

16.90 SIGNS, CANOPIES CANOPYS AND AWNINGS

(1) Purpose. The purpose of this Article is to establish minimum standards to safeguard life and property and promote public welfare and community aesthetics by regulating the appearance, construction, location and maintenance of all signs, awnings, canopies and billboards.

(2) Definitions. The following definitions are used in this Section:

(a) Area of Sign. The area is the smallest rectangle into which the sign will fit excluding the necessary supports or uprights on which the sign may be placed unless they are designed as part of the sign. If the sign consists of more than one section or module, all areas will be totaled. The area of an irregularly shaped sign shall be the entire area of the smallest rectangle into which the sign will fit.

(b) Awning. A temporary hood or cover which projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure. Decorative awnings without lettering or imagery are not considered signs.

(c) Banners. A banner sign is a temporary sign generally constructed of a flexible non-rigid material (i.e. canvas, cloth, plastic, etc.) upon which goods, events or advertising has been placed.

(d) Billboard. A billboard is a sign for hire or rent upon which is placed or may be placed advertising for any off-premises activity, business, product, or service and visible to passers-by.

(e) Blanketing. The unreasonable obstruction of a view of a sign caused by the placement of another sign.

(f) Canopy. A canopy is a shelter attached to or connected with a building and extending into a setback or over the public sidewalk. Decorative canopies without lettering or imagery are not considered signs.

(g) Changeable Copy/Message. A sign such as a message center or bulletin board where the copy or message changes.

(h) Contractors Sign. A sign placed at the site of new construction or property renovation by the contractor performing the work.

(i) Day. A day shall be designated as a period of twenty-four (24) hours.

(j) Directly Illuminated Sign. Any sign designed to give any artificial light directly through any transparent or translucent material from a source of light originating within or on such sign.

(k) Directory Sign. Shall mean any sign on which the names and locations of occupants or the use of a building is given. This shall include offices and church directories.

(l) Electronic Message Unit Sign. Any sign whose message may be changed by electronic process, including such message as copy, art, graphics, time, date, temperatures, weather or information concerning civic, charitable or the advertising of products or services for sale on the premises. This also includes traveling or segmented message displays.

(m) Flags or Pennants. Devices generally made of flexible materials, such as cloth, paper or plastic and displayed on strings, wires or poles.

(n) Flashing Sign. Any directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(o) Ground and/or Pole Sign. Any sign which is supported by structures or supports in or upon the ground and independent of support from any building. (Also referred to as “Free Standing Sign.”)

(p) Identification Sign. Any sign which carries only the name of the firm, major enterprise, institution or principal products offered for sale on the premises or combination of these.

(q) Indirectly Illuminated Sign. Shall mean a sign that is illuminated from a source outside of the actual sign.

(r) Marquee Sign. Shall mean any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building’s wall and generally designed and constructed to provide protection against weather.

(s) Neon or Other Gas Tube Illumination. Illumination from a light source consisting of a neon or other gas tubes which forms letters, symbols, or other shapes.

(t) Nonconforming Sign. Any sign which does not conform to the regulations of this Chapter.

(u) Off-Premises Event Sign. A sign which promotes an event such as a rummage sale or fund-raising activity and which sign is not specifically located at the site of the organized activity.

(v) Off-Premises Sign. Any sign, device or display which advertises goods other than those commonly available or services other than those commonly available or services other than those commonly performed on the premise on which the sign is located.

(w) Permanent Sign. A sign placed, installed or attached to a building or property other than a temporary sign or banner.

(x) Political Sign. Any sign displaying a candidate for an election, or a current election’s subject matter.

(y) Portable Sign. Any sign not permanently attached to the ground which is designed to be easily moved from one location to another.

(z) Poster Sign. Poster signs are generally constructed of heavy laminated paper approximately six to ten (6-10) square feet in size.

(aa) Projecting Sign. Any sign extending more than 18 inches from the face of a wall or building.

(bb) Promotional Goods Signs/Banners. A sign placed on goods merchandised and/or sold outside of a business building, but within the property owner’s boundary, or within the boundary of the developer from which the business rents or leases space for conduct of business. When such signs denote the produce and price of the merchandise upon which it is located, and is two (2) square feet or less in size, a sign permit is not required.

