



Carol Stream

**CHAPTER 6
ARTICLE 11**

SIGN CODE

*Village of Carol
Stream*

April 7, 2014

ARTICLE 11: SIGN CODE

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Fees, see § 6-13-4(B)(1) and (2)

§ 6-11-1 PURPOSE AND FINDINGS.

(A) *Purpose.* This code is adopted for the following purposes:

(1) To promote and protect the public health, safety, comfort, morals, convenience, and general welfare of the residents of the village.

(2) To enhance the physical appearance of the village by preserving the scenic and natural beauty of the area.

(3) To promote the safety and recreational value of public travel.

(4) To protect the public investment in streets and highways by reducing sign or advertising distractions that may increase traffic accidents.

(5) To assure compatibility of signs with surrounding land uses.

(6) To enhance the economy of the village by promoting the reasonable, orderly and effective display of signs and outdoor advertising, and by avoiding the “canceling out” effect of conflicting adjacent signs.

(7) To permit the full on-site and off-site expression of non-commercial advertising and information spreading.

(B) *Findings.* In adopting this code, the corporate authorities make the following findings:

(1) Many of the vacant areas contained within the village are devoted to agricultural use or are held as open spaces which provide scenic vistas.

(2) The village possesses a zoning ordinance which provides ample areas for commercial and industrial development so that the general location of businesses or industries in such areas is well known and diminishes the need for off-site commercial advertising.

(3) There exists within the village a number of present or imminent alternatives to off-site commercial advertising, including a number of local newspapers and cable television. In the past, there have existed within the boundaries of the village very few off-site commercial signs. In addition to other aesthetically pleasing aspects of the development of the village, this pleasant and uncluttered streetscape existing generally both in commercial and non-commercial areas of the village has encouraged residential, industrial and commercial development. The corporate authorities, as an expression of the views of the citizens of the community, desire that such a beneficial and aesthetically pleasing environment with very few exceptions in the total prohibition of off-site

commercial advertising which has previously existed by custom and usage continue through regulation.

(4) The regulations contained within this article are the minimum exercise of the police power required in order to accomplish the purposes of this article.

§ 6-11-2 SCOPE.

From and after the effective date of this article, the use of all signs and portions of signs erected, altered with respect to height and area or sign face, added to, or relocated in the village shall be in conformity with the provisions of this article. Any existing sign not in conformity with the regulations herein prescribed shall be regarded as non-conforming.

§ 6-11-3 INTERPRETATION.

(A) In interpretation and application, the provisions of this article shall be held to be an expression of the maximum allowable number and size of signs which bring about the least potential conflict with surrounding uses and which promote and improve physical appearance within the village.

(B) Where the conditions imposed by any provision of this article upon the control of signs are either more restrictive or less restrictive than comparable conditions imposed by any provisions of this article or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

(C) This article is not intended to abrogate any easement, covenant, or any other private agreement; provided, that where the regulations are more restrictive or impose higher standards or requirement than such easements, covenants, or other private agreements, the requirements of this article shall govern.

(D) When a sign type is not specifically listed in the sections devoted to permitted signs, it shall be assumed that such signs are hereby expressly prohibited. If it is determined by the Community Development Director that such sign is similar to and not more objectionable than signs listed, such signs may then be permitted.

(E) *Gary Avenue and North Avenue Corridors.* Signs placed on properties located within the Gary Avenue and North Avenue Corridors must comply with the regulations contained in §16-5-6.

(1) Signage for new development shall be included in the Gary Avenue or North Avenue Corridor Development Plans, and shall be subject to review and approval by the Plan Commission as per the procedures defined in §16-5-6(N).

(2) New or replacement ground signs and pole signs placed on existing, developed properties shall be subject to review and approval by the Plan Commission as per the procedures defined in §16-5-6(N).

(3) New or replacement wall signs placed on existing, developed properties must meet the purpose and intent of the corridor regulations, as determined by the Community Development Director, and review by the Plan Commission shall not be required; however, the applicant may appeal the decision of the Community Development Director in accordance with §6-11-22.

(4) The changing of the face of existing signage shall not be subject to the corridor regulations.

§ 6-11-4 RULES.

The language set forth in the text of this article shall be interpreted in accordance with the following rules of construction.

(A) Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular.

(B) The word “shall” is mandatory and not discretionary.

(C) The word “may” is permissive.

(D) All measured distances or standards shall be to the nearest integer; if a fraction is one-half or less, the integer next below shall be taken.

§ 6-11-5 LIMIT ON SIGN AREA.

(A) *Sign area limit.* Each premise shall be allowed three square feet of signage per foot of frontage for the first 67 linear feet of frontage on a dedicated street. An additional 1½ square feet of signage will be allowed per foot of frontage on a dedicated street in excess of 67 linear feet.

(B) *Premises having frontage on more than one dedicated street.* These premises will be allowed signage for frontage on each street in accordance with the above formula; however, the frontage will be considered continuous and the signs facing each street must be in proportion to the frontage on that street.

(C) *Maximum sign area allowed.* 750 square feet of sign area will be the maximum allowed on any premises in any case, with the following exceptions:

(1) Shopping centers or shopping plazas. The maximum allowable signage shall be 10% per front facade of each unit within such center or plaza, and ground or pole signs shall not be included within this restriction.

(2) The area of temporary signs shall not be included in the calculation of the maximum sign area allowed.

§ 6-11-6 CALCULATION OF SIGN AREA.

(A) Sign area shall be measured using the area of the smallest triangle, rectangle or circle which can wholly enclose the surface area of the sign. In the event that individual letters or insignia of a wall sign are attached directly to the wall and vary significantly in size, sign area may be computed using not more than two triangles, rectangles or circles per word or insignia.

(B) Additional requirements are as follows:

(1) *Ground mounted signs* (including, but not limited to, ground signs, real estate signs, construction signs, directory signs, and the like). On a double faced sign, only one side of the sign shall be included in the area calculations. If one side of a ground sign is larger than the other, the larger of the two sides shall be used.

(2) *Wall signs*. Wall signs are limited to an area equal to the percentage allowed per facade in each zoning classification. If there are multiple signs per facade, the area calculation shall include the total of each separate sign area. The wall space between separate signs shall not be included in the calculation of total wall sign area.

§ 6-11-7 CALCULATION OF SIGN HEIGHT.

Height of signs shall be measured to the highest point thereon, from the crown of the street directly opposite the sign, or from the natural grade level directly below the sign, whichever is higher.

§ 6-11-8 APPLICATION FOR SIGN PERMITS.

Permits for signs shall be required as follows:

(A) Unless otherwise provided for in this article, no person shall hereafter erect, alter, position or relocate any permanent sign or temporary sign without first obtaining a permit therefor from the Community Development Department. Such permit shall be issued only when the sign complies with all of the applicable provisions of this article. The fee for granting such a permit shall be in accordance with Chapter 6, Article 13 of this code.

(B) Any person desiring such a permit shall file application therefor upon a form provided by the Community Development Department which shall contain or have attached thereto the following information:

(1) Name, address, and telephone number of the applicant.

(2) A map drawn to scale showing the location of the building, structure, or lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares.

(3) A plan drawn to scale showing the design of the sign, materials used, and method of construction, and means of attachment to the building or the ground.

(4) The name of the person, firm, corporation, or association erecting, altering, or relocating such sign.

(5) Written consent of the owner of the land on which the sign is to be erected, altered, or relocated.

