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**Subsection 4.10-2 Definitions**

1. Advertising Sign – (Also commonly called an “off-premises sign”). A sign, which directs attention to a business, commodity, service, or entertainment, conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. This type of sign is prohibited.
2. Animated Sign – Any sign that uses movement or change of lighting to depict action or create a special effect or scene such as animated cartoon. This type of sign is prohibited.
3. 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.
4. 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. This type of sign is prohibited.
5. 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.
6. Building Marker – Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material. A building marker sign may be permitted only as a wall sign. 4.10-4-G, 4.10-5-B-1
7. Village Center Overlay District – The Village Center Overlay District shall be the area specifically depicted on Figure 3-4-1 of this Zoning Ordinance.
8. Business Sign – A sign, which states the legal name of the business on the premises where the sign is located. A business sign may be either a ground or a wall sign.
9. Candela – An internationally recognized base unit of measurement of luminous intensity. A common candle emits light with a luminous intensity of roughly one candela.
10. 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.
11. Commercial Center Identification Sign – A large identification sign to mark the location of a business Commercial Center. This sign may include the logo and the name of the Commercial Center and/or identification of individual tenants. If tenant names are indicated on a Commercial Center Identification Sign, the sign will be counted as one of the two available signs permitted. A commercial center identification sign may only be a ground sign.
12. Construction Sign – See Project Identification Sign.
13. Customary Home Occupation Sign – A sign which indicates the location of a customary home occupation in a residential district. Customary home occupation sign are prohibited.
14. Directional Sign
  - a. Directional Advertising Sign – A sign indicating only the name of a business or activity and the distance or directions to such business or activity. This type of sign is prohibited.
  - b. Directional Non-Advertising Sign – A sign permitted on private property when reasonably necessary for traffic or safety purposes to direct flow of traffic and

pedestrians to a destination. A directional non-advertising sign may be either a ground sign or a wall sign.

15. Entrance Sign – A ground or wall sign located at the entrance of a subdivision, office park, park or forest preserve, providing only the name and/or location of that activity. An entrance sign may be either a ground sign or a wall sign.
16. Events Sign – A temporary use sign for a special event. An events sign may be either a ground sign or a wall sign.
17. Feather Sign – A temporary advertisement sign with a single anchor point into the ground or into a stand that are rectangular in shape and are vertical in nature. Feather signs may be substituted for temporary signs provided they are not greater than 32 square feet.
18. 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.
19. Franchise – A contract or agreement, either expressed or implied, whether oral or written, between two or more persons by which: A franchise sign may be either a ground sign or a wall sign.
  - a. a franchise is granted the right to engage in the business of offering, selling, or distributing goods or services, under a marketing plan or system prescribed or suggested in substantial part of a franchisor; and
  - b. the operation of the franchisee's business pursuant to such plan or system is substantially associated with the franchisor's trademark, service mark, trade name, logo-type, advertising, or other commercial symbol designating the franchisor or its affiliate; and
  - c. the person granted the right to engage in such business is required to pay, directly or indirectly, a franchise fee of \$500 or more (or comparable consideration).
20. Franchisee – A person to whom a franchise is granted.
21. Franchisor – A person who grants a franchise.
22. Ground Sign – A permanent ground sign anchored in the ground by means of a base on the ground and not supported or attached to a pole or poles, which are placed in or on an approved foundation, and not attached to a building.
23. Human Sign – A sign where the advertisement is attached to a person or animal or the person is holding an advertisement sign. This type of sign is prohibited.
24. Identification Sign – A sign bearing the address of the premises and/or the name of its occupant but containing no logo and no commercial message.
25. Incidental Sign – A sign required by local, state and/or federal requirements providing public information, and not for commercial purposes. An incidental sign may be either a ground sign or a wall sign.
26. Light Emitting Diode (LED) – A sign utilizing technology of diode arranged in pixels to create messages changeable by electronic means. Such signs shall include other similar signs such as liquid crystal display signs, fiber optic signs, plasma display screen signs, incandescent signs, or any such signs using similar technologies.
27. 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 incombustible material, and includes advertising. A marquee may only be a wall sign.