(cc) Real Estate Signs. Any sign, which are used to offer for sale, lease or rent the property upon which the sign is placed.

(dd) Roof Sign. Any sign erected upon or over the roof or parapet of any building.

(ee) Sandwich Board Sign. A hinged or unhinged A-frame or other similar portable sign, which is temporary in nature.

(ff) Sign. A sign shall include anything that promotes, calls attention or invites patronage (or anything similar to the aforementioned) to a business, location or product.

(gg) Temporary Sign. Any sign intended to be displayed for a short period of time or which is displayed only during regular business hours and removed for storage at other times, including banners, flags, decorative-type displays or anything similar to the aforementioned.

(hh) Vision Triangle. A vision triangle has one (1) corner as the intersection of the right-of-way, and the other two (2) corners as points twenty (20) feet in each direction from the initial point along the right-of-way.

(ii) Wall Sign. Any sign attached to, erected on or painted on the wall of a building or structure and projecting not more than eighteen (18) inches from such wall.

(jj) Window Sign. Any sign located completely within an enclosed building and visible from a public way. For purposes of this Chapter a window sign shall not include any sign permanently attached in the window or directly painted on the glass for more than 60 days.

(3) Application Process

(a) Application. Except those specified in Section 16.90(4), no signs billboards, awnings or canopies shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a sign permit and without being in conformity with the provisions of this Chapter. The sign shall also meet all other structural requirements of other applicable codes and ordinances of the Village of Elkhart Lake. Applications for a permanent sign permit shall be made to the Village Clerk and approved by the Planning Commission. Qualifying charitable organizations will be exempt from the sign permit fee, but other regulations still apply.

(b) Criteria for Assessment. In evaluating any sign application, the Planning Commission may make such orders and establish such conditions as may be appropriate to meet the criteria of this section to protect the public health, welfare, safety and natural beauty of the Village. The Planning Commission shall consider the following criteria in evaluating an application for a sign permit:

1. Appropriateness of the style and dimensions of the sign when viewed in context of the structures existing on the property as well as the size of such structures and the typography and landscaping of the property in general.
2. Compatibility of the sign in the context of signs existing in the neighborhood.
3. Impact of the sign upon vehicular traffic movement.
4. Impact of the sign on property values in the vicinity of the sign.
5. Impact of the sign upon the natural beauty and attractiveness of the Village.

(c) Required Information. Application for a sign permit shall be made in writing upon forms furnished by the Village, which contain the following information about the sign: dimensions, including display surface; materials; illumination; wiring; height above grade; distance from lot lines; and the person, firm or corporation erecting or altering the sign. Applicant must attach to the application a scale drawing of the design of the sign.

- (d) Permit Fees. The following permit fees (Exhibit A) shall be paid to the Village Clerk for each sign permit issued from the Section, provided, however, that a fee shall not be charged for putting an existing sign in conformity with this Section. Fees will be determined from time to time by the Village Board.

(4) Excepted Signs Not Requiring a Permit.

The following signs do not require a sign permit, provided that they are not located over a public road right-of-way or in, on or over public water:

- (a) Commercial, Industrial, Public Service, Institutional, Park and Recreational, and Commercial/Industrial Planned Unit Development Districts.
1. Warning signs not to exceed four (4) square feet located on the premises.
 2. Memorial signs, tablets, names of building and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against the structure.
 3. Official signs, such as traffic control, parking restriction, information and notices.
 4. Rummage or garage sale signs not to exceed eight (8) square feet in area, but use of this type sign shall be limited to seventy-two (72) hours per sale.
 5. Signs designating entrances, exits, service areas, parking areas, restrooms and other such signs relating to functional operation of the building or premises shall be permitted without limitation other than reasonable size and necessity.
 6. Signs not exceeding two (2) square feet in area and bearing only property numbers, post office box numbers or names of occupants of premises.
 7. Flags and insignia of any government, except when displaying in connection with commercial promotion.
 8. Legal notices, identification information or directional signs erected by governmental bodies.
 9. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
 10. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
 11. Political message signs during an election campaign, as defined in Sec. 12.04(1), Wis. Stats. As amended, limited to two (2) per premises, and subject to the Village of Elkhart Lake's Authority to regulate size, shape and placement for the public safety. Political signs may be posed sixty (60) days before an election and must be removed within ten (10) days after said election. Said sign shall be a maximum of thirty-two (32) square feet.
 12. Window signs are allowed with no permits.
 13. Bills and posters shall be allowed with no permits.

14. Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which such signs are temporarily located.
 15. Directory Signs or Banners for public, charitable or religious institutions not to exceed thirty-two (32) square feet in area located on premises.
 16. Promotional Goods signs placed by the property owner or by the tenant not exceeding two (2) square feet in size.
 17. Sandwich Board signs limited to one (1) per business or tenant and not exceeding eight (8) square feet per side display area, with a maximum width of twenty-four (24) inches, shall not be placed in the street right-of-way, on sidewalks, or in any other public right-of-way, and can only be displayed during regular business hours.
- (b) Residential, Conservancy, Agricultural and [Planned Unit Development] Districts.
1. Warning signs not to exceed four (4) square feet located on the premises.
 2. 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 the structure.
 3. Official signs, such as traffic control, parking restriction, information and notices.
 4. Rummage or garage sale signs not to exceed eight (8) square feet in area, but use of this type of sign shall be limited to seventy-two (72) hours per sale.
 5. Signs not exceeding two (2) square feet in area and bearing only property numbers, post office box numbers or names of occupants of premises.
 6. Flags and insignia of any government, except when displayed in connection with commercial promotion.
 7. Legal notices, identification information or directional signs erected by governmental bodies.
 8. Window signs are allowed with no permits.
 9. Signs over show windows or doors and parallel to face of building of a non-conforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed four (4) square feet.
 10. Awnings or canopies servicing only a particular single-family dwelling unit, provided the same shall conform to the regulations applicable to the zoning district in which the same are located.
 11. House numbers or signs identifying parks or country clubs or official bulletin boards.
 12. Political message signs during an election campaign as defined in Sec.12.04(1), Wis. Stats. Limited to two (2) per premises, and subject to the Village Board's authority to regulate size, shape and placement for the public safety. Political signs may be posted sixty (60) days

before an election and must be removed within ten (10) days after said election. Said sign shall be a maximum of eight (8) square feet.

13. Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which such signs are temporarily located.
14. Directory Signs or Banners for public, charitable or religious institutions not to exceed thirty-two (32) square feet in area located on premises.
15. Promotional Goods signs placed by property owner or by tenant not exceeding two (2) square feet in size.

(5) Permitted Commercial, Industrial, Public Service, Institutional, Park and Recreational Signs

Permitted Signs. The following signs shall require a permit to be issued by the Village of Elkhart Lake. Signs may be permitted in all Commercial, Industrial, Public Service, Institutional, Park and Recreational and Commercial/Industrial Planned Unit Development Districts subject to the following restrictions:

- (a) Wall signs placed against the exterior walls of a building shall not extend more than eighteen (18) inches outside of a building's wall surface, nor extend above or beyond the wall itself. Total sign area (including multiple business/tenant signs on a single property) shall not exceed one (1) square foot for each lineal foot of the building parallel with the street frontage. Rear or side entrance signs are subject to the same size restrictions as that found at the principal (front/main) entrance to the building. Signs on other building façades (i.e. non-entrance side façades) are limited to one-half (1/2) square foot per lineal foot of such façade. All signs attached or affixed to a building shall not exceed twenty (20) feet in height above the mean ground level grade.
- (b) Projecting identification signs not exceeding two (2) signs per business shall be permitted, but not to exceed two (2) such signs per side of a building. Projecting identification signs are permitted only on sides with street frontage. Such signs are limited to identifying the business name and street address, principal services offered and any graphic design elements. These signs may include the logos or trademarked names of products sold by the business provided the size of such logos or trademarks do not exceed one-half (1/2) the size of the name of the business selling the products, excepting from such size limitation the name of the business where the business name is trademarked. Projecting signs fastened to, suspended from or supported by a building shall not extend more than four (4) feet maximum but cannot extend farther than one-half (1/2) of the sidewalk width, shall not be less than ten (10) feet above the sidewalk, and shall not exceed twenty (20) square feet in size. Maximum height shall not exceed fifteen (15) feet or front of façade, whichever is less, and shall be located a minimum of ten (10) feet from a side lot line.
- (c) Pole signs shall not exceed twenty (20) feet in height in the C-1 district, and thirty (30) feet in height in the C-4 district. Height is measured above the mean centerline of street grade. The sign shall be completely within the property upon which it is located. One (1) pole sign per street frontage is

permitted. Size is limited to one hundred (100) square feet for one (1) side, or two hundred (200) square feet for all sides. All pole signs have a minimum landscaped area of sixteen (16) square feet around the base of the pole.

