

ORDINANCE NO. 356

An Ordinance Establishing the Village of Prairie Grove Sign Regulations

WHEREAS, the Village of Prairie Grove, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village’s home rule powers and functions as granted in the Constitution of the State of Illinois.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Prairie Grove, McHenry County, Illinois, as follows:

SECTION 1: That ordinances numbers 175, 177 and 355 are hereby repealed in their entirety.

SECTION 2: That the Prairie Grove Sign Regulations, attached hereto and made a part hereof, is hereby adopted.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

ADOPTED this 7th day of October, 2004, pursuant to a roll call vote as follows:

Trustee W. Randal Baudin II	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Bill Behm	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Trustee Terrance Hyten	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Trustee Dennis Kostrzewski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Barrington Lawrence	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee David Miloch	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

APPROVED this 7th day of October, 2004.

By: _____
Village President Susan M. Friedman

(SEAL)

ATTEST: _____
Village Clerk Linda Davies

pjh:PrarieGrove.ord\SignCodeOct04.356

PRAIRIE GROVE SIGN REGULATIONS
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PRAIRIE GROVE SIGN REGULATIONS

I. AUTHORITY AND PURPOSE

A. Authority: The Village of Prairie Grove, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois.

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

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

- (1) Regulating signs in such a way that supports and complements land use objectives set forth in the Comprehensive Land Use Plan and the 2004 Village of Prairie Grove Zoning Ordinance, as amended, for residential, commercial and industrial development; and
- (2) Ensuring all signs within the Village are compatible with existing land uses and buildings within the general vicinity of the sign and the community as a whole, with regard to size, location, color, construction, materials and manner of display; and
- (3) Permitting such signs that do not confuse, mislead, obstruct the vision necessary for traffic safety, or otherwise endanger the public health, safety, morals or general welfare of the Village; and

- (4) Maintaining property values by eliminating signs that are incompatible with the surrounding land uses; and
- (5) Encouraging a viable economic environment through uniform control of signs; and
- (6) Facilitating effective communication between the public and the environment through signs that are appropriate for the type of street and site upon which they are located; and
- (7) Encouraging quality sign design to promote a better visual environment; and
- (8) Enhancing the physical appearance of the Village through a program which ensures the removal of inadequately maintained, illegal and non-conforming signs within a reasonable time frame.

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

E. Off-Site: It is the intent of this Ordinance to prohibit all off-site advertising of any kind whatsoever.

II. DEFINITIONS

The following words, terms and phrases used in this Ordinance are defined as follows:

Abandoned sign: A sign which no longer correctly directs or identifies a bonafide business, lessor, owner or activity conducted on the premises where the sign is displayed.

Address Sign: A sign which identifies the numerical address of a residence, business, manufacturing or institutional building.

Advertising: Any information which identifies, describes or promotes a product or service, except the name of an activity and a generic description of the activity are not considered to be “advertising” for the purposes of this Ordinance.

Awning: A temporary shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

Awning sign: A type of sign painted on or attached directly to an awning.

Background area: The entire area of a sign on which copy could be placed, as opposed to the copy area when referred to in connection with wall signs.

Banner: A sign made of paper, plastic or fabric of any kind which is intended to be hung either with or without a frame, with or without applied characters, letters, illustrations or ornamentations, excluding national, state or governmental flags.

Beacon: A stationary or revolving light, also known as a “searchlight,” which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention. This term is not intended, however, to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Billboard: Any structure or portion thereof upon which are signs or advertisements used as an outdoor display. This definition does not include any bulletin boards used to display official court or public office notices, or signs advertising the sale or lease of the premises on which the sign is located.

Board of Trustees: The corporate authorities of the Village.

Business identification window sign: A sign which identifies the formal name of the establishment and/or its logo and is painted on, affixed to or suspended behind a window or glass surface of a door and is visible from a public street.

Canopy: A structure other than an awning made of cloth, metal or other materials with frames affixed to a building and carried by a frame which is supported by the ground.

Canopy sign: A type of sign painted on or attached directly to a canopy.

Changeable copy: Letters, numerals or other graphics which are not permanently affixed to a structure and/or set for permanent display, and are intended to be alterable through manual or electronic means.

Changeable copy sign: Any permanent sign that is predominantly or entirely designed or used in such a manner that characters, letters or symbols can be manually changed or re-arranged without altering the surface of the sign.

Construction sign: Any temporary sign which advertises a new development or new subdivision within the corporate limits of the Village that has received approval to begin construction or is under active construction.

Corner lot: A lot abutting upon 2 or more streets at the intersection or junction.

Decorations: Ornaments or trimmings displayed in connection with a nationally recognized holiday or a local festivity or event.

Dimensional sign: A type of wall sign which consists of three-dimensional letter forms which are applied directly to a building.

Directional sign: A wall, ground or window sign which exists for the purpose of identifying or directing vehicular and/or pedestrian traffic to essential service areas, e.g. loading docks, service entrances, offices, etc.

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

Establishment: Any structure with substantial walls and a roof affixed to the land entirely separated from any other structure by a wall or property line.

Event sign: A sign used to announce a fund-raising drive or other fund-raising event of a civic, philanthropic, educational or religious organization.

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

Flashing light: Lighting which alternatively is illuminated and not illuminated or which otherwise varies in intensity in such a way as to not provide a constant source of light.

Flashing sign: Any sign 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 intermittent light source. Automatic changing signs, such as the public service time, temperature and date signs, or electronically controlled message centers, shall be classified as changeable copy signs, not flashing signs.

Free-standing sign: Any permanent sign supported by structures or supports that is placed on, or anchored in, the ground, and is independent from any building or other structure.

Frontage: The length of a lot line or a building site along a street or other public way.

Garage/yard sale sign: A sign used in residential zoning districts which announces the undertaking of a permitted yard or garage sale.

Grade: The surface elevation or level of a street, sidewalk or ground.

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

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

Ground sign: A sign which is erected on 1 or more free-standing frames and which is not attached to any building. Ground signs are also commonly known as monument signs.

Height of a sign: The vertical distance from grade to the highest point of a sign.

Illegally non-conforming: An unlawful sign which had been constructed or installed prior to the effective date of this Ordinance.

Illuminated sign: Any sign which is lit by artificial (usually electric) lighting or luminous devices, whether by lights or devices on or within the sign or directed toward the sign, including such chemical or physical properties which cause or effect a reflection. This definition shall include exterior strings of lights or exposed light bulbs.

Indirect illumination: A light source which is not directly seen.

Inflatable sign: Any sign or inflatable device of more than 2 cubic feet in capacity designed to be filled with air or gas lighter than air, used singly or in clusters, displayed to attract the attention of the public. This definition shall include balloons and balloon signs.

Institution: A building housing an organization having a social, educational or religious purpose, such as a school, church, hospital, etc.

Intermittent lighting: A type of flashing lighting in which the period of change in the illumination is sufficient duration to permit a distinct message to be conveyed during each cycle.

Internal illumination: A light source is contained within the sign and is visible only through a translucent surface, or is otherwise recessed into the sign structure using concealed fixtures so that no reflectors, extension arms, floodlights, light bulbs or fixtures are visible from direct view. Illumination of a sign which is effected by a source of light which is contained within the sign itself.

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

Land use regulatory sign: A sign used to regulate the use of the property.

Legally non-conforming sign: A sign which does not comply with some or all of the regulations contained in this Ordinance, but which had been lawfully installed as of the effective date of this Ordinance.

Limiting architectural feature: A significant architectural element of a building or structure which by its existence reduces the area of the building or structure face which is suitable for signage.

Logo: A mark or symbol created for an individual, company or product that translates the impression of the body it is representing into a graphic image.

Mansard: A roof-like sloping surface which is applied to or above the face of a building.

Marquee: Any hood or similar structure of a building which projects from the wall of a building and is not supported by the ground or sidewalk.

Marquee sign: A sign which is painted on or directly attached to a marquee.

Menuboard sign: A permanent sign which is utilized only for those establishments in which services are specifically provided for drive-up/drive-through services.

Message center sign: A type of changeable copy sign which conveys periodically-changing information of either a private or public nature.

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

Name plate sign: A sign which identifies the occupant and address of a building or dwelling unit.

Neon tube sign: A sign which is illuminated by a light source which consists of a neon or other gas-filled tube which is bent to form letters, symbols or other shapes.

Non-conforming sign: A sign which does not comply with 1 or more of the regulations established in this Ordinance.

Not-for-profit: A corporation organized under the Not-for-Profits Corporation Act of the State of Illinois.

Obscene: Statements, words, suggestions or pictures of an indecent or immoral character, such as will offend public morals or decency.

