

CHAPTER 244
SIGNNS AND OUTDOOR ADVERTISING

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244-01. Scope. 1. GENERAL. Except as otherwise regulated herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction, erection, attachment, support, anchorage and maintenance. The number, location, height and size of signs is further regulated in ch. 295.

2. ZONING REGULATIONS. No regulations of this chapter shall authorize or permit the erection or maintenance of any sign, advertising structure or device contrary to any regulations of ch. 295.

3. COMPLIANCE. No outdoor sign, advertising structure or device erected prior to the effective date of the adoption of this chapter [chapter initially enacted January 12, 1954] shall be rebuilt or relocated except in conformity with the regulations of this chapter and in conformance with the applicable regulations of ch. 295.

a. The regulations set forth in this subsection and sub. 3 shall not prohibit the maintenance of the structural supports of any existing sign providing the size of the display area remains unchanged.

b. The regulations as set forth in this subsection and sub. 3 shall not preclude the removal of the advertising facing of an existing sign and its transport to a shop or other off-premise location for the purpose of changing the advertising facing providing the display area is not increased.

4. RECONSTRUCTED SIGNS. When any outdoor sign, advertising structure or device, or a major part thereof, is blown down, destroyed, taken down or removed for any purpose, such structures shall not be re-erected, reconstructed, rebuilt or relocated except in conformity with the regulations of this chapter.

5. STANDARDS. Where the standards of this chapter conflict with those found elsewhere in this code, or ordinances, state statutes or laws of other governmental units having jurisdiction over signs and billboards, the most restrictive regulations shall apply.

244-2. Permits. 1. PERMIT REQUIRED. a. No person shall erect, construct, enlarge, move, relocate or maintain any sign or billboard regulated in this chapter or ch. 295 without first obtaining a permit therefor from the commissioner of city development and paying the fee prescribed in this section.

b. In addition to the permit required in par. a, a permit shall also be obtained for electrically illuminated signs and billboards as regulated in ch. 222.

c. No permit shall be required for the following:

c-1. Signs listed in s. 295-407-8.

c-2. Permanent and temporary window signs as regulated under s. 295-407-2-b-7 and 8.

c-3. Entrance and exit signs which are in compliance with the requirements of s. 295-407-3-e.

d. A permit shall be required for any sign permitted by a variance granted by the board of zoning appeals or the standards and appeals commission.

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2. APPLICATION FOR PERMITS.

a. Applications for permits shall be as regulated in s. 200-26, except that at the option of the commissioner of city development the requirements for the submitting of plans (drawings), data, specifications and certified survey map or plot plan may be modified or waived, provided the proposed sign or billboard is sufficiently described in the application for permit. In order to gain an understanding of the location of existing and proposed signs, the commissioner may require the applicant to submit photographs of the premises.

b. Applications for permits to erect signs or billboards in which plastic materials will be employed shall set forth either the manufacturer's trade name for, or the common name of the plastic material to be used; and the applicant shall certify either that the plastic material is noncombustible or that the plastic material has been tested by a recognized testing laboratory and rated as an approved combustible plastic.

c. All off-premises sign permit applications shall be accompanied by data acceptable to the commissioner of city development identifying the specific location of such off-premise sign.

d. All permit applications for off premise signs visible from an expressway shall be accompanied by evidence of a state permit.

3. PERMIT FEES. The fees for permits for outdoor advertising are as contained in s. 200-33.

4. PERMIT ISSUANCE. The commissioner of city development shall issue a permit for any proposed sign that meets the regulations of this chapter.

244-3. Maintenance, Abandonment and Removal.

1. MAINTENANCE STANDARDS. All signs and billboards, including those exempt from permit requirements and other regulations by s. 244-2-1-c, shall be maintained in good structural condition at all times. Maintenance of signs and billboards shall include, but not be limited to, the replacement of defective parts, removal of graffiti-type markings or drawings, painting or repainting as necessary, and periodic cleaning.

