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**ARTICLE XIII  
SIGN REGULATIONS**

**§ 156.108 PURPOSE.**

The purpose of this article is to comprehensively regulate signs of all types. The regulations included in this article are intended to protect and promote economic vitality, and public health, safety and welfare by:

- (A) Regulating signs and sign lighting in such a way as to support objectives of both the Zoning Ordinance and/or the Comprehensive Plan, to preserve and enhance the appearance of the Village, and to protect the property values within.
- (B) Insuring that all signs within the Village are compatible with the existing land uses and/or buildings with regard to size, location, color, message, construction, materials, and manner of display, and to discourage unsightly, dissimilar, inappropriate, and excessive amount or numbers of signs.
- (C) Insuring that signs do not confuse, mislead, or otherwise endanger the public health, safety, morals, or general well being.
- (D) Restricting signs and sign lighting which increases the probability of accidents by distracting attention or obstructing vision necessary for traffic safety.
- (E) Insuring that signs enable the public to locate goods and services and facilities in the Village without difficulty and confusion.

**§ 156.109 SCOPE.**

The provisions of this article of the Code shall govern the construction, alteration, repair, and maintenance of exterior signs, together with the associated appurtenant and auxiliary devices, within the Village and those interior signs placed within twelve (12) inches of any window or doorway visible from any street sidewalk or public or private open space. Any sign not expressly permitted by this Article XIII is prohibited.

**§ 156.110 COMPLY WITH ALL CODE PROVISIONS.**

Provisions of this article regulating the location, placement, gross surface area, projection height limitations, number of signs and other advertising structure, shall be subject to a further restriction by any applicable zoning provision of this Village where this article differs in any manner from the provisions of the Building Code, any other ordinance, planned unit development or annexation agreement approved by the Village. When conflicts exist, the specific shall govern over the general.

**§ 156.111 DEFINITIONS.**

Unless otherwise stated, the following words or terms shall, for the purpose of this article, have their meanings indicated as follows:

**AREA, SIGN.** The area of a sign shall be measured in square feet, as follows:

- (A) The area of a sign shall be measured from the outside of the sign structure, on only one (1) face of the sign, and shall include the sign message and all of the elements of the matter displayed. Sign supports that do not form an intergral part of the sign message or display shall be excluded from the sign area calculation.
- (B) For wall or window signs comprised of individual letters, figures, symbols or logos attached to or painted on a building or window, the sign area shall be measured as the smallest common geometric form that can be drawn around the periphery of the letter, figures, symbols or logos in the sign message.
- (C) When the sign background for the individual letters is made of a color different from the color of the building, the entire area of contrasting color shall be measured and shall constitute the sign area if such area is larger than the geometric forms encompassing the sign message.

**ALTER.** The changing of any sign size, location, or structural design of any sign. The changing of movable parts of an approved sign that is designed for such changes or the repainting or repositioning of original display matter shall not be deemed an alteration provided the conditions of the original approval and the requirements of this article are not violated.

**APPROVED COMBUSTIBLE MATERIALS.** Any material that has a flame spread rating of not more than an amount as determined by the adopted model codes.

**BANNER.** A sign or advertisement device consisting of lightweight fabric or non-rigid materials, with or without enclosing framework, that is mounted to a pole or building at one or more of its edges.

**BUILDING CODE OFFICIAL.** An official of the Village that enforces codes, regulations, and standards for the design, construction or alteration of structures.

**CHANGEABLE COPY SIGN.** A sign whereupon provision is made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message or picture.

**ENTRY MONUMENT.** A sign at a project entry which has an architectural form such as a wall, pier, or arch.

**FESTOON LIGHTING.** A group of two or more incandescent light bulbs hung or strung overhead, not on a building or structure, which are exposed to persons on a public right-of-way, or which are not shaded or hooded to prevent the direct rays of light from being visible from the property line.

**FLASHING SIGN.** A sign, other than a time and temperature display, that uses any type of flashing light, running light or other light creating the illusion of movement.

**FRONTAGE, BUILDING.** The exposed face of the building which faces the right-of-way(s), that incorporates the business, establishment, or occupancy exposed within that face of the building.

**FRONTAGE, LOT.** The front of the lot shall be that boundary of a lot along a public or private street. In the case of a corner lot, the narrowest street frontage shall be considered the front lot line, except when abutting Route 47, the lot line abutting Route 47 shall be considered the front lot line.

**FRONTAGE, LINEAL FEET.** The actual measurement of frontage as defined above.

**GLARE.** The effect of site lighting or individual lighting fixtures producing brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**GROUND ILLUMINATION.** Spotlight type lighting of a sign from a ground mounted light fixture which is concealed by planting or by direct burial.

**GROUND SIGN.** Ground signs shall include any sign or other advertising structure, supported by uprights or braces placed into or upon the ground, and not attached to any building.

**HEIGHT.** The measurement from existing grade in the immediate location of the placement of the sign to the extreme part of the structure at its highest vertical point or from the highest vertical point of the sign to the level of the street upon which the sign faces, if such ground level is above the street level.

**ILLUMINATED SIGN.** Any sign which has characters, letters, figures, designs, or outline illuminated by electric lights, luminous tubes, or any other means of illumination. All illumination components and their operating methods and circuits shall meet the minimum standards of the adopted and/or amended codes and ordinances.

**IMMEDIATE AREA.** The area within an equal diameter of a circle which envelops the object of concern.

**INCOMBUSTIBLE MATERIAL.** Any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.

**INSTALLATION.** To build, construct, attach, hang, place, suspend, or affix.

**INTERNAL ILLUMINATION.** Back lighting of translucent typography on a sign by a light source concealed inside the sign.

**LEGAL, NON-CONFORMING.** The term used to classify any sign or advertising device which does not comply with this article and was in place prior to the adoption of this article or any other ordinance.

