VILLAGE OF ANTIOCH

09-12-44

AN ORDINANCE AMENDING TITLE 9 AND TITLE 10 OF THE VILLAGE CODE ENTITLED VILLAGE OF ANTIOCH STREET GRAPHICS

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

DECEMBER 21, 2009

Published in pamphlet form by authority of the Village Board of the Village of Antioch, Lake County, Illinois, this 30th day of December, 2009

LAWRENCE M. HANSON	**President**	DENNIS B. CROSBY	**Trustee**
		JAY JOZWIAK	**Trustee**
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		GEORGE C. SAKAS	**Trustee**
ROBERT J. LONG.	**Attorney**	MICHAEL W. WOLCZYZ	**Trustee**

ORDINANCE NO. 09-12-44

AN ORDINANCE AMENDING TITLE 9 AND TITLE 10 OF THE VILLAGE CODE ENTITLED VILLAGE OF ANTIOCH STREET GRAPHICS

WHEREAS, the Village of Antioch is a Non-Home Rule Illinois Municipal Corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1 et seq.; and

WHEREAS, through 65 ILCS 5/11-30-4 of the Illinois Municipal Code, the Village has the authority to prescribe the strength and manner of constructing all buildings within the Village; and

WHEREAS, it is found that it is the obligation of the Village to regulate matters of public interest and safety including the promotion of the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage; and

WHEREAS, it is the public interest to assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets, and other public structures and spaces, are protected by exercising reasonable controls over the character and design of graphic structures; and

WHEREAS, a comprehensive and balanced system of street graphics that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance, is found to be in the best interest of the traveling public and the corporate citizens of the Village alike;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

SECTION I:: The foregoing recitals represent the purpose and intent of this ordinance and insofar as each recital does it is incorporated by reference as a substantive provision as though fully set forth herein.

SECTION II: That Chapter 2 of Title 9 of the Village of Antioch Municipal Code entitled "Village of Antioch Sign Code" by hereby deleted:

SECTION III: That Chapter 14 of Title 10 of the Antioch Municipal is hereby re-codified as Chapter 15 of the said Title 10, where it shall continue to be entitled "ADMINISTRATION AND ENFORCEMENT" and all section numbers set forth therein shall be renumbered accordingly.

SECTION IV: That a new Chapter 14 of Title 10 of the Antioch Municipal Code is hereby established, and it shall henceforth read as set forth on Exhibit 1 hereto.

SECTION IV: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

SECTION V: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION VI: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

Passed this 21 day of December, 2009.

AYES: 4: Poulos, Sakas, Wolczyz and Jozwiak.
NAYS: 0.
ABSENT: 2: Pierce and Crosby.

By: _____ Date: 12/30/2009
LAWRENCE M. HANSON, President

ATTEST:

By: Candi L. Rowe
CANDI L. ROWE, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on December 21, 2009.

VILLAGE OF ANTIOCH INCORPORATED FEB. 29th 1892 LAKE COUNTY, ILL.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, Candi L. Rowe, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on December 21, 2009, the Corporate Authorities of such municipality passed and approved **Ordinance No. 09-12-44**, entitled ***"AN ORDINANCE AMENDING TITLE 9 AND TITLE 10 OF THE VILLAGE CODE ENTITLED VILLAGE OF ANTIOCH STREET GRAPHICS"*** which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. 09-12-44, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 30, 2009, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 30th day of December, 2009

Candi L. Rowe

Candi L. Rowe, Village Clerk

VILLAGE OF ANTIOCH
INCORPORATED
FEB 29TH
1892
LAKE COUNTY, ILL.

VILLAGE OF ANTIOCH STREET GRAPHICS

STATEMENT OF PURPOSE:

A. The purpose of this chapter is to create the legal framework for a comprehensive and balanced system of street graphics that will preserve the right of free speech and expression, provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this chapter to authorize the use of street graphics to:

1. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage;

2. Promote the use of graphics which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the Principals of the Comprehensive Plan relating to effective and attractive signage;

3. Provide functional flexibility, encourage variety, and create an incentive to relate signing to basic principles of good design;

4. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets, and other public structures and spaces, are protected by exercising reasonable controls over the character and design of graphic structures;

5. Provide an improved visual environment and to protect prominent corridors within the community by authorizing the use of street graphics that are:

a. Compatible with their surroundings;

b. Appropriate to the activity that displays them;

c. Expressive of the identity of individual activities and the community as a whole; and;

d. Legible in the circumstances in which they are seen.

DEFINITIONS:

A-FRAMED GRAPHIC: A temporary graphic that is placed upon, but not generally mounted to the ground. It is a double sided graphic connected at the top and separated at the bottom.

ACTIVITY: An individual tenant, business, or other establishment.

ANIMATION OR ANIMATED: (See also definition of Changeable Copy.) The movement or the optical illusion of movement of any part of the street graphic structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a street graphic.

ARCHITECTURAL DETAIL: Any projection, relief, cornice, column, change of building material, window, or door opening on any building.

AWNING: A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.

BANNER: A graphic composed of a logo or design on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow motion caused by the atmosphere.

BARE BULB ILLUMINATION: Exposed or uncovered lighting elements found on a graphic, for example, light bulbs without cover.

BUILDING: A structure designed and intended to shelter persons or personal property, and where the interior areas of such a structure are accessible to persons.

CANOPY GRAPHIC: A structure other than an awning made of cloth, metal, or other material with frames affixed to a building

CHANGEABLE COPY: Copy within a street graphic that is designed and intended to be manually changed.

COMMERCIAL GRAPHIC: A street graphic which identifies, advertises, or directs attention to a commercial or institutional structure or business, or is intended to induce the purchase of goods, property, or service; including, but not limited to, a graphic naming a brand of goods or service and real estate graphics.

DIRECTIONAL GRAPHIC: A street graphic located in such a manner as to direct the flow of pedestrian and vehicular traffic, and does not contain commercial message.

ELECTRONIC MESSAGE GRAPHIC: A street graphic capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. The following terms for such electronic message graphics shall be defined as follows:

Dissolve: Graphics where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.

Fade: Graphics where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Scrolling: Graphics where the message is changed by the apparent vertical movement of letters or graphic elements of the message.

Static: Graphics having no motion.

Text: Graphics consisting of letters or words only that do not include any animation, effects simulating animation or video.

Travel: Graphics where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.

EXTERNAL ILLUMINATION: Illumination of a graphic that is affected by an artificial source of light not contained within the graphic itself.

FLAG: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope.

FLASHING GRAPHIC: A graphic which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source.

FLASHING ILLUMINATION: Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when a street graphic is illuminated, including illuminated lighting.

