

12-11-1: TITLE; PURPOSE; INTERPRETATION:

- A. Title: This Chapter shall be known, cited and referred to as the NORTH CHICAGO **SIGN** ORDINANCE.
- B. Intent And Purpose: The regulations of this Chapter are intended to coordinate the use, placement, physical dimensions, and design of all **signs** within the City. The purpose of these regulations is to promote the public health, safety and welfare, and develop a satisfactory visual appearance within the City by:
1. Promoting the objectives, principles and standards identified in the Comprehensive Plan for residential, commercial and industrial development; and
 2. Protecting the public from damage or injury caused by **signs** which are poorly designed or maintained and from distractions or hazards to pedestrians or motorists caused by the indiscriminate placement or use of **signs**; and
 3. Conserving the taxable value of land and buildings; and
 4. Creating the legal framework necessary to regulate signage in North Chicago; and
 5. Ensuring that all signage is compatible with City plans, policies and ordinances; and
 6. Maintaining property values by eliminating **signs** that are incompatible with surrounding land uses; and
 7. Encouraging a viable economic environment through uniform control of **signs**; and
 8. Encouraging quality **sign** design to promote a better visual environment; and
 9. Enhancing the physical appearance of the City through a program which ensures the removal of inadequately maintained illegal and nonconforming **signs** within a reasonable time period.
- C. Comprehensive Plan Incorporation: This Chapter is hereby incorporated as part of the North Chicago Comprehensive Plan.
- D. Approvals And Interpretations:
1. All interpretations of this Chapter are reserved to the administrative agencies and bodies referenced herein.
 2. Words used in the present tense shall include the future tense.
 3. Words used in the singular number include the plural number. Words used in the plural number shall include the singular number.
 4. The word "shall" is mandatory and not discretionary. The word "may" is permissive.
 5. The term "used for" shall include "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
 6. Words, terms and phrases used in this Chapter, unless defined in Section 12-11-2 of this Chapter, shall have the applicable meaning or meanings ascribed to them in Webster's Unabridged Dictionary.

(Ord. 805, 4-21-1997)

12-11-2: DEFINITIONS:

ABANDONED SIGN: A **sign** no longer correctly advertising a bona fide business, institution, lessor, owner, product or activity available or located on the premises where the **sign** is displayed.

ANIMATED SIGN: A **sign** which includes action or motion.

AREA OF DISPLAY: The geometric area enclosing the extreme limits of the **sign**. **Sign** structures and supports shall not be included in the area of display.

BANNER: A temporary **sign** made of a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted in such a way that it may move with a movement of air.

CANOPY SIGN: A **sign** attached to or constructed in, on, or under a canopy, awning or marquee.

CHANGEABLE MESSAGE SIGN: A **sign** designed so that copy may be changed electronically, mechanically or manually, without altering the face or surface of the **sign**.

COPY AREA: The geometric area in square feet enclosing the extreme limits of **sign** messages, illustrations and decorations.

CONSTRUCTION SIGN: A **sign** identifying the designers, contractors and financiers of projects on the site where the **sign** is located.

DIRECTIONAL SIGN: A **sign** designating the location or direction of any place or area.

DOUBLE-FACED SIGN: A **sign** with copy on two (2) back-to-back, parallel faces.

ELECTRIC SIGN: A **sign** containing internal electrical wiring attached or intended to be attached to an electrical energy source.

FACADE: All window and wall area in the front plane or elevation of a building.

FLASHING SIGN: A **sign** containing, or providing the illusion of containing, an internally or externally mounted intermittent light source.

FRONTAGE: The length of the property line of a parcel parallel to and along each public street the parcel borders.

GRADE: A ground elevation established for the purpose of regulating the height of a building or structure. The grade shall be the level of the ground adjacent to the walls of a building or the base of a structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the minimum and the maximum ground elevations within ten feet (10') of the **sign**.

GROUND SIGN: A **sign** erected on one or more freestanding supports or structures and not attached to a building.

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

IDENTIFICATION SIGN: A **sign** identifying a building, business, institution, person or activity on the premises where the **sign** is located.

NONCONFORMING SIGN: A **sign** lawfully erected prior to the adoption of the Ordinance codified in this Chapter which does not conform to this or other City ordinances.

OFF-PREMISES SIGN: A **sign** identifying or advertising a building, business, institution, person or activity located on a different site than the **sign**.

ON-PREMISES SIGN: A **sign** identifying or advertising a building, business, institution, person or activity located on the same site as the **sign**.

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 series, designed to move in the wind.

