

ORDINANCE O2023-01-01

**AN ORDINANCE TO AMEND CHAPTER 309 OF THE VILLAGE OF RICHFIELD
CODE OF ORDINANCES RELATING TO “TEMPORARY SUPPORT BANNERS”**

WHEREAS, Andy Kaul and Ryan Butzke, liaisons for the Richfield Youth Baseball and Softball Association, have submitted a request to amend Chapter 309 of the Village Code pertaining to sign regulations; and

WHEREAS, following initiation of the procedures, the Village Clerk properly referred the matter to the Village of Richfield Park Commission for consideration and recommendation; and

WHEREAS, the Park Commission discussed the proposal at their regularly scheduled meeting on December 20, 2022. At the conclusion of the discussion, a recommendation was made to the Village Board for approval of the proposed Ordinance Amendment; and

WHEREAS, following such public meeting and after careful consideration of the Park Commission's recommendations, the Village Board finds that the public necessity, convenience or general welfare requires that the sign regulations Chapter be amended as described herein.

NOW, THEREFORE, the Village Board of the Village of Richfield, Washington County, Wisconsin, do hereby ordain as follows:

Section 1. Amend the definition for “Temporary Support Banner” in alphabetical order in subsection 309-3, titled “Definitions”, of the Village of Richfield Village Code to read as follows:

Temporary support banner means a banner affixed to the outfield fence or backstop of a baseball diamond owned by the Village of Richfield for the purposes of off-site advertising.

Section 2. Amend Section 309-23(E), titled “P-1 Park and recreation districts”, of the Village of Richfield Village Code to read as follows:

E. *Temporary Support Banner.* A person or entity receiving a permit under subsection 309-28 of this chapter to use a municipal ball diamond in a publicly owned park may hang a Temporary Support Banner as authorized by this subsection, upon receiving a permit as required under subsection 309-28 of this chapter. All banners at a facility shall be applied for and permitted to a single person or entity, which will be responsible for oversight of the installation and must meet the following requirements:

a. *Application.* A person or entity applying for a permit under subsection 309-28 of this chapter to use a municipal ball diamond in a publicly owned park must also apply for a supplemental permit specifically pertaining to Temporary Support Banners provided by the Village. Such forms shall require the following information:

1. The name and address of applicant(s).

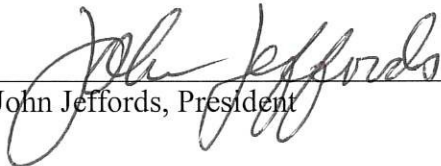
2. The eligible park and ball diamond where the applicant is requesting permission to or has receive a permit to conduct softball or baseball tournaments or other games.
 3. The date or dates the applicant is requesting to or has received a permit to conduct ball games.
 4. The date or dates the applicant is requesting permission to hang one or more Temporary Support Banner(s).
 5. A description of the proposed Temporary Support Banner(s), attaching a photograph, drawing or other reproduction thereof.
 6. The proposed number of temporary support banner(s) to be hung during the date or times listed in the application.
 7. Such other information as the Village Administrator or Administrator's designee may require.
- b. All banners at a facility must all be rectangular in shape, identical in size, no larger than four feet by eight feet and have a uniform, frontside background color of black and a backside color of green.
 - c. Banners shall be capable of being affixed to the [backstop and/or](#) outfield fences located at publicly owned baseball diamonds. Also, [a Temporary Support Banner](#) must be attached to the fence in a way that allows for it to be easily removed and so that the graphic designed side of the banner faces the infield [if placed on the outfield fence and so that the graphic designed side of the banner faces away from the infield if placed on the baseball diamond's backstop](#).
 - d. Banners shall only be permitted to display the company logo and two lines of text.
 - e. No more than [nine 11](#) banners shall be allowed [on the outfield fence and one \(1\) banner shall be allowed on the backstop](#), per baseball field.
 - f. Banners shall only be permitted between May 1st and October 31st. Banners must be removed by the date listed on the temporary sign permit.
 - g. Banners are excluded from private property.
 - h. The Village may remove banners upon any damage occurring to them and must be replaced by applicant with identical banner within 10 regular business days. If, in the opinion of the Village Administrator or the Administrator's designee, the Temporary Support Banner posted at an eligible ball diamond under this ordinance becomes unsightly due to the failure of the applicant to maintain the banner, or the banner poses a threat to persons or property, the Village may take such steps as the Village Administrator deems necessary to maintain or remove the banner. The applicant shall be responsible for any costs incurred by the Village under this subsection, which may be collected upon notification to the applicant.
 - i. *Revocation*. The Village Administrator or the Administrator's designee may revoke any permit authorized under this section and subsection 309-28 of this chapter for any of the following reasons:
 1. Violation of any of the conditions of approval for the permit.
 2. Revocation of the permit issued under subsection 309-28 of this chapter.
 3. Violation of a Village Ordinance or State Statute.
 4. Failure or refusal of the applicant to pay any amount due or billed under subsection 309-28.

- j. *Approval.* The Temporary Support Banner(s) must not only conform to all the rules and regulations of subsection 62.04(D)(5), but must also be in conformance with the rules and regulations of the Village of Richfield's advertisement policy.
- k. Banners must conform to the wind pressure and construction standards laid out in subsections 309-15 and 309-28(J) of this chapter.

Section 3. This ordinance shall become effective upon passage and posting.

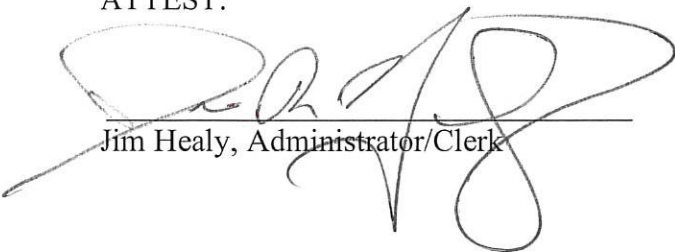
Section 4. Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Passed and adopted this 19 day of January, 2023



John Jeffords, President

ATTEST:



Jim Healy, Administrator/Clerk