

**Office of the
Ninth District Alderman
Pete Karas**



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November 4, 2007

To: Mayor Becker and the Racine Common Council
c/o Office of the City Clerk

Re: Revision of sign ordinances:

I respectfully request to appear before the appropriate committee to discuss suggested changes to Section 114 of the Municipal Code as they relate to signage in the City of Racine. Please see below for the attached recommended revisions for your consideration.

I am submitting several changes for the Council's review. The rationale for the changes is as follows:

1. In the unfortunate event that a hail or other strong storm happens upon Racine, I would like to limit the (esp. out-of-town roofing and siding) contractors who historically have put up advertising signs in residential yards for excessive periods of time.
2. This year, AT&T's new television service has been placing and leaving unsightly signs for excessive periods of time in yards where they have done work.
3. I believe this will raise public awareness of our sign ordinances and the changes will make Racine's neighborhoods more aesthetically pleasing.
4. I believe that the contractor and not the property owner should be responsible for their signs and therefore pay any fee associated with a violation.
5. I believe that the new fee will promote compliance and that the appeal process is fair.
6. The way I interpret the current code, yard signs that are currently being displayed for civic purposes are not allowed, nor are signs that allow for statements of conscience and that the proposed changes will legitimize these yard signs.
7. In Sec 114-1028, I believed that evergreen was too restrictive and other similarly shaped vegetation would suffice.



8. For convenience, I have attached below the applicable State Statutes that relate to this section along with using the MS Word "Track changes" format.

Sincerely,

Ald. Pete Karas

Suggested Changes for Consideration:

Sec. 114-1026. Scope of article; compliance required.

(a) The regulations set forth in this article shall apply to and govern signs in all districts. No sign regulated by this article shall be erected until a permit for the erection of such sign has been issued by the city zoning administrator. No sign shall be erected or maintained unless it is in compliance with the regulations governing location and bulk of structures for the district in which it is located, unless such sign is otherwise specifically regulated by conditional use provisions or provisions relating to variances.

(b) Any sign already established on the effective date of the ordinance from which this article derived, and which sign is rendered nonconforming by the provisions in this article, and any sign which, as a result of subsequent amendments to this article, shall be rendered nonconforming, shall be subject to the regulations of article IV of this chapter, nonconforming buildings, structures and uses, and to the specific provisions of this article.

(c) Signs erected must be well maintained and not torn, broken, or in disrepair. (NOTE: This may be redundant with 114-1030)
(Code 1973, § 16.10.010(a))

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Sec. 114-1027. Exceptions to article.

The provisions of this article shall not apply to the following:

- (1) Signs not visible beyond the boundaries of the lot or parcel upon which they are situated, or from any public thoroughfare or right-of-way, and signs oriented inward upon a lot and intended solely for the information of employees, students, faculty, and visitors.

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(2) Miscellaneous traffic and other official signs of any public or governmental agency, such as railroad crossing signs, trespassing signs, signs indicating danger, or signs used as aids to service or safety.

(3) Any identification or display of any official court or public office, notices thereof, or any flag, emblem or insignia of a nation, political unit, school, or religious group.

(4) Any sign which is located completely within an enclosed building, and which sign is not visible from outside the building.

(5) Tablets, grave markers, headstones, statuary, or remembrances of persons or events that are noncommercial in nature.

(6) Works of fine art when not displayed in conjunction with a commercial enterprise, which enterprise may benefit direct commercial gain from such display.

(7) Temporary decorations or displays commemorating the occasion of patriotic or religious holidays.

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(8) Signs on a truck, bus, trailer, or other vehicle while operated in the normal course of a business which is not primarily the display of such signs.

(9) Contractor signs and those signs placed by Public Utilities in residential districts are permitted to be displayed no more than two days prior to the commencement of work, shall be removed no later than two day after work ceases, shall be no larger than 12 square feet in size, shall be no higher than four feet above grade, shall be displayed on private property, shall not obstruct vision clearances as described in section 114-254, and shall be non-illuminated. One such sign per property is permitted.

