

Chapter 29  
**SIGN CODE**

- 29.01 Authority and Purpose
- 29.02 Definitions
- 29.03 Prohibited Signs
- 29.04 Exempt Signs
- 29.05 Permitted Signs-General Provisions
- 29.06 Permitted Signs in Residential Zoning Districts
- 29.07 Permitted Signs in Non-Residential Zoning Districts
- 29.08 Temporary Signs
- 29.09 Official, Corporate, and Ancillary Flags
- 29.10 General Principles for Sign Design
- 29.11 Construction Specifications
- 29.12 Illumination
- 29.13 Old Town District Sign Regulations
- 29.14 Randall Road Corridor District Sign Regulations
- 29.15 Maintenance
- 29.16 Administration
- 29.17 Enforcement
- 29.18 Variations

**29.01 AUTHORITY and PURPOSE**

A. Purpose: All signs that are located within the corporate limits of the Village shall be located, constructed, erected, displayed, placed, designed, altered, used, removed, and maintained in accordance with the provisions set forth in this Chapter.

B. Legislative Intent: The regulations of this Chapter are intended to coordinate the use, placement, physical dimensions, and design of all signs within the Village, as well as protect public health, safety, and welfare, to preserve and enhance the image of the community, and to develop a satisfactory visual appearance within the Village by:

1. Promoting the objectives, principles, and standards identified in the Algonquin Comprehensive Plan and in this Code for residential, commercial, and industrial development; and
2. Protecting the public from damage or injury caused by signs that are poorly designed or maintained, and from distractions or hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs; and
3. Maintaining property values by eliminating signs that are incompatible with the surrounding land uses; and
4. Encouraging a viable economic environment through uniform control of signs; and

5. Facilitating effective communication between the public and the environment through signs that are appropriate for the type of street and site upon which they are located; and
6. Encouraging quality sign design to promote a better visual environment; and
7. Enhancing the physical appearance of the Village through a program that ensures the removal of inadequately maintained, illegal, and non-conforming signs within a reasonable time period.

C. Scope and Application: The regulations set forth in this Chapter shall govern the location, construction, erection, display, placement, design, structural, or graphic alteration, use, removal, and maintenance of all signs within the Village. It shall be unlawful to locate, construct, erect, display, place, design, structurally, or graphically alter, use, remove, relocate, or maintain any sign except in accordance with the provisions of this Chapter.

## **29.02 DEFINITIONS**

The following definitions, whether capitalized or not, are in addition to those terms defined in Appendix A.

**Appearance**: The outward aspect visible to the public.

**Architectural Concept**: The basic aesthetic idea of buildings or structures, including the site and landscape development that produces the architectural character.

**Architectural Style**: The characteristic form and detail, such as buildings of a particular historic period.

**Awning**: An architectural projection that provides weather protection, identity, or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a light-weight, rigid skeleton structure over which a covering is attached.

**Balloon and/or Balloon Sign**: See “Sign, Inflatable.”

**Billboard**: See “Sign, Off-site.”

**Building Decoration**: The painting or affixing of a pattern, stripe, series of stripes, or other design on a building in such a manner, including the use of color, so as to create a contrast to the general character of the building’s architectural style or to highlight or frame a signable wall area. Such a building decoration shall be deemed a wall sign, and its surface area calculated upon the entirety of the decoration.

**Building Front**: That portion of a building where the primary building entrance is located. Where more than one primary building entrance is provided, the building front shall be that portion of the building facing toward the street to which the legal address has been assigned. Corner lots shall have only one building front. For the purposes of this definition, the terms building frontage and building facade shall be deemed synonymous.

**Bulletin Board:** A sign that identifies an institution or organization and that is located on the premises of said institution or organization, that contains the name and address of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring on the premises, or similar messages. Such a sign may contain a changeable copy board within the structure of the sign provided that the board is enclosed behind a glass case or door.

**Canopy:** An architectural projection that provides weather protection, identity, or decoration and is supported by the building to which it is attached and the outer end by not less than one stanchion. A canopy is comprised of a rigid structure over which a covering is attached.

**Common Signage Plan:** A sign plan that imposes requirements in a larger development, such as a shopping center (with or without outlot buildings), multiple business center, and other multi-tenant or multiple-user building or property, designed to achieve coordination in the design and erection of signage. See also “standards of consistency.”

**Compatible/Compatibility:** Harmony in the appearance of a majority of external design features, including form, colors, materials, textures, scale, size, height, and landscaping in the same vicinity.

**Comprehensive Plan:** The Village of Algonquin Comprehensive Plan.

**Decorative Facade:** A projection of the facade above the roof line of a building wherein the projection serves no structural purpose or is not required for structural support of any portion of the building. A parapet fire break shall not be deemed a decorative facade.

**Establishment:** Any institution, organization, business, commercial, retail, office, service, or industrial activity that is the sole occupant of one or more buildings; or any institution, organization, business, commercial, retail, office, service, or industrial activity that occupies a portion of a building such that the activity is a separate and distinct business from the other activities within the building.

**Flag, Advertising:** Any sign typically constructed of, or printed or painted on cloth, plastic, canvas, paper, or other light material that contains any or all of the following features, including but not limited to: distinctive patterns, shapes, slogans, symbolic devices, or colors (solid or mixed), which is typically designed to move when subject to pressure by the wind, and used for attracting the attention of the public. See also “Sign, Pennant.”

**Flag, Ancillary/Corporate:** Any sign typically printed, painted, or woven on cloth, canvas, paper, or other light material depicting any corporation or institution through symbols, characters, colors, designs, letters, logos, or trademarks, typically designed to move when subject to pressure by the wind, and that may be hung without a frame, or flown from a staff or flagpole.

**Flag, Official:** Any sign typically printed, painted, or woven on cloth, canvas, paper, or other light material depicting any nation, state, county, municipality, or other political subdivision, taxing body, or unit of government duly created by law, or any organization or activity officially designated by such unit of government, through symbols, characters, colors, designs, or letters

and numbers, typically designed to move when subject to pressure by the wind, and which may be hung without a frame, or flown from a staff or flagpole.

**Grade:** Established or finished elevation measured at the sign location.

**Grand Opening:** An event or occasion marking the opening of a new retail or service operation. A grand opening must occur at or near the beginning of an operation and can only occur once during the lifetime of the operation. For the purposes of this definition, however, if a change of ownership or of general management of an operation occurs, an under new ownership or under new management event or occasion, respectively, shall be deemed to be equivalent to a grand opening.

**Ground Clearance:** The measurement from the bottom portion of a sign face to grade. If the subject sign is built over or upon a planter, ground clearance shall also be measured to grade.

**Landscaping:** Plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

**Logograph:** A sign that consists of symbols, words, pictures, letters, colors, or other graphic elements arranged in a generally recognizable fashion used to represent a particular trade, corporation, organization, profession, or business, including, but not limited to, corporate emblems, trademarks, logos, and barber poles. Any words or letters included in a logograph shall be incidental to the graphic elements.

**Lot:** A designated parcel of land identifiable as a single separate tract that is generally established as part of a subdivision, the plat of which has been approved by the Village and recorded or registered with the appropriate county office, or the deed to which has been recorded or registered with the appropriate county office, that is intended to be used, developed, or built upon as a unit, having its principal frontage upon a street or upon an official approved place, and that is occupied or intended for occupancy by a use permitted in this Code. For the purposes of this definition, the terms “lot of record” and “zoning lot” shall be deemed synonymous.

**Lot, Corner:** A lot abutting upon two or more streets at their intersection or junction.

**Lot, Interior:** A lot other than a corner lot, or a reversed corner lot.

**Lot Line:** A recorded property boundary line of any single lot that divides one lot from another lot or from a right-of-way, street, or any public place. For the purposes of this definition, the term “property line” shall be deemed synonymous.

**Lot Line, Front:** In the case of an interior lot abutting upon only one street, the line separating such lot from such street; in the case of a double frontage lot, each line separating from a street shall be considered a front lot line; in the case of a corner lot, the shorter lot line separating such lot from a street shall be considered to be the front lot line.

**Lot Line, Rear:** That lot line that is parallel to and most distant from the front lot line of the lot; provided, however, that in the case of an irregular, triangular, or pie-shaped lot, a line 10 feet in length, entirely within the lot, parallel to, and at the maximum possible distance from the front lot line shall be considered to be the rear lot line.

**Lot Line, Side:** Any lot line other than a front or a rear lot line.

**Lot Line, Through:** Any interior lot that has a pair of lot lines along two substantially parallel streets.

**Marquee:** A structure, other than an awning, permanent in nature, of roof-like construction made of metal, wood, or other non-pliable material attached to and extending from part of a wall of a building, but not supported by a frame affixed to the ground.

**Monument Sign:** See “Sign, Ground.”

**Multiple Business Center:** A development containing two or more indoor, individual establishments, or offices developed under one ownership, with an integrated building and site arrangement and overall architectural concept that is primarily devoted to the provision of services, research, or other non-retail uses.

**Outlot:** A lot of record located adjacent to or as part of a shopping center where the primary means of access to the lot is provided through the ingress/egress aisles of the shopping center parking facilities.

**Person:** Any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, organization, corporation (public or private), or a receiver, trustee, conservator, or other representative appointed by order of any court.

**Planter:** Any structure, object, or container constructed of brick, masonry, wood, stones, or other material set upon the ground and located at the base of a sign or sign support pole(s) or pylon(s), designed for the purpose of holding flowers, shrubs, or other landscape materials.

**Pole:** A post, pole, brace, standard, or other upright member, usually made of metal, used singly or in combination to structurally support a freestanding sign. As modified by an adjective (e.g., flagpole, light pole), the term pole shall refer to the upright member used to support or display the object so described.

**Premises:** Within the boundaries of all property lines of a lot or outlot, or within the confines of an establishment.

**Proportion:** Balanced relationship of parts of a building, sign, landscape, or structure to each other and to the architectural concept as a whole.

**PUD.** A planned unit development or planned development, as defined in the Zoning Code.

**Pylon:** A column used singly or in combination to structurally support a freestanding sign that is substantially wider than a pole, and that consists of a pole that has been “boxed in” with a metal pole cover or completely concealed by surrounding masonry, stone, or other secure, permanent material, or a masonry or stone column.

**Raceway (Electrical):** A boxed container, usually of metal, placed behind the lettering of a sign which houses electrical wiring for the illumination of the sign, and to which the sign or sign letters may be affixed.

**Roof Line:** The top of the parapet of a building with a flat roof, the top line of a building with a mansard roof, or the eave line of a building with a gable, gambrel, or hip roof.

**Scale:** The proportional relationship of the size of parts to one another and to the human figure using a standard form of measurement.

**Setback:** The horizontal distance between the building or structure or sign (as may apply) and the property line.

**Shopping Center:** A development containing two or more indoor, individual establishments developed under one ownership, with an integrated building and site arrangement and overall architectural concept, that is primarily devoted to the sale of retail goods or provision of personal services directly to the consumer. See also “Multiple Business Center.”

**Sight Triangle:** A triangular area established at the intersection of two streets or a street and a driveway in which nothing is erected, planted, placed, or allowed to grow so as to limit or obstruct the sight distance of motorists. Such a triangle shall have legs of 25 feet along the rights-of-way when two streets intersect and 10 feet along the right-of-way and driveway when a street and driveway intersect, measured along each curb or equivalent of the intersecting streets or driveways and from the point where said curb lines or extension thereto intersect.

**Sign and/or Signage:** Any surface, object, device, display, structure, fabric, or advertising symbol which may or may not contain words, figures, letters, printing, pictures, designs, symbols, fixtures, colors, illumination, projected images, forms shaped to resemble any human, animal, product or object, or combinations thereof, that is calculated by any means to direct or attract the attention of the public and used to advertise, announce, identify, or display an object, person, institution, organization, business, product, service, event, or location, that may be constructed from material of any kind or character whatsoever, and placed on the ground or on any pole, building, structure, wall, or thing whatsoever. The term “placed,” as used in this definition, shall include erecting, locating, constructing, posting, painting, printing, nailing, tying, gluing, carving, molding, weaving, attaching, affixing, holding, or making visible in any manner whatsoever. For the purposes of this definition, the use of terms including, but not limited to, “attach,” “affix,” “place,” “locate,” “display,” “erect,” and “construct” shall be deemed to be synonymous. A sign shall be deemed to be an accessory use to a principal use.

**Sign, A-Frame:** Any sign of a structural framework with steeply angled sides meeting at the top like the sides of the letter “A.” Such signs may also be known as “sandwich board signs.”

**Sign, Animated:** A sign with action or motion, flashing, or color changes, requiring electrical energy, electronic, or manufactured sources of supply (not to include time and temperature signs or safety warning signs and devices).

**Sign, Awning:** Any sign that is painted, printed, woven, or otherwise placed on the outer surface of an awning in such a manner that the awning forms the background surface of the sign.

**Sign, Backlit Awning/Canopy/Marquee:** Any awning, canopy, or marquee that is constructed substantially of transparent or translucent material and directly illuminated artificially from the interior side of the material in such a manner that the awning, canopy, or marquee is made visible or luminous.

**Sign, Banner:** Any sign printed or painted on cloth, plastic, paper, or canvas and used for attracting the attention of the public. All banner signs shall be deemed to be temporary signs.