1.5. SIGNS INSTALLED PRIOR TO OCTOBER 1, 2002.

a. Existing Signs Installed with Permits. A sign installed with a permit prior to October 1, 2002 may remain as long as the sign does not become an abandoned sign, in which case it shall be subject to the provisions of sub. 2. A box-type sign with a plastic-faced display area may be changed, with a permit, for a new tenant or business, even if the existing sign size is larger than permitted under this code and is considered nonconforming, provided the change to the display area occurs within 90 days after the former tenant or business ceases to occupy the location.

b. Existing Signs Illegally Installed Without Permits. An existing sign for which a permit is required under this code, and for which a permit was also required under the code in effect prior to October 1, 2002 but was not obtained, including but not limited to a sign or advertising painted directly on the wall of a building, or a side or advertising painted directly on a former window of a building such that the window became opaque, shall be subject to the following provisions:

b-1. If the sign meets the regulations of this code, the property owner shall, by October 31, 2002, obtain a permit for the sign or remove the sign.

b-2. If the sign does not meet the regulations of this code, the property owner shall remove the sign by October 31, 2002.

c. Existing Signs for Which Permits Were not Required Under the Previous Code; Temporary Window Signs and Prohibited Signs. Temporary window signs and signs prohibited by s. 295-407-5 which were installed prior October 1, 2002 shall be removed by October 31, 2002.

d. Existing Signs for Which Permits Were not Required Under the Previous Code; Signs for Which Permits are Currently Required.

For any sign installed prior to October 1, 2002 for which no permit was required prior to that date but for which a permit is required under this code, the property owner shall, by October 31, 2002, obtain a permit for the sign or remove the sign.

2. ABANDONED SIGNS. A sign or billboard classified as abandoned is prohibited and shall be removed by the owner of the sign or the owner of the premises upon which located. If the sign conforms with all regulations of ch. 295 and this chapter, then, as an alternative to

removal, the facing of the abandoned sign or billboard may be changed so that the advertising content refers to an ongoing, on-site event or business, or changed to a blank, opaque, exterior-grade panel consistent with the original construction and design of the sign and filling the entire display area of the sign, provided that the change of facing is accomplished within 90 days of the actual date of discontinuance of the previously-advertised business, service or activity.

3. ENFORCEMENT. a. The commissioner shall cause the repair of any sign or billboard which is not well maintained by issuing an order to correct the violation to the sign or billboard owner or to the owner of the premises upon which a sign or billboard is located. The order shall state the nature of the violation and shall further state that if the sign or billboard in question is not repaired within a period of time ranging from 10 to 60 days as determined by the commissioner, the sign or billboard shall be removed.

b. The commissioner may in whole or in part cause the removal of signs or billboards which have been classified as abandoned or which are not repaired in a timely manner or are poorly maintained or have been installed without necessary permits. The process of removing poorly maintained, abandoned or illegally installed signs or billboards shall be initiated through the issuance of a sign or billboard removal order. All orders shall be served in accordance with s. 200-12 to the property owner, sign or billboard owner, or to both as is appropriate. The order shall state that the sign or billboard referenced therein shall be removed within a period of time not exceeding 60 days as determined by the commissioner. Failure to comply with the order shall be regarded as a violation of this chapter.

4. APPEALS. Any person receiving a sign or billboard removal order may appeal the order to the standards and appeals commission.

5. EMERGENCIES. Nothing in this section shall prevent the commissioner from removing in the manner deemed most appropriate any sign or billboard which presents a clear and immediate safety hazard. Such a sign or billboard shall constitute a public nuisance.

6. FAILURE TO COMPLY. If a property owner or sign or billboard owner fails to comply with an order issued by the commissioner within the time prescribed, the commissioner may cause the removal of a sign or billboard as provided in sub. 3, and the cost of

such removal may be charged against the real estate upon which the sign or billboard is located and may be assessed and collected as a special charge.

7. PENALTY. Any person who violates this section shall be subject to a forfeiture provided in s. 200-19.

244-4. Location; Obstruction; Movement; Historic Buildings.

1. No sign or billboard or any part thereof shall be erected, constructed or maintained so as to obstruct any exit, any window opening necessary for required light or ventilation, or other opening of a building, so as to prevent free passage from one part of a roof to any other part thereof.

2. No sign or billboard shall be attached to, or erected and maintained on any standpipe, exterior stairway, fire escape, smokeproof stair tower balcony or balcony serving as a horizontal exit, or so as to interfere with the use thereof.

3. No sign or billboard may be placed upon a designated historic building or structure without prior approval from the city's historic preservation commission.

3.7. No sign or billboard may be placed on a building, structure or site within the historic third ward, as defined in s. 200-61-2-e, without approval of the architectural review board, as provided in s. 200-61.

4. The display area of any sign or billboard shall not be designed to move mechanically.

4.5. City buildings, facilities or other assets identified by the Milwaukee civic partnership initiative, established under s. 310-21, shall be exempt from this section, if authorized by common council resolution.

244-5. Wind Pressure, Allowable Stresses, and Materials.

