

Meeting Date: September 16, 2013

Agenda Item: # 9



VILLAGE OF HOWARD PLAN COMMISSION

BACKGROUND

Staff is proposing several areas of the sign code be updated for clarification to avoid interpretation conflicts in the future. Staff is looking for a recommendation for changes to signs that are currently non-conforming. This would affect both off-premise signs and on-premise signs. Staff has highlighted areas within the code for discussion purposes.

ARTICLE VI. REGULATION OF SIGNS

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DIVISION 1. GENERALLY

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Sec. 50-1220. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animated sign means a sign with action, motion, flashing lights, or color changes requiring electrical energy or manufactured sources of supply. The term "animated sign" does not include wind actuated elements, such as flags, banners or specialty items, or public service signs, such as time and temperature, revolving or changeable message signs.

Area of sign means the area of the largest single face of a sign within the perimeter which forms its outside shape, but excluding the supports or uprights upon which the sign is mounted. If the sign consists of more than one section or module, all areas shall be totaled. The area of an irregular-shaped sign shall be computed using the actual surface area of the sign face. When computing sign area, only those faces which can be seen from any one direction at any one time shall be counted.

Billboard. See *Off-premises sign*.

Changeable message sign means a sign, such as a time and temperature sign, message center or reader board, where copy changes electrically, electronically or manually.

Copy means the advertising message, announcement or decoration of a sign.

Directional sign means an on-premises, incidental sign designed to guide or direct pedestrians or vehicular traffic.

Double-faced sign means a sign with copy on two back-to-back parallel sides, facing in opposite directions.

Freestanding sign means a sign which is supported by one or more columns, uprights or braces, in or upon the ground.

Grade means the elevation or level of the street closest to a sign, measured at the street's centerline.

Height of sign means the vertical distance measured from the highest point or component of a sign to the ground elevation at the location where the sign support structure contacts the ground. In the event a sign support structure contacts the ground at multiple locations, sign height shall be measured at the location creating the greatest dimension. For the purposes of this subsection, berms, earth mounds, landscaping or other improvements located at or near the base of a sign shall not be considered when measuring sign height.

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Illuminated sign means a sign in which a source of light is used to make the message readable. The term "illuminated sign" includes internally and externally lighted signs.

Legal nonconforming sign means a nonconforming sign which complied with applicable code regulations at the time it was originally erected.

Marquee means a permanent, rooflike structure projecting from a wall of a building over an entrance, erected primarily to provide shelter from the weather, which may be supported in whole or in part by vertical supports to the ground.

Marquee sign means a sign attached to or constructed in, on or under a canopy or marquee.

Maximum area of signs means the total area of all signs located on a lot.

Monument sign means a sign mounted on a base or platform. The base shall be constructed out of a solid material such as stone, brick or poured concrete and its dimensions shall be proportionate to those of the sign. The bottom of the sign shall be located within six inches vertically of the base and the height of the sign, as defined in this section shall not exceed eight feet.

Nonconforming sign means a sign which does not comply with the regulations set forth in this article.

Off-premises sign means a sign which advertises goods, products, facilities or services not necessarily on the premises where the sign is located, or directs persons to a different location from where the sign is located.

On-premises sign means a sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

Projecting sign means a single or double faced sign which is attached to and projects from a structure or building fascia more than 12 inches.

Revolving sign means a sign which revolves 360 degrees but does not exceed eight revolutions per minute.

Roof sign means a sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by such building.

Sign means any illuminated or nonilluminated emblem, painting, banner, pennant, placard, design, identification, description, illustration or device intended to advertise, identify, convey information or direct attention to a product, service, place, activity, person, institution or business, including any permanently installed or situated merchandise. For the purpose of removal, the term "sign" includes its supporting structure.

Sign structure means any structure which supports or is capable of supporting a sign. A sign structure may consist of a single pole or may be an integral part of a building.

Wall sign means a sign which is affixed to or painted on an exterior wall of a building or structure and which projects not more than 12 inches from the building or structure wall and which does not extend more than six feet above the parapet, eaves or building facade of the building on which it is located.

