

# Chapter 11

## Sign Ordinance

### Table of Contents

11.01 Purpose	Page 2
11.02 Permits Required	Page 2
11.03 Prohibited Devices and Signs	Page 3
11.04 General Sign Standards	Page 4
(1) On Premise	Page 4
(2) Directional	Page 4
(3) Official Sign	Page 4
(4) School Building/Service Organization/Religious Facility/Municipal Facility Service Club/Religious Signs	Page 4
(5) Temporary Signs	Page 4
(6) Special Use Signs	Page 4
(7) Non-Conforming Signs	Page 5
(8) Sign Standards	Page 5
(9) Future Zoning Districts	Page 5
(10) Illumination	Page 5
11.05 Conservancy “C” District	Page 6
11.06 Agricultural “A” District	Page 6
11.07 Residential “R1-R4” District	Page 6
11.08 Business “B1-General and B2-Central” and Manufacturing “M1” District	Page 7
11.09 Permits and Fees	Page 8
11.10 Inspection, Removal, Safety	Page 9
11.11 Administration and Penalties	Page 10
11.12 Definitions	Page 11

# Chapter 11

## Sign Ordinance

- 11.01 Purpose
- 11.02 Permits Required
- 11.03 Prohibited Devices and Signs
- 11.04 General Sign Standards
- 11.05 Conservancy “C” District
- 11.06 Agricultural “A” District
- 11.07 Residential “R1-R4” District
- 11.08 Business “B1-General and B2-Central” and Manufacturing “M1” District
- 11.09 Permits and Fees
- 11.10 Inspection, Removal, Safety
- 11.11 Administration and Penalties
- 11.12 Definitions

### 11.01 PURPOSE

(1) The purpose of this ordinance is to create the legal framework to regulate, administer, and enforce outdoor sign advertising and display as well as specific interior window sign advertising and display within the Village of Amherst. This ordinance recognizes the need to protect the safety and welfare of the public and the need for well maintained and attractive sign displays within the community and the need for adequate business identification, advertising and communication.

(2) This code authorizes the use of signs visible from public right-of-ways, provided the signs are:

- (a) Compatible with the zoning regulations
- (b) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety.
- (c) Legible, readable and visible in the circumstances in which they are used.

(3) Protection of First Amendment Rights: Any sign allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful non-commercial message that does not direct attention to a business, activity conducted or product sold or offered at a location not on the same premises where such business sign is located.

### 11.02 PERMITS REQUIRED

No sign shall hereafter be located, erected, moved, constructed, extended, converted, or structurally altered without a permit and without being in conformity with the provisions of this ordinance. These permits are available from the Zoning Administrator.

### 11.03 PROHIBITED DEVICES AND SIGNS

- (1) No sign or light shall move, flash, scroll, rotate or make noise. Signs that contain or consist of banners, posters, pennants, ribbons, streamers, strings or strips of pulsing light bulbs or LEDs, or other similarly moving devices are prohibited. (Warning signs, traffic control signs and holiday or seasonal decorations are exceptions)
- (2) Signs shall not resemble, imitate or approximate shape, form or color of traffic or railroad signs, signals or devices, or use such words as “stop”, “look”, “danger”, “go slow”, “caution”, or “warning”.
- (3) Signs shall not obstruct or interfere with the effectiveness of traffic or railroad signs, signals or devices.
- (4) No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window or fire escape, and no sign shall be attached to a fire escape.
- (5) No sign shall be placed so as to obstruct or interfere with traffic visibility.
- (6) Permanent signs affixed to or painted upon rocks, trees, utility poles or other such structures are prohibited.
- (7) No sign shall be mounted to an unlicensed vehicle or trailer, licensed vehicle or trailer, or other equipment.
- (8) No beacons or search beams will be permitted.
- (9) No off-premise signs of any type will be permitted.
- (10) No billboards will be permitted.
- (11) No inflatable signs will be permitted.
- (12) No sign shall project above a building’s roof, parapet or eave.
- (13) Interior window signs or displays intended for external viewing shall not move, flash or scroll.