1. WIND PRESSURE. a. All signs and billboards shall be constructed, erected, and maintained to safely withstand a wind pressure of not less than 30 pounds per square foot.

b. The exposed area subjected to wind pressure shall be the total area of all parts of the sign or billboard, including structural framing projected on a plane perpendicular to the direction of the wind. In determining the stress in any member, the wind shall be assumed to blow from that horizontal direction and from the inclination of the vertical (but not to exceed 20° above or below the horizontal) which produces the maximum stress in such

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member. No shielding effect of one element from another shall be considered where the distance between such elements exceeds 4 times the smaller projected dimension of the windward element.

2. ALLOWABLE STRESSES, MATERIALS. a. All materials used in structural members of signs or billboards, and the allowable stresses for such materials, shall be in conformity with the applicable regulations of this code.

b. The allowable stresses in chains, wire ropes and steel guy rods and their fastenings shall not exceed one-quarter of their ultimate strength.

c. All ferrous chains, wire ropes, guy rods, their fastenings and anchor bolts shall be galvanized or be of other approved equivalent protection. All other ferrous parts of signs or billboards subject to corrosion shall be protected and maintained free from corrosion by approved corrosion-resistant coating.

244-6. Identification. 1. All signs hereafter erected shall bear the manufacturer's name, and the name, trademark or other approved mark or symbol of the person erecting such sign.

2. All billboards hereafter erected shall bear the name, trademark or other approved mark or symbol of the erector or of the person in charge, possession or control of such billboard.

244-7. Freestanding Signs or Freestanding Billboards. 1. **MATERIALS.** Ground signs and billboards may have facings constructed of approved combustible materials with a flame spread classification of 25 or less provided all structural components shall be of approved noncombustible materials.

2. **HEIGHT.** Freestanding signs and billboards shall comply with the applicable height restrictions of ch. 295.

3. **LOCATION.** Freestanding signs and billboards shall comply with the applicable location restrictions of ch. 295.

4. **SUPPORTS AND ANCHORAGE.** a. All ground signs and billboards shall be constructed and supported to resist dead load and the wind pressure acting in any direction.

b. Vertical supports for ground signs and billboards shall be driven into or set in the soil or rigidly attached to bases imbedded in the soil, and shall be designed as regulated in s. 244-5.

c. The vertical members or bases for vertical members, supporting unbraced ground signs or billboards, shall be so proportioned that the bearing loads imposed on the soil in either a horizontal or vertical direction shall not exceed safe values. Braced signs and billboards shall be anchored to resist wind pressure acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil, and for an effective resistance to pull-out amounting to a force 25% greater than the required resistance to overturning.

d. The soil used for backfill for the dug-in type of anchor or vertical support shall be carefully placed and thoroughly compacted. The anchors, bases and supports shall be constructed or driven not less than 4-1/2 feet below ground level.

e. Whenever anchors or posts consisting of wood imbedded in the soil are used to support ground signs or billboards which are to remain in place for more than 6 months, the wood shall be pressure treated with creosote or given other approved preservative treatment before erection.

5. MAINTENANCE OF PREMISES. Any person occupying any premises by means of a freestanding sign or billboard shall be subject to the same duties and responsibilities as the owner of the premises with respect to keeping such premises clean, sanitary, inoffensive and free and clear of debris, obnoxious substances and unsightly conditions.

244-8. Roof Signs or Roof Billboards. 1. **NEW CONSTRUCTION.** The erection of new roof signs and roof billboards and the maintenance of all existing roof signs and roof billboards shall be in compliance with this section and with applicable provisions of ch. 295. All new construction requires drawings certified by a registered engineer.

2. **MATERIALS.** Roof signs and billboards may have facings constructed of materials as regulated in s. 244-7-1. All structural components shall be of approved noncombustible materials.

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3. HEIGHT. The height of roof signs or billboards shall be limited to 50% of the building height limitations as regulated in ch. 295 for the district in which such sign is located and shall include the highest point of the sign structure, and provided further that in no case shall any roof sign exceed a maximum height of 50 feet.

4. LOCATION ON ROOF. a. The facing of roof signs erected parallel to the exterior wall of a building shall be located not less than 5 feet from the exterior wall. No part of such sign or billboard placed at an angle to the exterior wall of a building shall be located less than 2.5 feet from the exterior wall.

b. No roof sign or billboard shall be erected on a building of Type No. 7 or 8 construction, unless such building is structurally capable of supporting such additional load with a safety factor of 4.

