

# ARTICLE D. SIGN REGULATIONS

## 10-6D-1: TITLE AND STATEMENT OF PURPOSE:

- A. Title: This article is entitled the *VILLAGE OF LAKE VILLA SIGN REGULATIONS* and may be referred to as the "sign regulations".
- B. Purpose: The purpose of this article is to:
1. Regulate signs in such a way as to support and complement land use objectives set forth in this title and this Code.
  2. Ensure that all signs within the Village are compatible with existing land uses and/or buildings within the general area of the sign and/or the community as a whole, with regard to size, location, color, construction, materials and manner of display.
  3. Permit such signs that do not confuse, mislead, and/or obstruct the vision necessary for traffic safety, or otherwise endanger the public health, safety, morals or general welfare.
  4. To enable the fair and consistent enforcement of regulations and restrictions.
  5. To identify the types of signs which may or may not require obtaining a permit from the Village prior to installation thereof. (Ord. 2019-02-02, 2-4-2019)

## 10-6D-2: DEFINITIONS:

**ANIMATED SIGN:** Any sign that uses movement or change of lighting to depict action or create a special effect or an animated scene. This type of sign is prohibited.

**BALLOON SIGN:** Any inflatable object, whether depicting information or not, for the purpose of attracting attention to a location. This type of sign is prohibited.

**BANNER:** A temporary sign consisting of a piece of fabric or other flexible material attached to two (2) or more pole(s) or staff(s) or line(s).

**BEACON:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also any light with one or more beams that rotate or move. This type of sign is prohibited.

**BENCH SIGN:** Any sign that is part of, or affixed to, a bench, including, but not limited to, a sidewalk bench, park bench, or a bench at a bus stop or railroad station, or at another public place. This type of sign is prohibited.

**BILLBOARD:** Any sign, whether temporary or permanent, erected on private property or attached to any building or other structure on private property which relates to an activity or use no longer conducted or offered on the premises to which such sign is annexed or attached. Also commonly referred to as an off-premises sign. This type of sign is prohibited.

**CANDELA:** An internationally recognized base unit of measurement of luminous intensity. A common candle emits light with a luminous intensity of roughly one candela.

**CANOPY SIGN:** Any sign that is a section of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. A canopy sign is a type of wall sign.

**DIGITAL SIGNS OR DIGITAL DISPLAY:** A sign or display that includes an internally illuminated electronic presentation in the form of characters such as numbers, letters, and graphics, including, but not limited to, cathode ray tube, light-emitting diode ("LED"), liquid crystal display ("LCD"), neon, plasma, xenon, and similar signs or displays which utilize any of these or any other similar technologies.

**ENFORCEMENT OFFICER:** The Village Administrator, or his or her designee.

**EXEMPT SIGN:** A sign not requiring a permit or payment of a fee to the Village pursuant to this article, including but not limited to any Municipal sign, regulatory signs, and/or signs located in a cemetery.

**FEATHER SIGN:** A temporary sign with a single anchor point into the ground or into a stand that is rectangular in shape and is vertical in nature.

**FLAG:** A sign printed on and/or made of fabric or other flexible material which is mounted and flown on a single pole.

**FLASHING SIGN:** A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. This type of sign is prohibited.

**FOOT CANDLE:** A unit of illuminance of light intensity, meaning the illuminance cast on a surface by a one-candela light source from one foot (1') away.

**GROUND SIGN:** A permanent sign anchored in the ground by means of a base on the ground and not supported or attached to a pole or poles, which is placed in or on an approved foundation, and not attached to a building.

**MARQUEE:** Any fixed hood (other than a canopy or awning), which is supported solely by the building to which it is attached, is constructed of metal or other non-combustible material. A marquee is a type of a wall sign.

**MONUMENT SIGN:** A permanent ground sign.

**MUNICIPAL SIGN:** Any sign located on public property and/or within any public right-of-way which has been approved by the public body owning or having maintenance jurisdiction over such location, including, but not limited to: traffic-control signs, traffic signals and devices, and devices and/or safety warnings; legal notices, identification signs for public buildings, or departments, divisions, services, or structures of a public body; any informational, directional, or warning sign; any regulatory signs; railroad crossing signs; temporary emergency signs; and such other signs as may be approved by the Governing Body or executive authority of the public body owning or having maintenance jurisdiction over such location, which are determined by such public body to serve a public purpose. Municipal signs shall be exempt from this article, except as specifically provided herein.

**NITS:** A unit of measurement of luminance or intensity of visible light, where one nit is equal to one candela per square meter. Nits are used to describe the brightness of electronic displays, such as, but not limited to, LED displays or LCD displays.

**NON-RESIDENTIAL ZONING DISTRICTS:** The CR, CB, CA, CBD, SB, LI, LI-2, and RD Zoning Districts of the Village.

**NON-RIGID AWNING:** An awning structure attached to a building, typically made of tubular frame and covered with canvas or similar non-rigid fabric or material. A non-rigid awning may only be a wall sign.