### 11.04 GENERAL SIGN STANDARDS

Allowable exterior signs within the Village of Amherst are identified in seven categories:

- (1) On-premises
- (2) Directional
- (3) Official
- (4) School Building/Service Organization Facility/Religious Facility/Municipal Facility
- (5) Temporary
- (6) Special Use
- (7) Non-conforming

(1) On-Premise Signs: On-Premise signs must be located on the property where the advertised activity is conducted. Size restrictions for these signs are listed according to the zone in which they are located. Permits are required.

- (2) Directional Signs: Directional signs do not require a permit and shall not exceed thirty-two (32) square feet in area.
- (3) Official Signs: Official signs do not require a permit and shall not exceed thirty-two (32) feet in area.
- (4) School Building/Service Organization Facility/Religious Facility/Municipal Facility: Because these facilities are often located within or adjacent to various Residential Zones, the impact of their sign configuration and location on the neighboring dwellings must be addressed by the applicant in the permit process. Permits are required.
- (5) Temporary Signs: The following signs shall be allowed when located on private property only anywhere within the Village and shall not require a permit.
- (a) Construction Signs: which identify the architects, engineers, contractors and other individuals or firms involved with the construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended during the construction period. Two (2) signs will be allowed per site. The sign shall be confined to the site of construction and shall be removed within fourteen (14) days after the completion of the project. Construction signs shall not exceed thirty-two (32) square feet in area.
  - (b) Real Estate Signs: advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed, up to a total area of four (4) square feet. Such signs shall be removed within fourteen (14) days of the sale, rental or lease
  - (c) Political Campaign Signs: announcing the candidates seeking public office and other pertinent election-related data, up to an area four (4) square feet in all zones for each sign. Signs shall be allowed on private property with the owner's consent, and must be removed by the owner within seven (7) days after the election for which they were made.
  - (d) Street & Yard Banners: A sign placed without a permanent structure containing a time bound message and used in aggregate no more than thirty (30) days in any calendar year on any private parcel.
  - (e) Sandwich Board Signs: Two (2) such signs will be allowed per premise. The display size shall not exceed three (3) feet by five (5) feet. In the B-2 Central Business District and B-1 General Business District zones they shall be displayed only during the hours of operation for a business or the time during which a special event is occurring. These signs must be located on private property unless found in the B-2 Central Business District as allowed.
- (6) Special Use Signs: These signs must follow all applicable standards but do not require a sign permit:
- (a) Warning signs, government signs & flags, banners, and feather flags
  - (b) Special events signs, such as real estate open house and rummage sale or garage sale signs. These must be removed within two (2) days after the event.
  - (c) TODS and SIS Programs and white arrow signs

(d) Municipal Identification/Welcome signs – design standards are at the discretion of the Village Board and must meet County and State requirements

(e) Interior window signs or displays intended for exterior viewing

(f) Scoreboards located on athletic fields

(g) Signs located on the interior of or on the grounds of athletic fields or outdoor recreation areas and which are primarily oriented to persons within the grounds

(7) Non-Conforming Signs: Non-conforming signs are signs already existing at the effective date of this ordinance but which do not conform to the requirements herein.

(a) A non-conforming sign may be continue to be used by the original advertiser if it is maintained in good condition. It shall not, however, be replaced by another non-conforming sign. It may not be structurally altered so as to prolong the life of the sign. It may not be reestablished after damage or destruction if the Zoning Administrator determines that the estimated cost of reconstruction exceeds 50% of the estimated replacement cost. However, it may be replaced if intentionally damaged or destroyed by person(s) who are apprehended and proven to be unconnected to the owner(s) of the sign.

(b) A non-conforming sign determined to be unsafe or abandoned shall be removed by the owner within thirty (30) days of receiving written notice from the Zoning Administrator as noted in Section 11.11(3) b & (3) c. After thirty (30) days the sign may be removed by the Zoning Administrator with the coordination of Village staff and officials, with the costs assessed to the property owner.