5. SUPPORTS AND ANCHORAGE. a. Roof signs and billboards shall be secured and anchored in an approved manner to buildings or structures over which they are constructed or erected. The dead and wind loads of such signs and billboards shall be distributed to the structural members of the building or structure in such a manner that no structural member shall be over stressed.

b. Uplift due to overturning of roof signs and billboards shall be resisted by approved anchorage to the building or structure. Approved anchorage to the building or structure shall include such alterations to the building or structure as may be needed to integrate and interconnect sufficient dead load to equal not less than 10% in excess of the computed uplift applied to such building or structure by the sign or billboard.

244-9. Wall Signs or Wall Billboards.

1. MATERIALS. Wall signs and billboards not exceeding at any point 13 feet in height from the lower to the upper edge of the facing may be constructed as regulated in s. 244-7-1. Wall signs and billboards exceeding such height shall be constructed of noncombustible materials, except molding and furring strips.

2. HEIGHT. a. No part of a combustible wall sign shall be erected or maintained above the sill of a second story window or windows of the building or structure to which such sign is to be attached, nor shall any part of such sign be more than 30 feet above the established grade immediately below, except as further regulated in par. b.

b. All signs extending above exterior walls shall be provided at each end thereof with a space not less than 5 feet in width above the wall to which attached to provide access to the roof.

3. PROJECTION. a. No part of any wall sign or billboard, except lighting reflectors, shall extend more than 12 inches from the face of the wall to which such sign or billboard is attached. Lighting reflectors elevated no less than 10 feet above the established grade may extend 5 feet into a right-of-way, and not closer than 2 feet from the curb line. Reflectors shall not project into an alley.

b. No wall sign shall be erected or maintained to extend beyond the ends of the wall to which such sign is attached.

4. SUPPORT AND ANCHORAGE. a. Wall signs and billboards attached to exterior walls of concrete or masonry shall be securely fastened to such walls by means of metal anchors, bolts, expansion screws or by other approved methods which will insure stability and safety, but no fastening shall be of less strength or permanence than that provided by a 3/8 inch diameter expansion bolt extending at least 5 inches into a suitable expansion sleeve imbedded within the masonry or concrete, and no bolt for fastening to masonry or concrete shall be less than 3/8 inch in diameter.

b. Except in the case of wall signs or billboards attached to buildings or structures with walls of wood, no wooden blocks or anchorage with wood used in connection with screws or nails shall be considered approved anchorage.

c. No wall sign or billboard shall be entirely supported by a parapet wall.

244-10. Signs Projecting into Public Right-of-Way.

1. MATERIALS. a. All signs projecting into public right-of-way shall be constructed of noncombustible materials except as follows:

a-1. Letters, decorations and facings of signs may be of approved combustible plastic when in compliance with the regulations of s. 244-14.

a-2. Signs not exceeding 17 square feet may be constructed of wood not less than one inch in nominal thickness. Such wood shall be pressure preservative treated to prevent decay and shall be maintained in good repair. Fastenings of such signs shall be brass, bronze, copper, galvanized iron or stainless steel. Supports and attachments of such signs shall conform to the requirements of sub. 3.

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b. Glass or porcelain shall be wired glass or porcelain or shall be protected with a wire screen of a mesh of such size as to prevent broken pieces thereof from falling upon the public thoroughfare, excepting signs with molded glass letters of which only the letters or trademarks are exposed.

c. Globes of glass or approved combustible plastics shall be not more than 14 inches in diameter, at least 10 feet above the established grade immediately below, and not more than 4 feet beyond the street line. Glass globes or glass signs shall be made of wired glass or protected with a wire screen as regulated in par. b. All globes shall be suspended in an approved manner from the building or structure and shall not be supported by supports located upon any public streetwalk or thoroughfare.

2. PROJECTION: CLEARANCE. a. Except as otherwise regulated in par. b, all signs projecting from a building or other structure may project a total distance of not more than 4 feet beyond the street line.

b. Projecting signs erected over marquees shall be set back not less than 2 feet from the outer edge of such marquee.

c. No sign projecting into public right-of-way shall at the lowest point be less than 10 feet above the established grade immediately below, except in the historic third ward, as defined in s. 200-61-2-e, where a minimum of 8 feet, 6 inches is prescribed.

d. No sign shall be permitted to project into a public thoroughfare having a width of less than 30 feet.