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: A sign which identifies goods, services or facilities which are not available on the premises where the sign is located.

Parapet: That portion of the wall of a building that rises above the roof level.

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 a series, designed to move in the wind.

Political campaign sign: A sign which announces a candidate as seeking public political office and/or which conveys political issues and other data pertinent thereto.

Pole sign: Any free-standing sign supported by 1 or more poles, which pole(s) extend(s) from the ground or from an object on or in the ground.

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 Ordinance, this definition of portable sign shall govern.

Posters: A type of sign which is made of cardboard or similar material and which conveys a message.

Premise: A lot or parcel and the buildings, structures and/or establishments which are located on that lot or parcel.

Projecting sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than 6 inches beyond the surface of such building or wall.

Property line: The lot line, as defined in the Zoning Ordinance of the Village of Prairie Grove.

Public Entrance: An entrance to an establishment which is provided primarily for use by the patrons or customers of the establishment and not for delivery purposes.

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

Real estate sign: A temporary sign which identifies a parcel or building as being available for sale, lease, sublease or rental of real property. A residential real estate sign shall specifically mean a real estate sign used for property located in a residential zoning district. A commercial real estate sign shall specifically mean a real estate sign used for property located in non-residential zoning districts.

Roof sign: Any sign erected, constructed and maintained entirely or partially upon or over the roof of any building, with the principal support on the roof. Any sign attached to a mansard roof shall be deemed to be a wall sign.

Setback: The minimum distance between the property line and any portion of a building or sign.

Shopping center: A group of 4 or more stores sharing a common off-street plaza or parking area into which such stores are oriented.

Sign: A sign is any name, identification, description, advertisement, display or illustration which is affixed to or painted or represented directly upon a building, structure or other outdoor surface or piece of land; and which directs attention to an object, idea, product, philosophy, place, activity, person, institution, service organization or business; and which is located, on a permanent or temporary basis, on the premises at or on which the object, idea, product, philosophy, place, activity, person, institution, service, organization or business is located, offered or sold. For the purpose of this Ordinance, a building, or portion of a building, or any item or material (opaque, transparent, colored or illuminated) physically attached to a building which departs from standard architectural treatment in an attempt to attract attention to the premises by reason of color scheme and/or illumination, or part of a building or facade not required structurally or for maintenance, and which is intended to direct attention to products, goods, services, events or entertainment, shall be considered a "sign" and be subject to all pertinent regulations, including signable area as defined herein.

Sign message: The information on a sign composed of words, symbols, geometric shapes, pictures or logos which communicates information to the general public.

Signable area: Any continuous portion of a building which is unbroken by doors, windows, or other architectural details.

Streamers: Long strips of paper or other material.

Subdivision: A tract of land which is legally divided into residential, commercial or industrial lots.

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

Surface area of sign: Surface area shall be the gross surface area within a single continuous perimeter composed of a single rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentations or other figures, together with any material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in gross surface area; however, if any portion of the required structural supports become enhanced for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign. For computing

the area of any sign which consists of individual letters or separate graphic elements, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters or elements. All sides of a sign having more than 2 faces which are visible from any 1 street shall be included in the calculation of the area.

Temporary sign: Any sign designed, constructed or erected for display for a limited and usually fixed duration of time. Such signs include, but are not limited to: banners, beacons, garage/yard sale, grand opening, inflatable, political campaign, portable, real estate and event signs, as well as any other signs which by their definition and application in this Ordinance is designated as a temporary sign.

Time and temperature sign: A sign whereon the time and temperature is indicated.

Tracker sign: Any off-premise subdivision identification sign.

Translucent: Permitting the passage of light without being transparent.

Tube illumination: A neon or other gas-filled tube of glass or similar material which is formed into a message and, itself, is the source of its illumination.

Unlawful sign: A sign which does not meet the terms of this Ordinance or which the Village has declared to be unlawful because it poses a danger to public safety by reason of dilapidation or abandonment.

Vehicular sign: A sign painted on or applied directly to a truck, car, bus or other motorized vehicle or portable equipment.

Village: The Village of Prairie Grove, McHenry County, Illinois.

Wall sign: A sign which is placed against a building or other structure and which is attached to the exterior front, rear or side wall of a building.

Window sign: A sign that is posted on the interior or exterior of a window of a building or structure which is intended to be read from the exterior of the building or structure.

III. PROHIBITED SIGNS

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

- A. Signs as Defined in Section II of This Ordinance:
 - (1) Inflatable signs.
 - (2) Pennants.

- (3) Decorations, except those exempt by the terms of this Ordinance.
- (4) Beacons, except as permitted for grand openings.
- (5) Flashing signs.
- (6) Obscene signs.
- (7) Off-premise signs.
- (8) Any electronic message center sign.
- (9) Vehicle signs, except those exempt by the terms of this Ordinance.
- (10) Moving signs.
- (11) Portable signs.
- (12) Pole signs.
- (13) Obsolete signs.
- (14) Tracker signs.
- (15) Roof signs.
- (16) Billboards.

B. Other signs:

- (1) Any sign which is determined by the Building Inspector and/or the Chief of Police to constitute a traffic or pedestrian hazard by reason of size, location, color, condition or type of illumination.
- (2) Any sign which is located in or extends over public property or the public right-of-way, except for public signs as provided for herein.
- (3) Any sign which contains the words stop or danger or otherwise resembles, simulates or imitates public signs.
- (4) Any sign which obstructs traffic sight lines, sight triangles, or public signs at street intersections or railroad crossings.
- (5) Any sign for which a permit is required, but for which no permit was applied for or issued.

- (6) Any sign painted on an exterior building wall, fascia, parapet, chimney, on a fence or fence-wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna or other accessory structure, unless approved by the Board of Trustees or its designee.
- (7) Any sign attached to a chimney, on a fence or fence-type wall, retaining wall, bench, fence post, refuse enclosure, utility box, storage shed, bus shelter, satellite dish, antenna or other accessory structure.
- (8) Any sign attached, painted on, nailed, or otherwise affixed to trees, other vegetation, landscaping, stones or natural materials.
- (9) Any sign attached, painted on, or otherwise affixed to tents or umbrellas, except those that are specifically permitted in conjunction with a special event approved by the Board of Trustees or its designee.
- (10) Any sign which uses exposed exterior neon tubing and/or exposed light bulbs.
- (11) Any sign painted on, attached, or otherwise affixed to flag poles, light poles, telephone poles or utility poles except public signs attached to light poles as permitted herein.
- (12) Any additional or subsequent sign painted on, attached, or otherwise affixed to any permitted sign.
- (13) Any additional sign attached or otherwise affixed to the face of a sign of which any portion extends beyond any edge of the sign.
- (14) Any sign which emits sound, odor, or visible matter.

IV. EXEMPT SIGNS

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

A. Interior Signs.

B. Monuments and Markers: Tablets, grave markers, headstones, statuary or remembrances of persons or events which are non-commercial in nature.

C. Decorations: Decorations shall be exempt, provided that they are maintained for a period of not more than a total of 45 days. Such decorations may be illuminated.

D. Vehicular Signs: Any vehicle or trailer regularly and customarily used to transport persons or property for a business or activity, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of, or directing people to, a business or activity located on any premise, shall be exempt from the regulations of this Ordinance, except for the following:

- (1) The parking of any vehicle bearing a sign shall be limited to the premises upon which the business or activity to which the sign refers is located. provided, however, that the overnight parking of such a vehicle shall be permitted at the private residence of the vehicle operator.
- (2) The intentional parking of any vehicle bearing a sign in such a way or in such a location that the vehicle functionally serves as a sign, advertising or directing viewers to the business or activity to which the signage refers, shall be prohibited.
- (3) The parking of any vehicle bearing a sign in public view which is not in operating condition and/or lacks a current registration shall be prohibited.

E. Land Use Regulatory Signs: Land use regulatory signs shall be exempt, provided that:

- (1) Signs shall not exceed 1½ square feet in area per sign.
- (2) Such signs may include “No Trespassing,” “No Hunting,” etc., and may be constructed on a fence or other permanent structure.

F. Event Signs: Event signs shall be exempt, provided that:

- (1) Signs shall not exceed 8 square feet in area.
- (2) Signs are posted only during said drive or immediately prior to said event, but for no longer than 30 days.

G. Political Campaign Signs: Political campaign signs shall be exempt, provided that:

- (1) Such signs shall contain a sign surface area not to exceed 16 square feet.
- (2) Such signs shall not exceed 4 feet in height from grade.
- (3) Signs or posters relating to such candidates for office or issues shall be erected not more than 60 days prior to the election at which such candi-

dates are to be elected or issues voted upon, and shall be taken down by the person or campaign committee or organization promoted by the sign or poster not more than 3 days after the date of the election to which they were related.