(6) Any other information as the Community Development Director shall require in order to show full compliance with this and all other applicable ordinances of the village.

(C) *Temporary signs.* The duration of display of temporary signs shall be as follows:

(1) *Residential marketing signs, on-site and off-site.* Twelve months, renewable on a twelve month basis.

(2) *Real estate signs.* Twelve months, renewable on a twelve month basis.

(3) *Banners.* No more than four events per calendar year nor more than four weeks per event, with a maximum of no more than eight weeks per calendar year.

(4) *Construction signs.* Twelve months, renewable on a twelve month basis.

(5) *Special event signs.* See §6-11-9.

(6) *Removal.* Temporary signs shall be removed upon expiration of the permit, or at such time as the event or purpose of the sign has ended, whichever is sooner.

§ 6-11-9 SPECIAL EVENT SIGNS

(A) Certain temporary signs and attention-getting devices as defined in this section, and which may otherwise be prohibited, may be permitted for promoting special community activities, special business events, grand openings for businesses, activities of nonprofit organizations, or the sale or lease of real property, and are subject to the provisions of this section.

(B) All special event signage shall comply with the following:

(1) Special event signage shall be considered temporary, and shall be subject to the durations as specified in this section.

(2) All special event signage must be properly anchored or secured, and maintained in good condition. Banners must be securely affixed to a building or to posts.

(3) A building permit is required in accordance with §6-11-8.

(C) All temporary ground signs and banners affixed to posts shall comply with the following:

(1) Prior to any digging or the installation of any posts, the property owner shall contact JULIE (Joint Utility Locating Information for Excavators) and have the location of buried utilities marked on the property.

(2) Posts shall be installed to a depth at least 30 inches into the ground and shall remain perpendicular to the ground for the duration of the display event. Posts or above-ground supports shall be removed at the time that the temporary sign is removed.

(3) Temporary ground signs and banners shall be maintained in good condition and shall remain securely affixed to the posts or above-ground supports for the duration of the display event.

(4) Banners affixed to posts shall not be permitted to hang loosely and shall maintain 18 inches of clearance above the ground.

(D) *Temporary signs advertising special events of governmental agencies, not-for-profit organizations, or other non-commercial signs.*

(1) *On premises.* A maximum of one temporary ground sign or banner sign may be installed per street frontage, not larger than 32 square feet in area, and not more than six feet in height if a ground-mounted sign. Pennants, streamers and balloons shall also be permitted. Such signs may remain for a maximum of 30 days and must be removed upon the close of the event. A governmental agency or not-for-profit organization may install temporary signs for four such events per calendar year. All temporary signs shall comply with the sign placement requirements contained in § 6-11-11.

(2) *Off premises.* Only governmental agencies shall be permitted to install temporary special event signs on properties other than the property upon which the special event is to take place. Off premises special event signs shall only be permitted as an element of the overall signage for a special event which includes on premises signage. Off premises special event signs shall comply with the following:

(a) A maximum of eight temporary off-site banner signs may be installed, not larger than 32 square feet in area and not more than six feet in height, if a

ground-mounted sign. Such signs may remain for a maximum of 30 days and must be removed upon the close of the event. The signs shall only be located on properties owned by the government agency hosting the event, or upon properties owned by other governmental agencies with the written permission of those agencies.

(b) Temporary directional signs may be installed, not larger than six square feet in area and not more than four feet in height. The directional signs shall be displayed for no more than four days preceding the event and must be removed immediately upon the close of the event. Directional signs may be located within the public right-of-way or on private property with the written consent of the property owner, and the placement of such signs shall comply with § 6-11-11(C). The location and number of temporary directional signs shall be subject to approval by the Community Development Director or his or her designee.

(E) *Temporary on-site regional promotion signs for residential subdivisions.* A maximum of two temporary ground signs shall be permitted per event, not larger than 32 square feet in area and not more than ten feet in height, and shall be located only at entrances to the subdivision and in compliance with §6-11-11. Pennants, streamers and balloons shall also be permitted. Banners shall be permitted, but must be securely affixed to a building. All other signs listed in §6-11-10 shall not be permitted. A maximum of two promotional events may be held during each calendar year for a maximum of 15 days each.

(F) *Grand opening signs.* Grand opening signs shall be permitted in the business zones (B-1, B-2, B-3), office zone (B-4) and industrial zone (I) for a one-time grand opening event for a new business or for a business new to a particular site in the village. All such signs shall be considered temporary, shall be permitted for a maximum of one, 30-day period, and shall not count toward the time conditions placed on other temporary signs.

(1) *Permitted signs.* Grand opening signs may include temporary ground signs, banners, pennants, streamers, balloons, inflatable shapes and vehicle signs, subject to the restrictions as contained in this section. All other types of signs listed in §6-11-10 shall not be permitted.

(2) *Placement.* Grand opening signs must be located in accordance with the sign placement requirements contained in §6-11-11. Every grand opening sign must be securely attached to a building, posts or other stable means of support.

(3) *Temporary signs and banners.* One temporary ground sign or banner may be installed per street frontage, not to exceed 32 square feet in area. In addition to the temporary banner permitted under this section, no more than one other temporary banner per frontage may be displayed at any one time as permitted by §6-11-8(C). Banners must be securely affixed to a building, posts or other stable means of support, shall be maintained in good condition, and shall not be permitted to hang loosely.

(4) *Pennants, streamers and balloons.* Such signage may contain a message if so desired. Pennants, streamers and balloons must be made of durable material, and must be attached to a suitable cord or cable and securely fastened to buildings, poles and/or other stable means of support on private property.

(5) *Inflatable shapes.* One inflatable figure or large balloon shall be permitted per event, shall not exceed 25 feet in height as determined in accordance with §6-11-7, and shall be securely anchored. Inflatables may contain a message if so desired.

(6) *Vehicle signs.* Pennants, streamers and balloons may be attached to vehicles during the grand opening event. Such signs must be securely anchored to the vehicles. Vehicles bearing such signs, and vehicles bearing permanently affixed signs, must be located in accordance with the sign placement requirements contained in §6-11-11.

(7) *Additional grand opening signage.* Signage that is not otherwise permitted by this article, but determined to be similar to signage otherwise permitted herein, may be approved by the Community Development Director.

(G) *Business event signs.* Business event signs shall be permitted in the business zones (B-1, B-2, B-3), office zone (B-4) and industrial zone (I). All such signs shall be considered temporary, shall be permitted for a maximum of two, 15-day periods per year, and shall not count toward the time conditions placed on other temporary signs.

(1) *Permitted signs.* Business event signs may include temporary ground signs, banners, pennants, streamers, balloons and vehicle signs, subject to the restrictions as contained in this section. All other types of signs listed in §6-11-10 shall not be permitted.

(2) *Placement.* Business event signs must be located in accordance with the sign placement requirements contained in §6-11-11. Every business event sign must be securely attached to a building, posts or other stable means of support.

(3) *Temporary signs and banners.* One temporary ground sign or banner may be installed per street frontage, not to exceed 32 square feet in area. In addition to the temporary banner permitted under this section, no more than one other temporary banner per frontage may be displayed at any one time as permitted by §6-11-8(C). Banners must be securely affixed to either a building, posts or other stable means of support, shall be maintained in good condition, and shall not be permitted to hang loosely.

(4) *Pennants, streamers and balloons.* Such signage may contain a message if so desired. Pennants, streamers and/or balloons must be made of durable material, and must be attached to suitable cord or cable and securely fastened to buildings and/or poles on private property.

