

ORDINANCE #3822

**AN ORDINANCE TO AMEND SECTION 150.16 PERMITS AND PERMIT FEES ESTABLISHED AND SECTION 153 SIGNS OF TITLE V PUBLIC WORKS OF THE KEWANEE CITY CODE, AND DECLARING THAT THIS ORDINANCE SHALL BE IN FULL FORCE IMMEDIATELY.**

**CHAPTER 153: SIGN REGULATIONS**

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**Section**

***General Provisions***

- 153.01 Title
- 153.02 Purpose and Intent
- 153.03 Modifications to the IBC
- 153.06 Definitions

***General Regulations***

- 153.15 Permits required
- 153.16 Sign Construction
- 153.17 Signs located upon lots having lawful nonconforming use located within a residential District.
- 153.18 Signs permitted within zoning districts.
- 153.19 Regulations for accessory signs.
- 153.20 Regulations for temporary signs.
- 153.21 Regulations for off-premises signs.
- 153.22 Regulations for portable signs.
- 153.25 Fees
- 153.26 Bond; insurance required
- 153.27 Licenses required

***Standards and Specifications***

- 153.30 Location of sign prohibited above or on public property
- 153.31 Signs prohibited on fire escapes
- 153.32 Cloth banners over street

***Administration and Enforcement***

- 153.55 Duties of Health, Building and Zoning Officer
- 153.56 Failure to comply with standards
- 153.99 Penalty

***Cross-reference:***

*Zoning regulations for signs, see §§ 155.140 through 155.145*

**GENERAL PROVISIONS**

**§ 153.01 TITLE.**

- (A) This chapter shall be known, cited and referred to as the Sign Regulations of the City of Kewanee.

§ 153.02 PURPOSE AND INTENT.

- (A) To protect and enhance the character, property values and stability of new and existing residential neighborhoods and business and manufacturing districts in the city;
- (B) To establish a regulatory framework for the use of signs as an adjunct to economic and social activities of the residents, institutions and businesses of the community;
- (C) To conserve the taxable value of land and buildings;
- (D) To reduce sign clutter and the potential for the distraction of motorists and the degradation of the appearance of the community that results from an excessive number of signs;
- (E) To protect aesthetic values and to establish and maintain standards of community appearance with respect to signs, canopies and awnings;
- (F) To provide standards and procedures for the removal, elimination or relocation of signs, which fail to conform to those standards as established herein;
- (G) To establish an administrative framework for the enforcement of the standards and regulations established herein;
- (H) To further accomplish the general purpose and intent of the Codified Ordinances of the city; and
- (I) To promote and protect the health, safety, morals, comfort, convenience and general welfare of the people of the city.

§ 153.03 MODIFICATIONS TO THE IBC.

The following are modifications to sections H101.1 through H115, inclusive, of the 2012 IBC International Building Code and the Zoning Regulations, the city's Sign Regulations.

Omit the following subparagraph to § H101.2 Permit exemptions:

H101.2.1 Painted non-illuminated signs.

*Painted non-illuminated signs do require an approved building permit application per this code.*

Add the following subparagraphs to § H101.2 Permit exemptions:

H101.2.6 Yard/Garage Sale Signs on Private Property. A permit shall not be required for a sign erected on private property that announces a yard or garage sale by the person or persons that occupy a residence on the property. Nor is a permit required for a yard or garage sale sign erected on the property of another person; however, such provision does not relieve the person placing the sign from getting the permission of the property owner to place the sign on the private property. In all cases signs announcing a yard or garage sale shall be in place for only 24 hours.

H101.2.7 Contractor Signs on Private Property. A permit shall not be required for a sign erected on private property that announces that a contractor is doing work on the piece of private property or within or on a structure on private property. In all cases signs announcing a contractor's work on private property shall be in place only during the period of the contractor's work.

H101.2.8 Auction Direction Signs on Private Property. A permit shall not be required for a sign erected on private property that indicates the direction to a public auction being held by an auctioneer that has obtained a license to conduct the auction - such provision does not relieve the

person placing the directional sign from getting the permission of the property owner to place the directional sign on the private property.

#### § 153.06 DEFINITIONS.

Unless otherwise stated, the following terms shall, for the purpose of this chapter, have the meaning indicated in this chapter. Words used in the present tense include the future. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural and the plural the singular. Where terms are not defined herein, they shall have their ordinary accepted meanings or such as the context shall imply.

**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.

**ACCESSORY SIGN.** All other permanent signs, other than those referred to in § 153.15(B) herein, shall be considered accessory signs, including on-site directional signs for vehicles and pedestrians, parking restrictions, warnings and other similar signs. See also § 153.19.

**A-FRAME.** A temporary sign, otherwise known as a sandwich board, which is not generally mounted to the ground. It is a double-sided sign connected at the top and separated at the bottom.

**ARCHITECTURAL MATERIALS.** Building materials used in or customarily used in the construction of the exterior of a building or the particular materials used in the construction of the exterior of any building which displays a cornerstone as defined herein.

**AWNING.** An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached. Awnings shall comply with Section 3105 of the IBC.

**BACKLIGHTED LETTER.** An illuminated reverse channel letter (open or translucent back) configured so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter.

**BANNER SIGN.** A sign made of fabric or any non-rigid material with no enclosing framework. A **BANNER SIGN** shall be a temporary sign as regulated by this chapter.

**BENCH.** Any bench, chair, seat or structure upon which a person may sit and which directs attention to a business, commodity service or entertainment conducted, sold or offered for sale.