(Comp. Ords. 2000, § 17.22(4); Ord. No. 2004-12, § 1, 3-22-2004; Ord. No. 2006-02, § 1, 1-23-2006; Ord. No. 2012-09, § 1, 6-25-2012)

Sec. 50-1221. Purpose.

The purpose of this article is to promote and protect the public safety, morals, comfort, convenience and general welfare by regulating the placement, erection and maintenance of signs in the village.

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(Comp. Ords. 2000, § 17.22(1))

Sec. 50-1222. Scope.

This article shall pertain to and regulate all signs in the village with the exception of those signs located in or on a public right-of-way or public domain.

(Comp. Ords. 2000, § 17.22(2); Ord. No. 03-33, §§ 1, 2, 11-24-2003)

Sec. 50-1223. Compliance.

No sign in the village shall hereafter be erected, constructed, altered, rebuilt, enlarged, extended or relocated, except in conformity with the provisions of this article. The changing of movable parts of signs that are designed to be changed, or the repainting of display matter in conformity herewith shall not be deemed to be alterations within the meaning of this article.

(Comp. Ords. 2000, § 17.22(3))

Secs. 50-1224—50-1249. Reserved.

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DIVISION 2. GENERAL REQUIREMENTS

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[Sec. 50-1269. Products and services signs.](#)

[Secs. 50-1270—50-1294. Reserved.](#)

Sec. 50-1250. Applicability

The general requirements in this division shall apply to signs in the village.

(Comp. Ords. 2000, § 17.22(5)(intro.); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1251. Animated signs in residential zoning districts.

No animated signs shall be erected or maintained on any land in or **within 200 feet** of a residential zoning district where dwellings exist.

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(Comp. Ords. 2000, § 17.22(5)(a); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1252. Height of freestanding signs.

Any freestanding sign located closer than 15 feet to a front or corner side lot line shall have a minimum underclearance of ten feet, measured from the bottom of the sign to grade level at the right-of-way line, or shall not be more than three feet in height.

(Comp. Ords. 2000, § 17.22(5)(c); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1253. Height of projecting signs and marquee signs.

Any projecting sign or marquee sign located closer than 15 feet to a front or corner side lot line shall have a minimum underclearance of ten feet, measured from the bottom of the sign to grade level at the right-of-way line.

(Comp. Ords. 2000, § 17.22(5)(d); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1254. Illumination of signs.

All electrical signs shall conform to the requirements specified in [chapter 40](#), electrical code. External illumination shall be directed entirely on the sign.

(Comp. Ords. 2000, § 17.22(5)(e); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1255. Location of freestanding signs.

Freestanding signs shall be located within the property lines and shall be set back from the street curbline or road surface a distance at least equal to or greater than the height of the sign.

(Comp. Ords. 2000, § 17.22(5)(f); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1256. Maintenance of signs.

All signs and sign structures shall be properly maintained and kept in a appropriate state of repair and appearance.

(Comp. Ords. 2000, § 17.22(5)(g); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

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Sec. 50-1257. Mounting of signs.

All signs shall be mounted so that the back of the sign blends with the surrounding environment or is screened from public view. This shall be accomplished by mounting against a building or wall, back-to-back in pairs or clusters, or by painting and maintaining the sign back a neutral color.

(Comp. Ords. 2000, § 17.22(5)(h); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1258. Neighborhood identification signs.

Signs identifying a neighborhood, subdivision or housing complex are permitted in any residential zoning district. Such signs shall identify only the name of the neighborhood, subdivision or housing complex and may consist of a masonry wall, landscaping or other materials combined to form a display. Neighborhood identification signs shall not exceed a height of eight feet, shall be limited in area to 32 square feet, and shall not be illuminated unless specifically approved by the village plan commission.

(Comp. Ords. 2000, § 17.22(5)(i); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1259. Off-premises billboard signs.

All off-premises billboard signs are prohibited in the village.

(Comp. Ords. 2000, § 17.22(5)(j); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1260. Temporary promotional signs.