**MAINTAIN or REPAIR.** The replacement of existing work with equivalent materials for the purpose of its maintenance but not including any addition, change, or modification in construction from the original permit approval. (Note: Replacement or repair of any structural portion or face of a sign, damaged by nature, accident, or lack of maintenance, that takes place on any legal/non-conforming sign shall require a permit for such repair and for the sign itself. Compliance with current requirements is mandatory).

**MARQUEE SIGN.** A sign attached to or hung from a marquee, canopy, or other covered structure, projecting from and supported by the building and extending beyond the building wall, building line, or street lot line.

**MONUMENT SIGN.** A type of sign or advertising structure, which by nature of its construction has its sides and bottom portions constructed uniformly to the ground around it.

**MOVING or ROTATING.** Any sign or other advertising structure which physically moves or rotates in any manner whatsoever.

**NON-CONFORMING.** Something or someone who does not comply with this article or its intent at the time of adoption.

**OFF-PREMISE SIGN.** Any general structure, device, or sign which is designed to advertise or direct attention to a business, activity or event conducted, or a product, commodity, service, real estate, real property, entertainment, or facilities offered for sale, lease, or rent elsewhere or other than upon the same lot or within the same building upon which the object of advertisement or sign is located or to which it is affixed, or which directs persons to a location different from where the object of advertisement or sign is located.

**OFFSET.** That portion of a building which by design changes direction and can be conceived to be a continuation of the exposed frontage of the building, as determined by the Village Manager.

**OPAQUE.** Not transparent or translucent; impenetrable to light.

**OTHER ADVERTISING STRUCTURE.** Any device, object, fixed retractable or removable canopy, awning, or street clock, projecting over, suspended above, or erected upon any property, and which may include text or art that portrays or advertises a business or activity as a part thereof. (The term, "other structure" does not apply to the supporting elements of any post, ground, or monument type sign.)

**OVERALL HEIGHT.** The overall dimension from the base of the sign to the highest point of the sign structure or ornamentation.

**OVERHANGING OR PROJECTING SIGN.** Any sign which is attached to a building or other structure and extends beyond the vertical or horizontal line of the building or other structure to which it is attached by more than 12 inches.

**OVERHEAD ILLUMINATION.** Spotlight type lighting of a sign from light fixtures mounted on projecting arms above the sign.

**PALETTE.** A range, quality, or use of approved available elements, defined as color, material, and texture.

**PARCEL.** A piece of property assigned to a single owner or building.

**PERSON.** Any natural person, partnership, trust, corporation, or association. Whenever used with respect to any penalty, the term "person," as applied to partnership or associations, shall mean the partners or members thereof, and, as applied to trusts or corporations, shall mean the trustees or officers thereof.

**POLITICAL SIGN.** Political signs shall include all signs in support of or opposition to any candidate for elected public office and all signs in support of or opposition to all questions of public policy.

**PORTABLE SIGN.** A sign which can easily or with any modification be moved from one location to another. Usually of a temporary nature, not securely or permanently anchored to the ground or to a building or structure.

**POST SIGN.** Post signs shall include any sign or other advertising structure supported by a single stationary pole placed in the ground and not attached to any building.

**REPAIR or MAINTAIN.** Refer to definition for **MAINTAIN**.

**REAL ESTATE SIGNS.** Signs that advertise or announce the sale, lease, or renting capability of any portion of a building, property, or business, that takes place upon the lot, parcel, or plat of land to which the sign is placed.

**RIGHT-OF-WAY.** Any land or space that is not privately owned by someone other than a taxing body, government, or utility.

**ROOF SIGN.** A sign which is erected, constructed, and maintained above or upon the roof of a building with the principal support on the roof and/or structure.

**SIGN.** Every name, identification, description, announcement, declaration demonstration, display, flag, illustration or insignia, attention getting device, and structure supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon a piece of land which directs attention to an object, product, place, activity, person, institution, organization, or business. A sign shall also include any fabricated sign or outdoor display structure, including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, posted, pictorial, picture, stroke, stripe, line, trademark, reading matter illuminating device, which is constructed, attached, erected, fastened, or manufactured in any manner so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, and displayed in any manner out of doors for recognized advertising purposes.

**SIGN COPY AREA.** The total area of typography on one face of a sign enclosed within a rectangle, circle, or triangle.

**STRUCTURAL TRIM.** Any molding battens, capping, nailing strips, lattice, and platforms which are attached to the sign structure.

**SURFACE.** The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

**TEMPORARY SIGN.** Temporary signs shall include any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board, or other materials, with or without frames, intended to be displayed for a short period of time.

**TIME AND/OR TEMPERATURE SIGNS.** Any device that indicates the time or temperature that has the capability of being visual from the public way or right-of-way.

**TYPOGRAPHY.** All graphic elements on a sign, including project or tenant identity, marketing information, street address, and directional views.

**QUESTION OF PUBLIC POLICY** A question, proposal, or measure submitted to the voters at an election dealing with subject matter other than the nomination or election of candidates and shall include, but is not limited to, and bond or tax referendum or fund raising event.

**VEHICLE SIGN.** Any advertising or business sign attached to a motor vehicle which is parked or placed in a position for the purpose of displaying the same to the public.

**VILLAGE MANAGER.** The chief administrative official of the Village, subject to the superior right and power of the Board of Trustees to supervise and administer the government and affairs of the Village. When used in this Ordinance, the term Village Manager shall refer either to such official or to his or her duly authorized designee.

**VISION CLEARANCE TRIANGLE.** A triangular area located at the at-grade intersection of streets, railroad, or both, formed by right-of-way lines between their intersection and points fifty (50) feet (twenty-five (25) feet for alleys and private driveways) from their intersection along each line, and by a straight line connecting these two points. Overhanging objects shall be permitted within this triangle only if all parts are higher than nine (9) feet above the level of the pavement of the street where the center lines intersect.

**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 twelve (12) inches from the face of the fence or wall. Wall signs include all flat signs which are placed flat against a building or other structure and attached to any wall of any building or other structure.

