



VILLAGE OF THIENSVILLE
Committee of the Whole
AGENDA

DATE: Monday, December 5, 2022

LOCATION: 250 Elm Street, Thiensville, WI

TIME: Immediately following Special Board
Meeting Scheduled at 6:00 PM

I. CALL TO ORDER

II. ROLL CALL

PRESIDENT:	VAN MOBLEY
TRUSTEES:	JENNIFER ABRAHAM ANGELINA APOSTOLOS KRISTINA ECKERT ROB HOLYOKE KENNETH KUCHARSKI DAVID LANGE
ADMINISTRATOR:	COLLEEN LANDISCH-HANSEN
ATTORNEY:	TIM SCHOONENBERG
STAFF:	ASSISTANT CHIEF JOEL DEUTSCH DIRECTOR OF COMMUNITY SERVICES/PUBLIC WORKS ANDY LAFOND POLICE CHIEF CURT KLEPPIN (EXCUSED) VILLAGE CLERK AMY LANGLOIS

III. CITIZENS TO BE HEARD

A. Open to any resident or taxpayer on items not subject to a public hearing: Please be advised per §19.84(2), information will be received from the public. Village policy limits a three (3) minute time period per person, with time extension by the presiding official's discretion or a vote of 2/3 of the Board or Committee; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. Written comments on agenda items are encouraged to be sent and addressed to the intended body by noon on the day of the meeting. Comments received timely will be forwarded to all members of the body. If you wish to speak, you must pre-register by emailing the Village Clerk at alanglois@village.thiensville.wi.us by 4:00 PM on the day of the meeting or by signing in immediately prior to the meeting.

IV. BUSINESS

A. Thiensville Business Association Update, Ron Knaus and Rob Kos

B. Review and recommendation regarding the following Gifts:

1. \$10,000.00 to Thiensville Village Park Reimagined, Splash Pad from the Mequon-Thiensville Community Foundation
2. \$8,340.00 to Thiensville Police Department, Two e-bikes, Helmets and Training, Mequon-Thiensville Community Foundation
3. \$5,100.00 to Village of Thiensville, Veterans Memorial in Molyneaux Park, Mequon-Thiensville Community Foundation
4. \$1,000.00 to Village of Thiensville, Concrete Fossil Dig T-Rex Bones in Village Park, Mequon-Thiensville Community Foundation

C. Review and recommendation regarding Ordinance No. 2022-04 An Ordinance Conforming Code to Reflect Merged Fire Departments (att)

D. Discussion and update regarding Garbage Truck and Garbage Program Policy

E. Discussion and possible recommendation regarding Sidewalk Policy (att)

F. Discussion and possible recommendation regarding Feather Banners (att)

G. Review, discussion and recommendation regarding the following New Alcohol Beverage License Application:

1. Class "A" Beer

a. Village BP, Maa Maalika Petroleum, Inc., Sangeeta Pant, Agent, 246 South Main Street

V. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD

A. Review Meeting Date Schedule:

1. December 19, 2022 - Board of Trustees at 6:00 PM
2. January 23, 2023 - Combined Committee of the Whole and Board of Trustees at 6:00 PM

3. February 6, 2023 - Committee of the Whole at 6:00 PM

4. February 20, 2023 - Board of Trustees at 6:00 PM

VI. MOTION TO ADJOURN TO CLOSED SESSION

A. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a Closed Session. Such Closed Session is authorized pursuant to Wis. Statutes 19.85(1)(e).

1. Roll Call Vote

B. MOTION TO RECONVENE IN OPEN SESSION

1. Vote of Board to Reconvene in Open Session

VII. ADJOURNMENT

Amy L. Langlois, Village Clerk

December 2, 2022

Please advise the Thiensville Municipal Hall, 250 Elm Street (242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.

**VILLAGE OF THIENSVILLE
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2022-04
AN ORDINANCE CONFORMING CODE TO REFLECT
MERGED FIRE DEPARTMENTS**

RECITALS

WHEREAS, the Village of Thiensville (“Village”) provides emergency medical, fire and rescue services to its residents through its own Fire and EMS Department.