**Sign, Beacon Light:** An apparatus containing a light and/or reflector for projecting a strong, far-reaching beam of light in any direction that is designed so that the beam of light may generally move in an arc pattern. Such a sign is used in the nature of advertisement, announcement, or directions calculated to attract the attention of the public located some distance away from the location of the beacon. Such an apparatus may also be known as a “beam” or as a “searchlight.”

**Sign, Canopy:** Any sign that is fastened, affixed, painted, printed, or otherwise attached to the outer surface of a canopy in such a manner that the canopy becomes the supporting structure or forms the background surface of the sign, and which does not project more than 6 inches from the canopy surface.

**Sign, Changeable Copy:** Any permanent sign that is used in such a manner that characters, letters, or symbols can be manually changed or re-arranged without altering the surface of the sign. The term “changeable copy board” shall mean a changeable copy portion of a sign subordinate in surface area and position to the principal surface area and characteristics of the sign. For the purposes of this definition, the terms “reader board” and “attraction panel” shall be deemed synonymous. A changeable copy sign is not a bulletin board.

**Sign, Dimensional:** A type of wall sign that consists of three-dimensional letter forms individually applied directly to a building or raceway.

**Sign, Electronic Message Center:** Any sign that uses changing (also known as traveling) lights to form a sign message or messages, or symbols or characters in motion or animation, wherein the sequence of messages, characters, and symbols and the rate of change is electronically, electrically, or automatically programmed and may be modified by electronic, electric, or automatic processes. For the purposes of this Chapter, a time and temperature sign shall not be defined as an electronic message center sign.

**Sign, Entrance/Exit:** Any sign that is located on the premises that denotes an entrance to or exit from parking facilities.

**Sign, Exterior:** Any sign that is attached to an exterior wall or otherwise located on the outside of a structure, or placed in a yard or upon vacant land.

**Sign, Flashing:** Any illuminated sign on or in which such illumination is not kept stationary or constant in intensity and color at all times, and shall include blinking, strobing, flashing, animated, scintillating, alternating, fading-in-and-out, and other similar operations of lights or light sources. For the purposes of this definition, a blinking warning light(s) on an antenna as required by law shall not be deemed a flashing sign. For the purposes of this Chapter, a time and temperature sign or a beacon light sign shall not be defined as a flashing sign.

**Sign, Freestanding:** Any permanent sign not attached to a building--primarily ground signs, pole signs, and pylon signs.

**Sign, Garage/Yard Sale:** Any sign used in residential zoning districts to advertise the sale of used, unwanted household goods originating from the specific residence where the sale occurs.

**Sign, Grand Opening:** Any sign used for a grand opening. All grand opening signs shall be deemed to be temporary signs.

**Sign, Ground:** Any sign not supported by visible posts, poles, pylons, uprights, braces, standards, or other supports designed to raise the sign face above the ground, where the bottom side of the sign is set completely on the ground or mounted on a base that is permanently set on the ground that is at least as wide as the bottom side of the sign. Ground signs are also commonly known as monument signs.

**Sign, Illuminated:** Any sign that is lit by artificial (usually electric) lighting or luminous devices, whether by lights or devices on or within the sign or directed toward the sign, including such chemical or physical properties that cause or affect a reflection. This definition shall include exterior strings of lights or exposed light bulbs. Signs that are made visible due to ambient conditions arising from the use of adjacent artificial lighting, such as general lighting from fixtures used primarily to illuminate parking facilities, shall not be considered as illuminated signs.

**Sign, Inflatable:** Any sign or inflatable device designed to be filled with air or other gas, used singly or in clusters, displayed to attract the attention of the public. This definition shall include balloons and balloon signs.

**Sign, Instructional:** Any sign that provides instructions to guide persons to facilities intended to serve the public, including, but not limited to, those signs identifying restrooms, public telephones, public walkways, and other similar facilities; and to provide directions or warnings, including, but not limited to, towing, no trespassing, no dumping, no parking, and no stopping or standing signs. Such signs may also be known as directional signs.

**Sign, Interior:** Any sign that is fully located within the interior of a building and that is not readily or obviously visible from the exterior.

**Sign, Legal Non-Conforming:** Any sign lawfully existing on the effective date of an ordinance, or an amendment thereto, that renders such sign non-conforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

**Sign, Marquee:** Any sign that is fastened, affixed, painted, printed, or otherwise attached to the outer surface of a marquee in such a manner that the marquee becomes the supporting structure or forms the background surface of the sign, and that does not project more than 6 inches from the marquee surface.

**Sign, Menu Board:** Any sign that directs attention to a restaurant menu as an accessory structure to the restaurant with drive-through facilities. Such a sign may be illuminated and free-standing and contain a two-way communication system for the purpose of food ordering only.



**Sign, Motor Vehicle:** Any sign painted on or otherwise attached to a motor vehicle (whether operable or inoperable), or on a trailer or similar movable unit designed to be transported by a motor vehicle, that is parked or stored on a public right-of-way, public property, or private property so as to be visible from a public right-of-way for the primary purpose of displaying the sign in order to advertise a product or service, or to attract the attention of the public to a business or activity located on the property or off-site.

**Sign, Moving:** Any sign that has any external or visible part or parts that move, rotate, spin, swing, or assume a non-stationary position by electrical or mechanical means, or under normal wind currents. Official, corporate, and ancillary flags shall not be deemed moving signs.

**Sign, New Development Identification:** Any temporary sign that advertises a new development or new subdivision within the corporate limits of the Village that has received approval to begin construction or is under active construction.

**Sign, Non-conforming:** Any existing sign that does not conform to all the standards and regulations of this Chapter.

**Sign, Obsolete:** Any sign that identifies an occupant or advertises a business conducted, product sold, or service rendered that is no longer bonafide or operational. An obsolete sign shall be deemed to be abandoned.

**Sign, Off-site:** Any general outdoor advertising sign that is designed to advertise or direct attention to a business or activity conducted or a product, commodity, service, real property, entertainment, or facilities offered or sold elsewhere than on the same lot or within the same building upon which the sign is located or to which it is affixed, or that directs persons to a location different from where the sign is installed. The term “billboard” shall be included in this definition.

**Sign, Outlot:** Any freestanding sign located on the premises of an outlot or any wall sign located upon an outlot building.

**Sign, Pennant:** Any sign printed or painted on cloth, plastic, paper, canvas, or other light material with distinctive colors, patterns, or symbolic devices, typically designed to move when subject to pressure by the wind, and used for attracting the attention of the public. A pennant sign is usually, but not limited to being, long, narrow, and triangular in shape. For the purposes of this Chapter, the term and concept of pennant signs shall include, but not be limited to, such devices as spinners, propellers, ribbons, streamers, garlands and the like that are mounted singly or in a chain-like series and/or fastened or hung extended in such a manner that the device moves, rotates, or spins when subjected to pressure by the wind.

**Sign, Permanent:** Any pole, pylon, or ground sign that is substantially anchored to the ground with concrete piers or foundations or the equivalent, or any wall sign substantially attached to a building with bolts, rivets, or the equivalent that is of more than nominal value, or any awning, canopy, marquee, or under-canopy sign, or any other sign that, by its definition and application in this Chapter, is designed, constructed, and intended to be so located or affixed for an indefinite time into the future. Any banner, beacon light, garage/yard sale, grand opening, inflatable, motor vehicle, pennant, political, portable, real estate, new development, construction, sidewalk, and

special event sign shall not be considered a permanent sign, as well as any other sign that, by its definition and application in this Chapter, is designated as a temporary sign.

**Sign, Pole:** Any freestanding sign supported by one or more poles, which pole(s) extend(s) from the ground or from an object on or in the ground.

**Sign, Political:** Any sign displayed in conjunction with an official election or referendum used on behalf of candidates for elected public office or to advocate a position on referenda.

**Sign, Portable:** Any sign designed to be moved from place to place that is not permanently anchored to a building, or to a structure, or permanently anchored in the ground. Such signs also include, but are not limited to, those mounted on a trailer or on a frame with wheels attached, hand-held signs, or persons in costume.

**Sign, Projecting:** Any sign other than a wall sign that is fastened, affixed, or attached directly to an outside wall of any building, generally but not always perpendicular to the plane of the wall, that projects outward 8 inches or more from the face of the wall.

**Sign, Public:** Any sign required and erected by governmental bodies or specifically authorized for a public purpose by any law, statute, ordinance, or other official action. Such signs shall include, but not be limited to: traffic control signs; parking control signs; legal notices; warning, danger and temporary emergency signs; street name signs; identification of public sites and facilities or of institutions; announcements of community events as designated by the governmental body; and the like. Such signs may also be known as traffic, government, or emergency signs.

**Sign, Pylon:** Any freestanding sign supported by a single pylon, the width of which is greater than 33.3 percent of the width of the bottom side of the sign face, or supported by a maximum of two pylons, the combined width of which is greater than 33.3 percent but less than 100 percent of the width of the bottom side of the sign face, and which pylon(s) extend(s) from the ground or from an object on or in the ground.

**Sign, Real Estate:** Any temporary sign used to offer the sale, lease, sublease, or rental of real property. A residential real estate sign shall specifically mean a real estate sign used for property located in a residential zoning district. A commercial real estate sign shall specifically mean a real estate sign used for property located in non-residential zoning districts.

**Sign, Roof:** Any sign erected, constructed, or maintained wholly or partially upon or above the roof line or over the roof of any building in any fashion. This definition shall include signs upon penthouses or upon screening devices for mechanical and HVAC equipment. In addition, the direct artificial illumination of a roof or portion of a roof shall be deemed to transform the roof into a roof sign. Any sign attached to a mansard roof shall be deemed to be a wall sign.

**Sign, Sidewalk:** Any non-permanent announcement sign for businesses containing sign copy that can be changed, identifying particular goods sold, or services rendered from the premises.

**Sign, Special Event:** Any temporary sign used to promote a special event. For the purposes of this definition, a special event sign shall be applicable to the activities of a Village-based non-profit organization or a Village-sanctioned event.

**Sign, Subdivision Identification:** Any permanent sign designed to identify a parcel consisting of multiple lots, buildings, or dwelling units. A residential subdivision identification sign is used for the stated purpose in residential zoning districts. A non-residential subdivision identification sign is used for the stated purpose in non-residential zoning districts.

**Sign, Temporary:** Any sign designed, constructed, or erected for display for a limited and usually fixed duration of time. Such signs include, but are not limited to: banner, beacon light, construction, garage/yard sale, grand opening, inflatable, new development, sidewalk, political, portable, real estate, and special event signs, as well as any other sign that, by its definition and application in this Chapter, is designated as a temporary sign.

**Sign, Time and Temperature:** Any sign or portion of a sign designed specifically to display only the current time and/or temperature at that location, employing a panel of changing light bulbs or visible elements to display numerals as well as Fahrenheit, Centigrade, A.M., P.M., and degree symbols in combination with the numerals as applicable.

**Sign, Under-Canopy:** Any sign that is attached to the bottom side of the roof portion of a canopy that is attached to a building and positioned between the building wall and the outermost edge of the canopy, designed solely for pedestrian visibility and use.

**Sign, Vending Machine:** Any permanent signage on vending machines, ice containers, automatic teller machines, and other similar machines. Illuminated exterior vending machines are prohibited.

**Sign, Wall:** Any sign that is attached directly to the building wall and that does not extend out more than 8 inches from the face of the wall. This definition shall include any architectural feature or design that includes all or part of an exterior wall where the wall sign is affixed. Also see “Building Decoration.”

**Sign, Window:** Any sign that is applied upon, attached to, painted upon the interior or exterior of, or located within 12 inches of the interior side of a window or glass door, and/or is located within a building such that the sign is intended to be viewed from the exterior of such building. Such signs shall not be illuminated unless otherwise provided for in this Chapter.

**Sign Face:** The surface or surfaces used for the display of a sign message as seen from any one direction, including the area of copy and all borders, but not the supports. Within this meaning, a single-face sign shall not have any copy on its reverse side, or its reverse side is not visible; a double-faced sign shall have the faces placed back-to-back or is erected in a V-shape.

**Sign Frieze:** The signable wall area delineated by a clearly defined portion of a building facade designed or designated for the placement of signage. The terms “sign course,” “sign board,” “sign panel,” and the like shall be considered as synonymous.

**Signable Wall Area:** The entire area within a square or rectangle that encompasses a single continuous portion of a building facade, unbroken by windows, doors, arches, gables, stripes, pillars, or other major architectural interruptions, features, or extensions of the building surface. Signable wall areas shall not extend above the roof line of the building or beyond the premises or frontage of a particular establishment.

**Special Event:** An event, activity, sale or service or other occasion that is temporary or seasonal in nature, is limited in duration, and is not regularly repeated within the same calendar year. For the purposes of this definition, a special promotion or other similar occasion shall be deemed to be synonymous. A slogan (e.g., the store with the best bargains) shall not be deemed a special event.

**Standards of Consistency:** The underlying characteristics of a common signage plan that relates the building design to a unified color scheme; use of materials; lettering or graphic style; consistent location of each sign on the building; and consistent proportions, surface area, and other measurements; as well as that relates the design to a multiple-user development.

