

## CHAPTER 9-7

### SIGNS

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#### 9-7-1: **PURPOSE:**

- A. The sign regulations, controls and provisions set forth in this Chapter are made in accordance with an overall plan and program for the public safety, area development, preservation of property values, and the general welfare of the Village, and are intended to aid in traffic control and traffic safety; preserve and protect property values; lessen on land and air space congestion; provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow; establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and area development; avoid uncontrolled proliferation of signs; recognize the rights of the public in roads, streets, and highways; preserve the wholesome and attractive character of the Village; and recognize that the general welfare includes a community plan that provides for a community that shall be beautiful as well as healthful, spacious as well as clean, and well balanced in its growth and development.
- B. The sign regulations distinguish between on-premises and off-premises business signs. This distinction is based on the finding that other media (television, radio, newspapers, outdoor advertising sign structures) adequately present avenues for business advertising. The restriction of off-premises business signs will significantly aid in the realization of the goals and purposes recited above.
- C. The sign regulations expressly exclude from regulations non-business signs except insofar as necessary to prevent imminent danger to the health or safety of the public.
- D. These sign regulations expressly distinguish between outdoor advertising sign structures and signs based on the specific finding that such structures are capable of being utilized for and have been and continue to be utilized for announcements of both a commercial and non-commercial nature, have been a traditional and lawful use of land in the Village, are a unique communication medium involving nationally standardized signs, which is made generally available to the public. At the same time, the regulations recognize that a limitation upon the size and number of such structures is consistent with and will further the goals expressed in this Chapter.

9-7-2:           **DEFINITIONS:**

A.     General Definitions:

**SIGN**

A sign shall include any writing including a word or numeral; pictorial representation including illustration; emblem including device, symbol, or trademark; flag including the flag(s) of any nation(s) with total area over forty (40) square feet or banner or pennant; or any figure of similar character which is used to announce, direct attention to, or advertise and which is a structure or part thereof, or is attached to, painted on, or in any manner represented on a building or a structure. The definition shall not include outdoor advertising sign structures or signs displayed thereon; or writings, representations or other figures of similar character within a building or non-pictorial color treatments on the surface of a building which do not include writing or other direct forms of advertising.

**OUTDOOR ADVERTISING  
SIGN STRUCTURE**

A standardized outdoor advertising display, including the permanent framework, structural members, support or support foundation, scaffolding and illumination, facing or panels, and message, which is intended and whose customary use is to mount periodically changing commercial or non-commercial displays and which is made generally available for display to the public by the owners on a short-term basis. Such structures shall be limited to three (3) standardized structures:

1. The thirty (30) sheet poster panel or painted bulletin, whose outside dimensions, including trim, if any, but excluding a base, apron, supports and other structural member, is approximately twelve feet (12') by twenty-five feet (25'), containing approximately three hundred (300) square feet of total display area;
2. The one hundred fifty (150) square foot face, commonly painted rather than posted; and
3. The junior panel, whose outside dimensions, including trim, if any, but excluding the base, apron, supports and other structural members, is approximately six feet (6') by twelve feet (12'), containing approximately seventy-two (72) square feet of total face area.

**SIGN OR OUTDOOR  
ADVERTISING SIGN  
STRUCTURE, HEIGHT OF**

The height of a sign or outdoor advertising sign structure shall be the distance from the top of the highest portion of the sign or structure to (1) the grade at the foundation of the sign or outdoor advertising sign structure; or (2) the average grade of the lot, whichever distance is greater.

SIGN OR OUTDOOR  
ADVERTISING SIGN  
STRUCTURE, SURFACE  
AREA OF

The surface area of a sign or surface display area of an outdoor advertising sign structure shall be the area of the smallest convex geometric fixture encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the surface display area of writing, representation, emblem or other figure of similar character or potential display area of an outdoor advertising sign structure, together with any material or color forming an integral part of the display or used to differentiate such sign or outdoor advertising sign structure from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display because of the predominant overall concept of the sign.

SIGN OR OUTDOOR  
ADVERTISING SIGN  
STRUCTURE, NON-  
CONFORMING

1. A sign or outdoor advertising sign structure lawfully erected, constructed, installed, or maintained prior to the adoption of this Ordinance, which does not conform to the standards or requirements for permitted signs and is not specifically prohibited; or
2. A sign or outdoor advertising sign structure lawfully erected, constructed, installed, or maintained after the adoption of this Ordinance, which does not conform to existing standards or requirements for permitted signs because of annexation, change in zoning districts, or amendments to this Chapter.

B. Signs Defined According to Type of Message Conveyed

SIGN, REAL ESTATE

A sign advertising the sale, rental, or lease of the premises on which it is located, including a subdivision sign.

SIGN, INSTRUCTIONAL  
OR DIRECTIONAL

A sign conveying instructions or directions with respect to the lot on which it is located, such as a sign designating the entrance to or exit from a parking area, a trespassing sign, a danger sign and signs of similar character.

