

**MEETING NOTICE
VILLAGE OF OSCEOLA
HISTORIC PRESERVATION COMMISSION**

Date: January 22, 2025
Time: 4:00 p.m.
Place: Village Hall, Rm 105, lower level

AGENDA

- 1) Call to Order
- 2) Approval of Agenda
- 3) Approval of Minutes
 - a. November 26, 2024
- 4) General Business
 - a. Review Chapter 5 on Wisconsin Historic Preservation Commission Training
 - b. Continued discussion on Public Art Ordinances
- 5) Future agenda items and updates
- 6) Adjourn

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Meetings may be recorded for public viewing and record retention.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Village Hall at (715) 294-3498.

VILLAGE OF OSCEOLA
HISTORIC PRESERVATION COMMISSION PROCEEDINGS
November 26, 2024

The Historic Preservation Commission of the Village of Osceola met in person on November 26, 2024. Chair Burch called the meeting to order at 4:30 p.m.

Present: Dan Lorenz, Perry Rice, Van Burch and Allana Clymer
Absent: Jerry Viebrock
Others Present: Devin Swanberg, Carie Krentz and Wyatt Yager

Approval of Agenda

Motion by Rice and second by Lorenz to approve agenda.

(Vote: Yes-3, No-0, Motion Carried)

Approval of Minutes

Motion by Lorenz and second by Rice to approve September 24, 2024 meeting minutes.

(Vote: Yes-3, No-0, Motion Carried)

General Business

Review and Discuss Chapter 4 of WI Historic Preservation Commission (HPC) Training

Clymer arrives at 4:32 pm.

Rice highlights Chapter 4 Starting a Preservation Commission, which we have. Our Commission is an advisory board but Village Board has final approval with an appeal process if necessary. Currently the commission has no budget and if we would like that, should work on before budgeting time to request funds for training, printing, office supplies. Talked about basic training, create booklet for new commission members, guidelines for developments within the historic district and a funds for an architect as a member. Wrapped up with working with students from area colleges. Swanberg stated this chapter shows areas HPC can improve and work towards. An area to discuss would be what is a sign, structure, colors acceptable and for what.

Discuss and review Public Art Ordinance

Members all agreed ordinance in packet was a good first start but felt that it need to be expanded. Beginning with Section 2, Public Art – a clearer description for applicants and the commission for reviewing what is public art. Section 2, Heritage of the Community, not all members agreed traditions – not all traditions are a good thing. Villages heritage would be lumbering, milling, early days of airport, etc. Swanberg stated that ordinances are not specific on purpose and discussion on definitions within ordinance. To change or update an ordinance takes multiple meetings and time. Section 3 – need to create an application and state that in the ordinance. The application should have more defined criteria for applicant and for the review of the application. Swanberg stated staff will check current ordinance and mirror that for the one. Discussion on detailed description of artwork and medium and Swanberg feels less is more. Rice reviewed the remaining ordinance and discussion on Section 6, exemptions.

Yager stated the Village has been a Mainstreet for 27 years and has access to multiple resources, such as mural tool kit, templates, artist release forms and maintenance forms, and will share resources with commission. Also stated there are multiple businesses in the historic district that have expressed interest in putting up a mural.

Future agenda items and updates

Yager will provide items for members to use when creating Public Art Ordinance.

Read Chapter 5 before next meeting.

Swanberg will work on ordinance in packet with information discussed.

Chair Burch adjourned the meeting at 5:29 p.m.

Respectfully submitted by
Carie A. Krentz, Village Clerk

Chapter 5: Preservation Commission Operations

Preservation Commission Meetings and Bylaws, Chapter 5: Preservation Commission Operations

Commission meetings provide a venue where meaningful decisions can be reached. It is largely through public meetings and hearings that community members develop perceptions of their local historic preservation commission.

The key factors in holding effective meetings and projecting a positive public image are:

- Preparedness
- Attention to detail
- Consistency
- Decorum
- Communication
- Impartiality
- Fairness

Before Your Meeting

Be Prepared

Before a meeting takes place, make sure you are prepared. This includes being familiar with applicable laws, rules, and procedures; the commission's bylaws; local design guidelines and their criteria; your local preservation ordinance; and any other law or statute that affects the commission's business and actions. When possible, members should visit the property(ies) to be discussed to be familiar with its setting and details. If commission members visit a property as a group, the laws of public notice might apply.

Know Your Open Meeting Laws

Commission members must be careful to comply with any "sunshine acts" that apply to their community. These statutes define what constitutes a meeting and require that every portion of an administrative agency and legislative meeting be open to public observation with certain exceptions. Often a meeting is defined as any gathering of a given number of members where the group's business is discussed. Public notice of any such defined meeting must be given. Check with your commission's or municipality's counsel to know what laws apply to your commission.

Establish Written Bylaws and Procedures

Although bylaws are not technically required for most commissions, the creation and adoption of commission bylaws and rules of procedure are highly recommended to regulate the commission's affairs and actions. Adherence to commission bylaws results in consistency and fairness. In addition to the election of officers, matters that need to be addressed include determining who will coordinate and contact city staff regarding the commission's activities; the keeping and publishing of minutes; meeting dates, times, and location; meeting procedures and formats; and setting agendas. In establishing these

policies, the commission should review and comply with the local government procedures concerning public notices of meetings, mailings, and other issues.

A review of [Robert's Rules of Order](#) will help commission members to be familiar with how to properly conduct a public meeting. Robert's Rules of Order is a well-known and recognized manual on parliamentary procedure. The handbook serves as a guide to running meetings effectively and fairly and is used by a wide variety of organizations, clubs, and other groups. Originally published in 1876, the book is now in its tenth edition and remains the dominant authority on conducting business at meetings and public gatherings. Robert's Rules of Order provides rules for making and voting on motions, proper protocol for discussions, and other important elements of meetings. Following these rules helps to ensure that everyone is heard and that decisions are made without confusion. It is wise for commission members to obtain a copy of this handbook and have a good working knowledge of how it applies to their operations.

Set an Agenda

Having a good agenda helps the meeting stay focused and run more efficiently. Common elements include basic information such as the name of the group and its chairperson; the time, date, and place of meeting; and items to be considered and those responsible for presenting them. Identify items that will require action and those that will be open for discussion only. Action items should be addressed first, with issues addressed in order of importance or urgency. The agenda and any relevant background materials should be distributed ahead of time to participants.

Prepare the Setting

Make sure the room in which the meeting will take place has sufficient resources and is ready to go. Avoid rooms that are too big or too small for the anticipated number of attendants, and make sure there is adequate seating. Seating arrangements should enhance communication and involvement. A common arrangement is to have commission members sit in a semicircle facing public attendants. Make sure all necessary equipment, such as audio or video equipment, is present and in working order. Ensure that lighting and sound settings are appropriate. The room arrangement should be professional but not intimidating. Property owners are often wary of facing a commission. Examine ways to place the applicant at the same height level as the commission, and remove extra tables, desks, or other objects that stand between the commission and the applicant. Keeping applicants at an unreasonable distance from the commission can also make for an intimidating experience. Applicants are your neighbors and should be treated as cordially as possible.

During Your Meeting

Set the Tone

Start the meeting on time and project a positive, businesslike attitude. Thank the applicants for their time in coming before the commission and recognize how important their work is to better the community. Speak clearly and confidently, and avoid use of jargon and acronyms. Nervousness and uncertainty are easily noticed and give a perception of disorganization and arbitrariness. Begin the meeting by introducing commission members and summarizing the agenda. Take care of legal, record, and housekeeping issues such as the presence of a quorum, statement of applicable rules, whether requirements for notices have been met, and approval of previous meeting minutes.

Facilitate Communication

Throughout the meeting, the chairperson of the commission will lead the process and serve as a moderator. He or she should have knowledge of the rules and procedures. The chair's primary job is to facilitate communication. The chair must ensure that all participants have an opportunity to be heard, maintain decorum, and anticipate and diffuse emotional buildups. He or she will need to clarify and summarize issues and help separate facts from opinions.

Consider Applications Thoroughly

Make sure that both proponents and opponents have an opportunity to present their cases and time for rebuttal. Allow all parties to express their views. Thoroughly discuss the project — listen carefully, and ask questions to clarify issues. Make sure all required documentation is in order. Study the facts of each case and consider factors such as cost, practicality, effectiveness, and enforceability. Develop a consensus if possible, and call for a vote after all discussion is finished. Once a decision has been reached, it should be clearly stated along with the rationale behind it. Summarize the evidence, recount the standards that applied, and state why the commission is taking the action.

Conclude the Meeting

After action items have been addressed, the commission can then move on through remaining matters on the agenda. As the meeting reaches a close, it is a good idea to summarize what actions were taken and let participants know what will happen next in the process. Always close the meeting by thanking all participants and attendants.

