

CHAPTER 155: SIGNS AND BILLBOARDS

Section

Purpose

- 155.001 Purpose of code; exemption
- 155.002 Title
- 155.003 Findings and statement of purpose

Rules and Definitions

- 155.015 Rules of construction
- 155.016 Definitions

Permit, Fee, Inspection and Indemnification

- 155.030 Permits required
- 155.031 Insurance
- 155.032 Federal or state licenses
- 155.033 Permission from property owners to install any signs
- 155.034 Application for permit to install a sign
- 155.035 Permit issuance
- 155.036 Effect of issuance
- 155.037 Sign and billboard permit fees
- 155.038 Sign permit appeals
- 155.039 Inspections

Regulations and Limitations of Billboard Signs

- 155.050 General
- 155.051 Separation
- 155.052 Existing signs
- 155.053 Liability insurance
- 155.054 Maintenance agreement
- 155.055 Obstructions to traffic
- 155.056 Minimum clearance

Prohibited Signs

- 155.070 General
- 155.071 Animated and intensely lighted signs
- 155.072 Signs on public property
- 155.073 Freestanding billboard signs; materials

Exemptions

- 155.085 Exempt signs

Removal and Disposition of Signs

- 155.100 Maintenance and repair
- 155.101 Abandoned signs
- 155.102 Dangerous or defective signs
- 155.103 Removal of signs by the Administrator
- 155.104 Disposal of signs; fees

Boards and Administration

- 155.115 Board of Appeals
- 155.116 Code Administrator

Hearing

- 155.130 General
- 155.131 Hearing minutes and decision
- 155.132 County Board of Review of Board decisions

- 155.999 Penalty

Appendix A: Building Codes for signs

PURPOSE

§ 155.001 PURPOSE OF CODE; EXEMPTION.

As per 55 ILCS 5, agricultural purposes are exempt from this chapter; while the associated permit shall still be required, no fee shall be applied.

(Ord. passed 3-13-2012)

Statutory reference:

Building construction, alteration and maintenance, see 55 ILCS 5/5-1063

Authority to regulate and restrict location and use structures, see 55 ILCS 5/5-12001

§ 155.002 TITLE.

This chapter shall be known as the "Sign and Billboard Ordinance" of Jersey County, Illinois, and may be so cited and pleaded and shall be referred to herein as the "chapter".

(Ord. passed 3-13-2012)

§ 155.003 FINDINGS AND STATEMENT OF PURPOSE.

(A) The sign and billboard chapter regulates signs to be placed along the roadside of any highway or county road and residential, business office and industrial development signs contained in the unincorporated areas of the county.

(B) The County Board finds:

(1) Signs should be regulated in order to protect public investment, to promote the recreational value of public travel, to preserve natural beauty and to promote the reasonable orderly and effective display of signs; that the use and display of signs in a legitimate use of private property and is an integral part of the business and marketing functions of local economy and serves to promote and protect private investments in commerce and industry and that the regulatory standards set forth in this chapter are consistent with customary use in this county and will properly carry out the purposes of this chapter, more severe restrictions being inconsistent with customary use and ineffective to accomplish the purposes of this chapter;

(2) Signs visible from motor vehicles being driven upon roads in the county have a visual impact upon the drivers of those vehicles;

(3) Easily read and well located signs can materially assist motorists and others in getting to their desired destination safely and efficiently;

(4) Signs which are unregulated as to size, location and appearance can distract motorists, interfere with early identification of traffic control devices, and hinder the smooth and safe movement of traffic; and

(5) Lack of regulation of size, location and appearance of signs can cause escalation in the size of signs erected by competing businesses.

(C) This chapter authorizes the use of signs visible from public right-of-way provided the signs are:

(1) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;

(2) Legible, readable and visible in the circumstances in which they are used; and

(3) Not violative of the reasonable rights of other advertisers whose messages are displayed.

(Ord. passed 3-13-2012)

RULES AND DEFINITIONS

§ 155.015 RULES OF CONSTRUCTION.

The language set forth in the text of this chapter shall be interpreted in accordance with the following rules and definitions.

(A) The singular number includes the plural, and the plural the singular.

(B) The present tense includes the past and future tenses, and the future tense includes the present.

(C) The word "shall" is mandatory, while the word "may" is permissive.

(D) Terms connoting a particular gender shall include each and every gender.

(E) Whenever a word or term defined hereinafter appears in the text of this chapter, its meaning shall be construed as set forth in the definition hereof; and any word appearing in parenthesis between a word and its definition shall be construed in the same sense as that word.

(F) All measured distances shall be to the nearest integral foot; if a fraction is one-half foot or more, the integral foot next above shall be taken.

(G) All words and terms not defined herein shall be construed in their generally accepted meanings.

(H) All provisions of this chapter imposing duties upon the county, its officers or agents are directory, unless the context clearly requires the provision to be construed as mandatory.

(Ord. passed 3-13-2012)

§ 155.016 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED SIGNS. A sign which no longer correctly directs or exhorts any person, advertises a bona fide existing business, lesser, owner, product or activity product or product available. **ABANDONED SIGNS** includes any structure which no long supports the sign for which it was designed. If renewal fees are not paid annually, the sign will be considered abandoned.

ADMINISTRATOR. The County Code Officer or his or her designated representative.