FORM BASED OVERLAY: An area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that street graphics displayed

within the area enhance its visual character and are compatible with it.

GRAPHIC: A "street graphic", as defined by this chapter. The terms "graphic" and "sign" are used interchangeably in this chapter and this title.

GROUND GRAPHIC: A street graphic supported by one or more uprights or bases placed upon or affixed in the ground and not attached to any part of a building. The term "ground graphic" includes a "monument graphic".

HEIGHT: The vertical distance measured from grade at the edge of the adjacent right of way to the highest point of the street graphic.

ILLUMINATION OR ILLUMINATED: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the street graphic.

INDIRECT ILLUMINATION: A source of external illumination, located away from the graphic, that lights the graphic, but which is itself not visible to persons viewing the graphic from any street, sidewalk or adjacent property.

INFLATABLE GRAPHIC: A sign or advertising device designed to be airborne and tethered to the ground or any other structure and shall include balloons and any other inflatable attention getting device.

INTERNAL ILLUMINATION: A light source that is concealed or contained within the street graphic and becomes visible in darkness through a translucent surface.

MARQUEE: A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from the elements.

MARQUEE GRAPHIC: A street graphic that is a part of or attached to a marquee. A marquee graphic shall be considered a "wall graphic".

MONUMENT GRAPHIC: A graphic which is completely or principally supported by a short wall typically constructed of masonry material which is a minimum of eighty percent (80%) of the width of the graphic, and is not attached to the principal building on the property, and is permanently anchored in or upon the ground.

NEON: A source of light for externally lit street graphics supplied by a neon tube that is bent to form letters, symbols, or other shapes.

NONCOMMERCIAL STREET GRAPHIC: A street graphic not identifying, advertising or directing attention to a commercial or institutional structure or business, or not intended to induce the purchase of goods, property, or service.

NONCONFORMING STREET GRAPHIC: A street graphic that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and was in compliance with all of the provisions and other applicable requirements of law then in effect, but which does not presently comply with this chapter and other applicable requirements of law.

OFF PREMISES STREET GRAPHICS: A street graphic that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the street graphic is located, including, but not limited to, graphics commonly referred to as billboards.

PAINTED WALL GRAPHIC: A graphic which is painted directly upon a wall or building and which includes no other attachments or appurtenances to such building.

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

POLE GRAPHIC: A freestanding street graphic that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a base structure.

PORTABLE STREET GRAPHIC: A street graphic not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building. The term "portable street graphic" shall not include an "A-frame graphic".

PREMISES: The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased.

PRINCIPAL BUILDING: A detached and enclosed structure, occupied or constructed for occupancy, which by virtue of its size or use, is the primary user of a zone lot. There shall be one principal use per zone lot.

PROJECTING GRAPHIC: A wall graphic affixed to a building and that extends beyond the line of such building wall or beyond the surface of that portion of the building wall to which it is affixed by more than twelve inches (12").

ROOF GRAPHIC: Any street graphic erected or constructed in whole or in part on and over the roof of a building, supported by the roof structure, or extending vertically above the highest portion of the roof.

ROOF GRAPHIC, INTEGRAL: See definition of Integral Roof Graphic.

SHOPPING CENTER: A commercial development under unified control consisting of four (4) or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway and parking area.

STREET FRONTAGE: That portion of a zoning lot or premises that is coterminous with a public right of way or a private street.

STREET GRAPHIC: A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, or inform that is visible from a public or private right of way. The term "street graphic" includes, but is not limited to, banners, pennants, streamers, moving mechanisms, and lights. The terms "street graphic" and "sign" are used interchangeably in this chapter and this title.

STRUCTURE: Anything manufactured, constructed, or composed of parts joined in some definite manner that requires a location on the ground or that is attached to something that has a location on the ground. Structures shall include, but shall not be limited to, buildings, antennas, signs, street graphics, and fences.

SUBDIVISION ENTRANCE GRAPHIC: A permanently mounted street graphic located at the major entrances of a subdivision or planned development.

SUSPENDED GRAPHIC: A graphic suspended from the underside of the horizontal plane surface of a canopy, cantilever, or marquee, and that is supported by such surface.

TEMPORARY STREET GRAPHIC: A street graphic attached to the ground or a building for a limited period of time.

TEMPORARY WINDOW GRAPHIC: A window graphic displayed for a limited period of time.

WALL GRAPHIC: A graphic attached directly to an exterior wall of a building or dependent upon a building for support, with the exposed face of the graphic located in a place substantially parallel to the exterior building wall to which the graphic is attached or which supports the graphic.

WINDOW GRAPHIC: A street graphic applied, painted or affixed to or in the window of a building. A window graphic may be temporary or permanent.

ZONING LOT: A plot of ground made up of one or more parcels which is, or may be, occupied by a use, building or buildings, including the open spaces required by Title 10 of the Village Code.

GENERAL REGULATIONS:

A. A graphic may be erected, placed, established, painted, constructed, altered, maintained or relocated in the Village only in conformance with the provisions of this chapter and other applicable ordinances.

B. All street graphics shall be designed, constructed, and maintained in conformance to the provisions of Titles 9 and 10 of this code. With the exception of projecting graphics and suspended graphics, a street graphic shall be of such design that it is free of any exposed bracing, angle iron, guywires, cables and so forth.

C. Any street graphic that can be displayed under the provisions of this chapter may contain a noncommercial message.

D. Street Graphics Located within the *Downtown Overlay Zone* shall comply with the provisions of that chapter.

E. Any exempt street graphic, as enumerated in this chapter, and the following street graphics shall be the only street graphics allowed in the R-1 single-family residence district, the R-2 single-family residence district, the R-3 single-family residence district, R-4 two family dwelling residence district, and the R-5 Multiple Dwelling Residential Districts, the Rural Estate Residential Districts, the Suburban Estate Residential Districts, except as otherwise specifically regulated by this chapter, and with the noted exceptions:

1. Directional graphics.

2. Subdivision entrance graphics.

GRAPHIC CHARACTERISTICS:

A. Street graphics with changeable copy shall be allowed only in the B-1, B-2, and B-3 business zoning and M-1 and M-2 zoning districts.

B. Exposed Neon shall not be allowed unless specifically permitted in the Downtown Overlay District.

C. Ground Style Standards for Aesthetics: All permanent ground signs shall adhere to the following standards, in addition to those listed here within.

1. Based and Structure
    a. All bases shall be Monument Bases as wide as the sign itself
    b. All bases shall be natural Masonry (Stone or Brick) CMU is not permitted
    c. All copy area shall be limited to the internal dimensions of the background. Columns and a top cap are required.
2. Illumination
    a. Indirect, external, or internal illumination are allowed.
3. Display Area
    a. Monument backgrounds shall be opaque. Copy area shall be comprised of routed or raised Individual Channel copy (face lit or halo lit) affixed to the

opaque background, or sandblasted signage. No internally illuminated cabinets shall be allowed.