- (d) Ground signs shall not exceed ten (10) feet in height measured at its highest point, and shall be limited to seventy-five (75) square feet for one (1) face or one hundred fifty (150) square feet for all faces. One (1) ground sign is permitted on a street frontage provided there is no pole sign on that side. All ground signs shall have a minimum landscaped area of sixteen (16) square feet around the base of the ground sign unless a waiver is granted by the Plan Commission.
- (e) Combinations of any of the above signs shall meet all requirements for the individual sign.
- (f) Signs in the C-1, C-2, C-3, and C-4 Districts shall only advertise on-site businesses and events. In instances where the property owner or business tenant wishes to erect a sandwich board, refer to the regulations for sandwich board signs under 16.90(4)(a).
- (g) Where a property owner or business tenant wishes to erect a promotional goods sign, such signs may not exceed two (2) square feet in size. Such signs shall not be placed upon public right-of-way or property, excepting in the C-3 Commercial District.
- (h) Exterior neon or gas illumination signs require a permanent sign permit.
- (i) Off-premises event signs or over-the-street banners are permitted without permit by qualifying charitable and nonprofit organizations or associations. Off-premises event signs are limited to no more than four (4), none of which may exceed sixteen (16) square feet in size. No such sign shall be erected or affixed to public property or be displayed for more than five (5) days. Over-the-street banners are limited to thirty (30) days of display. Such banners shall be erected only by the Village with fee for such erection to be determined by the Village and paid for in advance of erection by the requesting entity.
- (j) Awning and Canopies with professionally painted or screen-printed lettering and/or symbols are permitted. The size of such printing shall not exceed twenty-five percent (25%) of awning or canopy surface and is calculated as part of the total permissible wall signage area for the building façade. A sign permit is required for such awnings or canopies.

(6) Prohibited Signs

- (a) Traffic Interference. Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility. Ground signs within the vision triangle shall include not more than two posts or standards eight (8) inches or less in diameter. The minimum clearance for all signs (ground, wall, projecting)

shall not be less than eight (8) feet above the grade of the intersection of the street centerlines and shall be situated so as not to obscure the vision of motorists approaching the street intersection.

- (b) Moving or Flashing Signs. No sign shall be erected which has any flashing, rotating or brilliant intermittent parts or light, bare reflecting-type bulbs, banners, steamers or any other fluttering or spinning ornamentation, except those giving public service information such as time, date, temperature, weather or similar information or where allowed by conditional use permit. No signs, billboards or other advertising media which creates a hazard or dangerous distraction to vehicular traffic or a nuisance to adjoining residential property shall be permitted in any district.
- (c) Billboards. No new billboards shall be permitted in the Village of Elkhart Lake after March 31, 1998. All billboards then existing shall be subject to Chapter 16.90 (11) Non Conforming Signs. Billboards located upon property annexed to the Village and existing as of January 1, 1997 are permitted to remain unless the owner structurally alters such billboard in any manner. If damaged, or if structural alteration is made/required, such billboard shall be permanently removed. Any billboards not existing as of January 1, 1997 must be removed permanently within one (1) year following annexation, and with such removal being agreed to in writing by the owner/lessor/lessee thereof in writing prior to such annexation.
- (d) Painted Wall Signs. Painted wall signs which are signs painted directly onto the surface of the building.
- (e) Obscene Sign Subjects. Signs which bear or contain statements, words, pictures, or symbols of an obscene or pornographic nature.
- (f) Signs on Public Rights-of-Way. Signs shall not be permitted on public rights-of-way, except for municipal traffic control, parking and directional signs.
- (g) Roof Signs. No sign shall be erected on a roof.
- (h) Other Prohibited Signs. Signs that emit audible sound, odor or visible matter.