**BENCH** signs are prohibited in the city.

**BILLBOARD.** See definition of **OFF-PREMISES SIGN**.

**BUILDING DIRECTOR.** Shall mean Building Director, Neighborhood Services Coordinator or designee thereof.

**CABINET SIGN.** A lettered glass or plastic panel lit by fluorescent lighting behind.

**CANOPY.** A Permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and shall be structurally independent or supported by attachment to a building on one end and by not less than one stanchion on the outer end. Canopies must comply with Section 3105 of the IBC.

**CHANGEABLE COPY SIGN.** Any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign.

**CHANNEL LETTER.** A fabricated or formed three-dimensional letter that may accommodate a light source.

**CITY.** The City of Kewanee, Illinois.

**COMBINATION SIGN.** A sign incorporating any combination of the features of pole, projecting and roof signs.

**CONSTRUCTION SIGN.** A sign identifying the designers, contractor and financiers and other information regarding a project on the site where the sign is located.

**CORNERSTONE.** A permanent sign showing the name of the building, address, date of construction, name of the architect, name of the owner or similar information concerning a building, provided that where the sign is not integral with the design and structure of the building it shall consist of a cast metal plaque or similar object permanently affixed to the building. Included in the definition of **CORNERSTONE** are the name of the building when presented as a part of the facade of the building and decorative trim or other decoration device when designed and constructed as an integral part of the building, provided the same is purely ornamental and does not represent any trademark, logotype or other reference to the owner of the building or the products or services offered therein. No **CORNERSTONE** may be a roof sign, or projecting and hanging sign or a painted sign and must be "part of" as distinguished from "attached to" a principal or accessory building.

**DETERIORATED.** When applied to a sign or sign face, a change in the condition of the sign such that structural members are weakened; fastenings are weakened or loosened; anchors are weakened or loosened; components of the sign such as letters, glass tubing, trim, access plane or other parts have become weakened, loosened, displaced or damaged, paint or other protective covering is worn away, flaked, peeling or loosened in whole or in part, and/or the sign face is flaked, peeling, worn away or damaged. A **DETERIORATED** sign or sign component need not be an unsafe sign or component and need not pose an immediate safety hazard.

**DEVELOPMENT SIGN.** A monument sign placed at the entrance to a residential, commercial or industrial subdivision, indicating the name of the subdivision.

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

**DIRECTORY.** Any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same.

**ELECTRICAL SIGN.** A sign containing electrical wiring, but not including signs illuminated by an exterior light source.

**ERECT.** As applied to signs and as used in this chapter, the act of construction, placing, displaying, erecting, relocating or painting in place a sign, and shall not include the printing fabrication or painting of signs in a sign shop or in a location other than where the sign is to be displayed or any permitted aspect of sign maintenance when applied to an existing sign.

**EYE CATCHER.** A temporary sign or device which flutters or moves in the wind, which revolves, moves or changes shape, or which reflects light in a startling or unusual way or which emits light, changes color, or turns on and off in such a way as to attract or capture the attention of a passerby. For the purposes of this definition, it shall not be a requirement that **EYE CATCHERS** contain or put forth any particular message or other information. However, the presence of a message or other information attached to or incorporated into the design of the **EYE CATCHER** as defined herein shall not serve to classify it as any type of sign other than an eye catcher. Included here are strings of flags, pennants, whirlygigs, balloons or other inflatable items, or other wind-driven devices, flashing lights, search lights, novelty items or similar devices but without limitation to their being specifically included herein.

**FACADE.** All window and wall area in the front plane or elevation of a building or storefront. In the case of a two-story building, only the first level shall be used in calculating the **FACADE**

area. For purposes of calculating wall signage, if the facade is not a straight line, the **FACADE** shall be the lineal distance measured from corner to corner at grade level.

**FIRM.** Any partnership, corporation, group or association, whether constituted on a for-profit or not-for-profit basis.

**FLAG.** A lightweight fabric, or other material with patterns and colors, which is meant to move in the wind.

**FRONTAGE.** For the purposes of this chapter only, a lot line or the length of a lot line, which is also the line of any public street right-of-way other than an alley. The **FRONTAGE** of the lot or parcel that is legally created or described as extending to the centerline of a street shall be measured along the line which denotes the edge or boundary of the easement established for the street. The street shall exist or have been created for street purposes and may be a limited access or controlled-access roadway but shall not be a utility right-of-way, drainage way, park or railroad and shall not be an alley.

**GROUND SIGN.** A freestanding sign permanently attached to or supported by a foundation. Not attached to any building. Some examples of **GROUND SIGNS** include but are not limited to pole signs and monument signs.

**H-CHANNEL LETTER.** A dimensional letter with baffles at the center of the cross-sectional shape for support of neon tubing and mounting of transformers.

**ILLEGIBLE.** When applied to a sign, any sign on which there are missing letters or words, a deteriorated sign face or an obscured sign face so that the recognition of the symbols or words or the cognition of the sign message is not immediate, requires a longer time than would be required if the missing, damaged or obscured parts were repaired or replaced. Any sign on which 10% of the letters, words or symbols are missing, damaged or obscured shall be considered **ILLEGIBLE** for purposes of this chapter.

**LINEAR FEET.** The measurement of distance per foot in a straight line.

**MAINTAIN.** The act of restoring, preserving, refurbishing, cleaning, renewing, painting, repainting, or keeping within the public view the sign or signs.

**MARQUEE.** A permanent roofed structure attached to and supported by the building and that projects into the public right-of-way. Marquees must comply with Section 3106 of the IBC.