(8) Sign Standards: The following sign standards by districts are intended to include every district in the Village of Amherst. The districts are as defined by the Zoning Ordinance and Official Zoning Map. Only signs as described herein will be permitted in each particular district. Businesses located within the Amherst Business Park must also comply with the recorded covenants for those properties.

(9) Future Zoning Districts: If any district is omitted from this ordinance, or if a new district is created after the enactment of this ordinance, no signs shall be permitted therein until this ordinance shall be amended to include this district.

(10) Illumination: Lighting of signs is allowed. Should the light source be exterior to the sign it must be shielded so that it will not cast a direct beam toward vehicular or pedestrian traffic on any street, sidewalk or residence.

(a) In no instance shall the amount of illumination attributed to nighttime exterior signage lighting exceed 0.30 foot-candles over the ambient lighting conditions when measured at the required distance based upon the sign's size [Square Root of signs total lighted area X 10 feet] as per International Sign Association guidelines.

- (b) Externally illuminated sign lighting shall illuminate only the immediate area of the sign, concentrating light upon the sign without radiating light upon adjacent public or private property as to constitute a traffic hazard or detriment to vehicular or pedestrian safety.
- (c) Internally illuminated signs including Changeable Copy Signs shall illuminate only the immediate area of the sign, concentrating light upon the sign without radiating light upon adjacent public or private property as to constitute a traffic hazard or detriment to vehicular or pedestrian safety.
- (d) Reflective glare onto nearby buildings, streets or pedestrian areas is prohibited.

(11) If any sign is viewable from any state highway or US highway, the owner is responsible for the applicable annual fees that may be needed to be paid to the Wisconsin Department of Transportation. Upon notice of a delinquent fee, the sign will be deemed to be abandoned and in violation of this code.

#### **11.05 CONSERVANCY “C” DISTRICT**

No signs are allowed in the Conservancy Zone, other than those as directed by the Village Board. A completed permit form must be submitted to the Zoning Administrator. Upon the review of the completed permit form by the Plan Commission, and their subsequent recommendation regarding further conditions, approval or denial of the proposed signage, the Village Board will consider the permit application for action to provide a final determination. Should the signage be approved, the Zoning Administrator shall issue the permit incorporating all conditions as required by the Village Board, and assessing fees as per policy.

#### **11.06 AGRICULTURAL “A” DISTRICT**

- (1) The following signs are allowed in the Agricultural District:
  - (a) One sign, a maximum of sixteen (16) square feet in area, shall be permitted to advertise produce or other agricultural products for sale.
  - (b) Personal identity signs will be allowed, with one (1) identity sign per home, not to exceed sixteen (16) square feet.
- (2) Signs shall not project beyond the property line. If ground mounted, the top shall not be over five (5) feet above the ground. If building mounted, signs shall be flush mounted and shall not be mounted on any building roof and shall not project above the roof line.
- (3) Special lighting or illumination is not permitted.

#### **11.07 RESIDENTIAL “R1-R4” DISTRICT**

- (1) The following signs are allowed in the Residential District:

- (a) One sign, a maximum of sixteen (16) square feet in area, shall be permitted where a home occupation or professional office has been established in a residential zone.
  - (b) Boarding homes and apartment or multi-family dwellings allowed in R-4 district will be allowed one identity sign not to exceed sixteen (16) square feet.
  - (c) Personal identity signs in all R districts will be allowed one identity sign per home, not to exceed sixteen (16) square feet.
  - (d) School Building/Service Organization Facility/Religious Facility/Municipal Facility Signs – One free standing sign not to exceed thirty-two (32) square feet in area is allowed per site. Should such signage include a Changeable Copy Sign (automatic) component, that display portion will not exceed twenty (20) square feet of the thirty-two (32) square foot total area.
- (2) Signs shall not project beyond any property line. If ground mounted, the top shall not be over five (5) feet above the ground. If building mounted, shall be flush mounted, shall not be mounted on any roof of the building and shall not project above the roof line.
- (3) With the exception of School Building/Service Organization Facility/Religious Facility/Municipal Facility Signs, special lighting or illumination is not permitted.
- (4) Projecting signs are not permitted.