**WINDOW SIGN.** A sign that is applied or attached to the exterior or interior of a window or that is located within the interior of a structure so that its message is intended to be read from the exterior of a structure.

**ZONING LAW.** Laws that are legally adopted by the municipality in which this article has been adopted that shall take precedence where they become more restrictive in respect to location, purpose, size, or height of signs. The limitations of zoning laws that effect light and ventilation requirements and occupancy of land shall take precedence over the regulations of this article.

*Other definitions that are not found in the text of this article can be located in other adopted ordinances, codes, or as a last resort, in the latest edition of the Webster's Collegiate Dictionary as published. Any term, condition, or item not specifically addressed in this article may be referenced or located in other adopted ordinances or model codes.*

#### **§ 156.112 PERMITS REQUIRED.**

It shall be unlawful for any person to install, erect, alter, or relocate within the Village any sign or other advertising structure, as defined in this article, without first obtaining a permit from the Development Services Department of the Village and making payment of the appropriate fee(s) as hereinafter required.

All illuminated signs shall, in addition, be subject to all applicable electrical provisions of this article or any other ordinance of the Village and the various permit fees required thereunder. (Note: Under certain annexation agreements, such as the Prime Group Inc., an Architectural Review Board has to approve the signs installed within their development, in conjunction with the review for permit by the Village).

- (A) *New signs.* A new sign shall not hereafter be erected, constructed, altered, or maintained except as provided for herein and a permit has been issued by the Development Services Department.
- (B) *Alterations.* A sign shall not be enlarged or relocated unless such sign conforms to the provisions of this section for new signs and until a proper permit has been secured. The changing of movable parts of an approved sign that is designated for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this section are not violated.
  - (1) Maintaining a sign by refurbishing the painted surface or repainting the surface with the same text and advertisement intention, for the same business or individual, is not to be considered an alteration.

- (2) Any reconstruction, alteration, or repair that includes any physical element or component of a legal/non-conforming sign shall require a permit to be issued for the entire sign and said sign shall comply with the current language of all adopted ordinances in existence at the time of permit request. If such sign can not become in full compliance with those requirements at time of permit, then said sign shall be removed from its location and disposed of properly in an approved manner.

**§ 156.113 APPLICATION FOR INSTALLATION PERMIT.**

Application for an installation permit shall be made upon the official permit application provided by the Development Services Department and shall contain or have attached thereto the following information:

- (A) Name, address, and telephone number and fax number of the applicant.
- (B) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected. A current copy of a plat of survey is required, which indicates the proposed location of the new sign.
- (C) Position of the sign or advertising structure in relation to nearby buildings, structures, or other signs. A current copy of a plat of survey, which indicates the location of the proposed sign and any other signs that already exist on the plot of land.
- (D) Two blueprints or ink drawings of the plans or specifications, methods or construction and attachment to the building, other structure or in the ground, the color of signs, symbols, letters, characters, and all other necessary information to evaluate compliance of the proposed sign.
- (E) If required by the Building Code Official, a copy of structural design and calculations showing that the structure is capable of withstanding dead load and wind pressure in any direction in the amount required by this and all other applicable, adopted codes and ordinances.
- (F) Name of person, firm, or corporation installing the sign or other advertising structure, and their current contractor registration number, issued by the Village.
- (G) Written consent of the owner of the building, structure, or land to which or upon which the sign or other advertising structure is to be installed.

The Village also requires written authorization from the governing authorities that regulate any covenants, conditions, and restrictions imposed upon the property relative to the location of the sign placement. The Village shall not be responsible for compliance with any such regulations and when the Village issues any permit for the installation, placement, or alteration to any sign or signs, such action does not relieve the applicant or recipient from the responsibility of compliance with any regulations other than those of the Village.

- (H) Any electrical permit required and issued for said sign or other advertising structure which is required by the electrical provisions of ordinances and codes as adopted by the Village.
- (I) Sizes of other signs located on the buildings and/or the property.
- (J) Permit numbers of those other signs located on said property.

- (K) Such other provisions as the Building Code Official shall require showing all compliance with this article and any other ordinances of this Village.

**§ 156.114 PERMIT DURATION.**

All sign permits issued shall be valid for construction purposes for a period of six months after date of issuance. The Village Manager, at his discretion, may grant extensions of validity for up to 12 months after the expiration date of the original permit issuance, after which a new permit shall be applied for and new/current fees shall be paid and current compliance shall be met. All previously paid fees shall be forfeited and not refunded or credited to the permittee.

**§ 156.115 PERMIT FEES.**

- (A) Fees for the construction, installation, placement, erection, alteration, or relocation of signs in compliance with the adopted ordinances of the Village are according to the following schedule:
- (1) Ground signs; Wall signs; Awning signs; Any sign not specifically described.
    - (a) Basic fee: \$75 +
    - (b) Per square foot of gross surface area of sign: \$.50 each.
    - (c) Electrical Permit (when applicable): \$60 minimum
  - (2) Special exemption signs; Temporary signs (see § 156.120).
    - (a) Basic Fee: \$50
    - (b) Temporary Sign Permit fees for non-profit organizations (e.g. civic groups, religious institutions or charitable organizations) shall be waived, provided that evidence of formal incorporation or tax exempt status is shown at the time a permit application is submitted.
    - (c) Temporary sign permit bond: \$100 (This bond is to be forfeited to the Village when permittee does not remove the sign as specified or maintain sign in an approved manner. The Building Code Official shall remove and dispose of the sign as deemed necessary and any costs incurred in the removal of said sign shall also be billed to permittee.)
  - (3) Alterations to existing signs:
    - (1) Per sign face: \$15 +
    - (2) Any additional square foot of area (as allowable): \$.50 each.
  - (4) Appeal filing fee: \$100 (regularly scheduled meeting); \$600 (special scheduled meeting).