PORTABLE SIGN: A **sign** not permanently attached to the ground or a building.

PROJECTING SIGN: A **sign** which extends more than twelve inches (12") from a building.

ROOF SIGN: A **sign** erected on and principally supported by a roof.

SIGN: A display or structure intended to convey information regarding, or to direct attention to, a building, business, institution, person or activity.

SIGN STRUCTURE: A structure which supports, has supported, or is capable of supporting a **sign**.

SWINGING SIGN: A sign suspended by chains or other means, allowing lateral movement.

TEMPORARY SIGN: A sign which is not permanently affixed, including all devices, such as banners, pennants, flags (not including flags of any nation), and signs painted on the interior of a window or constructed of paper, cloth or other like material and attached to the interior of, or so displayed from the interior, in order to direct attention of persons outside the building to a sale of merchandise or a change in the status of business.

WALL SIGN: A sign extending not more than twelve inches (12") from a building, with the area of display and building facade parallel planes.

WINDOW SIGN: A sign installed in a window intended for viewing from outside the window.

(Ord. 805, 4-21-1997)

12-11-3: SIGN APPROVAL PROCEDURES:

12-11-3-1: PERMIT REQUIRED: Except as provided elsewhere in this Chapter, no sign shall be erected, constructed, moved or altered without first obtaining a permit from the Building Commissioner or his authorized representative. No permits shall be issued without the approval of the Director of Community Development and Planning or his authorized representative. Permits shall not be required for copy changes, repainting, cleaning and normal maintenance and repairs.

(Ord. 805, 4-21-1997)

12-11-3-2: PERMIT APPLICATION: Application for a sign permit, subject to the provisions of this Chapter, shall be submitted to the Building Commissioner. Two (2) complete sets of drawings, plats and plans, showing the following information, shall accompany the information:

- A. Name, address, telephone number of the sign owner.
- B. Name, address, telephone number of the sign contractor.
- C. Name, address, telephone number of the property owner.
- D. A clear and legible drawing showing the proposed sign, its dimensions, and the materials to be used in its construction.
- E. A site plan, drawn to scale, showing the proposed location of the sign, location of other signs, buildings, structures, drives and property lines, and a summary of sizes and types of existing signs on the site.
- F. Property zoning.
- G. Calculations or evidence that the sign and sign structure will withstand the required wind pressure load.
- H. Such other information as the Building Commissioner or Director of Community Development and Planning may require to show full compliance with this and all other applicable City ordinances.

(Ord. 805, 4-21-1997)

12-11-3-3: PERMIT ISSUANCE AND DENIAL: The Building Commissioner shall issue a permit for the erection, construction, relocation or alteration of a sign upon payment of required fees and determination that the sign complies with this and other City ordinances. Should the permit request be denied, the Building Commissioner shall provide the applicant written notice of denial together with a statement of the reasons for the denial. Notice of permit issuance or denial shall be provided to the applicant by the Building Commissioner within thirty (30) days of the application filing.

(Ord. 805, 4-21-1997)

12-11-3-4: EFFECT OF PERMIT ISSUANCE: No **sign** permit issued pursuant to this Chapter shall constitute permission to maintain an unlawful **sign** or constitute a defense against an action to abate an unlawful **sign**. The Building Commissioner may at any time revoke a permit issued pursuant to this Chapter if the permit was issued on the basis of a misrepresentation of fact by the applicant, or if the **sign** poses a threat to the public health, safety, morals, comfort or welfare.

(Ord. 805, 4-21-1997)

12-11-3-5: APPEALS:

A. Scope Of Appeals: An appeal may be taken to the City Council by a person, firm or corporation, or by an officer, department, board or bureau aggrieved by an order, requirement, decision or determination of the Building Commissioner or other City official acting within the authority of this Chapter.

B. Stay Of Proceedings: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Building Commissioner certifies to the City Council after the notice of appeal has been filed that, by reasons of facts stated in the application, a stay would, in his opinion, cause imminent peril to life or property.

C. Procedure For Appeals:

1. City Council Public Hearing:

a. The City Council shall hold a public hearing on an appeal within forty five (45) days of its completed written filing.

b. Public notice shall be given as follows:

(1) By Applicant: The applicant shall provide notification of the public hearing by certified mail to each owner of property within two hundred fifty feet (250') of the subject property. Such notice shall be given not more than thirty (30) days and not less than fifteen (15) days before said hearing. Evidence that the notice required herein has been given shall be presented at the public hearing.

(2) By City Council: The City Council shall publish notice of the public hearing at least once, not more than thirty (30) days and not less than fifteen (15) days before said hearing, in a newspaper of general circulation in North Chicago.