After Your Meeting

Distribute Minutes and Follow Up

Make sure that detailed minutes of the meeting are produced and made available in a timely fashion. All meeting documents, including the agenda, minutes, and supporting documents, should be kept together and archived. Follow up on any necessary action, such as issuing a Certificate of Appropriateness (COA).

Communicate with the Public

Maintain good public relations and communication by keeping the public informed of the meeting's discussions and actions. Consider publishing summaries of the meeting in newspaper articles and on the commission's website.

Review, Reflect, and Provide Ongoing Training

Conduct a review of the meeting and the board's performance to determine what went well and where there is room for improvement. Strive to keep all commission members informed and productive by providing regular, ongoing trainings and up-to-date educational materials.

Preservation Commission Work Plan, Chapter 5: Preservation Commission Operations

Once each year, a preservation commission should formulate a plan of action for the next year. This plan should reflect the preservation interests and goals of the community and consider available resources.

It is a good idea for a commission to prepare two work plans — one that addresses short-term goals, and another for long-term objectives. All work plans should identify a timeline and assign responsibility for each work item.

Creating a Work Plan

A commission work plan should be kept brief and simple with specifically stated end goals. The objectives of a newly formed commissions often include the following:

- Inform and educate the public about the commission and its role, historic preservation issues and concerns, and the benefits of historic preservation to the community. This can be accomplished through promotional materials such as brochures, or PowerPoint presentations, public workshops, or other activities.
- Educate commission members about preservation topics and issues, such as identifying threats to historic properties, evaluating properties for historic significance, and creating incentive programs for rehabilitation.
- Initiate surveys of the community to identify significant historic properties and potential districts.
- Determine the criteria and procedures to be used for designation of a local landmark and a historic district, and set priorities for designation.
- Create design guidelines.
- Develop an awards program to recognize and honor local historic preservation efforts.
- Prepare a budget and identify requests for funding.

Example of an Annual Commission Work Plan

Here is an example of a preservation commission's annual work plan:

1. Adopt the preservation plan as the city's official historic preservation policy, and incorporate appropriate recommendations into the city's comprehensive plan.
2. Provide copies of the preservation plan to city departments, commissions, and county and regional planning agencies, accompanied by a notice that it represents the city's official historic preservation policy.
3. Provide copies of the plan for distribution to the general public, including the public library, historical society, and other entities, accompanied by a notice that it represents the city's official historic preservation policy.
4. Identify locations where materials and brochures, such as a walking tour of the historic town square, can be made available to the public, including downtown businesses and the public library.
5. Amend the preservation ordinance to better facilitate the nomination of local landmarks, historic districts, and neighborhood preservation districts.
6. Send a letter of introduction to owners of properties listed in the recommendations section of the plan for National Register and State Register listings, including any survey forms on their property, information about relevant programs, and materials on financial incentives, as may be applicable; distribute a similar packet of information to local realtors and owners of listed properties.
7. Distribute copies of all completed architectural/historic survey forms to the present property owners of those documented properties.
8. Pursue National Register and State Register listings for properties that have owner support.
9. Create a neighborhoods committee, with liaisons from each of the city's neighborhoods, to work with the commission to develop some educational actions.

10. Initiate the development of a historic preservation resource section in the public library that includes information on the commission, the designation process, copies of all historic resource surveys, technical preservation resources, and other preservation-related materials.

Preservation Commission Record-Keeping, Chapter 5: Preservation Commission Operations

Keeping accurate and complete records is essential to effective commission operations. Meeting minutes are crucial administrative records that serve as evidence of the commission's deliberations and decisions.

Many commissions now record their meetings with either audio or video equipment. While this is a good practice and creates a more complete public record, a written record is still necessary. Written minutes continue to be the primary record and are referred to if the commission's decisions are ever called into question.

Contents of Meeting Minutes

Meeting minutes need to be prepared according to adopted policy and include the following elements:

- Date
- Identification of administrative body
- Full address of meeting location
- Names of members and staff in attendance
- Existence of a quorum
- Name of the chairperson
- Corrections and adoption of previous meeting minutes
- A clear statement on each separate item discussed or acted upon
- Name of the person who prepared the minutes

Online Posting of Meeting Summaries

Commissions should consider posting summaries of their meetings on an official website, either that of the commission or of the local municipality. The internet has become a favored means of accessing information and is readily accessible to almost everyone through schools, local libraries, and home computers. Commissions should take advantage of this inexpensive tool to effectively reach and inform the public.

Posting summaries of each commission decision quickly and effectively disseminates information and educates citizens on historic preservation issues, which will help the commission project a positive public image. As in the meeting, commission decisions posted online should include clear explanations of the rationale behind each decision and the criteria applied.

Paper Files

It is also important for commissions to place its minutes and other documentation, such as maps of local historic districts, copies of publication notices, and letters to property owners, in adequate working files. Maintenance of such files in a designated location is important. Often commission offices are moved from one location to another, and files can be misplaced or even lost.

Lost files can be detrimental to a commission if its actions are challenged and it does not have ready access to files that can support its decisions.

Designing Landmarks and Creating Historic Districts, Chapter 5: Preservation Commission Operations

A historic preservation commission has two key responsibilities:

- Designate (or recommend the designation of) properties as local landmarks
- Create local historic districts

A property receives a landmark distinction because of its importance to the community based on its historical, architectural, archaeological, engineering, or cultural significance. A historic district is a geographically defined area in a community that contains historic sites, structures, or buildings.

Designating a Landmark Property

Prior to designating a property, the commission must first have in place specific procedures and processes for nominating properties and established criteria by which to judge the nomination. Many of these procedures and processes will be set forth in the community's historic preservation ordinance. However, the commission will likely expand upon these basic guidelines and create additional materials to provide further guidance. Typically, communities use criteria similar to that used in nominations to the [National Register of Historic Places](#).

Citizens as well as commission members should be able to nominate properties. To be fair and impartial, the nomination process needs to be fully open to the public. Public hearings on the nominations should be scheduled, and owners should be notified in a timely fashion. The commission should only proceed with individual designation if the property owner approves or if a majority of property owners approve within a proposed historic district.

In 2015, Wisconsin Act 176 was passed which requires that all decisions of the commission have an appeal process for the property owner. These appeals typically go before the City Council, Town Board or County Board depending on which jurisdiction is covered by the ordinance.

Creating a Historic District

While National Register criteria is a good place to start, a commission will want to consider its community's unique character and needs when creating criteria for its local historic districts. Often the criteria for local districts will be more lenient than National Register district criteria, which enables more properties to be included and provides a wider amount of protection to historic resources.

When creating a historic district, it is important to get a head start on public education and support on the issue. Too often, commissions conduct their planning process in an isolated fashion and address the public only when they are about to execute a project. In the meantime, neighborhood rumor mills have been hard at work churning out misinformation about what is going to happen in their area:

- "They'll tell us what colors we have to paint our houses."
- "You won't be able to put on that addition you were planning."
- "Our taxes will go up and our property values will go down."

As a result of these rumors, owners may be convinced that their property rights are being violated, and fear and anger may rule the day.

To avoid this situation, it is imperative that the commission, along with any local preservation organization, embark on an educational and advocacy campaign well in advance of initiating a district designation. Here are some ideas:

- Hold public meetings and workshops to inform owners and residents what living in a historic district entails and show them the value of preserving their neighborhoods.
- Give them facts and details about the positive economic benefits of historic preservation using examples from other areas.
- Show them that they have a vested interest in preserving their neighborhoods.
- Develop good public relations strategies. Have positive articles in the local press, speak at local club and organization meetings, develop a positive slogan or motto and use it extensively.
- Communicate with public officials to keep them informed of the benefits of historic preservation and educate them about the role preservation can play in the community.

Designing Conservation Zones, Chapter 5: Preservation Commission Operations

An alternative to traditional historic district designation is to establish a conservation zone or district. Conservation zoning has been applied in historic neighborhoods across the country but has had limited usage in Wisconsin.

Conservation zoning should be considered by commissions as an available tool for protection and preservation of areas that may not qualify as historic districts or where public support for historic districts is lacking.

Criteria

Conservation zones are often applied to areas that may not fully meet the criteria for a local historic district, but where residents wish to control undesirable growth, changing land uses, and/or incompatible new designs. Conservation districts have also been approved for a number of low- to moderate-income areas.

Conservation zoning is sometimes a more attractive option for a neighborhood than historic district zoning. Conservation zoning requires review of only three design elements:

- New construction
- An addition to an existing property
- Demolition

Advantages and Disadvantages

The advantage of conservation zones is that they may generate more public support than historic districts because of the lower level of review. Such zones may also be more applicable to neighborhoods where much of the historic fabric has been compromised but interest remains in having compatible new construction.

