

CITY OF WAUKEGAN

SIGN ORDINANCE

**AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING
THE LOCATION, ERECTION AND MAINTENANCE OF SIGNS IN
THE CITY OF WAUKEGAN**

**ADOPTED BY THE CITY COUNCIL OF
THE CITY OF WAUKEGAN
MAY 19, 2003**

**AMENDED BY THE CITY COUNCIL OF
THE CITY OF WAUKEGAN
APRIL 5, 2010
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CITY OF WAUKEGAN

SIGN ORDINANCE

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Be it ordained by the City Council of the City of Waukegan, Illinois as follows:

1.0 TITLE

This Ordinance shall be known, cited and referred to as the Waukegan Sign Ordinance.

2.0 PURPOSE AND INTENT

This Ordinance is enacted for the following purposes:

- 2.1 To protect and enhance the character, property values, and stability of new and existing residential neighborhoods and commercial and industrial districts in the City.
- 2.2 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.
- 2.3 To conserve the taxable value of land and buildings.
- 2.4 To reduce sign clutter and to eliminate the potential for the distraction of motorists and the degradation of the appearance of the community that results from an excessive number of signs.
- 2.5 To protect aesthetic values and to establish and maintain standards of community appearance with respect to signs, canopies and awnings.
- 2.6 To provide standards and procedures for the removal, elimination or relocation of signs, which fail to conform to those standards as established herein.
- 2.7 To establish an administrative framework for the enforcement of the standards and regulations established herein.
- 2.8 To provide for the licensing of sign contractors.
- 2.9 To further accomplish the general purpose and intent of the Waukegan Zoning Ordinance.
- 2.8 To implement, in part, the Comprehensive Plan of the City of Waukegan.
- 2.10 To promote and protect the health, safety, morals, comfort, convenience and general welfare of the people of Waukegan.

3.0 DEFINITIONS

Unless otherwise stated, the following terms shall, for the purpose of this Ordinance, have the meaning indicated in this Article. 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.

3.1 **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. See also Section 4.9.

3.2 **ACCESSORY SIGN.** All other permanent signs, other than those referred to in Section 4.1 herein, shall be considered accessory signs, including on-site directional signs for vehicles and pedestrians, parking restrictions, warnings and other similar signs. See also Section 4.1 and Section 8.0.

3.3 **ARCHITECTURAL MATERIALS** shall mean 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.

3.4 **AWNING** is a structure, as of canvas, extended before a window, door, etc. as a protection from sun or rain. Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Ordinance.



3.4 Awning

3.5 **BACKLIGHTED LETTER** is 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.



3.5 Backlighted Letter

3.6 **BANNER SIGN** is 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 Ordinance. See also Section 5.8.6.

3.7 **BILLBOARD.** See Section 3.36.

3.8 **BLADE SIGN:** A double-sided sign that projects perpendicular to the building facade and suspended by or attached to a single decorative (non-industrial) bracket. Blade signs are primarily oriented towards pedestrians. Such signage is allowed only in the downtown and lakefront districts of Waukegan.

3.9 **CABINET SIGN** A lettered glass panel lit by florescent lighting behind. This signage is prohibited in the downtown and lakefront districts .



3.9 Cabinet Sign

3.10 **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. See also Section 5.9.

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



- 3.12 CITY shall mean the City of Waukegan, Illinois.
- 3.13 CONSTRUCTION SIGN is a sign identifying the designers, contractor and financiers and other information regarding a project on the site where the sign is located. See also Section 9.2.1.
- 3.14 CORNERSTONE shall mean 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 such 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 façade 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 sign or a painted sign and must be 'part of' as distinguished from 'attached to' a principal or accessory building.
- 3.15 DETERIORATED. When applied to a sign or sign face shall mean 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.
- 3.16 DEVELOPMENT SIGN. A monument sign placed at the entrance to a residential, commercial or industrial subdivision, indicating the name of said subdivision.
- 3.17 DIRECTIONAL SIGN. A sign designating the location or direction of any place or area.
- 3.18 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. See also Section 5.6.
- 3.19 ELECTRONIC DISPLAY SCREEN: A sign, or portion of a sign, that displays an electronic image or video, which may or may not include text. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video board, and other similar displays. This kind of sign is prohibited in Waukegan.



