. A sign that does not meet code regulations.

25. Nonprofit Service Organization. Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic, or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group and may include, but shall

not be limited to patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, charitable, scientific, historical, athletic, or medical activities.

26. Off-Premise Sign. A sign which advertises goods, products, facilities or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.

27. On-Premise Sign. Any sign identifying or advertising a business, person, activity, goods, products or services located on a premise where the sign is installed and maintained.

28. Projecting Sign. A sign, normally double faced, which is attached to and projects from a structure or building facia.

29. Revolving Sign. A sign which revolves three hundred sixty (360) degrees but does not exceed eight (8) rpm.

30. Roof Sign. A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by said building.

31. Sign. Any emblem, painting, banner, pennant, placard, design, identification, description, illustration or device, illuminated or non-illuminated, to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise. For the purpose of removal, signs shall also include all sign structures.

32. Sign Structure. Any structure which supports or is capable of supporting any sign, as devised in this code. A sign structure may be a single pole or may or may not be an integral part of the building.

33. Temporary Sign. A sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis.

34. Swinging Sign. A sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

35. Under Marquee Sign. A lighted or unlighted display attached to the underside of a marquee protruding over public or private sidewalks or right-of-way.

36. Wall Sign. A Sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall and which does not exceed more than six (6) feet above the parapet, eaves, or building facade of the building on which it is located or a sign which is painted on any exterior wall.

37. Window Sign. A sign installed on a window for purposes of viewing from outside the premises.

38. Zoning of Land Use. Shall mean the land use district as established by the Town Board.

39. Commercial Message Sign. A sign containing a message that directs attention to a business, commodity, service or entertainment enterprise which is intended to produce a monetary profit or earnings which may lawfully inure to the benefit of any private shareholder or individual and the income of which is taxable under the Internal Revenue Code.

40. Noncommercial Message Sign. All signs containing "Political Messages" (as defined at Section E(11)(a)below); or a message intended to direct attention to a private point of view, political, social, community or public service issue, event or cause, not intended to produce a monetary profit or earnings which may lawfully inure to the benefit of any private shareholder or individual, and any income generated from which is exempt from taxation under the Internal Revenue Code.

C. GENERAL REQUIREMENTS

1. Scope. This ordinance pertains to and regulates all billboards and signs in the Town of Morrison.

2. Animated Signs in Residential District. No animated signs shall be erected or maintained in any residential land use district. No animated signs shall be erected or maintained closer than two hundred (200) feet from any residential zoning district on which there exists structures used for residential purposes.

3. Marquee Signs. Marquee signs may be placed on, attached to, or constructed in a marquee. Marquee signs shall be limited to the size of the marquee.

4. Building Facade Signs. Copy area of a building facade facing shall not exceed forty (40) percent of the background facing to which it is applied.

5. Wall Signs. Background area of wall signs shall not exceed thirty (30) percent of the building facade or four (4) square feet per lineal foot of the elevation upon which they are placed, whichever is greater.

6. Multiple Copy Signs.

a. Copy area of multiple copy signs not to exceed thirty (30) percent of background to which applied.

b. Principle identification sign is a sign which identifies only the name of the business and the principal product or service. These signs are not subject to any limitation of copy area to background.

7. Free Standing Sign. Free standing signs shall be located within the property lines and shall have a minimum clearance of ten (10) feet.

8. Ground Signs or Billboards.

a. Such signs shall be located back of the street line a distance equal to, and not less than, the height of the sign.

b. A ground sign, any part of which is located in the building setback of the right-of-way shall have a minimum vertical distance of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall not be more than three (3) feet in height. Only one (1) ground sign shall be allowed in the front building setback.

c. Any ground sign or projecting sign within twenty five (25) feet of an intersection or fifteen (15) feet of a driveway, measured from the point of intersection with a right-of-way, shall maintain a minimum of ten (10) feet between the bottom of the sign and the grade at the right-of-way line or shall be not more than three (3) feet in height.

9. Maximum Area of Signs. The maximum area of signs shall be the accumulation of the area of all signs located on a parcel of record. The maximum area of signs may differ according to the zoning classification of a lot.

10. Roof Signs Prohibited. Roof signs are prohibited in all districts of the town.

11. Stability. Signs shall be constructed so that they will withstand a wind pressure of at least thirty (30) pounds per square foot surface, and will otherwise structurally be safe, and shall be securely anchored or otherwise fastened, suspended or supported that they will not be a menace to persons or property. No sign shall be suspended by chains or other devices that will allow the sign to swing, due to wind action.