(5) *Vehicle signs.* Pennants, streamers and balloons may be attached to vehicles during the event. Such signs must be securely anchored to the vehicles. Vehicles bearing such signs, and vehicles bearing permanently affixed signs, must be located in accordance with the sign placement requirements contained in §6-11-11.

§ 6-11-10 PROHIBITED SIGNS.

(A) Unless otherwise provided for in this article, the following signs are expressly prohibited:

(1) Off-premise advertising signs or billboards. (Note: This prohibition relates to commercial signs only.)

(2) Moving, rotating or animated signs except traditional barber poles not exceeding two feet in height and projecting not more than twelve inches from the building, utilized only to identify a hair cutting establishment. In authorizing the latter exemption, the corporate authorities find it in the public interest to retain this historic symbol of American commerce.

(3) Searchlights.

(4) Illumination that is not steady and constant.

(5) Trailer-type portable (temporary) signs.

(6) "A" frame-type portable (temporary) signs.

(7) Pennants, streamers, balloons, inflatable shapes.

(8) Free standing panels used to advertise products, prices and services.

(9) Triangular, cube, or "V" shaped signs.

(10) Vehicle signs, temporary: no signs, banners, pennants, streamers, or other removable, attention attracting devices shall be mounted on vehicles, except for vehicles utilized in parades for which village permits have been issued.

(11) Vehicle signs, permanent: no vehicles bearing permanently affixed signs shall be parked on public right-of-way, public property, or private property where the apparent purpose is to advertise a product or service or to direct attention to a business or activity located on the same or another property and not being used for the purposes of transporting persons or materials. All vehicles displaying permanently affixed signs shall be currently licensed, operable, parked on the property of the business owning or leasing the vehicle, and in the parking area furthest from any street right-of-way, so as to minimize the effects of additional signage on the property, except for vehicles actively in transport, or in the specific act of receiving or delivering merchandise or rendering a service.

(B) Signs not listed in §§ 6-11-15 through 6-11-19 shall be deemed to be prohibited, even though such signs are not specifically listed in division (A) above.

§ 6-11-11 PLACEMENT OF SIGNS ON LOTS.

No sign shall be placed closer than five feet to any lot line, with the following exceptions:

(A) *Pole signs.* Shall be set back a minimum of 40 feet from any street right-of-way line.

(B) *Gasoline price signs.* May be placed on the lot line where it does not obstruct the view of traffic.

(C) *Sight obstruction.* No sign of any type shall be located within the 25-foot sight triangle of a corner lot, unless the height of the sign is no more than 30 inches above the crown of the adjacent road. In addition, no sign shall be placed at any location on any lot in such a manner as to obstruct the view of traffic.

(D) *Political campaign signs.* May be placed on private property or within the public right-of-way, except must not be located within the 25-foot sight triangle or in such a manner as to obstruct the view of traffic. See § 16-11-15(B)(8).

§ 6-11-12 ILLUMINATION OF SIGNS, CHANGEABLE COPY, AND NEON LIGHTING.

(A) *Illumination.* Illumination of all signs shall be diffused or indirect and shall be so arranged that there will be no direct rays reflecting into the public way or any lot on the perimeter of the premises on which the signs are located.

(1) Exposed light bulbs, flashing, blinking or traveling and similar illumination is not permitted.

(2) Direct lighting shall be allowed only on permanent residential development signs, office complex directory signs, industrial park identification and entry features and so long as direct rays do not reflect into the public right-of-way or onto residential lots.

(3) Backlighting of awning or canopy signs shall be allowed so long as direct rays do not reflect into the public right-of-way or onto residential lots and no part of the illumination device is visible from the right-of-way. Backlighting of awnings or canopies without signs shall be allowed under the same conditions.

(B) *Changeable copy.* Changeable copy is allowed on permanent signs in accordance with the following:

(1) One-third of the sign area must be permanent copy, containing only the name and/or logo of the occupant. The permanent portion of a changeable copy sign shall be the upper portion of the sign, except that the permanent portion of a ground sign must be the street side of the sign if the sign is split vertically. If the changeable copy sign is a wall sign and is one of multiple signs on the same façade, then a permanent portion shall not be required if the name and/or logo of the occupant is provided on another wall sign on the same façade.

(2) The changeable copy must be electronically controlled or protected from unauthorized changes with a protective covering or other means of securing the sign.

(3) Changeable copy is allowed on wall signs, provided that the sign does not exceed the overall wall coverage requirements as set forth in the regulations for the zone in which the sign is located.

(4) Changeable copy is allowed on window signs, provided that the sign does not exceed the overall window coverage requirements as set forth in the regulations for the zone in which the sign is located.

(5) Changeable copy signs shall not be programmed to flash, blink, or pulsate or to display messages that, in the judgment of the Community Development Director, may be likely to distract motor vehicle traffic. Electronic copy cannot be changed more than once every three seconds.

(C) *Neon*. Exposed neon tubing displayed in any manner shall be prohibited unless it is strictly limited to the following:

(1) In business, office, and industrial zones, “Open/Closed” and “Hours of Business” on ground signs of a business, provided that portion is no larger than six square feet and in compliance with requirements for signs regulating on-premise traffic and parking.

(2) Window signs in business, office, and industrial zones, and in compliance with the overall window coverage requirements as set forth in § 6-11-15.

§ 6-11-13 SAFETY AND MAINTENANCE.

(A) Every sign and all parts thereof, including framework, supports, background, anchors, and wiring systems shall be constructed and maintained in compliance with the Building, Electrical and Fire Protection codes of the village. Signs may not be painted directly on any surface of a building, except windows or doors and in compliance with the overall window coverage requirements as set forth in the regulations for the zone in which the property is located.

(B) All signs and all parts thereof shall be kept in a good state of repair and maintenance.

(C) It shall be unlawful for any owner or lessee of a sign or the owner or lessee of the premises where a sign is displayed to fail or neglect to maintain a sign as set forth in this Section.

§ 6-11-14 OBSCENITY PROHIBITED.

It shall be unlawful for any person to display upon any sign or other advertising structure any matter in writing or in picture, which, considered as a whole, predominantly appeals to prurient interest, that is, a shameful or morbid interest in nudity, sex, or excretion, and goes substantially beyond customary limits of candor in description or representation of such matters.

§ 6-11-15 SIGNS PERMITTED IN ALL DISTRICTS.

Signs listed in this Section are permitted in all zones and shall conform with the requirements as stated below. Such signs shall also conform with the general regulations, for example height, area, setback, clearance, and the like, for signs enumerated in the remainder of the article.

(A) *Signs requiring a permit.* The following signs shall be permitted in all zoning districts, and shall require a sign permit.

(1) *Banners.* One temporary banner per street frontage per event, not to exceed 32 square feet in area and securely affixed to a building. Such signs shall be considered temporary. See §6-11-8(C).

(2) *Residential marketing signs, off-site.* Shall be allowed at not more than four off-site locations within the village to call attention and give directions to the development. The corporate authorities find that temporary, residential marketing signs are the sole type of commercial sign to be permitted to be located off-site. In making this determination, the corporate authorities have considered, among other factors, the following:

(a) Residential developments unlike other commercial operations within the village are not clustered in specific and readily ascertainable sections of the village.

(b) The residential developments advertised in such signs are frequently located off main roads and along roads under construction.