3. SUPPORTS AND ATTACHMENT.

a. The dead load of signs that project into public right-of-way and the load due to wind pressure shall be supported entirely by the building or structure to which such signs are attached, by means of structural shapes, chains, wire ropes, or steel guy rods. Lateral supports shall be spaced not more than 8 feet apart unless otherwise approved. Turnbuckles or other approved means of adjustment shall be placed in all chains, wire ropes or steel rods supporting or bracing signs projecting into public right-of-way. No staples, nails or wire shall be used to secure any projecting sign to any building or structure.

b. No part of a sign projecting into public right-of-way shall be supported from a parapet wall unless approved bracing is provided.

c. No swinging or revolving sign or device shall be constructed or maintained over a public thoroughfare.

d. Where supports for signs projecting into public right-of-way are fastened to walls of wood construction, the supporting device shall be fastened securely in an approved manner.

e. Ground or pole signs shall have approved vertical supports of metal.

244-11. Marquee Signs. 1. MATERIALS. a. All marquee signs shall be constructed of noncombustible materials; provided, however, that the letters, decorations and facings of signs so constructed may be made of approved combustible materials when in compliance with the regulations of s. 244-14.

b. Glass or porcelain when used shall be wired glass or porcelain or shall be protected as regulated in s. 244-10-1-b.

2. LENGTH AND HEIGHT. a. Marquee signs may be attached directly to, or made a part of, the sides or front face of a marquee, and such signs may extend the entire length and width of such marquee but not beyond such length and width. Such sign or signs shall not exceed 8 feet in vertical dimension, nor shall such sign or signs extend below the face of a marquee (s. 245-10).

b. Signs may be erected on the roof of a marquee, provided the total combined height of the sign on the face of the marquee and the sign erected on the roof shall not exceed 13 feet. The outer edge of signs erected on the roof of the marquee shall be set back not less than 2 feet from the outer edge of the marquee.

244-12. Canopy Signs. 1. MATERIALS. Materials for canopy signs shall be as regulated in s. 244-11-1.

2. LENGTH AND HEIGHT. a. Except as regulated in par. c, canopy signs may be attached directly or made a part of the sides or front face of a canopy. Such signs may extend the entire length or width of such canopy but not beyond such length or width, and shall not exceed 18 inches in vertical dimension nor extend beyond the face of a canopy (s. 245-8).

b. Except as regulated in par. c, canopy signs may be erected on the roof of a canopy, provided such signs do not extend more than 18 inches above the top edge of the canopy. Such canopy roof signs shall not extend beyond the length or width of the canopy.

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c. A canopy on any one building or structure may have signs attached thereto or placed thereon as permitted in either par. a or b, but in no case shall there be placed or erected on such canopy both types of signs.

244-13. Hood Signs. 1. MATERIALS. Materials for hood signs shall be as regulated in s. 244-11-1.

2. LENGTH AND HEIGHT. Hood signs may be erected either in the face or on the roof of a hood. Such signs shall not exceed 15 inches in vertical dimension, nor extend beyond the length or width of the hood.

244-14. Combustible Facings, Letters, Decorations, etc. 1. FACINGS. Facings of signs and billboards may be made of approved combustible materials, including the supports, uprights, bracing, framework, and structural trim, provided that the surface area of each facing is not in excess of 100 square feet, and provided further that such facings shall be separated from each other in an approved manner with noncombustible material. The letters and decorations mounted upon such plastic facings may be made of approved combustible plastics.

2. LETTERS AND DECORATIONS. The area of the display surface or facing occupied or covered by plastic letters or decorations shall not exceed a total area calculated on the following basis:

<u>Area of Facing or Display Surface</u>	<u>Area Occupied by or Covered by Plastics</u>
100 sq. ft. or less	100% of display surface area
Over 100 sq. ft. but not over 2000 sq. ft.	100 sq. ft. plus 25% of the difference between 100 sq. ft. and the area of the display surface
Over 2000 sq. ft.	Not more than 575 sq. ft.

244-15. Illuminated Signs and Billboards. Illuminated signs and billboards shall be permitted subject to the following regulations:

1. All such illumination shall be in accordance with the regulations in ch. 222 and s. 295-409.

2. Illumination shall be confined to the facing of the sign or billboard and shall not cause glare onto abutting properties as prohibited by s. 80-19.

3. Illuminated signs or billboards shall bear an Underwriter's Laboratories, Inc. label of approval or that of any other certified agency.

4. No sign or billboard shall be of such character or shall include such inscription or marking which may be mistaken for a traffic signal, railroad warning sign, or any street traffic mark or sign per s. 346.41, Wis. Stats.

244-17. Barber Poles. Barber poles shall comply with the regulations for projecting signs set forth in ch. 295.