H. Garage/Yard Sale Signs: Garage/yard sale signs shall be exempt, provided that:

- (1) Only 1 such sign shall be allowed on the premises where the sale is taking place, unless such property has frontage on 2 public streets, in which case 2 signs are permitted, 1 at each frontage.
- (2) Three additional locations (not to include the public right-of-way or any buildings or structures thereon) may be selected for placement of garage/yard sale signs announcing the same sale. Any sign to be placed on property owned by others must have verifiable permission of that property owner.
- (3) No garage/yard sale sign shall exceed 4 square feet in surface area.
- (4) No garage/yard sale sign shall exceed 5 feet in height.
- (5) No garage/yard sale sign shall be placed or otherwise erected for more than 3 consecutive days at a location permitted under this Ordinance.
- (6) No garage/yard sale signs shall be posted or displayed on a tree, street light poles, utility poles, street signs, traffic sign poles or otherwise erected upon any public right-of-way. Nor shall they be displayed on or within vehicles, or be placed in such a location to cause an obstruction to the clear view of traffic.
- (7) No sale items shall be located and no activities shall be conducted on a public sidewalk, parkway area or other public property. Further, no sale items shall be left out for display later than 7 p.m. on any day.
- (8) No more than 3 garage/yard sales shall be conducted on the same premises in any calendar year. One garage/yard sale shall be limited to a period of not more than 3 consecutive days and shall be conducted only during the hours between 9 a.m. and 6 p.m. The sale shall be conducted without the use of outdoor speakers, other amplification equipment or illuminated advertising devices.
- (9) The person conducting the garage/yard sale must notify the Village Chief of Police or his designate of the sale prior to the commencement of the sale.

I. Employment or Help Wanted Signs: Employment or help wanted signs which are placed on the premises of the establishment which intends to employ the personnel described in the sign shall be exempt, provided that:

- (1) Signs shall, in the aggregate, not exceed 4 square feet for any 1 establishment.
- (2) No more than 2 such signs shall be displayed for any 1 establishment.

J. Window Signs (residential): Temporary window signs in residential zoning districts shall be exempt, provided that such signs shall be displayed for a period of time no greater than 60 days.

K. Public Signs.

L. Directional Signs: Directional signs shall be exempt, provided that:

- (1) Signs shall not exceed 4 square feet in area, unless otherwise approved by the Board of Trustees or its designee.
- (2) The maximum height of any free-standing directional sign shall not exceed 4 feet, as measured from the grade at the location of the sign, unless otherwise approved by the Board of Trustees or its designee.
- (3) There shall be no maximum number of signs, but the number and location of all directional signs shall be determined by the Board of Trustees or its designee as necessary for safety.
- (4) Unless otherwise determined by the Board of Trustees or its designee, directional signs shall be set back at least 15 feet from the edge of curb of any street or access drive.
- (5) Directional signs may be illuminated.

M. Residential Real Estate Signs: Real estate signs shall be exempt, provided that:

- (1) The sign content shall be limited to the words "For Sale," "For Lease," "For Rent," "Open House" or "Sold" or substantially similar terminology; the name, address and phone number of the individual realtor or agent; and the name and logo of the realtor's franchise or brokering office.
- (2) A sign may be installed in a residential district, provided, however that a real estate sign shall:
 - (a) Not be illuminated or electrically operated, nor include any moving parts;

- (b) Not exceed an area of 4 square feet;
- (c) Not exceed a total height of 4 feet;
- (d) Be located upon the property that is offered for sale, lease or rent, or has been sold.;
- (e) Be set back not less than 20 feet from any lot line;
- (f) Be constructed of wood and/or metal;
- (g) Be removed no later than 10 days subsequent to the signing of a purchase contract, or lease or rental transaction is completed, except that "Open House" signs shall be erected and removed on the day of the event.
- (h) Number: There shall be only 1 residential real estate sign permitted for each building, dwelling unit or lot.

N. Name Plate Signs: Name plate signs shall be exempt, provided that:

- (1) They are wall signs not exceeding 1 square foot in surface area indicating the name of the occupant of the premises in a residence, and not exceeding 2 square feet in surface area indicating the name of the occupant of the premises in a commercial or institutional establishment.
- (2) One sign shall be permitted for each building or dwelling unit, except for businesses or institutions that have more than 1 entrance for the general public, in which case 1 sign shall be permitted for each general public entrance.

O. Address signs: Address signs shall be exempt, provided that:

- (1) They are wall signs not exceeding 1 square foot in surface area for a residence, and not exceeding 2 square feet in surface area for a commercial or institutional establishments, indicating the legal address of the premises, limited to the display of address numerals and street name.
- (2) A combination of a name plate sign and an address sign is permitted, provided that such sign does not exceed 2 square feet in surface area for a residence and does not exceed 4 square feet in surface area for a commercial or institutional establishment.
- (3) One sign shall be permitted for each building or dwelling unit, except for businesses or institutions that have more than 1 entrance for the general

public, in which case 1 sign shall be permitted for each general public entrance.

P. Plaques: Plaques, memorial signs or tablets, names of buildings and date of erection, and similar types of identification and information when cut into any masonry surface or when constructed of bronze or other non-combustible material shall be exempt.

Q. Occupational Signs: Occupational signs shall be exempt, provided that:

- (1) They denote only the name and profession of an occupant in a commercial or institutional building and do not exceed 2 square feet in surface area.
- (2) A combination of an address sign and an occupational sign is permitted, provided that such sign does not exceed 4 square feet in surface area. The use of an occupational sign shall forfeit the right to use a name plate sign.
- (3) One sign shall be permitted for each building, except for buildings that have more than 1 entrance for the general public, in which case 1 sign shall be permitted for each general public entrance.

R. Home Occupation Signs: Home occupation signs shall be exempt, provided that:

- (1) There shall be a maximum of 1 such sign per zoning lot.
- (2) Home occupation signs shall contain only the name, address, telephone number and occupation of the occupant.
- (3) The maximum size of any home occupation sign shall be 2 square feet.
- (4) Home occupation signs shall be installed flat against the face of a building, rather than in a front or side yard.
- (5) Home occupation signs shall not be illuminated.

S. Service Entrance Signs: Signs designating the service or delivery entrance to a building or an individual unit in a building shall be exempt, provided that:

- (1) There shall be a limit of 1 service entrance sign per delivery entrance to a building, or to an individual unit in a building.
- (2) Such sign shall be a wall sign, or painted or decaled upon a door.
- (3) Such sign shall not exceed 2 square feet in surface area.
- (4) Such sign shall not be illuminated.

- (5) Such sign shall not be located above the height of the adjacent door, or 7 feet above the individual threshold, whichever is less.
- (6) Such sign shall contain information limited to the name and address numerals of the individual tenant, and delivery instructions.

V. PERMITTED SIGNS – GENERAL PROVISIONS

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

B. Authorization by Owner: No person shall erect, alter or relocate any sign within the Village without first obtaining the express consent of the owner of the land upon which the sign shall be erected, altered or relocated, in addition to obtaining a sign permit from the Village.

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

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

E. Planned Development Signage: Signs located within a planned development shall be governed by those standards set forth in the underlying zoning district. The Village may permit additional or different signage, or require different standards for signage as part of final approval of a planned development at the time of such approval.

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

G. Sign Placement in Public Areas: Except for public signs, no sign shall be erected on any tree, utility pole, traffic standard or other public sign standard.

