

CHAPTER 10
SIGN REGULATIONS

4-10-1	Definitions
4-10-2	Exempt Signs
4-10-3	Prohibited Signs
4-10-4	Permitted Signs in Residential Zoning Districts and Uses
4-10-5	Permitted Signs in Business Zoning Districts and Uses
4-10-6	Permitted Signs in Industrial Zoning Districts and Uses
4-10-7	Permitted Signs in Municipal Zoning Districts and Uses
4-10-8	Signs on Marquees, Canopies, and Awnings
4-10-9	Ground Signs
4-10-10	Wall Signs
4-10-11	Portable and Movable Signs
4-10-12	Political Signs
4-10-13	Approval Required
4-10-14	Waivers
4-10-15	Obsolete Signs
4-10-16	Unsafe Signs
4-10-17	Removal by Village
4-10-18	Non-conforming Signs
4-10-19	Confiscated Signs
4-10-20	Notice
4-10-21	Violation/Penalties
4-10-1	DEFINITIONS

In addition to the definitions found in Title 1, Chapter 3, of this Code, the terms used in this Chapter 10, whether capitalized or not, shall have the following meanings:

AWNING: A roof-like covering, projecting from a wall of a building and not supported by the ground, which is located over a window or door to provide protection against sun, rain, wind and similar elements.

BILLBOARD: See sign, off-site.

BUILDING INSPECTOR: The Village Building Inspector/Code Enforcement Official and/or his or her duly authorized agent(s).

CANOPY or MARQUEE: A sign painted on or directly attached to a canopy or marquee.

FREE-STANDING SIGN: Any permanent sign not attached to a building; primarily ground signs, pole signs and pylon signs.

GARAGE/YARD SALE SIGN: 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.

GROUND SIGN: 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 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.

NON-CONFORMING SIGN: Any existing sign which does not conform to all the standards and regulations of this Chapter 10.

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

OFF-PREMISE SIGN: An outdoor sign, or portion thereof, which advertises and/or identifies goods, services or facilities which are not available on the premises where the sign is located.

OFF-SITE SIGN: Any general outdoor advertising sign, which 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 which directs persons to a location different from where the sign is installed. The term billboard shall be included in this definition.

POLE: A post, pole, brace, standard or other upright member, usually made of metal, used singly or in combination to structurally support a free-standing 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.

POLITICAL SIGN: 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.

PORTABLE SIGN: Any sign designed to be moved from place to place which is not securely attached to the ground or any other structure, such as a sign mounted on a trailer or on a frame with wheels attached. Any such sign which has had any features removed (such as wheels, frame hitch or other devices that enable it to be moved) in order to attach it to the ground or any other structure shall still be deemed to be a portable sign. Such signs may also be known as movable signs. Although portable signs often share features of changeable copy signs, for the purposes of this Chapter 10, this definition of portable sign shall govern.

PROJECTING SIGN: 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, which projects outward 18 inches or more from the face of the wall.

PYLON: A column used singly or in combination to structurally support a free-standing sign that is substantially wider than a pole, and which 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.

SIGN: 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 which 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, which 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 or other fastening, attaching, affixing 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, AREA OF: The entire area of a sign within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of same. Such perimeter shall not, however, include any structural or framing elements lying outside the limits of said such sign and not forming an integral part of the display.

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

SIGN, FLASHING: A sign which contains an intermittent or light source, or which gives an illusion of intermittent or flashing light by means of animation, or an externally-mounted flashing light source.

VENDING MACHINE SIGN: Any permanent, non-flashing sign or signage on vending machines, gasoline pumps, ice containers, automatic teller machines and other similar machines.

WALL SIGN: Any sign which is attached directly to the building wall and which does not extend more than eight 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.

4-10-2 EXEMPT SIGNS

The following types of signs are exempt from the provisions of this Chapter 10 except as herein noted, and may be erected in any zoning district without a Village sign permit.