#### **11.08 BUSINESS “B-1 GENERAL” AND “B-2 CENTRAL” AND MANUFACTURING “M-1” DISTRICTS**

- (1) Content: Signs allowed in this District shall be identity signs that pertain to the business on the premise. Any business located in the Amherst Business Park must comply with this ordinance as well as the Covenants as recorded.
- (2) No sign shall project above the building
- (3) Size: Maximum allowable sign area will be determined by the type of sign. The following types of signs are allowed within the business/manufacturing districts.
- (a) Projecting signs shall not exceed thirty-two (32) square feet and shall be placed so that the bottom of the sign is at least eight (8) feet above the ground and shall not project into any street thoroughfare. Projecting signs shall not incorporate either manual or automatic changeable copy displays.
  - (b) No wall sign placed against the exterior wall of a building shall extend more than twelve (12) inches from the building’s wall surface, exceed more than thirty percent (30%) of the wall area on which it is placed for any one premise, or extend above the wall upon which it is placed.
  - (c) B-1 General Business & M-1 Manufacturing Zone Requirements: Changeable Copy Sign (automatic) - One (1) sign display shall be permitted per premise. If located adjacent or across from any Residential Zone, the changeable copy display shall not exceed twenty (20) square feet of the total display. All free-standing or pole-mounted signs shall not

exceed fourteen (14) feet in height above the main centerline street grade, shall not exceed sixty-four (64) square feet, and shall not incorporate a Changeable Copy Sign (automatic) display larger than thirty-two (32) square feet of the total display area.

(d) B- 2 Central Business District Zone Requirements: Signs may be free standing, elevated or wall mounted and not exceed 32 square feet in total area. When incorporating Changeable Copy Signs (automatic) - One sign display shall be permitted per premise. This display may not exceed 20 square feet of the total display area. Sandwich board signs may be located on the sidewalk in front of a premise during the hours of operation for that business or during the hours of a sale or event so long as they do not impede pedestrian traffic, sidewalk maintenance or access to on-street parking.

(4) For the purpose of section 11.08(3)(c) only, properties used as cemeteries will not be addressed as residential zoned properties, thereby allowing adjacent B-1 or M-1 properties to consider signage designs relative to the other requirements of this section ie: 14 foot height, 64 sq ft total area, 32 sq ft changeable copy total area, etc.

(5) When a building contains offices or business establishments above the first floor, one additional sign may be erected on the front of such building located at a first-floor level. This sign shall be a directory type sign only for the purpose to listing such offices or business establishments located in said building. Each listing thereon shall be limited to two (2) square feet.

(6) Awnings and Marquees: Signs may be located on the vertical face of awnings and marquees and may project below the lower edge of the awning or marquee not more than six (6) inches. The bottom of such signs shall be no less than eight (8) feet above the sidewalk to grade at any point. No part of the sign shall project above the vertical awning or marquee face.

(7) Feather Flags: One (1) flag allowed per premise to be anchored only on the property of the business advertised, and not to exceed the height of the primary structure on the site.

(8) Illuminated Signs: Must be operated per definition in Section 11.03.

## **11.09 PERMITS AND FEES**

(1) Applications: The application for the permit for a sign shall be filed with the Zoning Administrator along with the appropriate fees. The permit application shall contain the location of the sign structure, the name and address of the sign owner and of the sign erector, drawings showing the design, size and location of the sign and such other pertinent information as the Zoning Administrator may require to ensure compliance with the ordinances of the Village. Upon receipt of the application, the Zoning Administrator shall examine the plans, specifications, proposed location and other data as set forth in the application. If the Zoning Administrator determines that the proposed sign is in compliance with all the requirements and ordinances of the Village of Amherst as well as the rules, laws and regulations of the State of Wisconsin, they shall issue the sign permit.