28. Miscellaneous Sign – A sign constructed of cloth, fabric, paper, cardboard, or any other lightweight temporary material with or without a structural frame intended for a limited period of display, including decoration displays for holidays or public demonstrations. Miscellaneous signs cannot advertise products that are being offered or sold on the premises. Miscellaneous signs which are used for advertising purposes are not permitted.
29. Monument – Something erected to perpetuate the memory of a person or of an event. A statue, stone or other permanent mark serving to indicate an angle or boundary. A monument may only be a ground sign.
30. 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.
31. 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.
32. Obsolete Sign – A sign that has become no longer useful for any on-site purpose.
33. 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.
34. Permanent Sign – Any sign or sign structure which is permanently affixed or installed, and is intended for long-term use. See general regulations.
35. 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 (3) feet in height.

The following portable signs shall be prohibited signs designed to be transported by means of wheels; balloons used as signs; umbrellas used for commercial messages; 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 portable sign not listed.

The following portable signs shall be permitted only in the Village Center Overlay as depicted on Figure 3-4-1 of this Zoning Ordinance; A-frames or T-frames; menu and sandwich board signs. One portable sign shall be permitted per business license. Portable signs only shall be displayed on the sidewalk area immediately outside the business and shall be removed at all times when the business is not open. No permit is required for this display.

36. Project Identification Sign – A temporary use sign which identifies a remodeling or building project in progress, which may list the project by name, and other information such as builder/developer or other pertinent information. A project identification sign may be either a ground sign or a wall sign.
37. Projecting Sign – (This term also includes those signs commonly known 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 twelve (12) inches from the face of any building, structure, or supporting wall. A projecting sign may only be a wall sign.
38. Public Right-of-Way – That land area over which the Village has rights either through ownership or easement, to use for Public Street, utility purposes, or any public purpose.

39. Pylon Sign – A ground sign erected upon a pylon or a post. A pylon sign shall be prohibited unless it can be demonstrated 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. The Village Board shall be responsible for making these determinations.
40. Roof Sign – A sign that is placed above or supported on the top of a building. This type of sign is prohibited.
41. Sign – Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announces the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. A sign may be either a ground sign or a wall sign.
42. 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 a license and/or permit has been issued by the Village or such sign is otherwise authorized by this Section.
43. Subdivision Signs
- a. Subdivision Sign – Any sign announcing the development of a new subdivision of land, or sale or lease of the lots contained therein. A subdivision sign may only be a ground sign.
  - b. Subdivision Entrance Sign – Any sign announcing the name of a subdivision located at the entrance of the subdivision. A subdivision entrance sign may only be a ground sign.
44. Temporary Sign – Any sign intended to be used for a limited period of time and not permanently mounted. A temporary sign may be either a ground sign or a wall sign.
45. Total 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.
46. Tract Sign – Any temporary use sign, which announces the sale or lease of a parcel or tract of land that has not been subdivided. A tract sign may only be a ground sign.
47. Vehicle/Trailer Sign – A sign attached to an operable vehicle/trailer licensed to operate on the public streets. Any sign attached to an inoperable or unlicensed vehicle or any sign attached to a vehicle that is regularly parked for more than 72 hours in a location conspicuously visible from a public street shall be deemed a portable sign. This type of sign is prohibited.
48. Wall Sign – A sign mounted to a building or structure, which is placed below the outside edge of a building overhang and those which are placed below the lowest roof line. The information contained on wall signs shall be limited to the name of the business establishment and a description of the products or services available from the business establishment.
49. Window Sign – Any sign that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

**Subsection 4.10-3 Sign Standards****A. General**

1. All signs shall be permanent except as allowed as a temporary sign pursuant to Section 4.10-3(G).
2. All signs shall be categorized as either ground signs or wall signs.
3. Any sign not specifically permitted shall be and is hereby prohibited.
4. All signs shall be maintained in conformance with the Village Ordinances, and shall otherwise be maintained in good repair.

