

ARTICLE XI - SIGN REGULATIONS

40-11-1. - GENERAL PROHIBITION.

Any sign not expressly permitted in this Article shall be deemed prohibited.

40-11-2. - COMPUTATION OF SIGN AREA ALLOWANCE.

Within the limitations and restrictions as further provided in this Article, the total area of all signs which an establishment is permitted to display shall be computed according to the following formula:

One (1) square foot of sign area per one (1) foot of street frontage or two (2) square feet of sign for each lineal foot of the front width of the business.

provided, however, that no establishment in any district shall display more than three hundred (300) square feet of sign on any street front.

40-11-3. - DEFINITION OF SIGN AREA.

As used in this Article, the term "sign area" means the area of the one imaginary square or rectangle which would completely enclose all the letters, parts, or symbols of a sign. (See Figures 3 and 4 at End of Code.)

40-11-4. - SPECIAL SITUATIONS.

- (A) Except as specifically provided otherwise in this Article, if an establishment has frontage on two (2) or more streets, each side having such frontage shall be considered separately for purposes of determining compliance with the provisions of this Article. However, the area allowance for signs shall not be aggregated so as to permit such establishment to display on any one (1) frontage a greater area of signs than would be permitted by application of the formula set forth above.
- (B) The side of an establishment adjacent to an off-street parking area shall not be deemed frontage unless the establishment has no other frontage.

40-11-5. - SIGNS TO BE NON-HAZARDOUS, WELL-MAINTAINED.

- (A) No sign shall be erected, relocated or maintained so as to prevent free access or egress from any door, window, fire escape, or driveway.
- (B) No sign shall be erected or maintained in such a manner that it interferes with, obstructs the view of, or is likely to be confused with any authorized traffic control device.
- (C)

Every sign shall be designed and constructed in conformity with any applicable provisions of the adopted Building Code, if any.

- (D) Every sign and appurtenance shall be maintained in a neat and attractive condition by its owner. The sign supports shall be kept painted to prevent rust or deterioration.

40-11-6. - ILLUMINATION.

Illumination of signs is permitted, subject to the following requirements:

- (A) No sign shall employ red, yellow, or green lights in such a manner as to confuse or interfere with vehicular traffic.
- (B) No sign other than those providing time and temperature information shall have blinking, flashing, or fluttering lights or any other illuminating device which has a changing light intensity, brightness, or color; provided, however, that this provision shall not apply to any message on any electronically operated, changeable sign. (See **Electronic Message Board**)
- (C) The light from any illuminated sign shall be shaded, shielded, or directed so that it creates neither a nuisance to adjacent property nor a traffic hazard.

40-11-7. - NONCONFORMING SIGNS.

A nonconforming sign means any lawfully erected sign or billboard that does not conform to one (1) or more provisions of this Article or any amendment thereto.

40-11-8. - RESTRICTIONS.

Any nonconforming sign as defined in Section 40-11-7 that does not pose an imminent peril to life or property may lawfully remain subject to all the restrictions on the enlargement, alteration, or relocation, or reconstruction of nonconforming structures set forth in Article VI of this Code; provided as follows:

- (A) Merely changing the message displayed on a nonconforming sign shall not be construed as a prohibited alteration;
- (B) Whenever any sign is nonconforming solely because it is appurtenant to a nonconforming commercial/industrial use located in the Agricultural District or in any residential district, said sign shall be treated in the same manner as it would be if it were appurtenant to a commercial/industrial use located in any Business District or in the Industrial District.

40-11-9. - STRICTLY PROHIBITED SIGNS.

Except as specifically noted otherwise, henceforth, the following signs and street graphics are strictly prohibited throughout the Village:

- (A) Mobile/portable marquees; except that they may be permitted as a temporary sign.

- (B) Signs attached to trees, fences or public utility poles, other than warning signs posted by government officials or public utilities.
- (C) Defunct signs, including the posts or other supports therefor that advertise or identify an activity, business, product, or service no longer conducted on the premises where such sign is located.
- (D) Roof-mounted signs, that project or protrude above the highest point of the roof.
- (E) Signs erected without a permit.

