

86.19 Highway signs, regulation, prohibition.

(1) Except as provided in sub. (1m) or (1n) or s. 84.01 (30) (g), no sign shall be placed within the limits of any street or highway except such as are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m) and 66.0429. The authorities charged with the maintenance of streets or highways shall cause the removal therefrom and the disposal of all other signs.

(1g)

(am)

1. Subject to subd. 2., the department shall erect and maintain 2 directional signs along eastbound and westbound I 94 and 4 directional signs along the exit ramps that correspond to the signs along the main roadway in Milwaukee County for the Basilica of St. Josaphat.
2. Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. 1., the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.

(bm)

1. Subject to subd. 2., the department shall erect and maintain 2 directional signs along eastbound and westbound I 90/94 and 2 directional signs along the exit ramps that correspond to the signs along the main roadway for the Wisconsin Basketball Coaches Association Hall of Fame in Columbia County.
2. Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. 1., the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.

(c)

1. Subject to subd. 2., the department shall erect and maintain all of the following directional signs for the Iola Car Show:
 - a. Two signs along eastbound and westbound USH 10 at the intersection with STH 49 at Fulton Street in the city of Waupaca.
 - b. Two signs along eastbound and westbound USH 10 at the intersection with STH 161 in Portage County.
 - c. Two signs along eastbound and westbound STH 29 at the intersection with STH 49 in Marathon County.
 - d. Two signs along northbound and southbound STH 22 at the intersection with STH 110 and STH 161 in Waupaca County.
 - e. One sign along southbound STH 49 at the intersection with STH 66 in Portage County.
2. Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. 1., the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.

(d)

1. Subject to subd. 2., the department shall erect and maintain 2 directional signs along eastbound and westbound STH 54 for the Bergstrom Waterfowl Complex in the town of Bovina in Outagamie County.
2. Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. 1., the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.

(e)

1. Subject to subd. 2., the department shall erect and maintain all of the following directional signs for Soldiers Walk Memorial Park:

- a. Two signs along eastbound and westbound I 94 at the STH 95 interchange and 2 signs along the exit ramps that correspond to the signs along the main roadway in Jackson County.
 - b. One sign along northbound STH 93 at the intersection with STH 95 in Trempealeau County.
 - c. One sign along westbound STH 95 at the intersection with STH 93 in Trempealeau County.
2. No later than 6 months following receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. [1.](#), the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.
- (f) The department shall erect and maintain 2 directional signs along eastbound and westbound I 94 at the Somers Road interchange in Kenosha County for Shoreland Lutheran High School.
- (g)
1. Subject to subd. [2.](#), the department shall erect and maintain 2 signs displaying the words "Town of Lawrence" along northbound and southbound I 41 at the north and south jurisdictional boundaries of the town of Lawrence in Brown County.
 2. Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the costs of fabricating, erecting, and maintaining the signs specified in subd. [1.](#), the department shall erect and maintain the signs. No state funds, other than from the receipt of contributions under this subdivision, may be expended for the fabrication, erection, or maintenance of the signs.
- (1m) Notwithstanding sub. [\(1\)](#), the department shall place 100 signs near highways and in waysides that display a slogan or logo, or both, developed by the department of agriculture, trade and consumer protection to promote Wisconsin agricultural products. The signs shall be placed in prominent locations where they are likely to be seen by tourists from other states, except that no sign may be placed in violation of federal law.
- (1n) Notwithstanding sub. [\(1\)](#), a municipality may erect and maintain within the right-of-way of any highway within the boundaries of the municipality a municipal welcome sign, as defined in s. [84.30 \(2\) \(hm\)](#). No sign under this subsection may be placed within the right-of-way of a highway designated as part of the national system of interstate and defense highways. A sign placed under this subsection is not a traffic control device and is not subject to the provisions of the Wisconsin manual on traffic control devices adopted by the department under s. [84.02 \(4\) \(e\)](#).
- (1r) The department shall maintain the directional sign existing on October 29, 1999, that is located along I 43 for America's Black Holocaust Museum in Milwaukee County. The department may not charge any fee related to the sign maintained under this subsection.
- (1u) Notwithstanding sub. [\(1\)](#), the department may erect and maintain directional signs along any highway along the route described in s. [84.10255 \(1\)](#) to aid navigation to the locations described in s. [84.10255 \(2\) \(b\)](#) to [\(e\)](#).
- (2) The department shall prescribe regulations with respect to the erection of signs on public highways. Such regulations shall have the full force of law. No advertising sign shall use prominently any words, or combination of words, commonly used for the guidance or warning of travel, nor shall any advertising sign be erected or be permitted to remain in any place or manner so as to endanger travel on the highways, either by reason of causing an obstruction to the view or otherwise.
- (3) Any person who shall erect any sign on any public highway, or elsewhere in violation of any of the provisions of this section or the regulations of the department, or without the written consent of the department if the sign is to be erected on a state trunk highway, the county highway committee in the case of a county trunk highway, or the city council, village or town board in case of a street or highway maintained by a city, village or town, shall be fined not less than \$10 nor more than \$100, and for a second or subsequent violation shall be fined not less than \$10 nor more than \$500.
- (4) This section shall not be construed as prohibiting the erection of such historical monuments or markers within the limits of public streets and highways as shall be approved by the department. The name of a