3.18 Directory

3.20 **ELECTRONIC MESSAGE CENTER:** Any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Electronic message centers do not include video signs, tri-vision signs, and animated signs, which are prohibited.

3.21 **ELECTRICAL SIGN** shall mean any sign containing electrical wiring or any sign which is attached to or intended to be attached to an electrical power source including batteries or solar cells or any sign which is lighted by an electrical light source attached to the sign for purpose of providing light upon the sign surface.

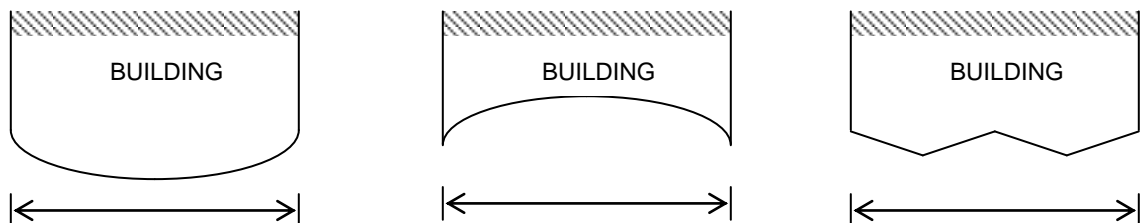
3.22 **ERECT** as applied to signs and as used in this Ordinance, shall mean the act of construction, placing, displaying, erecting, relocating or painting in place a sign, and shall not include the printing fabrication or painting of signs in a sign shop or in a location other than where the sign is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

3.23 **EYE CATCHER** shall mean 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, whirly gigs, 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. Said type of sign is prohibited.



3.23 Eye Catcher

3.24 **FAÇADE** shall be 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 façade area. For purposes of calculating wall signage, if the façade is not a straight line, the façade shall be the lineal distance measured from corner to corner at grade level. See illustrations below.



3.25 **FIRM** shall mean any partnership, corporation, group or association whether constituted on a for-profit or not-for-profit basis.

3.26 **FLAG** shall be a lightweight fabric, or other material with patterns and colors, which is meant to move in the wind. Flags of any political subdivision, corporation, church, nation

- or organization, or those flags which celebrate a holiday or season are allowed. All other flags are prohibited.
- 3.27 FRONTAGE shall mean, for the purposes of this Ordinance 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 center line 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.
- 3.28 GROUND SIGN. A sign permanently attached to or supported by the ground or a foundation in the ground or other paved or improved surface located at grade. Some examples of ground signs include, but are not limited to, pole signs and monument signs. See also Section 5.5.
- 3.29 H-CHANNEL LETTER is a dimensional letter with baffles at the center of the cross-sectional shape for support of neon tubing and mounting of transformers.
- 3.30 ILLEGIBLE when applied to a sign shall mean any sign on which there are missing letters or words, a deteriorated sign face or an obscured sign face such 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 ten percent of the letters, words or symbols are missing, damaged or obscured shall be considered illegible for purposes of this Ordinance.
- 3.31 LINEAR FEET shall mean the measurement of distance per foot in a straight line.
- 3.32 MAINTAIN shall mean the act of restoring, preserving, refurbishing, cleaning, renewing, painting, repainting, or keeping within the public view the sign or signs.
- 3.33 MARQUEE shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use. See also Section 5.11.
- 3.34 MEASURED SIGN. All permanent signs for which this Ordinance establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot including all signs used to advertise a business or product where the sign is located away from the premises on which the business is conducted or the product sold (off-premises sign), all business identification and on-premises advertising signs. See also Section 4.2.
- 3.35 MEASURED SIGN AREA shall mean 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 Ordinance is based:
- 3.35.1 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.
- 3.35.2 Where the sign contains more than one face facing in the same direction, the perimeter shall enclose all such faces.

3.35.3 Where the sign contains identical faces facing in opposite directions, the measured sign area shall only be counted once.

3.35.4 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.