(c) Unlike other commercial operations, potential purchasers of residences or suppliers to such residential developments are frequently non-repetitive customers. The corporate authorities have determined that the placement of this sole type of off-site commercial sign would assist rather than impede the flow of traffic and improve public safety within the village.

(d) Each such sign shall not exceed 32 square feet in area and shall not have a total height of more than ten feet. Such signs must have at least one-quarter mile separation from each other, and no such sign shall be closer to an existing residence than 100 feet. Location and construction shall be approved by the Plan Commission. Such signs shall be considered temporary. See §6-11-8(C).

(3) *Placement of signs during road repairs.* Whenever the repair of a road should make the location of ingress or egress to structures confusing to vehicular or pedestrian traffic, and it would be desirable to permit temporary signs to be placed to assist the public in gaining access to public or private property, the Community Development Director may issue permits for temporary signs which enhance the ability of the public to utilize the roadway system within the village, enhance safety and diminish the adverse economic impact of the necessary roadway work for adjacent property owners. Temporary signs may be permitted with a maximum size of 32 square feet and a maximum height of eight feet. The application shall specify the specific location at which the sign or signs will be placed, and the number of signs desired. The Community Development Director, in determining whether a permit shall be issued, shall consider, among other matters, the level of confusion caused by the roadwork, the number of persons likely to need information or direction at the location, the terrain and the aesthetic effect of the type and number of signs requested. Applicants desiring permission to install a larger sign shall use the variation provisions in § 6-11-22. The permit granting the sign shall contain a termination date and it shall be a violation of this article for such signs to be retained beyond the date of termination. Extensions in the termination date may be granted in the same manner as the permits are issued. Signs shall be exempt from the required schedule of fees.

(4) *Scoreboards.* Scoreboards associated with a public or private recreation facility, provided that such scoreboards:

(a) Shall not exceed 20 feet in total height or 250 square feet in total area.

(b) Shall not display commercial advertising that is visible from a public street.

(c) Shall otherwise comply with the requirements of §6-11-11 of this article.

(B) *Signs not requiring a permit.* The following signs shall be permitted in all districts, and shall not require a sign permit.

(1) *Name and address plates.* Such signs shall give only the name and/or address of the occupant of the building, and must be wall-mounted. For one- and two-family residential dwellings, such signs shall not be more than one-and-one-half square feet in area. For residential buildings containing more than two dwelling units, and non-residential buildings, such signs shall not be more than three square feet in area.

(2) *Memorial signs or tablets.* Such signs shall only denote the date of erection of buildings, and be no larger than five square feet.

(3) *No trespassing or beware of dog signs.* For these signs or other such signs regulating the use of a property, the allowable sign area shall be not more than six square feet in business, office or industrial zones, and not more than two square feet in residential zones.

(4) *Signs erected by a governmental body.* Includes signs erected under the direction of such a body, such as traffic signs, railroad crossing signs, safety signs, signs identifying public schools and playgrounds and banner signs promoting the village. If the banner signs are sponsored by another agency or business, then such banner signs shall contain at least three-quarter copy promoting the government-sponsored activity or program and no more than one-quarter copy dedicated to the sponsoring agency or business. Sponsoring agency or business copy may contain sponsor's name, logo, motto, date established or other similar information but shall contain no address, telephone, email or other contact information including information related to the sale of products or services.

(5) *Flags, pennants, or insignias.* Include signs of any government, or of any religious, charitable, or fraternal organization. Such flag, pennant or insignia shall be no larger than four feet by six feet in size. Limited to a maximum of four flags, pennants, or insignias per lot. All flags, pennants, or insignias on a lot shall represent different entities. Any flag pole shall be constructed in accordance with current village building code.

(6) *Logo flag of a company located on the premises.* A maximum of one per lot, provided that it is flown with the American flag and shall not be larger than that flag and, in no event shall be larger than four feet by six feet. Any flag pole shall be constructed in accordance with current village building code.

(7) *Political campaign signs.* May be located on private property or within the public right-of-way in accordance with § 6-11-11.

(a) On private property, political signs shall not exceed 32 square feet in area or six feet in height. Such signs placed on private property shall be placed with the consent of the owner of the property only.

(b) In the public right-of-way, political signs shall be considered temporary, may remain for a maximum of 45 days and must be removed upon the close of the event or election. Political signs placed within the public right-of-way shall not exceed eight square feet in area, and shall not be located within the 25-foot sight triangle. Any party placing signs in front of a private residence is advised to receive permission of adjacent property owner.

(8) *Seasonal decorations.* Decorations shall be displayed for not more than 45 days.

(9) *Signs regulating on-premises traffic and parking.* Signs regulating on-premise traffic and parking, and signs denoting sections of a building such as lavatory facilities, drive-up windows, public telephone areas, employee entrances and the like, with a maximum area of six square feet, bearing no commercial advertising, with a maximum height of six feet if a ground sign, and located in such a manner so as not to obstruct the view of traffic. Located below the eave line if a wall sign. Such signage may be placed on canopies or awnings to facilitate the movement of traffic and when such signage includes no commercial advertising, and is limited to one, six square foot sign per canopy or awning. Wall signs, canopy signs and awning signs with an area in excess of six square feet shall require a permit, and must comply with the wall coverage requirements as set forth in the regulations for the zone in which the sign is located. Commercial advertising shall be allowed on directional signs when limited to single use buildings and such signs adjacent to a dedicated right-of-way.

(10) *Window signs.* Such signs shall not cover more than 50% of the total window area as defined herein. In business, office, and industrial zones, neon tubing may be used as window signage provided such signage shall not constitute more than one-half of the allowed window coverage. A neon border of not more than one inch in width may be permitted around the perimeter of each window and shall be included in the neon area calculations. Neon signage area calculations shall be as follows:

(a) Words, pictures, logos, and other shapes shall be measured in the same manner as any other type of window signage.

(b) Neon borders shall be measured by multiplying the linear length of the neon border by one inch.

(11) *Door lettering.* Such signs shall not cover more than 25% of the total door area. Limited to name of business, address, hours of operation, and any directional information.

§ 6-11-16 SIGNS IN THE RESIDENTIAL ZONES (R-1, R-2, R-3, R-4).

All signs are prohibited in the general residence zone except for:

(A) *All signs enumerated in § 6-11-15.*

(B) *Permanent Residential Development Identification and Entry Features.* Permitted in association with principal entrances to single-family developments of 40 acres in size and multi-family developments of 30 acres in size, provided:

(1) A maximum of two per development may be permitted.

(2) The land area dedicated for the identification and entry feature shall contain a minimum of 1,000 square feet and shall be appropriately landscaped.

(3) Covenants providing for private ownership and maintenance of both the land area and signage shall be furnished and recorded.

(4) Signage constructed as part of identification and entry features may contain the name of the development, the development logo, and the name of the village. Such signs shall be located a minimum of 150 feet from any proposed or existing buildings. Signs shall not exceed 36 square feet in area and six feet in height.

(5) A landscaping plan shall be provided.

(6) The sign shall be constructed of masonry or metal materials only.

(7) A variation from the stated standards shall be approved by the Plan Commission.

(C) *Temporary residential marketing signs at major entrances to planned unit developments or residential subdivisions.* Not to exceed 64 square feet in area or ten feet in height, containing the name of the overall development and the names of builders or units therein. Such signs shall be considered temporary.

(D) *Awning or canopy signs.* Shall be considered permanent, are permitted only on multi-family or non-residential structures, and are permitted only as follows:

(1) *Awning signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signs shall be limited to an area no larger than 50% of the face of the awning.