**MEASURED SIGN.** All permanent signs for which this chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot.

**MEASURED SIGN AREA.** The area of the sign face determined in one of the following ways and upon which the regulations of the amount of signage permitted by this chapter is based:

(1) The **MEASURED SIGN AREA** shall be taken as the area inside a perimeter determined by connecting with straight line segments the extreme outside corners or edges of the sign face. 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) Where the sign contains more than one face facing in the same direction, the perimeter shall enclose all faces;

(3) Where the sign contains identical faces facing in opposite directions, the **MEASURED SIGN AREA** shall only be counted once; and

(4) All measurements shall be made from the actual sign or from scaled drawings and shall be accurate within one square foot. All measured sign areas are expressed in square feet.

**NAME PLATE.** A sign containing the name or street address and occupation or profession of the occupant of a building.

**NEIGHBORHOOD SERVICES COORDINATOR** shall mean Neighborhood Services Coordinator or designee thereof.

**OFF-PREMISES SIGN.** A sign, other than an outdoor advertising sign, which refers to a place of business or event at a location other than the lot upon which the sign is erected.

**OUTDOOR ADVERTISING SIGN** (also **BILLBOARD**). A sign, sign board, wall or other framework, device or other structure erected and maintained for the purpose of displaying commercial and other message for hire having a sign area not exceeding 300 square feet. See also 155.142.

**PAINTED WALL SIGN.** Any wall sign that is applied directly to the wall or other surface of any existing building or other structure without any support or surface preparation other than paint, primer, or similar products or materials.

**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.

**PERSON.** A person, partnership, corporation, firm, association or other body or individual.

**POLE SIGN.** A sign wholly supported by a sign structure in the ground

**PORTABLE SIGN.** Any temporary ground sign or any other ground sign that does not conform to the regulations for sign construction and erection

**PROJECTING SIGN.** A sign other than a wall sign, which projects from and is supported by a wall of a building or structure. Projecting Signs must comply with Section H112 of the IBC.

**REAL ESTATE SIGN.** Any sign indicating that the premises upon which it is located is available for sale or lease. A real estate sign may be either a ground sign or a wall sign.

**REVERSE CHANNEL LETTER.** A fabricated dimensional letter with opaque face and side walls.

**ROOF SIGN.** A sign erected upon or above a roof or parapet of a building or structure. Roof Signs must comply with Section H110 of the IBC.

**ROTATING OR MOVING SIGN.** Any sign which revolves, rotates, swings, undulates or otherwise attracts attention by moving parts, whether operated by mechanical equipment or by natural sources, but not including flags or banners.

**SIGN.** Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated service, which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors. Every sign shall be classified and conform to the requirements of that classification as set forth in this chapter. Any sign classification not set forth in this chapter shall conform to the requirements of that classification as set forth in Section H102, Section 3105, Section 3106 and/or any other section of the IBC that applies to said sign classification.

**SIGN COMPONENTS.** For the purpose of this regulation, there are three components to a sign: the sign face, the supporting structure and the structural trim.

**SIGN FACE.** The surface of the sign upon which the message, logotype, symbol or other device is located including surrounding moldings, trim, decorative trim or any portion of the sign which is painted with a distinctive color scheme or in colors which contrast in hue or value with the painted or natural colors of the supporting structure or structural trim, if any.

**SIGN STRUCTURE.** Any structure which supports or is capable of supporting a sign as defined in this code. A sign structure is permitted to be a single pole and is not required to be an integral part of the building.

**SKELETON SIGN.** A measured sign where individual letters are bracketed to a freestanding support.

**SNIPE SIGN.** A temporary sign or poster affixed to a tree, fence and the like.

**SOLID SIGN.** For purposes of construction specifications, a non-skeleton sign.

**STRUCTURAL TRIM.** Any battens, capping, nailing strips, latticing, platforms, railings and light fixtures attached to or used in conjunction with a sign.

**SUPPORTING STRUCTURE.** All load bearing members including uprights, cross bars, diagonal braces, guys, light fixture supports and similar components. The exposed back of any sign face shall be considered part of the structure.

**WALL SIGN.** Any sign which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached.

**WINDOW SIGN.** Any permanent sign displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in a way as to be clearly visible from the outside.

## § 153.15 GENERAL REGULATIONS

The standards, regulations and procedures established by this chapter shall apply to all signs erected, displayed or maintained in the city, including all exterior signs and all interior signs located in windows, doorways or other building openings which are clearly visible from the building exterior, except for exempt signs as provided in division (H).

### (A) *Sign area.*

- (1) Sign area shall not exceed limitations set forth in the Zoning regulations for signs for the affected zoning district as defined in 155.140 through 155.145.
- (2) Exception. *Signs on lawful nonconforming lots located within a residential district.* See Section 153.17 of this chapter.

(B) *Classification of signs.* For purposes of this chapter, signs are classified into three groups as follows:

(1) *Measured signs.* All permanent signs for which this chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot, including all business identification and on-premises advertising signs

(2) *Accessory signs.* All other permanent signs shall be considered accessory signs including on-site directional signs for vehicles and pedestrians, parking restrictions, warning and similar signs.

(3) *Temporary signs.* A temporary sign is any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this chapter as to the length of time that it may be erected, maintained, used or displayed. In addition, the term

**TEMPORARY SIGN** shall include any sign constructed of temporary, unsubstantial or inherently fragile materials such as paper, cardboard, water soluble paints and other materials.

See also § 153.20.

(C) Permits for signs will be required when specified by this code and/or Section H101 of the International Building Code or any other Section of the International Building Code. It shall be unlawful for any person to erect, modify or maintain any measured sign or any temporary sign for which a permit is expressly required without first obtaining a sign permit from the Building Department and making payment of the fee required. In addition, all electrical signs, electrical access signs and electrical temporary signs subject to the regulations of the Electrical Code of the city shall be subject to the permit and fee requirements established therein.