H. Subdivision Identification Signs: Free-standing signs shall be permitted for the purpose of identifying planned developments and subdivisions in any zoning district subject to the following conditions:

- (1) Number: There shall be a maximum of 1 such free-standing sign allowed provide, however, that:
 - (a) Where a planned development or subdivision has multiple entrances along public streets, additional signs may be granted by the Board of Trustees or its designee.
 - (b) Subdivision identification signs as provided for herein shall be approved by the Board of Trustees or its designee.
- (2) Residential Subdivision Identification Signs:
 - (a) Residential subdivision identification signs shall be maintained by a homeowners' association or similar organization.
 - (b) Residential subdivision identification signs may be installed on masonry entry monuments, which may be constructed on both sides of the entry street.
 - (c) The height shall not exceed 5 feet.
 - (d) The sign area shall not exceed 32 square feet per side, limited to 2 sides, or 64 square feet total.
 - (e) Residential subdivision identification signs shall comply with the following setback requirements:
 - i. Fifteen feet from any property line; and
 - ii. Fifteen feet from the back of curb of an adjacent access drive; and
 - iii. Twenty feet from the back of curb of an adjacent public street.
 - (f) The sign shall not impede normal pedestrian movement nor obstruct the line-of-sight for motor vehicle traffic.
- (3) Non-Residential Subdivision Identification Signs:

- (a) Non-residential subdivision identification signs shall not exceed 35 square feet per side, limited to 2 sides, or 70 square feet total.
 - (b) Non-residential subdivision identification signs shall not exceed 9 feet in height.
 - (c) Tenant identification may be provided on free-standing subdivision identification signs for shopping centers, provided, however:
 - i. Identification is limited to a tenant which occupies 15,000 square feet or more of gross floor area; and
 - ii. Not more than 4 such tenants are listed on each side of said sign.
 - (d) Tenant identification may be provided on free-standing non-residential subdivision identification signs for all other non-residential uses, provided not more than 2 tenants are listed on each side of the sign.
- (4) Setbacks:
- (a) All non-residential subdivision identification signs in any zoning district shall be set back not less than:
 - i. Fifteen feet from any property line; and
 - ii. feet from the back of curb of an adjacent access drive; and
 - iii. Twenty feet from the back of the curb of an adjacent public street.
 - (b) The sign shall not impede normal pedestrian movement nor obstruct the line-of-sight for motor vehicle traffic.
- (5) Illumination: All subdivision identification signs may be illuminated. However, only low-level landscape lighting shall be permitted in residential districts, subject to review and approval by the Board of Trustees or its designee. Said landscape lighting shall be adjusted to avoid direct illumination of the sign.
- (6) Landscaping: All subdivision identification signs shall be landscaped with trees and shrubs to blend the signs into the landscape of which they are a part.

VI. PERMITTED SIGNS IN RESIDENTIAL ZONING DISTRICTS

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

- (1) Exempt signs as specified in Section IV.
- (2) Temporary signs as specified in Section VIII.
- (3) Flags as specified in Section IX.
- (4) One identification sign, not to exceed 32 square feet in total surface area if single-faced, or 45 feet in total surface area if double-faced, for the following uses: religious institutions, private or public schools and facilities constructed and maintained by any taxing district. Such a sign shall be erected solely for the purpose of displaying the name and address of the institution and its activities or services. Such a sign may be illuminated, shall not exceed 9 feet in height, and shall be set back a minimum of 15 from any lot line and, in no case, less than 20 feet from the back of the curb of an adjacent public street. Two such identification signs may be erected at entrances to the facility if the permitted square footage is divided equally into 2 symmetrical signs, provided that all other provisions of this Ordinance are met. Church signs may include changeable copy and may be illuminated.

VII. PERMITTED SIGNS IN NON-RESIDENTIAL ZONING DISTRICTS

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

- (1) Exempt signs as specified in Section IV.
- (2) Temporary signs as specified in Section VIII.
- (3) Flags as specified in Section IX.

B. General Provisions: The standards in this Section VII shall apply to all general business, industrial and institutional establishments. Additional or different regulations for certain types of non-residential uses are contained in separate subsections below.

C. Sign Content. All signs shall relate to the name and/or use of the establishment, facility, premises or center.

D. Free-standing signs: Free-standing signs shall be permitted, subject to the following provisions:

- (1) Number: There shall be a limit of 1 free-standing sign per lot, shopping center, shopping center outlot or multiple business center, which shall be erected for the purpose of identifying the establishment.
- (2) Height: No ground sign shall exceed 9 feet in height from grade.
- (3) Surface Area: No ground sign shall exceed a maximum surface area of 32 square feet if single-faced or 64 square feet if double-faced.
- (4) Setback: No ground sign shall be located closer than 15 feet to any property line. Such signs shall be placed no closer than 18 feet to any building or structure it identifies and shall not obscure any architectural features of a building, such as entrances, display windows or decorative cornices when viewed from the street.
- (5) Shape: Signs of excessively complicated outlines or composed of several different connected shapes are not acceptable. The outlined shape and silhouette of a ground sign shall be simple and compatible with the building to which it relates.
- (6) Scale and Proportion: A ground sign shall be compatible with the building or buildings it identifies, and the sign may not be of such a size that it visually overpowers the building on the site.
- (7) Illumination: Ground signs may be internally or externally illuminated.
- (8) Tenant Identification Panels: Provision for identifying tenants within a shopping center or multiple business center as part of the permitted square footage of the sign identifying the shopping center or multiple business center as a whole shall be permitted, provided that there shall be a limit of 2 panels or divisions of said sign for such purposes.
- (9) Menu Board Signs: In addition to the 1 permitted free-standing sign, 1 free-standing single-faced menu board sign shall be permitted per lot or outlot for restaurants with drive-in/drive-through facilities, provided that such sign does not exceed 24 square feet in surface area or 8 feet in height. Such sign may only be internally illuminated. Menu board signs shall be permitted only in business zoning districts.

E. Wall Signs: Wall signs shall be permitted, subject to the following provisions :

- (1) Location: A wall sign shall be erected upon the wall of the building facade having its principal frontage upon a public street. A wall sign may be on the building facade other than the principal frontage if it faces a non-residential district and the total square footage does not exceed the total permitted on the principal frontage. In no case shall a wall sign be permit-

ted that faces the side of any adjoining lot located in a residential zoning district.

- (2) Number: A maximum of 1 wall sign per establishment shall be permitted, erected for the purpose of identifying the establishment, subject to the following provisions:
 - (a) No wall sign shall be permitted for individual tenants in a multi-story or multi-tenant office building, unless specifically authorized as part of an approved planned development at the time of approval of said planned development.
 - (b) A corporate logo shall be permitted, but shall count as the permitted wall sign if it is not incorporated into the wall sign. The square footage of the logo shall be calculated along with the remainder of the sign copy to determine the overall surface area of the sign.
- (3) Projection: No wall sign shall project from the building wall more than 12 inches.
- (4) Shape: The outlined shape and silhouette of a wall sign shall be simple and compatible with the building facade it is mounted on. Shapes that disrupt the architectural order and composition of a building facade are not acceptable.
- (5) Scale and Proportion: Wall signs shall be harmonious in scale and proportion with the building facade they are mounted to and with the architectural elements of the building, such as windows, cornices, sign friezes and bays. A wall sign shall not visually overpower those elements nor detract from the composition of the building facade.
- (6) Overhang: The edges of wall signs shall not overhang the top of bays or equivalent architectural features of building facades.
- (7) Illumination: Wall signs may only be internally illuminated.
- (8) Signs to be erected upon mansard roofs shall be treated as wall signs and shall be single-faced signs. In no case shall the roof or a portion of the roof itself be illuminated.
- (9) The maximum size of any such sign is determined by the square footage of the signable area and the setback of the building from the property line. (See Table 1).

F. Canopy and Marquee Signs: Canopy and marquee signs shall be permitted subject to the following provisions:

- (1) **Number**: There shall be a limit of 1 canopy/marquee sign per lot or per establishment, erected for the purpose of identifying the establishment, except as otherwise provided for in this Section F, and provided that no wall signs are directed to the same street frontage.
- (2) **Location**: Canopy/marquee signs may be mounted on the face (vertical edges only) of the canopy/marquee proper. Signs shall not be erected above the roof line of the canopy/marquee.
- (3) **Signable Area**: The signable area for canopy/marquee signs shall not extend beyond the canopy/marquee face on which the sign is located. No sign or portion of a sign shall exceed the borderline of any outer edge of said canopy/marquee.
- (4) **Surface Area**: The surface area of a canopy/marquee sign shall not exceed 10 square feet or 30 percent of the signable wall area of a canopy/marquee attached to the building front, whichever is greater. A multiple-bay canopy/marquee, such as drive-up lanes at a financial institution, may have a sign for each bay, provided that the sum total of all such signs does not exceed 30 percent of the surface area of the face of the canopy/marquee that faces a public street or private drive.
- (5) **Projection**: No canopy/marquee sign shall project more than 8 inches from the canopy/marquee proper.
- (6) **Ground Clearance**: A clearance of 8 feet shall be maintained from the lowest point on the canopy/marquee to the grade or walkway under said canopy/marquee.
- (7) **Shape**: The outlined shape and silhouette of a canopy/marquee sign shall be simple and compatible with the building it is mounted on. Shapes that disrupt the architectural order and composition of a building facade are not acceptable.
- (8) **Scale and Proportion**: Canopy/marquee signs shall be harmonious in scale and proportion with the building they are mounted to and with the architectural elements of the building, such as windows, cornices, sign friezes and bays. A canopy/marquee sign shall not visually overpower those elements nor detract from the composition of the building facade.
- (9) **Material**: Canopy/marquee signs shall be constructed of a non-combustible type material.

(10) Illumination: Canopy/marquee signs may only be internally illuminated.