SIGN, BUSINESS

A sign which directs attention to or identifies a business or which directs attention to or identifies a commodity, service or entertainment to be sold or offered for sale. Any sign displaying the name of a business enterprise shall be conclusively presumed to be a business sign. Any sign displayed on a lot occupied by a business enterprise shall be presumed to be a business sign.

SIGN, SPECIAL EVENT A sign advertising or announcing a special community-wide event or activity conducted by or sponsored by or on behalf of local government, schools, a charitable organization, or a not-for-profit corporation. A special community-wide event or activity is one which occurs not more than twice in any twelve-month period and which seeks to attract donations, participants, or customers throughout the Village or surrounding area.

C. Signs and Outdoor Advertising Sign Structures Defined According to Location and/or Methods of Attachment

SIGN OR OUTDOOR ADVERTISING SIGN STRUCTURE, WALL A sign or outdoor advertising sign structure attached to, erected against or painted upon the wall of any building with the exposed face thereof in a plane parallel to the plane of such wall, and which sign is mounted at a distance measured perpendicular to such wall, no greater than eighteen inches (18"). A wall sign shall include a sign suspended from the ceiling of a marquee, canopy, or vestibule where such sign or freestanding sign or freestanding outdoor advertising sign structure any part of which is parallel to and any part of which is within twenty-four inches (24") of a wall.

SIGN, PROJECTING YARD A sign attached to and erected approximately perpendicular to the wall of a building, including a sign erected at the corner of a building and projecting into an open space or yard, but not projecting into the right-of-way of any street, sidewalk, alley, or other public property.

SIGN OR OUTDOOR ADVERTISING SIGN STRUCTURE, ROOF A sign or outdoor advertising sign structure erected upon the roof of any building.

SIGN, THEATER MARQUEE A sign other than a projecting sign mounted on the marquee of any theater.

SIGN, CANOPY, OR AWNING An on-premises business sign other than a projecting business sign located upon a canopy or awning.

SIGN OR OUTDOOR ADVERTISING SIGN STRUCTURE, FREESTANDING A sign or outdoor advertising sign structure secured to the ground and not attached to a building

SIGN, TEMPORARY A sign intended for not more than a thirty (30) day period of display and therefore is not actually displayed for a duration longer than thirty (30) days.

- SIGN, PORTABLE                      A sign not permanently anchored or secured to either a building or the ground such as, but not limited to, A frame, inverted T-shaped signs, and signs affixed to a chassis, which may include wheels for towing, whether or not such wheels are in place.
  
- SIGN, ON-PREMISES                A business sign which relates solely to a use or business conducted upon, or to a principal product, service or entertainment sold, provided, or offered upon the lot where the sign is located.
  
- SIGN, OFF-PREMISES              A business sign which is not included in the definition of "sign, on-premises".
  
- SIGN, BULLETIN BOARD          A sign of permanent character, but with movable letters, words or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises upon which such sign is maintained.

D.      Signs Defined According to Degree of Illumination

- SIGN, ILLUMINATED                A sign designed to give forth any artificial light or reflect such light from an artificial source.
  
- SIGN, FLASHING                    A sign which exhibits artificially changing light or color effects.

9-7-3:      **SIGNS ALLOWED IN ALL DISTRICTS WITHOUT A PERMIT:** Signs specified in this subsection are in addition to the signs permitted in the respective use districts and shall not require a permit. Such signs are subject to the conditions and limitations set forth in this subsection.

- A.      Non-business Sign: Any sign not defined as a business sign and not specifically prohibited by Section 9-7-5 of this Chapter or regulated by this subsection.
  
- B.      Instructional or Directional Sign: Instructional or directional signs which do not exceed a total of fifteen (15) square feet in surface area for all such signs on any premises and which signs do not exceed four feet (4') in height.
  
- C.      Real Estate Sign: One (1) real estate sign may be placed on the lot if the total surface area of the sign does not exceed twelve (12) square feet.
  
- D.      Signs Identifying Architects, Engineers, Developers, or contractors when placed on construction sites: Such signs shall not exceed thirty-five (35) square feet in area. Such signs shall be removed within fourteen (14) days from completion of the construction.

- E. Signs used to identify the street address of a commercial building and not exceeding five (5) square feet in area.
- F. Signs announcing auctions and garage sales not exceeding thirty-two (32) square feet in area. Such signs shall be posted not more than thirty (30) days before and shall be removed seven (7) days following such event, with a total time of display not to exceed thirty-seven (37) days. Such signs shall be confined to private property and shall not be attached to or located on public property.
- G. Political campaign signs announcing candidates seeking public office and/or political issues and other pertinent information: Such signs shall be confined to private property and shall not be attached to or located on public property. In any Residential District, political campaign signs shall not exceed sixteen (16) square feet in area. In other districts, signs shall not exceed thirty-two (32) square feet. Political campaign signs shall be removed within seven (7) days after the election to which they pertain.
- H. Flags of Any Country, State, or Unit of Local Government: Such flags shall not exceed forty (40) square feet in size.