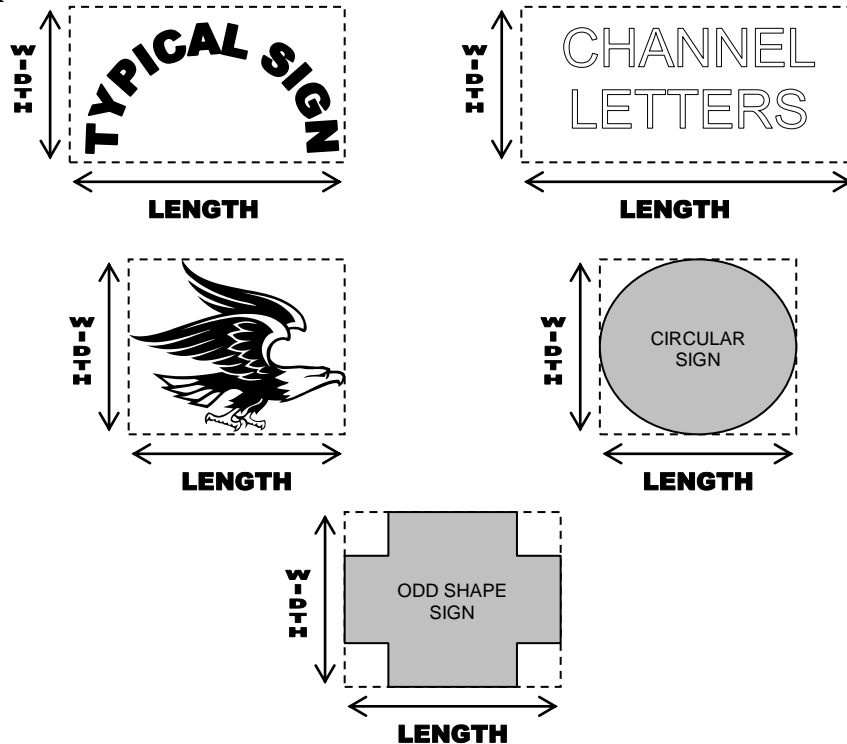


Figure 3.35 Measured Sign Area

3.36 MONUMENT SIGN shall be a sign that is permanently attached to or supported by the ground and where the base of said sign is no higher than two feet (2'-0") above grade. Characteristics of the monument sign would be a supporting base composed of brick, architecturally treated wood or other similar materials complimented by landscaping.



3.36 Monument Sign

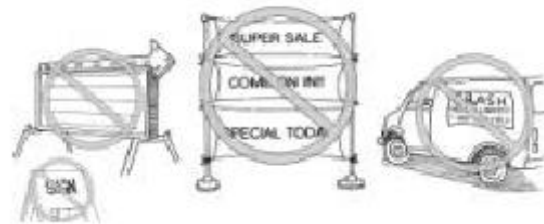
3.37 NAME PLATE shall mean a sign containing the name or name, street address and occupation or profession of the occupant of a building.

3.38 OFF-PREMISE SIGN shall mean 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. Off-premise signs are prohibited in the City of Waukegan.

3.39 ON-PREMISE IDENTIFICATION SIGN: A sign which directs attention solely to the name of an educational, public, private or religious institution, park or playground on the

premises upon which the sign is located. No other information such as activities, commodities, or services conducted on the premises is included in such a sign.