ADVERTISING MESSAGE. The copy on a sign describing products or services being offered to the public or to one or more limited segments thereof.

AGRICULTURE PURPOSES. A property or structure utilized for the science or art of cultivating soil, harvesting crops, and raising livestock.

ANIMATED SIGN. A sign employing actual motion or the illusion of motion. For purposes of this code, this term does not refer to flashing, changing or indexing, all of which are separately defined.

AREA OF SIGN. Copy area including borders which for all intent are to be made visible to the public.

AUTOMATIC CHANGING SIGN OR ELECTRONIC MESSAGE SIGN OR CENTER.An electronically activated changeable sign whose variable message capability can be electronically programmed.

AWNING. Any structure made of cloth or other non-rigid material attached to and projecting from a building, including structures which are fixed or so erected as to permit their being raised or retracted to a position against the building when not in use.

BANNER. Any sign of lightweight fabric or similar material which is mounted to a pole or building by permanent frame at one or more edges.

BACKGROUND AREA. The entire area of a sign on which copy could be placed, as opposed to the "copy area", when referred to in connection with fascia or wall signs.

BILLBOARD.

- (1) A panel for the display of advertisements in public places, such as alongside highways or on the sides of buildings.
- (2) The advertisement or message posted on such a panel.
- (3) **BILLBOARDS** are classified as large signs, generally greater than 60 square feet.
- (4) In addition, **BILLBOARDS** are typically raised at least ten feet above the ground as to draw attention by passersby.

BOARD. The County Board of the County of Jersey, Illinois.

BOARD OF APPEALS. The County Board of Appeals (hereinafter referred to as the "Board") has been appointed by the County Board to review decisions of the County Code Administrator, to grant variances from the requirements of this chapter and to advise the Administrator.

BUILDING. A structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property which is permanently affixed to the land. The term **BUILDING** is construed under this chapter as if preceded by the work "permanent" and as if followed by the words "or parts thereof".

BUILDING MARKER, PLAQUE. A sign indicating the name of a building, date and/or cornerstone with incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material, which is affixed to the building.

CANDIDATE. Any individual actively seeking elected political office, regardless of whether his or her name appears on the ballot.

CANOPY OR MARQUEE SIGN. Any sign attached to or hung from a marquee or canopy or other covered structure projecting from and supported by a building and extending beyond the building wall, building line or public right-of-way line.

CHANGEABLE COPY SIGN, MANUAL. A sign on which copy is changed manually in the field, i.e., reader boards with changeable pictorial panels.

CHANGING SIGN, AUTOMATIC. A sign such as an electronically or electrically controlled public service time, temperature and date sign, message center or reader board where different copy changes are shown on the same lamp bank.

CLOSED SIGN. A display sign in which the entire area is solid or tightly enclosed or covered.

COPY AREA. The area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For fascia or wall signs, the **COPY AREA LIMITS** refer to the message, not to the illuminated background, the entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement or decoration.

COPY, PERMANENT AND TEMPORARY. The wording of a sign surface either in permanent or removal letter form.

COUNTY. County of Jersey, Illinois

COUNTY CLERK. The County Clerk of the County of Jersey, Illinois.

DETACHED SIGN. See **GROUND SIGN.**

DIRECTLY ILLUMINATED SIGN. Any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

DOUBLE FACED SIGN. A sign with two faces, back to back.

ELECTION. The submission of all questions of public policy, propositions and all measures submitted to popular vote, and include primary elections.

ELECTION SIGN. Any sign indicating support of, or opposition to, any issue or candidate in any regular, general or special election.

ELECTRICAL SIGN. Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

EMBELLISHMENT. Letters, figures, characters or representations in cutouts or irregular forms, or similar ornaments attached to or superimposed upon the sign.

EMBELLISHMENT, DECORATIVE ONLY. A purely decorative embellishment on a freestanding sign.

ERECTED. Attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of wall signs, but does not include copy changes on any sign.

EXEMPT SIGNS. Sign exempted from normal permanent requirements.

FACE OF SIGN. The entire area of sign on which copy could be placed, including borders.

FACELIFT. The remodeling of a building's frontage which is visible from a public right-of-way so that the building material, door frames, window frames and signs are designed in harmony with each other.

FIELD FABRICATED SIGN. An electrical sign of such magnitude that it cannot be completely constructed in the factory.

FLASHING SIGN. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source.

FREESTANDING SIGNS. See **GROUND SIGNS.**

FREEWAY or CONTROLLED ACCESS HIGHWAY. A highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting land, or in respect of which such owners have only limited or restricted right or easement of access and which is declared to be a **FREEWAY** or **CONTROLLED ACCESS HIGHWAY.**

FREEWAY-ORIENTED SIGN (CONTROLLED ACCESS HIGHWAY SIGN). Any sign identifying premises where food, lodging or places of business are located that engage in supplying goods and services essential to normal operation of motor vehicles, and where such businesses are directly dependent upon the adjacent freeway for business.

FRONTAGE. The length of the property line of any one premises parallel to and along each public right-of-way it borders.

GENERAL ELECTION. A regular election for the choice of a national, state, judicial, district, county officer or township

official.

GROUND LEVEL. Street grade.

GROUND SIGN. A sign erected on a freestanding frame, mast or pole and not attached to any building, A sign supported by uprights or braces in or upon the ground surface.