244-18. Temporary Banners and Other Nonrigid Signs. 1. SIGNS ON PUBLIC PROPERTY PROHIBITED. It shall be unlawful for any person, except a public officer or a government employee in the performance of a public duty, to maintain, place, erect, paint, paste, print, nail, tack, or otherwise fasten any card, banner, picture, handbill, sign, poster, advertising, or notice of any kind, or cause the same to be done, on any curb, streetwalk, or public thoroughfare surface, fence, board, barrel, box, case, railing, pole, post, tree, barricade, material, bridge, bridge fender, dock, pile, building or structure of any kind on public ground, or public waterway, within the city, except as may be permitted by this chapter or any provision of the Milwaukee code, the Milwaukee charter, Wis. Stats., or federal laws.

2. SNIPE ADVERTISING PROHIBITED. It shall be unlawful to place, erect, paint, paste, print, nail, tack, or otherwise fasten or maintain any snipe advertising or deface any exterior wall or surface of any building, board, barrel, box, case, railing, pole, post, tree, barricade, material, dock, pile, or structure of any kind with advertising or notice of any kind.

3. BANNERS, PAPER, DEBRIS PROHIBITED. Except as permitted by this chapter or by the permanent banner sign or temporary banner sign regulations of s. 295-407, it shall be unlawful to place, erect, tack, or otherwise fasten, use, or maintain any outdoor advertising such as banners, decorative displays or other advertising devices of cloth, paper or other nonrigid materials. All permitted permanent and temporary banner signs shall be anchored or supported in a manner approved by the commissioner.

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4. EXCEPTION.

a. The provisions of subs. 1 to 3 shall not apply to Milwaukee county transit system transit shelters with advertising that are authorized by common council resolution.

b. City buildings, facilities or other assets identified by the Milwaukee civic partnership initiative, established under s. 310-21, shall be exempt from this section, if authorized by common council resolution.

5. RESPONSIBILITY.

a. Any person, partnership, corporation or officer of any group or association who authorizes or pays for any form of advertising or who directly benefits financially therefrom and any candidate, person, or officer of any group or association who authorizes or pays for political advertising or who directly benefits financially therefrom shall assume responsibility for the distribution and posting or display of such advertising, and if it is posted or displayed in violation of this section with or without their knowledge, they are required immediately upon notice from the commissioner, or an authorized agent, or the chief of police, or an authorized agent, to cause the removal of such advertising at their expense, and they shall be liable pursuant to this section.

b. Any person, partnership or corporation who owns property on which such illegally posted or displayed advertising of any form appears, or any manager or operator of such property on which such illegally posted or displayed advertising of any form appears shall assume responsibility for the posting or display of such advertising and, if it is posted or displayed in violation of this section with or without their knowledge, they are required immediately upon notice from the commissioner, or an authorized agent, or the chief of police, or an authorized agent, to cause the removal of such advertising at their expense, and they shall be liable pursuant to this section.

6. COPIES OF CODE PROVISIONS.

The election commission shall furnish copies of this section to candidates for public office.

7. PENALTY.

Any person, partnership, corporation or officer of any group or association who authorizes or pays for any form of advertising or who directly benefits financially therefrom and any candidate, person or officer of any group or association who authorizes or pays for political advertising or who directly benefits financially therefrom and any person, partnership or corporation who owns property on which such illegally posted or displayed advertising of any form appears, and any manager or operator of

such property on which such illegally posted advertising of any form appears, who violates this section, and fails to perform the duties imposed upon them by this section, shall upon conviction be punished by a fine of not less than \$25 and not more than \$500, together with the costs and disbursements of prosecution, and in default of payment thereof shall be imprisoned in the county jail or house of correction of Milwaukee county until such fine, cost, and disbursement are paid, such imprisonment not to exceed 30 days; and every such person shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect, or refusal shall continue; provided, however, that said accumulated penalties recoverable in any one action shall not exceed the sum of \$2,000.

244-19. Advertising Device. An advertising device not herein regulated shall be constructed and erected in an approved manner.

244-21. Distribution of Commercial Advertising Material. 1. WHERE PROHIBITED.

a. It shall be unlawful for any person, firm or corporation, or for any officer, member, agent, servant, or employee of any person, firm or corporation to distribute or place, or cause to be distributed or placed, any commercial advertising material in or upon any automobile, steps, lawn, yard, driveway or porch of any private building or residence, unless the said advertising material shall be securely fastened in such manner so that the said material will not likely be scattered or blown on or about said premises or onto adjacent lots or yards, or upon the sidewalks, streets, alleys and other public places within the city.

b. It shall be unlawful to distribute commercial advertising material at any residential building or residential dwelling unit where the owner or occupant has caused to be placed in a position clearly visible to the person making delivery an appropriate sign or notice, or by written notification, stating that no commercial advertising material may be placed on their property.