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**§ 156.116 ANNUAL INSPECTION.**

The owner shall inspect annually, and at such other times as he deems necessary, each sign or other advertising structure for the purpose of ascertaining whether the same is secure or insecure and whether it is in need of removal or repair.

- (A) *Removal.* The Building Code Official may order the removal of any sign that is not maintained in accordance with the provisions of this article.
- (B) *Maintenance.* All signs for which a permit is required, together with all their supports, braces, guys, and anchors, shall be kept in repair in accordance with the provisions of this article and, when not galvanized or constructed of approved corrosion-resistant non-combustible materials, shall be painted when necessary to prevent corrosion. Defective, damaged, or deteriorated signs or parts thereof shall be repaired or removed within fifteen (15) days of receipt of written notice.
- (C) *Housekeeping.* It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary, and healthful condition. This includes the maintenance of the grounds as it pertains to growth of grasses and weeds to be kept in compliance with the adopted property maintenance codes of the Village.
- (D) *Inspection.* Every sign shall be subject to the inspection and approval of the Building Code Official.

**§ 156.117 PERMIT REVOCABLE AT ANY TIME.**

All permits acquired under the provisions of this article or any amendment thereto are revocable at any time by the Building Code Official upon failure of the permittee to comply with any provision of this article. Upon termination or revocation of the permit, the permittee shall remove the sign or other advertising structure without cost or expense of any kind to the Village, provided that in the event of the failure, neglect, or refusal on the part of the permittee to do so, the Village may proceed to remove the same and charge the expenses to the permittee.

**§ 156.118 GENERAL REGULATIONS.**

The following general standards shall apply to all signs.

- (A) *Compliance with Applicable Codes.* No sign shall be designed, constructed, altered or maintained except in accordance with all applicable code, ordinances, and regulations of the Village.
- (B) *Location.* No sign shall be located except in compliance with the following standards:
  - (1) *Wall Signs.* No wall sign shall cover wholly or partially any opening or project beyond the ends or top of the wall to which it is attached. No wall sign shall be permitted to extend more than 12 inches beyond the face of any structure to which it is attached. If attached to a wall or other structure, so as to be suspended above or facing a sidewalk/other public thoroughfare, such sign shall be subject to the requirements of § 156.118(H).

- (2) Ground Signs. No ground sign shall be placed within five feet of any lot line, and when any sign is placed within ten feet of any lot line, it shall not exceed three and a half feet in height. No ground signs shall be placed within the Vision Clearance Triangle as defined in § 156.111.
- (C) *Illuminated Signs.* No sign shall be illuminated except in compliance with all applicable Village codes, ordinances, and regulations and with the following standards:
- (1) Except as otherwise specified in this article, a sign may be illuminated with internal or external lighting sources as follows:
- (a) Internal illumination. Signs may be internally illuminated, but only through a translucent surface from a light source from within the sign.
- (b) External illumination. Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public street or any adjacent property. Every external artificial light source shall be directed solely to, and concentrated sharply on, the sign.
- (2) Except for permitted time and temperature display, the illumination shall be constant in intensity and color and shall not consist of blinking, flashing, fluttering, or other illumination conveying a sense of movement.
- (D) *Time and Temperature Displays.* Time and temperature displays shall be permitted on wall and ground signs provided that the area devoted to such display shall not exceed twenty-five percent (25%) of the total sign area and not more than one (1) time and temperature display shall be permitted per lot. The displayed message may be changed by intermittent lighting changes, but such changes shall not exceed twelve (12) per minute. An automatic dimming system shall control overall illumination intensity. See Illustration 4.
- (E) *Planned Unit Development Signage.* The Village may permit additional or different signage, or require different standards for signage as part of a final approval of a Planned Unit Development.
- (F) *Uniform Sign Criteria.* When more than one wall sign is proposed on a building with multiple tenants, all signs shall have a uniform style. This shall include, at a minimum, similar format of messages, lighting, location, and construction materials.
- (G) *Required Landscaping.* All ground signs for which a sign permit is required shall have landscaped area in accordance with the following provisions, except as otherwise noted:
- (1) For every one (1) square foot of sign area there shall be provided two (2) square feet of landscaped area immediately adjacent to the sign base.
- (2) The required landscaped area shall consist of plantings such as, but not limited to, hedges, conifers, flowering plants, evergreens, and ground cover plants. Sodded or seeded areas without such plantings shall not be considered in calculating the required square footage of landscaped area.
- (3) The landscaped area shall contain ground protection such as, but not limited to, cover plants, landscaping mulch or decorative stones.

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- (4) The landscaped area shall be maintained in a healthy, neat and proper condition at all times.
- (5) If the area around the base of the sign is insufficient in area for all of the required landscaping, then all such landscaping as may be properly be installed shall be placed around the base of the sign and the remainder of the required landscaping shall be provided in the same zoning lot as the subject sign at a location reviewed and approved by the Village Manager.
- (H) *Obstruction to Doors, Windows, or Fire Escapes.* No sign or other advertising structure shall be installed, relocated, or maintained so as to prevent free ingress to, or egress from, any door, window, or fire escape. No sign or other advertising structure of any kind shall be attached to a stand pipe or fire escape.
- (I) *Signs Not to Constitute Traffic Hazard.*
- (1) No sign or other advertising structure shall be installed or maintained in such manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle by reason of the position, shape, or color thereof.
- (2) No sign or advertising structure shall be installed or maintained in such a manner as to likely interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device.
- (3) No sign or advertising structure shall make use of the words “stop,” “go,” “look,” “slow,” “danger,” or any other similar word, phrase, symbol, or character, or employ any red, yellow, orange, green, or other colored lamp or light, in such a manner as to interfere with, mislead, or confuse traffic or imitate or resemble official traffic or governmental symbols.
- (J) *Face of Sign Shall be Smooth.* All signs or advertising structures which are allowed to be constructed within ten feet of public thoroughfares shall have no nails, tacks, or wires or other hazardous projections protruding therefrom.
- (K) *Glass Limitations.* Any glass forming any part of any sign shall be glazed so as to comply with the human impact loads as described in the adopted model codes and ordinances.
- (L) *Miscellaneous Advertising Objects Prohibited.* No person shall place on or suspend from any building or structure any goods, wares, merchandise, or other advertising object or structure, other than a sign as defined, regulated, and prescribed by this article.
- (M) *Obscene Matter Prohibited.* It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent, or immoral matter. This shall include any advertising device that is exempt or legal non-conforming.
- (N) *Unsafe and Unlawful Signs.* If the Building Code Official shall find that, in his opinion, any sign or other advertising structure is unsafe or insecure or is a nuisance to the public, or has been constructed or installed, or is being maintained in violation of the provisions of this article, he shall give notice to the permittee, representative, or owner thereof. If said individual fails to remove or alter the structure so as to comply with the standards as set forth within the time allowed by the Code Official, which shall not exceed more than 30 days after such notice, such