D. Wall Graphic Standards Aesthetics

1. Display Area
    a. Copy area shall be comprised of routed or raised Individual Channel copy (face lit or halo lit) affixed to the opaque background, or sandblasted signage. No internally illuminated cabinets shall be allowed.

SURFACE AREA AND HEIGHT CALCULATIONS:

A. Surface Area Of Individual Graphics: The surface area of an individual graphic shall be the total exposed surface devoted to the street graphic's message including all ornamentation, embellishment, symbols, logos, letters, characters, other figures, or frames, whether structural or decorative. For monument graphics, surface area shall not include that portion of the supporting structure, from the ground to the bottom of the graphic.

The surface area of an individual graphic shall be calculated by the customary, applicable mathematical formula for square, rectangular, triangular, circular, or elliptical shaped graphic faces, including copy, background, and any frame or boxed display. In the case of irregularly shaped graphics, or graphics composed of separate letters or characters connected in meaning, the surface area shall be determined by computing the area lying within straight lines connecting the extreme projections, corners, or edges of the letters, characters, symbols, ornamentation, embellishment, and other figures composing the graphic taken as a whole.

B. Surface Area Of Multifaced Graphics: The surface area for a graphic with more than one face shall be computed by adding together the area of all graphic faces visible from any one point. Where two (2) identical graphic faces are placed back to back and parallel, so that both faces cannot be viewed from any point at the same time, and where such graphic faces are part of the same graphic structure and are not more than forty two inches (42") apart as measured from the farthest projections, the graphic area shall be computed by the measurement of one of the faces. Where a graphic has two (2) or more display faces of unequal dimensions, the area of the largest face shall determine the graphic surface area.

C. Height Of Graphics: The height of a graphic shall be computed as the distance from the normal grade at the base of the graphic to the top of the highest attached component of the graphic. Normal grade shall be construed to be the existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the graphic, whichever is lower. In cases in which the normal grade cannot reasonably be determined, graphic height shall be computed on the assumption that the elevation of the normal grade at the base of the graphic is equal to the elevation of

the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal building on the zoning lot, whichever is lower.

ILLUMINATION AND MOVEMENT:

A. Illumination And Movement Prohibited: A street graphic may not be animated or have flashing illumination.

B. Illumination Requirements: A permanent street graphic may be non illuminated, illuminated by internal, internal indirect or external indirect illumination. Street graphics that are externally lit shall be illuminated only with steady, stationary, and shielded light sources directed solely onto the graphic.

C. Glare: Any lighting fixture on a street graphic that is located within ten feet (10') of a property line of a residential zoning district or an existing residential use, or within fifteen feet (15') of a public right of way, shall be:

1. Aimed away from the property line, residential use, or zoning district, or public right of way;

2. Shielded on the side closest to the property line, residential use, zoning district, and public right of way, so as not be considered a nuisance or result in spill over lighting. No lighting on site shall be so designed, arranged or operated to produce an intensity of light exceeding one (1.0) foot-candle at any residential property line or on any adjacent residential property

MONUMENT GRAPHICS:

A. Monument Graphic Display: No monument graphic shall be located on a zoning lot unless there is a principal building on the premises, and unless off street parking is provided on the premises.

B. Distance Between Monument Graphics: A one hundred and fifty (150) linear foot separation shall be maintained between all monument graphics, located on all zoning lots along the same public right of way, excepting directional graphics, wherever physically possible, measured parallel to the direction of travel on the adjoining street.

C. Monument Graphic Setback: No portion of a monument graphic shall project over or into a public right of way, municipal, easement, or into sight visibility triangles. In no case shall the vertical height of a monument graphic exceed the setback from the right or way and in no instance shall the monument be located closer than 10 feet.

D. Type, Number, Size, And Location:

1. Type: All permanent ground graphics shall be monument graphics.

2. Zoning Districts And Maximum Number: Monument graphics shall be allowed in Business and Manufacturing Zone Districts and in Residential Zone Districts as Subdivision entrance graphics. The maximum number of monument graphics shall be one graphic for each zoning lot.

3. Maximum Surface Area and Maximum Height: The maximum surface area and maximum height of a monument graphic shall be determined by the speed limit of the public roadway adjoining the yard within the zoning lot on which the monument graphic is located in accordance with the following requirements:

a. Speed limit of thirty (30) miles per hour or less: Thirty two (32) square feet.

b. Speed limit of thirty five (35) to forty (40) miles per hour: Forty (40) square feet.

c. Speed limit of forty five (45) to fifty (50) miles per hour: Fifty-six (56) square feet.

d. Speed limit of fifty five (55) miles per hour or greater: Eighty (80) square feet.

e. Except as otherwise provided in this section, the height of a monument graphic cannot exceed eight feet (8').

4. Location: On premises in zone districts that allow monument signage, no monument shall be placed along local street frontage, where the property located directly opposite the public right of way is located within a residence district. This restriction will not apply to street frontages adjacent to North Avenue, Illinois Route 59, 83, or 173.

5. Shopping Centers: Shopping centers consist of four (4) or more commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area, and as such have unique needs requiring an accommodation for larger street graphics. Shopping center identification graphics shall not exceed ten (10') in height or one hundred (100) square feet in surface area. One shopping center monument graphic shall be allowed. If the site is on a corner location, an additional monument that complies with the size and height limitations of section 3 shall be allowed. The number and surface area of shopping center identification graphics shall not limit the number or surface area of non ground mounted allowable street graphics on a zoning lot.

6. Landscaping: A landscaped area located around the base of the ground graphic equal to 3 square feet for each square foot of ground graphic area, is required for all ground graphics. The landscaped area shall contain living landscape material consisting of (2) trees and; shrubs, perennial ground cover plants, or a combination of thereof, placed throughout the required landscape area having a spacing of not greater than three feet (3') on center.

WALL GRAPHICS:

A. Wall Graphics and Architectural Features: No wall graphic shall cover or interrupt major architectural features, such as doors, exits, and windows.

B. Wall Graphic Projections: No wall graphic shall project more than twelve inches (12") from the surface to which it is attached, except as may otherwise be provided for projecting graphic.

C. Zoning Districts and Maximum Number: Except as otherwise provided in this section, wall graphics shall be allowed only in the Business and Manufacturing Zones. The maximum number of wall graphics shall be two (2) for each occupant located on the ground floor of a building. For a building that does not have two (2) or more occupants on the ground floor, there shall be a maximum of two (2) wall graphics, unless the structure is located on a corner, for which an additional wall sign may be allowed for the individual occupant.