WHEREAS, the Village and the City of Mequon have entered into a Southern Ozaukee Fire and Emergency Medical Services Agreement for the purposes of combining their respective fire and EMS departments (the “Agreement”).

WHEREAS, Pursuant to the Agreement, until January 1, 2023, the two departments “shall operate under joint command. During such period, employees and equipment of each department may be deployed to either municipality; however, employees shall remain employed by the municipalities by which they are currently employed, and each department shall continue its current billing and other functions, maintain inventories of parts and supplies consistent with past practices and maintain its apparatus and vehicles consistent with past practice.”

WHEREAS, on January 1, 2023, the two departments will be fully merged, ceasing to operate as individual entities.

WHEREAS, in anticipation of the merger of the departments, the Village desires to make certain changes to its Municipal Code to reflect the change from a separate department to a joint department.

NOW, THEREFORE, the Village Board of the Village of Thiensville, Wisconsin, does ordain as follows:

SECTION I

Section 2-257 of the Thiensville Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

The following shall be the appointed officials of the village who shall be appointed in the manner and for the term indicated below:

	Official	How Appointed	Term
(1)	Village administrator	Majority vote of the board	Per contract
(2)	Village attorney	Majority vote of the board	Two-year contract
(3)	Emergency government director	President, subject to approval by majority vote of the board	Two years
(4)	Village engineer	Majority vote of the board	Two-year contract
(5)	Building, plumbing, electrical inspector	Majority vote of the board	Two-year contract
(6)	Chief of police	Majority vote of the board	Per contract or four years
(7)	Director of public works	Majority vote of the board	Per contract or four years
(8)	Village treasurer	Majority vote of the board	Four years
(9)	Village assessor	Majority vote of the board	Two-year contract
(10)	Village clerk	Majority vote of the board	Four years
(11)	Fire chief/fire inspector	Majority vote of the board	Five years

SECTION II

Division 2 of Article II of Chapter 34 of the Thiensville Municipal Code is repealed and recreated to read as follows:

DIVISION 2. – FIRE DEPARTMENT

Sec. 34-51. – Fire department established

- (a) As used in this code, “fire department” shall mean the Southern Ozaukee Joint Fire and Emergency Services Department created and governed by an intergovernmental agreement of which the village is a party, and “fire chief” shall mean the chief of the fire department. The village has entered into the intergovernmental agreement for the prevention of fires, fire suppression, and providing emergency medical services in the village.
- (b) The village board shall appropriate funds to provide for operating and for such apparatus and equipment for the use of the fire department pursuant to the terms of the intergovernmental agreement which created and governs the fire department.

Sec. 34-52. – Powers of the fire chief and fire department.

- (a) The fire chief or their designee shall enforce all federal, state, and local laws and regulations pertaining to fire prevention and the provision of emergency medical services.

- (b) The fire department should provide fire prevention information to its citizens.
- (c) The fire chief shall keep the village board informed of the activities of the fire department by among other things, providing an annual report to the village board in form and substance acceptable to the village board.
- (d) *Command at fire or emergency medical services scene.* The fire chief or officers in command (individually or collectively the “command staff”) at any fire or scene where emergency medical services are being provided are hereby vested with full and complete police authority. Any officer of the fire department may cause the arrest of any person failing to give the right of way to the fire department in responding to a fire or call for emergency medical services.
- (e) *Command staff to prescribe limits.* The command staff may prescribe certain limits in the vicinity of any fire within which no persons, excepting firefighters and police officers and those admitted by order of any officer of the department, shall be permitted to come. The command staff shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spreading of fire or to protect the adjoining property, and during the progress of any fire the command staff shall have the power to order the removal or destruction of any property necessary to prevent the further spread of the fire. The command staff shall have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work of the department during the progress of a fire.
- (f) *Firefighters may enter adjacent property.* It shall be lawful for any firefighter while acting under the direction of the command staff to enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his duty as is herein before provided, the person so offending shall be deemed guilty of resisting firefighters in the discharge of their duty.
- (g) *Duties of bystanders to assist; interference.* Every person who shall be present at a fire or scene where emergency medical services are being provided shall be subject to the orders of the command staff. The command staff shall have the power to cause the arrest of any person or persons refusing to obey said orders or such persons as may interfere with the orders given or work by firefighters at a fire.

