

ORDINANCE NO. 2008-____
AN ORDINANCE ESTABLISHING A MORATORIUM ON OFF-PREMISE SIGNS
TOWN OF HERMAN IN SHAWANO COUNTY, WISCONSIN

The Town Board of the Town of Herman, Wisconsin, does ordain as follows:

SECTION 1. Authority. This Ordinance is enacted to promote the public health, safety and welfare of the residents of the Town of Herman, Wisconsin as provided under sections 60.22(3) and 61.34 of Wisconsin Statutes.

SECTION 2. Purpose. The existing sign regulations in the Shawano County Highway Off-Premise Sign Ordinance do not adequately reflect the Recommended Town of Herman Comprehensive Plan and the results of public participation conducted as part of the comprehensive planning process.

The Town of Herman needs to create an Off-Premise Sign Ordinance which adequately implements the vision established for the Town in the Recommended Comprehensive Plan and adopt an Ordinance to better protect the health, safety, and welfare of the citizens of the Town of Herman, specifically by:

- Maintaining and enhancing the scenic views and rural character of the Town.
- Improve the safety of travelers by minimizing distractions, obstacles, and interference with directional and warning signs.
- Protecting and enhancing the economic viability of the Town by ensuring that it is an attractive area to visit or live.
- Protecting property values and private and public investments in property.
- Ensuring free speech and constitutional guarantees.

The Town Board and Plan Commission have begun to study and evaluate these issues, but, due to the complexity of the issues, additional time is needed before development of an Ordinance can be completed and considered by the Town Board.

The Moratorium is needed to allow time to complete studies, involve affected stakeholders, conduct public meetings and planning, and develop an Ordinance. The Town Board has concluded that the issuance of approvals for new and enlarged permanent signs during the period of study and planning could preempt these planning efforts, minimize their beneficial effects, and undermine the Recommended Town of Herman Comprehensive Plan. Therefore, the Town Board finds that the studies, planning and ordinance will not be effective unless a moratorium is imposed on the construction or enlargement of permanent off-premise signs. At the present time, it is expected that the research, planning and ordinance development can be completed in a six-month period.

SECTION 3. Applicability. This Ordinance shall apply to all land within the Town of Herman for a period of six months from the effective date of this ordinance, unless this ordinance is amended by the Town of Herman Board.

SECTION 4. Scope of Regulations. Except as hereinafter provided, while this ordinance is in effect: no permanent off-premise signs shall be constricted, erected, placed or enlarged, nor shall any permit be issued by the Town for the construction, erection, placement, or enlargement of any permanent off-premise signs on any property within the jurisdiction of the Town of Herman.


SECTION 5: Exceptions. Scope of Regulations shall not apply in the following instances, provided that the application qualifies and is in conformance with all other applicable ordinance and regulations of the Town:

1. Where the Town has approved, prior to the effective date of this ordinance, a permit for a proposed sign.
2. Maintenance and/or repair of any existing lawful signs, provided that such work does not enlarge or structurally alter the sign
3. Political, construction site, and real estate signs.

SECTION 6. Severability. A finding of invalidity for any word or section of this ordinance shall not affect the applicability of any remaining words or sections which can be applied without reference to the invalid word or section.

SECTION 7. Effective Date. This ordinance shall become effective on June 16th 2008 and be in effect until Dec 16, 2008, unless extended by the Town of Herman Board.

Adopted this ~~16th~~ day of June, 2008.



Andy J. Schmidt
Town Chair

Attest: _____


Edwin Berkholtz

Town Clerk

Published/Posted on: 26 June 2008.