(1) *Application for sign permit.* An application for a sign permit shall be made upon forms provided by the Building Director and shall contain or have attached thereto the following information:

(a) Name, address and telephone number of the person responsible for the erection of the sign;

(b) Name, address and telephone number of the owner of the sign, if different from the above;

(c) Name, address and telephone number of the owner of the property or building upon which the sign is to be erected, if different from the above;

(d) The location of the property or building upon which the sign is to be erected;

(e) A drawing or other representation of the sign, showing the height and position of the sign and its relationship to lot lines, building setback lines, buildings or other structures on the property, if any; and buildings or other structures on the adjoining properties, if any. In the case of a wall sign, the location on the facade must be indicated;

(f) Two sets of plans and specifications for the sign and its methods of attachment to either the ground or to a building, and one copy of a stress sheet and calculations bearing the seal of an architect, engineer or manufacturer showing that the sign is designed for dead load and wind pressure as required by the Building Code of the city, Section H105 of the International Building Code, or other applicable ordinances of the city. This requirement may be waived for all wall signs and ground signs where the Building Director finds that he or she is provided with sufficient information in this section to determine compliance with all of the requirements of this chapter. His or her determination shall be based on consideration of location, size, weight, materials and method of attachment, none of which shall represent a threat to public safety;

(g) Two sets of plans or other diagrams and specifications for all electrical components of the sign and the electrical service to the sign;

(h) A written statement of the consent of the owner of the building or other structure or the land upon which the sign is to be erected;

(i) A signed copy of the insurance policy or bond as required by Section 153.26 of this chapter;

(j) Any other information as the Building Director shall require showing full compliance with this chapter and all other applicable laws and ordinances of the city;

(k) Signs installed without first obtaining a permit are illegal and shall be removed until a time as a permit is obtained. The permit fee for reinstalling such a sign shall be doubled per Section 153.25 of this chapter and the sign shall not be reinstalled until a time as all requirements herein are complied with.

(2) *Issuance of permits.* Upon receipt of the completed application, the Building Director of the city shall review the application, plans, specifications and other information required and shall, where they deem necessary, inspect the site and location of the proposed sign, and upon



reaching a determination that the proposed sign meets the requirements of this chapter and all other applicable ordinances, shall issue a sign permit. If the proposed sign does not meet the requirements of this chapter, the applicant shall be informed in writing that his or her application has been denied. The Building Director shall take formal action on the application within 30 days of the date the application was filed. Failure to take action within 30 days shall be deemed a denial.

(3) *Revocation of sign permits.* All rights and privileges acquired under the provisions of this chapter are mere licenses and are revocable for cause by the Building Director. Further, if the work authorized by the sign permit is not completed within six months of the date of issuance of the permit or by the agreed date for the completion of the sign as shown on the permit, the permit shall become null and void. The Building Director may, upon written request, grant an extension of the completion date of up to three months.

(4) *Appeal.* Any person aggrieved by a denial or revocation by the Building Director concerning any provision of this section, may appeal to the Zoning Board of Appeals within five days of the decision. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. The appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 33.

(D) *Inspections.* All signs shall be subject to an initial inspection.

(1) The Building Director shall inspect, at any time deemed necessary, each sign regulated by this chapter to ensure that any sign conforms to this chapter and all other ordinances of the city.

(E) *Maintenance of signs.* All signs shall be maintained in a safe, legible and good condition.

(1) *Safety.* All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed. All sign faces shall be smooth and free from nails, tacks, wires, splinters and other hazards.

(2) *Legibility.* All signs shall be maintained in a legible condition. Painted signs shall be repainted at times as the deterioration of the paint results in illegibility or disfiguration.

(3) *Condition.* All glass panes or panes of other materials that comprise the sign face shall be immediately replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order.

(F) *Nonconforming signs.*

(1) *Definition.* Any sign which was erected prior to the adoption of this chapter and in conformance with the requirements of the sign ordinance in effect at the time of its erection, but which fails to meet the size, location or other applicable requirements of this chapter, excluding requirements related to maintenance, safety, type, or appearance, shall be considered a **LEGAL NONCONFORMING SIGN** and shall be permitted to continue in such status until it is either abandoned or removed by its owner. A legal

nonconforming sign may be maintained only in conformance with the following regulations.

- (a) *Inspections.* All nonconforming signs shall be inspected and any deficiencies in the condition of the sign shall be corrected as provided in division (C) and (E) above.
- (2) *Removal of nonconforming signs.* A legal nonconforming sign may continue in that status unless any of the following regulations applies:
  - (a) Alteration in any way except for normal maintenance and repair;
  - (b) All nonconforming signs or all components of nonconforming signs which are prohibited signs as provided in division (H) below other than signs described herein shall be removed and shall not be re-established;
  - (c) All nonconforming signs, which are abandoned signs as provided in division (G), shall be upon passage of this chapter;
  - (d) The nonconforming signs of any business or other legal entity which ceases the activities to which the signs apply or which is replaced by a different business or other entity shall be removed, relocated or rebuilt in a conforming manner. Relocating or rebuilding a sign constitutes a new sign which requires a permit;
  - (e) The nonconforming signs of any business or other activity which changes ownership but which continues the operation of the business or activity may be continued as legal nonconforming signs;
  - (f) Any nonconforming sign, which the Building Director finds to be unsafe, shall be removed immediately;
  - (g) No sign shall be moved in whole or part to any other location on the same or any other lot unless every portion of the sign is made to conform to all regulations of this chapter and other applicable regulations of the city; and
  - (h) A nonconforming sign which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed 50% of the cost of the replacement of the entire sign, shall not be restored unless the sign shall conform to all of the regulations of this chapter and other applicable regulation of the city.
- (G) *Abandoned signs.* The following regulations shall govern abandoned signs.
  - (1) For the purpose of this chapter, the following signs shall be deemed abandoned:
    - (a) Any sign, which is located on property which becomes vacant and which remains vacant for a period of 30 days except that real estate signs in accordance with § 155.140(A)(2) may be displayed thereon;
    - (b) Any sign, wherever located, which refers to a business or other activity, which has become vacant and remains vacant for a period of 30 days;
    - (c) Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening.
    - (d) Any dilapidated, deteriorated, unreadable, illegible, structurally unsound or unsafe sign.
  - (2) *Removal of abandoned signs.* It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove the sign either immediately or within the time period otherwise established in division (J)(1) herein. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure and structural trim. Where the owner of the property on which an abandoned sign is located fails to remove the