G. Awning Signs: Awning signs shall be permitted in order to identify the establishment, subject to the following provisions:

- (1) Location: Individual letters, words or symbols may be directly affixed or applied to any surface of an awning, generally by painting, printing or weaving. Signs shall not be constructed of or applied to other material which are then fastened to the awning.
- (2) Surface Area: The surface area of an awning sign shall not exceed 20 percent of the exterior surface area of the awning.
- (3) Ground Clearance: A clearance of 8 feet shall be maintained from the lowest point on the awning to the grade or walkway under said awning.
- (4) Illumination: Awning signs shall not be illuminated.
- (5) Portability of Surface Area: An awning sign shall be permitted in addition to a permitted wall sign, provided that the surface area of all awning signs shall be counted towards the maximum permitted surface area for the wall sign based on the signable wall area of the building.

H. Automobile Service Station Signs: The following additional or different sign requirements shall apply to automobile service stations:

- (1) Free-standing signs:
 - (a) Number: There shall be a limit of 1 ground sign on the property.
 - (b) Height: No ground sign shall exceed 9 feet in height from grade.
 - (c) Surface Area: A bonus of 8 square feet per face may be added to the permitted surface area to incorporate a changeable copy board into the overall sign design for the purpose of providing gasoline pricing information, provided that the changeable copy is limited to identification of the various grades of fuel offered for sale and their associated prices. The use of this additional square footage shall permanently forfeit the right to erect any separate gasoline pricing signs on the property.
- (2) Wall Signs: A maximum of 2 walls signs per automobile service station shall be permitted, placed on separate walls of the building. A logo counts as 1 of these permitted signs.

- (3) **Canopy Signs:** A maximum of 2 canopy signs per automobile service station shall be permitted, placed on separate edges of the canopy, provided that the canopy is free-standing. Signs shall not be erected above the roof line of the canopy.
- (4) **Car Wash Buildings:** If a detached car wash building is provided, 1 additional wall sign shall be permitted on that building, provided that it conforms to all other provisions for wall signs as stated in this Section VII.
- (5) **Service Bays:** If an automobile service station is of the full-service variety that contains bays in active use for the servicing of vehicles, service bay identification signs providing directions or instructions to customers visiting the establishment shall be permitted, provided that:
 - (a) Such signs shall contain no advertising, logos, or promotional information.
 - (b) One identification sign shall be permitted for each service bay entrance.
 - (c) Such signs shall be wall signs.
 - (d) Such signs shall not exceed 6 square feet in surface area.
 - (e) Such signs shall not extend above the roof line.
 - (f) Such signs shall not be illuminated.
 - (g) Such signs shall otherwise conform to all other provisions for wall signs as stated in this Section VII.
- (6) **Service Island Instructional Signs:** Service island instructional signs indicating the type of service or products offered and other instructional information to assist customers in using the facility shall be permitted, provided that:
 - (a) Such signs shall contain no advertising, logos or promotional information.
 - (b) One service island instructional sign shall be permitted for each approach for each island.
 - (c) Such signs may be placed upon fuel pumps or upon support posts for free-standing canopies.
 - (d) Such signs shall not exceed 5 square feet in surface area.

- (e) Such signs shall not be illuminated.
 - (f) Special instructional signs mandated by units of government (e.g. no smoking, licensing, inspection, etc.) shall be exempt from the provisions of this Ordinance.
- (7) Pump Advertising Signs: One sign, which may be single-faced or double-faced, used for instructional or promotional purposes not to exceed 2 square feet in surface area per face, shall be permitted on top of each fuel pump machine.

I. Parking Lot Entrance/Exit and Instructional Signs: Certain signs related to the use of parking facilities accessory to the main use of the premises shall be permitted subject to the following requirements:

- (1) Such signs shall be permitted only in non-residential zoning districts.
- (2) Entrance/Exit Signs:
 - (a) Such signs shall be limited to 1 sign for each entrance/exit.
 - (b) Such signs shall not exceed 3 square feet in surface area if the sign is single-faced or 6 square feet in surface area if the sign is double-faced.
 - (c) Such signs shall not exceed 3 feet in height.
 - (d) Such signs shall be set back a minimum of 5 feet from any property line.
 - (e) Such signs may be illuminated.
 - (f) Such signs shall be limited in content to directional arrows, a single logo and the words “entrance” or “enter” or “exit” as applicable.
 - (g) Such signs shall not contain advertising, names/addresses of the establishment or other promotional information.
- (3) Instructional Signs:
 - (a) Signs designating the conditions of use or identity of parking facilities shall be limited to 2 signs per parking facility.

- (b) Such signs shall not exceed 3 square feet in surface area if the sign is single-faced or 6 square feet in surface area if the sign is double-faced.
- (c) Such signs shall not exceed feet in height.
- (d) Such signs shall be located within the confines of the facility.
- (e) Such signs may be illuminated.
- (f) Such signs shall contain no advertising, logos or other promotional information.

J. Changeable Copy Signs: Changeable copy signs shall only be permitted for the following:

- (1) Church bulletin signs;
- (2) Automobile service stations; and
- (3) Free-standing and wall signs for public agencies and theaters, provided the sign area does not exceed that allowed by the provisions of this Ordinance.

VIII. TEMPORARY SIGNS

A. General Provisions:

- (1) Purpose: Temporary signs shall be used only for the purpose of announcing a special event or special promotion, unless otherwise provided for in this Ordinance.
- (2) Duration: Temporary signs, except for commercial real estate signs, grand opening signs, construction signs, political campaign signs and window signs, may be displayed a maximum of 2 times per calendar year upon the same premises, and the non-renewable period of duration shall not exceed 30 calendar days each time. The 2 periods shall not be immediately sequential.
- (3) Number: There shall be a maximum of 1 temporary sign upon the same premises at any time, except for window signs and grand opening signs.
- (4.) Location: All temporary signs shall be erected only on the property of the permittee, unless the permittee is a non-profit organization, and shall be set back a minimum of 15 feet from any public right-of-way.

- (5) Permit Required: No person shall erect, construct, display, alter or relocate any temporary sign, except window signs, without first obtaining a permit. A permit shall be required each time a temporary sign is displayed.
- (6) Limitations on Applicants: Applicants for temporary signs shall be limited to either for-profit or non-profit organizations. Permit fees (but not permits) for non-profit organizations (e.g. civic groups, religious institutions or charitable organizations) shall be waived, provided that evidence of formal incorporation or tax-exempt status is shown at the time a permit application is submitted.
- (7) Illumination: No temporary sign shall be illuminated.
- (8) Conformance to Other Provisions: Temporary signs shall otherwise conform to all other applicable provisions of this Ordinance.

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

- (1) Banner Signs: Banner signs shall be subject to the following provisions:
 - (a) Location: Banner signs shall be affixed only to building walls in a non-projecting manner.
 - (b) Height: Banner signs shall not exceed the height of the first floor of the building, or 12 feet from grade, whichever is greater.
 - (c) Surface Area: Banner signs shall not exceed 32 square feet in surface area, and shall only be single-faced.
- (2) Commercial Real Estate Signs: Such signs may be erected subject to the following requirements. Such signs are permitted in all non-residential zoning districts.
 - (a) Number: A maximum of 1 sign per street frontage is permitted.
 - (b) Height: Such signs shall not exceed 8 feet in height from grade.
 - (c) Surface Area: Such signs shall have a maximum surface area of 32 square feet if single-faced, and 64 square feet if double-faced.
 - (d) Setback: Such signs shall be set back a minimum of 15 feet from any property line.
 - (e) Material: Such signs shall be made of good, weather-resistant, low-maintenance material.

- (f) Removal: Such signs shall be removed within 10 days of the real estate closing or the consummation of the lease transaction.
- (3) Grand opening signs and opening signs shall be subject to the following provisions:
- (a) Types: Grand opening signs may be banner signs, advertising flags or portable signs.
 - (b) Placement: Grand opening signs may be displayed as follows:
 - i. Banner Signs: Affixed only to building walls in a non-projecting manner, and not exceeding the height of the first floor of the building, or 12 feet from grade, whichever is greater.
 - ii. Advertising Flags: Affixed only to light poles in a parking facility.
 - iii. Portable Signs: Can be placed no closer than 15 feet from any property line.
 - (c) Number: Grand opening signs shall be limited to 2 banner signs and 1 advertising flag per light pole up to a limit of 3 light poles and 1 portable sign.
 - (d) Surface Area: Grand opening signs shall be limited in size as follows:
 - i. Banner signs shall not exceed 32 square feet in surface area, and shall only be single-faced.
 - ii. Advertising flags shall not exceed 15 square feet in surface area and may be single or double-faced.
 - (e) Duration: Grand opening signs shall be displayed for a maximum period of 30 calendar days, and may only be erected on or after the date of issuance of a Certificate of Occupancy, with the first day of such period commencing on the date of erection of the signs regardless of the date that the establishment is first open to the general public thereafter.
 - (f) Under new ownership or under new management signs shall be governed by the same time, place, and manner regulations as grand opening signs.