- (2) Fees: Fees for sign permits and inspections shall be determined by resolution by the Village Board.
- (3) Nullification: A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of four (4) months after the date of the permit.
- (4) Permit Exceptions: The following operations shall not be considered as creating a sign and therefore shall not require a sign permit:
- (a) Replacing Copy: The changing of the advertising copy or message of an approved painted or printed sign or on a theatre marquee and similar approved signs which are specifically designed for the use of replaceable copy or a programmable display.
  - (b) Maintenance: Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure unless a structural change is made.
  - (c) Signs erected by the Village Public Works Department, the Portage County Highway Department and the State Highway Department do not require permits.

#### **11.10 INSPECTION, REMOVAL AND SAFETY**

- (1) Inspection: The permit applicant shall, upon completion of the installation, relocation or alteration of a sign, notify the Zoning Administrator who will assure that the sign complies with the permit as issued as it reflects the ordinances of the Village of Amherst. Signs for which a permit is required may be inspected periodically by the Zoning Administrator in coordination with Village staff and officials for compliance with this and other codes of the Village. A written report of the inspection will be provided to the sign owner, and a nominal fee may be charged to the owner.
- (2) Maintenance: All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition. All signs shall be maintained so as to be able to display messages in a complete and legible manner.
- (3) Removal of Signs: The Zoning Administrator may order the removal of any sign erected in violation of this code or sign permit. They shall give thirty (30) days written notice to the owner of such sign, or of the building, structure or premises on which the sign is located, to remove the sign or to bring it into compliance.
- (a) Illegal Signs
    - 1. Should the owner act to remove the illegal sign, the Zoning Administrator shall assess a fine to twice the usual Sign Permit Fee for this violation
    - 2. Should the owner complete a sign permit application and act to bring the sign into compliance, the Zoning Administrator shall assess a charge of twice the usual Sign Permit Fee.
    - 3. Should the owner fail to act to either remove the illegal sign or bring it into compliance, the Zoning Administrator may order the sign removed

with the coordination of Village staff and officials, assessing the costs to the property owner along with a fine of twice the usual sign permit fee for this violation.

(b) Signs Threatening Public Safety: The Zoning Administrator may remove or cause to be removed a sign immediately and without notice if, in his opinion, the condition of the sign is such as to present an immediate threat to the safety of the public. If the sign situation allows the notification of the sign owner and the sign owner does not comply with the orders of the Zoning Administrator, the Zoning Administrator with the coordination of Village staff and officials is authorized to have the sign removed and the removal costs assessed to the owner of the sign.

(c) Abandoned Signs: Any on or off premise sign or its message display shall be removed by the owner or lessee of the business, when the business which it advertises is no longer conducted at that location. If the owner or lessee fails to remove it, the Zoning Administrator shall give the owners thirty (30) day written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator with the coordination of the Village staff and officials shall have the authority to remove the sign at cost to the owner.

If the sign owner cannot be located, the Zoning Administrator shall have the authority to remove the sign with the costs assessed to the property owner.

#### **11.11 ADMINISTRATION AND PENALTIES**

(1) Enforcement: The Zoning Administrator is hereby authorized and directed to enforce all of the provisions of this ordinance in coordination with Village staff and officials.

(2) Interpretation: Where there is any ambiguity or dispute concerning the interpretation of this code, the decision of the Zoning Administrator shall prevail, subject to appeal as provided herein.

(3) Denial of Permit: If, upon receipt and review of a permit application, the Zoning Administrator shall determine that the permit cannot be issued as the proposed sign does not conform to the ordinances of the Village of Amherst or the codes and laws of the State of Wisconsin, or if the Zoning Administrator is of some doubts as to whether or not the sign is a proper sign considering all factors, the Zoning Administrator shall deny the permit and a written Notice of Denial will be provided.