**B. Permits Required**

1. A permit shall be required for all signs except as otherwise provided herein.
2. No sign shall be affixed or installed, or displayed in public view, without the prior issuance of all required permits.
3. Permit fees shall be paid to the Village in accordance with the schedule of fees established by the Village Board.
4. Exceptions to Requiring a Sign Permit. The following signs shall not require a sign permit:
  - i. Memorial signs, commemorative plaques, and memorial tablets displayed on public property, in cemeteries (including tombstones), or at historic sites.
  - ii. Address numerals and non-illuminated nameplate signs that are in accordance the zoning code
  - iii. For purpose of orientation, off site directional signs when established by the village.
  - iv. On site traffic directional signs and parking signs which bear no advertising and do not exceed 3 square feet in area and are located in non-residential zoning districts.
  - v. Governmental signs and governmental entity flags which are the official flags of the United States, state of Illinois, Lake County, the village of Lake Villa, U.S. prisoner of war flag, and flags of nationally recognized societies or institutions which are properly displayed.
  - vi. Window signs not exceeding 25% of the glass areas that are used for exits/entrances or necessary for visibility to exits/entrances. All other glass areas shall be considered part of the building and held to the same restrictions and regulations as any other part of the building as set forth in this chapter.
  - vii. Government related and quasi-government related, off premises, directional signs to give sufficient public notice of the location of governmental facilities, hospitals, colleges, schools, and unincorporated areas. The maximum size of each sign shall be 4 square feet.
  - viii. Holiday decorations of a temporary, primarily decorative nature, clearly incidental to and customarily associated with traditional accepted civic, patriotic, or religious holidays.
  - ix. Temporary residential garage sale and/or residential rummage sale signs held in conjunction with residential garage sales and/or residential rummage sales.

- x. Home security signs in residential neighborhoods.
- xi. Interior signs erected within the confines of a building and which signs are not visible through windows or other open or transparent areas.
- xii. Repainting, changing of parts and preventive maintenance of signs located on the site without changing or altering sign design, logo, or wording.

**C. Sign Line of Sight Setbacks:**

All ground signs erected in the Village shall have side yard setback from adjoining lot lines a minimum of 5'. The required set back from any road right-of-way must provide the site distances as stated below:

<u>Posted Speed Limit (mph)</u>	<u>Site Distance Required</u>
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 public right of way (ROW).

Minimum 5 feet side yard setback from adjoining lot lines.

**D. Prohibited Signs**

All signs not specifically permitted by the provisions of Subsections 4.10-3, 4.10-4 or 4.10-5 shall be prohibited. Such signs include, but are not limited to:

1. Strings of light not permanently mounted to a rigid background, unless expressly exempted;
2. Inflatable signs and tethered balloons;
3. Signs that by their position, working, illumination, size, shape or color, obstruct, impair, obscure, or interfere with traffic signs, signals, or devices;
4. Temporary or portable signs that are faded, torn, ripped or in the opinion of the Zoning Officer not properly maintained.
5. 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.
6. Off site and off premises signs which advertise businesses, establishments, activities, goods, products, facilities, or services or other message not made, produced, sold, or present on the premises or site where the sign is installed and maintained other than those which are permitted.
7. Inflatable advertising devices or signs.
8. Off premises directional signs.