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(10) Violation of section (9) may, at the discretion of the City, result in a removal fee of \$50, and not less than \$50 or more than \$250 for each subsequent violation within a calendar year and payable within 90 days from the date of issue. The aforementioned fee shall be billed to the contractor who placed the sign must be paid in order for any future permit or license to be granted by the City, unless the imposition of the fee is under appeal. In the case of Contractors and Public Utilities, this fee shall be paid within 90 days and failure to do so may result in formal collection action by the City or its assignee. Appeals to the levying of this fee shall be made within 90 days after issuance of the fee to the Board of Building Appeals and approved or disapproved by the Common Council.



(9) In recognition the of the City's support of the First Amendment of the United States' Constitutional right of free speech and that civic organizations play a vital role in bettering the people of the City, the temporary signs advertising upcoming public events, as long as those signs are removed within seven days of the end of said event, and signs stating a political, religious, areligious, or societal opinion and that are in accordance with all applicable laws.

(12) Public Utilities are defined in this section as a privately owned business entity, subject to government regulation that provides a commodity or service, such as water, electricity, transportation, or communication to the public.

(d) In no event shall any sign be placed in the public right of way, unless allowed by the City's Municipal Code or by State or Federal law. (NOTE: This is already not allowed, but mentioning it in this section is good for public awareness and clarification.)

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(Code 1973, § 16.10.010(b)(1); Ord. No. 11-04, pt. 1, 4-7-04)

Sec. 114-254. Yard requirements and open space.

- (a) Yard requirements shall be as set forth under each zoning district. Front, side and rear yards shall be provided in accordance with the regulations indicated in this division and shall be unobstructed from the ground level to the sky.
- (b) All accessory buildings which are attached to principal buildings (e.g., attached garages) shall comply with the yard requirements of the principal building; except that an attached accessory building may extend ten feet into the required rear yard.
- (c) Front yards shall be as specified in each zoning district.
- (d) In residential developments containing eight or more units, the yard requirements may be waived in order to encourage innovative design and to provide for such housing types as the atrium or patio house. Such waiver may be obtained only by conditional use permit, as provided within each residential district.
- (e) For each structure designed, used or occupied, containing at least 20 residential dwelling units or 18,000 square feet of gross floor area, whichever is less, there shall be provided a minimum of 20 percent of the area of the zoning lot for unobstructed open

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space, left unpaved and suitably landscaped, but shall not include required yard spaces, or space provided for off-street parking.

(f) Upon approval of the plan commission and common council, as evidenced by acceptance of the subdivision plat, a developer shall be allowed to satisfy yard requirements by establishing average setbacks and varying front yards. However, in such instances, the average setbacks or yards shall be at least equal to the minimum prescribed for that district, and the shortest setbacks or yards shall be consistent with public safety and health, and in no case shall any front yard or setback be less than 15 feet in depth. Such exceptional yards or setbacks shall be reflected on the face of the plat.

(g) Corner side yards may be reduced to the required least interior side yard width if such corner lot is back-to-back with another corner lot.

(h) Where the length of a side yard adjacent to the side walls of a building is more than 40 feet, two inches for each foot by which such length exceeds 40 feet shall be added to each of the required side yards.

(i) Required side yard and rear yard depths may be measured to the centerline of an alley adjoining such yards.

(j) Where an unbroken section of a side wall of a building is not parallel with the side lot line, the required width of any side yard may be applied to the average width; provided, however, that such side yard shall not be narrower than three feet or less than one-half of the required width at any point.

(k) For each foot by which a lot existing at the time of enactment of the ordinance from which this chapter derived is less than 120 feet deep, six inches may be deducted from the required depth of the rear yard; provided, however, that no required rear yard shall be less than ten feet deep in any case.

(l) For each foot by which a lot existing and of record at the time of enactment of the ordinance from which this chapter derived is narrower than 50 feet, 3.6 inches may be deducted from the required least width of any side yard and 7.2 inches from the sum of the least width of both side yards for buildings not exceeding three stories in height; provided, however, that no side yard shall be narrower than four feet in any case.

Where, at the time of enactment of the ordinance from which this chapter derived, three-fourths of the lots on both sides of the street within a block front are less than 50 feet wide, an existing plot or unimproved portion of a plot within such block may be deemed to have been divided at the time of enactment of such ordinance into lots of substantially the average width of such three-fourths; provided, however, that no lot shall be deemed to be less than 35 feet wide in any case.