D. Maximum Surface Area: Where allowed, the maximum surface area for all wall graphics on each building face or occupant space for each different street frontage shall not exceed 1 square foot of signage for each linear foot of the building facade or occupant space on which the wall graphics and integral roof graphics are maintained, nor the following maximums for surface area, whichever is less:

1. Eighty (80) square feet where the building setback from the closest parallel street is less than one hundred feet (100'), as measured in a perpendicular or approximately perpendicular line from the building setback to the nearest edge of the street;

2. One hundred twenty (120) square feet where the building setback from the closest parallel street is one hundred feet (100') or more, but less than two hundred feet (200'), as measured in a perpendicular or approximately perpendicular line from the building setback to the nearest edge of the street;

3. Two hundred forty (240) square feet where the building setback from the closest parallel street is two hundred feet (200'), but less than four hundred feet (400'), as measured in a perpendicular or approximately perpendicular line from the building setback to the nearest edge of the street;

4. Four hundred eighty (480) square feet where the building setback from the closest parallel street is four hundred feet (400') or more, as measured in a perpendicular or approximately perpendicular line from the building setback to the nearest edge of the street.

E. Marquee Graphic: A marquee graphic shall be considered a wall graphic. A maximum of one marquee graphic shall be allowed on each vertical marquee surface to a maximum of three (3) marquee graphics. Marquee graphics shall be

located entirely within the vertical marquee surface. The surface area of a marquee graphic shall be deducted from the total allowable graphic surface area for wall graphics on each zoning lot.

F. Window Graphic: Window graphics may be located on the interior or the exterior of a window, and may be visible from the exterior of a building or structure regardless of the manner in which it is attached or mounted. A single, individually lettered, non illuminated graphic may be allowed in addition to permitted wall signage. Additional Window graphics shall be considered wall graphics and shall be limited in size to no more than twenty-five percent (25%) of the window area. Window graphics shall be deducted from the total allowable graphic surface area for wall graphics for each occupant or building on each zoning lot. Window graphics shall be allowed only in the Business and Manufacturing Zone Districts.

I. Awning Graphic: An awning graphic shall be considered a wall graphic. A maximum of one graphic per awning shall be allowed on each vertical awning surface. Awning graphics shall be limited to awnings on windows and doors of businesses located on the ground floor of a building. Awning graphics shall be located entirely within the vertical marquee surface. The surface area of an awning graphic shall not exceed twenty five percent (25%) of the vertical surface of the plane of the awning on which it is located, and shall be deducted from the total allowable graphic surface area for wall graphics on each zoning lot. An awning graphic shall be allowed only in the Business and Manufacturing Zones.

SPECIAL STREET GRAPHICS:

A. A-Frame Graphic: An A-frame graphic is a portable, freestanding graphic which may be placed on public sidewalks and which is intended for pedestrian oriented uses. A-frame graphics shall be permitted only for occupants in the Downtown Overlay District and Premises Adjacent to. An occupant may have an A-frame graphic or a projecting graphic, but not both. An occupant seeking to establish an A-frame graphic shall be located at a ground level location in the building in which the occupant is located. The occupant shall have an entrance for the public or patrons or service window that faces and is within ten feet (10') of the sidewalk.

1. Location: A-frame graphics may be located partially or entirely on a sidewalk within a public right of way adjacent to the building or occupant space for which the A-frame graphic has been established. A minimum of a five foot (5') wide section of public sidewalk shall remain unobstructed at all times.

2. Size: A-frame graphics shall be no more than four feet (4') in height and eight (8) square feet in total surface area.

3. Design: A-frame graphics shall be professionally made and maintained in good condition. Graphics shall be of an A-frame (sandwich board) design, comprised of a finished wood frame and properly weighted so as to not create a windblown

hazard. Graphics shall not have any protruding nails, tacks, wires, or sharp metal edges.

4. Illumination: A-frame graphics shall not be illuminated.

5. Number: Not more than one A-frame graphic shall be permitted per occupant on a zoning lot.

6. Time Restrictions: A-frame graphics shall not be displayed before sunrise and shall be taken down each day not later than ten o'clock (10:00) P.M.

7. Certificate Of Insurance: No A-frame graphic shall be placed on a public sidewalk without providing to the Village a certificate of insurance in an amount fixed by the Village Board.

8. A frame graphics shall be removed by the owners during times of inclement weather. During a snow event, no graphics shall be placed on sidewalks or placed upon snow piles.

B. Directional Graphic: A directional graphic may be located at an exit or an entrance to premises that has two (2) or more driveways. The maximum surface area for a directional graphic shall be not more than two (2) square feet on two-lane streets or highways and on any highway with a posted travel speed of less than thirty five (35) miles per hour, and not more than four (4) square feet on multilane roads and on any highway with a posted travel speed of thirty five (35) miles per hour or greater.

C. Drive-Through Facility Graphic: A drive-through facility graphic may be located in conjunction with a drive-through facility. A drive-through facility graphic shall be either a monument graphic or a wall graphic. No drive-through facility graphic shall exceed fifty (50) square feet in surface area or ten (10) linear feet in height as measured from the limits of the sign frame and grade. The number and surface area of drive-through facility graphics shall not limit the number or surface area of other allowable signage on a zoning lot.

D. Electronic Message Graphic: A permit to erect or modify an EMG shall not be granted, unless a special use has been approved by the Village Board of Trustees in accordance with special use process as established by the zoning code:

In addition to the graphic regulations of general applicability, all electronic message graphics (EMG's) located in the Village must adhere to all Village Ordinances, and in addition to, the following requirements

- All EMG's shall be accessory to a principal structure and use and shall be located on the same premises as the structure and parking. An EMG may contain non commercial messages.

- No EMG shall be allowed in residential zoning districts or shall face a single family zone district or use.

- An EMG shall be restricted to premises with an individual street frontage of an IDOT designated Strategic Regional Arterial Route greater than 450 lineal feet

- No EMG shall be greater than eight feet tall, as measured by the methodology of the Village of Antioch Street Graphics Ordinance

- Each EMG sign face be antiglare and shall not exceed a total of 25 square feet. The square footage of each face shall be counted against the total area of all signage allowed for the premises.

- NO EMG shall be located within 500 feet of another EMG, nor shall it share the structure of any other reader board or changeable copy sign

- No additional EMG's shall be allowed along Main Street between North Avenue and Illinois Route 173; or between Anita Avenue and Hillside Avenue. (Generally known as the Form Based Overly Zone). Existing EMGs will be allowed to be maintained in current state under good repair. Replacement of components is allowed. If modifications to the sign are required, all applicable design standards shall apply unless waived by the Village Board. If any non-conforming existing EMG sign is damaged or deteriorated so that repairs would cost as much as 50 percent of the value of the sign, the sign may be repaired only if it is brought into conformance with this ordinance.