- 3.40 **OUTDOOR ADVERTISING SIGN** (also “BILLBOARD”) shall mean 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. See Sections 4.11 and 4.12. Outdoor advertising signs are governed by the provisions of the Outdoor Advertising Ordinance of the City of Waukegan.
- 3.41 **PAINTED WALL SIGN** shall mean 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. A painted wall sign is a prohibited sign. Existing painted wall signs shall be removed within 60 days of the date of adoption of this ordinance. See Section 4.12.
- 3.42 **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. This is considered an eye-catcher and hence is prohibited.
- 3.43 **PERSON** shall mean a person, partnership, corporation, firm, association or other body or individual.
- 3.44 **POLE SIGN** is a type of ground sign.
- 3.45 **POLITICAL ELECTION SIGN** is a sign that announces or supports political candidates or issues in connection with any national, state, or local election.
- 3.46 **POLITICAL MESSAGE SIGN** is a sign, other than a political election sign, that expresses a non-commercial message regarding an issue of political or public concern.
- 3.47 **PORTABLE SIGN** shall mean any temporary ground sign or any other ground sign that does not conform to the regulations for sign construction and erection. Portable signs are prohibited in the City of Waukegan. See also Section 4.12.
- 3.48 **PROJECTING SIGN** shall mean any sign which is attached to a building or other structure and projects into or overhangs the public right-of-way or other public land except that a wall sign the face of which is parallel to the wall upon which it is located and which projects is not more than one foot into the public right-of-way or other public land shall not be considered a projecting sign for the purposes of this Ordinance. Projecting signs are prohibited in the City of Waukegan. Existing projecting signs shall be removed within 60 days of the date of adoption of this ordinance.
- 3.49 **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. Real estate signs must conform to the requirements of Section 5.10.
- 3.50 **RELOCATEABLE SIGN** (Mobile sign) shall mean a permanent sign which is designed to be moved from one location to another for the purpose of advertising events or locations including trailer signs, and including signs that have either a fixed message or changeable copy message board. Such relocateable signs are prohibited in the City of Waukegan. See also Section 4.12.
- 3.51 **REVERSE CHANNEL LETTER** is a fabricated dimensional letter with opaque face and side walls.



3.47 Portable Sign

- 3.52 ROOF SIGN shall mean any sign erected or constructed on or over the roof of any building or other structure or which extends above the cornice line of the building upon which it is located and supported in whole or in part by such building or structure. Roof signs are prohibited in the City of Waukegan. Existing roof signs shall be removed within 60 days of the date of adoption of this ordinance See also Section 4.12.
- 3.53 SIGN shall mean any placard, announcement, illustration, depiction, insignia, banner, fixture, or other object used to advertise or promote the interests of any person, product, event or other activity when placed out of doors or in a window, or other building opening in view of the general public or private property. The term shall include any supporting structure or trim and shall also include any light or sound emitted from such sign or object the purpose of which is to attract attention to the sign and any light or light fixture to sole purpose of which is to illuminate such sign.
- 3.54 SIGNAGE shall mean the collection, aggregation or sum total of signs located on a lot, pertaining to a particular use or class of uses, subject to a particular regulation or standard, or however else aggregated.
- 3.55 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.
- 3.56 SIGN BAND shall mean the horizontal wall area immediately over the storefront and below the second floor line.
- 3.57 SIGN FACE shall mean 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.
- 3.58 SKELETON SIGN shall mean a measured sign where individual letters are bracketed to a free-standing support. See also Section 5.1.4.3.2.
- 3.59 SOLID SIGN. For purposes of construction specifications, a non-skeleton sign. See also Sections 5.1.4.3.1 and 5.1.4.3.2.
- 3.60 STRUCTURAL TRIM shall mean any battens, capping, nailing strips, laticing, platforms, railings and light fixtures attached to or used in conjunction with a sign.
- 3.61 SUPPORTING STRUCTURE shall mean 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.
- 3.62 SWINGING SIGN. A sign that is installed on an arm or mast or spar that is not, in addition permanently attached to an adjacent wall or upright. Swinging signs are prohibited. See also Section 4.12.
- 3.63 TEMPORARY SIGN. Any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Ordinance as to the length of time that it may be erected, maintained, used or displayed. See also Section 4.2, and Section 9.0.



3.58 Skeleton Sign

- 3.64 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. See also Section 5.4.
- 3.65 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 such a way as to be clearly visible from the outside. See also Section 5.7.

4.0 GENERAL REGULATIONS

The standards, regulations and procedures established by this Ordinance shall apply to all signs erected, displayed or maintained in the City of Waukegan, 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 Section 4.10.

4.1 SIGN AREA

Sign area for all signs, except those signs specifically limited in size by this Code, shall be governed by Table 1. However, no sign shall exceed a maximum of 144 square feet in any district.