1. Governmental traffic control signs and directional signs: These signs may be located within a dedicated public right-of-way or easement, or upon a utility pole.
2. Land use regulatory signs: These signs may not exceed two square feet in area and may include, but are not limited to, “No Trespassing” signs and “No Hunting” signs.
3. On premise directional signs pertaining to non-residential activities: These signs may not exceed two square feet in area and may include, but are not limited to, “Enter” signs, “Exit” signs, “Employees Only” signs and hours of operations signs.
4. Residential garage/yard sale signs not exceeding two square feet per face.
5. Window signs: These signs shall be located on the interior side of a window and shall occupy no more than 50 percent of the area of said window.
6. Temporary real estate signs: Such a sign shall not extend beyond the boundary of the property on which it is located and shall not exceed 16 square feet in area in a residential zoning district and 32 square feet in area in a non-residential zoning district. Such signs shall not project higher than seven feet above the centerline grade of the nearest abutting street and shall not be located within 10 feet of any other zoning lot. No more than one real estate sign shall be permitted on a lot or parcel within 200 feet of a similar sign on the same lot or parcel, except that on a corner lot or parcel, a separate sign may be installed toward each street on which said lot or parcel fronts.
7. Flags and emblems: The display of a national, state, or local flag or emblem of a governmental, political, civic, educational, religious or corporate organization are exempt, provided they are not displayed on public right-of-way unless approved by the Board of Trustees.
8. Historical signs: Historical references, including plaques, markers or tablets displayed on private or public property for the purpose of identifying the name of a building, date of construction, a historic event and other commemorative information. A historical reference shall not exceed 12 square feet in area.
9. Single family and two-family residential identification signs: One ground or wall sign of this type is allowed per single family or two-family residence, provided the lettering and numbering does not exceed more than four inches in height and the sign does not exceed one square foot in area.
10. Address identification signs (numerals only): Numerals used to identify the street address of the premise, provided they do not exceed a height of six inches and are clearly visible from a public street right-of-way for purposes of identification by public and emergency service agencies.
11. Vending machine signs and gasoline pump signs.

12. Signs located within a site: Signs not visible from a publicly dedicated street or alley right-of-way, public park, school, playground or residentially used land.
13. Directional signs pertaining to non-residential activities: Directional signs which identify essential services or areas of a premise, including but not limited to Office, Receiving, Parking, etc. Such signs shall be incidental to the principal signage on a site and shall not exceed 10 square feet in area.
14. Political signs as provided in Section 4-10-12.
15. Permitted signs which are removed for purposes of maintenance, restoration and/or repair shall not be required to receive a sign permit in order to be reinstalled.

4-10-3 PROHIBITED SIGNS

The use of the following signs, unless otherwise specified and allowed within this Chapter 10 or as specifically approved by the Board of Trustees, are prohibited and, when located within a public right-of-way, may be removed by Village personnel.

1. Off-premise signs.
2. Signs which revolve, rotate, move or give the appearance of movement while being displayed.
3. Signs attached to trees, utility poles or located within and/or over a public right-of-way, except as otherwise provided within this Chapter 10.
4. Roof signs.
5. Flashing signs.
6. Attention getting devices including, but not limited to, search lights, propellers, streamers, pennants, balloons and inflatable animals and cartoon characters.
7. Signs which imitate or otherwise resemble an official traffic control sign or signal, or which bear the words "Stop," "Slow Down," "Caution," "Warning" or similar words and are displayed in the color and manner normally associated with traffic control signs.
8. Signs which are attached to a motor vehicle or piece of equipment that are not operational and in working order.
9. Off-site signs (billboards).
10. Any pole signs.

11. Combination sign involving both a pole and structure.

4-10-4 SIGNS IN RESIDENTIAL ZONING DISTRICTS AND USES

A home based business or professional office located in a residential zoning district may have one identification sign. Said sign shall have a maximum area of two square feet, shall be mounted flat against the exterior wall of the primary residence or accessory building, and shall not be illuminated.

4-10-5 SIGNS IN BUSINESS ZONING DISTRICTS AND USES

In any business zoning district and for any business use, business signs are allowed subject to the following:

1. The gross area in square feet for all permanent signs on a business zoning lot shall not exceed 1½ times the lineal feet of frontage of such zoning lot and in no instance shall exceed 200 square feet.
2. Signs shall not be situated so as to obstruct driveway access to a zoning lot.
3. Signs shall not be situated so as to obstruct access to or visibility of fire hydrants, water valves, buffalo boxes, sanitary sewer manholes, storm sewer manholes and inlets, culverts or other public utility and infrastructure improvements.
4. Signs may have a maximum height of 20 feet above the centerline grade of the abutting street. In no case shall a sign project over or above the roof line of the principal building on the zoning lot.
5. Signs shall be oriented toward the principal street abutting the zoning lot and, in the case of a corner lot, on that portion of the side street within 50 feet of the principal street.
6. Signs permitted in residential zoning districts are allowed.
7. Residential uses located in a business zoning district shall comply with Section 4-10-4.
8. Subject to and contingent upon Village Board approval, as set forth below, each building within the business zoning may also have one sign advertising a business located within such building, with dimensions not exceeding four feet in length and four feet in width, which is affixed to the front of the building and extends from the front of such building in a perpendicular manner, and which must be 11 feet above the grade of the ground surface in front of the building. Such sign may be located above a sidewalk but not above a private or public roadway or alleyway. Such sign must include a decorative wrought iron mounting across the top.

Each applicant for a sign meeting the criteria set forth above shall submit a drawing of such sign, setting forth its coloring, design and dimensions, to the Village Clerk requesting approval of same. The applicant shall only be permitted to install such sign after the Village Board approves the plan for such sign. Such sign must thereafter conform to the plan approved by the Village Board for such sign. There shall be an annual inspection of the anchoring and bracket of each sign approved by the Village Board.

4-10-6 SIGNS IN INDUSTRIAL ZONING DISTRICTS AND USES

In any industrial zoning district and for any industrial use, industrial signs are allowed subject to the following:

1. The gross area in square feet for all permanent signs on an industrial zoning lot shall not exceed two times the lineal feet of frontage of such zoning lot and in no instance shall exceed 200 square feet.
2. Signs shall not be situated so as to obstruct driveway access to a zoning lot or to hinder and/or obstruct access to delivery areas and loading docks.
3. Signs shall not be situated so as to obstruct access to or visibility of fire hydrants, water valves, buffalo boxes, sanitary sewer manholes, storm sewer manholes and inlets, culverts or other public utility and infrastructure improvements.
4. Signs may have a maximum height of 20 feet above the centerline grade of the abutting street. In no case shall a sign project over or above the roof line of the principal building on the zoning lot.
5. Signs shall be oriented toward the principal street abutting the zoning lot and, in the case of a corner lot, on that portion of the side street within 50 feet of the principal street.
6. Signs permitted in a business zoning district are allowed.
7. Business uses located in an industrial zoning district shall comply with the provisions of Section 4-10-5.

4-10-7 SIGNS IN MUNICIPAL ZONING DISTRICTS AND USES

In any municipal zoning district and for any institutional or municipal use, such signs are allowed subject to the following:

1. Signs shall comply with the same standards set forth in this Chapter 10 for signs in a business district.
2. A sign consisting of a church bulletin board shall have a maximum area of 10 square feet, shall not project higher than seven feet above the centerline grade of the nearest abutting street and shall not be located within 10 feet of any other zoning lot.

4-10-8 SIGNS ON MARQUEES, CANOPIES AND AWNINGS

Restrictions imposed by this Chapter 10 on the projection of signs into public right-of-way shall not apply, except in residential districts, to signs located on marquees, awnings or canopies, with the provision that (a) any sign located on a marquee, awning or canopy shall be affixed flat to the surface thereof and (b) no such sign shall extend vertically or horizontally beyond the limits of said marquee or canopy. A sign affixed to an awning may not be illuminated and shall only indicate the name and address of the establishment(s) on the premises.

4-10-9 GROUND SIGNS

- A. A ground sign shall be set back a minimum distance of 10 feet from any public right-of-way or abutting property line.
- B. A ground sign is allowed in business, industrial and municipal zoning districts.
- C. Only one permanent ground sign shall be allowed on a zoning lot, except in the case of a corner lot, where a second ground sign may be allowed on that portion of the lot abutting the side street.
- D. Ground signs shall be securely anchored and/or affixed to the ground.

4-10-10 WALL SIGNS

- A. A wall sign shall be affixed to the front or side facade of a building.
- B. Wall signs are allowed in business, industrial and municipal zoning districts.
- C. A wall sign shall not obstruct windows, doors or other means of ingress and/or egress provided for a building.
- D. Where a multi-story building has residential dwelling units above the first floor, a wall sign may not extend beyond the height of the first floor.