The disadvantage of conservation zones is that this designation offers no review or enforcement for overall building rehabilitation. Within conservation zones, property owners can still apply synthetic sidings, replace original windows, and remodel porches without review. However, in most conservation zones, property

owners seem more willing to pursue appropriate rehabilitation than in similar areas that are not designated as conservation zones.

Protecting Archaeological Sites, Chapter 5: Preservation Commission Operations

Archaeological sites are primarily protected at the federal level, so traditionally local commissions have had little authority over these historic resources. However, concern about archaeological sites is growing, and many commissions are increasingly being called upon to protect them.

Including Archaeological Sites in Preservation Planning

To better protect archaeological sites, commission members should include these sites in the community's preservation plan. Archaeological site protection should also be included in land use plans and zoning, development, and building permit processes.

Commission members should consult a professional archaeologist to develop the archaeological component of the preservation plan and public policies affecting archaeology. If your commission anticipates dealing with archaeology on a regular basis, it should seek a professional archaeologist to serve as a commission member.

Tips for Considering Archaeology in Planning

- Protect archaeological sites through local registers and historic districts
- Include an inventory of known archaeological sites in your preservation plan that contains information for judging the probability of the presence of sites as well as criteria for determining their significance
- Clearly define the review process concerning archaeological sites and stick to the established procedures so developers are less likely to make the process more difficult
- Require any projects concerning archaeological sites that come before the commission's review to be conducted by a qualified professional archaeologist
- Address the archaeological review of site development as early as possible to avoid delays
- Make sure enforcement rules are clearly defined and effective, and consider adding a clause that states, "No permits will be issued until an archaeological report is reviewed and approved"

Village of Osceola, Wisconsin

Public Art Ordinance Historic Preservation District

Section 1: Purpose

The purpose of this ordinance is to enhance the cultural and aesthetic environment of the Village of Osceola through the inclusion of public art within the Historic Preservation District. Public art, such as murals and other artistic displays, should reflect the heritage and identity of the community, contributing to the preservation and celebration of Osceola's unique character and history. The Historic Preservation Committee encourages artwork that depicts significant aspects of the village's heritage, including the history of lumber mills and milling industries.

Section 2: Definitions

- **Public Art:** Any artwork, including but not limited to murals, sculptures, and installations, that is displayed in outdoor public spaces, particularly within the Historic Preservation District.
- **Heritage of the Community:** Cultural, historical, or natural elements that are significant to the history, traditions, and identity of the Village of Osceola.
- **Historic Preservation Committee:** A designated group responsible for overseeing the preservation and enhancement of the historic character within the district.
- **Medium:** The materials or methods used by an artist to create a work of art, including but not limited to paint, metal, wood, stone, and mixed media.

Section 3: Approval Process

1. Submission of Proposals:

All public art proposals intended for installation in the Historic Preservation District must be submitted to the Historic Preservation Committee. Proposals shall include:

- A completed Public Art Application form, available from the Village Clerk.
- Detailed description of the artwork, including size, location, medium, and installation method.
- A statement explaining how the artwork represents the heritage of the community.
- Artist's qualifications and previous work.

2. Application Submission:

The completed Public Art Application and all required materials must be submitted to the Village Clerk's office for processing and forwarding to the Historic Preservation Committee.

3. Review and Approval by Historic Preservation Committee:

The Historic Preservation Committee shall review proposals based on the following criteria:

- Relevance to the heritage, culture, and history of the Village of Osceola, with a preference for artwork that depicts the village's historical industries such as lumber mills and milling.

- Compatibility with the architectural and historic character of the surrounding area.
- Artistic merit and aesthetic quality.

The committee may approve, deny, or request modifications to the proposal to ensure it aligns with the goals of the Historic Preservation District.

Section 4: Maintenance Requirements

1. **Lifespan and Maintenance:**

Public art must be maintained for the life of the artwork. Maintenance includes regular cleaning, repair of any damage, and restoration if necessary, to preserve the appearance and integrity of the piece.

2. **Responsibilities:**

The property owner or sponsoring organization is responsible for the ongoing maintenance of the public art. A maintenance plan must be submitted as part of the proposal process, outlining the expected lifespan of the artwork and how it will be cared for.

3. **Alteration or Removal:**

No public art within the Historic Preservation District may be altered or removed without the approval of the Historic Preservation Committee. If removal is necessary due to damage or other factors, efforts must be made to replace the artwork with a new piece that continues to reflect the heritage of the community.

Section 5: Compliance and Enforcement

Failure to maintain public art as outlined in this ordinance may result in penalties, including fines or removal of the artwork. The Historic Preservation Committee is authorized to enforce compliance with this ordinance and may take necessary actions to ensure that public art remains a vibrant and integral part of the Historic Preservation District.

Section 6: Exemptions

Public art that predates the enactment of this ordinance shall be exempt from the approval process but will be subject to maintenance requirements as specified in Section 4.

Section 7: Effective Date

This ordinance shall take effect upon its passage and publication.

Why Murals?

The presence of murals and public art in a community achieves several purposes. Visual art not only adds a pop of color and dynamism to a district, but also expresses community values, helps with wayfinding, and creates opportunities for engagement.

Public art can take a wide variety of forms, but murals are often seen as the 'crayons of public art', meaning that they are approachable, easy to incorporate in the existing environment, and cost-effective to create.

Community Identity

Many murals showcase the history of a community or reinforce its identity. The process of identifying themes, reviewing artist submissions, and developing interpretive tours of public art can all help to educate and inform residents and visitors about the community's important historic and cultural assets.

Showcasing Regional Talent

Murals create a highly visible platform for showcasing regional talent. Through the addition of art, the community is exposed to various artistic styles and artistic talent from the region.

Improved Wayfinding & Engagement

Murals enhance the public environment and provide a series of landmarks for navigating a district or community. The presence of multiple murals can serve as a tourist draw, encouraging visitors to explore a district, boosting foot traffic and consumer spending.

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Eau Claire, "Color Block Project", by Alexis Fink



Community Arts Partners

Great art doesn't require formal organization. However, establishing organized and coordinated public art programs is useful for creating purposeful and lasting installations. Having a structure around art initiatives avoids common challenges that arise from ad-hoc installations, ensures district cohesion and provides structure for ensuring quality installations. Some options for forming such programs include;

Community Partnerships

An active downtown organization or chamber may be well-suited to encourage and coordinate businesses and property owners interested in public art projects. They are often well-positioned to support (or even fund) art projects while ensuring that proposals meet municipal requirements.

Arts Related Organizations

Nonprofit arts organizations support and foster a strong arts community. Such organizations can coordinate arts programming and events in addition to advising on municipal projects. Their involvement helps to engage local artists and ensure high quality durable pieces. The Arts Alliance of Greater Lake Mills, Whitewater Arts Alliance, Chequamegon Bay Arts Council, and CREATE Portage County are all great examples.

Community Foundations

Community foundations can be a good incubator for nonprofits. Foundations also offer legitimacy and a financial platform for your project. Registering and applying for organizational nonprofit status takes time, so support from community foundations can help newly formed organizations gain traction.

Public Art Commissions

Public art commissions are the most formal mechanism for coordinating public art. This model is especially useful if the community intends to install multiple public arts pieces in public spaces over time, or has an interest in shaping arts content to reflect the community's brand. Communities with commissions include Rhinelander, Kenosha, Platteville, Waukesha and Waupaca.

Case Study: Waukesha Public Arts Commission



*Waukesha, "Waukesha Strong".
Christina Dreyer and Jessica Stahl.
Mural memorializing the 2021
Christmas Parade Attack victims.*

Waukesha's public art commission is made up of one city staff member, one alderman, and eight at large members. The commission is responsible for planning, coordinating and making formal recommendations on art installations.

The commission helps to ensure that installations include appropriate content, feature durable materials, and meet zoning guidelines. It responds to individual art proposals as well as issues requests for proposals for public space enhancements. Recent pieces were commissioned for the city's 125th anniversary and as a parade victim remembrance mural.

Artwork in the public realm is officially acquired by the city when installed to avoid copyright issues and ensure future maintenance. New artwork also includes a 10% allocation towards a maintenance fund.

*Watertown, "Willkommen in
Watertown" by Sherry Ertl*



Selecting Locations

Murals can either be approved individually based on the interest of sponsoring businesses and property owners or placed intentionally as part of a larger public art plan. Both approaches have advantages and disadvantages.

Individual Installations

Allowing businesses and property owners to take the lead on developing and paying for murals requires less public costs, reduced lead times and can provide greater diversity of art. However, individual installations may not be evenly distributed throughout the districts, may be incompatible with adjacent installations, and may not always display similar quality design or materials.