(m) When the average depth of existing front yards of existing buildings located within 100 feet on each side of a lot and within the same block as such lot is less than the least front yard depth prescribed for a building on such lot by other provisions of this chapter, then the depth of the front yard of any building on such lot need not exceed the average of the prescribed least depth and the average depth of the existing front yards; nor shall it be required to exceed the average of such otherwise prescribed least depth and the depth of the front yard of an existing building on a lot immediately adjoining such lot, nor



the average depth of front yards of existing buildings on the two lots immediately adjoining, if shallower, but shall be at least ten feet in any case.

The front yard exceptions specified in this subsection shall apply to any story or part of a new building when the average depth of front yards for the corresponding stories or part of such existing buildings, within such 100 feet and within the same block, is less than the least front yard depth otherwise specified in this chapter for such stories or parts respectively.

(n) In order to provide adequate vehicular vision clearance in yards, no fence, structure, screening or planting of any kind shall be erected, placed, maintained, or grown on any lot between the heights of 30 inches and seven feet above the curb level or its equivalent within the triangle space formed by two intersecting street lines or the intersection of a street line with an alley line or the intersection of a street line with a private drive and a line joining points on such street lines or street and alley lines or street and private lines, located a minimum distance of 25 feet from the point of intersection of the two street lines or located a minimum distance of ten feet from the point of intersection of a street line and an alley line or of a street line and a private drive line. A fence or wall may be erected and maintained within the vision clearance triangle, except that no such fence shall:

- (1) Exceed a height of six feet if the fence or wall has 25 percent opacity or less.
 - (2) Exceed a height of 30 inches if the fence or wall has more than 25 percent opacity.
- (Code 1973, § 16.07.010(d); Ord. No. 9-06, pt. 1, 5-24-06)

Sec. 114-1028. Location of signs.

(a) No sign shall be erected in a location prohibited by this chapter. No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other exit way required by the building code of the city and amendments thereto, or by fire department regulations.

(b) No sign shall be attached to a standpipe, gutter drain, or fire escape, nor shall any sign be erected so to impair access to a roof.

(c) No advertising sign shall be permitted within 75 feet of any residence district boundary line unless the sign is completely screened from such residence district by a building, solid fence, or a perennial planting, which planting shall be not more than two feet shorter than the height of the sign at the time such perennials are planted; perennials shall be spaced not more than one-half the height of the plant for regular varieties and one-third the height of the plant for columnar varieties of such vegetation; such planting shall be continuously maintained; or such sign is facing away from the residence district and the back is screened as provided in section 114-1031.

(d) All outdoor advertising structures, post signs, accessory signs, or advertising statuary which are declared to be a traffic hazard by the zoning administrator after a recommendation from the traffic engineer, and which do not conform to the provisions of this article, shall be relocated or rearranged in accordance with safety standards. A sign in the direct line of vision of any traffic signal shall not have red, green, or amber

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illumination. Signs may not be located in such a manner as to obscure, or otherwise physically interfere with, the effectiveness of an official traffic sign, signal or device, or obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.

(e) No sign shall be located on, or project above the parapet line of, any roof except upon the granting of a conditional use permit by the common council. All such signs shall appear as an architectural blade, or penthouse, and be finished in such a manner that they appear to be part of the building from all sides.

(f) All signs which project into any public way or other access way shall maintain a vertical clearance of not less than eight feet above grade. This minimum vertical clearance may be increased in accordance with the requirements of each zoning district.

(g) Any single-face wall sign located on the exterior of a building shall not project more than 12 inches from the building, and the bottom of such sign shall not be lower than eight feet. However, wall signs projecting not more than four inches from the face of the wall shall be allowed at any height.

(h) No sign shall be located on a truck, bus, trailer, boat, or other vehicle which is used primarily to display such sign at a specific property.

(Code 1973, § 16.10.010(b)(2); Ord. No. 12-91, pt. 1, 4-3-91)

Sec. 114-1029. Obsolete and nonconforming signs.

(a) Every owner of a building or structure upon which an advertising sign or business sign is located shall remove such sign within 60 days after the cessation of the ordinary course of business to which such sign relates.