HEIGHT OF SIGN. The vertical distance measured from the adjacent street grade or upper surface of the nearest street curb other than an elevated roadway which permits the greatest height to the highest point of said sign.

HEREAFTER. After the time this chapter becomes effective.

HERETOFORE. Before the time this chapter becomes effective.

IDENTIFICATION SIGN. A sign on the premises which is limited to the name, address and number of a building, institution or person on the premises, and to the activity carried on in the building or institution, or the occupancy of the person provided that this type of sign is permitted only if the use of the premises is legal both in substance and at that location.

ILLEGAL SIGN. See **UNLAWFUL SIGN.**

ILLUMINATED SIGN. Any sign which emanates light either by means of exposed tubing or lamps on its surface, or by means of illumination transmitted through the sign faces.

INCIDENTAL SIGN. A sign pertaining to goods, products, services or facilities which are available on the premises where the sign is located.

INDEXING. Turning and stopping action of the triangular vertical sections of a multi-prism sign designed to show three messages in the same area.

INDIRECTLY ILLUMINATED SIGN. Any sign which reflects light from a source intentionally directed upon it, for example, by means of floodlights, gooseneck reflectors or externally mounted fluorescent light fixtures.

INTERIOR PROPERTY LINE. Property lines other than those fronting on a street, road or highway.

ISSUE. Any matter of public interest, question of public opinion, proposition or any other measure submitted to popular vote.

LOT.

(1) A parcel of land of at least sufficient size to meet the minimum requirements for use, coverage and area, and to provide such yards and other open space.

(2) Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (a) A single lot of record;
- (b) A portion of a lot of record;
- (c) A combination of complete lots of record, or of portions of lots of record; and
- (d) A parcel of land described by metes and bounds.

MAINTAIN. To permit a sign, structure or any part or condition of any of them to continue.

MARQUEE (CANOPY). A permanent roof-like shelter extending from part or all of the building face over a public right-of-way and constructed of some durable material such as metal, glass or plastic.

MARQUEE SIGN (CANOPY SIGN). Any sign attached to or hung from a marquee or canopy or other covered structure projecting from and supported by a building and extending beyond the building wall, building line or public right-of-way line.

MESSAGE. The wording or copy on a sign.

NONELECTRICAL SIGN. Any sign that does not contain electrical wiring or is not attached or intended to be attached to an electrical energy source.

NONCONFORMING SIGN, LEGAL. Any advertising structure or sign which was lawfully erected and maintained prior to such time as it became subject to this chapter and any amendments thereto, and which at the time it becomes subject to this chapter and fails to conform to all applicable regulations and restrictions of this chapter, or a nonconforming sign for which a special permit has been issued.

OFF-PREMISES SIGN (OFF-SITE SIGNS). A sign that advertises goods, products, services or facilities or directs persons to a different location from where the sign is installed.

ON-PREMISES SIGN. Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

OPEN SIGN. A display sign in which at least 50% of the enclosed area is uncovered, or open to the transmission of wind.

OWNER. A person recorded as such on official records and including duly authorized agent or notary, a purchaser,

devisee, judiciary; any person having a vested or contingent interest in the property in question.

PERSON. Any individual, corporation, association, firm, partnership or other legal entity of any description, single or plural.

POLE SIGN. See **GROUND SIGN.**

PREMISES. An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

PUBLIC PLACE. Building frontage at least 30 feet wide which is accessible unobstructed for the Fire Department.

PUBLIC RIGHT-OF-WAY WIDTH. The perpendicular distance across a public street measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the **PUBLIC RIGHT-OF-WAY WIDTH** shall be determined by the governing body.

PUBLIC SERVICE INFORMATION SIGNS. Any sign intended primarily to promote items of general interest to the community such as time, temperature and date, atmospheric conditions, news or traffic control and the like.

REGULAR ELECTION. An election, either general or municipal, regularly occurring at fixed interval.

ROOF LINE. The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

ROOF SIGN. Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

ROTATING SIGN. Any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

SEASONAL OR HOLIDAY SIGNS. Signs such as Christmas decorations, those used for a historic holiday and installed for a limited period of time.

SIGN. Any identification, description, illustration or device illuminated or non-illuminated and with or without printing or writing, which is visible from any public place and which directs or is constructed to direct attention to a business, product, service, place, activity, person, organization, institution or solicitation, including any permanently installed or situated merchandise, a symbol of merchandise, logo or display with the exception of window displays; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information with respect to any business, product, service, place, activity, person, institution or solicitation, with the exception of national, state, county, municipal and religious flags. The required removal of any **SIGN** shall be understood to include all associated sign structures and sign support structures unless exempted from the removal requirement.

SIGN AREA (AREA OF SIGN). The area of the largest faces of the sign with a perimeter which forms the outside shape including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled and both faces of double faced signs will be included in the sign area.

SIGN LEGEND. See **COPY.**

SIGN STICKER. A sticker affixed either to the face or the channel of a sign visible from the street denoting the name of the manufacturer or designating the sign servicing company for purpose of identification by county officials.

SIGN STRUCTURE. Any structure which supports, has supported or is capable of supporting a sign including decorative cover.