**Surface Area of a Sign:** The entire area within a single continuous square or rectangular perimeter enclosing the extreme limit of a sign, but in no case shall this perimeter pass through or between any adjacent elements of the same.

**Wall:** Any of the exterior sides of a building or structure upon which the roof rests.

**Window:** An opening in the wall of a building for admission of light to the interior of the building containing transparent or translucent material such as glass.

**Window Surface Area:** The area of a building facade which is occupied by a window(s) or glass door(s).

**Zoning District, Non-Residential:** Any current or newly-created non-residential zoning district or any newly-created district predominantly established for non-residential uses, as defined in the Zoning Code.

**Zoning District, Residential:** Any current or newly-created residential zoning district as defined in the Zoning Code.

### **29.03 PROHIBITED SIGNS**

The following signs are specifically and expressly prohibited from being located, constructed, erected, displayed, placed, structurally, or graphically altered, used, maintained, or relocated within the Village unless otherwise provided for in this Chapter:

1. Any advertising flag, except as provided for grand openings pursuant to Section 29.08-B.3.
2. Any back-lit awning/canopy/marquee sign.
3. Any building decoration, arranged in any fashion, that exceeds 10 percent of the height (if horizontal) or of the width (if vertical) of the building. Building decorations shall not be illuminated.
4. Any flashing sign.

5. Any inflatable sign.
6. Any motor vehicle sign, except signs that are placed upon or behind the windshield or other glass surfaces of a vehicle at a retailer of new or used automobiles and/or trucks.
7. Any moving sign.
8. Any obsolete sign.
9. Any off-site sign.
10. Any pennant sign.
11. Any portable sign, unless provided for in this Chapter.
12. Any projecting sign, except as provided for in Section 29.13-F.
13. Any roof sign, including any sign placed on a decorative facade that extends above the roof line, except for mansard roof signs as provided for in Section 29.07- B.
14. Any pylon sign, except as provided for in Section 29.13-F.
15. Any pole sign, except as provided for in Section 29.13-F.
16. Any sign that is determined by the Building Commissioner and/or the Chief of Police to constitute a traffic or pedestrian hazard by reason of size, location, content, color, condition, or type of illumination.
17. Any sign that is located in or extends over public property or the public right-of-way, unless provided for in this Chapter.
18. Any sign that contains the words “stop” or “danger” or otherwise resembles, simulates, or imitates official traffic control signs or devices.
19. Any sign that obstructs traffic sight lines, sight triangles, traffic control signals, or public signs at street intersections.
20. Any sign for which a permit is required but for which no permit was applied for or issued.
21. Any sign painted on an exterior building wall, fascia, parapet, chimney, on a fence or fence-type wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna, or other accessory structure, except wall signs as permitted in Section 29.13-F.
22. Any sign attached to a chimney, on a fence or fence-type wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna, or other accessory structure with the exception of public signs.

23. Any sign attached, painted on, nailed, or otherwise affixed to trees, other vegetation, landscaping, stones, or natural materials.
24. Any sign attached, painted on, or otherwise affixed to tents, except those that are specifically permitted in conjunction with an approved special event or public event.
25. Any sign which uses exposed exterior neon tubing and/or exposed light bulbs.
26. Any exterior string of lights or exposed light bulbs, except those that are temporarily displayed in conjunction with traditionally accepted civic, patriotic, or religious holidays for a duration not to exceed 60 days before or after the holiday.
27. Any sign that contains untruthful or deliberately misleading information.
28. Any sign painted on, attached, or otherwise affixed to flag poles or light poles, except public signs and instructional signs attached to light poles as permitted in Section 29.04.
29. Any additional or subsequent sign painted on, attached, or otherwise affixed to poles, pylons, base, or face of permitted signs.
30. Any sign that emits sound, odor, or visible matter, or that bears or contains statements, words, or pictures of an obscene, pornographic, or immoral character.

#### **29.04 EXEMPT SIGNS**

The following signs are exempt from the provisions of this Chapter, except for such instances where a sign listed herein is found to be unsafe or unlawful as provided in Section 29.17 or as otherwise provided for in this Chapter. Such signs are defined as exterior signs unless stated otherwise. Such signs shall not be illuminated unless otherwise specifically provided for. Such signs are exempted from all permit requirements herein, except that illuminated signs shall be subject to application for and receipt of an electrical permit.

1. **Bulletin Boards:** Bulletin boards shall be exempt, provided that they are located on the premises of charitable or religious institutions only, and do not exceed 16 square feet in surface area. Bulletin boards may be internally illuminated.
2. **Garage/Yard Sale Signs:** Garage/yard sale signs shall be exempt and shall be subject to the provisions of Section 31.11-C of this Code.
3. **Instructional Signs:** Instructional signs shall be exempt, provided that:
  - a. Such signs shall not exceed 2 square feet in surface area and shall be single-faced.
  - b. Such signs shall not exceed 8 feet in height from grade if placed on walls or on light poles or other similar single standards, and otherwise shall be constructed as free-standing signs, which shall not exceed 6 feet in height.

- c. Such signs shall contain no advertising, logos, or other promotional information.
  - d. Such signs shall be located within the interior of any parking lot or facility, or adjacent to a pedestrian walkway leading to the building or use so identified, or otherwise set back a minimum of 5 feet from any property line or service drive.
  - e. Such signs shall not include those signs accessory to parking areas or facilities as specifically provided for in Section 29.07-B-9.
  - f. Such signs shall not exceed two in number per lot or complex in residential zoning districts.
  - g. Such signs shall not exceed four in number per lot in non-residential zoning districts.
  - h. The Building Commissioner may authorize additional signs of this type if determined to be warranted.
4. Interior Signs: Interior signs shall be exempt except as otherwise provided for in this Chapter.
5. Political Signs: Political signs shall be exempt, provided that:
- a. Except for political signs on residential property, signs may be installed no earlier than 30 days prior to the election or referendum, and shall be removed within 7 days after the election or referendum.
  - b. In a residential zoning district, the sign does not exceed 6 square feet in surface area if the sign is single-faced, or 12 square feet in surface area if the sign is double-faced, and said signs do not obstruct traffic sight lines, sight triangles, traffic control signals, or public signs at street intersections.
  - c. In a non-residential zoning district, the sign does not exceed 32 square feet in surface area if the sign is single-faced, or 64 square feet in surface area if the sign is double-faced.
  - d. In a residential zoning district, the sign does not exceed 4 feet in height from grade.
  - e. In a non-residential zoning district, the sign does not exceed 6 feet in height from grade.
  - f. The sign shall be placed on private property and set back from any public right-of-way.
6. Traffic, Government, or Emergency Signs: Traffic or other municipal or government signs, legal notices, danger, or other temporary emergency or non-advertising signs as may be approved or required by federal law, state statute, or the authority having jurisdiction.

7. Residential and Commercial Real Estate Signs: Residential and commercial real estate signs shall be exempt, provided that:
  - a. The sign content shall be limited to the words “For Sale,” “For Lease,” “For Rent,” “Open House,” or “Sold” or substantially similar terminology; the name, address, and phone number of the individual realtor or agent; and the name and logo of the realtor’s franchise or brokering office.
  - b. The sign is located upon the property that is offered for sale, lease, or rent, or has been sold.
  - c. Only one sign shall be permitted for each lot or contiguous lots under single ownership.
  - d. The sign shall be removed within 7 days after the real estate closing, or lease, or rental transaction is completed, except that “Open House” signs shall be erected and removed on the day of the event.
  - e. The sign does not exceed 6 square feet in surface area if the sign is single-faced or 12 square feet in surface area if the sign is double-faced for a residential zoned property, and does not exceed 12 square feet in surface area if the sign is single-faced or 24 square feet in surface area if the sign is double-faced for a non-residential zoned property.
  - f. The sign does not exceed 4 feet in height from grade.
  - g. The sign shall be placed on private property and set back from any public right-of-way.
8. Window Signs-Residential Zoning Districts: Window signs in residential zoning districts shall be permitted only as temporary signs and shall be exempt, subject to the provisions of Section 29.08.
9. Window Signs-Non-Residential Zoning Districts: Window signs in non-residential zoning districts shall be exempt, provided that:
  - a. Location: Window signs may be permanently affixed or applied to the window glass of buildings where such windows or glass doors face the principal street frontage(s). Such signs to be affixed shall consist of high-quality design and copy, such as pre-cut decals, professionally applied, or painted copy using permanent-type inks, paints or gilding, and the like. Such signs may be affixed on the interior or the exterior surface of the glass.
  - b. Surface Area: The surface area of a permanent window sign shall not exceed 30 percent of the window surface area, exclusive of superficial borders and trim. This standard shall be consistent from window to window, or window pane to window pane as the case may apply, where a building has more than one qualifying window or window pane.



- c. Illumination: Window signs shall not be illuminated except those that are instructional, or state only the name of the business, or as specifically provided for in Section 29.12.
  - d. Displays: The display of merchandise shall not be construed as a window sign, nor any signs identifying or promoting merchandise or services, so long as the signs are located more than 12 inches back from the interior surface of the glass.
  - e. Temporary Window Signs: A window sign that is not permanently affixed to window glass shall be deemed a temporary sign and shall be subject to the provisions of Section 29.08.
10. Sidewalk Signs: Sidewalk signs shall be exempt provided they are located on non-residential zoned premises only and:
- a. Location: Sidewalk signs shall be placed within 5 feet from the front entryway of the business it pertains to and shall allow for no less than 4 feet clearance on all areas of the sidewalk, if applicable. Sidewalk signs are only permitted on private property.
  - b. Size: Sidewalk signs shall not exceed 6 square feet.
  - c. Duration: Sidewalk signs shall be displayed only during business hours and shall be removed from the exterior during non-business hours.
  - d. Number: One sidewalk sign is allowed per address.
  - e. Sign lettering shall be professionally painted or applied. However, chalkboard signs are permitted.
11. Nameplate Signs: Nameplate signs shall be exempt, provided that:
- a. They are wall signs not exceeding 1 square foot in surface area indicating the name of the occupant of the premises in a residence, and not exceeding 2 square feet in surface area indicating the name of the occupant of the premises in a commercial or institutional establishment.
  - b. One sign shall be permitted for each building or dwelling unit, except for businesses or institutions that have more than one entrance for the general public, in which case one sign shall be permitted for each general public entrance.
12. Address Signs: Address signs shall be exempt, provided that:
- a. They are wall signs not exceeding 1 square foot in surface area for a residence, and not exceeding 2 square feet in surface area for a commercial or institutional establishment, indicating the legal address of the premises, limited to the display of address numerals and street name.

- b. A combination of a nameplate sign and an address sign is permitted, provided that such sign does not exceed 2 square feet in surface area for a residence and does not exceed 4 square feet in surface area for a commercial or institutional establishment.
  - c. One sign shall be permitted for each building or dwelling unit, except for businesses or institutions that have more than one entrance for the general public, in which case one sign shall be permitted for each general public entrance.
13. Plaques: Plaques, memorial signs or tablets, names of buildings and date of erection, and similar types of identification and information when cut into any masonry surface or when constructed of bronze or other non-combustible material shall be exempt.
14. Service Entrance Signs: Signs designating the service or delivery entrance to a building or an individual unit in a building shall be exempt, provided that:
- a. There shall be a limit of one service entrance sign per delivery entrance to a building, or to an individual unit in a building.
  - b. Such sign shall be a wall sign, or painted or decaled upon a door.
  - c. Such sign shall not exceed 2 square feet in surface area.
  - d. Such sign shall not be illuminated.
  - e. Such sign shall not be located above the height of the adjacent door, or 7 feet above the threshold, whichever is less.
  - f. Such sign shall contain information limited to the name and address numerals of the individual tenant, and delivery instructions.
15. No Trespassing Signs: Signs regulating the use of property, such as no hunting, no fishing, etc., of no more than 2 square feet in area.
16. Public Utility Company Signs: Signs indicating danger, or that serve as an aid to public safety, or that show the location of underground utilities.

**29.05 PERMITTED SIGNS-GENERAL PROVISIONS**

A. Signs shall be classified and permitted in accordance with the regulations set forth in this Chapter. This Chapter shall be strictly construed, wherein signs not specifically permitted shall be prohibited. The classification for signs hereafter set forth shall be in accordance with the various zoning districts designated now or hereafter established in the Zoning Code. All such permitted signs shall require an application for and issuance of a sign permit indicating that the sign conforms to the provisions of this Chapter before they may be erected.

B. No Portability of Surface Area: There shall be no portability of unused permitted surface area for any sign to any other permitted sign unless otherwise provided for in this Chapter.

C. Special Areas of Control: The Village Board may designate geographic areas within the Village with unique characteristics as a “special area of control” for the purposes of permitting and regulating signs therein that meet the intent of this Chapter. Such special areas of control shall be designated on a map prepared by the Building Commissioner. Sign regulations for special areas of control shall be listed in separate sections of this Chapter.

D. PUD Signage: The Village may permit additional or different signage, or require different standards for signage, as part of final approval of a PUD at the time of such approval.