12. Illumination. All electrical signs shall conform to State electrical requirements. Illumination shall be directed entirely on the sign.

13. Maintenance of Signs. All signs and sign structures shall be properly maintained and kept in neat and proper state of repair and appearance.

14. Removal of Obsolete, Non-maintained, or Abandoned Signs. All signs, including those painted on a building, which no longer serve the purpose for which they were intended, or are not maintained, or which have been abandoned, shall be removed by the business or property owner within ninety (90) days after the receipt of removal notice, or, upon failure of such removal, the town shall remove such signs at the expense of the property owner.

15. Location. All free standing, ground, and portable signs shall be located within the property lines.

16. No sign facing a Residential District shall be closer than twenty five (25) feet to that district line.

D. PERMITS REQUIRED

1. It shall be unlawful for any person to erect, construct, enlarge or structurally modify a Commercial Message Sign or cause the same to be done in the Town of Morrison without first obtaining a sign permit for each such sign from the Zoning Administrator, as required by this Ordinance. Permits are not required for Noncommercial Message signs or for a change or copy on any sign, nor for the repainting, cleaning, or other normal maintenance and repair of the sign and sign structure.

2. Application for a Permit. Application for a permit shall be filed with the Zoning Administration upon forms provided by the Zoning Administrator. The applicant shall provide all information required on the application for the permit.

3. Permit Fees. Application for permit shall be filed with the Zoning Administrator, together with a permit fee for each sign in accordance with the following schedule, provided, however, that the minimum fee for a permit shall be not less than fifteen (\$15.00) dollars for any sign or for an amount based on area, as follows:

a. Signs visible from a public street shall be calculated at a basis of twenty (20) cents per square foot. The calculation of the area of a ground sign, shall be based on gross area of one (1) face of the sign. The area of wall signs shall be the gross area, as calculated in this ordinance.

E. SIGNS NOT REQUIRING A PERMIT

1. Construction Signs. Two (2) construction signs per construction site, not exceeding one hundred (100) square feet in area each, shall be confined to the site of construction, and shall be removed thirty (30) days after completion of construction or prior to occupancy, whichever is sooner.

2. Directional and Instructional Non-Electrical Signs. Directional and instructional non-electric signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight (8) square feet each in area and do not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, telephone, parking areas, entrances and exits.

3. Non-Illuminated Emblems. Non-illuminated emblems, or insignia of any nation or political subdivision, profit or non-profit organization.

4. Government Sign. Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of his/her public duty.

5. House Numbers and Name Plates. House numbers and name plates not exceeding two (2) square feet in area for each residential, commercial or industrial building.

6. 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 ordinance.

7. Memorial Signs and Plaques. Memorial signs or tablets, names of buildings and date of erection, 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 four (4) square feet in area.

8. No Trespassing or No Dumping Signs. No trespassing and no dumping signs not to exceed one and one half (1 1/2) square feet in area per sign.

9. Public Notices. Official notices posted by public officers or employers in the performance of their duties.

10. Public Signs. Signs required as specifically authorized for a public purpose by any law, statute, or ordinance.

11. Political Message and Noncommercial Message Signs. Signs posted on private property which do not exceed the size and number limitations contained in Section F(1)(c) of this Ordinance governing sign size in all Residential Districts and the Agricultural District, Section F(3)(a) & (d) governing sign size and number in the B-1 District, or Section F(4)(a) & (d) which govern size and number in the I-1 District; and which contain:

a. "Political Messages" as defined at §12.04(1)(b) Wis. Stats. Including both "political purposes" messages separately defined at §11.01(16) Wis. Stats. And also messages which pertain to an issue of public policy of possible concern to the electorate;

b. Any form of Noncommercial Message Sign; or

c. A mixture of a Noncommercial Message and a Commercial Message.

For the avoidance of doubt, the number restriction governing Section E(11)(a), (b) and (c) signs is in addition to the number of Commercial Message Signs allowed in the respective districts; such that the private property owner may have an equal number and size of permit required Commercial Message Signs and no permit required Noncommercial Message Signs upon the property. No such sign shall be located within the vision triangle defined as the triangular area defined by two 15-ft legs extending from intersecting road or driveway, and the triangular area defined by two 25-ft legs extending from two intersecting roads, nor over or upon the right-of-way.