sign or other advertising structure which is an immediate peril to persons or property, to be removed immediately and without notice. All such signs and any that are placed in the right-of-way without documented permission of the Village Board or other responsible public entity shall be considered a safety hazard and immediate peril to person or property and removed and disposed of by any Village representative. Disposal method would be at the discretion of said individual authorized to remove said signs or objects placed in a location that does not comply with this article.

- (O) *Wind Pressure and Load Requirements.* Construction of all signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the adopted publication of the B.O.C.A. Basic Building Code and/or the requirements of this article, whichever is the more stringent. Under this article, all signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum win loads as follows:
- (1) Solid signs and their components – 35 pounds per square foot of the total exposed area of the sign structure.
  - (2) Open signs and their components – 35 pounds per square foot of the total exposed area of the sign face and/or 20 pounds per square foot of the gross surface area of the entire sign, whichever is greater.
- (P) *Removal of Certain Signs.* Any sign or other advertising structure, now or hereafter existing, which advertises a business no longer being conducted or a product no longer being sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or premises upon which such sign may be found within 15 days after notification from the Building Code Official. Upon failure to comply with such notice within the time specified in such order, the Building Code Official is hereby authorized to cause removal of such sign or other advertising device or structure, and any expense incident thereto shall be paid by the owner, agent, or person having the beneficial use of the building, structure, or premises which sign is attached to or placed upon.

#### **§ 156.119 SIGNS PERMITTED WITHOUT A SIGN PERMIT.**

The provisions of this article shall not apply to the following signs, provided, however, said signs shall be subject to the provisions of § 156.118, and no sign or advertising device can be placed off-site or in any right-of-way without documented permission from the Village Board.

- (A) *Residential Real Estate Signs.* One (1) sign shall be permitted per street frontage, not exceeding six (6) square feet per sign face and six feet in height. Every such sign shall be removed within seven (7) days after a sale has closed or a lease is sign on the last vacancy. No open house sign shall be exceed four (4) square feet per sign face, and every such open house sign shall be post no earlier than twenty-four (24) hours before the open house, and shall be removed within twenty-four (24) hours after the open house.
- (B) *Flags.* Flags of any government or governmental agency, or any patriotic, religious, charitable, civic, educational or fraternal organization.
- (C) *Occupational Signs.* Denoting only the name and profession of an occupant in a commercial building or public institutional building and not exceeding one square foot in area, which is attached to said building or structure.

- (D) *Tablets in Building Walls.* Signs or tablets, names of building and date of installation when cut into any masonry surface or when constructed of bronze or other non-combustible materials and attached to the building. These signs shall not exceed ten square feet in total area.
- (E) *Traffic-Municipal Signs and Emergency Signs.* Traffic or other municipal signs, legal notices, railroad crossing signs, danger, and such temporary emergency or non-advertising signs as may be approved by the Village.
- (F) *Political Signs.* Political signs shall include all signs in support of or opposition to any candidate for elected public office and all signs in support of or opposition to all questions of public policy. Question of public policy shall mean any question, proposal, or measure submitted to the voters at an election dealing with subject matter other than the nomination or election of candidates and shall include, but not be limited to, any bond or tax referendum or fund raising event. No political sign shall exceed sixteen (16) square feet in area and the total area of all political signs displayed on a non-residential zoned property shall not exceed fifty (50) square feet in area. Political signs displayed on non-residential zoned property may be installed not more than thirty (30) days prior to any national, state, or local election and shall be removed from the premises within four (4) days following the date of the election. There shall be no time limit for the display of political signs on residential zoned property.
- (G) *Mall Signs.* Interior signs, within an enclosed mall or other retail space, or within any building, shall not require a sign permit.
- (H) *Garage/Estate Sale Signs.* Displayed only upon any private property, zoned residential as per the current adopted zoning ordinance of the Village. One (1) sign shall be permitted per lot and such sign shall not exceed eight (8) square feet per side of any back to back sign. Such signs shall only be displayed on Thursday, Friday, Saturday, or Sunday of any given week, or on holidays.
- (I) *Village Event Banners.* Village related event signs or banners shall be allowed to be displayed across the public way or right-of-way to promote Village sponsored events. Such signs shall require the approval of the Village Manager.
- (J) *Window Signs.* The total area of all window signs affixed to a window shall not exceed fifty percent (50%) of the total window area on any street frontage. Window signs covering in excess of fifty percent (50%) shall be considered wall signs and shall be subject to all requirements applicable to wall signs.

#### § 156.120 SPECIAL EXCEPTION SIGNS.

The following signs shall be allowed, but only after issuance of a sign permit. All such signs shall be constructed and maintained in accordance with the provisions set forth below and with all other applicable provisions of this Article.

- (A) *Construction signs.* A construction sign shall be permitted, but only when such sign relates to an approved development on the lot for which a building permit has been issued and in accordance to the following provisions:
- (1) *Size.* No construction sign shall exceed thirty-two (32) square feet in area.