E. Calculation of the Surface Area of a Sign: The total surface of a sign shall be calculated based upon the perimeter of the sign as defined in “surface area of a sign” in Section 29.02. The width of a frame shall be included in the area of calculation. Should letters or graphics be mounted directly on a wall or in any such way as to be without a frame, the dimensions for calculating the square footage shall be the area contained within the periphery formed around such letters or graphics bounded by straight lines connecting the outermost points thereof. All sides of a multi-faced sign structure shall be used in computing total surface area. Signs 18 inches or less in depth that do not contain advertising or promotional information on the sides that constitute such depth are considered flat-surface signs for the purpose of calculating gross square footage. Signs over 18 inches in depth are considered multi-faced or irregular-shaped signs and shall be computed on the basis of the sum of the square foot area of each surface face, excluding the top and the bottom edges. When measuring the surface area of pole or pylon signs, the surface area of poles or pylons supporting the sign shall not be included in the total surface area, provided that no lettering, graphics, logos, or other copy is affixed to or displayed upon such supports.

F. Calculation of Sign Height: The total sign height of a freestanding sign shall be calculated to be the vertical distance of the sign structure measured from grade to the highest point on the sign if it is on level or essentially level ground, or at the middle point of the sign if it is located on a slope. All measurements shall be made only upon private property under the ownership of the permittee’s establishment. Under no circumstances shall artificial slopes, berms, or other artificial means of raising the base elevation be created upon which signs are to be erected in order to increase the effective height of the sign beyond that which is permitted by this Chapter. Height calculations where planters are employed shall begin at the base and not at the top of such planters.

G. Private Sign Covenants: Nothing in this Chapter shall be construed to prevent the owner or property manager of a shopping center, multiple business center, other similar multi-tenant or multi-user property, or other business, industrial, or institutional use to impose and enforce private sign covenants upon such property that may be more restrictive or that may set higher standards than the provisions of this Chapter. However, in the case of conflict between the Village’s regulations and the private sign covenants, the more restrictive regulations or the higher standards shall govern. The Village shall not be responsible for enforcement of private sign covenants.

## **29.06 PERMITTED SIGNS IN RESIDENTIAL ZONING DISTRICTS**

The following signs shall be permitted within the Village as accessory uses in residential zoning districts, and shall be subject to all applicable standards:

1. Exempt signs as specified in Section 29.04.
2. Temporary signs as specified in Section 29.08.
3. Official, corporate, and ancillary flags as specified in Section 29.09.
4. One identification sign, not to exceed 50 square feet in total surface area if single-faced, or 100 square feet in total surface area if double-faced, for the following uses: religious institution, private or public school, and facilities constructed and maintained by any taxing district. Such a sign shall be erected solely for the purpose of displaying the name and address of the institution and its activities or services. Such a sign may be illuminated, shall not exceed 10 feet in height, and shall be set back a minimum of 10 feet from any lot line, except in the Old Town District, where the setback shall be a minimum of 1 foot from any lot line. Two such identification signs may be erected at entrances to the facility if the permitted square footage is divided equally into two symmetrical signs, provided that all other provisions of this Chapter are met.
5. Subdivision Identification Signs: Such signs shall be erected solely for the purpose of displaying the name of the subdivision. Such a sign may be illuminated, shall not exceed 32 square feet in surface area, shall be single-faced and shall not exceed 5 feet in height from grade. Landscaping shall be provided as specified in Section 29.11.

## **29.07 PERMITTED SIGNS IN NON-RESIDENTIAL ZONING DISTRICTS** *Amended, 2013-O-59*

A. The standards of this Section shall apply to all general business, industrial, and institutional establishments. Additional or different regulations for certain types of non-residential uses are contained in this Section. All signs shall relate to the name and/or use of the establishment, facility, premises, or center.

B. The following signs shall be permitted within the Village as accessory uses in non-residential zoning districts, and shall be subject to all applicable standards:

1. Exempt signs as specified in Section 29.04.
2. Temporary signs as specified in Section 29.08.
3. Official, corporate, or ancillary flags as specified in Section 29.09.
4. Ground Signs: Ground signs shall be permitted, subject to the following provisions:

- a. Number: There shall be a limit of one ground sign per lot, shopping center, shopping center outlot, or multiple business center, that shall be erected for the purpose of identifying the establishment.
  - b. Height: No ground sign shall exceed 12 feet in height from grade.
  - c. Surface Area: No ground sign shall exceed a maximum surface area of 50 square feet if single-faced or 100 square feet if double-faced.
  - d. Setback: No ground sign shall be located closer than 5 feet to any property line. Such signs shall be placed no closer than 18 feet to any building or structure it identifies and shall not obscure any architectural features of a building, such as entrances, display windows, or decorative cornices when viewed from any street.
  - e. Shape: Signs of excessively complicated outlines or composed of several different connected shapes are not acceptable. The outlined shape and silhouette of a ground sign shall be simple and compatible with the building to which it relates.
  - f. Scale and Proportion: A ground sign shall be compatible with the building or buildings it identifies, and the sign may not be of such a size that it visually overpowers the building on the site.
  - g. Illumination: Ground signs may be internally or externally illuminated.
  - h. Tenant Identification Panels: Provision for identifying tenants within a shopping center or multiple business center as part of the permitted square footage of the sign identifying the shopping center or multiple business center as a whole shall be permitted, provided that there shall be a limit of two panels or divisions of said sign for such purposes.
  - i. Menu Board Signs: In addition to the one permitted ground sign, one freestanding single-faced menu board sign shall be permitted per lot or outlot for restaurants with drive-through facilities, provided that such sign does not exceed 50 square feet in surface area or 8 feet in height. Such sign may only be internally illuminated. Menu board signs shall be permitted only in business zoning districts.
5. Wall Signs: Wall signs shall be permitted, subject to the following provisions:

- a. Location: A wall sign shall be erected upon the wall of the building facade having its principal frontage upon a public street. A wall sign may be on the building facade other than the principal frontage if it faces a non-residential district and the total square footage does not exceed the total permitted on the principal frontage. In no case shall a wall sign be permitted that faces the side of any adjoining lot located in a residential zoning district.
- b. Number: A maximum of one wall sign per establishment shall be permitted, erected for the purpose of identifying the name of the establishment, subject to the following provisions:
  - I. No wall signs shall be permitted for individual tenants in a multi-story or multi-tenant office building, unless specifically authorized as part of an approved PUD at the time of approval of said PUD.
  - II. A corporate logo shall be permitted, but shall count as the permitted wall sign if it is not incorporated into the wall sign. The square footage of the logo shall be calculated along with the remainder of the sign copy to determine the overall surface area of the sign.
- c. Height: The maximum height of a wall sign shall be 30 feet from grade, or 2 stories, whichever is less, but in no case shall any portion of such sign be extended above the roof line.
- d. Signable Wall Area: A wall sign shall be located within a selected signable wall area.
- e. Surface Area: The surface area of a wall sign shall not exceed 1½ square feet per linear foot of building front, or 150 square feet, whichever is less. In addition, the following provisions or additional size limitations shall apply:
  - I. Signage shall not occupy more than 70 percent of the width of the signable wall area;
  - II. The height of the sign copy itself shall not exceed 24 inches if the building is set back 50 feet or more from the public right-of-way, or 18 inches if the building is set back less than 50 feet from the public right-of-way;
  - III. No more than two lines of sign copy shall be permitted; subject, however, to the limitation that if two lines are used and the building is set back less than 50 feet from the public right-of-way, the total height of both lines shall not exceed 30 inches, and if the building is set back 50 feet or

more from the public right-of-way, the total height of both lines shall not exceed 40 inches;

- IV. Signage shall be centered on the applicable wall or frontage of the establishment; and
  - V. The outer perimeter of signage shall not be closer than 4 inches to the top or the bottom of any sign frieze or signable wall area.
- f. Projection: No wall sign shall project from the building wall more than 12 inches.
  - g. Shape: The outlined shape and silhouette of a wall sign shall be simple and compatible with the building facade on which it is mounted. Shapes that disrupt the architectural order and composition of a building facade are not acceptable.
  - h. Scale and Proportion: Wall signs shall be harmonious in scale and proportion with the building facade they are mounted to and with the architectural elements of the building, such as windows, cornices, sign friezes, and bays. A wall sign shall not visually overpower those elements nor detract from the composition of the building facade.
  - i. Overhang: The edges of wall signs shall not overhang the top of bays or equivalent architectural features of building facades.
  - j. Illumination: Wall signs may be internally or externally illuminated.
  - k. Corner Units, Outlot Buildings, and Corner Buildings: Establishments occupying a corner unit in a multi-tenant building, or single-tenant outlot buildings, or single-tenant freestanding buildings at a corner intersection of two public streets shall be entitled to have two wall signs, one per wall, each adhering to all of the other standards in this Section, provided that:
    - I. The primary wall sign shall be deemed to be that which is located on the side of the unit or building that has the legal address or the principal entrance for the general public.
    - II. The surface area of the secondary wall sign shall not exceed that of the primary wall sign, and that the same style, color, and content are used.

- III. The location of the secondary wall sign is not adjacent to any residential dwelling unit or vacant property located in a residential zoning district.
  - IV. In the event that there is a conflict between the allowable surface area of a sign based on the signable wall area for the primary wall sign and that for the secondary sign, the computation of the maximum surface area permitted for the total of both signs shall be as follows:
    - (a) For corner units in a multi-tenant building: the smaller signable wall area shall be used for computing the maximum permitted surface area for each of the two signs;
    - (b) For single-tenant outlot buildings or single-tenant free-standing buildings at a corner intersection of two public streets: the width of the longest side of the building shall be used to compute the maximum surface area permitted for the total of both signs, and that total surface area may be allocated between the two permitted signs as long as all other standards of Section 29.07-B-5 are met.
6. Mansard Roofs: Signs to be erected upon mansard roofs shall be treated as wall signs, and shall be single-faced, subject to construction specifications as listed in Section 29.11. In no case shall the roof or a portion of the roof itself be illuminated
7. Canopy, Under-Canopy, and Marquee Signs: Canopy, under-canopy, and marquee signs shall be permitted subject to the following provisions:
- a. Number: There shall be a limit of one canopy or one marquee sign per lot or per establishment, erected for the purpose of identifying the establishment, except as otherwise provided for in this Section, and provided that no wall signs are directed to the same street frontage.
  - b. Location: Canopy/marquee signs may be mounted on the face (vertical edges only) of the canopy/marquee proper. Signs shall not be erected above the roof line of the canopy/marquee.
  - c. Signable Area: The signable area for canopy/marquee signs shall not extend beyond the canopy/marquee face on which the sign is located. No sign or portion of a sign shall exceed the borderline of any outer edge of said canopy/marquee. No sign shall be placed on or over the roof of said canopy/marquee.



- d. **Surface Area:** The surface area of a canopy/marquee sign shall not exceed 10 square feet or 30 percent of the signable wall area of a canopy/marquee attached to the building front, whichever is greater. A multiple-bay canopy/marquee, such as drive-through lanes at a financial institution, may have a sign for each bay, provided that the sum total of all such signs does not exceed 30 percent of the surface area of the face of the canopy/marquee that faces a public street or private drive.
- e. **Projection:** No canopy/marquee sign shall project more than 8 inches from the canopy/marquee proper.
- f. **Ground Clearance:** A clearance of 8 feet shall be maintained from the lowest point on the canopy/marquee to the grade or walkway under said canopy/marquee.
- g. **Shape:** The outlined shape and silhouette of a canopy/marquee sign shall be simple and compatible with the building on which it is mounted. Shapes that disrupt the architectural order and composition of a building facade are not acceptable.
- h. **Scale and Proportion:** Canopy/marquee signs shall be harmonious in scale and proportion with the building they are mounted to and with the architectural elements of the building, such as windows, cornices, sign friezes, and bays. A canopy/marquee sign shall not visually overpower those elements nor detract from the composition of the building facade.
- i. **Material:** Canopy/marquee signs shall be constructed of a non-combustible type material.
- j. **Illumination:** Canopy/marquee signs may only be internally illuminated, except for backlit canopy/marquee signs which are prohibited.
- k. **Under-Canopy Signs:** In addition to the signage permitted in this Section, one under-canopy sign shall be permitted to be erected above a general public entrance into the establishment in order to identify said establishment, provided that:
  - I. A minimum clearance of 8 feet from the walkway is maintained.
  - II. Such signs shall be placed perpendicular to the building, with the top edge of the sign fastened to the bottom edge of the canopy.

- III. Such signs shall not exceed 3 square feet in surface area if the sign is single-faced or 6 square feet in surface area if the sign is double-faced.
  - IV. Such signs may only be internally illuminated.
  - V. A limit of one sign per establishment shall be permitted.
8. Awning Signs: Awning signs shall be permitted in order to identify the establishment, subject to the following provisions:
- a. Location: Individual letters, words, or symbols may be directly affixed or applied to any surface of an awning, generally by painting, printing, or weaving. Signs shall not be constructed of or applied to other material, which are then fastened to the awning.
  - b. Surface Area: The surface area of an awning sign shall not exceed 20 percent of the exterior surface area of the awning.
  - c. Ground Clearance: A clearance of 8 feet shall be maintained from the lowest point on the awning to the grade or walkway under said awning.
  - d. Illumination: Awning signs shall not be illuminated.
  - e. Portability of Surface Area: An awning sign shall be permitted in addition to a permitted wall sign, provided that the surface area of all awning signs shall be counted towards the maximum permitted surface area for the wall sign based on the signable wall area of the building.
9. Automobile Service Station Signs: The following requirements shall apply to automobile service stations:
- a. Ground signs:
    - I. Number: There shall be a limit of one ground sign on the property.
    - II. Height: No ground sign shall exceed 12 feet in height from grade.
    - III. Illumination: LED displays may be utilized for the gas pricing display only; such display shall have a black background with red or green gas price illumination. Numerals shall not exceed 24 inches in height. LED displays shall be equipped with an automatic phased proportional dimming device that must be used to reduce nighttime brightness

levels (compared to daytime brightness levels). LED gas pricing displays are prohibited within the Old Town District.