Even if murals are largely privately initiated, it is still appropriate for the municipality to review and approve the location, content and installation under a public art or signage ordinance.

Coordinated Mural Installations

A publicly-led arts program works with one of the organizations identified previously to identify desirable locations, secure property owner and City permissions, determine the nature of content, ensure quality art and materials and engage the arts community in soliciting and selecting art.

Initial steps for launching a district-wide art plan include:

- Create a list of publicly owned spaces or agreeable private property owners. Identify those spaces that would have the biggest visual impact on the district and are equitably distributed. Buildings in poor condition may need repairs before art can be added, depending on the type of installation.
- Identify a general set of themes or messages that are appropriate for your community (i.e. history, nature, local culture), but resist the urge to micromanage the process. Let the artists be inspired by the community and site(s).
- Incorporate public engagement into the process by allowing nominations for art locations, creating an open RFP process, accommodating public input in the selection of final art, including one installation with paint-by-number segments for community paint days, or by building an event around the installations (such as Wausau's Art All Around) and/or creating a walking tour of public art.

Case Study: Sheboygan

The City of Sheboygan, in partnership with the John Michael Kohler Art Center, invited residents to list the 'least aesthetic' places around the city and then solicited art submissions for installation in these areas. This resulted in murals in unique places including gazebo ceilings and underpasses.



Sheboygan, Mural located under a bridge. Gaia

Avoid Painting Historic Brick

While murals add vitality to a blank wall, paint can also prevent natural brick from shedding moisture, creating structural problems in the future. If historic brick is unpainted, it's best to install murals on mounted panels or vinyl cling rather than painting directly on the building. These methods also eliminate the need for tuck pointing and reduce future maintenance as they can be removed when they begin to fade. It is appropriate to paint on already painted historic brick, cement block or newer brick.



Sheboygan, Mural located at an underpass. Chris Stain

Site and Material Options

While the traditional painted wall mural is what many envision when they think of downtown art, there are options for sites and materials.

Site Details

Before beginning a mural project, take inventory of the site(s) being considered for art installation. Aspects of the site that will inform the type of installation and materials best suited to the space.

- Site materials—wall material, condition, and age
- Site lighting- natural sun exposure, nighttime lighting
- Mural size—will it require lifts to install?
- Mural materials—paint, mosaics, panels, vinyl
- Adjacent surfaces/uses—Is the ground level? Will installation require an easement? Is there a road or parking lot adjacent that creates safety concerns for people viewing or photographing the mural?

Material Selection

Paint applied directly to the wall is the traditional method of mural installation. Painting is fun to watch and relatively inexpensive. While historic murals had a long life, lead paint led to much of that staying power. Today's murals will show their age in 5-10 years depending on exposure to the elements.

Painted murals often require the use of lifts and good weather over a multi-day period for the artist to complete the work. Brickwork must be in good shape and recently tuckpointed, and painting previously unpainted brick runs the risk of creating moisture issues in the building.

Vinyl Wrap Vinyl is a newer installation method for murals. Most sign companies can print onto vinyl. A vinyl mural can be applied directly onto a building. The cost of vinyl is comparable to that of paint, but it is an option on deteriorated brick, and takes less time to install. Using vinyl also opens up artistic options, since small scale paintings or drawings can easily be blown up into larger works, allowing more artists to design murals. Vinyl is designed to be easily removeable in the future, preventing future maintenance issues, and is appropriate for unpainted historic brick structures.

Mounted Panels Mounted panels involve artwork printed or painted on panels and mounted directly onto a building, or on supports in front of a building. Mounted panels allow artists to paint without a lift in a climate controlled space, can be relocated if needed, and are useful when wall materials are uneven or poorly maintained.

Case Study: Three Lakes, Digital Restoration



The mural of 13 historic downtown buildings was painted in 2003. It greatly deteriorated after 20 years to the point where restoration wasn't possible.

The community came together and fundraised for the needed repairs via an online campaign and a spaghetti dinner.

A new digital high resolution photo of the mural was made by Skip Wager (pictured here) and printed on a sign with more protective UV coating. This new print was installed over the deteriorated mural, thus preserving the image for the future.



Downtown Development Toolkit

MURALS

Fundraising for Your Project

Even if a project will be fully funded by a private property owner, it's important to ensure there are adequate funds to pay for art design, purchase rights to the art, make needed building improvements, fund insurance and equipment for the installation itself, and include a future maintenance reserve.

Public art projects rely on a mix of private and public contributions, local grants and crowdfunding. Murals can also incorporate fundraising elements, such as purchasing a relative's 'face' on a mural depicting historic characters, or the ability to paint a section of a paint-by-number mural.

Many communities specifically encourage new developments to include public art elements, or even require they invest 1% of development costs in art (referred to as Percent for Art programs).

For larger community mural projects, or art associated with other larger community initiatives, some larger grant funds may be available, including the following:

[Wisconsin Arts Board Grants](#)

The 'Creative Communities Grants' encourages community arts development.

[WEDC Community Development Investment Grant](#)

This grant funds redevelopment projects and a portion of the funds can be used to create public art associated with the project.

[AARP Community Challenge Grants](#)

The 'Flagship Grants' are for projects creating for vibrant public spaces. Open to non-profits and government entities

[National Endowment for the Arts](#)

This federal agency offers grants and initiatives to increase access to the arts across the United States.



Case Study: Viroqua, "Spring Ephemerals"



Viroqua, "Spring Ephemerals", An image of the Smockettes in front of the mural they painted

In 2023 the Smockettes (Stella Greendeer, Anna Kimm, and Natalie Hinahara) wanted to help create a mural in downtown Viroqua. Their group had a name but no organization, so they partnered with their the Viroqua Area Foundation, to make resident's donations tax deductible.

In the process of fundraising the Smockettes aimed to set aside money to start a public arts fund for future projects.



Viroqua, "Spring Ephemerals", by the Smockettes

Belleville, This sign builds excitement about the project while also fundraising for the coming mural.

Requesting and Reviewing Proposals

Artist Selection Process

The process used to solicit and select an artist and/or artwork sets the stage for project success. There are several strategies for soliciting and selecting art, including:

- Open Response —Allowing anyone to apply for a project is a great way to promote community involvement and encourage greater diversity of talent. However, more entries require a lengthier review process, and without clear parameters for selecting the finalist, more qualified artists may elect not to participate.
- Invitation— Identify and invite qualified artists to submit proposals or designs. Limited applicants mean faster selection, focusing on achieving a specific style or caliber of art.
- Direct Selection—Commissioning a particular artist with a style that matches the project goals to develop a piece for the specific site will ensure a desired style or concept is executed, and allows for the possibility of multiple design choices or iterations to select from.

Regardless of the selection process used, consider offering a stipend to cover materials, either to all invited artists, or to a short list of artists asked to further develop their proposed concepts. This demonstrates to artists that you value their time and expertise.

Case Study: Ashland, Mural Sponsorship

Ashland Wisconsin has numerous historic murals in downtown. To fund these projects, some of the faces on these murals are available to sponsor. This investment is a way for supporters of the art to honor friends, family, or deceased family members. This creates fundraising opportunities and connects community members to the project.



From Left to Right, Florence Dufek Larson, Priscilla Percy Muse, and Delores Larson Vranes. Sue Martinsen

The Waitresses Mural

This mural of Florence Defek Larson was commissioned by the building owner, whom Florence raised. After Florence passed away a photo of Florence with two other women working as waitresses was discovered and inspired the final mural design.

Additional Resources

[How to Budget for your Project](#)
[Waupaca Mural Budget Example](#)



Ashland, 'Woman's Mural displays different woman of the past who shaped the community'. Sue Martinsen

Elements of a Request for Proposals

A request for proposals (RFP) usually has two parts. The first is information requested of the artists.

Artist Qualifications

Images, descriptions and budgets of past relevant work. This can also be demonstrated through resumes and references.

Designs

Requests either partial or full concepts developed for the project site. Requires an outlay of time on the part of the artist, so may also include a stipend.

Willing to Collaborate with the Committee

The selected artist(s) will work with the committee/property owner to develop a concept for the site

The second part provides relevant information to artists.

Site Description

The request should include information on the site(s); location, dimensions, installation type and timeline.

Budget & Requirements

Provide detailed project budget and logistics, including allowance for artist's fee, travel, installation costs, timeline, insurance requirements, and provision of scaffolding, lighting, signage, or any other necessary items.

Selection Process

Be clear about how the artist will be selected for the sites. Include information about the review criteria, what individuals comprise the committee, and the timeline for review and selection.