SPECIAL ELECTION. An election, either general or municipal, not regularly recurring at fixed intervals, irrespective of whether it is held at the same time and place and by the same election officers as a regular election.

SPECIAL PURPOSE SIGN. Any sign other than a business, non-accessory identification sign, including, but not limited to, traffic signs.

STREET, PRIVATE. A privately owned lane, road or street which affords the means of access to adjacent lots.

STREET, PUBLIC. A public highway, road or thoroughfare which affords the principal means of access to adjacent lots, measured from property line to property line.

SWINGING SIGN. A sign installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

TEMPORARY SIGN. A sign which is not permanently affixed and includes all devices such as banners, pennants, flags (not including national, state, county, municipal or religious flags), searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures.

TREASURER. The County Treasurer of the County of Jersey, Illinois.

UNLAWFUL SIGN.

(1) A sign which contravenes this chapter or any other law or which the County Code Administrator declares to be unlawful because it becomes dangerous to public safety by reason of inadequate maintenance, dilapidation or abandonment or a nonconforming sign for which a permit required under a previous code was not obtained.

(2) The terms **UNLAWFUL** and **ILLEGAL** shall have the same meaning at all times in all situations.

USE. The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

YARD. The space between the lot line and the building line on the same lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this chapter, and which extends along a lot or parcel line and at right angles thereto to a depth or width determined by the nearest point of the principal building.

(Ord. passed 3-13-2012)

PERMIT, FEE, INSPECTION AND INDEMNIFICATION

§ 155.030 PERMITS REQUIRED.

(A) *Application of permit requirement.*

(1) Except as otherwise provided in this chapter, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the county, or cause the same to be done, without first obtaining a sign permit for each such sign from the Code Administrator as required by this chapter.

(2) This section shall not be construed to require any permit for:

(a) The repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way; or

(b) Signs which have permits and which conform to the requirements of this chapter on the date of its adoption unless and until the sign is altered or relocated, at which time a permit is required.

(B) *Duration of permit.* Every sign permit issued by the Administrator shall become null and void if work installation is not commenced within 120 days from the date of such permit. If work authorized by such permit is suspended or abandoned for 120 days any time after the work is commenced, a new permit shall be first obtained to do so and the fee will be one-half the amount required for a new permit for such work provided that no changes have been made in the original plans. Such permit may not be unreasonably withheld, providing that proper application and payment of permit fees is complied with.

(Ord. passed 3-13-2012) Penalty, see § 155.999

§ 155.031 INSURANCE.

(A) Every billboard applicant for such registration shall, before such registration, file with the county a satisfactory certificate of insurance against any form of liability to a minimum of \$25,000 for property damage and \$300,000 for personal injury, or shall be responsible through an agent or subcontractor covered by insurance in said amounts.

(B) The insurance shall be maintained in full force and effect during the term of the registration and said insurance policy or certificate shall provide that the county be notified of any cancellation of the insurance ten days prior to the date of cancellation.

(Ord. passed 3-13-2012)

§ 155.032 FEDERAL OR STATE LICENSES.

Federal or state licenses as applicable, any sign company seeking to erect, construct, enlarge, alter, repair, move, improve, maintain, convert or manufacture any sign shall demonstrate and register with the county a statement that they have all of the necessary licenses from all other governmental agencies applicable, or shall be represented by a duly licensed agent or subcontractor having such licenses.

(Ord. passed 3-13-2012)

§ 155.033 PERMISSION FROM PROPERTY OWNERS TO INSTALL ANY SIGNS.

No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building, if any, or their authorized representatives.

(Ord. passed 3-13-2012) Penalty, see § 155.999

§ 155.034 APPLICATION FOR PERMIT TO INSTALL A SIGN.

Application for a permit shall be made to the County Code Administrator upon a form provided by the Administrator and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the county including:

(A) Name, address and telephone number of the applicant (sign contractor) and property owner(s) of the property upon which the sign is to be affixed. No permit application shall be considered complete without signatures of the property owner(s), as well as the applicant, if different. The permit application shall also include the date on which the sign is to be erected or displayed;

(B) A site plan showing the accurate placement of existing, as well as proposed signage on the subject highway;

(C) One blueprint of the plans specifications of the sign to be erected or affixed and the method of construction and attachment to a building or placement in the ground. Such plans and specifications shall include details of dimensions, materials and weight; and

(D) Applicant must show proof of liability insurance.

(Ord. passed 3-13-2012)

§ 155.035 PERMIT ISSUANCE.

The Administrator shall issue a permit for the erection, alteration or relocation of a sign within the county when an application therefor has been properly made and the sign described therein complies with all appropriate laws and regulations of the county. The Administrator may, in writing, suspend or revoke a permit issued under provisions of this subchapter whenever the permit is issued by mistake or on the basis of a misstatement of fact or fraud. Any permit issued shall become invalid if the authorized work is not started within six months of the permit issue date.

(Ord 17-001, passed 1-12-2012; Ord. passed 3-13-2012)

§ 155.036 EFFECT OF ISSUANCE.

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign, nor shall any permit issued hereunder constitute a defense in an action to abate all unlawful signs.

(Ord. passed 3-13-2012; Ord. 17-001, passed 1-12-2012)

§ 155.037 SIGN AND BILLBOARD PERMIT FEES.