12. Real Estate Signs. One (1) real estate sales sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.

a. In residential districts, such signs shall not exceed six (6) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.

b. In all other districts, such signs shall not exceed thirty two (32) square feet in area and shall be removed within thirty (30) days after the sale, rental, or lease has been accomplished.

13. Temporary Window Signs. In business, commercial and industrial districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed fifty (50) percent of the total window area, and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.

14. On-Premise Symbols or Insignia. Religious symbols, commemorative plaques of recognized historic agencies, or identification emblems of religious orders or historic agencies.

15. On-Premise Temporary Signs. Temporary signs not exceeding four (4) square feet in area pertaining to drives or events of civic, philanthropic, educational, religious organizations, provided such signs are posted not more than thirty (30) days before said event and removed within fifteen (15) days after the event.

16. Vehicular Signs. Truck, bus, trailer or other vehicle, while operating in the normal course of business, which is not primarily the display of signs.

17. Neighborhood Identification Signs. In any zone, a sign, masonry wall, landscaping, or other similar material and feature may be combined to form a display for neighborhood or subdivision identification provided that the legend of such sign or display shall consist only of the neighborhood or subdivision name.

18. Awnings. Awnings with signs consisting of one (1) line of copy upon the border of the awnings.

F. SPECIFIC ZONING DISTRICT REQUIREMENTS

1. All Residential Districts and Agriculture District. In the Residential Districts and Agriculture District, all signs are prohibited, except for the following non-flashing, non-illuminated, permanent signs under the conditions specified.

a. Real Estate Signs. Real estate signs, which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located. No sign shall exceed eight (8) square feet in area. Corner lots shall be permitted two (2) such signs, one facing each street.

b. Nameplate Signs. Nameplates signs, not to exceed two (2) square feet, located on the premises. Corner lots shall be permitted two (2) such signs, one (1) facing each street.

c. Agricultural signs pertaining to the products of the agricultural premises not to exceed thirty two (32) square feet in area for one (1) parcel. Height of this respective sign shall not exceed eight (8) feet. Two (2) such signs shall be permitted per parcel.

d. Bulletin Boards. Bulletin boards or similar devices for churches, religious institutions, and non-profit service organizations shall not exceed thirty two (32) square feet in area located on

the premises. Height of said sign shall not exceed eight (8) feet and may not be located within the building setback lines.

e. Memorial Signs. Memorial signs, tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a building.

f. Official Signs. Official signs, such as traffic control, parking restrictions, information and notices.

g. Section E(a)-(c) Signs. Signs containing Political messages, any form of noncommercial message, or a mixture of a noncommercial message and a commercial message not to exceed thirty two (32) square feet in area and no more than two such signs.

2. All Business District and Industrial Districts

a. Projection. In these Districts, where limitations are imposed by this ordinance on the projection of signs, from the face of the wall of any building or structure, such limitations shall not apply to identification canopy or marquee signs indicating only the name of the building or the name of the principal occupant of the building or the principal product available therein, provided that any identification sign located on a marquee or canopy shall be affixed flat to the vertical face thereof.

b. Safety Standards. All outdoor advertising structures, post signs, accessory signs, or advertising statuary which are declared to be a traffic hazard by the Zoning Administrator, shall be relocated or rearranged in accordance with safety standards. A sign in direct line of vision of any traffic signal, from any point in the traffic lane, shall not have red, green or amber illumination, nor be illustrated in such a way so as to interfere with vision of said signal, nor be illustrated in such a way as to be distracting.

c. Mounting. All signs shall be mounted in one of the following manners:

(1) Flat against a building or wall.

(2) Back to back in pairs, so that back of sign will be screened from public view.

(3) In clusters in an arrangement which will screen the back of the signs from public view.

(4) Or otherwise mounted so that the backs of all signs or sign structures showing to public view shall be painted and maintained a neutral color or a color that blends with surrounding environment.

3. B-1 District. In the B-1 District, business signs and advertising devices are permitted, subjected to the following conditions:

a. Area. The gross area in square feet of all signs on a zoning lot shall not exceed three hundred (300) square feet.

b. Content. Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "Men's Clothing", "Drugs", "Jeweler", and the like, and the year the business was established, and the street number thereof. Signs may advertise articles of merchandise sold on the premises.

c. Height. No sign shall exceed a height of thirty (30) feet.

d. Number of Ground Signs. One (1) ground sign shall be allowed per zoning parcel.

e. Setbacks. Signs shall meet all yard requirements of the zoning district, excepting those instances as set forth in Section 8.12(8) a, b, and c of this ordinance.