(7) Dangerous and Abandoned Signs and Billboards.

- (a) Removal. All signs or billboards shall be removed by the owner or lessee of the premises upon which the signs or billboard is located when a business which it advertises has not been conducted for a period of six (6) months or when, in the judgment of the Building Inspector, such sign or billboard is so old, dilapidated or has become so out of repair as to be dangerous or unsafe, whichever occurs first. If the owner or lessee fails to remove it, the Village of Elkhart Lake may remove the sign or billboard at cost of the owner, following 30 days written notice.
- (b) Alterations. Any sign or billboard which was erected before the adoption of this section shall not be rebuilt or relocated without conforming to all the requirements of this Section.
- (c) Violations. All signs or billboards constructed or maintained in violation of any provisions of this Section are hereby declared public nuisances within the meaning of this Code or Ordinances. In addition to the above penalty

provisions for violation of this Chapter, the Board of Trustees may bring an action to abate the nuisance in the manner set forth in the State Statutes.

(8) Variances or Exceptions.

Variances or exceptions to these sign regulations may be granted by the Planning Commission.

(9) Construction and Maintenance Regulations for Signs.

(a) Installation/Design. All signs and billboards shall be designed and fabricated in a professional manner and shall be properly secured, supported and braced and shall be kept in reasonable structural condition and shall be kept clean and well painted at all times. Bolts or screws shall not be fastened to window frames. Every sign and its framework, braces, anchors and other support shall be constructed of such material and with such workmanship as to be safe and satisfactory to the Building Inspector. No signs shall be painted on, attached to or affixed to any trees, rocks or other similar organic or inorganic natural matter, including utility poles or apparatus.

(b) General Requirements.

1. Awnings and Canopies. The lowest part of any awning shall be a minimum of seven (7) feet above the sidewalk. Awnings shall not extend more than four (4) feet maximum but cannot extend farther than one-half (1/2) of sidewalk width.
2. Illuminated Signs. Any illuminated signs or billboards shall not interfere with surrounding properties or traffic.
3. Projection. Signs including supports shall not project beyond five (5) feet of the face of the wall to which attached.
4. Blanketing. Blanketing of signs shall not be allowed.
5. Maintenance. All billboards and signs, including supports and attachments, shall be properly maintained and have an appearance that is neat and clean and the immediate premises shall be maintained in a clean, sanitary and inoffensive condition and kept free and clear of all obnoxious substances, rubbish and weeds.

(c) Annexed Areas. All signs in newly annexed areas shall comply with this Section within five (5) years of annexation.

(10) Specific Requirements.

(a) Temporary Sign Limitations.

1. Temporary Signs. All temporary signs, unless otherwise designated in this Code, may be erected for a maximum of thirty (30) days only after a permit is granted therefore.
2. Banner Signs, Flags and Pennants. In C-1, C-2, C-3 and C-4 Districts an annual permit may be applied for allowing the erection of one (1) banner per entrance façade (with a maximum of two (2) such entrance façade banners), at any give time as long as such banner if affixed or attached flat against either the building façade or to permanently mounted posts no higher than the wall itself or twenty (20) feet, whichever is less. A permit therefore shall be valid on a calendar year

basis, and require annual reapplication. Renewal shall be at the discretion of the Building Inspector, and shall be based upon the applicant's previous history or proper banner maintenance. Permit issuance for a previous calendar year period shall not guarantee issuance for a renewal period. Commercial flags and pennants may be displayed during regular business hours. Special Event Banners, flags and pennants must be removed within five (5) days after any advertised event.