Sec. 34-53. - Fire inspector; duties.

- (a) The fire chief shall hold the office of fire inspector, with power to appoint one or more deputy fire inspectors, who shall perform the same duties and have the same powers as the fire inspector.
- (b) It shall be the duty of the fire inspector to inspect all buildings, premises and public thoroughfares within the village limits for the purpose of noting and causing to be corrected any condition liable to cause fire. The fire inspector shall also investigate and issue permits in accordance with the regulations of the Wisconsin Department of Safety and Professional Services for the storage and handling of explosives and inflammable liquids within the village. The fire inspector shall perform such other duties as required by the state.
- (c) Whenever or wherever in the village any inspection by the fire chief or their deputies reveals a fire hazard, the fire chief or their deputies shall serve a notice in writing upon the owner of the property giving said owner a reasonable time in which to remove the hazard. In the event that the fire hazard is not removed within the time allowed, it shall be deemed a nuisance. The fire chief or their deputies are authorized to have the same removed by the village, and the cost of such removal shall be recovered in an action by the village against the owner of the property.
- (d) The fire department shall keep a record of each property inspected, which shall conform to the requirements of the state and shall make the report of inspections required by the state.
- (e) No person shall deny the fire chief or their deputies free access to any property within the village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the fire inspector in the performance of their duty or refuse to observe any lawful direction given by the fire inspector.
- (f) Pursuant to Wis. Admin. Code § SPS 314.01(13)(b)7, the fire inspector shall complete an inspection of all public buildings and places of employment at least once per calendar year, provided that the interval between those inspections does not exceed 15 months.

Sec. 34-54. - Apparatus and equipment.

No person shall willfully injure in any manner any hose, hydrant, or fire or emergency medical service apparatus or equipment belonging to the village or the fire department, and no vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or other place to be used at any fire or alarm of fire, without the consent of the fire department command staff.

Sec. 34-55. - Creation of fire districts.

- (a) *Areas.* There shall be created within the village certain areas to be known as fire districts. The location and boundaries of these areas shall be determined by the village board with the advice and assistance of the fire chief and their deputies.
- (b) *Furnishing of water.* It is declared to be the intention of the village board that water tanks be erected or cisterns or similar facilities constructed in certain fire districts to be used for the purpose of furnishing water for the extinguishing of fires. Such fire districts shall be located in areas where there are apartment, commercial, industrial or residential developments, which can be reached from such water tanks, cisterns, or other facilities with, fire apparatus and hose.
- (c) *Payment of water supply facilities.* It is further declared to be the intention of the village board that the cost of constructing and installing said water tanks, cisterns or similar facilities is to be recovered by the village through the levy of a special assessment upon the benefiting properties in accordance with the authorities granted under Wis. Stats. § 66.0701, *et seq.*

Sec. 34-56. - Nonresident fees for fire department response services.

When the fire department is called upon to extinguish a vehicle fire, extricate a person from a vehicle, provide on-scene clean-up of flammable or other hazardous substances, or provide on-scene care or assistance to the vehicle occupant, and wherein the driver's license of the operator of the subject vehicle indicates that they are not a resident of the village, and the subject vehicle is not a commercial trade vehicle being operated by an employee of a business with a permanent address located inside the corporate limits of the village, the driver of the subject vehicle shall pay a service fee to the village, the amount of which shall be prescribed by the village board from time to time.

SECTION III

Section 34-121(e)(2) of the Thiensville Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

Sec. 34-121(e)(2).