9. Any sign that violates any provision of any law of the state of Illinois relative to outdoor advertising.
10. Snipe signs which do not identify a public utility such as a public telephone or which do not identify a recognized and/or real danger to public safety.
11. Any sign located within a public right of way except as otherwise provided by this Section.
12. Billboard signs. It shall be unlawful to erect a billboard sign in any area of the village of Lake Villa.
13. Signs as a principal use in any zoning district except as otherwise provided for in this chapter.
14. The posting of any signs on any permanent or temporary structure or building, pole, or tree located in any public street right of way, Public Park, or other public way.
15. Vehicles or any other type of property with "For Sale" signs when located within any public right of way or within any nonresidential zoning lot when vehicles or property are not being sold by a licensed business located within the zoning lot.
16. Signs mounted to fences except as permitted under the provisions of this chapter.
17. Statues used for commercial purposes.
18. Temporary signs affixed to permanent signs.
19. Temporary signs used as permanent signs.
20. Signs painted or mounted on rocks or other natural features or affixed to trees.
21. A temporary sign attached to a motor vehicle or trailer parked on public or private property so as to be seen from the public right of way for more than 3 consecutive hours for the purpose of advertising a product or directing people to a business activity.
22. A sign of any character, including any sign advertising the exact nature and kind of business conducted on the premises, for the exhibition, by posting, painting, or in any other manner displaying of any statement, word, character, or illustration of any obscene, indecent, or immoral nature.
23. Searchlights.
24. Signs which are deemed by the Zoning Officer to be in disrepair, hazardous, defective, structurally unsound, or otherwise unsafe.
25. Abandoned signs.
26. Signs on any wall, fence, or standard facing the side of any adjoining lot located in any residential zoning district classification.
27. Those signs which are prohibited by this Zoning Ordinance and/or this Section.



28. Unlawful Signs, Permanent – If any permanent sign has been constructed or erected, or is being maintained in violation of the provisions of these regulations, written notice shall be given to the occupant or property owner thereof. If the occupant or property owner fails to remove or alter the sign to comply with the standards herein set forth within thirty (30) days after such notice, the occupant and property owner shall jointly and severally be subject to the penalties provided in Section 4.10-7.
29. Unlawful Signs, Non-permanent – If any non-permanent sign has been constructed or erected or is being maintained in violation of the provisions of this ordinance, written notice shall be given to the occupant or property owner thereof. If the occupant or property owner fails to remove or alter the sign to comply with the standards herein set forth within twenty-four (24) hours of receipt of notice from the Village, the occupant and property owner shall jointly and severally be subject to the penalties provided in Section 4.10-7.
30. 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. Exceptions to this prohibition shall include flags as described in Section 4.10.3(G)7
31. 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.

#### **E. Sign Appearance Standards**

The purpose of this section is to establish minimum regulations and standards for the display of signs in the village of Lake Villa.

1. Permitted Materials.
  - i. Ground signs - shall be constructed incorporating brick, stone, wood or other distinctive design materials as determined by the Zoning Officer. Ground signs shall be constructed with similar architectural characteristics as the principle building or surrounding buildings as determined by the zoning officer.
  - ii. Wall Signs – shall incorporate the building’s design aspects and/or colors. Wall signs are not to be painted directly on the wall. Wall signs must be constructed of non-flexible materials.
2. Permitted Lighting.
  - i. Ground Signs – internally illuminated and externally illuminated lighting sources are permitted.
  - ii. Wall Signs - internally illuminated and externally illuminated lighting sources are permitted.

#### **F. Light Emitting Diode (LED) Sign Regulations**

Light Emitting Diode (LED) signs shall be permitted under the following conditions:

1. Flashing or rotating or other similar animations used to draw attention is prohibited.
2. The background of the electronic message area shall be of a solid color.