9-7-4: **TEMPORARY SIGNS:** A business shall be allowed to display one temporary or portable sign per business frontage advertising or announcing a new on-site business for a period of not to exceed thirty (30) days from the date the business was started. A business shall also be allowed to display one (1) temporary sign or portable sign advertising on-premises activities for not more than a total of four (4) weeks per calendar year with no period of display being less than one (1) week. No permit shall be required for such signs.

9-7-5: **PERMIT REQUIRED:** No sign or outdoor advertising sign structure may be installed, erected, constructed, or placed without a permit from the Zoning Enforcement Officer, except as specifically provided for by this Chapter. No permit may be issued for a sign or outdoor advertising sign structure which is not in compliance with applicable construction codes. Permit Application must be made in the format required by the Village and made available from the Village Clerk.

9-7-6: **SPECIAL EVENT SIGNS REQUIRING PERMIT:**

- A. No special event sign shall be erected or maintained on or over any property owned or controlled by the Village or public right-of-way by any person without first obtaining a permit issued by the Zoning Enforcement Officer, who shall consider the requirements and restrictions of Section 9-7-5 of this Chapter and the remainder of this Section in approving or disapproving the method of display, location, number, and sizes of signs. The Zoning Enforcement Officer shall require evidence as to general liability insurance or its equivalent which names the Village as an additional insured in amounts of no less than combined property damage and personal injury limits of five hundred thousand dollars (\$500,000.00) prior to issuance of a permit. Permit Application must be made in the format required by the Village and made available from the Village Clerk.

B. Number and Sizes of Signs:

1. Permits shall be granted for no more than ten (10) special event signs to be displayed on any day. Where approved, applications are received from more than one organization for such signs to be displayed on the same day, and the total number exceeds the maximum provided in this Section, each organization shall receive a permit for a pro rata number of such signs.
2. Special event signs shall be no larger than fifty (50) square feet in surface area.

C. Length of Time of Display:

1. Special event signs shall be displayed for not more than a consecutive thirty (30) day period.
2. No more than two (2) days following the special event for which a sign permit is granted pursuant to this Section, such special event signs shall be removed and the area where such signs have been displayed shall be cleaned and restored to its condition prior to display of such signs.

9-7-7: **GENERAL PROHIBITIONS:** No sign or outdoor advertising sign structure may be erected, constructed, established, maintained, enlarged or relocated or changed by any person except in accordance with the provisions of this Chapter, nor shall any sign or outdoor advertising structure be erected on public right-of-way.

9-7-8: **SIGNS AND OUTDOOR ADVERTISING SIGN STRUCTURES SPECIFICALLY PROHIBITED IN ALL DISTRICTS:**

- A. Banners, flags, pennants, spinners, portable signs, and streamers except as provided for in this Chapter.
- B. Any flashing sign except the time and temperature signs or any illuminated sign whose lighting projects into a residential area or public right-of-way or any sign which has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations or by action of normal wind currents.
- C. Any sign or outdoor advertising sign structure which:
  1. Is structurally unsafe; or
  2. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment; or
  3. Is not kept in good repair; or
  4. Is capable of causing electrical shocks to persons likely to come in contact with it.

- D. Any sign or outdoor advertising sign structure which, by reason of its size, location, content, coloring, or intensity of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing or detracting from the visibility of any governmentally erected sign or control device.
- E. Any sign or outdoor advertising sign structure, not erected by the Village or its agents, which extends over or touches upon any Village property or public right-of-way unless specifically permitted by this Chapter.
- F. Signs or outdoor advertising sign structures which make use of words such as "Stop", "Look", "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead or confuse traffic.
- G. Any sign or outdoor advertising sign structure which obstructs free ingress to or egress from a required door, window, fire exit, or other required exitway.
- H. Any non-conforming sign or outdoor advertising sign structure which refers to a business no longer in existence or in operation at the location advertised.
- I. Business signs advertising non-conforming uses which do not conform to the sign regulations of the most restrictive district where the non-conforming use is permitted.
- J. Any sign or outdoor advertising sign structure unlawfully constructed, installed, erected, or maintained.
- K. Any roof sign.

9-7-9: **ADMINISTRATIVE ACTION; NOTICE:** Whenever it shall appear to the Zoning Enforcement Officer that any sign has been constructed or erected, or is being maintained, in violation of any of the terms of this Chapter, or after a permit for a sign has been revoked or become void, or that a sign is unsafe or in such condition as to be a hazard to the safety of the public, the Zoning Enforcement Officer is empowered to issue a notice in writing to the owner or lessee of the sign, or the owner of the premises on which the sign is erected or maintained. Such notice shall inform such person of the violation, and shall direct him/her to make such alteration, repair or removal as is necessary to secure compliance with this Chapter within a reasonable time limit, which shall not be more than sixty (60) days. The person receiving such notice shall comply with the terms thereof.