Plans and specifications. No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted and approved by the fire department. Contractor is to submit a minimum of four sets of fire sprinkler installation drawings and hydraulic calculations for review and approval prior to installation. One set will be returned after review. Submittals are to be sent to the fire department:

Thiensville Fire Department
250 Elm Street

Thiensville, WI 53092
T (262) 242-3393
F (262) 238-4448

Review will be performed by:

Fire department appointed designee.

- a. All fees for plan review inspections and testings will be paid in advance prior to the contractor receiving reviewed sets. All fees for inspections and testing must be paid prior to receiving final system acceptance. All fee amounts will be billed to the contractor as required.

SECTION IV

Section 34-121(e)(3) of the Thiensville Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

Sec. 34-121(e)(3)

- (3) *Building permit.* No building permit for any building covered by this section shall be issued unless the building inspector's copy of the plans for the proposed building has been stamped "~~approved by the fire department of the Village of Thiensville.~~" as approved by the fire department.

SECTION V

Section 34-121(e)(5) of the Thiensville Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

Sec. 34-121(e)(5)

- (5) *Occupancy permit.* A final inspection of the building shall be made by the fire department inspector after notification by the building inspector or property owner. The required occupancy permit shall be stamped; "~~approved by the fire department of the Village of Thiensville~~" as approved by the fire department before issuance.

SECTION VI

Section 34-121(i)(1) of the Thiensville Municipal Code is amended to read as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

Sec. 34-121(i)(1)

- (1) All flow test data to be utilized for fire sprinkler hydraulic calculations is to be no older than six months. Should flow test data not be available that meets this stipulation, a new water flow test must be performed by the

contractor and witnessed by the ~~Village of Thiensville Fire Department~~ fire department or its designee. Contact We Energies for flow test data. All flow tests to be witnessed by We Energies and ~~Thiensville Fire Department~~ the fire department.

- a. All fire sprinkler hydraulic calculations must contain a minimum system safety factor of five psi.

SECTION VII

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION VIII

All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION IX

All village policies and parts of village policies that contravene or that are more permissive than this ordinance or that allow the village or any of its committees more discretion than that provided by this ordinance are hereby repealed.

SECTION X

This Ordinance shall become effective, after its publication as provided by law, on January 1, 2023.

PASSED AND ADOPTED this _____ day of _____, 2022.

Van A. Mobley, Village President

ATTESTED TO:

Amy L. Langlois, Village Clerk

VILLAGE OF THIENSVILLE

RESOLUTION NO. 2007-02

A RESOLUTION ADOPTING THE SIDEWALK,
DRIVEWAY APPROACH AND
CURB & GUTTER IMPROVEMENTS

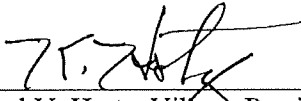
WHEREAS, the Village Board of the Village of Thiensville sees a benefit in establishing a written policy regarding sidewalk, driveway approach and curb & gutter improvements; and

WHEREAS, the policy will give guidance to the Director of Public Works in determining whether public improvements are needed; and

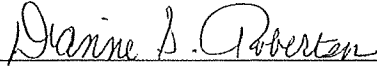
WHEREAS, the property owners will have assurance that needed improvements are being completed following a review of the written policy.

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Thiensville adopts the attached Sidewalk, Driveway Approach and Curb & Gutter Improvement Policy.

PASSED AND ADOPTED by the Village Board of the Village of Thiensville, County of Ozaukee, State of Wisconsin on this 19th day of March, 2007.



Karl V. Hertz, Village President



Dianne S. Robertson, Village Clerk

VILLAGE OF THIENSVILLE
DEPARTMENT OF PUBLIC WORKS
POLICY REGARDING SIDEWALK, DRIVEWAY APPROACH AND
CURB & GUTTER IMPROVEMENTS

MARCH 19, 2007

In order to reduce pedestrian falls and subsequent claims against the Village of Thiensville, the following policies have been formulated as criteria for sidewalk, driveway approaches and curb & gutter improvements. This criteria is based on reviewing other communities policies, consulting the villages insurance carrier, the village engineer and previous Village policies. The property owner is required to replace the damaged sidewalks, driveway approaches and curb & gutters that abut their property.