**OBSOLETE SIGN:** A sign that no longer relates to any on-site use, occupant(s), or activity(ies). This type of sign is prohibited.

**OFF-PREMISES:** More commonly referred to as a "billboard" as defined herein. This type of sign is prohibited.

**PENNANT:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. This type of sign is prohibited.

**PERMANENT SIGN:** Any sign or sign structure which is permanently affixed or installed, and is intended for long term use.

**PORTABLE SIGN:** Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported. Portable signs shall be no greater than three feet (3') in height.

The following portable signs shall be prohibited: Signs designed to be transported by means of wheels on a vehicle, or on a trailer, or otherwise; balloons and/or inflatables used as signs; umbrella signs; signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day to day operations of the business; and any other portable sign not expressly permitted.

A-frame signs, T-frame signs, and sandwich board signs are portable signs which shall only be displayed on the sidewalk area immediately outside a permitted use in any Non-Residential Zoning District and shall be removed at all times when the use is not open. No permit is required for this display.

**PROJECTING SIGN (Also Referred To As OVERHANGING SIGNS):** A sign supported by a building or other structure, which projects over any street, sidewalk, alley, or public way or public easement; or which projects more than four inches (4") from the face of any building, structure, or supporting wall. Projecting signs are prohibited.

**PUBLIC RIGHT-OF-WAY:** That land area over which any public entity has rights either through ownership or easement, to use for public street, utility purposes, or any other public purpose.

**PYLON SIGN:** A ground sign erected upon a pylon or a post. Pylon signs are generally prohibited unless it can be demonstrated to the Village's Enforcement Officer that a pylon sign is necessary, in place of a ground sign, because the unique location of the property would make a ground sign not practical or if it can be demonstrated that a pylon sign, not a ground sign would be necessary for proper traffic visibility.

**REGULATORY SIGN:** Signs mandated by Federal or State Statute or regulations, or by Village ordinance. Regulatory signs are a type of exempt sign.

**RESIDENTIAL ZONING DISTRICTS:** The AG, NC, SR1, SR2, SR3, UR1, UR2, UR3, UR3A, and UR4 Zoning Districts of the Village.

**ROOF SIGN:** A sign that is placed above or supported on the top of a building. This type of sign is prohibited.

**SIGN:** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

**SNIPE SIGN:** A sign which is attached to trees, utility poles, or to other objects, with a message appearing on such sign that does not apply to the present use of the premises or structure upon which the sign is located, including, but not limited to, any sign in a public right-of-way, unless written approval therefor has been issued by the Village's Enforcement Officer for such sign.

**SURFACE AREA:** The entire area within any continuous perimeter enclosing the extreme limits of lettering, representations, emblems, logos or other figures or messages, together with any material or color which is an integral part of the display or which is used to differentiate the sign from the background against which it is placed. In the case of a double-faced sign, only one side of the sign is considered in determining sign area if: a) the sign is substantially identical on both sides, and b) the sides of the sign diverge at an angle of less than forty five degrees (45°).

**TEMPORARY SIGN:** Any sign intended to be used for a limited period of time and not usually permanently mounted. Usually, a sign constructed of cloth, fabric, paper, cardboard, or any other lightweight material with or without a structural frame intended for a limited period of display. A temporary sign may be either a ground sign or a wall sign.

**TRAFFIC CONTROL SIGNS:** Traffic control signs, traffic signals and devices, and/or traffic safety warnings, whether within a public right-of-way, or on private rights-of-way owned by a residential condominium association or homeowners' association. Traffic control signs are a type of regulatory sign and, therefore, are an exempt sign.

**TRI-VISION SIGN:** A sign, also known as a "three-message sign", that can display three (3) individual images or messages and consists of triangular prisms placed inside a frame which prisms rotate one hundred twenty degrees (120°), each displaying a message.

**VEHICLE AND/OR TRAILER SIGN:** A sign attached to an operable or inoperable vehicle or trailer which is or could be licensed to operate on the public streets. Any sign attached to, painted on, or otherwise applied to a vehicle or trailer that is regularly parked or placed for three (3) hours or more in a location visible from a public street shall be deemed a portable sign. These types of signs are prohibited.

**WALL SIGN:** A sign painted on, attached to, and/or mounted on the exterior of a building or structure, and which is placed below the outside edge of a building overhang and/or below the lowest roofline, including but not limited to a non-rigid awning sign as defined herein.