(3) Content: The public notice provided by the applicant and published by the Zoning Board of Appeals shall contain, at a minimum, the following:

- (A) Date of public hearing.
- (B) Place of public hearing.
- (C) Time of public hearing.
- (D) Purpose of public hearing.
- (E) Legal description of subject property.
- (F) Common description of subject property and/or address of property.
- (G) Name of petitioner and/or owner or beneficiary.

2. City Council Determination: Within sixty (60) days after the close of the required public hearing of an appeal of an order, requirement, decision or determination of the Building Commissioner or other

City official acting within the authority of this Chapter, the City Council shall, upon the majority vote of its entire membership, grant, deny or modify said order, requirement, decision or determination from which the appeal was taken.

D. Effect Of Denial: No appeal which has been denied wholly or in part in accordance with the provisions herein established shall be resubmitted for a period of one year from the date of said order of denial, except on grounds of new evidence or proof of changed conditions found to be valid by the City Council.

(Ord. 805, 4-21-1997)

12-11-3-6: VARIATIONS:

A. Purpose: Variations shall only be used to modify the application of this Chapter to achieve a parity among properties similarly located and classified. Specifically, it is to be used to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent the erection, construction, relocation or alteration of a **sign** as intended by this Chapter. Variations from the regulations of this Chapter shall be granted by the City Council.

B. Procedure For Variations:

1. Standing: Petition for a variation from any provision of this Chapter may be made by the owner of the subject property or any other person having a proprietary interest in said property.

2. Filing: Petitions for variation shall be filed in writing on forms provided by the Building Commissioner, and shall be accompanied by such documents and information as the City Council may by rule require. Such documents and information shall include, but are not limited to, the following:

- a. The name, address and telephone number of the petitioner.
- b. Disclosure of all beneficial interests, officers and directors in a land trust, corporation or partnership involved.
- c. Description of proposed or requested action.
- d. Legal description of subject property.
- e. Common description of subject property.

3. City Council Public Hearing:

a. The City Council shall hold a public hearing on a petition for a variance within forty five (45) days of its completed written filing.

b. Public notice shall be given as follows:

(1) By Petitioner: The petitioner shall provide notification of the public hearing by certified mail to each owner of property directly affected by the proposed map amendment and to each owner of property within two hundred fifty feet (250') of the subject property. Such notice shall be given not more than thirty (30) days and not less than fifteen (15) days before said hearing. Evidence that the notice required herein has been given shall be presented at the public hearing.

(2) By City Council: The City Council shall publish notice of the public hearing at least once, not more than thirty (30) days and not less than fifteen (15) days before said hearing, in a newspaper of general circulation in North Chicago.

(3) Content: The public notice provided by the applicant and published by the City Council shall contain, at a minimum, the following:

- (A) Date of public hearing.

- (B) Place of public hearing.
- (C) Time of public hearing.
- (D) Purpose of public hearing.
- (E) Legal description of subject property.
- (F) Common description of subject property and/or address of property.
- (G) Name of petitioner and/or owner or beneficiary.

4. Standards For Variation: The City Council may grant a variance when, and only when, it shall have determined from evidence presented to it, that all of the following standards have been complied with:

- a. That special circumstances apply to the property for which the variation is sought and that these conditions are not applicable generally to other property located within the same zoning district.
- b. That the special circumstances or conditions which apply to the property have not resulted from any act of the applicant, or associated parties, subsequent to the adoption of the Ordinance codified in this Chapter, regardless of whether or not it is in violation of the provisions thereof.
- c. That the requested variation is the minimum adjustment necessary for a reasonable use of the property.
- d. That the requested variation is in harmony with the general purposes and intent of this Chapter, and will not be detrimental to the public welfare or to other property or improvements in the neighborhood, and will not alter the essential character of the neighborhood.
- e. That the requested variation will not impair an adequate supply of light and air to adjacent properties, increase the potential damage of fire, flood, or otherwise endanger the public safety.

5. Conditions Of Variation: The City Council may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to reduce or minimize the injurious effect of such variation upon other property in the neighborhood and to better carry out the general intent of this Chapter.

6. City Council Determination: Within sixty (60) days of the close of the required public hearing, the City Council, upon the majority vote of its entire membership, may grant, deny or modify said variation.

C. Effect Of City Council Denial: No requested variation which has been denied wholly or in part by the City Council shall be resubmitted for a period of one year from the date of said order of denial, except on grounds of new evidence or proof of changed conditions found to be valid by the City Council.