newspaper on a newspaper tube or receptacle shall not be deemed a sign within the meaning of this section.

- (5) The department shall assign to each county and local authority responsible for the placement and maintenance of signs, guide boards, mile posts, signals or markers erected for the warning, instruction or information of the public a code number which the county or local authority shall place on each warning, instruction or information device at the time of replacement or new installation of such device.
- (6) At the request of any city, village or town, the department shall erect directional signs on state trunk highways at the intersection of those highways with streets or other highways where the streets or other highways lead to the city, village or town, provided the city, village or town is located within 5 miles of the intersection and provided the city, village or town agrees to pay for the installation and maintenance of the sign. The directional sign shall show the name of the city, village or town. For the purpose of this subsection, the term "intersection" includes exit ramps from any expressway or freeway or interstate highway.

History: [1975 c. 169](#); [1977 c. 29 s. 1654 \(8\) \(c\)](#); [1977 c. 188](#); [1983 a. 92](#); [1987 a. 137 s. 6](#); [1987 a. 205](#); [1993 a. 246](#); [1999 a. 9](#); [1999 a. 150 s. 672](#); [2015 a. 51, 55, 213, 270](#); [2017 a. 59, 232](#).

Cross-reference: See also chs. [Trans 200](#) and [201](#), Wis. adm. code.

86.191 Advertising in highways prohibited, where.

- (1) No person shall erect, or cause to be erected, any advertising, direction, guide, warning or other sign or marker within any public highway within a distance of 1,000 feet from the intersection of any 2 or more highways, when such intersection is beyond the corporate limits of any city or villages, unless permission is first obtained from the officials charged with the maintenance of such highways. The name of a newspaper on a newspaper tube or receptacle shall not be deemed to be any advertising, direction, guide, warning or other sign or marker within the meaning of this section.
- (2) In case any person shall violate the provisions of this section, the authorities in charge of the maintenance of the highway upon which such violation occurs shall promptly remove such advertising, direction, guide, warning or other sign or marker.
- (3) If any signs at present exist in the public right-of-way on any highway within 1,000 feet of the intersection of any 2 or more highways or streets beyond the limits of any incorporated city or village which are, in the opinion of the officials in charge of the maintenance of such highway, a menace to the safety of the public traveling along such highways, said officials shall notify the owners of such signs to remove the same, or to remove the danger producing features, and in case the owners do not do so, or in case the owners cannot be found with reasonable effort, the authorities in charge of said highway shall remove said signs from within the right-of-way.
- (4) The triangles bounded by any 2 adjacent intersecting highways and a line drawn between the points on the center lines of said highways 1,000 feet from the intersection of their center lines, are declared prohibited ground for the erection of any danger producing advertising signs, when such intersection is beyond the corporate limits of any city or village. No advertising sign, design or insignia shall hereafter be erected within said triangles which will endanger the safety of the public traveling along any highways, and if there now exist in any such triangle any advertising signs, designs, or insignia endangering the safety of the public traveling along such highways, the authorities in charge of the maintenance of such highways shall take up the matter with the owner of the sign and with the owner of the land, and shall cause the same to be removed, or to be so altered as to remove the danger producing features. Within the same triangles the authorities in charge of maintaining any road shall require the property owner to minimize the obstruction to the view across the triangle insofar as is possible, and shall make such arrangements with the property owner as will make travel on the intersecting highways as safe as is reasonably possible.
- (5) Any person who violates sub. (1), (3), or (4) shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100 for each offense, or by imprisonment in the county jail for a period not exceeding 30 days, or by both such fine and imprisonment in the discretion of the court.