Cross reference— See Sec. 40-11-12.

40-11-10. - SIGNS PERMITTED IN ANY DISTRICT.

Any sign or other street graphic enumerated below that complies with the indicated requirements is permitted in any district of the Village. Such signs or street graphics shall not be debited against the displaying establishment's sign area allowance.

- (A) **Construction Signs** identifying the architects, engineers, contractors, and other individuals or firms involved with the construction, and/or announcing the character or purpose of the building, but not advertising any product: Such signs shall not exceed twenty-four (24) square feet in area, shall be confined to the site of the construction, and shall be removed within fourteen (14) days after the intended use of the project has begun.
- (B) **Real Estate Signs**, indicating the sale, rental, or lease of the premises on which they are located: Such signs on residential property shall not exceed six (6) square feet; on other property, such signs shall not exceed sixteen (16) square feet. Not more than one (1) real estate sign per street front shall be erected on any lot. Such signs shall be removed within seven (7) days of the sale, rental or lease.
- (C) **Political Signs**, announcing candidates seeking public/political office and/or political issues and other pertinent information: In any Agricultural or Residential District, political signs shall not exceed eight (8) square feet; in other districts, such signs shall not exceed thirty-two (32) square feet. Political signs shall be removed within seven (7) days after the election to which they pertain, by the party responsible for their erection.
- (D) **Garage Sale Signs**, advertising a garage or yard sale to be held on private residential property: Such signs shall not exceed four (4) square feet, and shall not be posted for longer than five (5) days.
- (E) **Public Interest Signs and Street Banners**, publicizing a charitable or non-profit event of general public interest: In the Agricultural District, and in any Residential District, public interest signs shall not exceed thirty-two (32) square feet. Public interest signs and street banners shall be permitted only for sixty (60) days before and seven (7) days after the event.

- (F) **Governmental, Public, and Directional Signs**: Such as traffic control signs; railroad crossing signs; legal notices; signs indicating the location of underground cables; no trespassing signs; no parking signs; signs indicating the entrances and exits of parking lots; signs indicating the location of public telephones; restrooms, and so forth.
- (G) **Institutional Signs** identifying a public, charitable, or religious institution: Such signs shall be located on the premises of such institution, shall not obstruct the vision of motorists, and shall not exceed twenty-four (24) square feet.
- (H) **Integral Signs** carved into stone or inlaid so as to become part of the building, and containing such information as date of erection, name of building, and memorial tributes.
- (I) **Home Occupation Signs**, identifying only the name and occupation of the residents: Home occupation signs shall not be illuminated, and shall not exceed four (4) square feet.
- (J) **Subdivision Entrance Signs**, identifying a residential subdivision or apartment complex: Such signs shall contain no commercial advertising, and shall not exceed twenty (20) square feet.
- (K) **Permanent House Numbers and/or Permanent Name of Occupant Signs** located on the lot to which the sign applies: such signs shall not exceed two (2) square feet for single-family dwelling, nor six (6) square feet for multiple-family dwellings.
- (L) **Signs Located in the Interior of Any Building** or within an enclosed lobby or court of any building or group of buildings, provided such signs are designed and located to be viewed exclusively by the patrons or residents of such buildings.

Cross reference— See Sec. 40-11-2.

40-11-11. - AGRICULTURAL; RESIDENTIAL DISTRICTS.

No sign other than those listed in Section 40-11-10 shall be erected in the Agricultural District or in any Residential District.

40-11-12. - BUSINESS; INDUSTRIAL DISTRICTS.

No establishment located in any Business District or in the Industrial District shall display on any street front a total area of sign in excess of the allowance derived by application of the formula set forth in Sections 40-11-2 and 40-11-10.

Additionally, signs in any Business District or in the Industrial District shall conform to the requirements indicated in the subsections below:

- (A) **Flush-Mounted Signs**. No flush-mounted (wall) sign shall:
 - (1) Project more than eighteen (18) inches from the wall or surface to which it is attached; or
 - (2) Extend above the roof line of the building to which it is attached.