(A) (1) Application for permits shall be filed with the County Code Administrator, together with a permit fee which shall be based on the reasonable cost of the sign and supporting structure which includes cost of material and labor in accordance with the fee schedule of division (B) below.

(2) If the Administrator determines that the applicant's estimate of cost is unreasonable, the Administrator may estimate the cost for purposes of establishing the fee. Permit for neon outline lighting or skeleton lighting will be based on estimated value of job.

(3) If any sign is hereafter erected, placed, installed or otherwise established on any property prior to obtaining a permit as required by this section, the fees specified in division (B) below shall be doubled. Payment of such fee shall not relieve any person from complying with other provisions of the this chapter or from penalties prescribed therein.

(B) *Fee schedule: billboards.*

Initial sign application fee for permit to erect roadside signage	\$800
Annual renewal permit fee for single-side sign	\$125
Annual renewal permit fee for double-side sign	\$250

(C) *Fee schedule: residential, business office and industrial development signs.*

For signs up to 30 square feet per sign area	\$30
For each square foot thereafter for each sign area	\$0.30

(Ord. passed 3-13-2012; Ord. revised 2-21-2020; Ord. revised 10-15-2021)

§ 155.038 SIGN PERMIT APPEALS.

An appeal may be taken to the Appeals Board of Review from the Administrator's denial or revocation of a sign permit.

(Ord. passed 3-13-2012)

§ 155.039 INSPECTIONS.

(A) *Inspections.* All sign work requiring a permit shall be subject to inspection by the Administrator.

(B) *Signs declared unlawful.* The Administrator may declare any sign unlawful if it violates this chapter or any other law or if it endangers public safety by reason of inadequate maintenance, dilapidation or abandonment. Any such declaration shall state in writing the reasons of the Administrator for stating that the sign is unlawful.

(C) *Unlawful sign.*

(1) It shall be unlawful to own, keep, display or maintain a sign which is declared to be unlawful.

(2) The Administrator may declare any such sign to be unlawful and such declaration shall state in writing the reason or reasons why such sign and the keeping, owning, maintenance, construction and display or operation thereof, is unlawful under the terms of this chapter.

(Ord. passed 3-13-2012) Penalty, see § 155.999

REGULATIONS AND LIMITATIONS OF BILLBOARD SIGNS

§ 155.050 GENERAL.

The language of this subchapter shall apply to billboards and off-premises signs.

(Ord. passed 3-13-2012)

§ 155.051 SEPARATION.

Limitations on distance, set-off and maintenance are as follows: separation of said signs must be no less than 1,200 feet from another permitted structure.

(Ord. passed 3-13-2012)

§ 155.052 EXISTING SIGNS.

Existing signs that are relocated to another site shall not be grandfathered in. The applicant must apply for new permits and follow codes and fees.

(Ord. passed 3-13-2012)

§ 155.053 LIABILITY INSURANCE.

The applicant must show proof of liability insurance.

(Ord. passed 3-13-2012)

§ 155.054 MAINTENANCE AGREEMENT.

The maintenance agreement is to be signed at time of application for permit. The maintenance agreement is to include a fine not to exceed \$1,000 if structure is not removed within 60 days upon conclusion of signs use.

(Ord. passed 3-13-2012)

§ 155.055 OBSTRUCTIONS TO TRAFFIC.

No freestanding or ground sign shall be erected so as to obstruct free access to or egress from any building.

(Ord. passed 3-13-2012)

§ 155.056 MINIMUM CLEARANCE.

Where a freestanding or ground sign projects over a vehicular traffic area, such as a private street, driveway or parking lot, the minimum clearance between the bottom of the sign and the ground shall be 14 feet.

(Ord. passed 3-13-2012)

PROHIBITED SIGNS

§ 155.070 GENERAL.

Except as otherwise provided in this chapter, the following types of signs are expressly prohibited in all districts.

(Ord. passed 3-13-2012)

§ 155.071 ANIMATED AND INTENSELY LIGHTED SIGNS.

All light illuminating said sign shall not interfere with vehicle or air traffic. If the Administrator receives reports that the light created by the sign obstructs the vision of traffic, the Administrator will contact company to address said issue.

(Ord. passed 3-13-2012) Penalty, see § 155.999

§ 155.072 SIGNS ON PUBLIC PROPERTY.

No sign shall be permitted which is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare except as may otherwise expressly be authorized by this chapter or by written agreement approved by the County Board, after determining that said sign is consistent with the intent of this chapter.

(Ord. passed 3-13-2012) Penalty, see § 155.999

§ 155.073 FREESTANDING BILLBOARD SIGNS; MATERIALS.

All freestanding sign structures or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Such structures or poles shall be fabricated only from painted steel or such other materials as may be approved by the adopted ICC Code in effect. Detailed drawings of all pole or pylon sign foundations will accompany sign permit applications.

(Ord. passed 3-13-2012) Penalty, see § 155.999

EXEMPTIONS

§ 155.085 EXEMPT SIGNS.