SIDEWALKS

1. All sidewalk slabs, including carriage walks and private walks located partially or fully within the Village R.O.W. which are out of vertical alignment by an average of ½" or more, or are out of alignment by 1" or more at any location on the slab at the time of inspection are candidates for repair mudjacking or replacement.
2. All sidewalk slabs are first examined as candidates for mudjacking. Sidewalk slabs which have visible surface defects, or in the opinion of the Director of Public Works cannot be mudjacked for any reason, will be removed and replaced.
3. In addition to the criteria from paragraph 1 above, defects that necessitate replacement include:
 - a) Cracks running through the slab of 1/2" width or greater.
 - b) Severe scaling, spalling or popouts of the surface is defined in the Pavement Surface and Evaluations Rating (PASER) system.
 - c) Surface delaminations of greater than ½".
 - d) Other defects which may, in the opinion of the Director of Public Works, confirmed by the Village Administrator, pose a trip hazard.
4. All sidewalk improvements shall be made in order to eliminate trip hazards as defined above as a first priority. Efforts shall be made in every possible case to improve drainage when replacing or mudjacking sidewalks. Sidewalk improvements will not be made for the sole purpose of correcting drainage problems except in circumstances where drainage problems are deemed obvious, significant, and potentially hazardous to pedestrians as determined by the Director of Public Works.
5. Property owners may request that their carriage walk be replaced with grass.
6. The Village will systematically perform sidewalk improvements in various sections of the Village, however, improvements will be made outside of those sections at the request of individual homeowners, and in areas where pedestrian falls are reported over sidewalk meeting the criteria outlined in paragraphs 1 & 3.

DRIVEWAY APPROACHES

1. Driveway approach improvements are not performed in areas with culverts and ditches unless a road improvement project is underway.
2. All driveway approaches located partially or fully within the Village R.O.W. which are out of vertical alignment by an average of ½ " or more, or are out of alignment by 1" or more at any location on the approach at the time of inspection are candidates for repair mudjacking or replacement.
3. All driveway approaches are first examined as candidates for mudjacking. Driveway approaches which have visible surface defects, or in the opinion of the Director of Public Works cannot be mudjacked for any reason, will be removed and replaced.
4. In addition to the criteria from paragraph 2 above, defects that necessitate replacement include:
 - a. Cracks running through the slab of 1/2" width or greater.
 - b. Severe scaling, spalling or popouts of the surface is defined in the Pavement Surface and Evaluations Rating (PASER) system.
 - c. Surface delaminations of greater than ½".
 - d. Other defects which may, in the opinion of the Director of Public Works, confirmed by the Village Administrator, pose a trip hazard.
5. All driveway approach improvements shall be made in order to eliminate trip hazards as defined above as a first priority. Efforts shall be made in every possible case to improve drainage when replacing or mudjacking driveway approaches. Driveway approach improvements will not be made for the sole purpose of correcting drainage problems except in circumstances where drainage problems are deemed obvious, significant, and potentially hazardous to pedestrians or cracks so severe that water can penetrate beneath the road surface and will cause damage to the road due to freezing as determined by the Director of Public Works.
6. The Village will systematically perform driveway approach improvements in various sections of the Village, however, improvements will be made outside of those sections at the request of individual homeowners, and in areas where pedestrian falls are reported over driveway approaches meeting the criteria outlined in paragraphs 2 & 4.