Business establishments shall be permitted to display one temporary promotional sign, banner, placard, flag, emblem, pennant or similar device not exceeding 50 square feet in area, for a total of eight weeks per calendar year per business, to advertise, identify, promote or direct attention to goods, products, services or activities available or offered on the premises where the sign is installed or displayed. Promotional signs shall be subject to the sign permit regulations set forth in [section 50-1265](#) but in no case shall a permit for a promotional sign be issued for a time period less than one week in length. Promotional signs shall be located entirely on the property to which they pertain and shall comply with all other applicable regulations set forth in this article. For the purposes of this division, promotional signs may be permitted in addition to the permanent signs allowed in division 5 of this article. The fee for a promotional sign permit shall be \$25.00, except such fee shall be doubled to \$50.00 in the event such sign is displayed prior to a permit being issued or during a nonapproved time period.

(Comp. Ords. 2000, § 17.22(5)(k); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

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Sec. 50-1261. Removal of signs.

- (a) The following signs shall be removed by the business or property owner upon receipt of a removal notice from the village department of code administration:

(1) All prohibited nonconforming signs, as defined in [section 50-1297](#)

(2) All deteriorated, dilapidated or abandoned signs;

(3) All signs which no longer serve the purpose for which they were originally intended; and

(4) All other signs which do not comply with the provisions of this article.

- (b) Upon failure of the business or property owner to remove the sign within 60 days of such notice, the sign shall be removed by the village at the owner's expense.

(Comp. Ords. 2000, § 17.22(5)(l); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1262. Roof-mounted signs.

Roof-mounted signs are permitted only in business, commercial and industrial zoning districts. The highest point of a roof-mounted sign shall not exceed the highest point of the building upon which such sign is located.

(Comp. Ords. 2000, § 17.22(5)(m); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1263. Safety standards.

No sign, in direct line of vision of any traffic signal from any point in a traffic lane, shall have red, green or amber illumination, nor shall such sign be distracting or illustrated in a manner which interferes with clear vision of such signal. The village director of code administration may declare any sign to be a traffic hazard upon recommendation from the village engineer and/or village police department. Any such sign shall be removed, relocated or rearranged in accordance with accepted safety standards and the standards specified in this article.

(Comp. Ords. 2000, § 17.22(5)(n); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1264. Signs adjacent to residential zoning districts.

No sign facing a residential zoning district shall be erected or installed closer than 25 feet to such zoning district boundary line.

(Comp. Ords. 2000, § 17.22(5)(o); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

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Sec. 50-1265. Sign permits.

Except as specifically exempted in division 4 of this article, no person shall erect, construct, enlarge or structurally alter a freestanding sign, as defined in section 50-1220, in the village, or cause the same to be done, without first obtaining a permit for such sign from the village department of code administration. Permits shall not be required for a change of copy on any sign, or for routine painting, cleaning, maintenance or repair of a sign or sign structure. Except as specifically regulated elsewhere in this chapter, the fee for a sign permit shall be \$5.00 per square foot of sign area.

(Comp. Ords. 2000, § 17.22(5)(p); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1266. Size of marquee signs.

Marquee signs may be placed on, attached to or constructed in a marquee. Marquee signs shall be limited to the size of the marquee.

(Comp. Ords. 2000, § 17.22(5)(q); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1267. Size of wall signs.

No wall sign shall exceed 40 percent of the area of the wall upon which such sign is affixed or four square feet per lineal foot of wall, whichever is greater.

(Comp. Ords. 2000, § 17.22(5)(r); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1268. Stability of signs.

Signs shall be designed and constructed to safely withstand a wind pressure of at least 30 pounds per square foot of sign surface and shall be securely anchored or otherwise fastened, suspended or supported so as not to be a menace to persons or property. No sign shall be suspended by chains or other devices which allow the sign to swing due to wind action.

(Comp. Ords. 2000, § 17.22(5)(s); Ord. No. 03-17, § 1, 8-25-2003; Ord. No. 03-31, §§ 1, 2, 11-24-2003; Ord. No. 03-34, §§ 1, 2, 11-24-2003; Ord. No. 2007-42, § 1, 11-26-2007; Ord. No. 2007-43, § 1, 12-10-2007)

Sec. 50-1269. Products and services signs.