(Ord. 805, 4-21-1997)

12-11-3-7: SIGNS EXEMPT FROM PERMIT REQUIREMENTS:

A. Signs which identify architects, engineers, contractors, and other individuals and firms involved with the construction, but not including any advertisement of any product or service, and not including any other informational signs which indicate the intended purpose of the building, sale or leasing information. Construction signs shall not exceed thirty two (32) square feet of area per side and shall be confined to a construction site. Such signs shall be removed within seven (7) days of the date when the building is turned over to the owner or the date when the construction is completed, whichever shall occur first.

B. On-premises directional signs with area of display not exceeding twelve (12) square feet.

- C. Flags, emblems, plaques or insignia of any **political** subdivision, corporation, church or organization.
- D. **Signs** with area of display less than six (6) square feet erected by units of government for traffic control and other regulatory purposes.
- E. Railroad and utility company **signs** with an area of display less than six (6) square feet.
- F. **Signs** of a primarily decorative nature associated with National, local or religious holidays.
- G. House numbers and nameplates with an area of display not exceeding two (2) square feet. One nameplate per dwelling unit or office is permitted.
- H. **Signs** located within the interior of a building or structure not visible from the public right of way.
- I. **Signs** cut into a masonry surface or constructed of noncombustible material and inlaid.
- J. On-premises bulletin boards at medical, educational, charitable, religious and public institutions.
- K. On-premises "No Trespassing" and "No Dumping" **signs** with area of display not exceeding four (4) square feet.
- L. Plaques with area of display not more than six (6) square feet.
- M. Public notices posted by public officials or employees in the performance of their duties.
- N. **Signs** required or specifically authorized for a public purpose by law, statute or ordinance.
- O. **Political** and campaign **signs**, provided:
 1. The **signs** are erected not more than thirty (30) days prior to the applicable election and are removed not more than seven (7) days following the election.
 2. No **sign** shall be located within or project over the public right of way.
 3. Up to an area of six (6) square feet per face of cumulative total for all such **signs** on any one premises and may be double-faced. In multi-family districts, these **signs** are permitted, not to exceed six (6) square feet per face of cumulative total area for all such **signs** per dwelling unit.
 4. A person placing such **signs** in multi-family districts shall indicate his/her name on all **signs** placed by him/her. These **signs** shall be confined within private property only, and shall not be attached to fences, mailboxes or other accessory structures, shall not be placed either within public nor private right of way and shall be removed within four (4) days after the **political** event for which they were displayed. **Political signs** must not be installed more than thirty (30) days prior to an election to which they apply.
- P. On-premises, nonilluminated real estate sales and leasing **signs**, provided the area of display of such **signs** does not exceed six (6) square feet in residential zones and thirty two (32) square feet in all other zones, and that all **signs** are removed within seven (7) days of sales or lease.
 1. Real estate open house **signs** are permitted to be placed on public property in street rights of way on Saturdays and Sundays between the hours of twelve o'clock (12:00) noon and six o'clock (6:00) P.M.
 2. Such **signs** shall not exceed six (6) square feet in area, shall have a professional appearance and may have two (2) faces. The information provided by such **signs** shall be limited to the company identification, words "Open House" and a directional arrow.
 3. When placed in a cluster, there shall not be more than four (4) **signs** in a cluster at any location at the same time. All corners of an intersection are considered to be a single location. If an enforcement officer observes more than four (4) **signs** at a location, all **signs** at that location will be summarily removed.
- Q. **Signs** in a window display of merchandise, when incorporated with such displays.

1. **Signs** painted on the interior of the window with easily removable paint, not to exceed twenty percent (20%) of the window area.
2. **Signs** constructed of paper, cloth or other like material, and attached to the interior side of the window or so displayed from the interior in order to direct attention of persons outside of the building to a sale of merchandise within, or to a change in the status of the business, not to exceed twenty percent (20%) of the window area.
3. **Signs** either temporary or permanent in nature and either painted on the window surface or hung so that they are visible through the window and identifying the nature of the establishment's business, names of professionals, hours of operation, etc., not to exceed six (6) square feet in total area and four (4) square feet for individual **signs**.
4. Interior neon **signs** are permitted in retail centers only.

R. Temporary on-premises **signs**, not exceeding six (6) square feet, relating to events or activities of civic, philanthropic, educational or religious institutions, provided such **signs** are removed not more than ten (10) days after the event or activity.