(4) Appeal of Permit Application: Upon denial of an application by the Zoning Administrator, the applicant may file a written request for consideration by the Plan Commission at their next regular meeting. Upon notification of adjacent and affected properties, the Plan Commission shall, at their next regular meeting, consider the applicant's request, holding a public hearing as part of the deliberations, in order to provide a recommendation regarding further conditions, approval or denial of the proposed signage to the Village Board. They shall review the applicant's request to determine what actions should be recommended that are not contrary to the public interest, public safety, or public welfare, and through which the spirit of the ordinance shall be observed. Upon receiving the Plan Commission's minutes and recommendation, the Village

Board will consider the permit application for action to provide a final determination. Should the signage be approved by the Village Board, the Zoning Administrator shall issue the permit, incorporating all conditions as required by the Village Board, and assessing fees as per policy.

(5) Severability: This ordinance and its various parts are hereby declared to be severable if any section, clause, provision or portion of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction. Such decision shall not affect the validity of either this ordinance as a whole or any parts not declared invalid or unconstitutional.

(6) Conflict: If any part of this ordinance is found to be in conflict with any other ordinance of the Village of Amherst, the most restrictive or highest standard shall prevail.

## 11.12 DEFINITIONS

Abandoned Sign: Any on or off premise sign in an obvious state of neglect, or one which advertises a business no longer in operation for which the owner is unknown, or for which a required fee has not been paid as per Section 11.04(11).

Ambient Lighting: Illumination in which the only light that falls onto a sign comes from sources that are naturally available (e.g. sunlight, moonlight) or from artificial lighting sources used for other purposes in the vicinity of the sign (e.g. street lights).

Awnings or Marquees: Any fixed or collapsible frame structure or device of any kind otherwise known as a marquee or awning erected or placed over any sidewalk and attached to a building or structure for the purpose of providing shelter from wind, sun, rain, or any other element of weather or upon which advertising is shown, painted or displayed.

Banner Sign: A sign using a display surface made of flexible material such as cloth or vinyl, and is supported along one or more sides or at two or more corners by wires, ropes, string, nails or other removable fastening devices or materials.

Changeable Copy Sign (automatic): A sign on which copy changes automatically on a lamp bank, video screen, LCD sign or through mechanical means, to include electronic or digital message centers and computer signs or other signs with electronically-controlled changing or moving displays.

--Transition between display messages shall be via instantaneous change to conform to Section 11.03(1) of this ordinance.

--All such displays shall be equipped with photosensitive sensors or equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination to comply with Section 11.04(10)(a) of this code.

--The text or graphics on such signs must have a hold time of not less than 7 seconds for displays in the B-2 Central Business District or for displays within, adjacent to, or across from any Residential District; or not less than 5 seconds for displays in the B-1

Business District and M-1 Manufacturing Districts in order to conform to Section 11.03(1) of this ordinance.

--Displays located within, adjacent to or across from any Residential District must be programmed to hold their screen image from dusk to dawn or must be programmed to go dark from dusk to dawn unless operations or events extend into this timeframe, in which case the display may operate under daytime message hold time criteria until 15 minutes past the end of the operations or event.

Changeable Copy Sign (manual): A sign on which copy is changed manually in the field, such as hand reader boards with changeable letters and numbers. Letters or numbers must be attached in such a manner as to ensure that they will remain in place in moderate winds.

Direct Illumination: Illumination by light sources which are a part of the sign.

Directional Sign: Signs erected or authorized by the Village of Amherst containing directional information about public places owned or operated by federal, state or local governments, publicly or privately owned educational historic or cultural sites, and areas of natural scenic beauty deemed to be in the interest of the traveling public.

Double Faced Sign: A sign with a message on both sides of a rigid display surface attached to some form of support structure or frame, and thus counting as one sign with two sign faces. If not a permanent sign installation and unless otherwise permitted, these signs must be removed when the business is closed or the event is over.

Feather Flag: A flexible advertising display attached to a vertical pole and shaped like a quill that is used by businesses, event organizers, and others to promote their business, brand, or event. These must be anchored in such a manner as to ensure that they will remain in place in moderate winds.