Products and services signs are signs displayed near the entrance to a business or adjacent to a drive-through facility or ordering area which call attention to specific products and services available on the site or in the establishment where the signs are located. Such signs are specifically intended to be utilized by persons patronizing the business establishment and are not intended to be easily viewed by passersby on the public street. Products and services signs shall comply with the following regulations:

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- (1) Signs shall be located within ten feet of the entrance to a business establishment, an ordering area or a drive-through facility.
- (2) Individual signs shall not exceed an area of eight square feet.
- (3) Signs shall be located at least 40 feet from a public street or shall otherwise not easily be seen by passersby on the public street.
- (4) Lettering on signs shall not exceed a height of three inches.
- (5) Signs may rest on the ground surface or may be suspended from another sign, building or post but in no case shall the top of the sign be located at a height higher than eight feet.
- (6) Signs shall not pose a tripping, vision clearance, underclearance or other similar hazard to pedestrians in the immediate area of such signs.
- (7) Permits are not required for products and services signs.
- (8) Signs shall be capable of being easily removed and shall not be permanently affixed.
- (9) For the purposes of this division, products and services signs may be permitted in addition to the permanent signs allowed in division 5 of this article.

(Ord. No. 2010-2, § 1, 1-25-2010)

Secs. 50-1270—50-1294. Reserved.

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DIVISION 3. NONCONFORMING SIGNS

DIVISION 3. NONCONFORMING SIGNS

[Sec. 50-1295. Regulations.](#)

[Sec. 50-1296. Permitted nonconforming signs.](#)

[Sec. 50-1297. Prohibited nonconforming signs.](#)

[Secs. 50-1298—50-1322. Reserved.](#)

Sec. 50-1295. Regulations.

The regulations in this division shall apply to all nonconforming signs in the village.

(Comp. Ords. 2000, § 17.22(6)(intro.))

Sec. 50-1296. Permitted nonconforming signs.

All nonconforming signs existing on the effective date of the ordinance from which this article is derived are permitted, provided such signs complied with all applicable ordinances and regulations at the time of initial erection or subsequent alteration, and such signs were covered by sign permits, if required. Such nonconforming signs shall be permitted as long as the following conditions are met:

- (1) The sign is not structurally modified or altered, except as specifically permitted in subsection (3) below, and except where such work results in, or has the effect of, bringing such sign more in compliance with the provisions of this article. For the purposes of this article, normal maintenance or changing of copy shall not be considered a modification or alteration.
- (2) The sign is not relocated or replaced except as specifically permitted in subsection (3) below.
- (3) If a highway project of the department of transportation causes the realignment of a nonconforming sign per Wis. Stats. § 84.30(5r), such sign may be relocated on the same site as long as no modifications or alterations are made to the sign other than those specifically necessary to move the structure. Such realignment or relocation of the sign shall not affect its nonconforming status under this division.
- (4) No realignment of a nonconforming sign undertaken in accordance with subsection (3) above, shall result in an increase in height of the realigned sign. For the purposes of this subsection, the "height" of a sign is determined as defined in [50-1220](#)

(Comp. Ords. 2000, § 17.22(6)(a); Ord. No. 2011-19, § 1, 11-14-2011; Ord. No. 2012-10, § 1, 6-25-2012; Ord. No. 2011-19, § 1, 11-14-2011; Ord. No. 2012-10, § 1, 6-25-2012)

Sec. 50-1297. Prohibited nonconforming signs.

All nonconforming signs which do not satisfy the requirements specified in [section 50-1296](#), permitted nonconforming signs, are prohibited.

(Comp. Ords. 2000, § 17.22(6)(b))

Secs. 50-1298—50-1322. Reserved.