(b) No nonconforming business sign or advertising device shall be altered or reconstructed unless the alteration or reconstruction is in compliance with the provisions of this article. For the purpose of this section only, the term "altered or reconstructed" shall not include normal maintenance; changing of surface sign space, ornamental molding, frames, trellises, or ornamental features or landscaping below the base line; or the addition, construction, installation, or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters, or other embellishments.

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(Code 1973, § 16.10.010(b)(5))

Sec. 114-1030. Construction and maintenance.

The construction, installation, erection, anchorage, wiring, and maintenance of all signs shall be subject to the regulations of the city building codes or supplementary sign regulations. No sign shall be erected or maintained in an unsafe condition or in substantial disrepair.

(Code 1973, § 16.10.010(b)(6))

Sec. 114-1031. Mounting of signs.

All signs shall be mounted in one of the following manners:

- (1) Flat against a building or wall.
- (2) Back to back in pairs, so that the backs of signs will be screened from public view.



(3) In clusters in an arrangement which will screen the backs of the signs from public view.

(4) Or as otherwise mounted so that the backs of all signs or structures showing to public view shall be painted and maintained a neutral color or a color that blends with the surrounding environment.

(Code 1973, § 16.10.010(b)(7))

Sec. 114-1032. Limitation on number.

In those districts within which a reduction in total sign area is applied as the number of signs increases, the following exemption is offered. If more than four establishments occupy a single zoning lot, the 20 percent reduction in total sign area shall not apply if all signs are grouped in a single location or are part of a common sign for the entire zoning lot. In such instances, each establishment shall be permitted an additional wall-mounted sign of not more than 16 square feet in area and projecting not more than four inches from the face of the wall or structure of the building.

(Code 1973, § 16.10.010(b)(8))

Sec. 114-1033. Electronic message signs.

Electronic message signs are allowed as conditional uses in the O-I office institutional, B2 community shopping, B3 general commercial, B4 central business, B5 central service, I-1 restricted industrial and I-2 general/industrial zoning districts and are subject to the following requirements and other conditions of approval:

(1) Such signs located in the O-I, B4 and B5 districts shall provide only public service information.

(2) Such signs shall use a maximum of 25 percent of the total allowable sign area of a zoning lot.

(3) No such sign shall project higher than 25 feet above curb level.

(4) A message may not be repeated in intervals of less than four seconds nor last longer than ten seconds. Single-phrase messages may last longer than ten seconds.

(5) No such sign shall be illuminated to a degree of brightness greater than necessary for adequate visibility. Signs found to be too bright will be adjusted.

(6) Traveling message signs are not permitted.

(7) No such sign shall use the colors red, amber, or green or otherwise interfere with the visibility of a traffic signal.

(8) No electronic message sign shall use characters larger than 24 inches high or be longer than 18 feet in length.

(Code 1973, § 16.10.010(b)(10))

Sec. 114-1034. Political signs.

(a) Freestanding temporary political signs may be placed on private property under the following conditions:

(1) Such signs shall be placed subject to provisions of Wis. Stats. § 12.04. **(SEE FOOTNOTE)**

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- (2) No such sign shall exceed 12 square feet in area.
 - (3) No such sign shall have electrical, mechanical or audio auxiliaries.
 - (b) In addition to signs authorized to be placed by subsection (a) of this section, political signs may be placed on nonresidential property if such signs conform to the requirements of subsection (a) of this section, excepting the restriction on size, and if such signs conform to all sign regulations applicable to the property's zoning district or use.
- (Code 1973, § 16.10.010(b)(4))

Sec. 114-1035. Marquee signs, awnings and canopies.

(a) Where limitations are imposed by this chapter on the projection of signs from the face of the wall of any building or structure, such limitations shall not apply to identification, canopy or marquee signs indicating only the name of the building or the name of the principal occupant of the building or the principal product available therein on any marquees or canopies, provided that any identification sign located on a marquee or canopy shall be affixed flat to the vertical face thereof, and provided further that all marquee signs and canopies shall maintain the following clearances:

(1) *Height.*

- a. All marquee signs shall maintain a vertical clearance of not less than 12 feet above grade.
- b. All identification canopies shall maintain a vertical clearance of not less than eight feet above grade.