**WINDOW SIGN:** Any sign that is placed inside a window or upon the windowpanes or glass and which is visible from the exterior of the window of a building or other structure, including but not limited to a digital sign and/or a digital display which is visible through a window. (Ord. 2019-02-02, 2-4-2019)

## **10-6D-3: SIGN STANDARDS:**

### **A. General:**

1. Construction Of This Article: This article shall be construed to the greatest extent possible consistent with the United States Constitution, the Illinois Constitution, and other applicable State and Federal laws.
2. Compliance With Code: Signs shall be classified and permitted in accordance with this article and only those signs specifically permitted by this article shall be permitted. The classification of signs shall be in accordance with the various use districts designated now or hereafter established in this title and shall be subject to further restrictions by all application provisions of this Code.

3. Signs Permitted By Zoning District:

- a. All Zoning Districts: Municipal signs, including digital and/or electronic Municipal signs, and regulatory signs are permitted in every zoning district.
  - b. Residential Zoning Districts: Only temporary signs, signs located on property owned and maintained by a residential condominium association, by a homeowners' association, by a residential apartment complex, and/or by a residential senior housing complex and/or exempt signs are allowed in any Residential Zoning District of the Village.
  - c. Non-Residential Districts: Permanent signs are a permitted use in any Non-Residential Zoning District of the Village.
4. Signs Prohibited In Any Village Right-Of-Way: No signs, other than Municipal signs, shall be permitted on any Village property or within any Village right-of-way.
5. Relationship To Site: All sign(s) located on private property must relate in some manner to the use(s), occupant(s), and/or activity(ies) which are occupying, are located on and/or are occurring on the private property on which the sign(s) are located.
6. Obsolete Signs: Any sign which identifies a use, occupancy, and/or activity no longer being conducted or a product no longer being sold shall be removed by the owner(s) of the property or the person(s) having occupancy of and/or control over the property upon which such sign is located, within thirty (30) calendar days after written notice from the Enforcement Officer, subject to the following:
- a. Conforming Sign: If a structure is vacant for a period of thirty (30) calendar days or longer, any conforming sign(s) related to the use of such structure shall be removed within thirty (30) calendar days after the date of such written notice.
  - b. Nonconforming Sign: If a structure is vacant for a period of thirty (30) calendar days or longer, any nonconforming sign(s) related to the use of such structure shall be removed within thirty (30) calendar days after the date of such written notice.
7. Removal Of Illegal Nonconforming Signs: Any sign that is in violation of this article and is erected after the effective date hereof or has been previously erected without a permit is hereby classified as "illegal and nonconforming". Whenever the Enforcement Officer determines that an illegal and nonconforming sign exists, he or she shall notify in writing the owner(s) and occupant(s) of the property upon which such sign is displayed. Such person(s) shall, within ten (10) calendar days, either remove the sign or initiate such action as is necessary to cause the sign to comply with this article, including applying for any required permit. The running of such ten (10) calendar day period shall be suspended during the time any application for a permit, or any appeal from the notice, or any application for a variation is pending.
8. Maintenance; Damage To Nonconforming Signs: All legal nonconforming signs shall otherwise be maintained in conformance with all applicable Village ordinances and shall, in any event, be maintained in good condition and repair. Normal maintenance of signs, including necessary non-structural and non-electrical repairs and incidental alterations which do not extend or intensify the legal nonconforming features of the sign, is permitted. However, no structural alterations, enlargement or extensions nor any electrical modifications shall be made to any nonconforming sign unless the alteration will result in eliminating the nonconforming aspect(s) of the sign. If a sign is damaged or destroyed by any means to the extent of fifty percent (50%) of its replacement value or fifty percent (50%) of its surface area, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this article, and said sign must be removed from the premises.
9. Unsafe And Unlawful Signs: If the Enforcement Officer finds that any sign is unsafe or unsecure, or constitutes a danger to the public, or has been constructed or erected, or is being maintained in violation of the provisions of this article or other provisions of this title or of this Code, he or she shall give written notice to the owner and occupants of the premises in compliance with subsection I, "Notice(s) Of Violation", of this section.
10. Signs Not To Constitute Traffic Hazard Or Cause Glare: No sign, whether an exempt sign or not, whether temporary or permanent, and whether otherwise conforming or nonconforming with respect to this article, shall be erected or maintained in such a manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle, bicyclist, and/or pedestrian by reason of the position, shape or other characteristics thereof. Without any limitation on the foregoing:
- a. No sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal or device, or in such a manner as to cause glare on any public area or on any residential property.
  - b. No sign shall make use of the words "Stop", "Go", "Look", "Slow", "Danger", or any other similar word, phrase, symbol, or character; and no sign shall employ any red, yellow, orange, green or other colored lamp or light in such a manner as to interfere with, mislead, or confuse traffic.

