

Chapter 7

SIGN REGULATIONS

10-7-1: SHORT TITLE:

This chapter of the village of Tower Lakes zoning ordinance is entitled and may be referred to as the *SIGN REGULATIONS*. (Ord. 92-342B, 9-21-1992)

10-7-2: PURPOSES AND SCOPE:

(A) The purposes of these sign regulations are:

1. To regulate signs that may, by reason of their size, location, construction or manner of display endanger the public safety, and
2. To regulate signs that may confuse, mislead or obstruct the vision necessary for traffic safety, and
3. To regulate signs that may endanger public health, safety, and morals, and/or property values.

(B) Except as specifically provided for in these sign regulations, no person shall erect, construct, alter, repair, change, maintain and/or relocate any sign without first obtaining a sign permit for the work from the enforcing officer and paying the required fee.

(C) Signs shall be classified and permitted in accordance with these sign regulations and only those signs specifically permitted by the text of these sign regulations shall be permitted.

(D) Signs shall be regulated in such a manner as to maintain the character of each zoning district as set forth in this zoning ordinance. The classification of signs shall be in accordance with the various zoning districts designated now or hereafter established in this zoning ordinance and shall be subject to further restrictions by this chapter and all other applicable ordinances of the village. (Ord. 92-342B, 9-21-1992)

10-7-3: DEFINITIONS:

As used in this chapter, the following words and terms shall be defined as specified in this section:

BANNER: A piece of cloth or other material attached to a staff or line, to attract attention.

BEACON LIGHTS: Any light with one or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.

BENCH SIGN: A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right of way.

BILLBOARD: Any sign erected upon the land or attached to any building which does not advertise the business, profession, service conducted or product offered on the premises to which such sign is annexed or attached.

CONSTRUCTION SIGN: Any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information.

DIRECTORY SIGN: A sign on which the names and locations of occupants or the use of a building is given. This shall include office buildings and church directories.

FLASHING SIGN: Any illuminated sign and/or flashing light where each artificial light unit is not maintained in a stationary condition, or where all light units are not constant in intensity and/or color at all times when such sign is illuminated. Illuminated signs which indicate the time and/or temperature shall not, for that reason alone, be considered flashing signs.

FREESTANDING SIGN: Any mobile or portable sign or sign structure, not securely attached to the ground or to any other structure. This shall not include vehicle signs as defined herein.

ILLUMINATED SIGN: Any sign illuminated in any manner by an artificial light source.

MOVING SIGN: Any sign that has an external or visible part or parts that move, rotate, or spin. Signs which indicate the time and/or temperature shall not for that reason alone be considered moving signs.

NAMEPLATE: Any sign which states the name or address or both of the business or occupancy of the lot where the sign is placed.

NONCONFORMING SIGN: Any sign which was lawful prior to the adoption, revision or amendment to these sign regulations, but which now fails by reason of such adoption, revision or amendment, to conform to the present requirements of these sign regulations.

PORTABLE SIGN: Any sign designed to be moved from place to place.

REAL ESTATE SIGN: Any sign which is used to offer for sale, lease, or rent property or to advertise an open house for such sale, lease or rental.

* **TEMPORARY SIGN:** Any sign, banner, pennant, streamer, valance or other advertising display intended to be displayed for a period not to exceed thirty (30) days.

VEHICLE SIGN: An advertising or business sign attached to an operable or inoperable motor vehicle, van, or trailer which is parked or placed in position where it is displayed to the public. (Ord. 92-342B, 9-21-1992)

10-7-4: EXCEPTIONS TO THE SIGN REGULATIONS:

The following signs are exempt from these sign regulations, provided that, and only if, they comply with the provisions of this section and with the provisions of section 10-7-5-2 of this chapter:

(A) Exempt Signs:

1. **Construction Sign:** One sign on a lot denoting the architect, engineer, contractor and/or tradesmen when placed upon such lot with work under construction thereon shall not exceed six (6) square feet in area on each of two (2) abutting display surfaces; except only in cases of new construction where the architect, engineer and contractor(s) are designated on a single sign, then such a single sign shall not exceed eighteen (18) square feet on each of two (2) abutting display surfaces.
2. **Community Event Signs:** Temporary signs announcing an event affecting the residents of the village or a significant portion thereof, shall be approved in advance by the chairman of the roads committee of the village board or by the village president. Approval of such signs by the chairman of the roads committee or village president may specify and limit the size, location and duration of such signs.
3. **Flags:** The flags, emblems, or insignia of any nation or political subdivision or corporate flag, except when displayed in connection with a commercial promotion.
4. **Memorial Signs:** Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
5. **Municipal Signs:** Municipal signs shall include: traffic-control signs, signals and devices; legal notices, identification signs for municipal buildings, departments, divisions, services, or structures; informational or warning signs; directional signs; railroad crossing signs; temporary emergency signs; and such other nonadvertising signs as may be approved by the village board; provided, however, subdivision, neighborhood and village entrance monuments shall be regulated as provided below. Municipal signs shall include advertising signs identifying the location of any tenants building owned by the village if the location and design of such sign has been approved in advance in writing by the village board.
6. **Nameplates:** Nameplates shall be exempt provided the sign does not exceed one square foot in area.
7. **No Trespassing/No Dumping Signs:** "No Trespassing" and/or "No Dumping" signs shall be prohibited unless approved in advance by the village board in which event such signs shall be then exempt. Approval of such signs by the village board may specify and limit the size, location and duration of such signs.
8. **Garage Or Rummage Sale Signs:** Such signs advertising occasional sales, including, but not limited to, garage sales or rummage sales, when displayed by residents or by groups of residents shall be exempt provided that such signs are in compliance with the

following standards:

- (a) No more than two (2) such signs shall be displayed designating the location of any such occasional sale. One of said signs shall be a directional sign which may be located off of the sale premises, provided any off premises sign shall not interfere with traffic or cause a safety hazard.
- (b) A second sign may be displayed only on the premises where the sale is being held and not within any portion of the dedicated right of way of any street, road, highway or on other public property.
- (c) Signs for such sales shall not exceed a gross surface area of six (6) square feet on each of two (2) display surfaces and each sign shall not exceed a height of three feet (3') as measured from the ground to the top of the sign.
- (d) All other items which might be used to draw attention to such sales, including, but not limited to, banners, streamers, balloons and flags are hereby prohibited.
- (e) All signs authorized under this subsection (A)8 shall be removed no later than three (3) hours after conclusion of the sale and in no event later than nine o'clock (9:00) P.M. on the last day of the sale.

9. Features Of Buildings: Integral decorative or architectural features of buildings, except letters, trademarks, moving parts and moving lights.

10. Signs On Private Property Regulating Traffic: Signs directing, guiding, warning and/or otherwise regulating traffic and parking on private property, but bearing no advertising matters.

(B) Real Estate Signs: The following regulations shall apply to all real estate signs, including, but not limited to, "for sale" signs, "for rent" signs, real estate open house signs, and other real estate signs whether for residential buildings, commercial buildings, single vacant lots or other vacant land:

1. Permits: Real estate signs in compliance with the regulations as hereinafter described shall be exempt from the sign permit requirements of these sign regulations.

2. Number Of Signs:

(a) Interior Lots: Only one real estate sign shall be permitted on interior lots. (Ord. 92-342B, 9-21-1992)

(b) Corner Lots/Multiple Frontage Lots: Two (2) real estate signs shall be permitted on corner lots/multiple frontage lots, provided there is only one sign per street frontage. (Ord. 92-342B, 9-21-1992; amd. 2001 Code)

3. Gross Surface Area: A single real estate sign shall not exceed six (6) square feet on each of two (2) abutting display surfaces.

4. Duration: All real estate signs shall be removed within seven (7) days of the sale or lease of the premises upon which the sign is located but real estate open house signs shall be erected only on the day of the open house and shall be removed by nine o'clock (9:00) P.M. on the day of the open house or three (3) hours after the close of the open house, whichever is sooner.
5. Illumination: Real estate signs shall not be illuminated.
6. Location: Such signs shall be located only on the property for sale.

(C) Subdivision, Neighborhood And Village Entrance Monuments:

1. Display: Lettering on subdivision, neighborhood or village entrance monuments shall not be more than one foot (1') in height and shall only indicate the name of the subdivision or neighborhood but must include the phrase, "Tower Lakes" in lettering not less than one-half ($1/2$) the height of the largest lettering on the sign.
2. Gross Surface Area: No single subdivision, neighborhood or village entrance monument shall exceed one hundred twenty five (125) square feet in its gross surface area on any one side.
3. Height: It shall be unlawful to erect any such subdivision, neighborhood or village entrance monument, the total height of which (not including any lighting fixtures) is greater than six and one-half feet ($6\frac{1}{2}$ ') above the center line datum elevation of the highest street upon which the sign faces. Lighting fixtures attached to any such monument shall not exceed three feet (3') in height.
4. Application:
 - (a) Applications for construction of such a subdivision, neighborhood or village entrance monument shall be submitted to the enforcing officer.
 - (b) Applications shall include a scaled rendering of the proposed entrance monument and any signage, detailed specifications for any illumination of the monument and sign, location survey and a list of construction materials.
 - (c) The village may require alterations to the plans submitted if it is determined that such plans are not consistent with public safety. Such plans shall comply with all applicable provisions of these sign regulations but no other permit shall be required.
 - (d) Upon review by the enforcing officer, the application will be forwarded to the board of trustees for their consideration and approval or disapproval, provided, however, the board of trustees may refer the application to the plan commission for its recommendation, if the board deems this advisable.
5. Ownership And Maintenance:
 - (a) As a condition of constructing and installing any such subdivision, neighborhood or

village entrance monument, a duly established homeowners', property owners' or civic association shall own and maintain the monument; and shall execute an agreement reasonably acceptable to the board of trustees providing for such maintenance.