The Application

Requirements

A clear list of requirements helps standardize the application review process. Consider requesting the following

- Letter of Interest
- Professional Resume
- 3 Professional References
- Digital images of previous artwork
- Description of previous project experience
- Project Proposal (If Applicable)

Specify deadline for application, announcement of winners, and project timeline

Submission—at least 8 weeks
Assemble a diverse commission to vote on art. Have an odd number of people to prevent ties.



Green Bay, "The Lion Mural", by Beau Thomas

Additional Resources

[De Pere—Call For Artists Example Beyond Paint](#)

Beyond Paint

Murals can also be created with ceramic, glass, wood, and other materials. When creating the RFP consider being open to other materials if appropriate. Maslowski Beach Artesian Well in Ashland, is composed of glass pieces.



Ashland, "Maslowski Beach Artesian Well". By Rose Spieler and Mae Stoutenburg

Artist Contracts

Artists Contract Elements

Once an artist is selected, it is essential that a contract be signed that outlines the project requirements and expectations, as well as issues related to future rights and use of likeness.

Artists, by law, have life-long rights to their work. The Visual Artist Rights Act (VARA) of 1990 is a federal law that protects the rights of the artist in relationship to their physical art. If these rights are not upheld, VARA gives artists the legal right to sue and/or collect financial damages if the art is destroyed. These rights include:

- Right to claim authorship and use the likeness in other work.
- Right to prevent distortion, mutilation, or modification that would prejudice the author's honor or reputation
- Right to prevent use of one's name on any work that has been distorted, mutilated, or modified in a way that would be prejudicial to the author's honor or reputation

These rights continue for the life of the artist. Communities wishing to use imagery of public art installations in marketing materials, sell merchandise featuring the art, or make future changes to public art need to formally enter into a copyright agreement with the artist to outline these rights. Municipalities may also choose to formally accession the art, making it part of the public realm.

Contract elements should include

- Title of Ownership: In most cases, ownership of the physical artwork should pass from the artist to the client upon completion
- Maintenance of the Work: Often, client will notify the artist in need of maintenance or restoration. Artist may retain or release the right to perform this work.
- Reproductions of the Work: Typically, the client agrees to identify the artist as the creator of the artwork. Client will be allowed the use of likeness and reproduction of the art, while the artist will retain all copyrights of the artwork.
- Obligations of the Artist and Client (typical terms):
 - Artist shall purchase materials necessary for the creation of the artwork and be reimbursed for cost by client
 - Client shall secure any building permits necessary for the lawful creation and execution of the work
 - Specify rates for required change orders by client.



Stevens Point, "Mural of Ruth Bader Ginsburg", by Jessie Fritsch

Additional Resources [Artist Contract](#)

Artists Rights Without a Contract

Without a well defined contract you may not be able to fully utilize all aspects of your mural. For example unless a contract discusses who can create reproductions of the work the innate right goes to the artist. Therefore if not signed away in a contract a community may not be able to sell copies or prints of a mural or use images of the mural marketing material. Asking for these rights is best done when negotiating an RFP at the beginning of a project.

Property Owner Contracts

Before committing to the installation of public art on private property, it is important to have some basic agreements in place to avoid future conflicts.

Easements

An easement creates legal access for the artist/community to install and maintain public art placed on private property. It also spells out who is responsible for the maintenance of the artwork and outlines the steps that will be taken for removal of the mural should it deteriorate or relocation in the event of demolition. This document is important for limiting liability and to protect the public investment.

Maintenance Agreements

Murals, as with any outdoor installation, suffer from exposure to the elements and may experience vandalism. Outlining who is responsible for funding and carrying out maintenance in the future is important. The artist should provide a maintenance plan that outlines what is needed for the mural's upkeep over time. The original budget should include a maintenance fund for necessary scheduled maintenance.

These agreements work together with the copyright agreements to outline how the work will be maintained and how/when it will be removed.

Stevens Point, This mural by Hmong American Xee Reiter quotes Kao Kalia Yang a Hmong-American writer.



Case Study: A Mural Destroyed

In the past, publicly funded murals have been painted over when new property owners dislike the style or content of a mural on their property.

This often leads to community outrage, but without legal agreements in place there is little recourse. Similar debates often occur when a mural is damaged and needs to be repaired or removed. If agreements are not in place with the original artist and/or property owner, it may be difficult or impossible to address the issue effectively.



Plymouth, "Interurban Car 26", by Dale Knaak

Property Owner Contract Elements

Consider the following elements when developing a contract:

- 1.) Maintenance clause.** Create a plan for notifying and commissioning artists if the mural needs repair. If the original artist is unavailable, should the mural be removed, or can another artist be commissioned to make the repairs? Who is responsible for funding maintenance?
- 2.) Notice of demolition or development.** If the property in question is to be demolished, or another development to cover the mural, can the mural be relocated? Who is responsible for this task?
- 3.) Deaccessioning and removal.** If the mural needs to be removed due to damage or disrepair, or if the wall needs to undergo tuckpointing that will damage the mural, this clause outlines the process for deaccessioning and removal of the mural.

The Fine Print: Insurance

Adequate insurance is important for any public art program or project including murals. This is especially important during the installation phase, which may require the use of lifts or other equipment. Some property owners or communities may want to ensure artwork throughout its life. This is most commonly done with sculptures or artwork on loan, but may also apply to murals if repair would be costly.

Installation—Insurance is especially needed during the installation process. Insurance should cover the artist, the property where art is being installed, the coordinating entity, and potentially adjacent properties if installation activities cross property lines. Murals involving community paint activities can involve additional insurance to cover all participants.

Physical Artwork— Some companies will offer policies to insure murals or other works of art in case they are damaged by people, weather, or time.

Property—Some murals encourage public interaction (selfies, walking tours) which draw additional foot traffic to private properties, or to areas where pedestrians are not typically present (i.e. alleys). While most commercial insurance has public liability coverage for the place of business, property owners should verify that these areas are covered under their policy.



Eau Claire, "Sanctuary", by Sylvia Annelise Hecht

Additional Resources

- [Art Acquisition Form](#)
- [Mural Installation and Maintenance Form](#)
- [Artist Release Form](#)
- [Phantom Galleries](#)
- [Deaccessioning Policy](#)

Milwaukee, A mural dedicated to medical workers on the front lines of Covid-19. Mauricio Ramírez



Public Art Ordinances

Establishing a formal public art or mural ordinance ensures that the rules related to murals are clear and consistently applied throughout the community. Whether added as part of a sign ordinance or as a standalone section, public arts ordinances should spell out:

- **Content:** What content is allowed or disallowed on murals? Text, logos, symbols and business names are all common elements covered in ordinances to clearly differentiate between public art and business signage.
- **Location:** Where are murals allowed, and under what circumstances? Common clauses allow murals on sides or rear of properties but not on front facades, disallow painting on unpainted brick, and prevent interactive murals in locations where pedestrian activity creates a safety concern. This clause might also address temporary chalk or vinyl art on sidewalks adjacent to businesses.
- **Application & Review:** What is the process and requirements for requesting a public art installation? Common application requirements include location, size, content, proof of insurance, etc. It should also be clear what entities have a role in reviewing submissions, potentially including the Public Art Commission, Historic Preservation Commission, Plan Commission, etc.
- **Ownership & Maintenance:** Who owns and is responsible for murals on public and private properties? Relevant considerations include reproduction rights, future maintenance and ownership of the art. Some communities may require that art in public rights of way be formally donated to the City, while others require private owners to have a maintenance plan in place, or stipulate the circumstances when art must be removed and by whom.

It is important that the community have a conversation about appropriate regulations that are legally enforceable yet promote creativity and enhance community character.



Kenosha, "The Wall Poems of Racine #1". Tawwater Sign Co.

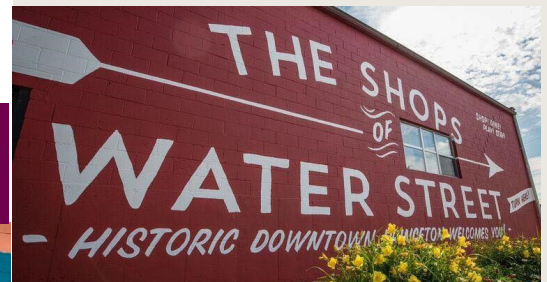


Racine, Mai Tai Boys by Thyla Arden

Case Study: Eau Claire and Princeton

Eau Claire drafted a standalone mural ordinance in response to multiple private sector requests for murals. The ordinance allows three-year public arts permits. It disallows the use of words or text, to ensure that murals and signage are not in conflict and optical illusions that may cause a safety concern. It also clarifies that future repairs or removal are at the owners expense.

In contrast, the City of Princeton encourages the use of murals as wayfinding and signage, considering these to be an enhancement of charm of the community. Management is done through the existing sign code.