- All EMG's shall be mounted in a monument style bases that are at least as wide as the sign face, at least two feet tall, and composed of a natural masonry finish such as brick or stone which matches that used on the associated principal structure. Alternative materials may be considered by the Planning Commission and Village Board if they are found to be consistent with the architecture of the principal structure.

- All EMGs shall be located in a minimum 400 square foot landscape area that ties into the overall site and incorporates a combination of berming, landscaping, and decorative hardscape.

- An EMG electronic message board component shall not exceed 50% of the sign structure, and shall include a non-illuminated background. This area shall be consistent with the architectural design of the overall sign and may contain halo or indirectly lit, pin mounted, individual internal illuminated, or routed lettering.

- An EMG shall maintain a static display time for each message for a minimum of 24 hours. The change of message shall occur simultaneously for the entire sign face. No animation of any type, including, scrolling, dissolve, fade, or flashing light, or

"spell on" display mode is allowed on any EMG. The sign shall have no revolving, flashing, moving, rotating, or similar intermittent lights.

- Electronic signs shall not exceed a maximum illumination of 5000 nit during day light hours, and 1000 nit during night time hours. All EMG shall include an auto-dimming sensor that self adjusts to changing ambient light conditions.

- Any malfunctioning EMG must be turned off or display a blank screen until repaired.

- All electrical equipment used to operate or install an EMG must be UL listed.

- All electrical power to an EMG sign must be supplied via underground carrier, inside approved conduit, include tamper resistant hardware and software, and must be installed according to the Village Building Code.

- All EMG signs shall be kept in good operating condition and maintained with good external appearance.

- Any owner or operator of and EMG shall be required to submit a signed and sworn affidavit, stating that they are the lawful owners or the owners' authorized representative; that they understand the above conditions; and shall operate authorized EMG in strict compliance with above requirements. The failure of any operator and/or owner to comply with any of the above criteria shall be deemed a violation of this code and shall result in fines or revocation of the owners special use permit. Owner agrees to indemnify the Village if suit arises over the installation and operation of the respective sign. If third party confirmation is required to demonstrate compliance with the above standards, the owner or operator of the sign shall agree to cover any and all costs incurred by the Village.

*Uses required to display prices as regulated by the State of Illinois Bureau of Weights and Measures and Motor Fuel and Petroleum Standards Act shall be exempt from the public hearing and frontage requirements, so long as the proposed signage complies with all other applicable standards relating to time, place, and manner.

*Existing signage with LED cabinetry installed shall be exempt from the design and special use procedures of this ordinance. Such signs shall be programmed and operated within compliance with these regulations for internal times, illumination, and prohibition on animation. If modifications to such signs are requested, all applicable standards shall apply and approved through the special use hearing.

E. Projecting Graphic: An occupant seeking to establish a projecting graphic shall be located at a ground level location in the building on which the occupant is located. An occupant may have a projecting graphic or an A-frame graphic, but not both.

1. Location: Projecting graphics may be located partially or entirely over a sidewalk over a public right of way, and shall provide a minimum nine feet (9') of clearance from the bottom edge of the graphic to the sidewalk or ground surface.

2. Size: No projecting graphic shall be more than eight (8) square feet in surface area, unless approved as a special use pursuant to Title 10-15 of the Village Code. The surface area of a projecting graphic shall be deducted from the total allowable graphic surface area for wall graphics for each occupant or building on each zoning lot.

3. Illumination: Projecting graphics may be illuminated.

4. Number: Not more than one projecting graphic for each individual street frontage shall be permitted for each occupant on a zoning lot. Projecting graphics shall count against the number of permitted wall graphics.

5. Mounting: Projecting graphics must be pinned away from the wall at least six inches (6") and must project from the wall at an angle of ninety degrees (90°). Projecting graphics shall not project above the roofline or eighteen feet (18'), whichever is lower.

F. Subdivision Entrance Graphic: There shall be a maximum of one subdivision entrance graphic for each street corner of such major entrance. Subdivision entrance graphics may be a monument graphic or a wall graphic, neither of which shall exceed eighty (80) square feet in surface area, nor ten (10) linear feet in structure height. A subdivision entrance graphic that is a wall graphic shall be attached to or supported by a decorative landscaping wall or fence. The number and surface area of subdivision entrance graphics shall not limit the number or surface area of other allowable signage on a zoning lot.

Subdivision entrance graphics shall be allowed only in the residential or manufacturing zone districts.

G. Temporary Graphic: A temporary graphic may be displayed on a temporary basis on a zoning lot a maximum of four (4) times per calendar year for a period not to exceed fifteen (15) days for each permit. No temporary graphic shall exceed sixteen (16) square feet in surface area or four (4) linear feet in height. Temporary graphics shall be displayed as a banner that is either erected as a ground graphic or affixed or attached to a building in the manner of a wall graphic. The number and surface area of temporary graphics shall not limit the number or surface area of other allowable street graphics on a zoning lot. Temporary graphics shall be allowed only in the Business and Manufacturing Zone Districts

PROGRAM FOR GRAPHICS:

A program for graphics may be established to provide an opportunity for unique signage

that may not conform to all of the provisions of the other sections of this chapter. The Village Board shall have the authority to pass an ordinance granting a program for graphics, subject to the process and provisions of Title 10-14-5 Special Uses. A program for graphics shall be subject to the provisions of this Title and to the provisions of this section.

A. Standards: The granting of a program for graphics shall be contingent on the extent to which affirmative findings are made with respect to each of the following standards:

1. Departure From Requirements: No allowable departure from the requirements of this chapter shall be granted unless it has been found that the requested departures are mitigated through an equivalent and more restrictive application of other regulations of this title or chapter. The standards for special uses listed in section 10-14-5 of this title need not be considered.

2. Site Characteristics: The suitability of the subject property for the program for graphics with respect to its size, shape and any existing improvements.

3. Surrounding Land Use and Zoning: The suitability of the subject property for the program for graphics with respect to consistency and compatibility with surrounding land use and zoning.

4. Architectural Style: Each graphic shall be designed to relate to the architectural style of the main building or buildings upon the site.

5. Relationship To Buildings: Consistent with the architectural style, each graphic shall be designed to incorporate at least one of the predominantly visual horizontal and vertical elements of the main building or buildings on the site, such as the type of construction material, color, or other design details; and any graphic on a building shall have dimensions which are proportional to and visually balanced with the building facade of the side of the building upon which such graphic is located.