The following operations shall not be considered as requiring the issuance of a sign permit, but any sign thus created must be in conformance with all other building, structural and electrical laws and regulations of the state:

(A) *Agricultural property signage.* Signs erected where agricultural uses are provided, which must relate to the sale of farm products grown, bred or produced on the premises of the agricultural nature of the property;

(B) *Construction signs.* One construction sign per construction project not exceeding 32 square feet in sign area in residential districts or 64 square feet in commercial or industrial districts, provided that such signs shall be erected no more than 30 days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction and shall be removed 30 days after completion of construction and prior to occupancy;

(C) *Direction or instructional signs.* Signs which provide direction or instruction to which they pertain and do not in any way advertise the sale of merchandise or services or any business and do not exceed four square feet in area, such as signs identifying rest rooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs and those of similar nature. Such signs may identify the establishment to which the directions or instructions thereon are pertinent;

(D) *Flags.* The flags, emblems or insignia of any nation or political subdivision or corporate flag;

(E) *Governmental signs.* Governmental signs for control of traffic and other regulatory purposes, street signs, danger, signs, railroad crossing sign and signs of public service companies indicating danger and aids to service safety which are erected by or on the order of a public officer in the performance of his or her public duty;

(F) *Holiday decorations.* Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday;

(G) *House numbers.* House numbers not exceeding two square feet in area for each dwelling unit or mobile home;

(H) *Non-electrical interior signs.* Non-electrical signs located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and non-electrical signs for and located within the inner or outer lobby, court or entrance of any theater, that are not visible from the public right-of-way. This does not, however, exempt such non-electrical signs from the structural or material specifications as set out in this chapter;

(I) *Memorial signs.* Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material;

(J) *Notice bulletin boards.* Notice bulletin boards not over 32 square feet in area for medical, public, charitable or religious institutions where the same are located on the premises of said institution;

(K) *No trespassing or no dumping signs.* No trespassing or no dumping signs;

(L) *Occupant signs, nameplates.* One nameplate for each dwelling unit or mobile home not to exceed two square feet in area indicating the name of the occupant, location or identification of a home professional office, provided the use of the premises is legal both in substance and at that location;

(M) *Wall signs, fence signs.* In business and manufacturing zones, a sign painted on the surface of a fence or approved building wall or any non-illuminated wall sign on a building or structure which is not more than 20 square feet in sign area;

(N) *Public notices.* Official notices posted by public officers or employees in the performance of their duties;

(O) *Public signs.* Signs required or specifically authorized for a public purpose by any law, statute or ordinance, which may be of any type, number, area, height above grade, location, illumination or animation required by the law, statute or ordinance under which the signs are erected;

(P) *Real estate signs.* Real estate signs, on- or off-premises, not directly illuminated, and is removed within ten days after the closing date of a sales contract of the effective date of a lease;

(Q) *Signs in the display window.* Signs in the display window of a business use which are incorporated with a display of merchandise or a display relating to services offered which comply with division (O) above;

(R) *Symbols of insignia.* Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such symbol, plaque or identification emblem, shall exceed four square feet in area, and provided further that all such symbols, plaques and identification emblems shall be

placed flat against a building;

(S) *Temporary signs.* Temporary signs in an area pertaining to personal events, drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted only during said drive or no more than 30 days before said event and are removed no more than 15 days after an event;

(T) *Warning signs.* Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary to be removed upon subsidence of danger; and

(U) *Neighborhood identification signs.* In any zone, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification, provided that the legend of such sign or display shall consist only of the neighborhood or tract name.

(Ord 17-001, passed 1-12-2012; Ord. passed 3-13-2012)

REMOVAL AND DISPOSITION OF SIGNS

§ 155.100 MAINTENANCE AND REPAIR.

Every sign including, but not limited to, those signs for which permits or for which no permits or permit fees are required, shall be maintained in a safe, presentable and good structural material condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. The Administrator shall require compliance with all standards of this chapter and any other applicable laws. If the sign is not made to comply with adequate safety standards, the Administrator shall require its removal in accordance with this subchapter.

(Ord. passed 3-13-2012)

§ 155.101 ABANDONED SIGNS.

Except as otherwise provided in this chapter, any sign which is located on property which becomes vacant and unoccupied for a period of 12 months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or the premises.

(Ord. passed 3-13-2012)

§ 155.102 DANGEROUS OR DEFECTIVE SIGNS.

No person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or owner of the premises.

(Ord. passed 3-13-2012)

§ 155.103 REMOVAL OF SIGNS BY THE ADMINISTRATOR.

(A) The Administrator shall cause to be removed any sign known by him or her to be unlawfully placed on any public right-of-way or on any utility easement within the county. Any such unlawfully placed signs may be removed by the Administrator without notice to the owner thereof. The Administrator may notice the owner, if known, that his or her sign has been removed and they may redeem it from the Administrator within seven days.

(B) The Administrator shall cause to be removed any sign believed by him or her to endanger the public safety. Such signs may be removed by the Administrator without notice to the owner thereof, if known, in an emergency and shall be removed by the Administrator in any case within 24 hours after the owner thereof, if known, has been notified by the Administrator.

(C) The Administrator shall cause to be removed an abandoned sign, a sign which is materially, electrically or structurally defective, a sign for which no permit has been issued, a sign which is not permitted by §§ 155.050 through 155.056, §§ 155.070 through 155.073, and §§ 155.100 through 155.102, or a sign which otherwise has been declared to be unlawful. The Administrator shall prepare a notice to the owner, if known, which shall describe the sign and specify the violation or lack of compliance involved and which shall state that if the sign is not removed or the violation is not corrected within 14 days, the sign shall be removed in accordance with the provisions of this section. During the time of removal, other new signs placed on the premises which are similarly in violation may be removed without advance notice.