(g) Permits shall be required for all such signs.

(4) Construction signs are subject to the following provisions:

(a) All such signs shall be located only on the subject property and shall identify only the development on the property.

(b) All such signs shall not be erected any earlier than 4 months prior to the actual commencement of construction.

(c) All such signs shall only be permitted for a period of 1 year unless an extension of time is approved by the Board of Trustees or its designee.

(d) Residential Zoning District: One sign per development on the site, set back a minimum of 15 feet from any property line, with a maximum surface area of 32 square feet, limited to single-faced pole or ground signs only, with a maximum height of 9 feet, and required to be removed within 30 days after 80 percent of the lots have been sold. Such sign shall not be illuminated.

(e) Non-Residential Zoning District: One sign per development on the site, set back a minimum of 15 feet from any property line, with a maximum surface area of 32 square feet, limited to single-faced pole or ground signs only, with a maximum height of 9 feet, and required to be removed within 30 days after the initial Certificate of Occupancy is issued. Such sign shall not be illuminated.

(f) The content of construction signs shall be limited to identification of the:

i. Project, including its name and/or logo;

ii. Builder or developer, architect, engineer, planner and contractor;

iii. Lending institution;

iv. Opening date;

v. Type of dwelling units being offered, if applicable, and the price of such units, as well as financing and amenities; and

vi. Leasing agent.

- (5) Residential Model Area Signs: Signs displayed for the purpose of identifying model areas wherein dwelling units within a new subdivision or rental complex are offered for sale or rent, as applicable, may be erected in residential zoning districts as follows, and shall be removed within 10 days after the issuance of the Certificate of Occupancy for the last unit to be finished in the subdivision:
- (a) Sales Office Signs: One sign may be erected, set back a minimum of 15 feet from any property line, with a maximum surface area of 20 square feet whether single-faced or double-faced, limited to wall or ground signs only, with a maximum height of 9 feet, and with the contents limited to the name of the development, the name of the developer, a logo, appropriate telephone numbers and hours of operation. Such signs shall not be illuminated.
 - (b) Model Unit Signs: One sign for each model unit offered for sale may be displayed, erected only in a front yard, with a maximum surface area of 4 square feet, limited to single-faced ground signs only, with a maximum height of 5 feet and with the contents limited to the name of the model unit. Such signs shall not be illuminated.
 - (c) Model Area Parking Lot Entrance/Exit Signs: One sign for each parking lot may be erected, set back a minimum of 15 feet from any property line, with a maximum surface area of 4 square feet if single-faced or 8 square feet if double-faced, limited to ground signs only, with a maximum height of 5 feet and with the contents limited to the logo and name of the subdivision, the word “parking” and a directional arrow. Such signs shall not be illuminated.
 - (d) Construction Office Signs: One sign for a construction office or trailer on the property may be erected, set back a minimum of 15 feet from any property line, with a maximum surface area of 20 square feet, limited to single-faced ground or wall signs only, with a maximum height of 5 feet and with the contents limited to the logo and name of the subdivision, the name of the developer and the words “construction office.” Such signs shall not be illuminated.
- (6) Window Signs, Non-Residential Zoning Districts: Window signs in non-residential zoning districts shall be subject to the following provisions:
- a. Material: Such signs shall be constructed of paper, plastic, cloth or other pliable material, or painted on windows with watercolor-type paint in neatly-executed style. Soap or chalk type paint with a typically fuzzy white appearance shall be prohibited.

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

IX. OFFICIAL, CORPORATE AND ANCILLARY FLAGS

A. The display of official, corporate and ancillary flags shall be permitted subject to the following requirements:

- (1) The official flag of the United States of America shall not itself be the subject of a specific sign permit; rather these regulations are designed to control the use of permanent flagpoles or staff upon which the flag is located and the relationship of the flag to the flagpole or staff.
- (2) Such permanent flagpoles or staffs shall require a sign permit.
- (3) For the purposes of this Ordinance, the display of official flags by any unit of government shall not be deemed public signs, and all units of government shall comply with the flagpole and flag relationship regulations of this Section.
- (4) Flags shall be permitted in all zoning districts subject to the following requirements:
 - (a) Flags shall be displayed only on permanent flagpoles or staffs designed and constructed specifically and exclusively for flag display.

- (b) No official, corporate or ancillary flag shall be displayed on or attached in any manner to light poles, sign poles, trees, vehicles or similar structures or objects.
- (c) There shall be a maximum of 1 flagpole per lot, provided, however, that within non-residential zoning districts, a maximum of 3 flagpoles per lot shall be permitted.
- (d) Flagpoles shall be set back a minimum of 15 feet from the property line.
- (e) The display of more than 2 flags per flagpole shall be prohibited.
- (f) On lots permitted only 1 flagpole, where 2 flags are displayed, such flags may be either 2 official flags or 1 official flag and 1 corporate or ancillary flag. An official flag shall always be displayed above a non-official flag.
- (g) The maximum size of the flag displayed in the lower position shall not exceed one-half of the surface area of the flag displayed in the higher position.
- (h) On lots permitted multiple flag poles, the above regulations shall also apply, provided however that a maximum of 1 corporate flag shall be displayed on each lot.
- (i) The official flag of the United States of America shall always be displayed first in a series of display of official flags of other nations, or shall always be displayed first or higher than any other official, corporate or ancillary flag.
- (j) The height of a flagpole shall be in proportion to the scale of the building to which the pole relates, and in no case shall it be higher than the following height limitations:

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

- (k) The maximum size of a permitted flag is 3 feet by 5 feet.

- (l) Flags shall be displayed in such a manner that no portion of the flag shall project over any property line or contact any other structure when fully extended.
- (m) Flags shall not be mounted on or over roofs or roof lines in any fashion.
- (n) Wall-mounted official and corporate flags shall be displayed from flagpoles or staffs not to exceed 10 feet in length. No portion of such flagpoles or staffs shall extend above the roof line or over a property line.
- (o) Official flags shall be maintained in an orderly fashion, and in clean and good condition. The official flag of the United States of America shall be displayed in accordance with The Flag Code, Title 36, U.S.C., Chapter 10, as amended by P.L. 344, 94th Congress, approved July 7, 1976, or as amended in the future. All other official flags should be displayed in accordance with the same standards of respect and protocol.
- (p) Corporate and ancillary flags shall be maintained in an orderly fashion, and in clean and good condition. Tattered or torn flags shall be removed or replaced promptly.

X. CONSTRUCTION SPECIFICATIONS

A. Compliance with Applicable Codes: All signs shall be constructed in accordance with applicable provisions of building and electrical codes approved by the Village from time to time.

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

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

D. Clearance from Electrical Power Lines and Communications Lines:

- (1) All signs shall be located in such a way that they maintain horizontal and vertical clearance of all electrical power lines and communications lines.
- (2) However, in no instance shall a sign be erected or constructed within 8 feet of any electrical power line, conductor or service drop or any communications line, conductor or service drop.

E. Underground Electrical Service: All electrical service to free-standing signs shall be underground.

F. Clearance from Surface and Underground Facilities:

- (1) All signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity or communications equipment or lines.
- (2) In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage of surface or underground water.

G. Supports and Other Hardware:

- (1) Primary supports for permanent signs shall be of the same material or of a coloring the same as or compatible with the sign material in order to harmonize with the sign.
- (2) Secondary supports and hardware, such as angle irons, braces, brackets and frame members shall be concealed.
- (3) Pieces of electrical hardware, such as raceways, switch boxes, junction boxes and the like, shall be painted the same color as the support, building or portion of the sign to which they are affixed (as the case may apply) in order to conceal or subdue their appearance.

H. Mansard Roof Signs:

- (1) A sign located on a decorative mansard shall be mounted directly vertical as a wall sign, with no visible angle-iron, guy wires, braces or secondary supports.
- (2) All hardware shall be concealed. roof signs that project out from the surface of the roof shall be enclosed on all sides perpendicular to the sign face with a treatment to match the color, texture, and appearance of the roof materials.
- (3) No sign on a mansard roof shall project from the building surface more than 6 inches as measured at the front edge of the sign.
- (4) Such signs shall be constructed of a non-combustible type material.

