Chapter 8 SIGNS

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10-8-1 SHORT TITLE

This chapter shall be known and cited as the Sign Code.

10-8-2 PURPOSE AND INTENT

The purpose of this section is to harmonize the identification and informational needs of all land uses with the health, safety and welfare of the public. While the legitimate interests of business and industry are recognized, it is also recognized that unrestricted signs do not benefit private enterprise or the community at large. This chapter is specifically intended to prevent unnecessary competition and clutter of advertising signs in their demand for public attention.

10-8-3 DEFINITIONS

As used in this chapter, the following definitions shall apply unless the context otherwise indicates:

Animated Sign: Any sign which uses a movement or change of lighting to depict continuous action or to create a continuous special effect or scene.

Awning: A retractable or fixed shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

Awning Sign: A sign painted on, printed on or attached flat against the surface of an awning.

Billboard: A sign that advertises goods, products or services not necessarily sold on the premises on which the sign is located and is a freestanding structure or wall-mounted structure on which lettered, figured, painted or pictorial matter is displayed for advertising purposes.

Construction Sign: A temporary sign identifying an architect, contractor, subcontractor, owner, project or material supplier associated with construction on the property on which the sign is located.

Directional/Informational Sign: An on premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced Sign: A sign with two parallel faces that can be read only from opposite directions. Areas of the faces shall not be cumulative when calculating the areas of the sign.

Electronic Message Center Sign: A sign on which the copy changes automatically on a lamp bank or through mechanical means (e.g., electrical or electronic time and temperature units).

Erect: To build, construct, attach, hang, place, suspend or affix, and shall include the painting of wall signs.

Façade: The entire building wall, including the parapet.

Flashing Sign: A sign that contains an intermittent or sequential flashing light source used primarily to attract attention. The term does not include electric or electronic message center signs, animated signs, or signs that, through reflection or other means, create an illusion of flashing intermittent light.

Freestanding Sign: Any sign supported by uprights, braces or a solid base placed and anchored into the ground and not attached to any building. It shall not include portable signs.

Government Sign: Any temporary or permanent sign erected and maintained by the village, county, state, federal, or other government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

Height (of a sign): The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

Illuminated Sign: Any sign that has characters, letters, figures, designs or an outline illuminated by electric lights or luminous tubes as a part of the sign proper. See Limited illumination.

Incidental Sign: A small sign, emblem or decal informing the public of goods, facilities or services available on the premises (e.g., a credit card sign or a sign indicating the hours of business).

Limited Illumination: Lighting of a sign to identify certain evening activities for a period commencing not earlier than two hours before the scheduled activity, and ending at the conclusion of the activity.

Maintenance: The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Marquee, Canopy and Awning: A permanent roof-like shelter extending from part or all of a building facade, usually above a building entrance, and constructed of durable materials.

Marquee, Canopy or Awning sign: a sign attached to or on a marquee, canopy or awning.

Nameplate: A nonelectric on-site identification sign giving only the name, address and occupation of an occupant or group of occupants.

On-site Sign: Any sign identifying or advertising a business, person, activity, goods or products or services located on the premises where the sign is installed and maintained.

Parapet: The extension of a false front or wall above a roofline.

Political Sign: A temporary sign used in connection with a local, state or national election or referendum.

Portable Sign: A sign, designed to be moved from place to place, not permanently anchored to the ground or to a structure or building, and which obtains some or all of its structural integrity with respect to wind or other normally applied forces by means of its geometry or character.

Projecting Sign: A sign which is attached directly to the building wall, and which extends more than 15 inches from the face of the wall.

Real Estate Sign: Any structure or portion thereof used only to advertise with pertinent information the sale, rental or leasing of the premises upon which it is located.

Sign: Every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, awning, canopy and street clock, and shall include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person when such announcement, declaration, demonstration, display, illustration or insignia is placed in view for the general public.

Size: The size of the sign shall be its surface area.

Surface Area: The entire area within a regular geometric form or combination of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area. Double-faced signs, where one face is superimposed on the other, shall be calculated on the basis of one side only.

Temporary Sign: Includes any sign banner, pennant or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames.

Under-canopy Sign, under-marquee sign and under-awning sign: a sign suspended beneath a canopy, marquee or awning.

Wall Sign: A sign which is painted on or attached directly to a fence or on the surface of masonry, concrete, frame or other approved building walls, and which extends not more than 15 inches from the face of the fence or wall.

10-8-4 GENERAL REGULATIONS

(A) A zoning permit is required for the erection, construction, relocation or alteration of any sign, except as noted in Paragraph D of this section.

(B) No sign shall be erected at any location where, because of its position, size, shape, color, animation or illumination, it may interfere with or obstruct the view of traffic, nor shall any sign be permitted which may be confused with any authorized traffic sign, signal, or device. No other sign may be placed within the sight visibility triangle.

(C) No person shall erect, display or maintain any sign which obstructs any fire escape, building entrance or public passage or which is at a horizontal distance less than 10 feet from any fire hydrant, traffic light or fire call box.

(D) Signs Permitted Without Permit

The following signs are permitted in all districts and do not require a zoning permit:

i. One nameplate of not more than two square feet in surface area per business, residence, or building;

ii. Two directional/informational signs of not more than two square feet in surface area each per business parcel, parking lot, or industrial parcel;

iii. Government signs;

iv. Incidental signs except in a residential district;

v. Political signs of not more than six square feet in area which pertain to an election; such signs are exempt for a period of 45 days prior to and five days subsequent to the election;

vi. "For sale" signs of less than two square feet in area and attached to vehicles, personal possessions and articles of a noncommercial nature;

vii. "Garage sale," "yard sale" and other temporary sale signs when less than two square feet in area and displayed on the owner's property or on other property with the owner's permission;

viii. One temporary non-illuminated real estate sign not to exceed six square feet in surface area per parcel or 12 square feet in surface area if the parcel is zoned other than residential; or

ix. Trespassing, safety or caution signs not exceeding two square feet in area.

