



Lawrence M. Hanson, Mayor
Lori K. Romine, Village Clerk

TO: Village President, Board of Trustees and Candidates
FROM: Michael S. Garrigan, AICP, CNU-A, Community Development Director
DATE: February 1, 2017
SUBJECT: Political Signage

Background

Staff is taking this opportunity to highlight the Village's current ordinance that regulates political signage along with current state and federal law as it relates to the regulation of political signs. Currently, Village ordinance regulates political signage as follows:

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

A3. Noncommercial street graphics in residential zoning districts. Such street graphics are only permitted on private property in residential zoning districts with the principal structures 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 in place less than five (5) feet from any privately owned property. Not more than one noncommercial street graphic shall be displayed for each individual zone lot.

In addition, all political signs should be kept out of public right of way and should not be placed in any manner that blocks visibility of traffic.

In addition, please find the general political sign regulations that are allowed by state law and federal case law. Based on Staff's review of our current ordinance, it appears that our current ordinance is consistent with the following federal and state parameters:

POLITICAL SIGN RULES AND REGULATIONS **Effective September 2016**

Political signs are regulated by local ordinance (§ 158.04) and a state law (65 ILCS 5/11-13-1). The Village Staff has taken into consideration a recent US Supreme Court case (*Reed vs. Gilbert*) that has some application to this issue. The chart below is intended to summarize what the state and federal rules are in an easy to understand

way. These will be enforced by Village Staff in an evenhanded manner, without favoring anyone running for office.

Because of the interplay of the various laws, there are separate rules for residential areas and commercial properties. Staff will look to the actual use of the property rather than its technical zoning to determine if a property is residential or commercial. i.e. if there's a house that has residents living in it on a lot, then it will be treated as residential. On the other hand, if there's a house that has businesses running in it, it will be treated as commercial.

STATE & FEDERAL GUIDELINES	
RESIDENTIAL	COMMERCIAL
There are no restrictions on when signs may be put up.	Signs may only be put up 30 days prior to early voting and must be taken down no later than 7 days following election day.
Sizes are limited to 16 square feet if single sided, and 32 square feet if double sided	Sizes are limited to 16 square feet if single sided, and 32 square feet if double sided
Signs may be erected in any location other than in the Village's road right of way or in a place which blocks line of sight for motorists.	Signs may not reach higher than 6 feet above grade, may not block line of sight for motorists and must not be placed in the Village's road right of way.

Early voting for the consolidated municipal election of April 4, 2017 starts on March 20, 2017, so signs may be posted on commercial property starting on February 3, 2017 (45 days from the start of early voting).

Non-compliant signs that Staff notices will be pulled and removed unless the property owner agrees to move them or take other steps necessary to bring them into compliance.