4. I-1 District. In the I-1 District business signs are permitted, subject to the following conditions:

a. Area. The gross area in square feet of all signs on a zoning lot shall not exceed four hundred (400) square feet.

b. Content. Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "Men's Clothing", "Drugs", "Jeweler", and the like, and the year the business was established, and the street number thereof. Signs may advertise articles of merchandise sold on the premises.

c. Height. No sign shall exceed a height of thirty (30) feet.

d. Number of Ground Signs. One (1) ground sign shall be allowed per zoning parcel.

e. Setbacks. Signs shall meet all yard requirements of the zoning district, excepting those instances as set forth in Section 8.12(8) a, b, and c of this ordinance.

G. OFF-PREMISE POSTER PANEL AND PAINTED ADVERTISING SIGNS

1. All off-premise poster panel and painted bulletin signs are prohibited in the Town of Morrison regardless of the nature, size and location, except as provided herein.

2. Off-premises poster panel and painted bulletin signs shall not be erected in the Town of Morrison in any location, unless a permit is first obtained thereof from the Town of Morrison Zoning Administrator. Said permit shall not be issued unless a complete application, as requested by the Town of Morrison Zoning Administrator, is filed at the time of the application for the permit.

3. In issuing permits for off-premise poster panel and painted bulletin signs in the Town of Morrison, the Town Zoning Administrator shall see that the following restrictions are complied with.

4. All off-premise signs which contain, include, or are illuminated by any flashing, intermittent or moving light or lights, or those of red, green, or amber color at intersections, are prohibited. Lights from any illumination shall be shaded, shielded, or directed so that the light intensity or brightness will be minimized to the surrounding areas. Such illumination shall be direct and the source of light shall not be exposed, when facing a residential zone. There shall be no direct illumination upon a roadway, or no glare or source of light shall be visible.

5. There shall be no off-premise signs of any nature in the town located within seventy five (75) feet of a residential district.

6. There shall be no off-premise signs in the town which are more than thirty (30) feet in height above the adjacent street level.

7. On all off-premise signs in the town, there shall be a spacing of one thousand (1000) feet between any signs one hundred and fifty (150) square feet or less. (Revised April 10, 1995)

8. Off-premises poster panel and painted bulletin signs in the town (off property) shall only be allowed in business and industrial districts in those districts shall be subject to the further limitations of this ordinance.

9. No off-premises signs shall be greater than one hundred fifty (150) square feet and shall be permitted in industrial districts and business districts only. (Revised April 10, 1995)

10. No off-premise sign permitted by this ordinance, or any other ordinance of the town, shall in any manner project over the right-of-way of any highway or roadway in the town.

11. No more than two off-premise signs per zoning lot, subject to spacing requirements, or one painted bulletin is permitted on the same zoning lot.

12. No off-premise business sign may be located within the front yard or corner side yard setback of any zoning district.

13. No sign built within one hundred (100) feet of an intersection shall have less than ten (10) feet of underclearance, unless erected on or against an existing building. Off-premise business signs shall not be located within the front yard setbacks, where such setbacks are established.

14. Any off-premise sign for advertising purposes in the town shall have at least ten (10) feet of underclearance, unless erected upon or against an existing building.

15. Any off-premise signs erected in the town shall be erected on no more than two (2) uprights and shall be engineered to withstand at least thirty (30) pounds per square foot wind load.

16. No off-premise advertising signs shall be allowed to be placed on the roof of an existing building.

H. ALTERATION - RELOCATION

No sign or billboard in the Town of Morrison shall hereafter be altered, rebuilt, enlarged, extended or relocated, except in conformity with the provisions of this Chapter. The changing of movable parts of signs that are designed to be changed or the repainting of display matter in conformity herewith shall not be deemed to be alterations within the meaning of this ordinance.

I. NONCONFORMING SIGNS

1. Notification of Nonconformity. The Zoning Administrator shall survey the town for signs which do not conform to the requirements of this section. Upon determination that a sign is a nonconforming sign, the Zoning Administrator shall use reasonable efforts to notify, either personally or in writing, the user or owner on the property on which the sign is located.

2. Nonconforming Signs. Any sign located within the town limits on the date of adoption of this section or located in an area annexed to the town thereafter, which does not conform with these provisions, is eligible for characterization as a "nonconforming" sign and is permitted, provided it also meets the following requirements:

a. The sign was covered by a sign permit, or a permit was issued prior to the date of adoption of this section if one was required.

b. If no sign permit was required for the sign in question and the sign was in all respects in compliance with applicable law on the date of construction or installation.