6. Relationship To Other Graphics: Each graphic shall be well related to all other graphics on the site by the incorporation of not less than four (4) of the following seven (7) elements:

a. Materials;

b. Letter style of graphic copy;

c. Color;

d. Illumination;

e. Method used for structural support or attachment;

f. Technical details of graphic construction; and

g. Shape of entire graphic and its several components.

B. Allowable Departures: Allowable departures from the other sections of this chapter which may be granted through a program for graphics may include the number of graphics, the location of graphics, graphic area, illumination and motion, or any other graphic characteristic. Allowable departures from the other sections of this chapter which may be granted through a program for graphics shall not include being granted permission for a graphic prohibited this chapter, as amended, or permission for a type of graphic not allowed in the zoning district of the property upon which a graphic is proposed to be erected, placed or maintained.

C. Required Documentation: A program for graphics shall contain the following documentation:

1. Site Plan: A site plan showing the locations of all structures, buildings, parking lots, driveways, landscaped areas, and the location with dimensions of all existing and proposed graphics in relation to structures, buildings, property lines, and rights of way associated with the zoning lot. The site plan shall be drawn at a graphic engineering scale of not less than one inch equals fifty feet (1" = 50').

2. Graphic Sketch: A sketch with dimensions of all existing and proposed graphics referencing their location on the site plan and a list of all graphics specifying type, size and number.

3. Statement Of Purpose And Conformance: A specific written statement addressing the nature of and the reasons for the requested program for graphics and demonstrating conformance to the standards for a program for graphics.

4. Other Required Documents: Applicable fees, forms, and documents for a special use pursuant to section 10-14-5.

D. Findings Required Prior To Approval: The Combined Planning and Zoning Board of Appeals shall recommend the approval or denial of a proposed program for graphics to the Village Board. The Combined Planning and Zoning Board of Appeals recommendation shall be contained within written findings of fact which shall set forth with particularity in what respects the proposal conforms to the standards for a program for graphics.

E. Conditions: The Combined Planning and Zoning Board of Appeals may recommend and the Village Board may require appropriate and reasonable conditions to any approval of a program for graphics including, but not limited to, conditions which alter graphic configurations, reduce the graphic area, relocate graphics upon the lot or buildings, or require other design modifications in order for the program for graphics to comply with the standards set forth in this section.

F. Approval Or Denial Standards: The Village Board's approval or denial of any program for graphics shall be made in accordance with the standards for the program for graphics set forth in this section and any such approval or denial shall state with particularity the reasons for such approval or denial.

G. Conformance To Plans: Subsequent to the approval of a program for graphics, no graphic shall be erected, placed, painted, or maintained, except in conformance to such plan. The program for graphics may be amended, subject to the provisions of this section.

H. Denied: When a proposed program for graphics is not approved by the Village Board, the applicant may establish any street graphic on the zoning lot that is otherwise permitted by this chapter and in accordance with all applicable provisions of this chapter. (Ord. G87-05 § 1, 2005)

PROHIBITED:

The following street graphics shall be prohibited in the Village:

A. Graphics that by color, location, or design resemble or conflict with traffic control graphics or signals.

B. Street graphics attached to fences, power poles, light poles or standards.

C. Portable street graphics, unless approved as a temporary graphic

D. A-frame graphics, except within the Downtown Overlay Zoning District and properties adjacent to.

E. Roof graphics.

F. Off premises graphics.

G. Parking Of Advertising Vehicles Prohibited: No person shall park any vehicle or trailer on a public right of way or public property or on private property so as to be visible from a public right of way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This subsection is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle.

H. Off-Premise Ground Graphics

I. Any graphics that rotate, revolve, or have any visible moving part. Any graphic that gives the appearance of movement or emits an audible sound.

J. Graphics that incorporate Animated or Moving Text or Images.

K. Graphics that move mechanically. Mechanical changeable copy is permitted if the graphic change is no more than once every twenty four (24) hours.

L. Attention getting devices, including searchlights, pennants, banners, spinners, streamers, balloons, inflatable graphics and other similar devices, or ornamentation designed for purposes of attracting attention or promotion, except as otherwise expressly permitted in this chapter.

M. Any structure that constitutes a hazard to public health or safety under the provisions of this code.

N. Painted wall graphics.

O. Pole graphics.

P. Black Lit Cabinets and Awnings.

R. Street graphics erected on the right of way of any public or private street, road or right of way, except street graphics required by federal, state or local law to be erected by a governmental agency.

S. Neon tube lighting or light emitting diode (LED) lighting outlining or illuminating the features of a ground graphic, building, structure, or window.

T. Miscellaneous Signs And Posters: The tacking, pasting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns or sheds, on trees, poles, posts, fences or other structures is prohibited.

U. Temporary Street Graphics not issued by permit.

EXEMPT:

A. The following graphics shall be exempt from the regulations of this chapter and are not required to obtain a permit:

1. Street graphics required by law.

2. A graphic that cannot be viewed from a public or private right of way.

3. Noncommercial street graphics in residential zoning districts. Such street graphics are only permitted on private property in residential zoning districts with principal structures and may be placed only upon the approval of the property owner. Such street graphics shall not exceed six (6) square feet in surface area

and shall not be placed less than five feet (5') from any other privately owned property. Not more than one noncommercial street graphic shall be displayed for each individual zone lot.

4. There shall be a maximum of three (3) non commercial flags maintained on a zoning lot. No flag shall exceed sixty (60) square feet in surface area, or twenty two (22) linear feet in height. Pole structures and installations shall require a permit.

5. A building marker graphic shall be cut into a masonry surface or made of bronze or other permanent material. There shall be a maximum of one building marker for each building on a zoning lot. No building marker shall exceed four (4) square feet.

6. Political campaign signs announcing candidates seeking public office, or public or political issues contained on a ballot and any information pertinent thereto. No political campaign sign shall exceed twenty (20) square feet in surface area, or exceed four feet (4') in height. A political campaign sign displayed more than forty-five (45) days prior to an election or more than seven (7) days subsequent to an election shall be considered a noncommercial street graphic provided for in subsection A3 of this section and shall be subject to the number, surface area, permitting, and location limitations and requirements as provided for in such subsection.

7. Real estate graphics advertising the sale or rental of the land or building on which such sign is located. No real estate graphic shall exceed six (6) square feet in surface area on property that is less than one acre. No real estate graphic shall exceed thirty two (32) square feet in surface area on property that is one acre, but is less than five (5) acres. No real estate graphic shall exceed sixty-four (64) square feet in surface area on property that is five (5) acres or more. Real estate graphic may be displayed while the property is for sale or rent, and for a period that does not exceed one week subsequent to the consummation of the sale or rental of the property. No more than one real estate graphic shall be displayed allowed.