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[Sec. 50-1332. No trespassing and no dumping signs.](#)

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[Sec. 50-1335. Political and campaign signs.](#)

[Sec. 50-1336. Real estate signs.](#)

[Sec. 50-1337. Certain temporary signs.](#)

[Sec. 50-1338. Vehicular signs.](#)

[Sec. 50-1339. Window signs.](#)

[Sec. 50-1340. Corporate flags.](#)

[Sec. 50-1341. Rummage, garage and yard sale signs.](#)

[Secs. 50-1342—50-1365. Reserved.](#)

Sec. 50-1323. Applicability.

The signs in this division are permitted in any zoning district and are exempt from the permit requirements specified in [section 50-1265](#). CURRENTLY WE DON'T COUNT TOWARDS THE OVERAL SQUARE FOOTAGE. Such signs, however, shall comply with all other applicable regulations as set forth in this article.

(Comp. Ords. 2000, § 17.22(7)(intro.); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1324. Awning signs.

Signs that consist of one line of copy upon the border of the awning.

(Comp. Ords. 2000, § 17.22(7)(a); Ord. No. 2008-21, § 1, 7-28-2008)

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DIVISION 5. SPECIFIC ZONING DISTRICT REGULATIONS.

Sec. 50-1325. Building numbers and nameplates.

Signs that identify building street numbers and/or names of property owners. Such signs shall not exceed two square feet in area per building. Buildings located on corner lots shall be permitted two such signs, one facing each street.

(Comp. Ords. 2000, § 17.22(7)(b); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1326. Construction signs.

Signs that identify a construction project and/or contractor. A maximum of two construction signs, no greater than 100 square feet each, shall be permitted per construction project. Such signs shall be confined to the construction site and shall be removed within 30 days of completion of construction or prior to occupancy, whichever occurs first. Construction signs located in residential zoning districts shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(c); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1327. Directional and instructional signs.

Signs which provide instruction or direction including, but not limited to, those identifying restrooms, telephones, parking areas, entrances and exits. Such signs shall be located entirely on the property to which they pertain and shall not exceed an area of eight square feet each. Directional signs may identify a business by means of a business name, emblem or logo, but shall not contain advertising. Directional and instructional signs located in residential zoning districts shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(d); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1328. Symbols, plaques, insignias and emblems.

Symbols, commemorative plaques, insignias and identification emblems of any nation, political organization, association, religious order or recognized historic agency. Such signs shall be located entirely on the property to which they pertain and shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(e); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1329. Government signs.

Signs erected by or on the order of a public official in the performance of his public duties including, but not limited to, traffic control signs, regulatory signs, danger signs, railroad crossing signs, public utility signs, and signs which aid in public service or safety.

(Comp. Ords. 2000, § 17.22(7)(f); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1330. Interior signs.

Signs located within the interior of any building or structure and which are not visible from a public right-of-way. Such signs, however, shall comply with the structural, electrical and material specifications set forth elsewhere in this article.

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(Comp. Ords. 2000, § 17.22(7)(g); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1331. Memorial signs and plaques.

Signs which identify the name of a building and date of erection. Such signs shall be limited to four square feet in area unless they are cut into a masonry surface or inlaid so as to be part of the building. Such signs located in residential zoning districts shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(h); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1332. No trespassing and no dumping signs.

No trespassing and no dumping signs shall not exceed an area of 1½ square feet per sign.

(Comp. Ords. 2000, § 17.22(7)(i); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1333. Public notices.

Signs which display public notices and which are posted by a public official in the performance of his duties.

(Comp. Ords. 2000, § 17.22(7)(j); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1334. Public signs.

Signs specifically authorized or required for a public purpose by any law, statute or ordinance.

(Comp. Ords. 2000, § 17.22(7)(k); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1335. Political and campaign signs.

Signs erected on behalf of candidates for public office or measures on election ballots. Such signs may be erected no sooner than 30 days prior to the primary election and shall be removed within 15 days following the general election. Such signs shall not exceed an area of 16 square feet in nonresidential zoning districts and eight square feet in residential zoning districts, except when placed on billboards permitted by this article. No political or campaign sign shall be located in or over a public right-of-way or within 15 feet of a public right-of-way at a street intersection. Such signs located in residential zoning districts shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(l); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1336. Real estate signs.