Princeton. The Shops of Water Street.

Additional Resources

- [Waupaca Mural Ordinance](#)
- [Eau Claire Ordinances](#)
- [City of Raleigh Public Arts Policy](#)
- [Public Arts Portal](#)

Marketing & Engagement Tools

Murals can be a tool for community engagement. Not only can the installation itself be a draw, creating an opportunity to watch artists in action (or for community members to actively participate), but murals are a natural fit for self-guided tours. Such tours might include QR codes to access interviews with the artist, information about the subject matter, and encourage users to pose and post selfies with the murals.

Mural Installation as an event

- Host an event to coincide with the creation/installation that engages the community in making art, such as Wausau’s Art All Around event.
- When a project is completed, consider hosting an official reveal party. Talks with the artist or the sale of coordinating merchandise are also options.

Ongoing activation

- Use murals as the basis for a scavenger hunt, walking tour or selfie contest.

Education

- Offer tours of the community’s murals/public art collection—self guided, led by artists, or by trained volunteers.
- Offer tours to schools, colleges, after school programs,

Beyond Murals

While murals might be the ‘crayons’ of public art, there are so many other options available to communities interested in exploring the world of public art. Common installations include sculpture, sidewalk poetry and installations in empty storefronts, but nearly any public element can be enhanced with art.

Not all public art is visual or permanent. As you build your public art collection and programming, consider participating in Make Music Day, installing interactive art that makes music or moves with the wind, or even hosting an interactive art event such as Green Bay’s igNight Market, which features a temporary sculpture that is set on fire, or the Midwest Fire Fest in Cambridge, which features a “community pour” to create a giant sculpture.

Engaging your local arts community and encouraging creativity will identify unique art opportunities that reflect your community’s unique heritage, culture, and identity.

Additional Resources
[Public Art and Placemaking](#)



Delavan, Informational plaques and multi-media links to interviews with the author or maps to additional installations allow visitors to engage with art and also provide activities during off-peak hours when businesses are closed.



Platteville, “President-elect Grant taking a lesson in mineralogy at the lead mines near Galena, IL”, Tud Bowden, school group presentation.

Checklist

Setting the Stage for Murals

- Identify partners, timeline and budget
- Identify or create necessary ordinances and permitting for murals.
- Decide who will retain ownership,
- Identify a plan for future maintenance.
- Create an engagement plan to include the public with promotion, selection, participation or other engagement.

Selecting a Site(s)

- Identify priority locations, publicly-owned facilities and/or willing property owners. Consider soliciting community feedback to identify non-traditional locations.
- Inventory sites to identify constraints and set priorities based on goals and budget.
- Secure property owner agreements for selected sites,
- Clarify process for soliciting and selecting art.
- Obtain necessary insurance.

Recruiting Artists & Selecting Art

- Create a plan for selecting an artist and approving artwork. Draft a call for art that includes desired content, budget and selection process.
- Send out request for proposals/ qualifications.
- Engage review committee and/or property owners in selecting art or artists for site(s).
- Contract with selected artists for mural design and creation.

Installation & Activation

- Schedule installation, coordinate public art event or unveiling celebration.
- Celebrate and promote the completion/ installation of the mural.
- Create marketing and education materials to allow visitors to engage with the mural.

Additional Resources



Wisconsin Arts Board

The Wisconsin Arts Board promotes the arts in all forms through education, training and their grant programs which support arts programming and development.

Create Wisconsin

Wisconsin's community cultural development organization, championing public policy, advocacy, and best practices, and activating networks, partnerships and collaborations to grow Wisconsin creatively.

Artists Featured and Their Websites

- Thyla Arden—[Website](#)
- Mauricio Ramirez - [Website](#)
- Xee Reiter—[Website](#)
- Kao Klia Yang (writer) - [Website](#)
- Beau Thomas—[Website](#)
- Sylvia Annelise Hecht—[Website](#)
- Natalie Hinahara (the Smockettes) - [Website](#)
- Stella Greendeer (the Smockettes)
- Anna Kim (the Smockettes) - [Website](#)
- Jessie Fritsch—[Website](#)
- Dale Knaak—[Website](#)
- Tawwater Sign Co.—[Website](#)

- Nick Ramsey
- Skip Wagner
- Sue Martinsen
- Sherry Ertl
- Christina Dreyer
- Jessica Stahl
- Alexis Fink
- Tud Bowden—[Website](#)
- Annelise Hecht- [Website](#)
- Chris Stain—[Website](#)
- Gaia— [Website](#)



Digitally Access **Additional Resources**

ORDINANCE NO. 07-23 (2023)

**AN ORDINANCE AMENDING CHAPTER 17,
CITY OF WAUPACA ZONING ORDINANCE**

The Common Council of the City of Waupaca do ordain as follows:

SECTION 1. The following Ordinance relating to the Zoning Code is hereby amended to read as follows:

Section 17.316 Mural is hereby created to read as follows:

17.316 MURAL.

(1) Applicability. A mural is any inscription, artwork, figure, urban wall art, marking, or design that is marked, etched, scratched, drawn, or painted directly on a wall, ceiling, or other permanent surfaces. Painted graphics that are murals, mosaics, or any type of graphic art that are painted or affixed on a wall or fence and do not contain advertising symbols, trademarks, or other references to the premises, products, or services that are provided on the premises where the graphics are located or any other premises, are not signs for the purposes of these regulations. When any graphic (public or private) is installed on other than a wall or fence or contains advertising symbols, trademarks, or other references to the premises, products, or services, such display shall be treated as its appropriate sign classification and must adhere to requirements detailed for that specific sign classification.

(2) Standards

(a) Mural permit.

1. No mural shall be installed on public or private property unless a mural permit has been issued by the Community and Economic Development Department.
2. Murals shall not be counted towards signage size or quantity maximums (see mural definition).
3. Zoning Administrator review and recommendation. The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this chapter. The Zoning Administrator shall forward a copy of the complete application and evaluation to the Plan Commission.
4. Plan Commission review and recommendation. The Plan Commission shall review the proposed mural and approve, deny, or modify the application.

(b) Application requirements. The permit application shall contain, but is not limited to, the following information:

1. Map showing the location of the proposed mural.

2. A scale drawing and color photo of the proposed media (canvas) showing the proposed size and placement of the mural.
3. Example artwork from the artist.
4. A colored drawing of the proposed mural.
5. A description of the proposed maintenance schedule includes the time frame for the life of the mural and the method for removal, if applicable. An agreement to uphold the submitted maintenance schedule will be required. Maintenance and repairs will be at the expense of the artist, building owner, and/or commissioner. Any mural that is not maintained per the submitted maintenance schedule or is chipped, peeling, or in any way unsightly, will be required to be removed at the cost of the property owner.

(c) Design standards.

1. The proposed mural will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic.
2. The proposed mural is well integrated with the media's design and other elements of the property and enhances the architecture or aesthetics of a building, wall, or other media.
3. The media (canvas) for such graphics shall be inspected by the City and must be determined to be in good repair. If the selected media (fence or wall) is determined to not be in good repair, repairs shall be required in order for the submission to be approved.
4. The mural will not have any detrimental effects on the structural integrity of the wall on which it is applied/affixed.
5. The proposed mural is culturally and historically appropriate and does not contain any political or vulgar messaging.
6. The graphic shall be produced using high-quality paint to ensure the longevity of the graphic.
7. The proposed mural shall protect the integrity of the City's Comprehensive Plan and the City's Zoning Code. Any graphic can be denied by the Plan Commission if it is deemed as not in the best interest of the selected parcels district and surrounding landscape.

Section 17.506(2)(b)1 SIGNS NOT REQUIRING A PERMIT. is hereby amended to read as follows:

1. Portable signs shall comply with all setback requirements (unless exempted in Chapter 8.06).

Section 17.506(2)(c) SIGNS NOT REQUIRING A PERMIT. is hereby amended to read as follows:

(c) Window and door signs, subject to the following:

1. The total combined area of all window and door signs shall not exceed 50% of the combined total window or door areas for all windows and doors on the main level and street-facing-sides of the structure.

2. Significant clear observation of the interior of the premise shall be required from the public view at all times.
3. Window/door graphics shall not become unsightly or illegible. Chipped or peeling areas shall be removed, repaired, or replaced.

Section 17.506(3)(m) SIGNS NOT REQUIRING A PERMIT. is hereby amended to read as follows:

- (m) Flags. The size of a flag shall not exceed 3 feet by 5 feet. Flag height shall not exceed 25 feet if on a flag pole. The flag of the United States of America and other nations, states, counties, or municipalities are not required to adhere to the maximum flag size requirements.