S. Garage sale **signs** (also yard or any similar sale):

1. Not to exceed six (6) square feet in area, located only on the premises where the sale is being held, for a period of three (3) days. **Signs** shall be immediately removed the day the sale ends.
2. Directional **signs** guiding persons to the sale must not be placed on any public right of way and must be removed the date the sale ends. Such directional **signs** may be placed off the premises where a sale would be conducted, however may only be placed on private property and with the express permission of the property owner, whose name and phone number shall be given to an enforcement officer upon request. If this information is not available, such **signs** will be summarily removed.

T. **Signs** intended for seasonal message, such as Christmas or other National holidays or events:

1. Approved by the Director of Community Development and Planning and shall be limited to fifty (50) square feet in area and only for the locations approved by the Director of Community Development and Planning.
2. Such seasonal **signs** shall be removed within thirty (30) days after the event. Strings of lights, religious scenes and symbols, and other similar decorations and ornaments shall not be included in computation of the **sign** area.

U. **Signs** intended for seasonal message, such as Christmas or other National or religious holidays or events shall be permitted in residential districts. Such seasonal **signs** shall be removed within thirty (30) days after the event.

(Ord. 805, 4-21-1997)

12-11-3-8: PROHIBITED **SIGNS**: The following listed **signs**, of whatsoever type or size, illuminated or not, are prohibited:

- A. Permanent **signs** which are "abandoned", as defined in this Chapter, for a period of not less than three (3) months.
- B. Animated and flashing **signs**, with light exceeding fifteen (15) watts. This shall in no way be construed to prohibit the use of changeable message **signs**.
- C. Contain statements, words or pictures of an obscene, indecent, or immoral character, which will offend public morals and decency.
- D. Contain or are an imitation of an official traffic **sign** or signal, or contain the words "Stop", "Go Slow",

"Caution", "Danger", "Warning", or similar words.

E. Are of a size, shape, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic-control device, or which hides from view any traffic or street **sign** or signal.

F. Are portable.

G. Are projecting.

H. Advertise an activity, business, product or service no longer conducted on the premises upon which the **sign** is located.

I. Move in any manner or have a major moving part.

J. Contain or consist of banners, posters, pennants, ribbons, streamers, string of light bulbs, spinners, balloons or other similar devices. These devices when not part of any **sign** are similarly prohibited unless they are specifically permitted by other legislation or by other sections of this Chapter.

K. May swing or otherwise noticeably move due to wind or appear to be moving or flickering as a result of optical illusion.

L. Are located within one thousand feet (1,000') of an official traffic signal, **sign** or device or intersecting, merging, or approaching traffic so as to obscure or interfere with the view of these by a motorist or a pedestrian.

M. Are electrically or electronically controlled (changing **sign**, automatic), and where different copy changes are shown conveying messages other than time and temperature.

N. Direct attention to a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the same lot where such **sign** is displayed. Such **signs** shall include outdoor advertising **signs** on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

(Ord. 805, 4-21-1997)

12-11-4: STANDARDS FOR DESIGN AND LOCATION:

12-11-4-1: CODE COMPLIANCE: All **signs** erected, constructed, altered, relocated or maintained within the City shall comply with the City Building Code, the National Electrical Code*, and all other City ordinances.

(Ord. 805, 4-21-1997)

*Cross references: See Section 12-1-1 of this Title.

12-11-4-2: DESIGN AND CONSTRUCTION:

A. Design Standards:

1. All **signs** shall be designed and constructed to withstand wind loads of at least thirty (30) pounds per square foot on all parts of the **sign** face and structure.

2. Angle irons, chains, wires, supports and braces shall be hidden from public view to the extent technically feasible.
3. All signs shall comply with the construction standards of the most recent adopted edition of the BOCA National Building Code and the National Electric Code.
4. Electrical equipment or apparatus causing interference with radio and television reception are prohibited.
5. All signs shall have permanently attached a clearly legible plate identifying the owner of the sign, the person responsible for erecting the sign, and the date of erection.
6. All structures and poles supporting ground signs shall be self supporting and erected on or permanently anchored to concrete foundations.
7. No signs shall be suspended by chains or other means that could allow lateral movement.

B. Area Computation And Height Limitations:

1. The area of building wall, fascia, or canopy (marquee) sign shall consist of the entire sign area within a single continuous perimeter composed of a square, rectangle or other geometric configuration which encloses the extreme limits of the advertising message, announcement or decoration of a sign. When individual letters are used, the sign area shall be determined by the above procedure and shall include all of the blank space, as well as the individual letters, in the square foot area thus determined.
2. The area of the ground mounted sign shall consist of the entire sign area within the single continuous perimeter composed of a square, rectangle, or other configuration which encloses the extreme limits of the sign including any supports and embellishments which form an integral part of the display. If the sign consists of more than one section or module, all area will be totaled.
3. Maximum height above the center line of the street or parking lot as determined by Table 1 (subsection 12-11-4-3L of this Chapter).