3. Signs are limited to one (1) LED display.
4. Electronic messages (text and logos) must be static or depicted for a minimum of eight (8) seconds.
5. Sign may be animated for a maximum of eight (8) seconds, with a minimum of eight (8) seconds between animation cycles.
6. The electronic message area of a ground sign shall not exceed forty (40) square feet.
7. Electronic messages (text) shall be of no more than two colors. There is no limit on the number of colors for pictures or videos.
8. Tri-vision signs shall be prohibited.
9. The LED portion of the sign must be enclosed on both sides by other sign materials such as brick, stone wood or other distinctive design materials
10. The electronic message area shall not have an undue brightness, which shall be defined as greater than 5,000 nits during the day and greater than 500 nits at night.
11. The owner/user shall reduce the level of brightness if determined by the Village that the light levels exceed the levels specified.
12. The LED portion of the sign may not be on the top portion of a sign that is greater than nine (9) feet in total height.
13. The electronic message area shall be programmed to dim and brighten automatically in response to changes in ambient light.
14. Prior to issuance of a permit for the sign, the applicant shall provide written certification from the sign manufacturer or installer that the light intensity has been factory preset not to exceed the levels specified above.
15. The electronic message area shall be controlled electronically by a computer or other similar device that has a manual override.
16. The electronic message area shall either freeze or go blank in the event of a malfunction.
17. LED Signs shall only be permitted in CR, CB, LI, LI-2, RD and SB zoning districts, except messages that display fuel prices, which may be permitted in any zoning district where a fuel station is permitted.
18. LED Signs shall be permitted in residential zoning districts only on church and school properties. LED signs permitted in residential zoning districts may remain on until 11:00 PM. The zoning officer may impose additional restrictions if it is felt that the LED sign impacts the residential character of the neighborhood.
19. LED Signs shall only be allowed as a ground signs and shall not be in addition to the number of allowed ground signs.
20. No LED sign shall be located within 100 feet of a residential use, except as permitted in this section.

21. LED signs shall only display promotional messages of a good or service that is being offered at the place of business on the particular zoning lot that said sign is located, with the exception of advertisements for community events such as Village, Township or other local taxing body sponsored events, and civic organizations.
22. Fuel prices on signs at gas stations may be displayed in electronic numbers in lieu of changeable copy numbers.
23. Signs used to display fuel prices shall be for the exclusive use of the display of fuel prices and may not display any other type of message or advertisement. Signs that display fuel prices may not change until a change in the price of fuel has occurred. The fuel price displayed on an electronic message board sign shall not scroll, move or flash and must be static.

#### **G. Temporary Signs**

1. Temporary Signs Permitted –Temporary Business Signs shall be permitted in CR, CB, LI, LI-2, RD and SB zoning districts upon issuance of a permit under the following circumstances:
  - i. For a new business for a period not to exceed 30 days.
  - ii. Four (4) times per calendar year for a period not to exceed 15 days, with a 15 day waiting period between displays. For a new business, the initial 30 day period shall count towards the number of permits to be issued in a calendar year.
  - iii. A permit shall only be issued for Temporary Business Signs and remain valid if the following conditions are met:
    - a. The display shall contain three or fewer temporary signs.
    - b. The sign area for each sign does not exceed 32 square feet in area and four (4) feet in height, unless a temporary sign is substituted for a feather sign.
    - c. The signs are attached to the building or placed in the ground or attached to a permitted structure.
    - d. The signs do not extend over or into any street, alley, sidewalk or other public thoroughfare 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.
    - e. The temporary sign display shall not display off-site advertising signs.
    - f. Multi-tenant buildings shall count as one business for the purpose of temporary sign displays.
2. Signs Announcing the Sale or Lease of Land – Signs announcing the sale or lease of land shall be permitted in all zoning districts, provided the following conditions as met.
  - i. One (1) temporary use real estate sign not exceeding four (4) square feet in area, per face, and six (6) feet in height from ground level to the highest part of the sign, announcing the sale or lease of an individual improved property, shall be permitted on each individual parcel. No permit required.