- c. No sign shall be erected or maintained in a manner as to interfere with safe sight lines of drivers, bicyclists, and/or pedestrians using any public right-of-way or using any other public property.
11. Change Of Use Or Name Of Occupant On Legal Nonconforming Signs: No legal nonconforming sign shall be changed to another nonconforming sign except that the letters, words, and/or symbols of a legal nonconforming sign may be changed by replacing nonstructural components on which the letters, words, and/or symbols are displayed, such as a panel or insert, which panel or insert must comply with all currently applicable sign regulations. No part of a legal nonconforming sign's supporting structure, electrical, or lighting equipment shall be replaced or modified so as to extend the life of such sign.
12. Location: Signs shall be located only on the property of the owner(s) of the sign or on public property where the owner or maintenance jurisdiction of the public property has consented to display of such sign for a public purpose.
13. Lighting Standards:
- a. Illumination: In Residential Zoning Districts, signs may be illuminated only by indirect lighting, or backlighting, which lighting shall, in any event, not exceed fifty (50) foot candles when measured with a standard light meter held parallel to the face of the sign at a distance equal to the narrowest dimension of the sign face. In other zoning districts, internal illumination of signs shall be permitted.
  - b. Glare: All lighting of any sign shall concentrate the illumination upon the display surface of the sign to prevent glare onto any street or adjacent property, and shields and/or reflectors shall be used where necessary for this purpose.
  - c. Ground Signs: Both internally illuminated and externally illuminated lighting sources are permitted for ground signs in Non-Residential Zoning Districts.
  - d. Wall Signs: Both internally illuminated and externally illuminated lighting sources are permitted for wall signs in Non-Residential Zoning Districts.
  - e. Freestanding Signs: Freestanding signs which are internally or externally illuminated shall receive their electrical supply from an electrical source that is underground, and overhead electrical lines to such signs shall hereafter be prohibited.
  - f. Inspection: After completion of installation and before the sign is illuminated for regular use, the sign shall be inspected by the Village's Enforcement Officer and approved in writing to determine whether such sign complies with this article and with the approved permit, plans and specifications therefor, and to confirm that the direction of the lighting does not: 1) interfere with the vision of drivers on any nearby road, street or highway, or 2) cause any excess illumination on any property used for residential purposes.

B. Sign Line Of Sight Setbacks: All ground signs erected in the Village shall have side yard setback from adjoining lot lines a minimum of five feet (5'). The required setback from any road right-of-way shall provide the site distances as stated below:

Posted Speed Limit (mph)	Site Distance Required
30	410 feet
35	530 feet
40	660 feet
45	840 feet
50	1,030 feet
55	1,240 feet

- Driver's eye: 3.5 feet above pavement.
- Driver's eye: 10 feet behind pavement edge.
- Object height (approaching vehicle): 4.5 feet above the center of the traffic lane.
- No sign shall encroach onto any public right-of-way.
- Minimum 5 feet side yard setback from adjoining lot lines.

### C. Sign Appearance Standards:

1. Ground signs shall be constructed to incorporate brick, stone, wood or other distinctive design materials as approved by the Village's Enforcement Officer. Ground signs shall be constructed with similar architectural characteristics as the principal building or surrounding buildings as approved by the Enforcement Officer.
2. Wall signs shall incorporate and/or complement the design aspects and/or colors of the respective building or structure on which such sign is located. A wall sign may be painted on, attached to, and/or mounted on the exterior of a building or structure, and must be placed below the outside edge of a building overhang and/or below the lowest roofline. Wall signs, other than wall signs which are painted on a building or structure, must be constructed of nonflexible materials.

### D. Standards For Digital Signs And/Or For Digital Displays:

1. Flashing or rotating or other similar digital or mechanical animations used on such signs to draw attention are prohibited.
2. The background of any digital message area shall be of a solid color.
3. Digital signs are limited to one digital display area.
4. Digital messages (text) must be static or displayed for a minimum of eight (8) seconds. Other digital displays shall be static or displayed for a minimum of twenty four (24) hours at one time.
5. The digital message area of a ground sign shall not exceed forty (40) square feet.
6. Digital messages (text) shall be of no more than two (2) colors. There is no limit on the number of colors for pictures or videos displayed on a digital sign.
7. The digital portion of any such sign must be enclosed on both sides by other sign materials such as brick, stone, wood and/or other distinctive design materials.
8. The digital message area of any such sign shall not have an "undue brightness", which shall be defined as greater than five thousand (5,000) nits during the day and greater than five hundred (500) nits at night.
9. The owners and/or users of any digital sign or digital display shall jointly and severally be required to and shall reduce the level of brightness if it is determined by the Village's Enforcement Officer that the light levels of such digital sign or display exceed the brightness levels permitted by this article.
10. The digital portion of the sign may not be greater than nine feet (9') in total height.
11. The digital message area of the digital sign shall be programmed to dim and brighten automatically in response to changes in ambient light.
12. Prior to issuance of a permit for a digital sign, the applicant shall provide to the Village written certification from the sign manufacturer or installer that the light intensity of such digital sign has been factory preset not to exceed the levels permitted by this article.
13. The digital message area shall be controlled electronically by a computer or other similar device that has a manual override.
14. The digital message area shall either freeze or go blank in the event of a malfunction.
15. Digital signs and/or digital displays shall not be permitted in any Residential or Agricultural Zoning District, except on the site of a school, church, or other place of public assembly. Where digital sign(s) and/or display(s) are permitted in any Residential or Agricultural Zoning District, such sign(s) may remain on only until ten o'clock (10:00) P.M., at which time such digital sign(s) are required to be programmed to turn off entirely.
16. Digital signs shall be permitted in the form of a ground sign or window sign, but not as a wall sign. Digital ground signs shall not exceed forty (40) square feet in surface area, but digital window signs shall not exceed twenty (20) square feet of surface area. Digital window signs shall be static or displayed for a minimum of twenty four (24) hours at one time. The number of or aggregate surface area of such signs otherwise allowed by this article shall not thereby be increased.
17. The Village's Enforcement Officer may impose additional restrictions if he or she determines that a digital sign would otherwise adversely impact the residential character of the neighborhood in which it is located, and in any event, no digital sign(s) and/or display(s) shall be located within one hundred feet (100') of a residential use, except as specifically permitted by this article.