4-10-11 PORTABLE AND MOVABLE SIGNS

- A. No portable or movable sign shall be allowed in any residential district unless otherwise specified and allowed within this Chapter 10. No portable or movable sign shall be allowed in any other zoning district, except a portable sign may be erected for up to 30 days in a single calendar year, subject to the review and approval of the Board of Trustees. Said approval may be extended for up to one additional 30-day time period.
- B. An approved portable sign shall be located on the private property of the applicant and no applicant shall be allowed more than one extension within a single calendar year.

4-10-12 POLITICAL SIGNS

Notwithstanding the provisions of this Chapter 10, the following regulations shall apply to political signs:

1. Signs displaying campaign advertising shall be allowed in any zoning district and a sign permit is not required.
2. Such signs shall not exceed 16 square feet in area per side and shall be located on private property. Such signs shall not be located on public street right-of-way or within 20 feet of the intersection of a public street right-of-way.
3. Signs displaying campaign advertising may be displayed up to 45 days prior to a national, state or local election, and shall be removed from the premises within five days following the date of the election.

4-10-13 APPROVAL REQUIRED

- A. Before a sign permit is issued an application for such sign permit shall be submitted to the Building Inspector for review and approval along with a permit fee of \$25.00 per sign. A sign permit shall be issued provided the proposed sign, in the opinion of the Building Inspector, complies with the provisions of this Chapter 10.
- B. Application for a sign permit shall be accompanied by a sketch of the sign with proposed dimensions, including but not limited to the sign's height and width and its height above grade, the frontage of the property where the sign will be located, and any other pertinent information required by the Building Inspector.
- C. If the erection of a sign requires electricity, plumbing, concrete or similar facilities, an appropriate building permit shall be obtained from the Building Inspector.

4-10-14 WAIVERS; APPEALS

Any request for a waiver or waivers of the provisions of this Chapter 10 shall be submitted to the Building Inspector.

Appeals from any ruling of the Building Inspector regarding the enforcement of this Chapter 10, shall be made pursuant to Section 5A-13-5 of this Code.

4-10-15 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 15 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 15 working days of being abandoned, the Building Inspector shall have the sign removed in accordance with Section 4-10-17 herein.

4-10-16 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.

4-10-17 REMOVAL BY VILLAGE

- A. 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 Inspector 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; and said expense, including reasonable attorneys fees, if any, shall be a lien upon such premises until paid.
- B. Notwithstanding the foregoing provision, the Building Inspector 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 Inspector determines that such sign is an immediate peril to persons or property.
- C. The Building Inspector 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.

4-10-18 NON-CONFORMING SIGNS

- A. Non-Conforming Signs: Any sign 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 continue in operation and maintained subject to the following requirements:
 - 1. The owner or beneficial user shall maintain such sign in good condition and repair;
 - 2. Such sign shall not be changed or altered in any manner, including face changes (e.g. 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;

3. Such sign shall not be continued in use after change of occupancy of the business, owner or activity to which the sign pertains;
 4. Such sign shall be removed no later than May 1, 2009, or removed, altered or relocated by such time so as to render it in conformance with the requirements of this Chapter 10.
- B. Any violation of any of the provisions of this Chapter 10 at any time shall immediately terminate the right to maintain the existence of a legal non-conforming sign.
 - C. If any 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 non-conforming sign is less than 50 percent of its replacement cost, the sign may be rebuilt to its original condition and may continue to be displayed until May 1, 2009. 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.
 - D. Normal maintenance of non-conforming signs, necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming features of the sign, shall be permitted until May 1, 2009.
 - E. Non-conforming signs that are permanent signs which are within 10 percent of compliance of any height, surface area or location requirements, and which otherwise conform to all other provisions of this Chapter 10, shall be deemed to be conforming for the purposes of these regulations and are therefore exempt from the requirements of Section 4-10-18 without further review.
 - F. Any non-conforming sign that has not been removed, altered or relocated by May 1, 2009, shall be subject to removal by the Village or to prosecution by the Village in an applicable court of jurisdiction to achieve its removal.

4-10-19 CONFISCATED SIGNS

Any signs in violation of any provision of this Chapter 10 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 of \$25.00 per sign, 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 five working days, after which time it may be discarded.

4-10-20 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 10.

4-10-21 VIOLATION/PENALTIES

Any person, firm or corporation who violates any provision of this Chapter 10 shall be guilty of a petty offense punishable by a fine of not less than \$50.00 nor more than \$500.00 and be responsible for the Village's cost of prosecution, including reasonable attorney fees. Each day that a violation continues shall be considered a separate offense.