I. Landscaping:

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

J. Parking Facility or Premises Illumination:

- (1) No free-standing sign shall be used as a means of holding, housing or otherwise supporting light fixtures intended to illuminate parking lots, buildings or the general premises of any property or establishment.
- (2) Such light fixtures shall be placed on light poles specifically designed for such purposes and served by separate electrical feeds.

K. Inspections: Every new sign requiring a Village permit shall be subject to a general inspection, electrical inspection (if applicable), footing inspection and any other inspection(s) deemed necessary by the Village.

XI. ILLUMINATION

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

- (1) Wall signs:
 - (a) Such signs may be illuminated internally or externally.
 - (b) In the case of dimensional signs or individually applied letters, numbers, logos or other copy, illumination may also be placed behind said elements in outline form such that the light source is not visible from direct view.
 - (c) Such signs, if illuminated externally, shall either be illuminated from the ground using the same standards as for ground signs given in paragraph (2) of this Section, or from light sources hidden

in or along the eave with all lights, fixtures and brackets concealed and shielded from direct view.

- (2) Ground signs:
 - (a) Such signs, if illuminated internally, shall meet the same standards as wall signs.
 - (b) If illuminated externally, such illumination shall only be from the ground, with light bulbs contained within a protective casing, and such lighting fixtures concealed by dense, evergreen-type shrubbery.
- (3) Externally Illuminated Signs: Externally illuminated signs shall have lighting fixtures designed and installed only in such a manner that the direct rays of such lights shall be concentrated on the sign and be prevented from causing a glare on or striking the street or nearby property, or the reflector shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare on the street or nearby property.
- (4) Proximity to Residential Zoning Districts:
 - (a) Any illuminated sign visible within a direct distance of 100 feet of any residential zoning district (including public rights-of-way, private streets, aisles, etc.) shall be turned off and not operated between the hours of 10 p.m. and 7 a.m., 7 days a week, unless the establishment is engaged in the operation of its business open to the public with employees on the premises during such period.
 - (b) Illuminated signs visible within a direct distance of 100 feet of any residential zoning district shall be turned off when the establishment is closed to the general public regardless of the presence of employees after operating hours.
- (5) Flashing Signs and Devices: Flashing signs and devices shall be prohibited.
- (6) Neon Tubing:
 - (a) Exposed neon tubing and exposed light bulbs shall be prohibited.
 - (b) Neon tubing used for internal illumination shall be concealed behind translucent covering.

- (c) In non-residential zoning districts only, the use of neon tubing as an inside window or door signage treatment is allowed when such tubing is for the business name, instructional purposes, logos, graphics, products and services.
- (d) No outlining of windows or doors with tubing is allowed.
- (e) Only 30 percent or less of the surface area of any window or door can be covered with the tubing.
- (f) Only 1 neon sign is allowed per window or door.

XII. MAINTENANCE

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

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

XIII. ADMINISTRATION

A. Permit Required:

- (1) Unless otherwise exempted in this Ordinance, no person, firm or corporation shall erect, construct, locate, display, place, structurally or

graphically alter, relocate or maintain any sign without having first obtained a valid permit for such sign, issued by the Village with the appropriate approval as required in this Ordinance.

- (2) No permit shall be required for repainting, cleaning, and other normal maintenance or repair of a sign structure, provided that such maintenance does not alter the original copy displayed on the sign face(s), the surface area, height, or otherwise in any way render the sign non-conforming.
- (3) Permits shall be required for the removal or demolition of permanent signs.
- (4) Illuminated signs shall require both a sign permit and an electrical permit.
- (5) All signs shall be subject to review by the Architectural Review Commission and the applicant must include a copy of the Commission's written report with the application for sign approval to the Board of Trustees.
- (6) Each sign proposed to be erected shall require a separate permit.
- (7) Property owners or tenants, or their sign companies or agents are advised in the case of questions about these sign regulations to consult with the Building Department in advance of submitting a permit application.

B. Application Procedures: Application for review of a permanent sign shall be made upon a form provided by the Building Department and, depending upon the type of signage requested, shall include at a minimum the following information:

- (1) Wall Signs:
 - (a) A photograph or diagram illustrating the following information:
 - i. The setback of the building;
 - ii. The signable area;
 - iii. The exact location and outer dimensions of the sign;
 - iv. The proposed height to the top of the sign; and
 - v. Exact representations of the face of the building to which the sign is to be attached shall be illustrated.
- (2) Ground Signs:
 - (a) A photograph or diagram illustrating the following information:

- i. The setback of the building;
- ii. The location of the sign on the property, including front and side yard setbacks and the distance from the sign to the building;
- iii. The height of the sign;
- iv. The property frontage; and
- v. The distance from the sign to adjacent ground signs shall be illustrated.

(3) Projecting Signs:

(a) A photograph or diagram illustrating the following information:

- i. The proposed location of the sign on the building;
- ii. The distance that the sign is pinned away from the building;
- iii. The distance from the face of the building wall to the outermost point on the sign;
- iv. The distance between sidewalk grade and the top and bottom of the sign; and
- v. Exact representation of the face of the building to which the sign is to be attached shall be illustrated.

(4) Canopy, Awning or Marquee Signs:

(a) A photograph or diagram illustrating the following information:

- i. The complete dimensions of the canopy, awning or marquee to which the sign is attached;
- ii. The location, outer dimensions and percentage of canopy or awning which the sign or lettering occupies; and
- iii. The distance from sidewalk grade to the top and bottom of the sign shall be illustrated.

(5) Window Signs:

- (a) A photograph or diagram illustrating the following information:
 - i. The dimensions of the window or glass surface on which the sign is to be applied;
 - ii. The location and outer dimensions of the sign; and
 - iii. The location of any other window signs on the face of the building on which the sign is to be attached shall be illustrated.

(6) Other Requirements for Permanent Signs:

- (a) A photograph or diagram, drawn to scale, illustrating the exact location of all existing and proposed signage on the property and adjoining properties.
- (b) One colored sketch, drawn to scale, which accurately represents all features of the sign including, but not limited to, size, message, letter style, border, surface texture, all exposed structural elements, percentage of message area and method of illumination and support.
- (c) One color sample for each color which is proposed to be used in the sign. The color sample shall consist of either the manufacturer's color chart or, in cases of custom colors, an actual sample of the paint to be used, applied to an appropriate material.

(7) Temporary Signs: An application for a temporary sign shall include the same information as for the appropriate permanent sign.

(8) Repainting of a Sign: An application for the repainting of a sign in the same color scheme or for the changing of a name of an occupant listed on a directory sign shall include the information in Section XIII-B(6)(c).

C. Permit Fees: Every applicant, before being granted a permit hereunder, shall pay to the Village the following fee(s) for each proposed sign or sign structure (e.g. flagpole) as established by this Ordinance:

- (1) Non-illuminated Signs: Based on cost valuation of the sign; \$25.00 for the first \$1,000.00 of cost, and \$3.00 for each portion of \$1,000.00 of cost thereafter per sign.
- (2) Illuminated Signs: Same basis as non-illuminated signs, plus a \$35.00 electrical permit fee per sign.

- (3) Plan Review Fee: \$50.00 per sign.
- (4) Temporary Signs: \$35.00 permit fee per sign, valid for 30 days and not renewable.

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

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

E. Limitations: Sign permits shall allow the erection, re-erection, alteration, relocation, affixing or painting of a sign only on the property designated in the permit and only by the person to whom the permit was issued and shall not be transferable. A separate sign permit must be obtained for each sign for which a permit is required.

XIV. ENFORCEMENT

A. Obsolete Signs:

- (1) Any obsolete sign shall be removed by the owner, agent or person having the beneficial use of the building, structure or lot upon which such sign is located within 10 days after the cessation of such business or sale of such product that renders the sign obsolete. Such a sign shall be deemed abandoned.
- (2) If such sign is not removed within 10 working days of being abandoned, the Building Inspector shall give written notification to the owner or agent of such failure.

- (3) If such sign is not removed in this time period, the Village may take all necessary legal action to ensure the removal of such sign.
- (4) The expense incident thereto shall be paid by or be recoverable from the owner of the building, structure or lot upon which the sign is located; and said expense shall be a lien upon such premises until paid.

B. Unsafe Signs:

- (1) 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.
- (2) 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.
- (3) 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.