Section 17.507(2) PROHIBITED SIGNS. is hereby amended to read as follows:

- (2) The following signs are specifically prohibited in all districts:
 - (a) Animated signs. A sign, excluding an electronic changeable copy sign, which involves motion or rotation of any part by mechanical or artificial means or which displays flashing or intermittent lights.
 - (b) Flashing signs, including signs with scintillating, blinking, or traveling lights of more than 15 watts per lamp. A sign that contains an intermittent or flashing light source that may also include the illusion of intermittent or flashing light by means of animation or externally mounted intermittent light sources
 - (c) Off-premises signs.
 - (d) Signs which are painted on, or attached or affixed to, rocks, trees, or other living vegetation.
 - (e) Signs with any light flashing more than 10 times per minute.
 - (f) Roof signs.
 - (g) Any other signs not specifically permitted by this Chapter.

Section 17.510 PERMITTED SIGNS. is hereby amended to read as follows:

- (1) R-3 District.
 - (a) Type of signs allowed. In addition to signs not requiring a permit, the following sign types are allowed in the R-3 District:

Sign Type	Maximum Number	Maximum Face Area	Maximum Height	Minimum Street Yard Setback	Minimum Side Yard Setback
Ground	One [1]	30 sq. ft. [2]	10 ft.	Equal to the height of the sign [3]	Three ft.

[1] The total number of ground signs shall be limited to one per property for each abutting and accessible street frontage unless otherwise approved in a planned unit development.

[2] For single-side of sign or panel.

[3] Ground-mounted signs with a total height of less than 6 feet may be located with a zero-foot setback from the right-of-way line.

(2) B-1, B-2, and B-7 Districts.

(a) Type of signs allowed. In addition to signs not requiring a permit, the following sign types are allowed for nonresidential uses in the B-1, B-2, and B-7 Districts:

Sign Type	Maximum Number	Maximum Face Area	Maximum Height	Minimum Street Yard Setback	Minimum Side Yard Setback
Awning, Canopy, Marquee	One awning or canopy sign per street-facing, first-floor window; no more than two marquee signs per structure	100 sq. ft. per sign	[1]	[2]	n/a
Ground	One [3]	50 sq. ft. per sign [4]	12 ft.	0 ft.	Three ft.
Hanging	No more than six signs per property, with a minimum separation of 10 ft. from other such signs. [12]	Four sq. ft. per sign	[13]	[11]	n/a
Ingress/Egress	Two per egress/ingress point [6]	Eight sq. ft. per sign	Five ft.	0 ft.	Three ft.
Portable	One, in street yard only unless exempted in Chapter 8.06	24 sq. ft. per sign	Four ft.	In street yard only unless exempted in Chapter 8.06	n/a
Projecting	One per structure [5]	35 sq. ft. per sign	[7]	[7]	[7]
Wall, nonresidential	Three, not including historic wall signs [8]	[9] [10]	n/a	n/a	n/a

[1] Awnings, canopies, and marquees must maintain a minimum clearance between the bottom of the canopy and the finished grade of eight feet.

[2] Awnings, canopies, and marquees shall project a minimum of 3.5 feet to provide pedestrians protection from the elements. Awning, canopies, and marquees may extend to a point not more than two feet in from the face of the curb, or seven feet from the building, whichever is less.

[3] The total number of ground signs shall be limited to one per property for each abutting and

accessible street frontage unless otherwise approved in a planned unit development.

[4] For single-side of sign or panel.

[5] The maximum number of projecting signs per structure on a multi-tenant structure is one per unit/tenant with a minimum separation of 15 ft. from other such signs.

[6] Ingress/egress signs shall be associated with, and located no farther than 10 ft. from an access point to a City street.

[7] Projecting signs may extend to a point not more than two feet in from the face of the curb, or nine feet from the building, whichever is less. The lowest point of any sign projecting over a public way, space, walk, or road shall be a minimum of 12 feet above grade.

[8] The maximum number of wall signs per unit on a multi-tenant structure is one per unit/tenant, not including historic wall signs.

[9] The total area of all wall signs shall not exceed 150 square feet in size per property/unit. Historic wall signs shall not be considered as part of this calculation.

[10] Wall signs shall not extend outward more than 14 inches from the surface of the wall.

[11] Hanging signs may extend to a point not more than two feet in from the face of the curb.

[12] Hanging signs shall be placed perpendicular to the building façade and not flush with the building façade.

[13] Hanging signs must maintain a minimum clearance between the bottom of the sign and the finished grade of eight feet.

(3) B-3, B-4, and B-5 Districts

(a) Type of signs allowed. In addition to signs not requiring a permit, the following sign types are allowed for nonresidential uses in the B-3, B-4, and B-5 Districts:

Sign Type	Maximum Number	Maximum Face Area	Maximum Height	Minimum Street Yard Setback	Minimum Side Yard Setback
Awning/Canopy	One per street-facing, first-floor window	50 sq. ft. per sign	[1]	[2]	n/a
Ground	One [3]	100 sq. ft. per sign [4]	20 ft.	Equal to height [5]	Three ft.
Ingress/Egress	Two per egress/ingress point [6]	Eight sq. ft. per sign	Five ft.	0 ft.	Three ft.
Portable	One, in street yard only unless exempted in Chapter 8.06	24 sq. ft. per sign	Four ft.	In street yard only unless exempted in Chapter 8.06	n/a
Projecting	One per structure [10]	55 sq. ft.	[7]	[7]	[7]
Wall, nonresidential	Three, not including historic wall signs [8]	400 sq. ft. total sign area of all wall signs [9] [10]	n/a	n/a	n/a

- [1] Awnings/canopies must maintain a minimum clearance between the bottom of the canopy and the finished grade of eight feet.
- [2] Awnings/canopies shall project a minimum of 3.5 feet to provide pedestrians protection from the elements. Awning/canopies may extend to a point not more than two feet in from the face of the curb, or seven feet from the building, whichever is less.
- [3] The total number of ground signs shall be limited to one per property for each abutting and accessible street frontage unless otherwise approved in a planned unit development.
- [4] For single-side of sign or panel.
- [5] Ground signs with a total height of less than 6 feet may be located with a zero-foot setback from the right-of-way line.
- [6] Ingress/egress signs shall be associated with, and located no farther than 10 ft. from, an access point to a City street.
- [7] Projecting signs may extend to a point not more than two feet in from the face of the curb, or nine feet from the building, whichever is less. The lowest point of any sign projecting over a public way, space, walk, or road shall be a minimum of 12 feet above grade.
- [8] The maximum number of wall signs per unit on a multi-tenant structure is one, not including historic wall signs.
- [9] Wall signs shall not extend outward more than 14 inches from the surface of the wall.
- [10] Historic wall signs shall not be considered as part of this calculation.

(4) B-6 District.

(a) Type of signs allowed. In addition to signs not requiring a permit, the following sign types are allowed for nonresidential uses in the B-6 District:

Sign Type	Maximum Number	Maximum Face Area	Maximum Height	Minimum Street Yard Setback	Minimum Side Yard Setback
Ground	One [1]	100 sq. ft. 30 ft. to 65 ft. [2]	20 ft. [3]	Equal to height [4]	Three ft.
Ingress/Egress	Two [5]	Eight sq. ft.	Five ft.	0 ft.	Three ft.
Projecting	One [11]	55 sq. ft.	[6]	[6]	[6]
Wall, nonresidential	Three, not including historic wall signs [7] [8]	[8] [9]	n/a	n/a	n/a
Window/Door	One	25% of window or door area [10]	n/a	n/a	n/a

- [1] The total number of ground signs shall be limited to one per property for each abutting and accessible street frontage unless otherwise approved in a planned unit development.
- [2] For single-side of sign or panel.
- [3] See subsection (b) below, Ground-mounted signs fronting STH 10.
- [4] Ground signs with a total height of less than 6 feet may be located with a zero-foot setback from the right-of-way line.

- [5] Ingress/egress signs shall be associated with, and located no farther than 10 ft. from, an access to a City street.
- [6] Projecting signs may extend to a point not more than two feet in from the face of the curb, or nine feet from the building, whichever is less. The lowest point of any sign projecting over a public way, space, walk, or road shall be a minimum of 12 feet above grade.
- [7] The maximum number of wall signs per unit on a multi-tenant structure is one per unit/tenant, not including historic wall signs.
- [8] Wall signs shall not exceed one square foot of face area per lineal foot of street frontage. The maximum area of wall signage allowed is 500 square feet. Historic wall signs shall not be considered as part of this calculation.
- [9] Wall signs shall not extend outward more than 14 inches from the surface of the wall.
- [10] Window/door graphics shall not become unsightly or illegible. Chipped or peeling areas shall be removed, repaired, or replaced.
- [11] The maximum number of projecting signs per structure on a multi-tenant structure is one per unit/tenant with a minimum separation of 15 ft. from other such signs.