sign in a timely manner, the Building Director may remove the sign. Any expense directly incurred in the removal of the sign shall be charged to the owner of the property. Where the owner fails to pay, the city may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

(H) *Exemptions.* The provisions and regulations of this chapter shall not apply to the following signs; provided, however, that the signs shall be subject to the Electrical Code of the city, the regulations governing the removal of unsafe and unlawful signs and the regulations herein:

- (1) Traffic control signs, warning signs and temporary construction and routing signs erected, maintained or operated by a governmental agency in conformance with the *Manual for Uniform Traffic Control Devices*;
- (2) Signs authorized and erected by the city, including public notices posted by public officials or employees in the performance of their duties;
- (3) The signs of any other governmental agency erected and maintained in the furtherance of agency's official mission, duties and responsibilities;
- (4) Warning signs placed by utility companies or others in areas of danger that are accessible to the public;
- (5) Identification tags, labels, plaques and signs used by utility companies and other organizations to identify fixed operating equipment and for similar purposes;
- (6) Signs on poles which indicate towing regulations or restrictions;
- (7) Homeowner's signs indicating items of personal property "for sale," "beware of dog," "no trespassing" and similar signs may be displayed upon residential property provided the signs pertain to an actual offering for sale or announce an actual warning and provided further that the signs do not exceed two square feet in area;
- (8) Outdoor advertising sign (including legal nonconforming outdoor advertising signs) erected and maintained in conformance with this chapter.
- (9) No permit or fee will be required for signs promoting the election of candidates for political office that are placed on private property by the owner or occupier of the private property. However; this type of sign must be removed within a week after the election. An exception to the removal of this type of sign is made for signs of winning candidates in primary elections, whose signs may remain displayed until one week after the final election. Political signs may not be placed on public property nor on or in any type of structure, pole, sign post, or other such object that is located on public property or in the right-of-way of any state or municipal road way;
- (10) Religious signs may be displayed without permit provided that the signs are not located in the public right-of-way or attached to utility poles or trees. Not included in this exempt section are signs identifying places of religious worship, which are considered measured signs and included in the terms of this chapter;
- (11) Real estate signs in conformance with the requirements of § 155.140(A)(2);
- (12) Seasonal decorations, including items of a primarily decorative nature associated with national, local or religious holidays. Seasonal decorations visible from the public right-of-way shall be removed within 60 days after the event;
- (13) Snipe signs and temporary signs advertising garage sales, estate sales, bazaars and rummage sales and similar events may be displayed during the time of the event. The signs shall not be attached to any utility poles, light standard, tree or placed in any right-of-way;
- (14) Construction signs. See § 153.20(B)

(I) *Prohibited signs.* The following signs, parts of signs, characteristics of signs and sign-like objects are prohibited and may not be erected, maintained, continued or used in the city:

- (1) Any sign or similar object, color, light, shape or combination thereof which resembles an official traffic control device or sign, or is a representation of a traffic control device or sign;
- (2) Any obscene language or graphic material or other representation of an obscenity or obscene act;
- (3) Any sign, signal or similar device which emits music, speech, simulated speech or any other sound on a regular or intermittent basis;
- (4) Any sign affixed to a tree;
- (5) Any sign affixed to a utility pole, public light or street light, traffic control device or similar standard used for lighting;
- (6) Any sign or similar device, which contains a strobe light or any other high intensity light, which is emitted on a periodic or intermittent basis, or any light used as an eye catcher;
- (7) Bench signs as defined herein;
- (8) Cross-street banners. Banners strung across the public right-of-way are prohibited except as permitted by Section 153.32;
- (9) Any otherwise exempt sign, which exceeds the regulations or restrictions for size, location or time of display, placed on exempt signs by division (H) above.

(J) *Removal of signs.* Signs required to be removed by this chapter shall be removed in accordance with the following regulations:

- (1) It shall be the responsibility of the owner of the property upon which a sign is located to remove the sign as required by this chapter, except that where a sign is a leased sign being maintained under the terms of a current lease, it shall be the responsibility of the owner of the same sign to remove the same. In any case in which a sign has been removed by the Building Director or by a private contractor at the direction of the Building Director in accordance with the provisions of this chapter, any cost directly incurred in the removal of the sign shall be charged to the owner of the property. If the owner fails to pay the costs to the city within 30 days, then the city may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign;
- (2) Abandoned signs shall be removed in accordance with the provisions of division (G) and this division;
- (3) Prohibited signs and other signs erected subsequent to the passage of this chapter and found to be in violation of this chapter shall be removed by the owner of the sign within 30 days of receiving notice of the violations. If after 30 days the sign has not been removed, the Building Director may remove it as provided in division (G)(2) above; and
- (4) Any permitted or prohibited sign that becomes a danger to the public, because of damage to or deterioration of the structure, must be removed immediately. Where the owner cannot be immediately contacted, the Building Director may order the sign removed as provided in division (G)(2) above.

§ 153.16 SIGN CONSTRUCTION.