3. Contractor/subcontractor signs no larger than six (6) square feet may be erected for a maximum of the length of time the contractor is performing work at the site, but not to exceed 90 days.
4. Electronic Message Unit Signs are permitted only in C-1 and C-4 districts. Such signs may be used only to advertise activities conducted on the premises or to present public service information.
5. Portable Changeable Copy/Message Boards. Changeable Copy /Message Boards which are portable shall not be displayed more frequently than five (5) times per calendar year at any one (1) location, not more than fifteen (15) days each time. The maximum size of such signs shall be thirty-two (32) square feet on each face, back to back. These signs shall not be located in any public right-of-ways or create any vision obstruction and shall be securely fastened to prevent any hazardous condition. Signs being displayed for less than five (5) days shall not require a permit. All such signs being displayed for more than five (5) days shall be limited in use to fifteen (15) days at a time following approval by the Building Inspector.
6. Search Lights. The Board of Trustees may permit the temporary use of a search light for advertising purposes in any district provided that the search light will not be located in any public right-of-way, will not be located closer than ten (10) feet to an adjacent property and will not cause a hazard to traffic or adjoining properties. Search light permits shall not be granted for a period of more than five (5) days in any six month (6) month period.
7. Off-premises event signs or over-the-street banners are permitted without permit by qualifying charitable and nonprofit organization or associations. Off-premises event signs are limited to no more than four (4), none of which may exceed sixteen (16) square feet in size. No such sign shall be erected or affixed to public property or be displayed for more than five (5) days. Over-the-street banners are limited to thirty (30) days of display. Such banners shall be erected only by the Village with fee for such erection to be determined by the Village and paid for in advance of the erection by the requesting entity.

(11) Nonconforming Signs.

- (a) Signs Eligible for the Characterization as Legal Non-conforming. Any sign located within the Village of Elkhart Lake limits on the date of adoption of

this Chapter or located in an area annexed to the Village of Elkhart Lake hereafter which does not conform with the provisions of this Section is eligible for characterization as a legal nonconforming sign and is permitted, provided it meets the following requirements:

- 1.The sign was covered by a proper sign permit prior to the date of adoption of this sign ordinance;
- 2.If no permit was required under the applicable law for the sign in question and the sign was, in all respects, in compliance with applicable law on the date of adoption of this sign ordinance.

(b) Loss of Legal Nonconforming Status.

- 1.A sign or billboard loses its nonconforming status and must be immediately brought into compliance with these regulations if one (1) or more of the following should occur:
 - (i) The sign is structurally altered in any way which tends to make the sign less in compliance with the requirements of this Section than it was before relocated;
 - (ii) The sign is relocated;
 - (iii) The business property is sold or leased to a new owner/lessee, in which event all existing signs lose non-conforming status one (1) year after the date of purchase/lease, excepting for continuation of an existing business.
 - (iv) The sign fails to conform to requirements regarding maintenance and repair, abandonment, or dangerous or defective signs.
- 2.On the date of occurrence of any of the above, the sign shall immediately be brought into compliance with Section with a new permit secured therefore or shall be removed.
- 3.Legal Nonconforming Sign Maintenance and Repair. Nothing in this Section shall relieve the owner of use of a legal nonconforming sign or the owner of the property in which the sign is located from the provision of this Section regarding safety, maintenance and repair of signs.

(12) Wind Pressure and Dead Load Requirements.

All billboards, signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code or other ordinances of the Village of Elkhart Lake.

(13) Violation of Sign Code.

- (a) Construction Without Permit. Any person, firm or corporation who begins, erects or completes the erection or construction of any sign, awning or canopy controlled by this Section prior to the granting of a sign permit shall pay a penalty double the amount the permit otherwise required.
- (b) Compliance Notice.

- 1.If the Building Inspector finds any sign, awning or canopy regulated herein unsafe or insecure or is a menace to the public, it shall give written notice to the sign owner and to the property owner.
 - 2.If such sign, awning or canopy owner fails to remove or alter the sign, awning or canopy so as to comply with the standards herein set forth within five (5) days after such notice the Building Inspector may cause such sign, awning or canopy to be removed or altered at the expense of the owner of the sign, awning or canopy or the owner of the property upon which it is located so as to comply with the provisions of this Section.
- (c) Violation: Penalties. Any person who shall violate any of the provisions of this Article shall be subject to a penalty which shall be as follows:
- 1.Any person found guilty of violating any part of this Section who has previously been notified of being in violation or been convicted of violating the same Section within one (1) year shall, upon conviction thereof, be subject to a minimum forfeiture as prescribe by Chapter 16.23(8) for each such offense, together with costs of prosecution and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, but not exceeding six (6) months.
 - 2.Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Article shall preclude the village from maintaining any appropriate action to prevent or remove a violation of any provision of this Section.