8. Graphics posted on sides of vehicles, either permanently or temporarily. The vehicle shall be licensed, insured and operational and shall be used for the regular operation of the occupant's activity at the premises where the vehicle is located. A vehicle graphic shall not be used principally to display graphics relating to the occupant's activity on the premises in which the vehicle is located nor in an off premise location.

9. Street graphics or official notices owned by a governmental unit and located in a public right of way or publicly owned property.

10. Holiday Decorations: Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday, provided that these signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one year.

B. The number and surface area of any street graphic designated as exempt within this section shall not limit the number or surface area of other allowable street graphics on a zoning lot. Except as otherwise provided in this section, any street graphic designated as exempt within this section shall be allowed in any zoning district. (Ord. G25-08 §§ 5, 6, 2008; Ord. G87-05 § 1, 2005)

VARIANCES:

Variations from the regulations of this chapter may be granted only in conformance to the provisions of Chapter 14 of this title, and only in conformance to the following additional standards.

A. Additional Standards: In addition to the standards provided in 10-14 of this title, the granting of a graphic variation shall be contingent on the extent to which affirmative findings are made with respect to the following standards:

1. Physical Surroundings: The variation should be based on the existence of unique physical surroundings, shape or topographical conditions of the zoning lot involved, which bring a particular hardship on the owner;

2. Reasonable Alternative: The variation should be based on there being no other reasonable alternative, which would conform to the provisions of this chapter; or

3. Design Compatibility: The variation should be based on compatibility with the significant architectural features of the structure or promotion of a theme of motif that related to compatible period architecture.

4. Minimum Setback For Monument Graphics: For monument graphics which exceed the maximum allowable surface area as a result of an authorized variation the minimum setback for such a monument graphic from a public right of way shall be one linear foot for each ten (10) square feet of graphic surface area which exceeds the maximum allowable surface area.

NONCONFORMING STREET GRAPHICS:

A. Change And Modification: A nonconforming street graphic or street graphic structure shall be brought into conformity with this chapter if it is altered, reconstructed, replaced, or relocated. A change in copy is not an alteration or replacement for purposes of this subsection.

B. Maintenance: Nonconforming street graphics must be maintained in good condition in accordance with the provision of the Village Code. Maintenance required by this subsection shall include replacing or repairing of worn or damaged parts of a street graphic or street graphic structure in order to return it to its original state, and is not a change or modification prohibited by subsection A of this section.

C. Removal: Removal of a nonconforming street graphic or replacement of a nonconforming street graphic with a conforming street graphic is required when:

1. A nonconforming street graphic, or a substantial part of a nonconforming street graphic, is blown down, destroyed, or for any reason or by any means taken down, altered, or removed. As used in this subsection, "substantial" means fifty percent (50%) or more of the entire street graphic structure; or

2. The condition of the nonconforming street graphic or nonconforming street graphic structure has deteriorated and the cost of restoration of the street graphic to its condition immediately prior to such deterioration exceeds fifty percent (50%) of the value of the street graphic or street graphic structure prior to its deterioration; or

D. Street Graphic Permit: Any permit issued for a street graphic under this chapter shall require that any nonconforming street graphic displayed on the premises for which the permit is issued shall be modified or removed to conform to the provisions of this chapter.

E. Development Permit: Any development permit that authorizes the development of a premises, any building addition, an increase in gross floor area of twenty five percent (25%) or more, shall require all nonconforming street graphics on the premises for which the development permit is issued to be brought into conformity with the provisions of this chapter.

F. Separation: No street graphic that is nonconforming solely because it violates a requirement for the spacing of ground graphics shall be required to eliminate that nonconformity if compliance with the spacing regulation on the premises is not possible.

D. Loss Of Nonconforming Status: A designated nonconforming street graphic shall immediately lose its nonconforming status if:

1. The existing structure of the designated nonconforming street graphic is altered in any way, including, but not limited to, its height, width, surface area and illumination; or

2. The designated nonconforming street graphic is relocated or repositioned to a location other than that in which was identified; or

3. The designated nonconforming street graphic is replaced. For the purposes of this subsection, replacement shall refer to structural replacement and not change of "copy", panel or lettering; or

E. Designated Nonconforming Street Graphic Maintenance And Repair: Nothing in this section shall relieve the owner of any designated nonconforming street graphic and the owner of the property upon which the designated nonconforming street graphic is located from the provisions of this code regarding safety, maintenance and repair of signs, provided, however, that any repainting, replacement of "copy", panels and/or lettering, cleaning and other normal maintenance or repair of the designated nonconforming street graphic or its structure shall not modify the designated nonconforming street graphic or its structure in any way which is not in compliance with the requirements of this title or the designated nonconforming street graphic will lose its designated nonconforming status and have its registration certificate revoked.

PERMITS:

A. Permit Required: Except for those street graphics that are exempt from this chapter, no person shall erect or display a street graphic unless the Village Administrator or their designee has issued a permit for the street graphic.

B. Application: A person proposing to erect or display a street graphic shall file an application for a permit with the development administrator. The application shall contain the following:

1. The name, address, and telephone number of the graphic contractor and the owner and occupant of the premises where the street graphic is to be erected or displayed; the date on which it is to be erected or displayed; the zoning district and the area of special restrictions, if any, in which it is located; and any variance that has been approved.

2. A drawing to scale that shows:

a. All existing street graphics displayed on the premises;

b. The location, height, and size of any proposed street graphics including property boundaries and any easement that may over the property.

3. This information is not required if a program for graphics has been approved for the premises or occupancy on which the street graphic will be erected or displayed if the approved program for graphics is attached to the application.

4. Specifications for the construction or display of the street graphic and for its illumination, if any, are to be provided and shall be consistent with the provisions of this title and the Building Code.

C. Review And Time Limits: The graphic administrator shall promptly review the application upon the receipt of a completed permit application. The graphic administrator shall notify the applicant of the receipt of all application material and of any deficiencies in the application. The graphic administrator shall grant or deny the permit application within twenty (20) days from the date the completed application and permit fee was filed with the Village. If the administrator fails to grant or deny the permit application within the prescribed time period, the permit application shall be deemed denied.

D. Approval Or Denial: The administrator shall approve a permit for the street graphic if it complies with the building, electrical or other adopted codes of the Village and with:

1. The regulations for street graphics contained in this chapter and any variance that has been granted from these regulations, and

2. Any special regulations that have been adopted for an area of special character, and

3. Any program for graphics that has been approved under this chapter. If the administrator does not approve a permit for the street graphic, the administrator shall state the reasons for the denial in writing, and shall mail a certified copy of the reasons for denial to the address of the applicant stated on the application.