- (B) **Window Signs.** Signs permanently mounted in display windows shall not be debited against the sign area allowance of the particular establishment.
- (C) **Projecting Signs.** No establishment shall display more than one (1) projecting sign on any street front. No projecting sign shall:
- (1) Project above the roof line of the building to which it is attached; or
 - (2) Extend below a point eight (8) feet above the ground or pavement; or
 - (3) Project over a driveway or beyond the curblines of any public street; or
 - (4) Project more than four (4) feet from the building to which it is attached; or
 - (5) Extend to a point above twelve (12) feet.
- (D) **Canopy or Marquee Signs.** Signs mounted flush on any canopy or marquee shall be considered flush-mounted (wall) signs and shall meet the requirements of Section 40-11-12(A). Signs suspended beneath a canopy or marquee shall be considered projecting signs and shall meet the requirements of Section 40-11-12(C).
- (E) **Freestanding Signs.** No establishment shall display more than one (1) freestanding sign on any street front. Freestanding signs, whether mounted on the ground or post-mounted, shall comply with the following regulations:
- (1) No part of any freestanding sign shall intrude into any public right-of-way. No part of any freestanding sign that extends below a point ten (10) feet above the ground or pavement shall be located closer than ten (10) feet from the public right-of-way line.
 - (2) The area of any freestanding sign, calculated in accordance with Section 40-11-3 shall not exceed one hundred (100) square feet.
 - (3) When attached to its structural supports, no part of any freestanding sign shall extend more than twenty (20) feet above the ground or pavement.
 - (4) The length or width of any freestanding sign shall not exceed twelve (12) feet.
- (F) **Electronic Message Board Signs.** No establishment shall display more than one (1) electronic message board on its premises. Any electronic message board shall comply with all other sign regulations and shall further be subject to the following restrictions:
- (1) For purposes of this Section the term "Electronic Message Board" shall mean, an electronic sign or portion of a larger sign whereon different messages are displayed including, but not necessarily limited to public service messages, advertising for the business or business on-site, time and temperature and the like. The Message Boards shall include those devices that display information using panels of individual lamps, liquid crystal displays, or similar technology. Rear projection and neon are not accepted technologies; and
 - (2)

No electronic message board shall be greater than three (3) feet in height or twelve (12) feet in length; and

- (3) Electronic message board shall be limited in size to the lesser of thirty (30) square feet or thirty percent (30%) of the total signage allowed under Section 40-11-2; and
- (4) If a shopping center erects an electronic message board, its total signage shall be limited to the lesser of sixty (60) square feet or sixty percent (60%) of the signage allowed under Section 40-11-2; and
 - (a) For purposes of this Section, a "Shopping Center" is defined as, a building or group of buildings totaling at least thirty-five thousand (35,000) square feet, owned and operated by one individual or entity, providing off-street parking, that has two (2) or more retail businesses operating out of said building or buildings.
- (5) No mobile, portable or temporary electronic message boards are permitted; and
- (6) Electronic message boards are prohibited in nonconforming parcels.

(G) **Billboards.** Billboards and other off-premises advertising signs are strictly prohibited in every district except the Industrial District. No billboard shall:

- (1) Be stacked on top of another billboard; or
- (2) Be located closer than twenty-five (25) feet to any lot line or any public right-of-way; or
- (3) Be located closer than five hundred (500) feet from any other billboard on the same side of the roadway; or
- (4) Extend more than twenty (20) feet above the ground or pavement;
- (5) Exceed three hundred (300) square feet in area.

40-11-13. - TEMPORARY SIGNS.

Temporary signs shall not remain in place for a period of more than thirty (30) days except when the Zoning Administrator extends the time period for an additional thirty (30) days. Any further time extension shall thereafter be applied for through Hearing Officer and the Board may grant such time extension as seems reasonable and necessary in compliance with this Article. A permit is required for all temporary signs.

(Ord. No. 1035, 08-28-07; Ord. No. 1039, 12-11-07)

Cross reference— See Sections 40-11-7 and [40-11-10].