4.2 CLASSIFICATION OF SIGNS

For purposes of this Ordinance, signs are classified into three groups as follows:

- 4.2.1 Measured signs. All permanent signs for which this Ordinance 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-premise advertising signs.
- 4.2.2 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. Any accessory sign that exceeds the size limitations established by this Ordinance for such signs or any accessory sign which bears a logotype, corporation symbol, or similar device in excess of the standards established for such names shall become a measured sign and part of the regulated area of the signage.
- 4.2.3 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 Ordinance 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 such materials. See also Section 9.0.

4.3 PERMITS

Except as provided in Section 4.11 and Article 9.0, 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 City Building Department and making payment of the fee required.

In addition, all electrical signs including otherwise exempt signs, electrical access signs and electrical temporary signs subject to the regulations of the City Electrical Code shall be subject to the permit and fee requirements established therein.

- 4.3.1 Application for Sign Permit. An application for a sign permit shall be made upon forms provided by the City Building Official and shall contain or have attached thereto the following information:

- 4.3.1.1 Name address and telephone number of the person responsible for the erection of the sign.
- 4.3.1.2 Name, address and telephone number of the owner of the sign if different from the above.
- 4.3.1.3 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.
- 4.3.1.4 The location of the property or building upon which the sign is to be erected.
- 4.3.1.5 A drawing or other representation of the sign, showing the height and position of the sign and its relationship to lot lines, building set back 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 façade must be indicated.
- 4.3.1.6 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 Waukegan Building Code or other applicable ordinances of the City. This requirement may be waived for all wall signs and ground signs where the Building Official finds that he is provided with sufficient information in Section 4.2.1.5 above to determine compliance with all of the requirements of this Ordinance. His 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.
- 4.3.1.7 Two sets of plans or other diagrams and specifications for all electrical components of the sign and the electrical service to the sign or the Underwriters Laboratories certificate number for the sign in question.
- 4.3.1.8 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.
- 4.3.1.9 A signed copy of the insurance policy or bond as required by Section 4.5.
- 4.3.1.10 Such other information as the City Building Official shall require showing full compliance with this Ordinance and all other applicable laws and ordinances of the City.
- 4.3.1.11 A receipt for the full amount of the fees required by this Ordinance and for the erection of a sign and all other applicable ordinances of the City.
- 4.3.2 Signs installed without first obtaining a permit are illegal and shall be removed until such time as a permit is obtained. The permit fee for reinstalling such a sign shall be doubled, and the sign shall not be reinstalled until such time as all requirements herein are complied with.
- 4.3.3 Issuance of Permits. Upon receipt of the completed application, the City Building Official and the Electrical/Sign Inspector 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 Ordinance and all other applicable ordinances, shall issue a sign permit. If the proposed sign does not meet the requirements of the ordinance, the applicant shall be informed in writing that his application has been denied.
- 4.3.4 Revocation of Sign Permits. All rights and privileges acquired under the provisions of this Ordinance are mere licenses and are revocable for cause by the Code Enforcement Board of the City of Waukegan. 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, such permit shall become null and void. The Code Enforcement Board may, upon written request, grant an extension of the completion date of up to three months.

4.4 SIGN CONTRACTOR REGISTRATION

- 4.4.1 Registration Required. No person or firm shall perform any work or service for any other person, with or without compensation in connection with the erection, relocation, construction, reconstruction or maintenance of a sign as regulated by this Ordinance unless the person or firm performing the work is a registered sign contractor with the City of Waukegan.
- 4.4.2 Exception. Notwithstanding the above requirement, a general contractor, or appropriate subcontractor may, in the normal course of the construction of a building, erect, construct or install a cornerstone or similar devices as provided in Section 4.11.
- 4.4.3 Application. Application for a sign contractor registration shall be made in writing to the Building Department and shall be accompanied by a statement of the applicant's qualifications, competency, the required license fee and bond or insurance policy as provided below.
- 4.4.4 Revocation. The registration of sign contractors may be revoked for repeated violations of the regulations of this Ordinance provided that no registration shall be revoked except after review and action by the Code Enforcement Board.