- (2) *Height.* No construction sign may exceed eight (8) feet in height when ground mounted. No wall mounted construction sign shall project above the wall to which it is attached.
  - (3) *Location.* No construction sign shall be located within ten (10) feet of any lot line or within 50 feet of the intersection of streets.
  - (4) *Number.* Not more than one (1) construction sign shall be permitted per lot.
  - (5) *Installation.* Every construction sign when attached to the wall or placed in the ground shall be secured in an approved manner as determined by the Building Code Official.
- (B) *Non-Residential Real Estate Signs.* Real estate signs for non-residential zoned land shall be permitted, subject to the following provisions:
- (1) *Size.* Sign area shall not exceed 32 square feet; 96 square feet when marketed site exceeds 50 acres in size.
  - (2) *Height.* Sign height shall not exceed 8 feet; 15 feet when marketed site exceeds 50 acres in size.
  - (3) *Location.* All non-residential real estate signs shall comply with the requirements § 156.118(B).
  - (4) *Number.* One (1) sign shall be permitted per street frontage.
  - (5) *Installation.* Signs shall be removed within two (2) years of issuance of a sign permit or within seven (7) days after a sale has closed or a lease is signed on the last vacancy, whichever occurs first. A new permit shall be required to allow the sign to remain for an additional two (2) years.
- (C) *Private Regulatory Parking Signs.* Specifically “Unauthorized Vehicles Will Be Towed.” These signs are not allowed in single-family residential districts. Within all other districts such signs shall not exceed four square feet in surface area if the sign is single face or eight square feet in surface area if the sign is multi-face and shall not exceed four in number per lot. Such signs shall contain no advertising, logos, or other promotional information. Placement of said signage shall be a minimum of ten feet inside the property line. All such signs are subject to approval and permit issuance by the Village Manager.
- (D) *Residential Subdivision and Recreational Identification Signs.* The purpose of such signs is to identify entrances into the residential Villages and recreational centers within the Huntley community; display residential neighborhood name and logo.
- (1) *Size.* Copy area shall not exceed twenty-four (24) square feet.
  - (2) *Height.* Overall height of a sign background shall not exceed six (6) feet.
  - (3) *Location.* Perpendicular, parallel, or flanking entrances at internal road system.
  - (4) *Number per lot.* One such sign shall be permitted per entry; however two (2) signs shall be permitted per entry provided the signs are located on opposite sides of the entry or street.

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- (5) *Materials.* Material palette must be compatible with, reflect, and unify Huntley's area and the residential Village.
- (6) *Illustration.* See Illustration 10.
- (E) *Temporary Signs.* The display of temporary signs, including banners, shall be permitted only under the following conditions and subject to the following limitations:
- (1) *Replacement Signage.* Temporary signage shall be permitted when construction activities or exterior façade renovations to an existing building require the temporary removal of existing permanent signage. Any replacement signage shall be removed immediately after the restoration of the permanent signage or within five (5) days after the completion of such construction activities or façade renovations, whichever is less. The area of such signs shall not exceed the maximum square footage allowed for the permanent sign for a business.
- (2) *New Businesses.* Temporary signage shall be permitted when a business registration has been issued for a new business and all application required for the installation of permanent signage have been filed with the Village but have not been acted upon by the Village. Such signs shall be removed immediately after the installation of the Village approved permanent signage or within thirty (30) days after approval of the sign permit application required for the installation of the permanent signage, whichever is less. The area of such signs shall not exceed the maximum square footage allowed for the permanent sign for a business.
- (3) *Employment Signs.* Temporary signage shall be permitted for any new business to advertise for employment opportunities thirty (30) days prior to opening and up to fifteen (15) days after opening. Up to four (4) temporary signs shall be permitted provided that the total area all such signs does not exceed fifty (50) square feet.
- (4) *Special Events and Promotions.* Temporary signage shall be permitted for special events, sales, promotions, civic and community events. Such signs shall be subject to the following limitations:
- (a) *Size.* No temporary sign shall exceed fifty (50) square feet in area.
- (b) *Height.* A ground mounted temporary sign shall not exceed a maximum of eight (8) feet above existing grade within immediate area of sign placement. A wall mounted temporary sign shall not project above the roof line of the building.
- (c) *Location.* All temporary signs shall conform to the requirements of §156.118(B)
- (d) *Number per lot.* Not more than one temporary sign shall be permitted at any given time for a business provided that not more than one (1) temporary sign is displayed at any given time on a lot containing a multi-tenant building(s).
- (e) *Installation.* Every temporary sign when attached to the wall or placed in the ground shall be secured in an approved manner as determined by the Village Manager.

- (f) *Duration and interval of permits.* Permits for temporary signs shall be granted for not more than thirty (30) days. Three (3) temporary signs permits shall be allowed for a business or organization in any calendar year, and a fifteen (15) day interval shall be required between temporary signs for a business or organization. The time period for any one permit shall be of a consecutive nature. Each temporary sign request requires a separate permit and fee.
- (g) *Advertising permitted.* The advertisement contained on any temporary sign shall pertain only to the business, industry, or pursuit conducted on or within the premises on which such sign is installed or maintained.
- (i) *Illustration.* See Illustration 3.