(6)

- (a) In this subsection, "business entity" has the meaning given in s. [13.62 \(5\)](#), but does not include any real estate broker or salesperson licensed under ch. [452](#) or any other individual selling real estate or personal property owned by the individual.
- (b) Subject to subs. [\(1\)](#) and [\(4\)](#) and s. [86.19](#), and except as provided in par. [\(d\)](#), no business entity may place, or cause to be placed, within a highway right-of-way any sign that advertises or promotes a business identified on the sign or a business whose telephone number or Internet website address appears on the sign.
- (c) If a sign described in par. [\(b\)](#) has been placed within a highway right-of-way and the business identified on the sign or whose telephone number or Internet website address appears on the sign had the sign made, there is a rebuttable presumption that this business caused the sign to be placed in violation of par. [\(b\)](#).
- (d) This subsection does not apply to any of the following:
1. Any sign placed with the permission of an official charged with the maintenance of the highway.
 2. Any sign authorized under s. [60.23 \(17m\)](#), [66.0429](#), [84.01 \(30\) \(g\)](#), [84.30](#), [86.195](#), or [86.196](#).
 3. The name of a newspaper on a newspaper tube or receptacle.
 4. Any sign advertising a yard sale, garage sale, rummage sale, or similar event.
 5. Any sign advertising an event associated with a church or school.
- (e) Any business entity violating this subsection is subject to a forfeiture of not more than \$50 for each offense. Each sign placed in violation of par. [\(b\)](#) constitutes a separate offense.

History: [1991 a. 316](#); [1993 a. 490](#); [2009 a. 227](#); [2017 a. 365](#) s. [112](#).

Cross-reference: See also ss. [Trans 200.02](#) and [200.04](#), Wis. adm. code.

86.192 Penalty for injuring guide board, markers, etc.

- (1) No person may injure, deface or remove any sign, guide board, mile post, signal or marker erected by the state or by any municipality thereof for the warning, instruction or information of the public. The following warning shall be affixed to the front of each such sign, guide board, mile post, signal or marker: "WARNING: \$25 to \$100 fine or imprisonment for removing or tampering with this sign."
- (1m) No person may possess any sign, guide board, mile post, signal or marker of the type erected by the state or by any municipality for the warning, instruction or information of the public, unless the person can demonstrate that he or she obtained it in a legal manner. Possession of such a sign, guide board, mile post, signal or marker creates a rebuttable presumption of illegal possession. In this subsection, "possession" means the presence of such a sign, guide board, mile post, signal or marker on premises owned or controlled by the person, including but not limited to a rented apartment, rented room or dormitory room. Persons who voluntarily notify a law enforcement agency of the presence on their premises of such a sign, guide board, mile post, signal or marker shall be exempt from prosecution under this subsection.
- (2) Any person who violates this section shall be fined \$25 for the first violation, \$100 for a subsequent violation, or imprisoned not exceeding 30 days for the first violation, or 60 days for a subsequent violation, or both fined and imprisoned in the discretion of the court. The court may, in addition, order any such person either to restore or replace any such damaged sign, mile post, signal or marker, or to pay the cost thereof.
- (3) On conviction of any person of a violation of this section, the person or persons who informed against and aided in the prosecution of such offense to conviction shall be paid by the court one-half of the amount of the fine paid into the court.
- (4) Any person who violates this section is guilty of a Class H felony if the injury, defacement or removal causes the death of a person.

History: [1975 c. 169, 421](#); [1997 a. 283](#); [2001 a. 109](#).