(b) If the association in question fails to execute such an agreement prior to the erection of such new monument, or relative to existing monuments, within ninety (90) days after the effective date of these sign regulations, or if such association fails to maintain said monument in accordance with such an agreement, after ten (10) days' written notice from the village, the enforcing officer may:

(1) Cite the association for a violation of this chapter; and/or

(2) Cause such maintenance work as may be reasonably required or as was required by such agreement to be performed, and the association shall be obligated to reimburse the village for all costs of such maintenance; and/or

(3) The village may cause such monument to be removed, and the association shall again be obligated to reimburse the village for all costs of removal.

6. Location: No subdivision, neighborhood or village identification sign shall be located on or be hereafter maintained on village property or in any public right of way within the village without a permit as provided by these sign regulations or without the express approval of the board of trustees as expressed by motion or resolution. (Ord. 92-342B, 9-21-1992)

10-7-5: PROHIBITIONS:

10-7-5-1: PROHIBITED SIGNS:

(A) With the exception of those exempt signs or exceptions complying with subsections 10-7-4 (A), (B) and (C) of this chapter, no signs of any kind shall be permitted in any residential or farming zoning district as defined in this zoning ordinance.

(B) Without limiting the prohibition contained in subsection (A) of this section, the following are expressly prohibited: tethered airborne signs, beacon lights, portable signs, freestanding signs, poster boards, bench signs, billboards, flashing signs, internally illuminated signs, roof signs, vehicle signs, moving signs, streamers, banners, pennants, valances, signs not advertising bona fide business conducted or a product sold on the premises where the signs are located, signs painted directly on a wall or walls, and vehicle signs. (Ord. 92-342B, 9-21-1992)

10-7-5-2: UNSAFE, UNLAWFUL CONSTRUCTION PROHIBITED:

- (A) **Unsafe Signs:** If the enforcing officer finds that any sign or other advertising structure regulated is unsafe or insecure such that an immediate peril to the safety of persons or property exists, the enforcing officer may with or without notice remove it or may cause it to be removed at the expense of the permit holder.
- (B) **Signs In Violation Of These Regulations Or Zoning Ordinance:** If the enforcing officer finds that any sign or other advertising structure regulated in these sign regulations or this zoning ordinance has been constructed or erected or is being maintained in violation of the provisions of these sign regulations or this zoning ordinance, but where no immediate peril to the safety of persons or property exists and the sign or other advertising structure is not within a public right of way, the enforcing officer shall give written notice of such violation to the property owner or the owner of the sign, who shall immediately take such action as may be necessary so as to comply with the provision of these sign regulations and/or this zoning ordinance. Where an immediate peril exists, or where the sign or other advertising structure is located within a public right of way, any village officer shall have authority to immediately abate a violation of these sign regulations or this zoning ordinance.
- (C) **Obstructions:** No sign shall be erected, relocated or maintained in such a manner that free ingress or egress from any door, window, or fire escape is prevented. No sign of any kind shall be attached to any standpipe or fire escape, or be attached in a manner which will interfere with any opening required for ventilation.
- (D) **Traffic Hazards Prohibited:**
1. No sign or other advertising structure otherwise allowable shall be erected or maintained in such a manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle by reason of the position, shape, or color of such sign or other advertising structure.
 2. No sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with, any authorized traffic sign, signal, or device, or in such manner as to cause glare on any public property or public right of way or on any residential property in the vicinity, or in such manner as to interfere with visibility of drivers using any public property or public right of way.
 3. No sign shall make use of the words "Stop", "Go", "Look", "Danger" or any other similar word, phrase, symbol or character; and no sign shall employ any red, yellow, orange, green or other colored lamp or light in such a manner as to interfere with, mislead, or confuse the driver of any vehicle.
- (E) **Miscellaneous Advertising Objects Prohibited:** No person shall place on, or suspend from the exterior of any building or structure, any goods, wares, or merchandise.

- (F) **Obscene Matter Prohibited:** It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent, or immoral matter. (Ord. 92-342B, 9-21-1992)

10-7-5-3: CONDITIONS REQUIRING REMOVAL:

- (A) **Discontinuance Of Activity:** If the owner of a nonconforming sign shall discontinue the activity advertised at the place where the sign is located, the sign shall be taken down at the expense of the owner within ten (10) calendar days after such discontinuance. Such sign shall not be erected elsewhere unless a permit is issued for the new installation pursuant to the provisions of these sign regulations.
- (B) **Nonconforming Signs:** Unless otherwise specified in these sign regulations, all signs which become nonconforming by the provisions of these sign regulations or this zoning ordinance, including any such nonconforming signs for which variations have been previously granted, shall be removed, altered, or repaired so as to conform with the provisions of these sign regulations for this zoning ordinance by five (5) years from the date the last building permit or sign permit was issued for such sign or prior to January 1, 1997, whichever is earlier.
- (C) **Violations:** It shall be unlawful for any person to erect, construct, repair, alter, relocate, change and/or maintain or commence to erect, repair, alter, relocate, change and/or maintain, any sign without first securing a sign permit as required by these sign regulations. It shall also be unlawful for any person to violate, disobey, omit, neglect or refuse to comply with or to resist or obstruct the enforcement of any of the provisions of these sign regulations. (Ord. 92-342B, 9-21-1992)