(c) The area of awning signs shall be included in the wall sign area calculation for the facade of the building upon which the awning is mounted, and the total wall signage area shall be limited to a maximum of 8% of the facade area.

(2) *Canopy signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signage shall be limited to an area no larger than 50% of the canopy face upon which the sign is mounted.

(c) The area of canopy signage shall be included in the wall sign area calculation for the façade of the building upon which the canopy is mounted, and the total wall signage area shall be limited to a maximum of 8% of the facade area.

(E) *Identification signs, bulletin boards and community message boards.* Shall be considered permanent, are permitted only for non-residential uses, and are permitted only as follows:

(1) *Identification signs and bulletin boards.* Permitted for non-residential uses, for example churches, cemeteries, golf courses and private non-profit recreational areas. Wall signage shall only be located on the principal building on the property, shall be located on facades which face a public street, and shall comply with the requirements of §6-11-18(C). Ground signage shall be limited to one ground sign per street frontage, and each such sign shall be limited to 32 square feet in area and six feet in height. Bulletin boards must be used exclusively for non-commercial announcements.

(2) *Community message boards.* Permitted for public institutions, on public property of more than one acre of land, not exceeding 96 square feet in area or eight feet in height.

(F) *Signs not requiring a permit.* The following signs are permitted in the Residential Zones, shall not require a sign permit, and shall not be counted when calculating the number of signs or square footage on a premise. However, such signs shall conform with the general regulations, for example height, area, setback, clearance, and the like, for signs enumerated in the remainder of the article.

(1) *Name and address plates, residential.* See §6-11-15(B).

(2) *Construction signs, residential.* One per lot, not exceeding six feet in height and 16 square feet in area. Such signs shall be removed upon completion of the project.

(3) *Real estate signs, residential.* One per street frontage, not exceeding six square feet per side in sign area. Such signs shall be removed within ten days after the premises or lot advertised has been sold, rented or leased.

(4) *Open house signs, residential.* Professionally designed and lettered open house directional signs not exceeding six square feet in surface area per face and not exceeding four feet in overall height may be placed within the public right-of-way under the following conditions:

(a) Signs may be in place on Saturdays and Sundays only between the hours of 9:00 a.m. and 6:00 p.m.

(b) Signs must be free standing, not attached to any utility pole or structure nor any traffic control sign.

(c) No attention attracting devices such as pennants, streamers, balloons, inflatable shapes, banners, flashing lights or other illumination shall be attached to an open house sign or placed in the public right-of-way.

(d) Each sign must have attached an adhesive label or other means to identify the name, business address and business telephone number of the person responsible for the placement and removal of each sign.

(e) A maximum of four signs for each house may be placed in the public right-of-way.

(f) No sign greater than 30 inches in height shall be placed within any portion of the 25 foot sight triangle as extended to the street pavement on the triangles third (non right-of-way) side. The triangle is made up of the area of 25 feet from the point of intersection of two street right-of-way lines forming a corner.

(g) No more than one sign directing the public in any one direction shall be placed by the same company at a single corner of an intersection.

(5) *Garage sale signs.* Garage sale direction signs not exceeding six square feet in surface area per face and not exceeding four feet in overall height may be placed within the public right-of-way under the following conditions:

(a) Signs may be in place on Thursdays, Fridays, Saturdays and Sundays only between the hours of 9:00 a.m. and 6:00 p.m.

(b) Signs must be free standing, not attached to any utility pole or structure nor any traffic control sign.

(c) No attention attracting devices such as pennants, streamers, balloons, inflatable shapes, banners, flashing lights or other illumination shall be attached to a garage sale sign or placed in the public right-of-way.

(d) Each sign must have attached an adhesive label or other means to identify the name, business address and business telephone number of the person responsible for the placement and removal of each sign.

(e) A maximum of four signs for each garage sale may be placed in the public right-of-way.

(f) No sign greater than 30 inches in height shall be placed within any portion of the 25 foot sight triangle as extended to the street pavement on the triangles third (non right-of-way) side. The triangle is made up of the area of 25 feet from the point of intersection of two street right-of-way lines forming a corner.

(g) No more than one sign directing the public in any one direction shall be placed at any intersection.

(h) No garage sale signs may be posted at the corners of the intersection of Lies Road and Gary Avenue.

(6) *Temporary residential model signs.* One per model, located adjacent to such model. These signs shall be considered temporary and contain the name of the model and hours of operation. Each sign shall not exceed six square feet in area and shall not exceed four feet in height.

§ 6-11-17 SIGNS IN THE BUSINESS ZONES (B-1, B-2, B-3).

All signs are prohibited in the business zones, except for:

(A) *All signs enumerated in § 6-11-15.*

(B) *Ground signs.* All shall be considered permanent and are permitted as follows:

(1) *Single use building and lot.* One per street frontage, not to exceed 72 square feet in area and six feet in height, except when a sign is installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height.

(C) *Pole or Commercial Identification signs.* All shall be considered permanent, shall be set back a minimum of 40 feet from any property line, and are permitted as follows:

(1) *Single use building and lot containing a minimum of 100,000 square feet, located on a ten acre or larger lot, and in lieu of a ground sign.* One pole or commercial identification sign per street frontage, not exceeding 160 square feet in area or 25 feet in height.

(2) *Shopping center.* One pole or commercial identification sign per street frontage, not to exceed 160 square feet in area, or 25 feet in height, provided that advertising displayed thereon shall be limited to business, merchandise, and services found within the shopping center, and/or shall include the overall name of the shopping center. No individual business or use within a shopping center may erect or maintain a pole or commercial identification sign.

(D) *Directory Signs.* No single business or use shall erect or maintain a directory sign. All shall be considered permanent and are permitted as follows:

(1) *Combined use building and lot.* One ground directory sign per street frontage, not to exceed 72 square feet in area or six feet in height, except when a sign is

installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height.

(2) *Shopping plaza.* One ground directory sign per street frontage, not to exceed 96 square feet in area or six feet in height, except when a sign is installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height.

(3) *Shopping center.* One ground directory sign per street frontage, not to exceed 120 square feet in area or six feet in height, except when a sign is installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height.

(E) *Wall signs.* All shall be considered permanent and are permitted as follows:

(1) All wall signs must not extend more than 12 inches from the building wall, nor extend above the facade of a flat roof, nor extend more than 20 feet above grade on a hip, gable, gambrel or any undefined roof, provided the sign is below the uppermost portion of the roof top, and below the uppermost portion of a mansard roof, but may be above the deck line.

(2) Such signs shall not be painted directly on the surface of the walls or roof of a building.

(3) The total area of wall signage shall not exceed 10% of the facade upon which the sign or signs are to be mounted.

(4) *Shopping centers or shopping plazas.* The maximum allowable area of wall signage shall be 10% per front facade of each unit within such center or plaza.

(F) *Awning or canopy signs.* Shall be considered permanent and are permitted only as follows:

(1) *Awning signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signs shall be limited to an area no larger than 50% of the face of the awning.

(c) The area of awning signs shall be included in the wall sign area calculation for the facade of the building upon which the awning is mounted, and the total wall signage area shall be limited to a maximum of 10% of the facade area.

(2) *Canopy signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signage shall be limited to an area no larger than 50% of the canopy face upon which the sign is mounted.