Free Standing Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Graphic or Signage: Any letters, pictorial representations, symbol, flag, emblem, illuminated devices, displayed in any manner whatsoever, which directs attention of persons off the premises on which the sign is displayed to any object, subject, place, person, activity, product, service, institution, organization, or business. However, this shall not include any official flag, emblem or insignia of a government, school or religious group when displayed for official purposes.

Ground Sign: A free standing sign that is six (6) feet or less in height.

Identity Sign: Any sign which carries only the name of the firm, the major enterprise or the principal product offered for sale on the premises, or a combination of these.

Illegal Sign: A sign which does not meet the requirements of this ordinance and was erected after the effective date of this ordinance's enactment.

Indirect Illumination: Illumination which is derived from light sources which are not a part of the sign.

Inflatable Sign: Any device capable of being filled with or expanded by air or other gasses, which can serve as a display surface or to which a sign display can be attached, to include animated or "dancing" sign devices.

Non-Conforming Sign: A sign which does not meet the requirements of this ordinance but was legally erected before the enactment of the current sign restrictions and regulations.

Official Sign: Signs or notices of a non-commercial nature and in the public interest, erected by the Village of Amherst or on the order of a public official in the performance of his or her public duty. Safety signs and public agency messages located within the right-of-way, memorial plaques and signs marking historical sites may be considered official signs.

Off-Premise Sign: A commercial sign which directs the attention of the public to a business activity conducted or product sold or offered at a location not on the same premise where such commercial sign is located. For purposes of this ordinance, easements and other appurtenances and non-contiguous parcels under the same ownership shall be considered off the premise of the parcel of land on which the business or activity is located or conducted.

On-Premise Sign: A sign which directs attention to the name of the building or the name of the building management firm or to a business, principal product, service or entertainment conducted, sold, or offered upon the property where such sign is located.

Projecting Sign: A sign, other than a wall sign, which projects from, and is supported by, a wall of a building or structure.

Roof Line: This shall mean either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette and, where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

Roof Sign: A sign located on or above the roof of any building.

Sandwich Board Sign: Temporary signage comprised of advertisement boards connected by hinges or straps, and that are constructed to be collapsible and mobile. For stability these are to be constructed of wood, plastic or metal. They cannot be affixed to wheels, shall not be reflective or fluorescent, and must be secured so as to remain stationary in moderate winds.

School Building/Service Organization Facility/Religious Facility/Municipal Facility Signs:

These signs are solely for the purpose of displaying the name of the institution and those particular events, operations or activities specific to that institution, or religious services that are conducted on that site.

Sign: An object or surface, including a structure, wall, image or moveable device displaying any message visible to the public. This includes exterior displays as well as displays placed near the inside surface of a window or door in such a way as to be in view of the general public and used to attract attention or convey information to those outside the building. Notices legally placed on public property and removed on a daily basis are not considered signs. Letters individually painted on or attached to a building that merely identify the owner or occupant or name of the establishment are not considered signs.

Sign Mall: A directory listing a number of similar identity and/or directional signs, located in one central location, and viewed by pedestrian or vehicular traffic.

Sign Size: Sign size shall be determined by the length and width of the message area.

Special Events Sign: A sign for events such as grand openings, displays, rummage/garage sales, craft shows, benefits, fund raisers, festivals, and other limited term events, and that in aggregate are used no more than fifteen (15) days per event in any calendar year.

Temporary Sign: A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials and intended to be displayed for a period not to exceed thirty (30) days in any calendar year on any private parcel.

Unused Sign: An on or off premise sign in an obvious state of neglect but for which the owner is known.

Wall/Flat Sign: A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limit thereof of any building and which projects from that surface less than six (6) inches at all points.

Warning Sign: A sign, less than three (3) square feet that warns the public about trespass to private property, dangerous conditions such as an aggressive dog and unusual hazards such as drop offs, high voltage, fire danger and explosives.