CURB AND GUTTER

1. Curb and gutter improvements are not performed in areas with culverts and ditches unless a road improvement project is underway.
2. All curbs and gutters located partially or fully within the Village R.O.W. which are out of vertical alignment by an average of ½" or more, or are out of alignment by 1" or more at any location on the approach at the time of inspection are candidates for repair mudjacking or replacement.
3. All curbs and gutters are first examined as candidates for mudjacking. Curbs and gutters which have visible surface defects, or in the opinion of the Director of Public Works cannot be mudjacked for any reason, will be removed and replaced.
4. In addition to the criteria from paragraph 2 above, defects that necessitate replacement include:
 - a. Cracks so severe that water can penetrate beneath the road surface and will cause damage to the road due to freezing.
 - b. Cracks running through the curb & gutter of 1/2" width or greater.
 - c. Severe scaling, spalling or popouts of the surface is defined in the Pavement Surface and Evaluations Rating (PASER) system.
 - d. Surface delaminations of greater than ½".
 - e. Other defects which may, in the opinion of the Director of Public Works, confirmed by the Village Administrator, pose a trip hazard.
5. All curb and gutter improvements shall be made in order to eliminate trip hazards as defined above as a first priority. Efforts shall be made in every possible case to improve drainage when replacing or mudjacking curbs and gutters. Curb and gutter improvements will not be made for the sole purpose of correcting drainage problems except in circumstances where drainage problems are deemed obvious, significant, and potentially hazardous to pedestrians or cracks so severe that water can penetrate beneath the road surface and will cause damage to the road due to freezing as determined by the Director of Public Works.
6. The Village will systematically perform curb and gutter improvements in various sections of the Village, however, improvements will be made outside of those sections at the request of individual homeowners, and in areas where pedestrian falls are reported over curbs and gutters meeting the criteria outlined in paragraphs 2 & 4 as determined by the Director of Public Works.

As a courtesy the Village will attempt to:

- Work closely with the property owner to identify potential hazards and schedule the replacement work with a qualified contractor selected through the Village bidding process.
- Inspect the construction work to ensure a quality-finished product.
- Every other year the Village is inspected to identify areas in need of replacement and marked with paint and recorded.
- Once marked, an estimate is sent to the property owner by US mail advising that replacement is necessary. If replacement is not made by the deadline date stated in the letter, the Village will cause the replacement to be made by its contractor.

Following completion of the work, the owner will be billed by the Village. Property owners have 30 days in which to pay the bill for replacement. If the property owner chooses not to pay, an assessment will be applied against the tax bill and collected as an addition to the property taxes. A nominal interest charge on any unpaid balance will be added to the amount of assessment when certified to the county for collection with property taxes.

Property owners who have sidewalks that need replacement may choose to use the Village's contractor; make the necessary replacement themselves; or hire a contractor of their choice.

Despite who performs the replacement, all work must be completed according to the Village's standards and requires inspection by the Village.

The successful bidder for the Village's concrete contract will be insured or bonded, the Director of Public Works will check all work performed by the contractor prior to payment.

Guidelines for Proper Sidewalk Replacement

1. Use Class C concrete with air entrainment
2. Broom or swirl finish must be used
3. Landscape must be replaced if disturbed during installation
4. Curing compound must be applied the same day the concrete is placed
5. Expansion joints must be placed every 40 feet of new placed, continuous concrete sidewalk
6. Work must be performed according to Village standards:
 - Sidewalks are to be 4 inches thick
 - Sidewalks between driveways and aprons are to be 7 inches thick
 - Aprons also are to be 7 inches thick
 - Curbs & Gutters also to be 7 inches thick



Village of Thiensville

250 Elm Street

Phone (262) 242-3720

Thiensville, WI 53092-1602

To: Thiensville Committee of the Whole
From: Andy LaFond, Director of Community Services
Date: December 5, 2022
Subject: Feather Banner/Flags

Background

In June, August and again in September, the Plan Commission discussed a proposed ordinance change to add language to the sign code to regulate Feather Banners/Flags. Staff brought the topic to the Plan Commission for a recommendation to the Village board. Feather banners have become readily available for quick shipment from many websites and contain generalized messages such as "PIZZA" or "MUFFLERS" for the purpose of advertising. The current sign code does not directly address feather banners in either the pennant/flag section or the temporary banner requirements. Staff have been permitting the use of one feather banner using our current horizontal banner permitting process with the exception of temporary banners are required to be affixed to the building and feather banners are free standing. After having multiple discussion and ordinance options drafted but not agreeing upon a direction, members of the commission asked that the Village Board discuss the issue.