(E) Signs that were lawfully erected prior to [date of adoption of ordinance update], but would now be subject to a variance requirement, or signs that were erected pursuant to a variance granted, as provided for herein, and are in compliance with the provisions of this chapter, may be replaced with a sign that is substantially the same as the original sign in location and dimensions upon approval by the Village Board, without a public hearing or a hearing before the PZC.

(F) Signs Permitted in All Districts with a Zoning Permit

The following signs are permitted in all districts, if in compliance with all provisions of this Ordinance:

i. Temporary signs, except as elsewhere exempted;

ii. One on-site sign identifying a recorded subdivision, provided such sign does not exceed 24 square feet in surface area;

iii. One construction sign per right-of-way frontage per parcel, subject to all of the following requirements:

(a) Total surface area per sign shall not exceed 32 square feet.

(b) Sign height shall not exceed eight feet.

(c) Placement shall be no closer to the property line than one-half the required setback for the district.

iv. The sign shall not be erected prior to the issuance of a zoning permit for the proposed construction, and shall be removed upon substantial completion of construction.

(G) Signs Prohibited in All Districts

The following signs are prohibited in all districts:

i. Animated or flashing signs; and

ii. Signs that emit audible sound, odor or visible matter.

10-8-5 ON-SITE SIGNS IN RESIDENTIAL DISTRICTS:

(A) Except as provided in Paragraph (B) of this section, no sign containing more than 10 square feet may be erected in any residentially zoned area unless the party seeking to erect said sign first applies for and receives a variance as provided in Chapter 11.

(B) In subdivisions where four or more undeveloped lots are owned by the subdivision developer, a sign announcing the names of the developer, architects, engineers, contractors, or other individuals or firms, involved with the subdivision of property (but not including any advertisement of anything not related to the subdivision) or announcing the layout or character of the subdivision or the purpose for which it is intended shall be allowed subject to the following restrictions:

1. These signs shall be confined to the site of the subdivision, and shall be permitted for one year from the date of erection of the first of such signs. If development of the subdivision is not completed within one year after erection of the signs, the sign shall be permitted to exist an additional period, not to exceed one year unless approved by the Village Board.

2. Subdivision signs shall:

   i. not exceed 64 square feet in surface area;

   ii. not exceed a height of 10 feet;

   iii. be set back from the property line a minimum of 10 feet;

   iv. be in lieu of signs on individual lots; and

   v. not contain any pictures or drawings other than a layout of the subdivision or lots and company logos.

10-8-6 ON-SITE SIGNS IN THE AGRICULTURALDISTRICT

No sign containing more than 32 square feet may be erected in the Agricultural District unless the party seeking to erect said sign first applies for and receives a variance as provided in Chapter 11 of this Ordinance.

10-8-7 ON-SITE SIGNS IN THE TOWN CENTER OR GENERAL COMMERCIAL DISTRICTS

No sign containing more than 150 square feet may be erected in any area zoned Town Center or General Commercial unless the party seeking to erect said sign first applies for and receives a variance as provided in Chapter 11 of this Ordinance.

10-8-8 ON-SITE SIGNS IN THE INDUSTRIAL DISTRICT:

No sign containing more than 150 square feet may be erected in any area zoned Industrial unless the party seeking to erect said sign first applies for and receives a variance as provided in Chapter 11 of this Ordinance.

10-8-9 [Reserved]

10-8-10 REVOCATION OF PERMITS

The Village Board may revoke any permit issued by it upon failure of the holder thereof to comply with any provision of this chapter, but only after a hearing before the PZC is held no less than 15 days after notice is given to the permit holder.

10-8-11 MAINTENANCE AND ABANDONMENT

(A) Maintenance of any sign erected in the Village shall be the duty of both the owner and occupier of the premises upon which the sign is erected. The appearance of any sign shall not be allowed to become unsightly and in the event that repair, cleaning, or painting of any said sign is deemed to be necessary by the Village Board, then within 60 days of notification of such necessity by the Village Board, the said owner or occupier of said premises shall complete said repair, cleaning or painting. In the event that such repair, cleaning or painting is not accomplished within said time, then said failure shall constitute a violation of the provisions of thiscode.

(B) All signs erected in the Village that no longer serve their purpose shall be removed by the owner or occupier of the premises in question. When any such sign is removed, such removal shall be completed with due care and with concern for the appearance of the premises as well as safety on said premises and nearby properties. Any supporting structures, such as sign standards or frames shall be removed and any holes or excavations shall be filled. In the event that such removal does not comply with this section, then notice of said failure shall be given to the owner or occupier of the premises. If said work is not completed in compliance with said notice within 30 days of the mailing of said notice, then said owner or occupier shall be deemed to be in violation of the provisions of this code.

10-8-12 HANDBILLS, ADVERTISING MATTER

(A) To post, paste, print, nail, or otherwise attach any handbill, sign, poster, advertisement, or notice of any kind on any curbstone, flagstone or any other portion or part of any sidewalk, or upon any tree, lamppost, post, pole, hydrant or other public property, or

upon any private wall, door or gate (without the consent in writing of the owner of such wall, door or gate) shall be prohibited.

(B) Provided, however, that provisions of this section shall not apply to the posting of legal notices by or on behalf of the Village in the manner and places prescribed by law.

(C) The Village may remove and destroy any such prohibited signs or other prohibited materials on public property.