Signs which advertise buildings, property or real estate for sale, rental or lease. Such signs shall be located entirely on the premises to which they directly pertain and shall not be illuminated. No more than one real estate sign shall be permitted per lot or parcel of land, except on corner lots where two signs are permitted, one facing each street. Such signs shall not exceed an area of 32 square feet in nonresidential zoning districts and eight square feet in residential zoning districts. Real estate signs shall be removed within 30 days after the sale, rental or lease has been accomplished.

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(Comp. Ords. 2000, § 17.22(7)(m); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1337. Certain temporary signs.

Signs pertaining to civic, philanthropic, educational or religious drives or events shall not exceed four square feet in area. Such signs shall be posted no more than 30 days prior to said event, and shall be removed within 15 days after the event. Temporary signs shall be located entirely on the property to which they pertain and shall not be illuminated.

(Comp. Ords. 2000, § 17.22(7)(n); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1338. Vehicular signs.

Signs mounted on trucks, busses, trailers or other vehicles operating during the normal course of business, excluding businesses primarily engaged in the display of signs.

(Comp. Ords. 2000, § 17.22(7)(o); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1339. Window signs.

Signs placed on the inside surface of a window or other exterior glazed opening of a building for purposes of viewing from outside the premises. Window signs shall be permitted only in nonresidential zoning districts and only on ground floor or first floor windows. The total area of such signs shall not exceed 50 percent of the total window area. Window signs shall not be placed on glass doors or windows where clear vision is required for pedestrian safety.

(Comp. Ords. 2000, § 17.22(7)(p); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1340. Corporate flags.

Flags bearing a corporate or business name, emblem, logo, design or identification flown on the property to which they pertain. Such flags shall not exceed 25 square feet in size (area), shall be flown only on business and industrially zoned lots, shall be flown from a flagpole not exceeding the height allowed for buildings in the applicable zoning district, shall have an underclearance of at least ten feet, and shall comply with the United States Flag Code. Only one such flag shall be permitted per lot of record.

(Comp. Ords. 2000, § 17.22(7)(q); Ord. No. 2008-21, § 1, 7-28-2008)

Sec. 50-1341. Rummage, garage and yard sale signs.

Signs which advertise private rummage sales, garage sales, yard sales or similar activities or events shall not be illuminated. Such signs shall not exceed an area of four square feet and shall be located entirely on the premises on which such sale or event takes place. No more than one such sign shall be permitted per lot or parcel of land, except on corner lots where two signs are permitted, one facing each street. Rummage, garage and yard sale signs shall be displayed no sooner than one day prior to the beginning of the sale and shall be removed within one day after the sale has taken place, but in no case shall any such sign be displayed more than ten consecutive days per sale or event. Rummage, garage and yard sale signs shall be permitted to advertise no more than two sales or events per location per calendar year.

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Secs. 50-1342—50-1365. Reserved.

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[Sec. 50-1366. Applicability.](#)

[Sec. 50-1367. R-1, R-2, R-3 and R-4 zoning districts.](#)

[Sec. 50-1368. R-5 and A-1 zoning districts.](#)

[Sec. 50-1369. B-1 zoning district.](#)

[Sec. 50-1370. B-2 zoning district.](#)

[Sec. 50-1371. I-1, I-2, I-3, I-4 and I-6 zoning districts.](#)

[Sec. 50-1372. I-5 zoning district.](#)

[Sec. 50-1373. B-3 zoning district.](#)

[Secs. 50-1374—50-1399. Reserved.](#)

SHOULD WE ALLOW SIGNAGE IF THERE IS A NON-CONFORMING SIGN, STRUCTURE, OR USE OF THE PROPERTY

Sec. 50-1366. Applicability.

The specific zoning district regulations in this division shall apply to signs in the village.

(Comp. Ords. 2000, § 17.22(8)(intro.); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1367. R-1, R-2, R-3 and R-4 zoning districts.