- b. Wall Signs, Number: A maximum of two wall signs per automobile service station shall be permitted, placed on separate walls of the building, provided that the signage shall otherwise conform to the provisions for wall signs for corner units, outlot buildings, or corner buildings as stated in Section 29.07-B-5. A logo counts as one of these permitted signs.
- c. Canopy Signs, Number: A maximum of two canopy signs per automobile service station shall be permitted, placed on separate edges of the canopy, provided that the canopy is freestanding. Signs shall not be erected above the roof line of the canopy.
- d. Car Wash Buildings: If a detached car wash building is provided, one additional wall sign shall be permitted on that building, provided that it conforms to all other provisions for wall signs as stated in this Section.
- e. Service Bays: If an automobile service station is of the full-service variety that contains bays in active use for the servicing of vehicles, service bay identification signs providing directions or instructions to customers visiting the establishment shall be permitted, provided that:
  - I. Such signs shall contain no advertising, logos, or promotional information.
  - II. One identification sign shall be permitted for each service bay entrance.
  - III. Such signs shall be wall signs.
  - IV. Such signs shall not exceed 6 square feet in surface area.
  - V. Such signs shall not extend above the roof line.
  - VI. Such signs shall not be illuminated.
  - VII. Such signs shall otherwise conform to all other provisions for wall signs as stated in this Section.
- f. Service Island Instructional Signs: Service island instructional signs indicating the type of service or products offered and other instructional information to assist customers in using the facility shall be permitted, provided that:

- I. Such signs shall contain no advertising, logos, or promotional information.
  - II. One service island instructional sign shall be permitted for each approach for each island.
  - III. Such signs may be placed upon fuel pumps or upon support posts for freestanding canopies.
  - IV. Such signs shall not exceed 5 square feet in surface area.
  - V. Such signs shall not be internally illuminated.
  - VI. Other fuel pump signage shall be exempt as stated in Section 29.04.
  - VII. Special instructional signs mandated by units of government (e.g., no smoking, licensing, inspection, etc.) shall be exempt from the provisions of this Chapter.
- g. Pump Advertising Signs: One sign, which may be single-faced or double-faced, used for instructional or promotional purposes not to exceed 2 square feet in surface area per face, shall be permitted on top of each fuel pump machine.
10. Parking Lot Entrance/Exit and Instructional Signs: Certain signs related to the use of parking facilities accessory to the main use of the premises shall be permitted subject to the following requirements. Such signs shall be permitted only in non-residential zoning districts.
- a. Entrance/Exit Signs: Such signs shall be limited to one sign for each entrance/exit. Such signs shall not exceed 3 square feet in surface area if the sign is single-faced or 6 square feet in surface area if the sign is double-faced. Such signs shall not exceed 3 feet in height, shall be set back a minimum of 5 feet from any property line and may be illuminated. Such signs shall be limited in content to directional arrows, a single logo and the words “entrance” or “enter” or “exit” as applicable. Such signs shall not contain advertising, names/addresses of the establishment, or other promotional information.
  - b. Instructional Signs: Signs designating the conditions of use or identity of parking facilities shall be limited to two signs per parking facility. Such signs shall not exceed 3 square feet in surface area if the sign is single-faced or 6 square feet in surface area if the sign is double-faced. Such signs shall not exceed 3 feet in height, shall be located within the confines of the facility, and may be il-

luminated. Such signs shall contain no advertising, logos, or other promotional information.

11. Changeable Copy Signs: Changeable copy signs shall be subject to the following provisions:
  - a. Such signs shall be permitted only if incorporated into ground signs used for identification of an establishment, and hereafter in this Section such features shall be referred to as changeable copy boards.
  - b. Changeable copy boards on a sign face shall be composed in proportion to the entire sign face with a border or similar treatment around the board to integrate it into the sign face.
  - c. Changeable copy boards shall be limited to 33 percent of the permitted surface area of a ground sign. The background upon which letters and numerals are placed shall be either white, ivory, or black. No more than three lines of copy shall be allowed. Changeable copy board lettering shall be limited to 8 inches in height.
  - d. Copy on a changeable copy board shall be of a single, easily legible lettering style, and shall be of uniform color and size throughout the board.
  - e. Changeable copy boards may be internally or externally illuminated.
  - f. No provisions herein shall abrogate any other requirements for freestanding signs as provided for in this Chapter.

## 29.08 **TEMPORARY SIGNS**

### A. General Provisions:

1. Purpose: Temporary signs shall be used only for the purpose of announcing a special event or special promotion, unless otherwise provided for in this Chapter.
2. Duration: Temporary signs, except for commercial real estate signs, grand opening signs, new development identification signs, residential political signs, and window signs, may be displayed a maximum of three times per calendar year upon the same premises, and the non-renewable period of duration shall not exceed 30 calendar days each time. No two 30-day periods shall be immediately sequential.

3. Number: There shall be a maximum of one temporary sign upon the same premises at any time, except for window signs, grand opening signs, and residential political signs.
4. Location: All temporary signs shall be erected only on the property of the permittee, unless the permittee is a non-profit organization, and shall be set back a minimum of 5 feet from any public right-of-way, unless otherwise noted.
5. Special Religious Services Signs: Temporary signs may be displayed to advertise for special religious services and may be displayed a maximum of two times per calendar year upon the same premises, for a non-renewable period of duration that shall not exceed 10 calendar days each time. The two time periods shall not be immediately sequential. The temporary sign shall be professionally made, shall be affixed to the permanent existing sign, and the face of the sign shall be no larger than the face of the existing permanent sign, or 32 square feet, whichever is less.
6. Permit Required: No person shall erect, construct, display, alter, or relocate any temporary sign, except window signs and residential political signs, without first obtaining a permit. A permit shall be required each time a temporary sign is displayed.
7. Limitations on Applicants: Applicants for temporary signs shall be limited to either for-profit or non-profit organizations. Permit fees (but not permits) for non-profit organizations (e.g., civic groups, religious institutions, or charitable organizations) shall be waived, provided that evidence of formal incorporation or tax-exempt status is shown at the time a permit application is submitted.
8. Illumination: No temporary sign shall be illuminated.
9. Conformance to Other Provisions: Temporary signs shall otherwise conform to all other applicable provisions of this Chapter.

B. Temporary Sign Types: Temporary signs shall be limited in use to the following types of signs:

1. Banner Signs: Banner signs shall be subject to the following provisions:
  - a. Location: Banner signs shall be affixed only to building walls in a non-projecting manner.
  - b. Height: Banner signs shall not exceed the height of the first floor of the building, or 12 feet from grade, whichever is greater.
  - c. Surface Area: Banner signs shall not exceed 32 square feet in surface area, and shall only be single-faced.

2. Commercial Real Estate Signs: Commercial real estate signs may be erected subject to the following requirements. Such signs are permitted in all non-residential zoning districts.
  - a. Number: A maximum of one sign per street frontage is permitted.
  - b. Height: Such signs shall not exceed 8 feet in height from grade.
  - c. Surface Area: Such signs shall have a maximum surface area of 32 square feet if single-faced, and 64 square feet if double-faced.
  - d. Setback: Such signs shall be set back a minimum of 10 feet from any property line.
  - e. Material: Such signs shall be made of good, weather-resistant, low-maintenance material.
  - f. Removal: Such signs shall be removed within 10 days of the real estate closing or the consummation of the lease transaction.
  
3. Grand Opening Signs and Opening Signs: Grand opening signs and opening signs shall be subject to the following provisions:
  - a. Types: Grand opening signs may be banner signs or advertising flags.
  - b. Placement: Grand opening signs may be displayed as follows:
    - I. Banner Signs: Affixed only to building walls in a non-projecting manner, and not exceeding the height of the first floor of the building, or 12 feet from grade, whichever is greater.
    - II. Advertising Flags: Affixed only to light poles in a parking facility.
  - c. Number: Grand opening signs shall be limited to two banner signs and one advertising flag per light pole up to a limit of six light poles.
  - d. Surface Area: Grand opening signs shall be limited in size as follows:
    - I. Banner signs shall not exceed 32 square feet in surface area, and shall only be single-faced.

- II. Advertising flags shall not exceed 15 square feet in surface area and may be single- or double-faced
  - e. Duration: Grand opening signs shall be displayed for a maximum period of 30 calendar days, and may only be erected on or after the date of issuance of a Certificate of Occupancy, with the first day of such period commencing on the date of erection of the signs regardless of the date that the establishment is first open to the general public thereafter.
  - f. Under new ownership or under new management signs shall be governed by the same time, place, and manner regulations as grand opening signs.
4. New Development Identification Signs: New development identification signs are subject to the following provisions:
- a. All such signs shall be located only on the subject property and shall identify only the development on the property.
  - b. Signs announcing the impending construction of a project are limited to displaying the name of the project, the developer, the architect, the financial institution providing the financing, a phone number where more information may be obtained, and a date announcing the planned completion of the project may be erected as follows:
    - I. Residential Zoning District: One sign per development on the site, set back a minimum of 10 feet from any property line, with a maximum surface area of 32 square feet, limited to single-faced pole or ground signs only, with a maximum height of 10 feet, and required to be removed within 30 days after 80 percent of the lots have been sold. Such sign shall not be illuminated.
    - II. Non-Residential Zoning District: One sign per development on the site, set back a minimum of 10 feet from any property line, with a maximum surface area of 50 square feet, limited to single-faced pole or ground signs only, with a maximum height of 10 feet, and required to be removed within 30 days after the initial Certificate of Occupancy is issued. Such sign shall not be illuminated.
5. For Sale/For Lease Signs: Signs announcing the availability of lots or space for lease, limited to displaying the name of the project, the developer, a phone number where more information may be obtained, a logo, and the nature of the property/amount of the space being offered may be erected as follows:



- a. Residential Zoning District: One sign per development on the site, set back a minimum of 10 feet from any property line, with a maximum surface area of 50 square feet if single-faced or 100 square feet if double-faced, limited to pole or ground signs only, with a maximum height of 15 feet, and required to be removed within 30 days after the final Certificate of Occupancy has been issued. Such sign may be illuminated.
  - b. Non-Residential Zoning District: One sign per development on the site, set back a minimum of 10 feet from any property line, with a maximum surface area of 100 square feet or 150 square feet if double-faced, limited to pole or ground signs only, with a maximum height of 15 feet, and required to be removed within 30 days after initial occupancy of the property if all the space is sold or leased. Otherwise, for sale/for lease signs shall be reduced in size to a maximum total of 32 square feet in size, whether single-faced or double-faced, and to a maximum height of 10 feet after 12 months have elapsed since the initial Certificate of Occupancy was issued for any owner or lessee on the property. Such reduced sign shall be removed within 30 days after all the space is sold or leased. Such signs shall not be illuminated.
6. Residential Model Area Signs: Signs displayed for the purpose of identifying model areas wherein dwelling units within a new subdivision or rental complex are offered for sale or rent, as applicable, may be erected in residential zoning districts as follows, and shall be removed within 10 days after the issuance of the Certificate of Occupancy for the last unit to be finished in the subdivision:
- a. Sales Office Signs: One sign may be erected, set back a minimum of 5 feet from any property line, with a maximum surface area of 20 square feet, whether single-faced or double-faced, limited to wall, pole, or ground signs only, with a maximum height of 10 feet, and with the contents limited to the name of the development, the name of the developer, a logo, appropriate telephone numbers, and hours of operation. Such signs shall not be illuminated.
  - b. Model Unit Signs: One sign for each model unit offered for sale may be displayed, erected only in a front yard, with a maximum surface area of 4 square feet, limited to single-faced pole or ground signs only, with a maximum height of 5 feet, and with the contents limited to the name of the model unit. Such signs shall not be illuminated.
  - c. Model Area Parking Lot Entrance/Exit Signs: One sign for each parking lot may be erected, set back a minimum of 5 feet from any property line, with a maximum surface area of 4 square feet if sin-

gle-faced or 8 square feet if double-faced, limited to pole or ground signs only, with a maximum height of 5 feet and with the contents limited to the logo and name of the subdivision, the word “parking,” and a directional arrow. Such signs shall not be illuminated.