(c) The area of canopy signage shall be included in the wall sign area calculation for the façade of the building upon which the canopy is mounted, and the total wall signage area shall be limited to a maximum of 10% of the facade area.

(G) *Gasoline price signs.* No more than one per street frontage, with a maximum sign area of 24 square feet and a maximum height of six feet if a ground-mounted sign, 15 feet if attached to light poles. May be placed on the lot line where it does not obstruct the view of traffic.

(H) *Menu Boards.* Limited to only those businesses classified as restaurants having a drive-through window. Up to two such signs shall be permitted per drive-through lane, with a maximum height of ten feet, a maximum combined sign area of 80 square feet per lane, and a maximum individual sign area of 60 square feet. Wall-mounted menu boards shall not be included in the calculation of wall sign area.

(I) *Temporary real estate signs.* One ground sign per street frontage, each sign not exceeding ten feet in height. The maximum area of each sign shall be 20 square feet, except that the area of all such signs on a lot shall be permitted to increase to a maximum of ten square feet of sign area for each one acre of land area up to a maximum of 200 square feet of sign area for each sign. Such signs shall be considered temporary.

(J) *Temporary construction sign.* One per street frontage, each sign not exceeding eight feet in height and 32 square feet in area. Such signs shall be considered temporary.

(K) *Now hiring or help wanted temporary banners.* One temporary banner per street frontage, not to exceed 32 square feet in area and securely affixed to a building. Such signs shall be considered temporary and shall be permitted for the same duration and frequency as other temporary banners as outlined in § 6-11-8(C). These banners shall not count toward time conditions placed on other temporary banners. In addition to the temporary banner permitted under this Section, no more than one other permitted temporary banner per street frontage may be displayed at any one time.

§ 6-11-18 SIGNS IN THE OFFICE ZONE (B-4).

All signs are prohibited in the office zone except for:

(A) *All signs enumerated in § 6-11-15.*

(B) *Ground signs.* All require a sign permit and are permitted as follows:

(1) *Single use building and lot.* One per street frontage, not to exceed 72 square feet in area or six feet in height, except when a sign is installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height.

(C) *Wall signs.* All shall be considered permanent and are permitted as follows:

(1) All wall signs must not extend more than 12 inches from the building wall, nor extend above the facade of a flat roof, nor extend more than 20 feet above grade on a hip, gable, gambrel or any undefined roof, provided the sign is below the uppermost portion of the roof top, and below the uppermost portion of a mansard roof, but may be above the deck line.

(2) Such signs shall not be painted directly on the surface of the walls or roof of a building

(3) The total area of wall signage shall not exceed 8% of the facade upon which the sign or signs are to be mounted.

(D) *Directory signs.* Wall directory signs shall be located below the eave line of the building, and shall not be included in the 8% maximum wall coverage requirement for wall signs in the office zone. All shall be considered permanent and are permitted as follows:

(1) *Single use building and lot.* One wall directory sign, not to exceed 30 square feet in area.

(2) *Multi-tenant building on a single lot.* One ground directory sign per street frontage, not to exceed 72 square feet in area and six feet in height, except when a sign is installed directly adjacent to a property line along a road right-of-way that equals or exceeds 200 feet in width, in which case the sign is not to exceed ten feet in height, and one wall directory sign, not to exceed 30 square feet in area.

(3) *Office complex.* One ground directory sign per street frontage, with a maximum of 96 square feet in area and six feet in height. Also, one ground directory sign per building, not to exceed 30 square feet in area, and six feet in height, or one wall directory sign per building, not to exceed 30 square feet in area.

(E) *Awning or canopy signs.* Shall be considered permanent and are permitted only as follows:

(1) *Awning signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signs shall be limited to an area no larger than 50% of the face of the awning.

(c) The area of awning signs shall be included in the wall sign area calculation for the facade of the building upon which the awning is mounted, and the total wall signage area shall be limited to a maximum of 8% of the facade area.

(2) *Canopy signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signage shall be limited to an area no larger than 50% of the canopy face upon which the sign is mounted.

(c) The area of canopy signage shall be included in the wall sign area calculation for the facade of the building upon which the canopy is mounted, and the total wall signage area shall be limited to a maximum of 8% of the facade area.

(F) *Temporary real estate signs.* One ground sign per street frontage, each sign not exceeding ten feet in height. The maximum area of each sign shall be 20 square feet, except that the area of all such signs on a lot shall be permitted to increase to a maximum of ten square feet of sign area per face for each one acre of land area up to a maximum of 200 square feet of sign area for each sign. Such signs shall be considered temporary.

(G) *Temporary construction sign.* One per street frontage, each sign not exceeding eight feet in height and 32 square feet in area. Such signs shall be considered temporary.

(H) *Now hiring or help wanted signs.* One temporary ground or wall sign per street frontage, not to exceed 12 square feet in area and six feet in height when a ground sign. Such signs shall be considered temporary and shall be permitted for the same duration and frequency as temporary banners as outlined in § 6-11-8(C).

§ 6-11-19 SIGNS IN THE INDUSTRIAL ZONE (I).

All signs are prohibited in the industrial zones, except for:

(A) *All signs enumerated in § 6-11-15.*

(B) *Ground signs.* All shall be considered permanent and are permitted as follows:

(1) *Single use building on a lot less than ten acres in area.* One per street frontage, not to exceed 96 square feet in area, or ten feet in height.

(2) *Single use building on a lot of ten acres or more in area.* One per street frontage, not to exceed 160 square feet in area, or ten feet in height.

(C) *Wall signs.* All shall be considered permanent and are permitted as follows:

(1) All wall signs must not extend more than 12 inches from the building wall, nor extend above the facade of a flat roof, nor extend more than 20 feet above grade on a hip, gable, gambrel or any undefined roof, provided the sign is below the uppermost portion of the roof top, and below the uppermost portion of a mansard roof, but may be above the deck line.

(2) Such signs shall not be painted directly on the surface of the walls or roof of a building

(3) The total area of wall signage shall not exceed 12% of the facade upon which the sign or signs are to be mounted.

(D) *Directory sign.* Wall directory signs shall be located below the eave line of the building and shall not be included in the 12% maximum wall coverage requirement for wall signs in the industrial zone. All shall be considered permanent and are permitted as follows:

(1) *Single use building and lot.* One wall directory sign, not to exceed 30 square feet in area.

(2) *Multi-tenant building on a single lot.* One ground directory sign per street frontage, not to exceed 96 square feet in area, or ten feet in height, and one wall directory sign, not to exceed 30 square feet in area.

(E) *Awning or canopy signs.* Shall be considered permanent and are permitted only as follows:

(1) *Awning signs.* These signs shall not project above the highest point of the building, and shall only be permitted only as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signs shall be limited to an area no larger than 50% of the face of the awning.

(c) The area of awning signs shall be included in the wall sign area calculation for the facade of the building upon which the awning is mounted, and the total wall signage area shall be limited to a maximum of 12% of the facade area.

(2) *Canopy signs.* These signs shall not project above the highest point of the building, and shall only be permitted as follows:

(a) Coloring or striping shall be allowed, but shall not be included as area of the signage.

(b) Signage shall be limited to an area no larger than 50% of the canopy face upon which the sign is mounted.

(c) The area of canopy signage shall be included in the wall sign area calculation for the facade of the building upon which the canopy is mounted, and the total wall signage area shall be limited to a maximum of 12% of the facade area.