(2) *Projection.*

- a. No marquee sign shall project closer to a curb line than two feet.
- b. No identification canopy shall project closer to a curb than 12 inches.

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(3) *Illumination.* Unless otherwise under the jurisdiction of a specific design or development review authority as assigned by this chapter, or applicable restrictive covenants, awnings and canopies may be internally illuminated to the extent that letters, numbers and logo cut-outs may be translucent. All other surfaces of the awning or canopy shall be opaque except the soffit portion, if the soffit portion is to be used for down lighting or accent lighting.

(4) *General regulations.* See article VII, division 6, for general regulations pertaining to marquees, awnings and canopies.

(b) Signs on awnings [and] canopies shall be exempt from the limitations imposed by this chapter on the projection of signs from the face of the wall of any building or structure, provided that any sign located on the awning [or] canopy shall be affixed flat to the surface thereof, shall be non-illuminated and shall indicate only the name and/or address of the establishment. By conditional use permit, a logo and/or graphic may be displayed on an awning [or] canopy provided that the logo and/or graphic is no larger than four square feet in total area, and occupies in total area no more than one-third of the awning [or] canopy face. All signs on awnings [and] canopies shall meet all other requirements of article X. No such sign shall extend vertically or horizontally beyond the

limits of such awning [or] canopy; and provided further, that all awnings [and] canopies shall maintain the following clearances:

(1) *Height.* All awnings [and] canopies shall maintain a vertical clearance of not less than seven feet six inches above grade.

(2) *Projection.* No awning [or] canopy shall project closer to a curb line than 24 inches.

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(c) Marquee signs may be permitted only by conditional use permit and in compliance with article X of this chapter.

(Code 1973, § 16.10.010(b)(3); Ord. No. 15-04, pts. 6--9, 4-19-04)

Sec. 114-1036. Portable signs.

Permits for portable signs shall be good for a maximum of 30 days.

(Code 1973, § 16.10.010(b)(9); Ord. No. 3-01, pt. 1, 2-6-01)

Sec. 114-1037. Sandwich board type sign.

One sandwich board type sign per business, regardless of corner lot or interior lot status, may be displayed in the sidewalk area adjacent to the business and shall not require review by a special design review body exercising jurisdiction in a specific area, subject to the following:

(1) The sign shall be submitted to the chief building inspector for review and approval.

(2) The sign shall advertise only goods and services offered by the business whose frontage the sign occupies.

(3) The sign message shall be intended for viewing by pedestrian traffic only.

(4) The sign shall have no moving parts.

(5) The sign shall not be artificially illuminated.

(6) The sign may have no more than two sides.

(7) The sign and supporting structure's overall dimensions shall not exceed a height of four feet or a width of three feet, and the sign's advertising space shall not exceed eight square feet.

(8) The sign shall not block pedestrian or vehicular traffic.

(9) The sign shall not hinder the ability of persons to exit or enter vehicles parked along the curb and shall not hinder exit from or entry to a building.

(10) The sign shall be constructed of finished all-weather materials.

(11) The sign shall not be secured, tethered, or installed on traffic devices, utility equipment, street trees, street furniture, street lights, parking meters, or any other public fixture.

(12) The sign may be on display only while the business is open to the public.

(13) The sign shall be well maintained.

(14) Applicant shall execute a hold harmless agreement with the city.

(15) All appropriate approvals and permits shall be obtained.

(16) Sandwich board type signs permitted by this section are not to be considered when determining other signage allowed by article X of this chapter.

(Ord. No. 10-03, pt. 1, 5-6-03)

Secs. 114-1038--114-1045. Reserved.

FOOTNOTES:

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12.04 Communication of political messages.

(1) In this section:

(a) "Election campaign period" means:

1. In the case of an election for office, the period beginning on the first day for circulation of nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and ending on the day of the election.

2. In the case of a referendum, the period beginning on the day on which the question to be voted upon is submitted to the electorate and ending on the day on which the referendum is held.

(b) "Political message" means a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

(c) "Residential property" means property occupied or suitable to be occupied for residential purposes and property abutting that property for which the owner or renter is responsible for the maintenance or care. If property is utilized for both residential and nonresidential purposes, "residential property" means only the portion of the property occupied or suitable to be occupied for residential purposes.