18. Digital signs and/or digital display(s) shall also be permitted as Municipal signs in any zoning district.

19. Any sign not specifically permitted by this article shall be and is hereby prohibited.

E. Landscaping Requirements: All permanent ground signs shall provide a landscaped area with appropriate natural plant material ground cover and/or other landscape plantings located at the base of said ground sign equal in area to the sign surface area. When earthen berms are used as part of said landscaping, the earthen berms shall maintain a side slope of no greater than three to one (3:1) with a maximum berm height of three feet (3') above adjacent surrounding grade. When earthen berms are used, such earthen berms shall count toward the maximum permissible sign height.

F. Permits Required:

1. Required: A permit shall be required for all signs except as otherwise provided herein.

2. Prohibited Without Permit: No sign shall be constructed, affixed or installed, or displayed in public view, without the prior issuance of all required permits.

3. Fees: Permit fees shall be paid to the Village in accordance with the schedule of fees established from time to time by the Village Board.

4. Signs Not Requiring A Permit: The following signs shall not require a sign permit:

a. Municipal signs.

b. Other exempt signs as defined herein.

c. Flags do not require a permit but are subject to the size and location limitations below:

(1) The total area of all flags on a lot shall not exceed sixty four (64) square feet in area;

(2) No flag shall be flown from a pole that exceeds forty feet (40') in height;

(3) If a flag is mounted to a building, the vertical clearance from ground level when limp shall not be less than nine feet (9'); and

(4) No flags shall be mounted above the roofline of a structure.

d. Window signs including but not limited to all digital signs and/or digital displays used as window signs, but all such window signs shall not exceed twenty five percent (25%) of the glass areas of any elevation of a building.

e. Decorations of a temporary and primarily decorative nature, clearly incidental to and customarily associated with traditional accepted civic, patriotic, seasonal, and/or religious holidays and similar events.

f. Interior signs erected within the confines of a building and which signs are not visible through windows or other open or transparent areas.

g. Repainting, changing of parts and preventive maintenance of signs located on the site without changing or altering sign design, logo, or wording.

G. Other Prohibited Signs: All signs not specifically permitted by this article shall be prohibited. Such signs include, but are not limited to:

1. Roof signs.

2. Strings of light, unless expressly exempted by this article, including LED, LCD, incandescent, or other types of strings of lights used to accent a window or other building or structural feature.

3. Inflatable devices and/or signs and tethered balloons.

4. Beacons, airborne signs, spotlights, and/or searchlights.

5. Signs that by their position, operation, illumination, size, shape and/or color, obstruct, impair, obscure, or interfere with traffic signs, signals, or devices and/or distract motorist(s) and/or pedestrian(s) in such a manner so as to impair the public safety.