- d. Construction Office Signs: One sign for a construction office or trailer on the property may be erected, set back a minimum of 5 feet from any property line, with a maximum surface area of 20 square feet, limited to single-faced pole, ground, or wall signs only, with a maximum height of 8 feet and with the contents limited to the logo and name of the subdivision, the name of the developer, and the words “construction office.” Such signs shall not be illuminated.
7. Special Event Signs: Special event signs for non-profit organizations may be of any type enumerated in this Section and subject to the specific provisions therein. In addition, the following provisions shall apply:
- a. Freestanding signs shall also be permitted, provided they are constructed of wood, metal, or other durable material and reasonably supported in or on the ground by adequate bracing.
  - b. Height: Freestanding signs shall not exceed 8 feet in height from grade.
  - c. Surface Area: Freestanding signs shall not exceed 32 square feet in surface area per face, and may be single-faced or double-faced.
8. Window Signs, Residential Zoning Districts: Window signs in residential zoning districts shall be subject to the following provisions:
- a. Location: Window signs shall be fully located within the interior of the dwelling unit, and shall relate to the personal or family activities of the occupants and shall not identify or promote any commercial product or activity or home occupation. Window signs, except for real estate signs, shall not be located on any windows above the first floor of the dwelling unit.
  - b. Surface Area: The surface area of a window sign shall not exceed 50 percent of the window surface area of the first floor windows.
9. Window Signs, Non-Residential Zoning Districts: Window signs in non-residential zoning districts shall be subject to the following provisions:
- a. Material: Such signs shall be constructed of paper, plastic, cloth, or other pliable material, or painted on windows with watercolor-type paint in neatly-executed style. Soap or chalk type paint with a typically fuzzy white appearance shall be prohibited.

- b. Location: Such signs may be affixed to the interior or exterior surface of the glass and shall not be located on any windows above the first floor of the building.
- c. Surface Area: Such signs shall not exceed 50 percent of the window surface area for each first floor window. Signs shall not be affixed in such a manner that a safety hazard to customers or staff of the establishment is created by the obstruction of vision. The Chief of Police, Building Commissioner, or their designee, shall be empowered to require the removal or relocation of any such sign deemed to be a safety hazard. Stacking of merchandise adjacent to the window in a like manner shall be deemed as constituting the equivalent of a window sign and shall be subject to the same removal or relocation requirements for safety.
- d. Duration: Such signs shall be used only for special promotions, shall be displayed for periods not to exceed 30 calendar days, and shall be removed thereafter. Replacement signage may be displayed on a continuous basis so long as all other provisions of this Chapter and Section are met.

#### 29.09 **OFFICIAL, CORPORATE, AND ANCILLARY FLAGS**

The display of official, corporate, and ancillary flags shall be permitted subject to the following requirements. The official flag of the United States of America shall not itself be the subject of a specific sign permit; rather these regulations are designed to control the use of permanent flagpoles or staff upon which the flag is located and the relationship of the flag to the flagpole or staff. Such permanent flagpoles or staffs shall require a sign permit. For the purposes of this Chapter, the display of official flags by any unit of government shall not be deemed public signs, and all units of government shall comply with the flagpole and flag relationship regulations of this Section. Flags shall be permitted in all zoning districts subject to the following requirements:

- 1. Flags shall be displayed only on permanent flagpoles, for which a permit is required, or staffs designed and constructed specifically and exclusively for flag display. No official, corporate, or ancillary flag shall be displayed on or attached in any manner to light poles, sign poles, trees, vehicles, or similar structures or objects. The temporary display of flags where such requirements are impractical, such as a parade, holidays, or special events, shall be deemed to be acceptable.
- 2. There shall be a maximum of one flagpole per residential lot, provided, however, that within non-residential zoning districts or non-residential uses, a maximum of five flagpoles per lot shall be permitted.
- 3. Flagpoles shall be set back a minimum of 10 feet from the property line if the building line is 25 feet or less, and a minimum of 15 feet if the building line is greater than 25 feet.

4. The display of more than two flags per flagpole shall be prohibited. On lots permitted on-ly one flagpole, where two flags are displayed, such flags may be either two official flags or one official flag and one corporate or ancillary flag. An official flag shall always be displayed above a non-official flag. The maximum size of the flag displayed in the lower position shall not exceed one-half of the surface area of the flag displayed in the higher position, or 15 square feet, whichever is less. On lots permitted multiple flag poles, the above regulations shall also apply, provided however that a maximum of one corporate flag shall be displayed on each lot. The official flag of the United States of America shall always be displayed first in a series of display of official flags of other nations, or shall always be displayed first or higher than any other official, corporate, or ancillary flag.

5. The height of a flagpole shall be in proportion to the scale of the building to which the pole relates, and in no case shall it be higher than the following height limitations:

<u>Building Height</u>	<u>Pole Height Measured from grade</u>
Single-family uses:	25 feet
All other uses:	
0-25 feet	30 feet
25.1 feet or higher	35 feet

6. The vertical length of a permitted single flag on a flagpole or staff shall not exceed one-quarter of the length of the pole or staff upon which the flag is hung. Under no circumstances shall any flag exceed 50 square feet in surface area. For regulations regarding the surface area of an additional flag displayed from a flagpole or staff.

7. Flags shall be displayed in such a manner that no portion of the flag shall project over any property line or contact any other structure when fully extended.

8. Flags shall not be mounted on or over roofs or roof lines in any fashion. Wall-mounted official and corporate flags shall be displayed from flagpoles or staffs not to exceed 10 feet in length. No portion of such flagpoles or staffs shall extend above the roof line or over a property line.

9. Official flags shall be maintained in an orderly fashion, and in clean and good condition. The official flag of the United States of America shall be displayed in accordance with The Flag Code, Title 36, U.S.C., Chapter 10, as amended by P.L. 344, 94th Congress, approved July 7, 1976, or as amended in the future. All other official flags should be displayed in accordance with the same standards of respect and protocol.

10. Corporate and ancillary flags shall be maintained in an orderly fashion, and in clean and good condition. Tattered or torn flags shall be removed or replaced promptly.

**29.10 GENERAL PRINCIPLES FOR SIGN DESIGN**

A. Legibility: The legibility of signs is related to:

1. The design of the sign, including amount of copy, lettering size, and style and color, shall logically relate to the predominant speed of traffic that will see it. Signs shall legibly convey their message without being distracting or unsafe to motorists reading them.
2. The context and surroundings in which they are seen. Signs shall not detract from the general appearance and architectural character of their surroundings including streets, buildings, and other signs in the area. Signs shall not be designed to compete with one another, but shall contribute to the composite legibility and attractiveness of streetscapes within the Village.
3. The design, colors, and contrast of the sign copy and sign face.

B. Specific Guidelines by Design Elements:

1. Sign Copy:
  - a. All signs, other than changeable copy signs, shall have no more than eight items of information on the sign face. For the purposes of these guidelines, all individual words, symbols, figures, numbers, or illustrations, excluding punctuation marks, shall be considered items of information.
  - b. The use of simple pictures, symbols, or logos is encouraged as a replacement for words that describe the name or nature of a business or use. Slogans and product names are prohibited.
2. Lettering:
  - a. Simple and easily readable lettering styles shall primarily be used. Specialized, decorative lettering styles shall be adequately legible.
  - b. The number of different lettering styles on a sign or on a series of signs within a multi-tenant building or complex of buildings shall be minimized.
  - c. Lettering and copy shall not be crowded onto the surface of a sign or building surface, and shall be composed to leave ample space around the copy to preserve legibility.
3. Materials:
  - a. The materials and textures of signs shall have good architectural character, and shall not be inconsistent with nor detract from the overall design concept of the site and building of which it is a part.

- b. Natural materials, such as wood, stone, or brick, are encouraged for signs.
4. Color:
- a. Colors, or combinations of colors, that are harsh and disrupt the visual harmony and order of the streetscape are not acceptable.
  - b. Bold, bright, or harsh colors shall be used sparingly, as accents on a sign rather than as predominant colors. Strong contrasts of tone or color shall be avoided except when necessary for legibility.
  - c. If a sign, other than changeable copy boards, with a white or ivory background, is internally illuminated, then said background shall be opaque (i.e., after dark, only the letters are visible). Yellow backgrounds shall be prohibited.

#### 29.11 CONSTRUCTION SPECIFICATIONS

A. Compliance with Applicable Codes: All signs shall be constructed in accordance with applicable provisions of building and electrical codes as designated in this Code.

B. Obstruction to Exits: No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress.

C. Obstruction to Ventilation: No sign shall be erected, constructed, or maintained so as to interfere with any opening or window required for light or ventilation.

D. Clearance from Electrical Power Lines and Communications Lines: All signs shall be located in such a way that they maintain horizontal and vertical clearance of all electrical power lines and communications lines in accordance with the applicable provisions of this Code. However, in no instance shall a sign be erected or constructed within 8 feet of any electrical power line, conductor, or service drop, or any communications line, conductor, or service drop.

E. Underground Electrical Service: All electrical service to freestanding signs shall be underground.

F. Clearance from Surface and Underground Facilities: All signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage of surface or underground water.

G. Supports and Other Hardware: Primary supports for permanent signs shall be of the same material or of a coloring the same as or compatible with the sign material in order to harmonize with the sign. Secondary supports and hardware, such as angle irons, braces, brackets, and frame members, shall be concealed. Pieces of electrical hardware, such as raceways, switch

boxes, junction boxes, and the like, shall be painted the same color as the support, building, or portion of the sign to which they are affixed (as the case may apply) in order to conceal or subdue their appearance.

H. Mansard Roof Signs: A sign located on a decorative mansard shall be mounted directly vertical as a wall sign, with no visible angle-iron, guy wires, braces, or secondary supports. All hardware shall be concealed. Roof signs that project out from the surface of the roof shall be enclosed on all sides perpendicular to the sign face with a treatment to match the color, texture, and appearance of the roof materials. No sign on a mansard roof shall project from the building surface more than 12 inches, as measured at the front edge of the sign, nor shall any portion of the sign extend above the highest point of the mansard roof. Such signs shall be constructed of a non-combustible type material.

I. Landscaping: All freestanding signs shall be located in a landscaped area separated and protected from vehicular circulation, pedestrian movement and parking areas. A minimum of 2 square feet of landscaping is required for every 1 square foot of sign face erected. Freestanding signs shall be landscaped at their base in a way that is harmonious with the landscape concept of the whole site. Landscaping shall form an attractive, dense cluster at the base of a ground sign, or around the support(s) of a pole or pylon sign, that is equally attractive in winter and summer, such as evergreens. Landscaping shall not obstruct the line of sight of motorists or pedestrians.

J. Parking Facility or Premises Illumination: No freestanding sign shall be used as a means of holding, housing, or otherwise supporting light fixtures intended to illuminate parking lots, buildings, or the general premises of any property or establishment. Such light fixtures shall be placed on light poles specifically designed for such purposes and served by separate electrical feeds.

#### 29.12 **ILLUMINATION** *Amended, 12-O-42*

All signs permitted to be illuminated under the regulations of this Chapter shall be installed or applied such that signs shall meet the following standards:

1. **Wall Signs**: Wall signs, if illuminated, may be illuminated internally or externally. Internal illumination means that the light source is contained within the sign and is visible only through a translucent surface, or is otherwise recessed into the sign structure using concealed fixtures so that no reflectors, extension arms, floodlights, light bulbs, or fixtures are visible from direct view. In the case of dimensional signs or individually applied letters, numbers, logos, or other copy, illumination may also be placed behind said elements in outline form such that the light source is not visible from direct view. Wall signs, if illuminated externally, shall either be illuminated from the ground using the same standards as for ground signs given in Paragraph 2 of this Section, goose-neck lighting, or from light sources hidden in or along the eave. All lights, fixtures, and brackets in eaves shall be concealed and shielded from direct view.
2. **Ground Signs**: Ground signs, if illuminated internally, shall meet the same standards as wall signs. If illuminated externally, such illumination shall only be from the ground,

with light bulbs contained within a protective casing, and such lighting fixtures concealed by dense, evergreen-type shrubbery.

3. Externally Illuminated Signs: Externally illuminated signs shall have lighting fixtures designed and installed only in such a manner that the direct rays of such lights shall be concentrated on the sign and be prevented from causing a glare on or striking the street or nearby property, or the reflector shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare on the street or nearby property.
4. Proximity to Residential Zoning Districts: Any illuminated sign visible within a direct distance of 100 feet of any residential zoning district (including public rights-of-way, private streets, aisles, etc.) shall be turned off and not operated between the hours of 10 p.m. and 7 a.m., 7 days a week, unless the establishment is engaged in the operation of its business open to the public with employees on the premises during such period. Illuminated signs visible within a direct distance of 100 feet of any residential zoning district shall be turned off when the establishment is closed to the general public, regardless of the presence of employees after operating hours.
5. Flashing Signs and Devices: Flashing signs and devices shall be prohibited.
6. Window and Door Illumination: In non-residential zoning districts only, the use of neon tubing, light-emitting diode (LED), or any other type of light source that is capable of producing an effect similar to that of neon tubing is permitted as an inside window or door signage treatment when such illumination is only used for the business name, instructional purposes, logos, graphics, products, and services. Only 30 percent or less of the surface area of any window or door may be illuminated and only one illuminated sign is permitted per window or door. The outlining of windows or doors with any type of neon tubing, light-emitting diode (LED) tubing, or any other type of light source that is capable of producing an effect similar to that of neon tubing, is not permitted. The outlining of windows or doors with lighting devices prohibited under this Section shall not be considered an exception for civic, patriotic, or religious holiday displays as provided in paragraph 26 in Section 29.03 of this Code. Any window or door illumination shall comply with this Section by January 1, 2013.
7. LED Displays: Automobile service station pricing signs utilizing LED displays shall be equipped with an automatic phased proportional dimming device that must be used to reduce nighttime brightness levels (compared to daytime brightness levels).