(F) *Industrial Park Identification and Entry Features.* For industrial park development of 40 acres or more in size, with a minimum of five building sites, and which are subdivided into individual parcels with separate uses. Such signs shall be permitted with the following conditions:

(1) A maximum of two per development with no more than one per principal entrance.

(2) The land area dedicated for the identification and entry feature shall contain a minimum of 1,500 square feet and shall be appropriately landscaped.

(3) Covenants providing for private ownership and maintenance of both the land area and signage shall be furnished and recorded.

(4) Signage constructed as part of identification and entry features shall contain the name of the development, and may contain the developer's name and/or logo. Such signs shall be allowed 16 square feet of signage for the development's first four acres. For developments larger than four acres, an additional two square feet of signage will be allowed for each acre in excess of four acres. Such signs shall not exceed a maximum of 96 square feet in area, eight feet in height, and shall be located a minimum of 100 feet from any proposed or existing buildings.

(5) A landscaping plan shall be provided.

(6) The sign shall be constructed of masonry or metal materials only, but may include illuminated lettering and symbols of other materials.

(7) A variation from the stated standards shall require approval by the Plan Commission.

(G) *Temporary real estate signs.* One ground sign per street frontage, each sign not exceeding ten feet in height. The maximum area of each sign shall be 20 square feet, except that the area of all such signs on a lot shall be permitted to increase to a maximum of ten square feet of signage for each one acre of land area up to a maximum of 200 square feet of sign area for each sign. Such signs shall be considered temporary.

(H) *Temporary construction sign.* One per street frontage, each sign not exceeding eight feet in height and 32 square feet in area. Such signs shall be considered temporary.

(I) *Now hiring or help wanted signs.* One temporary ground or wall sign per street frontage, not to exceed 12 square feet in area and six feet in height when a ground sign. Such signs shall be considered temporary and shall be permitted for the same duration and frequency as temporary banners as outlined in § 6-11-8(C).

§ 6-11-20 NONCONFORMING SIGNS.

(A) All permanent signs which are in existence at the time of passage of this article, but which do not conform to one or more provision of this code, shall be deemed to be a legal nonconforming use and may be continued only as provided in this code.

(B) Any nonconforming sign rendered nonconforming by the provisions of this code or any subsequent amendment to the sign code may be continued in use for a period of six months after the effective date of that amendment, provided there is no physical change other than necessary maintenance and repair, except as otherwise permitted herein. Any nonconforming sign which has not been removed or rendered conforming on or before the date of its required abatement shall be deemed a nuisance and may be abated as provided by law or ordinance. Provided, however, that any such nonconforming sign, the value of which is less than \$500, may be continued in use for a period of only six months after the effective date of this amendment. Provided further, that any owner of property containing a sign which was granted a variation under prior versions of the sign regulations of the village may only display signs upon their premises as shall be in accordance with the terms of the variation granted. In the event that the terms of the variation previously granted is not complied with, such signs which were nonconforming uses pursuant to this comprehensive amendment shall be discontinued immediately; the corporate authorities have found that the expiration of the previously granted abatement period has expired.

(C) Any sign for which a permit has been lawfully granted prior to the effective date of this or any subsequent amendment of the sign code and which does not comply with the provisions of such amendment may nonetheless be completed in accordance with the approved plans; provided, construction of the sign is started within 90 days after the passage of the ordinance amendment, and is diligently prosecuted to completion.

(D) Whenever a nonconforming sign has been discontinued for a period of six consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a nonconforming sign, such sign shall not, after being discontinued or abandoned,

be re-established, and the sign thereafter shall be in conformity with the regulations of this code.

(E) Normal maintenance of a nonconforming sign is permitted, including necessary nonstructural repairs and incidental alterations which do not extend or intensify the nonconforming features of the sign.

(F) No structural alteration, enlargement or extension shall be made in a nonconforming sign, except in the following situations:

(1) When the alteration is required by law.

(2) When the alteration will actually result in eliminating the nonconforming use.

(G) If a nonconforming sign is damaged or destroyed by any means to the extent of 50% or more of its replacement value at that time, the sign can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of the code. In the event the damage or destruction is less than 50% of its replacement value, based upon prevailing costs, the sign may then be restored to its original condition and the use may be continued which existed at the time of such partial destruction until the non-conforming sign is otherwise abated by the provisions of this code. In either event, restoration or repair must be started within a period of six months from the date of damage or destruction, and diligently prosecuted to completion.

(H) Existing temporary signs shall expire at the termination date specified on the permit, but in no case later than six months from the date of passage of this amendment. New temporary signs shall be allowed only in conformance with the provisions contained in this amendment.

(I) The Community Development Director shall, after the passage of this sign code, notify each owner of a nonconforming sign of the manner in which such sign is not in compliance with this code. He or she shall further notify each owner of a nonconforming sign that such sign must either be brought into compliance with this code or removed prior to its required abatement date.

(J) Conformity of sign setbacks reduced by the exercise of eminent domain. Legal, permitted signs which do not meet the requirements of the minimum setback which conformed to the provisions of this article but were reduced in setback as a result of the exercise of eminent domain or the threat of the exercise of eminent domain by a governmental body and which are still located entirely upon private property and not in the 25 foot sight triangle shall not be found to be nonconforming with the provisions of this article as a result of the loss of such territory.

§ 6-11-21 VARIATIONS.

(A)(1) Variations to this sign code may be granted by the Zoning Board of Appeals after a public hearing and subject to the right of the Village Board to reverse such a decision as hereinafter provided. The Zoning Board of Appeals shall consider a request for a variation at a regular or special meeting of the board, but no published public notice of the consideration of the request for a variation need be made. The Zoning Board of Appeals shall report its decision regarding the granting or refusing of the variation, in writing, to the Village Board.

(2) If the Village Board takes no action regarding the decision of the Zoning Board of Appeals within 21 days after the receipt of the written decision of the board or the date of the first Village Board meeting which occurs after receipt of the decision of the Zoning Board, whichever event should occur later, the decision of the Zoning Board of Appeals shall become final. The Village Board may, however, approve or reverse the decision of the Zoning Board of Appeals at any time within 21 days after the receipt of the decision of the Zoning Board. In the instances in which the Village Board acts on the matter of variations of the sign code, its decision shall be final.

(B) The Zoning Board of Appeals or the Village Board may require from the applicants such sketches, drawings or photographs as shall be necessary to indicate the present condition of the property or sign and the condition of the property or sign after the variation is granted. The Zoning Board of Appeals or the Village Board may impose reasonable restrictions or conditions which the applicant shall be required to observe if the variation is granted. In considering the application for variation, the Zoning Board of Appeals and the Village Board shall consider any unique physical property of the land involved, the available locations for adequate signing on the property, the effect of the proposed sign on pedestrian and motor traffic, the cost to the applicant of complying with the sign code as opposed to the detriment, if any, to the public from the granting of the variation and the general intent of the sign code.

§ 6-11-22 APPEAL JURISDICTION.

The Zoning Board of Appeals shall have the power to hear and rule on appeals from any decision of the Community Development Director in enforcing this article. Such appeals shall be filed in accordance with the appeal provisions of the village Zoning Code.

§ 6-11-23 APPOINTMENT OF ENFORCING OFFICER.

The Community Development Director shall enforce the provisions of this article.

§ 6-11-24 DUTIES OF ENFORCING OFFICER.

The Community Development Director shall examine all applications for permits for erection of new signs which conform with the requirements of this article, record and file all applications for permits with any accompanying plans and documents, make a periodic

inspection of all signs in the village, and submit reports as directed by the Village Manager.