### § 156.121 PROHIBITED SIGNS.

It shall be unlawful for any person to install or maintain any signs, poster, advertisement, or notice when it is:

- (A) Fluttering, undulating, swinging, rotating, moving and/or flashing sign, except time and temperature signs, and festoon lighting. This includes spot lights of other light producing devices used to attract attention.
- (B) Hung, placed, or painted on any fence, or tree.
- (C) On or across a public right-of-way, street, sidewalk, alley, tree bank, utility pole or post located on any public right-of-way, tree bank, street, or alley; or any public space or building without having first obtained a permit thereof. Application for such permit shall be made to the Village Manager, who shall present the application to the President and Village Board of the Village for their review. The President and Village Board shall grant or deny such permit or shall impose such restrictions as to size, location, and character as they deem necessary in granting such permit. Said application shall contain all information as required by § 156.113. An original certificate of insurance shall be on file with the Village Clerk prior to erection of said sign. Such certificate shall meet or exceed the requirements as set in § 156.126(C).
- (D) Portable signs of any type including, but not limited to, signs on vehicles or trailers located for the primary purpose of displaying said signs provided that this section shall not apply to political signs.
- (E) Signs painted directly on the surface of any building or structure.
- (F) Signs or lighting which flash or revolve in a building and are visible from any street, alley, or public right-of-way.
- (G) Signs which advertise a business not conducted on the premises or a product no longer sold on the premises, with the following exception:
  - (1) Off-premise signs shall require an appeal to be approved by the Village Board in accordance with the requirements of § 156.128. An appeal shall only be approved by the Village Board provided the following standards and criteria are adhered to:



- (a) The sign is adjacent to, and the sign is intended to be viewed from, Route 47 only.
  - (b) Off-premise signs prohibited within a residentially-zoned property.
  - (c) The maximum area of a sign face, whether a single sign face or two back-to-back signs or a V-shaped type sign is 100 square feet.
  - (d) The maximum height of the sign shall not exceed fifteen (15) feet above grade.
  - (e) Off-premise signs shall not be erected or maintained in such a place or manner as to obscure or otherwise physically interfere with an official traffic control device or a railroad safety signal or sign, or to obstruct or physically interfere with a driver's view or approaching merging or intersecting traffic for a distance of 500 feet.
  - (f) The Off-premise sign permit shall be valid for one year with an automatic renewal at the discretion of the Village Board. The off-premise sign permit may be rescinded by the Village Board on a case-by-case basis.
- (H) Vehicle signs, except signs on vehicles used exclusively for public transportation.
- (I) Signs consisting of a string of hanging lights, or a cluster or series of lights, except on such time and temperature signs.
- (J) Changeable copy signs, with the following exceptions:
- (1) Movie marquees.
  - (2) Gas stations shall be permitted to use a maximum size of two feet by three (3) feet of changeable copy area to advertise fuel prices only and shall be allowed only one sign per product per street frontage of more than fifty (50) feet.
  - (3) Any other sign which complies with other parts of this article and has a changeable copy area of fifty-percent (50%) of the entire allowable area or less of the sign and has a secure permanent lockable shield over the text area to prevent unauthorized alteration of the text. All changeable copy text shall be a maximum of eight (8) inches in height per letter and four (4) lines per sign face. Exception to this height and line limitation would be allowable signs for fuel dispensing retail operations. (For the purpose of intent to comply, if the text area is not readily accessible without the use of any device to elevate anyone for the purpose of unauthorized altering of the text, such shield may be omitted.)
- (K) Flags that do not represent a government or governmental agency, or any patriotic, religious, charitable, civic, educational or fraternal organization shall not be displayed on any property that is zoned other than single family use.
- (L) No roof sign shall be permitted.
- (M) All projecting signs as defined are hereby prohibited. (Exception: awnings/canopies as allowed in § 156.124(A))

- (N) Inflatable balloons and all tethered airborne advertising devices are prohibited.
- (O) Spot lights, promotional, or temporary or of portable capacity are strictly prohibited. (Refer to § 156.118(C))
- (P) No sign shall be allowed in any zoning district representing residential use except for special exemption signs as outlined in § 156.120 and site specific signs for residential subdivisions as approved through Village Board actions.

**§ 156.122 GROUND SIGNS.**

- (A) *Size.* The surface area shall not exceed one-half (1/2) square foot per linear feet of street frontage, maximum of eighty (80) square feet.
- (B) *Height.* It shall be unlawful to install any ground sign whose total height is greater than fifteen (15) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.
- (C) *Location.* All ground signs shall conform to the requirements of § 156.118(B).
- (D) *Number of per lot.* One (1) ground sign per lot.
  - (1) Ground signs related to a use with a drive-in and/or drive through shall be reviewed as a sign package to be submitted as part of the Special Use Permit application for the drive-in/drive through.
- (E) *Installation.* All ground signs shall be mounted on a decorative masonry or natural stone base or between decorative masonry or natural stone columns. Alternative materials may be approved where they correspond with the appearance of one or more materials used on the exterior of the corresponding building. The width of the base or total width of the columns of any ground sign, as measured parallel to the sign face, shall be a minimum of fifty percent (50%) of the width of the sign face.
- (F) *Illustration.* See Illustration 1.

**§ 156.123 WALL SIGNS.**

- (A) *Size.* Total surface area of all wall signs on a building shall not exceed one (1) square foot for each lineal foot of the building's frontage. For a building containing two (2) or more individual business occupancies, each of which is under separate ownership and control, the total surface area of wall signs for each occupancy shall be one (1) square foot for each lineal foot of frontage for said tenant space.
- (B) *Height.* No wall signs shall project above the wall to which it is attached.
- (C) *Location.* Limited to the street frontage face of a building. For a building containing two (2) or more individual business occupancies, each of which is under separate ownership and control, permitted wall signs shall be located on the portion of the building frontage occupied by the business. All wall signs shall conform to the requirements of § 156.118(B).

- (D) *Number per lot.* One per tenant or one per street frontage on corner lots.
- (E) *Installation.* All wall signs of solid face construction shall be safely and securely attached to the building wall by means of metal anchors, bolts, or expansion screws. In no case shall any wall sign be secured by wire, strips of wood, or nails. All wall signs shall conform to the requirements of § 156.118.
- (F) *Illustration.* See Illustration 2.