(2) Except as provided in ss. 12.03 or 12.035 (IRRELIVANT: SEE BELOW) or as restricted under sub. (4), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

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(3) Except as provided in sub. (4), no county or municipality may regulate the size, shape, placement or content of any sign containing

a political message placed upon residential property during an election campaign period.

(4) (a) A county or municipality may regulate the size, shape or placement of any sign if such regulation is necessary to ensure traffic or pedestrian safety. A county or municipality may regulate the size, shape or placement of any sign having an electrical, mechanical or audio auxiliary.

(b) In addition to regulation under par. (a), a 1st, 2nd or 3rd class city, or a town, may regulate the size, shape or placement of a sign exceeding 11 square feet in area. This paragraph does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

(5) (a) The renter of residential property may exercise the same right as the owner to place a sign upon the property under sub. (2) in any area of the property occupied exclusively by the renter. The terms of a lease or other agreement under which residential property is occupied shall control in determining whether property is occupied exclusively by a renter.

(b) The owner of residential property may exercise the right granted under sub. (2) in any portion of the property not occupied exclusively by a renter.

(6) This section does not apply to signs prohibited from being erected under s. 84.30. (NOTE: 84.30 excludes "Urban Areas.")

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History: 1985 a. 198; 1993 a. 246; 2005 a. 451.

12.03 Campaigning restricted. (1) No election official may engage in electioneering on election day. No municipal clerk or employee of the clerk may engage in electioneering in the clerk's office or at the alternate site under s. 6.855 during the hours that ballots may be cast at those locations.

(2) (a) 1. No person may engage in electioneering during

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polling hours on election day at a polling place.

2. No person may engage in electioneering in the municipal clerk's office or at an alternate site under s. 6.855 during the hours that absentee ballots may be cast.

(b) 1. No person may engage in electioneering during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.

2. No person may engage in electioneering during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the municipal clerk's office or an alternate site under s. 6.855.

3. No person may engage in electioneering within 100 feet of an entrance to or within a nursing home or qualified retirement home or community-based residential facility while special voting deputies are present at the home or facility.

(d) This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is parked or operated at a place and time where electioneering is prohibited under this subsection.

(3) A municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation of this section.

(4) In this section, "electioneering" means any activity which is intended to influence voting at an election.

History: 1973 c. 334; 1977 c. 427; 1979 c. 89; 1983 a. 484; 1993 a. 173; 2005 a. 451.

Violators may not be deprived of the right to vote, although penalties may follow. Constitutional issues are discussed. 61 Atty. Gen. 441.

12.035 Posting and distribution of election-related

material. (1) In this section, "election-related material" means any written matter which describes, or purports to describe, the rights or responsibilities of individuals voting or registering to vote at a polling place or voting an absentee ballot at the office of the municipal clerk or an alternate site under s. 6.855.

(2) The legislature finds that posting or distributing election-related material at the polling place, at locations where absentee ballots may be cast, or near the entrance to such locations when voting is taking place may mislead and confuse electors about their rights and responsibilities regarding the exercise of the franchise and tends to disrupt the flow of voting activities at such locations.

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The legislature finds that the restrictions imposed by this section on the posting or distribution of election-related material are necessary to protect the compelling governmental interest in orderly and fair elections.

(3) (a) No person may post or distribute any election-related material during polling hours on election day at a polling place.

(b) No person may post or distribute any election-related material during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.

(c) No person may post or distribute any election-related material at the office of the municipal clerk or at an alternate site under s. 6.855 during hours that absentee ballots may be cast.

(d) No person may post or distribute election-related material during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the office of the municipal clerk or an alternate site under s. 6.855.

(4) Subsection (3) does not apply to any of the following:

(a) The posting or distribution of election-related material posted or distributed by the municipal clerk or other election officials.

(b) The placement of any material on the bumper of a motor vehicle located on public property.

(5) A municipal clerk, election inspector, or law enforcement officer may remove election-related material posted in violation of sub. (3) and may confiscate election-related material distributed in violation of sub. (3).

History: 2005 a. 451.