6. Signs, including any temporary signs, that are faded, torn, ripped, not properly maintained, or are otherwise in disrepair, are hazardous, defective, structurally unsound, and/or are otherwise unsafe as determined by the Village's Enforcement Officer.
7. Any sign or illumination that causes any direct glare into or upon any building, other than the building to which the sign may be related.
8. Billboards and other off-premises signs which advertise and/or identify uses and/or activities which are no longer made, produced, sold, or present on the premises or site where the sign is located. Signs as a principal use in any zoning district except as otherwise provided for in this article are likewise prohibited.
9. Any sign that violates any provision of any law of the State of Illinois or of this Village relative to outdoor advertising.
10. Trivision signs.
11. Any sign, other than a Municipal sign, located within a public right-of-way.
12. The posting of any signs on any permanent or temporary structure or building, pole, rock, or on any other natural feature located in any public right-of-way, public park, public way, or on any other public property.
13. Signs mounted to any wall or fence, except as otherwise permitted by this article.
14. Statues when used as a sign.
15. Temporary signs affixed to or used as permanent signs.
16. Vehicle and/or trailer signs as defined in this article.
17. Any sign used to exhibit, convey, and/or display in any manner any statement, word, character, or illustration of any obscene, indecent, or immoral nature.
18. Signs on any wall, fence, or standard facing the side of any adjoining lot located in any Residential Zoning District classification.
19. Unlawful signs. Any permanent or temporary sign that has been constructed or erected, or is being maintained in violation of any of the provisions of this article.
20. Except as otherwise provided in this article, any sign which, or any part of which, is in motion by any means, including fluttering or rotating, or other signs set in motion by movement of the atmosphere. This includes all flags, pennants, whirling objects, windsocks, banners, or other entity(ies) attached to strings or lines.
21. Signs that obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, ingress, or egress for any building that would cause a violation of Building Codes.
22. Any sign which is prohibited by this article.

#### H. Temporary Signs:

##### 1. Temporary Signs Generally:

- a. Temporary signs shall not extend over or into any street, alley, sidewalk or other public right-of-way or a distance greater than four inches (4") from the wall to which it is attached, and shall not be placed or project over any wall opening.
- b. No temporary sign shall be an off-premises sign or billboard.
- c. Multi-tenant buildings shall be considered as one use and as one zoning lot or parcel for the purpose of the display of any temporary sign.

##### 2. Temporary Signs In Non-Residential Districts:

- a. Temporary Signs Permitted: Temporary signs shall be allowed in Non-Residential Zoning Districts without a permit if the following conditions are met:
  - (1) Not more than three (3) such temporary signs shall be permitted on any zoning lot or parcel in any Non-Residential Zoning District.



(2) The surface area for each such temporary sign shall not exceed twenty four (24) square feet in area.

(3) The aggregate surface area of all temporary signs permitted on a single zoning lot or parcel shall not exceed seventy two (72) square feet.

(4) No such temporary sign shall exceed four feet (4') in height.

(5) Such temporary signs shall only be permitted as ground signs and shall not be attached to any building or other structure.

### 3. Temporary Signs In Residential Zoning Districts:

a. Any temporary sign shall only be used as a ground sign, and not as a wall sign or window sign, on any single zoning lot or parcel in any Residential Zoning District.

b. All temporary signs located on one zoning lot or parcel in any Residential Zoning District shall not exceed thirty two (32) square feet of aggregate surface area for all such signs.

c. No temporary sign in any Residential Zoning District shall exceed six feet (6') in height from ground level to the highest part of any such temporary sign.

d. No temporary sign shall be displayed on private property in any Residential District, except on the property of the owner(s) of such sign.

e. No permit shall be required for any such temporary sign(s) which complies with the requirements of this subsection H3.

I. Notice(s) Of Violation: If the Village Enforcement Officer or the Village building inspector shall find that any sign within the Village is unsafe, unlawful, and/or does not comply in any way with this article, the Village's Enforcement Officer or the building inspector, or any other Village officer or employee, shall give written notice thereof to the owner(s) and/or occupant(s) of the property upon which the sign is located requiring that said sign be brought into compliance with this article within ten (10) calendar days after the date of said notice. If the owner(s) and/or occupant(s) of the property fail to take the necessary action to bring such sign into compliance with this article within said ten (10) calendar day time frame, the Village is authorized to and may, but is not obligated to, take necessary enforcement action to abate such violation(s), including but not limited to the removal of such sign(s) at the sole cost and expense of the property owner and/or at the sole cost and expense of the owner of the sign. The Village's Enforcement Officer is authorized to and may cause a lien to be recorded against the property on which the sign is located for any costs incurred by the Village relative to any such removal or other remedial work performed by the Village. (Ord. 2019-02-02, 2-4-2019)

## **10-6D-4: SIGNS PERMITTED IN RESIDENTIAL DISTRICTS:**

No permanent signs shall be permitted in Residential Zoning Districts except in accordance with the following standards:

A. Ground Signs: Permanent ground signs on the private property of a residential condominium or townhome association, a residential apartment complex, and/or a residential senior housing complex are permitted, but the maximum sign surface area of each such sign shall not exceed thirty two (32) square feet.

B. Sign Appearance Standards: The sign appearance standards set forth in subsection [10-6D-3C](#) of this article shall be applicable to all permanent signs in Residential Zoning Districts.

C. Surface Area: The maximum permitted aggregate surface area of all permanent signs on any zoning lot or parcel in any Residential Zoning District shall not exceed thirty two (32) square feet.