§ 6-11-25 SIGN CODE VIOLATIONS.

It shall be unlawful to erect or display any sign prohibited by this article. Any person violating any provision of this article, and any person who knowingly permits or allows a violation of this article to occur on property owned by or under the control of that person shall be fined not less than \$50 nor more than \$750.

§ 6-11-26 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) General Definitions.

AWNING. A roof-like framework supported entirely from the exterior wall of a building, projecting more than 12 inches from the wall, and covered with a protective material.

CANOPY. A roof-like structure that either projects from the exterior wall of a building and is affixed on one end to a support that is attached to the ground, or that is detached from a building and is affixed only to free-standing supports that are attached to the ground.

CORNER LOT. A lot with property lines of two streets intersecting on an angle.

END UNITS. Those units within a shopping plaza/center which are located on the end of a shopping strip, and the side of the building is directly adjacent and parallel to a dedicated right-of-way.

FACADE. The face or wall of a building as it is presented to view; the apparent width and/or height of a building as viewed from streets, driveways and parking lots. Minor changes in wall elevations do not constitute the creation of additional facades.

OFFICE COMPLEX. A business, service, or medical development in excess of one acre of land, improved with two or more buildings, also sharing common parking areas and access drives.

SHOPPING CENTER. A commercial development in excess of ten acres of land improved with a structure of at least 50,000 square feet and containing five or more distinct and separate retail businesses.

SHOPPING PLAZA. A commercial development in excess of one acre of land, improved with a structure containing three or more distinct and separate retail businesses, also sharing common parking areas and access drives.

SIGN. Any structure, vehicle, device, or any part thereof, which shall be used to identify, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, and which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, or which is intended to be seen by persons in the public right-of-way. The definition of **SIGN** shall not, however, be interpreted as prohibiting any structure, vehicle, device or any part thereof used for the purpose of disseminating political, economic, social or philosophical ideas entitled to constitutional protections as noncommercial speech. In any instance where this code would purport to prohibit any such activity, the conditions of this code shall be interpreted as permitting the utilization of a sign to express such noncommercial speech subject to such other limitations as are included in this code.

SIGN AREA. Unless otherwise specified, the area of the smallest triangle, rectangle or circle which can wholly enclose the surface area of the sign. In the event that individual letters or insignia of a wall sign are attached directly to the wall and vary significantly in size, sign area may be computed using not more than two triangles, rectangles or circles per word or insignia.

SIGN FACE. The surface of a sign or sign board upon, against, or through which a message is displayed.

SIGHT TRIANGLE. A triangular area located at the point of intersection of the two street rights-of-way lines along those rights-of-way forming a corner lot. The length of each side of the sight triangle along the rights-of-way lines is 25 feet.

WINDOW AREA. The glass area contiguous within any wall edge. For purposes of measuring the area of window signage, any window located within a door shall not be considered window area.

(B) *Types of signs defined.*

ADVERTISING SIGN OR BILLBOARD. A commercial ground, wall or window sign which directs attention to a business, commodity, service, activity, idea, slogan or entertainment each of a commercial nature conducted, sold, offered or available elsewhere than upon the property where such sign is located or to which it is affixed.

AWNING SIGN. A business or identification sign attached directly to an awning, or weather resistant paint directly affixed to the awning material.

BANNER. A temporary sign made of cloth or similar material used for a specific time period to advertise a short-term special or sale.

BULLETIN BOARD. A sign upon which messages or notices may be posted.

BUSINESS SIGN. A sign which directs attention to a business, commodity, service, activity, idea, slogan or entertainment conducted, sold, offered or available upon the premises where such sign is located or to which it is affixed.

CANOPY SIGN. A business or identification sign attached directly to a canopy, or weather resistant paint directly affixed to the canopy material.

COMMERCIAL SIGN or ***SIGN OF A COMMERCIAL NATURE.*** Any sign, the content of which advertises or publicizes any business, commodity, service, activity, idea, slogan or entertainment, conducted, sold, offered, or available by a person, corporation or entity which has as its goal or effect the distribution of profits to the owners of the advertising enterprise. In determining whether the form of advertising is commercial or non-commercial, the officials of the village shall determine whether the text of such advertising would be entitled to the protections accorded by the First Amendment of the United States Constitution.

COMMERCIAL IDENTIFICATION SIGN. Any business sign designed as a monument sign for a commercial development and constructed of a similar material and having a similar appearance as the commercial building on the site that the sign is representing. The sign shall also have a height that is at least two times the width.

COMMUNITY MESSAGE BOARD. A sign upon which messages or notices of interest to the community may be posted.

CONSTRUCTION SIGN. A temporary sign used to advertise the company building a structure or announcing a future occupant at a particular location.

DIRECTORY SIGN. A permanent sign which contains only the overall name of the building or development and lists those businesses or services available within the building or development.

GARAGE SALE SIGN. A temporary sign used to advertise the sale of second-hand merchandise from the garage or driveway of a residence.

GASOLINE PRICE SIGN. A sign advertising the price of gasoline for sale on the same lot where the sign is located.

GROUND SIGN. A permanent sign which is supported by a structure securely anchored in the ground.

IDENTIFICATION SIGN. A sign used to display and identify the name of the individual, business, profession, organization, or institution occupying the premise upon which such sign is located.

INDUSTRIAL PARK IDENTIFICATION AND ENTRY FEATURES. Those items used to improve, identify, designate, label, or demarcate the entrance(s) to or exit(s) from an industrial park development.

MENU BOARD. Any permanent sign used to display and identify those products sold within that business.

NON-COMMERCIAL SIGN or SIGN OF A NON-COMMERCIAL NATURE. Any sign, the content of which relates to a social, philosophical or similar idea which would be entitled to the protection of the First Amendment of the United States Constitution.

OPEN HOUSE SIGN, RESIDENTIAL. A temporary business sign placed upon a property advertising that particular property is open for visual inspection.

PERMANENT RESIDENTIAL DEVELOPMENT IDENTIFICATION AND ENTRY FEATURES. Those items used to improve, identify, designate, label, or demarcate the entrance(s) to or exit(s) from a residential development.

PERMANENT SIGN. Any sign which is not a temporary sign.

POLE SIGN. Any business sign having a supporting structure with a size less than 25% of the total width of the sign with more than two feet of clear space between the bottom of the face of the sign and the grade beneath the sign face.

POLITICAL CAMPAIGN SIGNS. Signs announcing candidates seeking public office or expressing political issues for which an election will be held.

REAL ESTATE SIGN. A business sign placed upon a property advertising that particular property for sale or for rent or for lease.

SEASONAL DECORATIONS. Decorations customarily displayed on a national, state, local or religious holiday. This shall not include any type of signage either prohibited by this article or requiring a permit under this article.

TEMPORARY ON-SITE REGIONAL PROMOTION SIGNS FOR RESIDENTIAL SUBDIVISIONS. A temporary ground sign used to identify participation in a regional sale event for new residential construction and involving a coalition of different subdivisions and builders.

TEMPORARY RESIDENTIAL MODEL SIGN. A temporary ground sign placed in front or adjacent to a model home for sale.

TEMPORARY SIGN. A sign intended to be displayed for a limited length of time.

WALL SIGN. A business or identification sign attached directly to a building wall.

WINDOW SIGN. A temporary or permanent wall sign which is visible to persons in the public right-of-way and which is placed within or on the inside of a building and within one foot of a window.