E. Appeals: Any applicant who is denied a permit for the display of a street graphic may file a written appeal to the Planning and Zoning Board within ten (10) days after receipt of the written copy of the denial. If the Building Official or Community Development Director fails to grant or deny the permit application within twenty (20) days from the date of the completed application and permit fee was filed and the permit application is therefore deemed denied pursuant to subsection C of this section, any applicant who is denied a permit under such circumstances may file a written appeal to the Planning and Zoning Board within thirty (30) days from the date the completed permit application and permit fee was filed with the Village. The Planning and Zoning Board shall grant or deny the appeal within thirty (30) days from the date the appeal was received by the Planning and Zoning Board. The Planning and Zoning Board's decision to grant or deny an appeal shall be made in accordance with the criteria set forth in subsection D of this section. If the Planning and Zoning Board fails to grant or deny an appeal within thirty (30) days from the date the appeal was received, the appeal shall be deemed denied.

F. Fees: The fees for permit applications are as set forth in Title 13 of the Village Code.

VIOLATION AND ENFORCEMENT:

Any person violating any of the provisions or failing to comply with any of the requirements of this chapter, including, but not limited to, any ordinance provisions providing for a program for graphics or any ordinance provisions providing special

regulations for street graphics, shall be guilty of an offense. The Village Administrator or their authorized representative are directed to enforce all of the provisions of this chapter.

REMOVAL OF UNLAWFUL OR DANGEROUS SIGNS:

A. Required Removal:

1. The administrator shall cause to be removed any sign that endangers the public safety such as an abandoned, dangerous or materially, electrically or structurally defective sign, or a sign for which no permit has been issued. The administrator shall prepare a notice which shall describe the sign and specify the violation involved, and which shall state that if the sign is not removed or the violation is not corrected within ten (10) days the sign shall be removed.

2. All notices mailed by the administrator shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail.

3. For all other signs, the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If the owner is known, the notice shall be mailed to or delivered to the owner of the sign and the occupant of the property. Any person having an interest in the sign or the property may appeal the determination of the administrator ordering removal or compliance by filing a written notice of appeal with the zoning board of appeals within ten (10) days after the date of mailing the notice, or ten (10) days after receipt of the notice if the notice was not mailed.

4. In cases of emergency, the administrator may cause the immediate removal of a dangerous or defective sign without notice.

B. Disposal Of Signs; Fees:

1. Any sign removed by the administrator pursuant to the provisions of this section shall become the property of the village and may be disposed of in any manner deemed appropriate by the village. The cost of removal of the sign by the village shall be considered a debt owed to the village by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the village or by assessment against the property as hereinafter provided. The cost of removal shall include any and all incidental expenses incurred by the village in connection with the sign's removal.

2. When it is determined by the administrator that the sign would cause an imminent danger to the public safety, and contact cannot be made with a sign owner or building owner, no written notice shall have to be served. In this emergency situation, the

administrator may correct the danger, all costs being assessed as contained in the following subsections:

a. The notice given by the administrator shall state not only the remedial action required to be taken, but shall also state that if action is not taken within the time limits set forth in this sign code, the cost of correcting the unlawful feature of the sign may be assessed against the property on which the sign is located, together with the additional five percent (5%) for inspection and incidental costs and an additional ten percent (10%) penalty for the cost of collection, and collected in the same manner as real estate taxes against the property.

b. In the event that the owner of the premises, or person entitled to the possession, or the owner of the sign shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate or demolish the sign declared to be unlawful, the owner of the sign, the owner of the premises on which the sign is located, and the person entitled to possession (if other than the owner of the premises), or all or any of them, may be prosecuted for violation of this sign code. The administrator may remove the sign declared to be unlawful.

c. If it is necessary for the administrator to remove a sign pursuant to these provisions, bids shall be taken when the estimated costs of demolition exceed five hundred dollars ($500.00). When completed, the administrator shall certify to the village clerk the legal description of the property on which the work was done, together with the name of the owner, as shown by the tax rolls of the related municipal area, together with a statement of work performed, the date of performance and the cost thereof.

d. Upon receipt of the statement, the village clerk shall mail a notice to the owner of the premises as shown by the tax roll, at the address shown on the tax rolls, by certified mail, postage prepaid, notifying the owner that the work has been performed pursuant to this sign code, stating the date of performance of the work, the nature of the work and demanding payments of the cost (as certified by the administrator), together with five percent (5%) for the inspection and the other incidental costs. The notice shall state that if the amount is not paid within thirty (30) days of mailing the notice, it shall become an assessment upon a lien against the property of the owner, describing it, and will be certified as an assessment against the property, together with a ten percent (10%) penalty for collection in the same manner as the real estate taxes upon the property.

e. If the village clerk does not receive payment within thirty (30) days following the mailing of the notice, he shall inform the village board of trustees of the fact. The village board shall enact a resolution assessing the whole cost of the work, including five percent (5%) for inspection and other incidental costs on the lots and tracts of land from which the sign has been removed, together with a ten percent (10%) penalty for the cost of collection.

f. Following passage of the resolution on the third reading, the village clerk shall certify the resolution to the village treasurer, who shall collect the assessment, including the ten

percent (10%) penalty of cost for collection, in the same manner as other taxes are collected.

g. Each assessment shall be a lien against each lot or tract of land assessed, until paid, and shall have priority over all other liens except general taxes and prior special assessments.

h. For all purposes hereinafter, the owner of the premises shall be presumed to be the owner of all signs thereon, unless the contrary shall appear from facts brought to the attention of the administrator.

3. If the costs are to be assessed against the property, a hearing to confirm the cost shall be held before the village board of trustees. At the hearing the owner of the property or other interested persons may appear and object to the proposed assessment. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing to the property owner by mailing a notice of the hearing to the address of the property owner as shown on the last equalized assessment roll.

9-2-16: CIVIL REMEDIES; PENALTY:

The violation of or failure to comply with any of the provisions of this sign code, or the erection, use or display of any sign not in compliance with all of the provisions of this sign code, shall be unlawful.

Any person who violates or fails to comply with any of the provisions of this sign code or the erector, owner or user of an unlawful sign, or the owner of property on which an unlawful sign is located, shall be subject to a fine as provided in the general penalty in section 1-3-1 of this code for each week or portion thereof that the use or display of the unlawful sign has continued. However, the owner of property on which an unlawful sign is located, who is not also the owner or user of the unlawful sign, shall be subject to the penalty only if demand for removal or alteration of the unlawful sign shall have been mailed by registered mail, return receipt requested, to the owner, and the demand has remained uncomplied with for more than thirty (30) days.

SEVERABILITY:

The invalidation of any section, subsection, clause, or phrase of this chapter by any court of competent jurisdiction shall not affect the validity of the remaining portions of this chapter.