- ii. A maximum of three (3) temporary use open house signs may be placed no more frequently than two (2) days per week and for a period of time not to exceed eight (8) hours per week. Size not to exceed 4 sq. ft. in area. No permit required.
  - iii. On unimproved subdivided and/or unsubdivided tracts/parcels of land, one (1) temporary use sign not exceeding thirty-two (32) square feet in total surface area and eight (8) feet in height from ground level to the highest point of the sign for each street the tract abuts shall be permitted, but in no event shall more than two (2) such signs be permitted for any subdivision or tract. No such sign may be installed within 250 feet of another such sign for the same subdivision or tract. Sign(s) shall be removed within twelve (12) months after the installation of the sign, and may be renewable upon approval of the Village Board. During the period of time when the sign is in place, no individual real estate sign, other than for model homes, shall be placed on any of the lots or portion of the land within the subdivision or tract.
3. Event Signs – Event signs shall be permitted in all zoning districts provided the following conditions are met.
  - i. A temporary use sign not exceeding thirty-two (32) square feet in total surface and six (6) feet in height announcing a drive or event of a religious, civic, or philanthropic organization may be permitted on the premises of said organization provided that the sign shall be used for not more than fifteen (15) days prior to the event and provided that said sign shall be removed within two (2) days after the completion of the event. No permit is required.
4. Temporary Political Signs – Temporary signs announcing candidates seeking public political office, public issues which are the subject matter of an upcoming public referendum, or other political announcements may be erected or displayed provided that:
  - i. Such political issue signs shall not exceed a sign area of 16 square feet of cumulative total sign area for all such signs on any 1 premise and may be double faced.
  - ii. Such political issue signs shall be displayed on private property only with the express permission of the property owner upon whose property said sign(s) is placed.
  - iii. Such political issue signs shall not be attached to buildings, fences, mailboxes, utility poles, public signs, or any other accessory structure, shall not be placed within public or private rights of way.
5. Project Identification Signs – One (1) sign not exceeding sixteen (16) square feet in total surface area may be placed on the premises of a project or building under construction. Sign must be removed at end of project.
6. Community Information Area – Community event signs may be posted at the Community Information Area, (Lake Villa Fire Department building, 65 E. Grand Ave) but such signs shall subject to the following:
  - i. No Event Sign may exceed thirty-two (32) square feet in total surface area and six (6) feet in height.
  - ii. Event Signs may be posted no more than fourteen (14) days prior to the beginning and shall be removed within two (2) days after the completion of the event.

- iii. Event Signs shall be made of durable materials and painted with tasteful colors compatible with surrounding environment.
7. Flags – Flags do not require a permit but are subject to the size and location limitations below:
- i. The total area of all flags on a lot shall not exceed sixty (60) square feet in area;
  - ii. No flag shall be flown from a pole that exceeds forty (40) feet in height;
  - iii. If a flag is mounted to a building, the vertical clearance from ground level when limp shall not be less than nine (9) feet; and
  - iv. No flags shall be mounted above the roofline of a structure.

#### **H. Franchise Business Signs**

A business, which is deemed to be a franchise and has less than three franchises, shall be subject to the provisions of Section 4.10-3(H) of this Ordinance.

A business with more than two franchises shall be subject to the provisions of Section 4.10-3(H) of this Ordinance except to the extent that a sign required by a contract of a new franchise would place the business in violation of Section 4.10-3(H) of this Ordinance. In those circumstances, the business would be limited by the following provisions:

1. One additional ground sign is permitted (provided the size and height requirements in Section 4.10-5 are met), or additional wall signs are permitted (provided the total permitted wall sign area is not increased by more than 100%). All provisions of Sections 4.10-3 and 4.10-5 must be met, including design materials and lighting standards.
2. The business would be required to provide a valid enforceable franchise contract, which clearly sets forth the requirement of placing signage of the franchise on the property of the business.
3. The business would be required to provide a complete portfolio of franchisor signs available to the business in order for the Zoning Board to determine compliance with the provisions of Section 4.10-3(H).
4. In no event shall the provisions of this Section allow a business to display more than one sign per franchise contract if the business is in violation of Section 4.10-3(H) of this Ordinance.