Recommendations

Included are the four options the plan commission discussed

Version 1 addresses feather banners with similar language used to regulated sandwich board signs in our current code.

Version 2 is similar to version one but limits the banner to 16 square feet per side and a maximum of 10 feet in height. Version 2 requires the banner be customized to include the business name and/or logo. It also prohibits feather banners in the Historic District.

Version 3 prohibits the display of feather banners. This version also includes language prohibiting Inflatable signs with or without advertising designed to move about in the air or remain suspended in the air.

Version 4 Created for consideration after the discussion at the 8/9 PC meeting. prohibits the display of feather banners except for during special events and festivals. This version also includes language prohibiting Inflatable signs with or without advertising designed to move about in the air or remain suspended in the air.

Version 1

Feather Banners/Flags. No feather banner shall be permitted until a permanent sign has been permitted for the premises.

1. One feather banner is allowed per business by permit and shall stand no more than 12 feet in height with each sign surface not to exceed 24 square feet. Feather Banners shall be placed on private property. Feather Banners shall be secured in a manner acceptable to the Director of Community Services
2. feather banners can only be placed within the linear building frontage of the business or entity it represents and can only advertise that business.
3. Feather banners can only be displayed during the business hours of the entity it represents.
4. Feather banners must be built in a professional manner of durable materials. Feather banners must be free of defects, tears, or fading.
5. Feather Banners must be placed so as not to block building entrances, exits, sidewalks, or other traveled right-of-way areas, and on private property.
6. Feather banners must be adequately weighted or anchored to prevent movement by wind or other elements.
7. No feather banner shall be displayed while an A-Frame/Sandwich Board sign is displayed. No Feather banner shall be displayed while a horizontal banner is displayed.

Version 2

Feather Banners/Flags. No feather banner shall be permitted until a permanent sign has been permitted for the premises.

1. One feather banner is allowed per business by permit and shall stand no more than 10 feet in height with each sign surface not to exceed 16 square feet. Feather Banners shall be placed on private property. Feather Banners shall be secured in a manner acceptable to the Director of Community Services
2. Feather banners can only be placed within the linear building frontage of the business or entity it represents and can only advertise that business.
3. Feather banners can only be displayed during the business hours of the entity it represents.
4. Feather banners must be built in a professional manner of durable materials. Feather banners must be free of defects, tears, or fading.
5. Feather Banners must be placed so as not to block building entrances, exits, sidewalks, or other traveled right-of-way areas, and on private property.
6. Feather banners must be adequately weighted or anchored to prevent movement by wind or other elements.
7. No feather banner shall be displayed while an A-Frame/Sandwich Board sign is displayed. No Feather banner shall be displayed while a horizontal banner is displayed.
8. No Feather banner shall be displayed in the Historic District
9. Feather Banners must include the business name and/or logo on both sides

Version 3 Prohibition of Feather Banners and Moving/Animated Inflatable signs

ARTICLE II. – PROHIBITED SIGNS Sec. 16.10 – Prohibited signs

- A. Signs not specifically allowed by this Ordinance.
- B. Dilapidated and Abandoned Signs
- C. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
- D. Billboards.
- E. Revolving Signs.
- F. Flashing signs or signs that electronically change copy other than time and temperature signs that do not exceed twenty-five (25) square feet in total area.
- G. Animated signs.
- H. Signs which are painted on any part of a building wall.
- I. No sign not directly related to the use of the premises on which it is located, except directional signs, as herein provided, and wayfarer signs, as defined in Sec. 16.4 Definitions, shall be permitted in any district.
- J. Signs within the vision triangle of any Village street as defined in the Zoning Ordinance Chapter 17.0501 TRAFFIC VISIBILITY
- K. Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.
- L. Signs which contain untruthful or misleading information.
- M. Signs that display any statement, word, character or illustration of an obscene nature.
- N. Banners, flags or pennants when used for advertising purposes except as specifically permitted elsewhere in this ordinance.
- O. Roof signs.
- P. Any sign exceeding the height of the façade, parapet, canopy or roofline against which it is located.
- Q. Vehicle signs or trailer signs when used on a given location or site in addition to or in lieu of a temporary or permanent sign permitted under these regulations.
- R. Skylights, gas floodlights or searchlights.
- S. Cold or hot air balloons, inflatable signs and tethered balloons with or without advertising. **Inflatable signs with or without advertising designed to move about in the air or remain suspended in the air.**
- T. **Feather Banner/Flags**