D. Height: The maximum height for any permitted signs shall be six feet (6') within any Residential Zoning District.

E. Lighting: Lighting for signs within any Residential Zoning District shall be permitted in accordance with the applicable provisions of this article, and specifically, subsection [10-6D-3A13](#) of this article.

F. Temporary Signs: Temporary signs within any Residential Zoning District are only permitted in accordance with the applicable provisions of this article.

G. Digital Signs Or Displays: No digital signs or digital displays shall be permitted within any Residential Zoning District, except as expressly otherwise provided by this article.

H. Signs Not Permitted: Wall, fascia, awning and/or canopy signs, marquee signs, and window signs are not permitted. (Ord. 2019-02-02, 2-4-2019)

### **10-6D-5: SIGNS PERMITTED IN NON-RESIDENTIAL ZONING DISTRICTS:**

No permanent signs shall be installed or permitted in any Non-Residential Zoning District, except in accordance with the following standards:

#### **A. Permitted Signs:**

1. Only one permanent ground sign on any one zoning lot or parcel shall be permitted for each street frontage, except for zoning lots or parcels with greater than seven hundred fifty (750) linear feet of street frontage, where a maximum of two (2) such signs shall be permitted.
2. Permitted permanent wall sign(s) shall be fascia, awning or canopy and marquee signs.
3. Digital signs and/or displays shall only be as permitted pursuant to the applicable provisions of this article, and specifically, subsection [10-6D-3D](#) of this article.

B. Sign Appearance Standards: The sign appearance standards set forth in subsection [10-6D-3C](#) of this article shall be applicable to all permanent signs in Non-Residential Zoning Districts.

C. Surface Area; Ground Signs: All such permitted permanent ground sign(s) shall not exceed one hundred twenty (120) square feet of surface area in the aggregate.

D. Surface Area; Wall Signs: The maximum aggregate sign surface area for all permanent wall signs shall be 0.70 square foot per one linear foot of exterior wall width fronting on a public street up to a maximum of two hundred (200) linear feet of public street frontage.

E. Sign Height: The maximum sign height for any permitted permanent ground sign shall be twelve feet (12').

F. Lighting: Lighting of such permanent signs shall be as permitted in accordance with the applicable provisions of this article, and specifically, subsection [10-6D-3A13](#) of this article.

G. Temporary Signs: Temporary signs shall only be permitted in such zoning districts in accordance with the applicable provisions of this article.

H. Window Signs: Window signs shall only be permitted in accordance with the applicable provisions of this article. (Ord. 2019-02-02, 2-4-2019)

### **10-6D-6: VARIATIONS:**

A. The Zoning Board of Appeals, upon receipt of a written application for a variation from this article, may, after holding any required public hearing thereon, recommend to the Board of Trustees of the Village that one or more variation(s) from this article either be denied or be granted to permit the continued use of an existing nonconforming sign, or the erection and use of a new sign. The Zoning Board of Appeals may recommend approval of the requested variation(s) if the Zoning Board of Appeals finds that all of the following criteria are satisfied:

1. That the proposed or existing sign is innovative and/or creative;
2. That the proposed or existing sign is compatible with surrounding land uses and existing signs;
3. That the granting of approval for this proposed or existing sign is consistent with the overall purpose of this article; and
4. That due to the unique circumstances, including but not limited to safety considerations, the proposed or existing sign is aesthetically consistent with the environment and because of these circumstances or considerations is necessary that a variation be granted for the erection of the proposed sign or continued use of existing sign, or to prevent an extreme hardship.

B. The Village's Board of Trustees shall consider the recommendation of the Zoning Board of Appeals or of the Plan Commission and, after holding any required public hearing thereon, shall make the final decision on all applications for sign variations. The Board of Trustees may accept and approve, reject and disapprove, or modify the recommendation of the Zoning Board of Appeals relative to any application for a sign variation. (Ord. 2019-02-02, 2-4-2019)

#### **10-6D-7: PENALTIES:**

- A. Any person violating any of the provisions of this article shall upon conviction be fined a sum of not less than two hundred dollars (\$200.00) nor more than seven hundred fifty dollars (\$750.00) for each violation. A separate offense shall be deemed to have occurred on each day upon which a violation occurs or continues. For the purpose of this article, a "person" shall mean and include any individual, partnership, corporation, association, or any other legal entity. Both property owner and occupant, if different, shall be jointly and severally responsible for compliance with the terms and conditions of this article.
- B. A person who violates this article shall be responsible for all attorney fees and costs incurred by the Village in enforcing the terms of this article and for any fines. (Ord. 2019-02-02, 2-4-2019)