#### **I. Miscellaneous Provisions**

1. Sign Removal – Within thirty (30) days after the vacation of any building, development or portion thereof, the owner shall remove or cause to be removed all obsolete signs. If such signs are not removed within the thirty (30) day time period, the occupant and property owner shall jointly and severally be subject to the penalties provided in Section 4.10-7.
2. Governmental or Public Utility Signs – Signs designed for control of or to provide information to traffic and other governmental regulator purposes (e.g. street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of a public officer in the performance of his or her public duty) shall be exempt from the provisions of this ordinance.

3. Nonconforming Signs – Loss of Legal Nonconforming Status of a Sign: A sign loses its legal nonconforming status and shall be considered in violation of this Section if one or more of the following occurs:
  - i. The sign is structurally altered in any way, except for normal maintenance or repair, which tends to make or makes the sign less in compliance with the requirements of this chapter than it was before the alteration.
  - ii. If, for any reason, the sign is destroyed, damaged, or in disrepair such that the cost to reconstruct or repair the sign equals or exceeds 50% of the sign's actual value as determined by the Zoning Officer.
  - iii. The sign is determined to be abandoned by the Zoning Officer
  - iv. The sign is moved, either in whole or in part, to any other location.
4. Monument – Other than subdivision entrances, when located in a cemetery or are used for permanent markers in surveying, monuments are permitted. No permit required.
5. Landscaping Requirements – All ground signs shall provide a landscaped area with appropriate natural plant material ground cover and other landscape plantings located at the base of said ground sign equal in area to the sign area. When earthen berms are used as part of said landscaping, the earthen berms shall maintain a side slope of no greater than 3:1 with a maximum berm height of 3 feet above adjacent surrounding grade. When earthen berms are used, earthen berms shall count towards the maximum permissible sign height.

**Subsection 4.10-4 Signs Permitted in Agricultural and Residential Districts**

No signs shall be permitted in agricultural or residential zoning districts (CR, AG, SR1, SR2, SR3, R1, R2, SR, UR1, UR2, UR3, and UR4) except in accordance with the following provisions:

**A. Permitted Signs**

Ground – 1 per entrance to subdivision

**B. Maximum Sign Area for Ground Signs**

24 square feet

**C. Maximum Sign Area for all Wall, Fascia, Awning/Canopy Signs**

Not permitted

**D. Maximum Sign Height for all Permitted Signs**

6 feet

**E. Permitted Lighting**

Lighting is permitted in accordance with Section 4.10-3(E)-2

**F. Temporary Signs**

Temporary signs are permitted in accordance with Section 4.10-3(G) Temporary Signs.

**G. Window Signs**

Not Permitted

**Subsection 4.10-5 Signs Permitted in Office, Business, and Industrial Districts**

No signs shall be installed or permitted on properties zoned CR, CB, LI, LI-2, RD or SB except in accordance with the following provisions:

**A. Permitted Signs**

1. Ground – 1 sign per zoning lot is permitted. For commercial centers, 1 sign per entrance is permitted (Maximum 2), except for commercial centers with greater than \_\_\_\_\_ linear feet of street frontage, where a maximum of 3 such signs shall be permitted.
2. Wall, including Fascia, Awning/Canopy and Marquee
3. LED as regulated in Section 4.10-3(F) of this chapter
4. Franchise Signs – See Section 4.10-3(H)
5. Drive-Through Signs – no taller than 10 feet and no larger than 50 square feet.

**B. Maximum Sign Area for Ground Signs**

120 square feet per permitted ground sign.

**C. Maximum Sign Area for all Wall, Fascia, Awning/Canopy Signs**

0.70 square foot per 1 linear foot of exterior wall width per business that fronts on a public street up to a maximum of 200 square feet per public street frontage.