C. Illumination:

1. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to the surrounding areas.
2. Signs relating to business, not including approved home occupations, in any residential district, shall be illuminated only during those hours when the establishment is open for business.
3. No sign shall have blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, color or brightness. Beacon lights are prohibited.
4. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic-control devices.
5. Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public and private thoroughfares.
6. No exposed reflective type bulbs or incandescent lamps which exceed fifteen (15) watts shall be used on the exterior surface of any signs so as to expose the face of the bulb, light or lamp to any public street or adjacent property.
7. No strobe lights shall be permitted on any signs or to light any sign. Spotlights and floodlights directed toward any sign, that may reflect off such sign toward public ways, are prohibited.
8. No exposed, gas-filled, discharge tubing (neon or similar) shall be used on the exterior surface of any sign or be visible through the face of any sign, if it is clear in color, without the sign concept and colors being first reviewed and approved by the City Council.
9. Within the limitations imposed above, signs may be directly illuminated by providing artificial light

either through exposed lighting on the **sign** face, or through transparent or translucent material from a light source within the **sign**.

D. Banners: Written notice shall be made to the Director of Community Development and Planning, stating the type, size, material, attachments and specific location of all such attraction devices.

Banners applied to paper, plastic or fabric used to decorate or attract attention to a business establishment, provided:

1. The **signs** are displayed in conjunction with a grand opening celebration for a period not to exceed thirty (30) days; or
2. The **signs** are displayed in conjunction with a special sale for a period not to exceed thirty (30) days; or
3. The **signs** are displayed no more than two (2) times per calendar year per establishment;
4. The banner shall be securely attached to the wall of the establishment, freestanding **signs** or light poles on private property;
5. One banner, per street frontage, per establishment shall be permitted;
6. A public entertainment or specific event message may not be displayed more than fourteen (14) days before the event and shall be removed within three (3) days after the event;
7. Banners shall be limited to fifty (50) square feet in area and all attraction devices shall not obstruct the passage of pedestrians or motor vehicles in any way, at any time;
8. Search lights and portable **signs** shall not be permitted, except those displayed in conjunction with a grand opening and following the standards of subsection F of this Section;
9. Except for public bodies, all attraction devices shall be confined to the private property and the premises being advertised. No attraction devices shall be erected, installed or placed without written permission of the Director of Community Development and Planning.

E. Changeable Copy **Signs**: Manual changeable copy **signs** shall be permitted when incorporated into a permitted wall or freestanding **sign** subject to all applicable standards.

1. Lettering used on manual changeable copy **signs** directed to local or collector streets shall be at least three inches (3") in height.
2. Lettering used on manual changeable copy **signs** directed to secondary or major arterial streets shall be at least six inches (6") in height.
3. Lettering used on manual changeable copy **signs** directed to pedestrians shall be one inch (1") in height.
4. No more than six (6) permanent items of information will be allowed on a **sign** which incorporates changeable copy. Two (2) lines of changeable copy are permitted which shall be limited to less than fifty percent (50%) of the total area of the **sign** face.

F. Special Event/Grand Opening **Signs**:

1. A temporary special event **sign** (balloon or searchlight device) shall be permitted for a total of four (4) events per year.
2. Ground/roof secured balloons shall be permitted, provided they do not exceed forty feet (40') maximum height from grade and twenty feet (20') maximum diameter, and are limited to spheroid shapes only. Such temporary balloon display shall be limited to a maximum period of four (4) consecutive days.
3. Ground/vehicle mounted searchlights may be displayed on private property for a maximum period of four (4) days.

4. Hours of operation. Illumination of balloons and searchlight devices shall be turned off between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.

G. Development Identification **Signs**:

1. Size:

- a. Single-family (attached and detached) subdivision **signs** shall be a maximum of thirty five (35) square feet in area.
- b. Business and multi-family residential **signs** shall be a maximum of seventy five (75) square feet in area.

2. Height:

- a. Single-family subdivision and multi-family residential **signs** shall be a maximum of eight feet (8') in height from established grade.
- b. Business **signs** shall not exceed twelve feet (12') in height from established grade nor nine feet (9') from finished grade.

3. Location:

- a. Single-family subdivision and multi-family residential **signs** shall be located a minimum of five feet (5') from any property line.
- b. Business **signs** shall be located a minimum of twelve feet (12') from any property line.