C. Non-Conforming Signs:

- (1) Non-Conforming Pole Signs: All pole signs greater than 9 feet in height, or having a sign surface area that has a maximum surface area greater than 32 square feet if single-faced, or 64 square feet if double-faced, may be continued in use during a "grace period" lasting until January 1, 2007, at which time it shall be eliminated, removed, altered or converted into full compliance with all provisions of this Ordinance.
- (2) Legal Non-Conforming Signs: Any sign lawfully existing as of the date of the adoption of this Ordinance which does not conform to 1 or more of the provisions contained herein shall be deemed to be a legal non-conforming sign and may be continued in operation and maintained subject to the following requirements:
 - (a) Legal Non-Conforming Signs that are Permanent Signs:
 - i. The owner or beneficial user shall maintain such sign in good condition and repair;

- ii. Such sign shall not be changed or altered in any manner, including face changes (i.e. replacement or repainting of copy with new copy, except for the changeable portion of changeable copy signs); shall not be changed to any other nonconformity; shall not be expanded; shall not be structurally altered to prolong its useful life; and shall not be moved in whole or part to any other location where it would remain nonconforming;
- iii. Such sign shall not be continued in use after change of occupancy of the business, owner, or activity to which the sign pertains;
- iv. Cosmetic-type non-conforming features (such as painting, concealment of electrical fixtures with landscaping, burying of electrical service drops and the like) shall be rendered conforming within 90 days after the date of adoption of this Ordinance, weather permitting.

(b) Legal Non-Conforming Signs that are not Permanent Signs:

- i. The owner or beneficial user shall maintain such sign in good condition and repair;
- ii. Such sign shall not be changed or altered in any manner, including face changes; 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;
- iii. Such sign shall not be continued in use after change of occupancy of the business, owner or activity to which the sign pertains;
- iv. Such sign shall be removed within 90 days after the date of adoption of this Ordinance.
- v. Wall signs that have a nominal value of less than \$150.00 shall not be deemed to be permanent signs and shall be subject to the provisions of this Section XIV.

(c) Any violation of any of the provisions of this Ordinance at any time shall immediately terminate the right to maintain the existence of a legal non-conforming sign.

- (d) If during the grace period any legal non-conforming sign is damaged or destroyed, by any means whatsoever, to the extent that its repair or replacement cost exceeds 50 percent of its replacement cost as of the date it became non-conforming, the right to maintain the existence of a legal non-conforming sign shall be immediately terminated, and the sign may not be rebuilt or used thereafter.
 - (e) In the event the damage or destruction of the legal non-conforming sign is less than 50 percent of its replacement cost, the sign may be rebuilt to its original condition and may continue to be displayed until the end of the grace period. 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.
 - (f) Normal maintenance of legal 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 during the grace period.
 - (g) Legal 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 Ordinance, shall be deemed to be conforming for the purposes of these regulations.
- (3) Non-Conforming Signs: Any sign not lawfully existing as of the date of the adoption of this Ordinance which does not conform to the provisions contained herein shall be deemed to be a non-conforming sign and shall be removed within 30 days after the date of adoption of this Ordinance.
 - (4) Any legal non-conforming sign that has not been removed, altered or relocated by the applicable time frame stated herein so as to render it conforming shall thereafter be deemed a non-conforming sign, and such sign shall then be subject to prosecution by the Village in an applicable court of jurisdiction to achieve its removal.

D. Confiscated Signs:

- (1) Any signs in violation of any provision of this Ordinance within the public right-of-way at any time may be removed by the Village and placed into temporary storage.
- (2) 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.

- (3) The Village shall not be responsible for loss of or damage to any confiscated sign while in storage.
- (4) The Village shall not be responsible to notify the owner or agent of said sign that it was confiscated and placed into storage.
- (5) The Village shall not be obligated to keep said sign in storage beyond 5 working days, after which time it may be discarded.

E. 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 Ordinance.

F. Penalties for Erecting Off-Premise Subdivision Identification Signs:

- (1) Any person, firm or corporation that erects off-premise subdivision identification signs, commonly referred to as “tracker signs,” in violation of Section III shall be assessed a fine of \$100.00 per sign.
- (2) In the event said fine(s) is not paid within 48 hours after a violation and the violation is not cured, the Village shall enforce a 48-hour moratorium on all construction activities, building permits, certificates of occupancy and building inspections for the residential development advertised. The 48-hour moratorium will begin the first weekday after the fee deadline has passed.
- (3) In the event that a builder or developer, or their agent, erects a subdivision identification sign within the Village that advertises a development outside the Village limits, the Village shall enforce the aforementioned moratorium for any construction activities, building permits, certificates of occupancy and building inspections related to any of the builder’s or developer’s construction activities within the Village. The 48-hour moratorium will begin the first weekday after the fee deadline has passed.

XV. VARIATIONS

A. Procedure. If specific standards or requirements contained in this Ordinance preclude a proposed sign from being erected, the applicant may request a variation, subject to the following provisions:

- (1) Procedure:
 - (a) A petitioner shall file with the Village Clerk a written petition requesting a variation and setting forth a brief statement of the grounds.

- (b) At the time of filing said petition, a sign variation review fee of \$200.00 shall be submitted.
- (c) The petition shall set forth the fact in detail concerning the proposed variation and practical difficulties and shall have attached to a diagram or plan showing the result that the proposed variation would have on the subject sign.

(2) Public Hearing:

- (a) Upon the filing of a complete application and the required filing, the Village Clerk in consultation the chairperson of the Architectural Review Commission shall set a date for a public hearing.
- (b) The petitioner shall cause the notice of the public hearing to be given by publishing a notice of the date, time and place of the hearing in a newspaper of general circulation within the Village not less than 15 days and no more than 30 days prior to the hearing.
- (c) The notice shall contain information of the particular location of the proposed variation, as well as a brief statement describing the requested variation. A simple description of the property as to area, location and/or street address shall be sufficient for purposes of this section.
- (d) The petitioner shall send copies of the hearing notice to the persons who last paid taxes on all properties adjacent to, abutting or across the road, street or alley from the property in questions.
- (e) Within 5 days after the notice of the public hearing has been published, the petitioner shall furnish the Village Clerk with a copy of the published notice.

(3) Standards for Variations: A variation from the strict application of the terms and provisions of this Ordinance may be granted if the Board of Trustees finds:

- (a) That such a variation is harmonious with the intent and purposes contained in Section I of this Ordinance.
- (b) That there are practical difficulties or particular hardships in carrying out strict compliance with this Ordinance, or any part hereof, relating to the construction, alteration, maintenance, repair, or remodeling of any sign. Practical difficulties or particular hardships shall be proven by evidence demonstrating that (1) the plight of the owner is due to unique circumstances and (2) the variation,

if granted, will not alter the essential character of the locality in which it is located.

- (c) That the variation will maintain and/or enhance the historic and architectural character of a site or structure.

(4) Board of Trustees Action:

- (a) Upon the report of the Commission, the Board of Trustees, may without further public hearing, grant or deny any proposed variation or may refer the question back to the Commission for further consideration.
- (b) In granting such a request, Board of Trustees shall have the right to impose any and all such further conditions upon the erection and display of such signs as they may deem to be in the best interests of the Village.
- (c) If granted, a variation must be acted upon within 6 months, as demonstrated by the issuance of a valid sign permit, or the variation shall become null and void.

B. Revocation of Variations:

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

VILLAGE OF PRAIRIE GROVE
McHENRY COUNTY, ILLINOIS

CERTIFICATION

I, Linda Davies, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Prairie Grove, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Prairie Grove.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Prairie Grove, held on the 7th of October, 2004, the foregoing Ordinance entitled *An Ordinance Establishing the Prairie Grove Sign Regulations* was duly passed by the President and Board of Trustees of the Village of Prairie Grove.

The pamphlet form of Ordinance No. 356, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 7th day of October, 2004, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I further certify that I recorded the attached Ordinance in a book used exclusively for such purposes in accordance with the Illinois Municipal Code, 65 ILCS 5/1-2-5, on October 7, 2004.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Prairie Grove, Illinois, this 7th day of October, 2004.

Linda Davies, Village Clerk
Village of Prairie Grove,
McHenry County, Illinois

(SEAL)

TABLE 1
Maximum Size of Sign in Square Feet

Setback from Building Line (ft)

Max. Signable Area (sf) ?	0	25	50	75	100	150	200	300	400	500
10	7.5	8	8.5	9	10					
25	17	17.5	18	19	20	22	25			
50	32	33	35	37	39	42	46	50		
75	42	43	44	45	47	50	53	62	71	
100	50	52	53	55	57	61	67	80	100	
150	60	62	63	65	66	72	78	96	120	150
200	66	70	72	76	80	88	94	120	150	180
300	75	78	81	84	87	93	99	132	162	210
400	76	80	84	88	92	100	116	160	184	240
500	85	88	90	93	95	105	120	165	190	250
600	94	96	100	103	107	115	126	168	192	252
700	103	106	109	113	117	125	134	172	194	254
800	112	114	118	122	126	137	147	173	196	256
900	120	123	124	128	131	142	152	174	198	258
1000	125	128	130	132	135	147	159	175	200	260