All signs other than temporary signs shall be constructed in conformance with appendix H and or all other applicable sections of the International Building Code, International Residential Code and the Kewanee City Code.

§ 153.17 SIGNS LOCATED UPON LOTS HAVING LAWFUL NONCONFORMING USE LOCATED WITHIN A RESIDENTIAL DISTRICT.

(A) Permitted signs.

- (1) Wall signs are permitted under 12 square feet in gross sign area. Illuminated, animated, and flashing wall signs are prohibited.
- (2) Window signs are permitted. Illuminated, animated, and flashing window signs are prohibited.
- (3) All other signs are prohibited.

(B) Sign construction and design.

- (1) Sign construction must be constructed in conformance with appendix H and or all other applicable sections of the International Building Code.
- (2) Color scheme, lettering and design of all signs located upon the building must complement the building upon which it is located as well as the surrounding buildings within the surrounding residential district.

(C) Applications for permits.

- (1) Applications for permits for signs located upon lawful nonconforming buildings and properties located inside a residential district must be accompanied by full color scale drawings and/or photos as required by the building director.
- (2) Applications may be denied by the building director if the drawings and/or photos of the proposed sign are found to not be complementary to the surrounding buildings and environment.
- (3) Appeals may be made to the Planning Commission.

§ 153.18 SIGNS PERMITTED WITHIN ZONING DISTRICTS.

(A) *Generally.*

(1) No person shall erect or maintain measured signs as defined in § 153.15(B)(1) on any lot in excess of the limitations established herein on the size, type, location, number and total area of signs for the zoning district in which the lot is located and for the various classes of uses established in each district. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of § 153.19. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of § 153.20.

(2) Measurements of total sign area or of individual sign area shall be based on the lineal feet of street frontage of a lot, or in the case of uses that occupy more than one lot, the combined street frontage of all lots participating in the use. See § 155.140 – 155.145.

(3) Where a lot is occupied by more than one use, which fronts a street, the measured signage permitted for each use shall be based on the building frontage occupied by the use.

(4) In the case of corner lots or lots having more than one street frontage, the regulations established below shall apply separately to each street frontage so that the total sign area, individual sign area and setbacks shall be interpreted as such for each street upon which the lot fronts.

(5) In the case of a lot, lease hold or other business premises however defined which has no actual street frontage, the allowable total sign area shall be based on the width of the property measured along a line generally parallel to the street from which the site obtains access.

(B) *Total sign area.* The total area of all measured signs permitted on a lot shall not exceed the number of square feet permitted for each lineal foot of frontage pursuant to § 155.140 – 155.145.

(C) *Height of signs.* Measured ground signs shall not exceed the height limitations shown in § 155.140 – 155.145.

(D) *Measured signs in residential districts.* Measured signs are prohibited in residential districts except for the following: legal-nonconforming signs as permitted by §153.17; on-premises identification signs for educational institutions, parks and playgrounds and religious institutions, development signs and multi-family building on-premises identification signs. The measured signs that are permissible in residential zones under the terms of this section shall conform to all other requirements for measured signs and shall not exceed limitations set forth in 155.140.

#### § 153.19 REGULATIONS FOR ACCESSORY SIGNS.

(A) *General regulations.* Accessory signs as defined in § 153.15(B)(2) shall be erected and maintained only in conformance with the following regulations.

(1) *Permits and fees.* Permits are required and fees are charged for the erection and maintenance of accessory signs that the signs shall conform to the regulations herein except that any electrical accessory sign shall conform to the Electrical Code of the city.

(2) *Accessory signs.* Shall not block the view of traffic at intersections or at the entrance or exit to the property or neighboring property for which the signs is erected and shall conform to the requirements established within the International Building Code and the Kewanee City Code.

(B) *Regulations for particular accessory signs.*

(1) *Name plates.* Signs displaying the name of the occupant, the business or profession, and the street name and number may be displayed near the entrance to the building, provided the sign does not exceed a measured area of two square feet.

(2) *Window signs.* Signs painted on windows and indicating the name of the occupant and the business or profession conducted therein are permitted accessory signs provided the signs are limited to one per street frontage and that each sign does not exceed two and one-half square feet of measured sign area.

(3) *Warning signs.* Signs posting private property against trespassing, hunting or similar prohibitions, provided the signs do not exceed two square feet of measured sign area.

#### § 153.20 REGULATIONS FOR TEMPORARY SIGNS.

Temporary signs may be erected and maintained only in accordance with the following regulations.

(A) *General regulations.*

(1) *Permits.* Temporary signs as provided in division (B), below, shall only be erected pursuant to the issuance of a temporary sign permit. Any electrical temporary sign shall be subject to the Electrical Code of the city.

(2) *Fees.* Temporary signs for which permits are required shall only be erected and maintained after the payment of a fee as provided in § 153.25, including any electrical fee,

except that no fee shall be required for any construction sign for a project for which a building permit has been issued.

(3) *Size of signs.* The measured sign area of temporary signs, the number of signs, or the aggregate area of the signs shall not exceed the area or size limitation imposed in division (B) herein.

(4) *Location of signs.* No temporary sign shall be located in the public right-of-way or in any required yard within ten feet of the public right-of-way.

(5) *Time of display.* The erection and maintenance of all temporary signs shall be limited to the time period specified in division (B) herein, or to the time period specified in the permit, whichever is less.

(6) *Removal of temporary signs.* All temporary signs shall be removed by the owner as follows:

- (a) Upon the expiration of the permit;
- (b) Upon the expiration of the time period established in division (B) herein;
- (c) When any sign becomes damaged, deteriorated or illegible; and
- (d) Further, any temporary sign that does not contain the identification required above, is displayed before or after the time period established by permit, or otherwise does not display the time period as provided above may be immediately removed by an inspector of the Building Department or any other person.