2. NAME AND ADDRESS REQUIRED. The name and post office address of the principal advertiser of the delivery service shall be required on all commercial advertising delivered to residential buildings or residential dwelling units in the city, unless such material is enclosed in a plastic bag, wrapper or other container which discloses the

name and post office address of the principal advertiser or the delivery service responsible for delivering said material.

3. ADVERTISING, PLASTIC BAG REQUIREMENTS. Distribution of materials at any residential building or residential dwelling unit in a polyethylene or other type of flexible plastic container more than 4 inches in diameter shall be unlawful unless the said container is ventilated with at least 2 holes not less than 1/4 inch in diameter and is one mill (0.001 inch) gauge or more in thickness.

4. EXCEPTIONS. The provisions of sub. 1-a and b shall not apply to the distribution of commercial advertising material via mail or newspaper.

5. PENALTY. Violations of this section shall be punishable by a fine of not more than \$50 for each offense.

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**LEGISLATIVE HISTORY
CHAPTER 244**

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 244	rn from ch. 44	85-1396	12/20/85	1/1/86
Ch, 244 (Title)	am	991763	5/14/2002	10/1/2002
244-01-1	am	991763	5/14/2002	10/1/2002
244-01-2	rp	991763	5/14/2002	10/1/2002
244-01-2-0	am	85-1396	12/20/85	1/1/86
244-01-2-c	am	85-1396	12/20/85	1/1/86
244-01-2-j	am	882342*	7/25/89	3/1/90
244-01-2-u	am	882342*	7/25/89	3/1/90
244-01-2-v	am	882342*	7/25/89	3/1/90
*Note File #882342 repealed by File #891944 (passed 2/6/90, eff. 2/23/90)				
244-01-3	am	85-1396	12/20/85	1/1/86
244-01-3	rn to 244-01-2	991763	5/14/2002	10/1/2002
244-01-4	rn to 244-01-3	991763	5/14/2002	10/1/2002
244-01-4-0	am	85-1396	12/20/85	1/1/86
244-01-5	rn to 244-01-4	991763	5/14/2002	10/1/2002
244-01-6	rn to 244-01-5	991763	5/14/2002	10/1/2002
244-2-0	rc	991763	5/14/2002	10/1/2002
244-2-1	am	85-1396	12/20/85	1/1/86
244-2-1-a	am	980963	12/18/98	1/1/99
244-2-1-a	am	991763	5/14/2002	10/1/2002
244-2-1-c	cr	991763	5/14/2002	10/1/2002
244-4-1-c-3	cr	031422	4/13/2004	4/30/2004
244-2-1-d	cr	991763	5/14/2002	10/1/2002
244-2-2-a	am	85-1396	12/20/85	1/1/86
244-2-2-a	am	980963	12/18/98	1/1/99
244-2-2-a	am	991763	5/14/2002	10/1/2002
244-2-2-c	am	980963	12/18/98	1/1/99
244-2-3	am	85-1396	12/20/85	1/1/86
244-2-3	am	871340	10/27/87	1/1/88
244-2-4	rc	991763	5/14/2002	10/1/2002
244-2-4-a	am	980963	12/18/98	1/1/99
244-3-0	rc	991763	5/14/2002	10/1/2002
244-3-1	am	970497	11/25/97	12/16/97
244-3-1.5	cr	991763	5/14/2002	10/1/2002
244-3-2	am	85-1396	12/20/85	1/1/86
244-3-2	rc	991763	5/14/2002	10/1/2002
244-3-3	am	921114	11/20/92	12/11/92
244-3-3-b	rc	970497	11/25/97	12/16/97
244-3-4	am	921114	11/20/92	12/11/92
244-3-4	am	970497	11/25/97	12/16/97
244-3-5	am	980963	12/18/98	1/1/99
244-3-6	cr	970497	11/25/97	12/16/97
244-3-6	am	040043	6/15/2004	7/2/2004
244-3-7	cr	970497	11/25/97	12/16/97