**§ 156.124 OTHER ADVERTISING STRUCTURES.**

- (A) *Awnings.* Awnings that have any form of art work, logo, or script shall be considered a sign and subject to the following provisions.
  - (1) *Size.* Allowable surface area of an awning sign area shall not exceed twenty-five percent (25%) of the exterior surface area of the awning. Only the actual text or graphics area shall be considered when measuring the face of the sign.
  - (2) *Height.* Awning signs shall not exceed the height of the first floor of the building to which they are affixed.
  - (3) *Location.* Awnings shall project not more than four (4) feet from the wall to which they are affixed and shall provide a clearance of no less than eight (8) feet from the lowest part of the awning to the grade or walkway under such awning. No awning shall extend over any public property or beyond any lot lines.
  - (2) *Number per lot.* One awning sign shall be permitted per tenant or occupant. This is restriction is not intended to limit the number of awnings on a building; it shall only limit the number of signs to be displayed on awnings.
  - (3) *Illustration.* See Illustration 7.
- (B) *Parking Lot Entrance/Exit and Instructional Signs.* Signs related to the use of parking facilities shall be permitted, provided such signs shall be limited in content to directional arrows, a single logo or business name and the words “entrance,” “enter” or “exit”. Such signs shall be subject to the following provisions.
  - (1) *Size.* The surface area shall not exceed six (6) square feet.
  - (2) *Height.* No parking lot entrance/exit or instructional sign shall three (3) feet in height.
  - (3) *Location.* No parking lot entrance/exit or instructional sign shall be located within five (5) feet of any lot line.
  - (4) *Number per lot.* One (1) parking lot entrance/exit and instructional sign shall be allowed per entrance/exit.

**§ 156.125 PLANNED DEVELOPMENT DISTRICT.**

In accordance with the Prime Group Annexation Agreement, approved by Ordinance No. 92-07-11 on July 29, 1992, property located in the Planned Development District and subject to the Annexation Agreement shall comply with the signage requirements found in Exhibit K of said Annexation Agreement.

**§ 156.126 NON-CONFORMING SIGNS.**

Existing signs made non-conforming by the provisions of this article may continue until terminated either by voluntary act or catastrophic event which required structural alteration or repair, or complete replacement, of the sign, provided that the following conditions are complied with:

- (A) The sign, and portions thereof, shall be maintained in a safe condition and inspected on an annual basis.
- (B) Ordinary repair and maintenance may be performed on a non-conforming sign; provided that any repair shall, whenever possible, eliminate or reduce any non-conformity in the element being repaired.
- (C) For overhanging or projecting signs, or signs that exist in or over the public right-of-way, the owner shall file with the Village a liability insurance policy issued by an insurance company authorized to do business in the State of Illinois, providing the limits of liability shall not be less than \$20,000 for property damage and \$100,000 for public liability. A certificate of insurance under an existing liability policy which shows on its face that it meets the requirements of this section will be sufficient, and said insurance shall not be canceled by the principal or surety until after ten days written notice to the Village Manager. Once this insurance is to be canceled or let expire, said sign or advertising device shall be removed prior to such expiration or cancellation.

**§ 156.127 TERMINATION OF NON-CONFORMING SIGNS.**

- (A) *By Abandonment/Change of Use.* Abandonment or cessation for a period of ninety (90) days or the change of the principal use to which the non-conforming sign is accessory shall terminate immediately the right to maintain such sign.
- (B) *By Violation of the Article.* Any violation of the provisions of this article shall terminate immediately the right to maintain a non-conforming sign.
- (C) *By Destruction, Damage, or Obsolescence.* The right to maintain or continue any use of any non-conforming sign shall terminate and cease to exist whenever the sign:
  - (1) Becomes damaged or destroyed by voluntary act or catastrophic or accidental event or act of nature, which requires structural alteration or repair or complete replacement of the sign, as determined by the Village Manager; or
  - (2) Becomes obsolete or substandard under any provisions of any applicable ordinance of the Village; or
  - (3) Becomes a hazard or danger or public nuisance as determined by the Village Manager.

(D) *By Amortization.*

- (1) The right to maintain a non-conforming sign shall terminate in any event in accordance with the following schedule:

<i>Cost of sign</i>	<i>Time allowed to conform</i>
\$0 to \$3,000	2 Years
\$3,001 to \$6,000	3 Years
\$6,001 to \$15,000	4 Years
\$15,001 to \$25,000	5 Years
\$25,001 or more	15 Years

- (2) Any sign that became non-conforming upon the adoption of this article shall be terminated or made to conform within the following period of time after adoption of this article is effective, based upon the documented proof of the cost of such sign, at time of original installation or replacement cost based upon three verifiable written estimates as submitted to and approved by the Building Code Official.
- (3) A non-conforming sign in an area annexed to the Village after the effective date of this section shall be removed in accordance with the time periods established herein.
- (4) Any non-conforming sign that is voluntarily made to conform to this article prior to the lapse of the above time period schedule shall require a permit and inspections but shall not be charged any permit fees as long as the advertisement remains the same with no additions or deletions of text or graphics.

**§ 156.128 APPEAL.**

Any person, firm, or corporation affected by any notice which has been issued by enforcement of any provision of this article or of any rule or regulation adapted pursuant thereto shall be granted a hearing on the matter before the Village Board, provided that such person shall file a written petition requesting such hearing with the Village Manager, which sets forth a brief statement of the grounds for appeal, and the appropriate filing fees. Upon receipt of such petition and fees, the Village Manager shall seek a time and place for such hearing and give the petitioner notification thereof. At such hearing the petitioner shall be given an opportunity to be heard and show why such notice or requirements should be modified or withdrawn. The hearing shall be held not more than thirty (30) days and not less than five (5) days from the day on which the petition was filed.

**§ 156.129 SEVERABILITY CLAUSE.**

This article and its parts are declared to be severable. If any section, subsection, clause, sentence, word, provision, or portion of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, this decision shall not affect the validity of the ordinance as a whole. All parts of the article not declared invalid or unconstitutional shall remain in full force and effect as if such portion so declared or adjudged unconstitutional or invalid were not originally part of this article, even if the surviving parts of the article result in greater restrictions after any unconstitutional or invalid provisions are stricken.

**§ 156.130      SUBSTITUTION CLAUSE.**

The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of any commercial or non-commercial copy. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.