(b) Ground-mounted signs fronting STH 10:

1. Maximum face area.

Lot Size	Maximum Face Area
0.5 or fewer acres	300 sq. ft.
0.51 to two acres	600 sq. ft.
More than two acres	900 sq. ft.

2. Maximum height.

- a. Maximum height may exceed 20 feet by 2 feet for each additional foot the sign is set back from a minimum of 10 feet from the Highway 10 right-of-way. No freestanding sign shall exceed 35 feet in height.
- b. Conditional Use Permit. The maximum height of a ground mounted sign fronting STH 10 may be increased to 60 feet with an approved Conditional Use Permit if owner can demonstrate unique site and surrounding conditions warrant such an increase in sign height.
- c. No sign may exceed maximum elevations noted in the 2004 Airport Height Limitation Zoning Map for the Waupaca Municipal Airport.

3. Design. Ground mounted signs shall:

- a. Compliment on-building signage
- b. Incorporate a landscaped area at the base of the sign.
- c. A mixture of trees, shrubbery, and other decorative landscaping elements are provided at the base of the sign.
- d. Sign poles shall be constructed of block or other decorative material.

4. Shared signs are encouraged.

(5) I-1, I-2, and PUL Districts.

- (a) Type of signs allowed. In addition to signs not requiring a permit, the following sign types are allowed for nonresidential uses in the I-1, I-2, and PUL Districts:

Sign Type	Maximum Number	Maximum Face Area	Maximum Height	Minimum Street Yard Setback	Minimum Side Yard Setback
Awning/Canopy	One per street-facing, first-floor window	50 sq. ft. per sign	[1]	[2]	n/a
Ground	One [3]	[4] [5]	20 ft.	Equal to height [6]	Three ft.
Ingress/Egress	Two per egress/ingress point [7]	Eight sq. ft. per sign	Five ft.	0 ft.	Three ft.
Portable	One, in street yard only	24 sq. ft.	Four ft.	Off-street	n/a
Projecting	One	35 sq. ft.	[8]	[8]	[8]
Wall, nonresidential	Three, not including historic wall signs [9]	[10] [11]	n/a	n/a	n/a

[1] Awnings/canopies must maintain a minimum clearance between the bottom of the canopy and the finished grade of nine feet.

[2] Awnings/canopies shall project a minimum of 3.5 feet to provide pedestrians protection from the elements. Awning/canopies may extend to a point not more than two feet in from the face of the curb, or seven feet from the building, whichever is less.

[3] The total number of ground signs shall be limited to one per property for each abutting and accessible street frontage unless otherwise approved in a planned unit development.

[4] Street frontage 0-100 feet: 50 square feet
Street frontage 101 feet or greater: 100 square feet

[5] For single-side of sign or panel.

[6] Ground-mounted signs with a total height of less than 6 feet may be located with a zero-foot setback from the right-of-way line.

[7] Ingress/egress signs shall be associated with, and located no farther than 10 ft. from, an access to a City street.

[8] Projecting signs may extend to a point not more than two feet in from the face of the curb, or nine feet from the building, whichever is less. The lowest point of any sign projecting over a public way, space, walk, or road shall be a minimum of 12 feet above grade.

[9] The maximum number of wall signs per unit on a multi-tenant structure is one, not including historic wall signs.

[10] Wall signs shall not exceed one square foot of face area per lineal foot of street frontage. The maximum area of wall signage allowed is 500 square feet. Historic wall signs shall not be considered as part of this calculation.

[11] Wall signs shall not extend outward more than 14 inches from the surface of the wall.

(6) Multi-Tenant Signs.

- (a) Purpose. The City desires to reduce visual clutter by consolidating signage for businesses, entities, and/or tenants of a multi-tenant building, complex, development, or subdivision onto multi-tenant signs.
- (b) Districts Allowed. Multi-tenant signs are allowed in B-1, B-2, B-3, B-4, B-5, B-6, I-1, and I-2 Districts.
- (c) General Standards.
 - 1. Multi-tenant signs may be utilized whenever a development consists of several, separate units having appurtenant shared facilities, including, but not limited to, driveways, parking, common walls or structures, and pedestrian walkways.
 - 2. Multi-tenant signs may be wall signs or ground signs.
 - 3. Entities represented on a multi-tenant sign shall not also erect or display additional signs that are of the same type of sign as a multi-tenant sign on the same property.
- (d) Dimensional Standards.
 - 1. Maximum Number. The maximum number of multi-tenant signs allowable in a single development is one. The maximum number of tenant signs on a multi-tenant sign shall be one associated with, and limited to, each business, entity, or tenant located in the development. A tenant sign shall consist of no more than 2 sign panels on a multi-tenant sign.
 - 2. Maximum Face Area. The cumulative face area for all panels displayed on the multi-tenant sign shall comply with the maximum face area for a ground or wall sign in the applicable zoning district.
 - 3. Maximum Height. The maximum height of a multi-tenant sign shall comply with the maximum height of a ground sign in the applicable zoning district.
 - 4. Minimum Setbacks. The minimum setbacks for a multi-tenant sign shall comply with the minimum setback standards of a ground sign in the applicable zoning district.
- (e) Design Standards.
 - 1. Monument signs are preferred over pole signs.
 - 2. A multi-tenant sign shall have no exposed poles and shall not be a monopole.
 - 3. A multi-tenant sign shall be designed and maintained to be architecturally compatible with the development, zoning district, and comprehensive plan.
 - 4. Vacant spaces in any multi-tenant sign shall be properly maintained or filled to ensure the sign does not become unsightly.

(7) Historic Wall Signs.

- (a) Purpose. Historic signs are a distinctive feature of Waupaca and provide a visual link to the community's past. They give continuity to public spaces. The City desires to preserve existing, historic wall signs by allowing building owners to install new wall signs without existing, historic wall signs factoring into maximum dimensional standards associated with all other wall signs.
- (b) Locations Allowed.
 - 1. All zoning districts

2. The property or structure must be recognized and registered as a historic property with the City of Waupaca.
- (c) Standards.
1. Keeping a historic wall sign is encouraged even when the business or product features in such sign are no longer in existence.
 2. Historic wall signs add to the character of historic buildings and the downtown and shall be treated as significant features of the property.
 3. Historic wall signs should be maintained, but should not be repainted.
 4. All signage on a historic property shall require a Certificate of Appropriateness by the City of Waupaca Historic Preservation Committee.

Section 17.512 INSURANCE. is hereby amended to read as follows:

Every property owner and sign contractor shall maintain all required insurance against any form of liability to a minimum of \$300,000 (per occurrence and aggregate with regard to bodily injury and property damage). The City shall not be held liable if the property/sign owner does not maintain the required insurance per this section.

Section 17.514 SIGN NONCONFORMITIES. is hereby amended to read as follows:

- (1) Nonconforming signs. Any sign located in the City of Waupaca as of the date of adoption or amendment of this Chapter, or located within an area annexed to the City of Waupaca hereafter, that does not conform to the provisions of this Chapter as adopted or amended is a legal, non-conforming sign if the sign was legally constructed prior to the date of adoption or amendment of this Chapter. Such signs may be continued although the use, size, number, or location does not conform to the provisions of this Chapter. Panel changes do not require a permit and are allowed on any non-conforming sign so long as the configuration, size, number, location, or any structural component of the sign does not change.
- (2) Maintenance. Normal maintenance of any non-conforming sign is allowed without a permit. Normal maintenance includes repairs reasonably necessary to prevent the deterioration of a sign, cleaning, painting, light bulb exchange, and other maintenance measures as determined by the Zoning Administrator.
- (3) Nonconforming status. A sign loses its legal, non-conforming status if one of the following occurs:
 - (a) The sign is structurally altered in any way other than normal maintenance and repair that makes the sign less compliant with the requirements of this Chapter than it was before the alteration. Alterations include any extension, reconfiguration, enlargement, conversion, change to the frame, change to the supporting structure, change to the lighting type or intensity, or any other alterations as determined by the Zoning Administrator.
 - (b) The sign is relocated.
 - (c) The sign is abandoned.
 - (d) The permitted or conditional use associated with the sign changes.
 - (e) The sign is considered unsafe or deemed a nuisance to public health or safety.

(4) Reconstruction. A non-conforming sign can be reconstructed to its former state if it is destroyed by wind, vandalism, fire, ice, or flood.

SECTION 2. This ordinance shall take effect upon passage and publication according to law.

Brian Smith, Mayor

Adopted: _____, 2023.

Published: _____, 2023.

ATTEST:

Barbara J. Nowak, City Clerk