Version 4 Prohibition of Feather Banners and Moving/Animated Inflatable signs Special Event Feather Banners Allowed

ARTICLE II. – PROHIBITED SIGNS Sec. 16.10 – Prohibited signs

- A. Signs not specifically allowed by this Ordinance.
- B. Dilapidated and Abandoned Signs
- C. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
- D. Billboards.
- E. Revolving Signs.
- F. Flashing signs or signs that electronically change copy other than time and temperature signs that do not exceed twenty-five (25) square feet in total area.
- G. Animated signs.
- H. Signs which are painted on any part of a building wall.
- I. No sign not directly related to the use of the premises on which it is located, except directional signs, as herein provided, and wayfarer signs, as defined in Sec. 16.4 Definitions, shall be permitted in any district.
- J. Signs within the vision triangle of any Village street as defined in the Zoning Ordinance Chapter 17.0501 TRAFFIC VISIBILITY
- K. Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.
- L. Signs which contain untruthful or misleading information.
- M. Signs that display any statement, word, character or illustration of an obscene nature.
- N. Banners, flags or pennants when used for advertising purposes except as specifically permitted elsewhere in this ordinance.
- O. Roof signs.
- P. Any sign exceeding the height of the façade, parapet, canopy or roofline against which it is located.
- Q. Vehicle signs or trailer signs when used on a given location or site in addition to or in lieu of a temporary or permanent sign permitted under these regulations.
- R. Skylights, gas floodlights or searchlights.
- S. Cold or hot air balloons, inflatable signs and tethered balloons with or without advertising. **Inflatable signs with or without advertising designed to move about in the air or remain suspended in the air.**
- T. **Feather Banner/Flags except as specifically allowed elsewhere in this ordinance. (see Sec. 16-15)**

Version 4 Prohibition of Feather Banners and Moving/Animated Inflatable signs Special Event Feather Banners Allowed

Sec. 16-15 – Temporary banners, pennants, and flags The Village Zoning Administrator or Building Inspector may issue a permit for the use of banners and pennants in any business district for a period of not more than 30 days in any calendar quarter, but not to exceed 90 days per year. Banners, flags or pennants (which are temporary signs or devices of paper, fabric, plastic or other flexible materials) for the purpose of advertising sales, events or other information must be attached to the building, but shall not exceed the lesser of fifty (50) square feet or twenty percent (20%) of the area of the wall or windows on which they are placed, whichever is less, however no banner, pennant or flag would be permitted to be erected over-the-street or exceed one hundred (100) square feet.

An exception to this requirement would include banners, flags, pennants or party-type balloons promoting community events which may be freestanding. These devices would be allowed for not more than thirty (30) days in any calendar quarter but not to exceed ninety (90) days per year. Display of the national flag of any country or the official flag of any state is permitted in any district without a permit provided that such flag is set back at least 10 feet from the street right-of-way in any residential district; is set back at least 10 feet from all other lot lines; and provided that the area of such flag does not exceed 40 square feet. Display of larger flags or flags with information other than a national or state flag may be permitted only after the issuance of a permit by the Village Plan Commission. Commercial balloons and strings of pennants used to advertise or attract attention are discouraged

Feather Banners/Flags are allowed at community based special events and festivals without a permit. They are only allowed to be displayed from the time the event is first open to the public and removed at the end of the last day of the public portion of the event.