(B) *Regulations for particular temporary signs.* The following regulations are established for particular temporary signs.

(1) *Construction signs.* One sign identifying a construction project, the owner, architect, general contractor, subcontractors, financiers and other information relating to a construction project may be erected at the construction site in accordance with the following:

- (a) *Size.* Not to exceed 64 square feet.
- (b) *Locations.* Within the property lines subject to the requirements for safety and clear view of intersections.
- (c) *Height.* Not to exceed 14 feet.
- (d) *Period of display.* From two weeks before ground breaking until occupancy.
- (e) *Permit.* No permit shall be required for a Construction Sign placed upon property for which a valid building permit has been issued.

(2) *Point of sale signs.* The use of temporary, intermittent, freestanding signs to advertise products or sale items, prices or for similar purposes shall only be used in accordance with the following.

- (a) *Size.* No individual sign shall exceed four square feet.

- (b) *Location.* No point of sale sign shall be located on the public right-of-way and shall not be placed such that it causes an obstruction of view of traffic causing a safety hazard.

Exception: One point of sale sign of the A-Frame type will be allowed per store front on the public right-of-way in the following uptown locations provided that the sign meets the sign specifications herein, the sign is placed directly in front of the effected business, the sign is placed either directly adjacent to the store front or at the furthest point on the sidewalk next to the roadway directly in front of the effected business, such that the sign is not in the direct walking path on said sidewalk.

100-300 W First St  
100-400 W Second St  
100 E Second St  
100-200 W Third St  
100-200 E Third St  
100 W Fifth St  
100-300 N Tremont St  
100-200 N Chestnut St  
100 N Lexington Ave  
100 S Main St  
100-300 N Main St

- (c) *Height.* No point of sale sign shall exceed a height of five feet.
- (d) *Period of display.* A point of sale sign shall be promptly removed immediately after the advertised event or sale has expired.
- (e) *Permit.* Point of sale signs shall not require a permit so long as the point of sale sign conforms with this code.
- (f) *Removal.* Point of sale signs shall be removed immediately if it becomes **Deteriorated** or **Illegible**.
- (g) *Allowable quantity.* One Point of sale sign shall be allowed for every 20 linear feet of lot frontage and signs shall be spaced/installed with this 20 foot spacing.

#### § 153.21 REGULATIONS FOR OFF-PREMISES SIGNS

*OFF-PREMISES SIGNS* are prohibited in the city unless a special use permit has been granted by the Planning Commission of the City. An *OFF-PREMISES SIGN* along a State Highway must conform to the State Highway Advertising Control Act as permitted by the State of Illinois and shall also require a special use permit granted by the Planning Commission of the City. Off-premises signs must conform to all applicable sections of this code.

#### § 153.22 REGULATIONS FOR PORTABLE SIGNS

*PORTABLE SIGNS* are prohibited within the city without an approved permit. Special permits for Portable Signs in the city may be granted with the consent of the City Council. Portable signs with consent from the City Council will be displayed for no longer than 14 days and no more than 3 times per year per location. The fee for Portable signs will be \$25 per display period.

#### § 153.25 FEES.

A permit fee for each sign erected under this chapter shall be paid to the city as set forth in § 150.016. The determination of value or valuation under any of the provisions of this chapter shall be made by the Building Inspector of the city. When work for which a permit for a sign is required by this chapter and is started or proceeded with prior to obtaining said permit, the fee as



set forth in § 150.016 shall be doubled but the payment of such doubled fee shall not relieve in any person from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed herein. The doubling of the permit fee provided by this article shall also apply within the City's Enterprise Zone. That is to say that while normally the fee is waived for signs within the Enterprise Zone, if a permit is not properly obtained the fee within the enterprise zone will be applied as if the property was not in the enterprise zone.

(Ord. 2998, passed 9-25-95)

§ 153.26 BOND; INSURANCE REQUIRED.

Every person engaged in the business of constructing and erecting signs shall first file with the City Clerk a bond in the penal sum of \$5,000 with good and sufficient surety to be approved by the City Manager, conditioned upon compliance with this section. Further, every person engaged in the business of constructing and erecting signs shall first procure public liability insurance thereon from a company authorized to transact business in the state for the principal sum of not less than \$250,000 liability coverage on account of any one accident, and file a certificate evidencing said insurance annually with the City Clerk.

(Ord. 2998, passed 9-25-95)

§ 153.27 LICENSES REQUIRED.

(A) It shall be unlawful for any person to engage in the business of outdoor advertiser within the city without first having obtained a license thereafter as herein required; provided, however, that no license issued hereunder shall be construed so as to permit the use of any thing or structure, natural or artificial, located in any public street, alley, sidewalk, or other public place for advertising purposes.

(B) Application for such license shall be made in writing to the City Clerk and shall conform with the general requirements of the provisions of this Code relative to application for license. When the provisions of this chapter have been complied with, the Clerk shall grant a license authorizing the applicant to engage in the business of outdoor advertising for the period stated in his license. The annual fee for such license shall be \$50. All such licenses shall expire on April 30 following the date of issuance. When first issued the license fee shall be prorated for the amount of the city's fiscal year remaining.

(Ord. 2998, passed 9-25-95)

## STANDARDS AND SPECIFICATIONS

§ 153.30 LOCATION OF SIGN PROHIBITED ABOVE OR ON PUBLIC PROPERTY.

No signboard or billboard shall be erected on public property unless so ordered by the governing body of said public property.

Penalty, see § 153.99

§ 153.31 SIGNS PROHIBITED ON FIRE ESCAPES.

No part of any sign shall be attached to a fire escape or placed to interfere with the ingress or egress from windows in case of fire.