(D) The owner of any unlawfully placed or otherwise unlawful sign that has been removed by the Administrator may redeem such sign from the Administrator upon payment of the cost to the county of causing such sign to be removed. Such costs of removal for all such signs shall not be less than \$25. Costs of any sign removal shall be recovered by the county as provided by § 155.104.

(E) All notices mailed by the Administrator shall be sent by certified mail except those written notices which confirm oral notices and these may be sent by regular mail as may other notices so specified. Any time periods provided in this subchapter shall be deemed to commence on the date of the receipt of notice, whether written or oral.

(F) In the direction of the Administrator and except as otherwise provided herein, notices may also be orally provided to, mailed to or delivered to the owner of the property on which the sign is located as shown on the last equalized general real estate tax assessment roll and/or the occupant of the property, if known.

(G) Any person having an interest in a sign or property associated therewith may appeal the determination of the Administrator ordering removal of the sign or compliance by filing a written notice of appeal with a written statement of the reasons in support of his or her position with the Appeals Board of Review within 20 days after the date of receipt of a notice, whether written or oral, for removal of the sign.

(Ord. passed 3-13-2012)

§ 155.104 DISPOSAL OF SIGNS; FEES.

(A) Any sign removed pursuant to the provisions of this subchapter may be disposed of in any manner deemed appropriate by the county. The cost to the county for removal of the sign shall be considered a debt owed to the county by the owner of the sign and/or the owner of the property, and may be recovered in an appropriate court action by the county or by placement of a lien upon the property as hereinafter provided. The cost of removal shall include any and all incidental expenses incurred by the county in connection with the sign's removal; costs may be recovered by the county in the manner provided.

(B) The notice given by the Administrator shall state the remedial action required to be taken; if such action is not taken within the time limits set forth in this chapter, the cost of correcting the unlawful statute of the sign may be charged against the property on which the sign is located, together with any additional 5% for inspection and incidental costs and an additional 10% penalty for the cost of collection, and collected in the same manner as real estate taxes against the property.

(C) In the event that the owner of the premises, or person entitled to possession thereof, or the owner of the sign, shall fail, neglect or refuse to comply with the notice to remove, repair, rehabilitate or demolish the sign declared to be unlawful, as appropriate, the owner of the sign, the owner of the premises upon which the sign is located, and the permit entitled to possession thereof (if other than the owner of the premises), or all or any of them, may be prosecuted for violation(s) of this chapter. The Administrator may remove the sign declared to be unlawful.

(D) (1) If it shall be necessary for the Administrator to remove a sign pursuant to the provisions hereof, bids shall be taken when the estimated costs of removal or demolition exceed \$1,500.

(2) When completed, the Administrator shall certify to the State's Attorney the legal description of the property upon which the work was done, together with the name of the owner thereof, as shown by the tax rolls of the county, together with a statement of work performed, the date of performance and the cost thereof.

(E) (1) Upon receipt of such statement, the State's Attorney shall mail a notice to the owner of said premises as shown by the tax rolls at the address shown upon the tax rolls by certified mail, postage prepaid, notifying such of the costs thereof (as certified by the Administrator), together with 5% for the inspection and the other incidental costs in connection therewith.

(2) Such notice shall state that if said amount is not paid within 30 days following the mailing of such notice, the Director of Finance will place a lien upon said owner.

(F) If the State's Attorney's office shall not receive payment within a period of 30 days following the mailing of such notice, the Director of Finance will place a lien upon said property.

(G) Each such lien against each lot or tract of land assessed, until paid, and shall have priority over all other subsequent liens except general and special taxes.

(H) For purposes of this subchapter, the owner of property upon which a sign is located shall be presumed to be the owner of all signs thereon, unless the contrary shall appear from facts brought to the attention of the Administrator.

(I) (1) Notwithstanding the provisions cited above in this subchapter, in cases of emergency, the Administrator may cause to be repaired or removed summarily and without notice any unlawful sign which creates an immediate hazard to the public through improper construction, or which creates a hazard by obstructing view at intersections of either motorist or pedestrian or any sign which has become an immediate hazard to the public.

(2) Summary removal or repair provided for herein shall not relieve the owner of the sign or the property on which it is located from liability to the county for the costs provided for in this section.

(Ord. passed 3-13-2012)

ADMINISTRATION

§ 155.115 BOARD OF APPEALS.

The Appeals Board of Review (hereinafter referred to as the "Board") has been appointed by the County Board Chairperson to review decisions of the Administrator, to grant variances from the requirements of this chapter, to make suggestions for the amendment of this chapter and to advise the Administrator.

(Ord. passed 3-13-2012)

§ 155.116 CODE ADMINISTRATOR.

The Administrator shall be the County Code Administrator and have authority to oversee the permit and erection of signs.
(Ord. passed 3-13-2012)

HEARING

§ 155.130 GENERAL.

(A) Any person aggrieved by any decision made with respect to this chapter by the County Code Administrator may appeal to the Board of Appeals. Such appeal shall be taken within 30 days of the receipt of the decision being appealed by filing with the County Code Administrator a petition for appeal, specifying the grounds thereof. The County Code Administrator shall transmit to the Board of Appeals the petition for appeal and all other papers

(B) (1) The Board of Appeals shall hear a timely-filed petition for appeal within 60 days of filing said petition. At the hearing, any party may appear in person, by agent or by attorney.