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244-4-3.7	cr	901979	5/14/91	6/1/91
244-4-3.7	am	991763	5/14/2002	10/1/2002
244-4-3.7	am	051471	3/23/2006	4/11/2006
244-4-4.5	cr	140518	11/5/2014	11/22/2014
244-7-0	rc	991763	5/14/2002	10/1/2002
244-7-2	rc	991763	5/14/2002	10/1/2002
244-7-3	rc	991763	5/14/2002	10/1/2002
244-7-3-d	am	882295	5/16/89	6/3/89
244-7-4-a	am	85-1396	12/20/85	1/1/86
244-7-4-a	am	991763	5/14/2002	10/1/2002
244-7-4-b	am	85-1396	12/20/85	1/1/86
244-7-4-b	am	991763	5/14/2002	10/1/2002
244-7-4-c	am	991763	5/14/2002	10/1/2002
244-7-4-e	am	991763	5/14/2002	10/1/2002
244-7-4-f	am	85-1396	12/20/85	1/1/86
244-7-4-f	rp	991763	5/14/2002	10/1/2002
244-7-5	am	991763	5/14/2002	10/1/2002
244-7-6	rc	901977	3/26/91	4/12/91
244-7-6	rp	991763	5/14/2002	10/1/2002
244-7-6-f	am	85-1396	12/20/85	1/1/86
244-8-1	am	85-1396	12/20/85	1/1/86
244-8-2	rc	991763	5/14/2002	10/1/2002
244-8-2-a	am	85-1396	12/20/85	1/1/86
244-8-3	am	85-1396	12/20/85	1/1/86
244-9-1	am	85-1396	12/20/85	1/1/86
244-9-2-b	am	991763	5/14/2002	10/1/2002
244-9-2-c	rc	970497	11/25/97	12/16/97
244-9-2-c	am	980963	12/18/98	1/1/99
244-9-2-c	rp	991763	5/14/2002	10/1/2002
244-9-2-d	rp	991763	5/14/2002	10/1/2002
244-9-3-a	am	991763	5/14/2002	10/1/2002
244-10-0	rc	991763	5/14/2002	10/1/2002
244-10-1-a-0	am	991763	5/14/2002	10/1/2002
244-10-1-a-1	am	85-1396	12/20/85	1/1/86
244-10-2-c	am	971631	2/10/98	2/27/98
244-10-2-c	am	991763	5/14/2002	10/1/2002
244-10-2-c	am	051471	3/23/2006	4/11/2006
244-10-2-d	am	991763	5/14/2002	10/1/2002
244-10-3-a	am	991763	5/14/2002	10/1/2002
244-10-3-b	am	991763	5/14/2002	10/1/2002
244-10-3-d	am	991763	5/14/2002	10/1/2002
244-11-1-b	am	85-1396	12/20/85	1/1/86
244-11-2-a	am	85-1396	12/20/85	1/1/86
244-12-1	am	85-1396	12/20/85	1/1/86
244-12-2	am	85-1396	12/20/85	1/1/86
244-13-1	am	85-1396	12/20/85	1/1/86
244-15	rc	991763	5/14/2002	10/1/2002
244-15-1-a	am	85-1396	12/20/85	1/1/86
244-15-2	am	001402	2/27/2001	3/16/2001
244-16	rp	991763	5/14/2002	10/1/2002
244-16-2	am	85-1396	12/20/85	1/1/86
244-17	rc	991763	5/14/2002	10/1/2002
244-18-0	am	870561	7/7/87	7/24/87
244-18-0	rc	991763	5/14/2002	10/1/2002
244-18-1-0	am	991763	5/14/2002	10/1/2002

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244-18-3	am	991763	5/14/2002	10/1/2002
244-18-4	rn to 244-18-5	980542	10/9/98	10/28/98
244-18-4	cr	980542	10/9/98	10/28/98
244-18-4	rn to 244-18-4-a	140518	11/5/2014	11/22/2014
244-18-4-b	cr	140518	11/5/2014	11/22/2014
244-18-5	rn to 244-18-6	980542	10/9/98	10/28/98
244-18-5	am	980963	12/18/98	1/1/99
244-18-6	rn to 244-18-7	980542	10/9/98	10/28/98
244-18-6	rc	060322	7/12/2006	7/29/2006
244-20	rn to 244-21	971613	3/3/98	3/24/98
244-20	cr	971613	3/3/98	3/24/98
244-20	rp	030306	6/24/2003	7/11/2003
244-20-1-b	rc	971842	3/20/98	3/25/98
244-20-4	am	85-1396	12/20/85	1/1/86
244-20-4	cr	980861	10/9/98	10/28/98

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