#### **10-6D-8: SCHEDULE OF FEES:**

- A. Except for temporary signage, the sign fee shall be fifty dollars (\$50.00) per sign. This fee is for the signage only. A separate building permit shall be required for construction and/or installation of the exterior support structure on which the signage is placed.
- B. There shall be an additional fee of fifty dollars (\$50.00) per sign for signs which are designed to be served, in whole or in part, by electricity.
- C. The fee for a temporary sign, other than an exempt sign, shall be twenty dollars (\$20.00) per sign.
- D. The application fee for a variation from the provisions of this article or any appeal to cover the Village's costs for public hearings, public notice, and other out-of-pocket costs incurred by the Village, shall be five hundred dollars (\$500.00). (Ord. 2019-02-02, 2-4-2019)

#### **10-6D-9: BUILDING REQUIREMENTS AND PERMIT APPLICATION PROCEDURES:**

- A. Application For Permanent Sign: When a permit is required to erect or alter one or more permanent signs on a zoning lot, the application shall include the following:
1. An accurate plot plan of the zoning lot or parcel, at a reasonable scale.
  2. Location of buildings, parking lots, driveways, and landscaped areas on such zoning lot or parcel.
  3. An accurate indication on the plot plan of the location of each existing and proposed sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

4. An accurate indication of the proposed sign's size, height, dimensions from normal grade and type of material that is being used to make the sign.

5. An accurate representation of the sign dimensions, proposed color of the supporting structure, background and lettering.

6. Additional information as may be required by the Enforcement Officer.

7. Application shall be accompanied by the business registration certificate, if any.

B. Application For A Temporary Sign: When a permit is required to erect temporary signs on a zoning lot or parcel pursuant to this article, an application for a temporary sign permit shall include the following:

1. An approved temporary use permit, if applicable.

2. An accurate indication of the proposed sign's size, height, location, area, means of mounting or anchoring and the number of type of temporary signs.

3. The beginning and end date of the temporary sign display, including the number of days.

4. Such other information as may be required by the Enforcement Officer.

Signs displayed inconsistent with the approved permit may preclude the applicant from obtaining additional temporary sign permits.

C. Processing/Action For Approval Of Applications:

1. Within thirty (30) days of the submission of a complete application, the Enforcement Officer shall either:

a. Approve the plan if the application conforms in every respect with the requirements of this article; or

b. Reject the plan if the proposed sign fails in any way to conform to the requirements of this title. In the case of a rejection, the Enforcement Officer shall specify the reason for the rejection.

2. Failure of the Enforcement Officer to make a determination shall constitute a denial of the application.

D. Permit Display: A true copy of the building/sign permit card shall be posted on the site of operations, in public view during the entire time of construction and until completion of the same, so that the inspectors can sign off on each required inspection.

E. Building Codes Applicable For Sign Permits:

1. Conformance: Structure(s) upon which signs are to be affixed, and all signs to be applied, attached, anchored and/or fastened thereto, if any, shall be constructed and installed in compliance with the relevant provisions, if any, of the Village's Building Code and all other applicable Village ordinances.

2. Permits: Two (2) permits may be required, one for the sign structure and one for the actual signage proposed to be attached to the sign structure. One is a building permit and the other is a sign permit.

3. Unsafe Signs: If the Village's Enforcement Officer or the Village building inspector shall find that any sign is not properly secured or is otherwise unsafe or a potential threat to the public health, safety and/or welfare, the building inspector shall give written notice to the property owner thereof. If the property owner fails to take the necessary action to make the sign safe, secure, and no longer a threat to the public health, safety, and welfare within ten (10) calendar days after the date of such notice, the Village shall take necessary legal action.

4. Illuminated Signs: All illuminated signs shall be subject to the provisions of the current version of the Electrical Code as adopted by the Village from time to time, and all other applicable Village ordinances.

5. Required Notice For Inspections:

a. The following inspections are required to be made by the Village for all signs requiring permits. The owner or the contractor shall request the designated inspection twenty four (24) hours in advance of the time when such inspection is to be made.

b. Footing and setback: Inspection shall be made before poles or piers are set or after excavation for trenches and forming, but prior to placing concrete.

c. Electrical inspections:

(1) Disconnecting means.

(2) Underground or overhead wiring to sign.

(3) Sign connection.

(4) Sign wiring.

(5) Any other requirements as provided by the current version of the Lake Villa Electrical Code as adopted by the Village from time to time.

d. In addition to the above stated inspections, the Village's Enforcement Officer or the building inspector is authorized to and may make or require other additional inspection(s) to ascertain compliance with this article and/or all other applicable ordinances of the Village adopted from time to time.

6. Approved Materials And Workmanship:

a. All materials and devices for any proposed signage and any structure upon which such signage is to be affixed shall be approved in advance in writing by the Village's Enforcement Officer or the Village's building inspector and shall be constructed and installed in accordance with such approval and all applicable ordinances of the Village.

b. All work shall be conducted, performed and completed in a workmanlike and approved manner so as to secure the results intended by this article. (Ord. 2019-02-02, 2-4-2019)