

VILLAGE OF LINCOLNSHIRE

ORDINANCE NO. 10-3158-35

**AN ORDINANCE AMENDING TITLE 12 (SIGNS)
OF THE VILLAGE OF LINCOLNSHIRE MUNICIPAL CODE
TO REMOVE DISPLAY LIMITATION FOR POLITICAL SIGNS**

WHEREAS, the Village of Lincolnshire, an Illinois home rule municipal corporation, has the authority to adopt ordinances and promulgate rules and regulations that pertain to its government and affairs, including the coordination and operation of various activities and structures within its boundaries, and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Corporate Authorities of the Village of Lincolnshire find it necessary for the promotion and preservation of the public health, safety and welfare of the Village that the design, erection, construction, location and maintenance of all signs be regulated and controlled;

WHEREAS, the Village has express statutory authority to establish and enforce standards for the review of the design of buildings and structures, including signs, 65 ILCS 5/11-13-1(12); and

WHEREAS, Section 11-13-1(12) of the Illinois Municipal Code was amended by Public Act 96-904, effective January 1, 2011, to expressly eliminate and preempt the Village's authority to regulate, other than reasonable restrictions as to size, the display of outdoor political campaign signs on residential property during any period of time;

WHEREAS, the Board of Trustees referred to the Architectural Review Board ("ARB") a petition to consider and prepare a proposed text amendment to the Sign Code to reconcile the provisions of the Sign Code with Public Act 96-904; and

WHEREAS, following due publication of notice in the Lincolnshire Review on July 1, 2010, a public hearing concerning the proposed amendments to the Sign Code of the Village was conducted by the Architectural Review Board on July 20, 2010; and

WHEREAS, following deliberation and consideration on the evidence and testimony elicited during the public hearing and the recommendation of the Architectural Review Board, the Village Board desires for the Sign Code to be amended as proposed by Staff to further the regulation of signs; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village and the public to amend its Sign Code to promote the highest and best use of the land in the Village and to achieve various other goals promoting the economic health and welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village Of Lincolnshire, Lake County, Illinois, in exercise of its home rule powers, as follows:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance as though fully set forth herein. The findings of the Architectural Review Board of the Village of Lincolnshire, Lake County, Illinois, are herein incorporated by reference as the findings of this Board to the same effect as if fully recited herein at length. All references in the ARB's findings are made the references of the Mayor and Board of Trustees of the Village of Lincolnshire.

SECTION TWO: The Village of Lincolnshire Sign Code is hereby amended as follows:

A. Section 12-12-1 (Exempt Signs) of the Sign Code is amended by renumbering subparagraphs G to N, inclusive, as subparagraphs H to O, and inserting a new subparagraph G as set forth below:

G. Political signs are permitted only on private property and require consent of the property owner. Signs may be double-sided and shall be limited to six (6) square feet in area per side and a maximum height of four (4) feet.

B. Section 12-13-1(B)(5) of the Sign Code is stricken and subparagraphs 6 to 11 are renumbered as 5 to 10.

SECTION THREE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, either facially or as applied, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof or any other application under which such provision is deemed permitted.

SECTION FOUR: All prior Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: This Ordinance shall be in full force and effect from and after January 1, 2011.

SO ORDAINED this 23rd day of August, 2010, at Lincolnshire, Lake County, Illinois.

AYES: Brandt, Feldman, McDonough, Saltiel, Servi

NAYS: None

ABSENT: Walder

APPROVED:

Brett Blomberg, Mayor

DATE: 8/23/10

ATTEST:

Barbara Mastandrea, Village Clerk