H. Landscaping; Freestanding **Signs**: Freestanding **signs** shall be landscaped at their base in a method harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the **sign** that is equally attractive in winter and summer. A minimum of two (2) square feet of landscaping will be required for every one square foot of **sign** face. The landscape area shall be curbed at the perimeter when the **sign** is incorporated into a hard-surfaced parking area.

(Ord. 805, 4-21-1997)

12-11-4-3: LOCATION AND PLACEMENT:

- A. No **sign** shall obstruct a fire escape, exit, door or window intended as a means of ingress and egress.
- B. No **sign** shall obstruct an opening required for ventilation.
- C. **Signs** shall maintain clearance from all surface, aboveground and underground utilities and facilities, and shall not interfere with drainage.
- D. No **sign** shall interfere with or obstruct the view to or from traffic-control devices, intersections, driveways, roadways, sidewalks, alleys or crosswalks.
- E. No **sign** shall interfere with or obstruct the circulation and flow of pedestrian and vehicular traffic.
- F. No roof **sign** shall be placed so as to interfere with movement on or access to a roof.
- G. No **sign** shall project over a public right of way.
- H. **Sign** locations accessible to vehicles shall have a minimum vertical clearance of sixteen feet (16') above grade.
- I. No **sign** facing a residential district shall be located closer than twenty five feet (25') to that district.
- J. Canopy **signs** and other **signs** located over pedestrian ways shall have a minimum vertical clearance of eight feet (8') above grade.
- K. No roof **sign** shall extend more than ten feet (10') above the highest point of the roof on which it is installed.

L. **Signs** should comply with the restrictions established in Table 1, **Sign Standards by Zoning District**, as illustrated on the following page.

TABLE 1

SIGN STANDARDS BY ZONING DISTRICT

TABLE INSET:

ZONE A

Ground **Signs**

	Residential	Commercial	Industrial/Office	Public Land
Maximum area of display per sign	100 sq. ft.	1 sq. ft. per 2 linear ft. frontage	1 sq. ft. per 4 linear ft. frontage	120 sq. ft.
Maximum height	6 feet	35 feet	40 feet	10 feet
Minimum setback from right of way	10 feet	5 feet	10 feet	10 feet
Number of sign structures	1 per development or neighborhood entrance	1 per street frontage	1 per street frontage	1 per street frontage

Wall, Roof, Canopy And Other **Signs**

Maximum total area of display per sign	Not allowed	10 percent of facade area	10 percent of facade area	5 percent of facade area
Number of signs	Not allowed	1 per street frontage	1 per street frontage	1 per street frontage

ZONE B

Ground **Signs**

	Residential	Commercial	Industrial/Office	Public Land
Maximum area of display per sign	---	200 sq. ft.	200 sq. ft.	Not allowed
Maximum height	---	60 feet	60 feet	---
Minimum setback from right of way	---	5 feet (IDOT permit required)	5 feet (IDOT permit required)	---
Number of sign structures	Not allowed	1 per street frontage	1 per street frontage	---

Wall, Roof, Canopy And Other **Signs**

Maximum total area of display per sign	Not allowed	20 percent of facade area	20 percent of facade area	---
Number of signs	Not allowed	1 per street frontage	1 per street frontage	Not allowed

(Ord. 805, 4-21-1997)

12-11-4-4: INSPECTION AND MAINTENANCE:

- A. **Signs** including, but not limited to, those requiring a permit pursuant to this Chapter shall be maintained in a safe, presentable and good material condition at all times. The Building Commissioner shall have the authority to inspect, declare unlawful, and order the repair, alteration or removal of **signs** which are dilapidated, dangerous, defective, abandoned, in violation of this Chapter, or otherwise constitute a threat to the public health, safety, comfort, morals or welfare.
- B. All administrative orders shall cite explicitly the reason for declaring a **sign** unlawful and the corrective action required of the **sign** owner. All administrative orders shall be sent by certified mail to the **sign** owner, if known. In all other cases, the administrative order shall be sent by certified mail to the owner of the property on which the **sign** is located.
- C. Within ten (10) days of receipt by certified mail of the administrative order, the **sign** or property owner, as applicable, shall either take the corrective action or file an appeal with the City Council pursuant to Section 12-11-3-5 of this Chapter.