3. Continuation of Nonconforming Status. A nonconforming sign shall maintain its nonconforming designation provided:

a. No structural modification of a nonconforming sign is permitted, except where such modification will result in having the effect of bringing such sign more in compliance with the requirements of this section, except for changing of copy and normal maintenance, or

b. The sign is not relocated, or

c. The sign is not replaced,

d. The total structural repairs or alterations to such a nonconforming sign shall not, during its life, exceed fifty (50) percent of the assessed value of said sign existing at the time it became nonconforming.

4. Loss on Nonconforming Status. Any changes, except as provided in Article XIII I. 3 a, b, c, and d, shall result in the loss of nonconforming status.

J. ABANDONED SIGNS AND DETERIORATED OR DILAPIDATED SIGNS

a. All signs or sign messages shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted or when

rental or compensation is no longer provided if said sign is of the off-premise type. If the owner or lessee fails to remove it, the Zoning Administrator shall give the owner sixty (60) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator, or his duly authorized representative, may remove the sign at cost to the sign owner.

b. The Zoning Administrator may cause the repair or removal of any deteriorated or dilapidated signs pursuant to Wisconsin Statutes Section 66.0413

K. PENALTY

The remedies in this section for violations, or for failure to comply with the provisions of this code, whether civil, criminal, or for sign removal, shall be cumulative and shall be in addition to any other remedy provided by law.

1. Remedies. Violation or failure to comply with the provisions of this section is unlawful.

a. Any sign erected, not maintained, or not removed in violation of this Ordinance shall be brought into compliance or removed by a party responsible for the sign, within ten (10) days of the Zoning Administrator's delivery of a written notice demanding compliance or removal. The parties responsible for a sign jointly and severally include the individual or entity who: has posted the sign; has directed the posting of a sign; is the owner of the land upon which the sign is posted; and any occupant of the land upon which the sign is posted. All of the foregoing individuals and entities are jointly and severally responsible for the sign's compliance with the requirements of this Ordinance. The Zoning Administrator's delivery of written notice to the owner of the land upon which the sign is posted is hereby deemed to be simultaneous notice to all responsible parties. Delivery may be affected by personal delivery or certified mail to the responsible parties. If made by personal delivery, then the ten (10) day period shall commence on the first day following the day of delivery. But if delivery is made by certified mail, then the ten (10) day period shall commence on the third day following deposit of the notice in the US Postal Service by the Zoning Administrator. If the nature of the corrective action required or other causes beyond the reasonable control of the responsible parties render completion of the required repair or removal within the prescribed ten (10) day period impossible, then without waiving any claims or per day forfeiture remedies available to the Town, the Zoning Administrator may agree to extend the time for the responsible parties to comply with this Ordinance for a reasonable time beyond the ten day period, but only if the responsible parties are proceeding in good faith and with all due diligence to achieve compliance with this Ordinance. For the avoidance of doubt, any extension of time granted by the Zoning Administrator shall not constitute a waiver or release of any responsible party from the per diem forfeitures which begin to accrue following the ten day period. Waiver and release of responsible parties from any forfeiture obligation(s) arising under this Ordinance may only be granted by express resolution of the Town Board.

b. Any person who violates any provision of the Ordinance shall, upon conviction for a first offense, pay a forfeiture of \$10 per violation, plus court costs and all costs of prosecution including but not limited to the prosecuting attorney's fees. Any person who violates any provision of the Ordinance shall, upon conviction for a second offense, pay a forfeiture of \$25 per violation, plus

court costs and all costs of prosecution including but not limited to the prosecuting attorney's fees. Any person who violates any provision of the Ordinance shall, upon conviction for a third or subsequent offense, pay a forfeiture of \$50 per violation, plus court costs and all costs of prosecution including but not limited to the prosecuting attorney's fees. An 'offense' includes all signs identified in the Zoning Administrator's ten day notice as being in violation of this Ordinance. An 'offense' remains a singular separate offense for the entire duration of time any sign violation(s) cited in the Zoning Administrator's ten day notice continue(s). As to each offense (first, second, third or subsequent) each day a violation continues constitutes a separate violation of this Ordinance and the forfeiture for the offense shall be assessed as the product derived from multiplying the per violation forfeiture by the number of days any violation constituting the offense continued.

c. This section shall not preclude the town from maintaining any appropriate action to prevent or remove a violation of this section.