## 29.13 OLD TOWN DISTRICT SIGN REGULATIONS

A. Intent: Due to the unique nature of the traditional downtown district, which consists of numerous historical (pre-1910) buildings, storefronts that are placed on or near building lines, homes converted to business uses, and other related features that are not typically found in other geographic areas of the Village, the Village has determined that this district qualifies as a “special area of control,” warranting different or additional signage regulations. This district shall therefore be referred to as the Old Town Sign District. The purpose of these regulations is



to achieve a uniform appearance of historic “flavor” rather than the reconstitution of absolute historic authenticity.

B. District Boundaries: The boundaries of the district shall be generally described as follows (see Map A for specific delineation):

Commencing with the southern edge of Greenwood Avenue from Cary-Algonquin Road to Main Street, encompassing both sides of Cary-Algonquin Road to its terminus at Main Street, and encompassing both sides of Main Street south to Jayne Street; all parcels on both sides of Edward Street from its westward terminus at the boundary of the R-1 zoning district to its terminus at the Fox River and following the Fox River as a boundary south to the eastern side of Willow Street and all property located westerly to Main Street; all property located within the I-1 zoning district adjacent to the McHenry County Conservation District (MCCD) bike path north to the boundary formed by Crystal Creek and thence east on a line which adjoins the southern boundary of the R-1 zoning district at its terminus with Algonquin Road, and all property located easterly to Main Street; all parcels south of the R-2 zoning district boundary line on the east side of the Fox River from the Fox River east to the east side of Hubbard Street and then south to the MCCD bike path.

C. General Provisions:

1. The regulations of this Section shall be in addition to other regulations contained in this Chapter.
2. The provisions of this Section apply to commercial establishments, either those located in buildings constructed for such uses, or in dwelling units that have been converted to commercial uses. Residential properties located within the Old Town District shall be subject to the provisions of Section 29.06.

D. General Sign Criteria: Signs shall demonstrate historic “flavor” (consistent with styles prevalent prior to 1910) that are consistent with the character of the buildings in the district. More specifically, sign styles shall employ the following guidelines:

1. **Shape**: Signs shall not be plain rectangles or squares, or other contemporary shapes such as triangles. Edges shall be finished edges. Tops of signs at least shall be variegated, i.e., featuring bevels, curves, pediments, broken pediments, rounded or filigreed corners, or other similar treatment.
2. **Support Posts**: Posts shall not be flat-topped, but shall have a finished top, such as a cap, bevel, peak, finial, or other similar treatment.
3. **Lettering Styles**: Lettering shall not be of contemporary design. The use of “serif” style typefaces is suggested. The traditional use of words with uppercase and lowercase lettering is encouraged. The mixing of lettering styles on a single sign is discouraged.

4. **Materials:** Signs and support posts shall be constructed of wood, high-density urethane with a wood grain look, metal, stone, or masonry. Plastic sign faces shall be prohibited. “Boxed” or “canned” metal signs with metal edges shall be prohibited. Support posts constructed of wood or wrought iron are preferred.
5. **Application of Copy:** Copy painted onto signs is the preferred method. Copy may be routed or sandblasted out of wood sign faces, where typically the lettering is then painted. Professionally-applied gilding or decaling methods may be employed.
6. **Colors:** Colors of signs and their support posts shall be complementary and harmonious with the color scheme of the building that the sign identifies. Contrasting colors are appropriate as long as they do not detract from the integrity and architectural style of the building or area, such as the lavish use of colors typically used for Victorian-style buildings. However, the use of garish, brilliant, fluorescent, or glossy paints or colors and non-harmonious color combinations shall be prohibited.
7. **Illumination:** If illuminated, all signs shall only be externally illuminated. Wall signs shall be illuminated only by goose-neck lights. Freestanding signs may be illuminated by either goose-neck lights or by ground lights that are completely concealed from public view. An alternate form of concealed lighting, such as that internal to the structure of a building, may be approved if it retains the architectural integrity of the district, and is compatible with both the sign it illuminates and the building to which the sign is affixed. “Period” style lantern-type light fixtures on support posts or adjacent to wall signs are acceptable as direct or ambient sign illumination.

E. **Permitted Signs:** The following signs shall be permitted in the Old Town District:

1. Exempt signs, as provided for in Section 29.04.
2. Permitted signs in residential and in non-residential zoning districts, as provided for in Sections 29.05, 29.06, and 29.07, except as modified hereafter.
3. Temporary signs, as provided for in Section 29.08.
4. Official, corporate, and ancillary flags, as provided for in Section 29.09.
5. Neon door and window signs, as provided for in Section 29.12.

F. **Sign Types:** The following sign types shall be permitted in the Old Town District, and shall be subject to all placement regulations (i.e., number, height, surface area, setback, etc., as applicable) of Section 29.07 unless otherwise modified below. The intent is that sign types

and placement shall be consistent with a “view corridor” appropriate to the vicinity in which they are placed:

1. For “storefront” buildings where the structure is adjacent to the sidewalk, and for which little, if any, distance from the property line to the structure is available to meet setback requirements:
  - a. Wall signs:
    - I. A maximum of one wall sign shall be permitted per establishment. A projecting sign may be erected in addition to a wall sign, provided that the requirements of Section 29.13-F-1 are met.
    - II. Wall signs may be painted directly onto a building.
    - III. Signs may be attached to side or rear walls where buildings abut an alley, driveway, or parking lot, provided that their surface area is counted towards the permitted surface area of the wall sign as calculated by the linear footage of the building front. Signs on side walls shall be permitted, however, only to identify a business which has its principal entrance for the public on the side of the building to which the sign is affixed. No advertising or promotional sign shall be permitted on side walls.
  - b. Canopy, marquee, and under-canopy signs.
  - c. Awning signs.
  - d. Window signs: “Old-fashioned” window lettering artistically executed is especially encouraged.
  - e. Logographs: A maximum of one logograph shall be permitted per establishment.
  - f. Projecting signs shall be permitted provided:
    - I. The surface area of a projecting sign shall not exceed 9 square feet if single-faced, or 18 square feet if double-faced, except that a lesser surface area shall govern to meet any other standard of this Section. Decorative spindles, finials, or their equivalents that are clearly secondary to the sign face will not be counted as part of the surface area of a projecting sign.
    - II. A projecting sign may be either single-faced or double-faced, but shall be perpendicular to the plane of the wall to

which it is affixed, and shall only be erected on a building front.

- III. A projecting sign shall be erected so that the outermost edge shall not exceed a distance of 4 feet from the wall or obstruct any architectural features of a building, such as entrances or display windows. Projecting signs shall be pinned or fastened away from the wall at least 6 inches. Decorative brackets of a permanent nature and finished appearance that are complimentary to the design of the sign shall be used to attach projecting signs to walls. Any anchoring shall be required to be approved according to building codes to meet wind pressure, stress, or dead load requirements.
  - IV. A projecting sign shall maintain a minimum ground clearance of 8 feet measured from the adjacent sidewalk surface to the bottom of the sign.
  - V. Projecting signs may be illuminated by either goose-neck lights, from lights within the building eaves, or from the sign bracket, as long as the light source does not trespass onto adjacent properties or rights-of-way.
  - VI. The height of a projecting sign shall not exceed 16 feet as measured from the adjacent sidewalk surface to the top of the sign, and in no case shall the top of the sign extend above the roof line of the building.
  - VII. Corporate logos may be placed on projecting signs provided that they are placed within the sign such that a perimeter, including decorative spindles, finials, or equivalent, is of a consistent neutral color.
  - VIII. In cases where a building houses more than one principal establishment, each establishment may install a projecting sign; provided, however, that there shall be a limit of three projecting signs per building. A common signage plan is strongly encouraged.
  - IX. A projecting sign shall be a permanent sign. No temporary projecting signs shall be permitted.
2. For former single-family homes converted to commercial uses where a front yard exists:
    - a. Pole or pylon signs:

- I. A maximum of one pole or one pylon sign shall be permitted per lot. The use of such a sign shall forfeit the right to a ground sign.
  - II. For multiple-tenant properties, tenant sign “shingles” may project from posts (hung in connected vertical style), so long as a maximum of one sign per tenant is displayed and all such “shingles” are kept on the same plane.
  - III. No pole or pylon sign shall exceed a maximum of 6 feet in height from grade. In this context, grade shall mean the ground level in the front yard.
  - IV. No pole or pylon sign shall exceed a maximum of 8 square feet in surface area if single-faced or 16 square feet if double-faced.
  - V. Pole or pylon signs shall be placed within required yard areas (i.e., between the property line and the building line), but in no case closer than 3 feet from the property line.
- b. Ground signs:
- I. A maximum of one ground sign shall be permitted per lot. The use of such a sign shall forfeit the right to a pole or a pylon sign.
  - II. No ground sign shall exceed a maximum of 6 feet in height from grade. In this context, grade shall mean the ground level in the front yard.
  - III. No ground sign shall exceed a maximum of 8 square feet in sign copy surface area if single-faced or 16 square feet if double-faced.
  - IV. Ground signs shall be placed within required yard areas (i.e., between the property line and the building line), but in no case closer than 3 feet from the property line.
- c. Tenant sign “shingles” hung from the ceilings of porches or projecting outward from the column of a porch (hung in connected vertical style), so long as a maximum of one sign per tenant is displayed and all such “shingles” are kept on the same plane.
- d. Window signs.
3. For non-residential style buildings in the Old Town District that have at least a 5-foot front yard setback, the following ground signs are permitted:

- a. Pole or pylon signs:
  - I. A maximum of one pole or one pylon sign shall be permitted per lot. The use of such a sign shall forfeit the right to a ground sign.
  - II. For multiple-tenant properties, tenant sign “shingles” may project from posts (hung in connected vertical style), so long as a maximum of one sign per tenant is displayed and all such “shingles” are kept on the same plane.
  - III. No pole or pylon sign shall exceed a maximum of 6 feet in height from grade. In this context, grade shall mean the ground level in the front yard.
  - IV. No pole or pylon sign shall exceed a maximum of 8 square feet in surface area if single-faced or 16 square feet if double-faced.
  - V. Pole or pylon signs shall be placed within required yard areas (i.e., between the property line and the building line), but in no case closer than 3 feet from the property line.
  - VI. Ground clearance requirements are waived.
- b. Ground signs:
  - I. A maximum of one ground sign shall be permitted per lot. The use of such a sign shall forfeit the right to a pole or a pylon sign.
  - II. No ground sign shall exceed a maximum of 8 feet in height from grade. In this context, grade shall mean the ground level in the front yard.
  - III. No ground sign shall exceed a maximum of 50 square feet in sign copy surface area if single-faced or 100 square feet if double-faced.
  - IV. Ground signs shall be placed within required yard areas (i.e., between the property line and the building line), but in no case closer than 5 feet from the property line.

## **29.14 RANDALL ROAD CORRIDOR DISTRICT SIGN REGULATIONS**

A. Intent: Due to the unique nature of the area along Randall Road, the Village has determined that the opportunity exists for a “new corridor” look along this strategic arterial that

is designated for general retail, service, office, research, and similar and/or compatible commercial or institutional uses. Such uses shall conform to current standards of site plan design, such as improved setbacks, unified PUD developments, high-quality architectural design, improved landscaping, and other good planning principles. Accordingly, the Village has determined that this district qualifies as a “special area of control” warranting different or additional signage regulations. The district shall therefore be referred to as the Randall Road Corridor Sign District.

B. District Boundaries: The boundaries of this district shall be generally described as follows (see Map B for specific delineation):

All parcels, properties, and establishments located within one-half mile west and one-half mile east of the Randall Road right-of-way from Algonquin Road on the north to the Village boundaries on the south.

C. General Provisions: The regulations of this Section shall be in addition to other regulations contained in this Chapter. In case of conflict between such regulations, the more restrictive regulations or higher standards shall govern, unless additional or different signage is permitted as part of final approval of a PUD at the time of such approval.

D. General Sign Criteria:

1. Common Signage Plan: Common signage plans shall be permitted to impose requirements in a larger development and to reward property owners who prepare and follow coordinated signage plans for a larger piece of property with basic standards of consistency. The provisions of this district can be modified to benefit individual property owners or the owners of shopping centers, multiple business centers, and other multi-tenant properties to avoid problems with uncoordinated signage that could occur in multi-tenant situations. Property under single ownership may also have considerable merit in encouraging uniform sign design.
2. Criteria: The common signage plan for all zoning lots with multiple usage or multiple users shall limit the number of freestanding signs to a total of one for each street on which the zoning lot has frontage. The common signage plan shall provide for shared or common use of the main freestanding sign. The common signage plan shall be included in any PUD plan, or in other official plans required by the Village for the proposed development, and shall be reviewed simultaneously with such other plans. Through approval of the common signage plan as part of the approval of the PUD or of the site plan for the development, no sign shall be erected except in conformance with such plan. The plan shall be enforced in the same manner as any other provision of this Chapter or of this Code.

E. Permitted Signs: The following signs shall be permitted in the Randall Road Corridor District:

1. Exempt signs, as provided for in Section 29.04.

2. Permitted signs in residential and in non-residential zoning districts, as provided for in Sections 29.05, 29.06, and 29.07, except as modified hereafter.
3. Temporary signs, as provided for in Section 29.08.
4. Official, corporate, and ancillary flags, as provided for in Section 29.09.
5. Neon door and window signs, as provided for in Section 29.12.