(2) The Board may affirm or reverse, wholly or partly, or may modify the order, requirement, decision or determination as, in its opinion, ought to be made in the premises.

(C) All hearings of the Board shall be open to the public, and those in attendance shall be afforded an opportunity, the length and conditions of which shall be prescribed by the Board, to address the Board on issues to be determined. The appellant and the Administrator shall be afforded an opportunity to appeal on any matter at issue. Any party or person may be represented by another at the hearing.

(Ord. passed 3-13-2012)

§ 155.131 HEARING MINUTES AND DECISION.

The Board shall keep minutes of its proceedings and shall cause to be kept a tape recorded record of the hearing on any appeal together with its findings of fact in support of that decision, all of which shall be open to the public inspection. Copies of the Board's decisions on appeals and petitions for variances shall be mailed or delivered to the applicant, to the Administrator and to the persons entitled to notice of hearings. The tape recorded record may be discarded by the Board one year after the hearing.

(Ord. passed 3-13-2012)

§ 155.132 COUNTY BOARD OF REVIEW OF BOARD DECISIONS.

Review or appeal of any Board decision may be taken by any interested person to the County Board.

(A) The petition for review must be served on the County Board within 15 days of the oral notice or mailing or delivery of the Board's decision to the appellant;

(B) The record transmitted by the Board shall include the tape recorded record of the hearing in its un-transcribed form.

(C) An appeal of the decision of the County Board shall be made to the Circuit Court of the county.

(Ord. passed 3-13-2012)

§ 155.999 PENALTY.

(A) The County Code Administrator, upon finding that any provision of this chapter or any condition or permit issued under this chapter is being violated, is hereby authorized to institute legal proceedings to enjoin violations.

(B) Any person found to be in violation of this chapter shall be subject to a fine not less than \$100, nor more than \$500, for each offense. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.

(Ord 17-001, passed 1-12-2012; Ord. passed 3-13-2012)

APPENDIX A: BUILDING CODE FOR SIGNS IDENTIFICATION

Every sign regulated under the county billboard and sign chapter hereafter erected, constructed or maintained, for which a permit is required shall be plainly marked with the name of the person, firm or corporation erecting and maintaining such sign and shall have affixed on the front thereof the permit number tag issued for said sign or other method of identification approved by the County Code Administrator.

DESIGN AND CONSTRUCTION

General: Signs shall be designed and constructed to comply with the provisions of the International Building Code (IBC) in determining use of materials, loads and stresses.

Permits, Drawings and Specifications: Where a permit is required, as provided in the IBC, construction documents shall be required. These documents shall show the dimensions, materials and required details of construction, including loads, stresses and anchors.

Wind Load: Signs shall be designed and constructed to withstand wind pressure as provided for in the IBC.

Seismic Load: Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in the IBC.

Working Stresses: For signs regulated under the county billboard and sign chapter, the allowable working stresses shall conform to the requirements of the IBC. The working stresses of wire rope and its fastenings shall not exceed 25% of the ultimate strength of the rope or fasteners.

Exceptions:

The allowable working stresses for steel and wood shall be in accordance with the provisions of the IBC. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel.

Attachment: Signs attached to masonry, concrete or steel shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied.

ELECTRICAL

Illumination: A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of the National Electrical Code (NEC). Any open spark or flame shall not be used for display purposes unless specifically approved.

Electrical service: Signs that require electrical service shall comply with the National Electrical Code (NEC).

GROUND SIGNS

Wooden anchors and supports: Where wood anchors or supports are embedded in the soil, the wood shall be pressure treated with an approved preservative.

WALL SIGNS

Exterior wall mounting details: Wall signs attached to exterior walls of solid masonry, concrete or stone, shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8 inches (8 mm) in diameter and shall be embedded at five inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an un-braced parapet wall.

PROJECTING SIGNS

General: Projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure. The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than 3/8 inches (8 mm) in diameter. Such supports shall be erected or maintained at an angle of at least 45% (0.78 rad) with the horizontal to resist the dead load and at angle of 45% (0.78 rad) or more with the face of the sign to resist the specified wind pressure. If such projecting sign exceeds 30 square feet (2.8 m²) in one facial area, there shall be provided at least two such supports on each side not more than 8 feet (2,438 mm) apart to resist the wind pressure.

Attachment of supports: Supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum 5/8-inch (15.9-mm) bolt or lag screw, by an expansion shield. Turnbuckles shall be placed in chains, guys or steel rods supporting projecting signs.

Wall mounting details: Chains, cables, guys or steel rods used to support the live or dead load of projecting signs are permitted to be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an un-braced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.

Additional loads: Projecting sign structures which will be used to support an individual on a ladder or other servicing device, whether or not specifically designed for the servicing device, shall be capable of supporting the anticipated additional load, but not less than a 100-pound (445 N) concentrated horizontal load and a 300-pound (1,334 N) concentrated vertical load applied at the point of assumed or most eccentric loading. The building component to which the projecting sign is attached shall also be designed to support the additional loads.

(Ord 17-001, passed 1-12-2012)