Unless specifically permitted elsewhere in this article, all signs are prohibited in the R-1, R-2, R-3 and R-4 zoning districts except the following:

- (1) *Portable signs used by churches, schools and similar nonprofit organizations to advertise community events, fundraisers and other civic activities.* Such signs, however, shall comply with the regulations set forth in [section 50-1260](#), portable signs.
- (2) *Identification signs and changeable message signs for churches, schools and similar nonprofit organizations.* Such signs shall be located on the church or school premises and shall not exceed a total area of 100 square feet per lot or site. When freestanding, such signs shall not exceed an area of 32 square feet or a height of eight feet.

(Comp. Ords. 2000, § 17.22(8)(a); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

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Sec. 50-1368. R-5 and A-1 zoning districts.

Unless specifically permitted elsewhere in this article, all signs are prohibited in the R-5 and A-1 zoning districts except the following:

- (1) *Farm operation identification signs.* Such signs shall identify only the name of the farm operation, shall be limited to one sign per road frontage, and shall not exceed an area of 32 square feet per sign. Permit applications for farm operation identification signs shall be reviewed and approved by the village plan commission prior to issuance. Such signs shall not be illuminated unless specifically approved by the village plan commission.
- (2) *Portable signs used by churches, schools and similar nonprofit organizations to advertise community events, fundraisers and other civic activities.* Such signs, however, shall comply with the regulations set forth in [section 50-1260](#), portable signs.
- (3) *Identification signs and changeable message signs for churches, schools and similar nonprofit organizations.* Such signs shall be located on the church or school premises and shall not exceed a total area of 100 square feet per lot or site. When freestanding, such signs shall not exceed an area of 32 square feet or a height of eight feet.

(Comp. Ords. 2000, § 17.22(8)(b); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1369. B-1 zoning district.

All signs in the B-1 zoning district shall comply with the requirements set forth in [section 50-510](#).

(Comp. Ords. 2000, § 17.22(8)(c); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1370. B-2 zoning district.

On-premises signs are permitted in the B-2 zoning district subject to the following regulations:

- (1) The total area of all signs on a lot shall not exceed 400 square feet except as specifically permitted for shopping centers or except as specifically allowed as a conditional use in accordance with division 9 of article II of this chapter.
- (2) No freestanding sign shall exceed a height of 30 feet.
- (3) No more than one freestanding sign shall be permitted per lot frontage except as specifically permitted for shopping centers.
- (4) Shopping centers shall be permitted one additional on-premises, freestanding sign per lot frontage. The area of each such additional sign shall not exceed 300 square feet.

(Comp. Ords. 2000, § 17.22(8)(d); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1371. I-1, I-2, I-3, I-4 and I-6 zoning districts.

On-premises signs are permitted in the I-1, I-2, I-3, I-4 and I-6 zoning districts, subject to the following regulations:

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- (1) The total area of all signs on a lot shall not exceed 400 square feet or except as specifically allowed as a conditional use in accordance with division 9 of article II of this chapter.
- (2) No freestanding sign shall exceed a height of 35 feet.
- (3) No more than one freestanding sign shall be permitted per lot frontage.

(Comp. Ords. 2000, § 17.22(8)(e); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1372. I-5 zoning district.

Unless specifically permitted elsewhere in this article, all signs are prohibited in the I-5 zoning district.

(Comp. Ords. 2000, § 17.22(8)(f); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Sec. 50-1373. B-3 zoning district.

All signs in the B-3 zoning district shall comply with requirements set forth in [section 50-781](#).

(Comp. Ords. 2000, § 17.22(8)(g); Ord. No. 03-17, §§ 2, 3, 8-25-2003; Ord. No. 2004-37, § 2, 11-22-2004)

Secs. 50-1374—50-1399. Reserved.

DIVISION 6. ELECTRONIC SIGNS

[Sec. 50-1400. Definitions.](#)

[Sec. 50-1401. Applicability.](#)

[Sec. 50-1402. General regulations.](#)

[Secs. 50-1403—50-1427. Reserved.](#)

Sec. 50-1400. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Electronic sign means a sign, or portion of a sign, that displays an electronic image or video, which may or may not include text wherein the sequence of messages or images and the rate of change is electronically programmed and can be modified by electronic processes. The term "electronic sign" includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holographic displays.