F. Sign Types: The following sign types shall be permitted in the Randall Road Corridor District, and shall be submit to all placement regulations (i.e., number, height, surface area, setback, etc., as applicable) of Section 29.07 unless otherwise modified below or in a common signage plan:

1. Ground signs:
  - a. Pole and pylon signs shall be prohibited. All ground sign bases and surrounds shall be constructed with brick, stone, or similar material that is consistent with the building construction and shall include a decorative stone cap. Metal pole covers or concrete block shall be prohibited.
  - b. There shall be a maximum of one ground sign per zoning lot.
  - c. The height of a ground sign shall not exceed a maximum of 12 feet from grade.
  - d. The height of a ground sign located within an outlot shall not exceed a maximum of 10 feet from grade.
  - e. The surface area of a sign copy for a ground sign shall not exceed 64 square feet if single-faced, and 128 square feet if double-faced.
  - f. There shall be a minimum required setback of one (1) foot from the Randall Road lot line and five (5) feet to any other lot line.
2. Wall signs:
  - a. All wall signs shall be dimensional signs. “Boxed” or “canned” wall signs shall be prohibited, except for a single corporate logo if so fashioned.
  - b. There shall be a maximum of one wall sign per establishment, except for a single-user outlot building or a corner unit in a multi-tenant building, where two wall signs shall be permitted, as long as all other standards in Section 29.07-B-5 are met.



c. The surface area of a wall sign shall not exceed 10 percent of the gross surface area of the building front for freestanding single-tenant retail and service establishments, and shall not exceed 5 percent of the gross surface area of the building front for freestanding office, industrial, and institutional buildings. For properties permitted two wall signs, the total surface area of the combined signs shall not exceed the doubling of the above amounts applicable respectively. In any event, the surface area of a wall sign shall not exceed 300 square feet. One set of individually-affixed address numerals is permitted in addition to the permitted wall sign(s), which may be internally illuminated, provided that the surface area shall not exceed 8 square feet and that all other standards for wall signs are met. The surface area of dimensional signs or address numerals shall be calculated upon the perimeter of the copy or numerals.

3. Canopy, under-canopy, and marquee signs as provided for in Section 29.07.
4. Awning signs as provided for in Section 29.07.
5. Window signs as provided for in Sections 29.04 and 29.08.

## **29.15 MAINTENANCE**

Maintenance of signs shall be required, according to the following standards:

1. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign and its illumination sources (if applicable) in neat and orderly condition, in good repair, and in good working order at all times, to replace burnt-out light bulbs, and to prevent the development of any rust, corrosion, rotting, peeling of paint, or other deterioration in the physical appearance, structural integrity, or safety of such sign.
2. The owner of any sign regulated by this Code shall be required to have properly painted or finished all parts and supports of said sign when necessary.
3. Nothing in this Section shall be construed to permit as “maintenance or repair activities” the changing of a sign face by replacement or repainting of copy with new copy, except for the changeable portion of changeable copy signs. A new sign permit application shall be required for face changes, and the sign shall then be subject to all provisions of this Chapter. Failure to apply for copy changes shall render the sign subject to all applicable penalties or remedies of this Chapter.

## **29.16 ADMINISTRATION**

- A. Permit Required:

1. Unless otherwise exempted in this Chapter, no person, firm, or corporation shall erect, construct, locate, display, place, structurally, or graphically alter, relocate or maintain any sign without having first obtained a valid permit for such sign, issued by the Village with the approval of the Building Commissioner as required in this Chapter.
2. An application for a permit under this Chapter shall be made upon forms provided by the Village for this purpose, which are available at the Building Department.
3. No permit shall be required for repainting, cleaning, and other normal maintenance or repair of a sign structure, provided that such maintenance does not alter the original copy displayed on the sign face(s), the surface area, height, or otherwise in any way render the sign non-conforming.
4. Illuminated signs shall require both a sign permit and an electrical permit.
5. Property owners or tenants, or their sign companies or agents, who have questions about these sign regulations are advised to consult with the Building Department in advance of submitting a permit application.

B. Permit Fees: Every applicant, before being granted a permit hereunder, shall pay to the Village the fee for each proposed sign or sign structure (e.g., flagpole) found in Appendix B, as established by the Village by ordinance, except as provided in Section 29.17-E.

C. Submission Requirements: Materials required to be submitted in order to review a permit application shall be in accordance with administrative procedures issued by the Building Department.

D. Standards for Review and Approval: All sign permit applications will be reviewed according to the physical parameters and design standards contained in this Chapter. Upon receipt of a complete application, staff will rule on the permit as soon as possible, depending on the backlog of applications, the complexity of the request, and other appropriate factors. Delays can be minimized by complete submittal of necessary materials, advance general consultation with staff, and adequate communications of intentions.

1. A sign permit will be issued if such application is complete, accurate, conforms to the standards of this Chapter, and is in accordance with all other applicable requirements of this Code and Village ordinances.
2. If the work authorized under said permit has not been completed within 90 days following the permit issue date, said permit shall become null and void. No refund of permit fees shall be issued. If 90 days has elapsed, a new application shall be required if the permittee desires to erect the sign originally contemplated. However, such application shall be reviewed according to the standards of the Village then in force, and no rights to previous standards under which the original permit was issued shall exist.

3. If any sign is erected, altered, or relocated without receipt of a valid permit, the specified permit fees shall be doubled. However, such payment shall not relieve any person of any requirement or penalties prescribed in this Chapter, nor shall the expense of erecting or the existence itself of the sign be deemed a justifiable hardship warranting waiver of any requirement or penalty, whether the sign is conforming or non-conforming. Failure to pay the fees shall result in enforcement by the Village to obtain said fees or the removal of said sign. Nothing in this Section shall be construed to mandate the retroactive payment of sign permit fees that were not required prior to adoption of this Chapter.

## **29.17 ENFORCEMENT**

A. Obsolete Signs: Any obsolete sign shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or lot upon which such sign is located within 10 days after the cessation of such business or sale of such product that renders the sign obsolete. Such a sign shall be deemed abandoned. If such sign is not removed within 10 working days of being abandoned, the Building Commissioner shall give written notification to the owner or agent of such failure, and 10 working days hence shall cause removal of such sign. The expense incident thereto shall be paid by or be recoverable from the owner of the building, structure, or lot upon which the sign is located; and said expense shall be a lien upon such premises until paid.

B. Unsafe Signs: Any unsafe sign shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or lot upon which such sign is located immediately after written notice is given by the Village to said owner, agent, or person.

C. Removal by Village:

1. If any obsolete or unsafe sign is not removed by the date specified, the Village shall give written notice to the owner, agent, or person having the beneficial interest in the building, structure, or lot on which such sign is located, to require the removal within 10 days. If such sign is not removed or repaired (if applicable) after the conclusion of such 10-day period, the Building Commissioner is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the building, structure, or lot on which such sign is located.
2. Notwithstanding the foregoing provision, the Building Commissioner is authorized to cause any sign to be removed summarily and without notice, at the sole expense of the owner, agent, or person having the beneficial interest in the building, structure, or lot on which such sign is located, whenever the Building Commissioner determines that such sign is an immediate peril to persons or property.

3. The Building Commissioner shall refuse to issue any sign or building permit to any permittee or owner who refuses to pay costs of any sign removal or repair so assessed.

D. Legal Non-Conforming Signs: Any sign lawfully existing as of the date of the adoption of this Chapter that does not conform to one or more of the provisions contained herein shall be deemed to be a legal non-conforming sign and may be continued in operation and maintained subject to the following requirements:

1. Legal Non-Conforming Signs that are Permanent Signs:
  - a. The owner or beneficial user shall maintain such sign in good condition and repair;
  - b. Such sign shall not be changed or altered in any manner, including face changes (i.e., replacement or repainting of copy with new copy, except for the changeable portion of changeable copy signs); shall not be changed to any other nonconformity; shall not be expanded; shall not be structurally altered to prolong its useful life; and shall not be moved in whole or part to any other location where it would remain nonconforming;
  - c. Such sign shall not be continued in use after change of occupancy of the business, owner, or activity to which the sign pertains.
2. Any violation of any of the provisions of this Chapter at any time shall immediately terminate the right to maintain the existence of a legal non-conforming sign.
3. If any legal non-conforming sign is damaged or destroyed, by any means whatsoever, to the extent that its repair or replacement cost exceeds 50 percent of its replacement cost as of the date it became non-conforming, the right to maintain the existence of a legal non-conforming sign shall be immediately terminated, and the sign may not be rebuilt or used thereafter. In the event the damage or destruction of the legal non-conforming sign is less than 50 percent of its replacement cost, the sign may be rebuilt to its original. The funds and effort expended on such rebuilding, however, shall not be grounds to justify a waiver of the requirement for the sign to conform, or to extend the time that the sign may remain non-conforming.
4. Normal maintenance of legal non-conforming signs, necessary non-structural repairs, and incidental alterations that do not extend or intensify the non-conforming features of the sign, shall be permitted.
5. Legal non-conforming signs that are permanent signs that are within 10 percent of compliance of any height, surface area, or location requirements, and that otherwise conform to all other provisions of this Chapter, shall be deemed to be conforming for the purposes of these regulations.

E. Confiscated Signs: Any signs in violation of any provision of this Chapter within the public right-of-way at any time may be removed by the Village and placed into temporary storage. Confiscated signs from the public right-of-way will be released upon payment of a storage fee found in Appendix B, payable to the Village. The Village shall not be responsible for loss of or damage to any confiscated sign while in storage. The Village shall not be responsible to notify the owner or agent of said sign that it was confiscated and placed into storage. The Village shall not be obligated to keep said sign in storage beyond 5 working days, after which time it may be discarded.

F. Notice: The owner of the premises on which the sign is located shall be the responsible party for the purpose of receiving notice under any section of this Chapter.

G. Penalties for Erecting Off-Site Subdivision Identification Signs:

1. Any person, firm, or corporation that erects off-site subdivision identification signs, commonly referred to as “tracker signs,” in violation of Section 29.03 shall be assessed a fine pursuant to Appendix B and shall be settled in accordance with Section 1.13 of this Code.
2. In the event said fine(s) is not paid within 48 hours after a violation and the violation is not cured, the Village shall enforce a 48-hour moratorium on all construction activities, building permits, certificates of occupancy, and building inspections for the residential development advertised. The 48-hour moratorium will begin the first weekday after the fee deadline has passed.
3. In the event that a builder or developer, or their agent, erects a subdivision identification sign within the Village that advertises a development outside the Village limits, the Village shall enforce the aforementioned moratorium for any construction activities, building permits, certificates of occupancy, and building inspections related to any of the builder’s or developer’s construction activities within the Village. The 48-hour moratorium will begin the first weekday after the fee deadline has passed.

## 29.18 VARIATIONS

A. Process: If specific standards or requirements contained in this Chapter preclude a proposed sign from being erected, the applicant may request a variation. Such a variation requires a public meeting on the matter before the Village Board, following the recommendations of the Committee of the Whole. A petitioner shall file in the office of the Building Commissioner a written petition requesting such a meeting and setting forth a brief statement of the grounds. At the time of filing said petition, a sign Variation Review Fee as found in Appendix B shall be submitted. Upon receipt of such petition, the Manager shall set a time and place for such meeting, and give the petitioner notification thereof. At such meeting, the petitioner shall be given an opportunity to be heard and show why relief from such provisions shall be granted. When considering a petition for such a variation, the Village Board shall consider the general objectives outlined in Section 29.01-C, as well as the standards for a variation outlined in Section 21.17-E

of the Zoning Code, including demonstration of a hardship that was not created by the applicant, as to why the variation should be granted. In granting such a request, the Village Board shall have the right to impose any and all such further conditions, such as time limits, reduction of other signs, or site improvements, upon the erection and display of such signs as deemed to be in the best interests of the Village. The Village Board may refer variation requests to the Planning and Zoning Commission for its recommendation if the Village Board deems such review is warranted. If granted, a variation must be acted upon within 6 months, as demonstrated by the issuance of a valid sign permit, or the variation shall become null and void. An escrow fee shall be paid to the Village in an amount as found in Section 25.01 of this Code for the purposes of reimbursement of attorney's and consultant fees incurred in the processing of sign variation request, and such escrow account shall be replenished by the petitioner as required.

B. Appeals: Appeals of the interpretation of this Chapter by the Building Commissioner are heard by the Planning and Zoning Commission, and all hearings and determinations shall be subject to all provisions of the Zoning Code.

C. Revocation of Variations: Anytime, at least 1 year after a sign has been erected pursuant to a variation, the Village Board may conduct a hearing to consider revocation of the variation that allowed construction of such sign. The hearing shall be conducted under the same standards as Planning and Zoning Commission hearings for variations. The Village Board may revoke a variation heretofore granted if, after conducting the hearing, it makes findings demonstrating that conditions that gave rise to the variation request or the standards for a variation are no longer present to justify the variation. If the Village Board shall deny the revocation, no further hearings for revocation of such a variation shall be held for 1 year from the date of the Village Board decision.