Penalty, see § 153.99

§ 153.32 CLOTH BANNERS OVER STREET.

Special permits for cloth banners to overhang streets in the city may be granted with the consent of the City Council. Such banners shall be securely fastened and holes put in the banners to relieve wind pressure. These banners cannot be located over or near any power lines.

Penalty, see § 153.99

## ADMINISTRATION AND ENFORCEMENT

### § 153.55 DUTIES OF BUILDING DIRECTOR.

(A) *Building Director.* This chapter shall be administered and enforced by the Building Director who shall have the following powers and duties:

- (1) Receive all applications for sign permits;
- (2) Perform the review and inspections required by this chapter;
- (3) Enforce, as appropriate, the other laws and ordinances of the city as the same apply to the erection and maintenance of signs;
- (4) Issue all permits in conformance with this chapter;
- (5) Issue all citations or notices of violations required by this chapter;
- (6) Maintain accurate records of all permits, inspections, citations, violations and fees and make the records available for public inspection during normal business hours;
- (7) Make all determinations required of the City Council as provided by this chapter;
- (8) Review and resolve any conflicts in standards, regulations, requirements or procedures arising from the application of this chapter and other laws or ordinances of the city regulating the erection and maintenance of signs or the licensing of sign contractors;
- (9) Make all determinations, requirements, conditions or agreements necessary to affect the removal of nonconforming signs and signs subject to the amortization provisions of this chapter;
- (10) Interpret the various provisions of this chapter as requested by either the City Council, City Manager, the applicant for or holder of a sign permit or the public;
- (11) Review all requests for variations from the regulations established by this chapter and issue an order in accordance with the standards established below; and
- (12) Make rules governing the administration and enforcement of this chapter in accordance with the provisions of the Kewanee City Code;

(B) *Enforcement.*

(1) The Building Director shall be authorized to enforce all provisions of this chapter. If the Building Director shall find that any sign has been erected or is being maintained in violation with the provisions of the chapter, the Building Director shall issue any citation which is necessary or take any action necessary as provided by the Kewanee City Code.

(2) Any person aggrieved by a decision, order or citation issued by the Building Director concerning any violation of this chapter, may appeal to the Zoning Board of Appeals. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. This appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 33.

(C) *Variations.* Variations in the requirements of the various provisions of this chapter may be granted in accordance with the following regulations.

(1) *Application.* A variation shall be made in writing to the Building Director who shall forward the same to the Zoning Board of Appeals.

(2) *Standards.* The following standards shall govern the granting of a variation by the Zoning Board of Appeals:

(a) The variation shall be based on practical difficulties arising from the strict application of the provisions of this chapter and not merely upon the desire of the applicant to establish an alternative signage;

(b) The variation shall be based on hardship imposed by the chapter and not upon any self-imposed hardship by the applicant;

(c) The variation granted shall be the least amount of variation which will overcome the practical difficulty or hardship;

(d) The variation shall be granted in conformance with the furtherance of the stated purpose and intent of this chapter; and

(e) The variation granted shall not be expressly prohibited as provided below.

(3) *Authorized variations.* The following variations or types of variations may be granted by the Zoning Board of Appeals:

(a) Variations in the location of signs for businesses, which do not have direct street frontage;

(b) Variations in the size and height of individual signs;

(c) Any other variation which is not a prohibited variation; and

(d) Variation from the amortization requirements.

(4) *Prohibited variations.* The following variations or types of variations may not be granted by the Zoning Board of Appeals: any variation that would result in an increase in the total amount of signage permitted on a lot.

#### § 153.56 FAILURE TO COMPLY WITH STANDARDS.

Any sign which is not brought up to the standards of this chapter within a reasonable time after being so ordered by the Building Director, said time limit being determined by the Building Director, shall be ordered razed or removed, said order being given by the Building Director. The expense of said razing or removal is to be recovered from the person owning or controlling said sign.

#### § 153.99 PENALTY.

Whoever violates, fails to comply with or resists the enforcement of any of the provisions of this chapter shall, upon conviction, be fined not less than \$50 nor more than \$750 for each offense. A separate offense shall be deemed committed each day during or on which a violation, failure to comply or resisting of enforcement occurs or continues.

#### § 150.16 SIGN PERMIT FEES

Nonilluminated signs. All nonilluminated wall, pole-mounted, marquee, projecting, billboard, ground, legal nonconforming, swinging freestanding and rooftop signs, but specifically excluding public interest signs. The square footage for double faced signs shall be calculated using only the larger of the sign faces. Each sign on a structure shall be calculated separately.	
50 square feet of area or less	\$25
51 to 100 square feet of area	\$50

101 to 200 square feet of area	\$100
201 or more square feet of area	\$200
Illuminated signs. All illuminated wall, pole-mounted, marquee, projecting, billboard, ground, legal nonconforming, swinging freestanding and rooftop signs, but specifically excluding public interest signs, shall be as follows. The square footage for double faced signs shall be calculated using only the larger of the sign faces. Each sign on a structure shall be calculated separately.	
25 square feet of area or less	\$50
26 to 50 square feet of area	\$75
51 to 150 square feet of area	\$150
151 to 300 square feet of area	\$200
The permit fee to alter a sign	\$50
The permit fee for City Council approved portable sign	\$25

This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law.

Adopted by the Council of the City of Kewanee this 11<sup>th</sup> day of January 2016.

ATTEST:



Melinda Edwards, City Clerk



Steve Looney, Mayor

RECORD OF THE VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Steve Looney	X			
Councilmember Andrew Koehler				X
Councilmember Michael Yaklich	X			
Councilmember Kellie Wallace-McKenna	X			
Councilmember Deann Schweitzer	X			