Failure on the part of the **sign** or property owner, as applicable, to either take the required corrective action or file an appeal with the City Council within the specified time may cause the Building Commissioner to order the repair, alteration or removal of the subject **sign**. Costs of such repair, alteration or removal incurred by the City shall be considered a debt owed to the City by the **sign** or property owner, as applicable, and may be recovered by the City through court action, assessment or other appropriate means. Costs of repair, alteration or removal shall include incidental expenses incurred by the City in connection with **sign** repair, alteration or removal.

(Ord. 805, 4-21-1997)

12-11-4-5: **SIGN ZONE MAP**: **Sign** Zone A and **Sign** Zone B are hereby created and accurately shown on the **Sign** Zone Map which is attached to Ordinance 805 on file in the office of the City Clerk, and made a part hereof. It is the intent of this Chapter that all land within the corporate limits of the City shall be located in **Sign** Zone A or **Sign** Zone B as shown on said **Sign** Zone Map.

(Ord. 805, 4-21-1997)

12-11-5: NONCONFORMING **SIGNS**:

- A. **Notification Of Nonconformity; Determine Status**: Upon the enactment of the Ordinance codified in this Chapter, the Building Commissioner shall inventory all **signs** in the City. Upon determining that a **sign** is nonconforming, the Building Commissioner shall make a reasonable effort to notify the **sign** or property owner, as applicable, of the **sign**'s nonconformity. The Building Commissioner should also determine whether the **sign** is considered a legal nonconforming **sign**.
- B. **Legal Nonconforming Signs**: **Signs** located within the corporate boundaries of the City on the date of adoption of the Ordinance codified in this Chapter, or annexed to the City thereafter, not conforming to the provisions of this Chapter shall be considered a "legal nonconforming" **sign**, provided:
1. The **sign** is covered by a properly granted permit or variance prior to the date of adoption of the Ordinance codified in this Chapter; or
 2. If no permit or variance was properly granted, the **sign** was in all respects in compliance with applicable law on the date of adoption of the Ordinance codified in this Chapter.
- C. **Loss Of Legal Nonconforming Status**:

1. **Signs** designated "legal nonconforming" lose that status upon the occurrence of at least one of the following:

- a. The **sign** is altered in any way except for normal maintenance and repair. Normal maintenance shall include cleaning and painting of the **sign** and/or **sign** structure and replacement of bulbs. Replacement/removal of **sign**/parts of **sign**, copy or structure shall be considered altering.
- b. The **sign** is relocated.
- c. The **sign** is replaced.
- d. The **sign** is accessory to a nonconforming use or building terminated pursuant to the provisions of the North Chicago Zoning Ordinance.

2. Within ten (10) days of loss of nonconforming status, the subject **sign** shall be brought into full compliance with the provisions of this Chapter or shall be removed.

3. In accordance with article 7.3D of the North Chicago Zoning Ordinance, all nonconforming **signs**, billboards and outdoor advertising structures shall be removed within three (3) years from the effective date of this Chapter, or of any amendment thereto which causes the **signs**, billboards and outdoor advertising structures to be nonconforming.

D. **Maintenance And Repair Of Nonconforming Signs**: Nothing in this Section shall relieve the owner of a nonconforming **sign** or the property on which the **sign** is located from the provisions of this Chapter regarding safety, maintenance and repair.

(Ord. 805, 4-21-1997)

12-11-6: FEES, VIOLATIONS AND PENALTIES:

A. **Fees**: Fees for **sign** permits and inspections shall be as established from time to time by separate ordinance. In the event a proposed **sign** requires the review services of an outside consultant in the areas of planning, design, engineering or electronics, an additional fee for the amount of such services shall be assessed. All fees shall be paid to the City Comptroller.

B. **Violations**:

1. Failure to comply with any of the requirements of this Chapter shall constitute a violation, and any person, upon conviction thereof, shall be subject to the penalties set forth below.

2. Each day that a violation continues shall be considered a separate offense. The owner or tenant of any building, structure, **sign**, premises or part thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains a violation may each be found guilty of a separate offense and subject to the penalties set forth below.

3. The City may also take other lawful action as is necessary to prevent or remedy any violation.

C. **Penalty**: Any person who violates the provisions of this Chapter, upon conviction thereof, shall be fined subject to penalty as provided in Section 1-4-1 of this Code.

(Ord. 805, 4-21-1997)

12-11-7: SEPARABILITY: The several provisions of this Chapter shall be separable, in accordance with the following:

A. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Chapter, such judgment shall not affect the application of the provisions to any property, building or other structure not specifically included in the judgment.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Chapter to a particular property, building or other structure, such judgment shall not affect the application of the provisions to any property, building or other structure not specifically included in this judgment.

(Ord. 805, 4-21-1997)