(Ord. No. 2008-25, § 1(a), 10-27-2008)

Sec. 50-1401. Applicability.

The regulations in this division shall apply to electronic signs in the village.

(Ord. No. 2008-25, § 1(intro.), 10-27-2008)

Sec. 50-1402. General regulations.

- (a) *Scrolling messages.* No scrolling messages shall be allowed adjacent to the Highway 29/32 or the Highway 41/141 rights-of-way.
- (b) *Time duration.* Any image or message or portion thereof displayed on a sign shall have a minimum display time duration of eight seconds and shall be static display. Transition time shall be no longer than two seconds and black space is not permitted between message changes. Gas price signs, time and temperature signs and similar electronic signs are exempt these regulations.
- (c) *Brightness.* The maximum brightness of electronic signs shall not exceed 5,000 nits (candelas per square meter) during daylight hours and shall not exceed 500 nits (candelas per square meter) between dusk and dawn. All electronic signs shall be equipped with an automatic dimmer control which produces a distinct illumination change from the higher allowed illumination level during daytime hours to the lower allowed level for the time period between one half hour before sunset and one half hour after sunrise.
- (d) *Amber alerts.* All approved electronic signs shall be made available for amber alerts and other emergency community notifications as deemed necessary by the village police department.
- (e) *Public decency.* All graphics and lettering displayed on electronic signs shall meet public decency standards.
- (f) *Railroad crossings.* No electronic sign shall be permitted within 200 feet of any railroad crossing.
- (g) *Government signs.* The provisions of this section do not apply to government signs as defined in [section 50-1329](#)

(h) **Portable signs.** Portable electronic signs are prohibited.

- (i) *Projection.* Electronic signs mounted on a building or building appurtenance shall not project from the face of a building or appurtenance more than 18 inches.
- (j) *Malfunction.* Electronic signs shall contain a default design that will freeze the display or design in one position in the event of a malfunction.
- (k) *Audio and pyrotechnics.* Electronic signs shall not contain or utilize audio speakers or any form of pyrotechnics.

(Ord. No. 2008-25, § 1(b), 10-27-2008)

Secs. 50-1403—50-1427. Reserved.

B-1 SIGN REGULATIONS

Sec. 50-510. Sign regulations. 

The sign regulations set forth in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply:

(1) Except as specifically allowed in division 4 of article VI of this chapter, exempt signs, and except as specifically allowed in subsection (2) of this section, only monument signs and signs mounted on a building or building appurtenance are permitted in the business (B-1) zoning district.

(2) Signs which do not comply with the provisions of subsection (1) of this section, and which existed on December 1, 2004, are permitted, provided such signs complied with all applicable ordinances and regulations at the time of initial erection or subsequent alteration, and such signs were covered by valid sign permits, if required. Any such sign may be repaired, structurally modified, altered or replaced as long as such work results in an identical sign or a sign which is more in compliance with the regulations in effect prior to December 1, 2004.

(3) The total area of all signs on a lot shall not exceed 300 square feet.

(4) No more than one monument sign shall be permitted on a lot.

B-3 SIGN REGULATIONS

Sec. 50-781. Sign regulations. 

The sign regulations set forth in this section shall apply in the Neighborhood Commercial (B-3) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

(1) Only wall-mounted and monument signs are permitted except as specifically allowed in division 4 of article VI of this chapter, exempt signs.

(2) Wall-mounted signs shall not occupy more than ten percent of the area of the wall upon which they are mounted.

(3) No more than one monument sign shall be permitted per lot or tax parcel.

(4) Monument signs shall not exceed eight feet in height or 40 square feet in area per side.

(5) The ratio of the height of a monument sign to its width (height/width) shall be less than one.

(6) Monument signs shall be located adjacent to principal structures.

(7) Signs may only display the name, logo and street address of the business to which they pertain.

(8) The total area of all signs on a lot shall not exceed 300 square feet except as specifically allowed as a conditional use in accordance with division 9 of article II of this chapter.

(9) Signs shall not be highly illuminated and shall not constitute a distraction or nuisance to the public.