**D. Maximum Sign Height for Ground Signs**

12 feet

**E. Permitted Lighting**

Lighting is permitted in accordance with Section 4.10-3 (E)-2.

**F. Temporary Signs**

Temporary signs are permitted in accordance with Section 4.10-3(G) Temporary Signs.

**G. Window Signs**

Permitted in accordance with Section 4.10-3(B) 4 ix.



**Subsection 4.10-6 Variations**

The Zoning Board of Appeals, upon written application, may recommend to the Village Board that a variation from the applicable sign regulations to permit the continued use of an existing nonconforming sign, or the erection and use of a new sign, provided that 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 signs;
3. That the granting of approval for this proposed or existing sign is consistent with the overall purpose of the sign regulations; or
4. That due to the unique circumstances or 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.
5. In the event that the Zoning Board of Appeals recommends denial of an application, the applicant(s) shall have the right to have the Village Board make a final decision on the application. The Village Board may accept and approve, reject and disapprove, or modify the recommendation of the Zoning Board of Appeals.

**Subsection 4.10-7 Penalties**

- A. Any person violating any of the provisions of this Section shall upon conviction, be fined a sum not less than One Hundred Dollars (\$100.00) 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 Section, 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 Section.
- B. A person who violates this Section shall be responsible for all attorneys' fees and costs incurred by the Village in enforcing the terms of this Section.

**Subsection 4.10-8 Schedules of Fees**

- A. The sign fee shall be \$50.00. This fee is for the signage only. The exterior support structure on which the signage is placed upon requires a building permit by itself.
- B. There shall be an additional fee of \$25.00 for signs which are designed to be served, in whole or in part, by electricity.
- C. Temporary sign fee shall be \$20.00.
- D. The application fee for a variation to cover the cost of hearings, public notice, and other costs incurred by the Village, shall be \$500.00.

**Subsection 4.10-9 Building Requirements and Permit 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 Zoning Officer.
7. Application shall be accompanied with a business registration certificate.

**B. Application for a Temporary Sign** - When a permit is required to erect temporary business signs on a zoning lot or parcel pursuant to Section 4.10(G)1, an application a temporary sign shall include the following:

1. An approved temporary use permit.
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 Zoning Officer.
5. 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 Zoning Officer shall either:
  - i. Approve the plan if the application conforms in every respect with the requirements of this Ordinance; or
  - ii. Reject the plan if the proposed sign fails in any way to conform to the requirements of this Ordinance. In the case of a rejection, the Zoning Officer shall specify the reason for the rejection.
2. Failure of the Zoning 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 for Sign Structure Permits**

1. All signs shall be attached, anchored and/or fastened in accordance with the Building Code and all other applicable Village Ordinances.

2. Two permits may be required, one for the sign structure and one for the actual signage attached to the sign structure. One is a building permit and the other is a sign permit.
3. Unsafe Signs – If the Village Building Inspector shall find that any sign is unsafe or insecure or is a menace to the public, he 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 menace to the public within ten (10) days after such notice, the Village shall take necessary legal action.
4. All illuminated signs shall be subject to the provisions of the National Electrical Code, and all applicable Village Ordinances.
5. Required Notice for Inspections
  - i. The following listed inspections are required to be made. 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.
  - ii. 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.
  - iii. Electrical inspections
    - a. Disconnecting means
    - b. Underground or overhead wiring to sign
    - c. Sign connection
    - d. Sign wiring
    - e. Any other requirements as per the National Electrical Code
  - iv. Other inspection in addition to the above-stated inspections, the Building Department may make or require any other inspection(s) to ascertain compliance with this Ordinance and other laws enforced by the Building Department.
6. Approved Materials and Workmanship
  - i. All materials and devices approved by the Building Officer and shall be constructed and installed in accordance with such approval.
  - ii. All work shall be conducted, installed and completed in a workmanlike and approved manner so as to secure the results intended by this Ordinance.