4.5 INDEMNIFICATIONS

- 4.5.1 Sign Contractor's Indemnification. All persons engaged in the business of erecting or maintaining signs in the City of Waukegan which involves, in whole or in part, the erection, installation, relocation, maintenance of a sign or other sign work immediately adjacent to a public right-of-way or in, over, or immediately adjacent to other public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the City of Waukegan, its officers, agents and employees from any and all claims of negligence or damage suffered resulting from the erection, alteration, relocation, maintenance or other sign work insofar as this Ordinance has not specifically directed the placement of a sign.
- 4.5.2 Bond Requirements. Every applicant for a permit required by this Ordinance shall, before the permit is issued, file with the Building Official, a license bond in the sum of \$10,000 executed by the applicant and an approved surety company, and conditioned on the faithful observance of this Ordinance and all amendments thereto and to the terms and conditions of any variations granted hereto and to any other law and ordinance of the City relating to signs, other advertising structures, marquees or awnings, of said applicant, or by reason of any damages or injury wrongfully caused by or resulting there from. In addition, a certificate of liability insurance issued by an insurance company authorized to do business in the State of Illinois, with bodily injury limits of at least \$1,000,000 per occurrence, and \$1,000,000 aggregate and property damage insurance of at least \$500,000 per occurrence and \$500,000 aggregate. Registered sign contractors shall not

be required to file such bond or liability insurance policy for each sign permit provided that the bond and policy is filed with the application for the contractor's registration and faithfully and continuously renewed. Such insurance shall not be cancelled or reduced without the insured giving thirty days written notice to the City of Waukegan of such cancellation or reduction.

4.6 FEES FOR SIGN PERMITS

Fees for all required permits, plan reviews, inspections, electrical permits for signs, and annual fees on variances shall be paid in accordance with the following schedule. All fees for signs shall be collected by the Waukegan Building Department.

4.6.1 For each Measured Sign, the following fees shall be paid:

4.6.1.1 Application and inspection fee - \$2.00 per square foot of MSA*.

4.6.1.2 Plan review fee - \$1.00 per square foot of MSA*.

4.6.1.3 Electrical fee - \$1.50 per square foot of MSA*.

4.6.1.4 Monument Sign – no fee for new monument sign or replacement of exiting ground sign with monument sign.

* MSA - Measured Sign Area as defined herein.

4.6.1.5 For each temporary sign for which a permit is required, an application fee of \$50.00 shall be paid.

4.6.2 The application fee for any variance from the Sign Ordinance requirements shall be \$500.00.

4.7 INSPECTIONS

All signs shall be subject to an initial inspection as provided herein and no person shall put into use or maintain in use any sign until a certificate of inspection has been affixed to the sign permit by the Waukegan Building Department.

4.7.1 Owner's Obligation. Whether or not an annual license or permit is required or issued, it shall be the obligation of the owner of any sign to maintain such a sign in conformance with the provisions of this Ordinance at all times.

4.8 MAINTENANCE OF SIGNS

All signs shall be maintained in a safe, legible and good condition.

4.8.1 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.

4.8.2 Legibility. All signs shall be maintained in a legible condition. Painted signs shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration. Repainting an existing sign constitutes a new sign which requires a permit.

- 4.8.3 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.

4.9 NONCONFORMING SIGNS

Any sign which was erected prior to the adoption of this Ordinance or any sign that was erected 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 Ordinance, may be used, maintained, reused or relocated only in conformance with the following regulations:

- 4.9.1 Inspections. All nonconforming signs of a type for which an annual license is required shall be inspected and any deficiencies in the condition of the sign shall be corrected as provided in Section 4.8.
- 4.9.2 Fees. All nonconforming signs of the types for which annual license fees are established as provided in Section 4.6.2, shall be charged such fees. Failure to pay such annual fees in the manner prescribed shall be cause for the immediate removal of a nonconforming sign.
- 4.9.3 Removal of Nonconforming Signs. Notwithstanding the requirement for the payment of annual license fees, the following particular nonconforming signs shall be removed, relocated or rebuilt in a conforming manner in accordance with the following regulations:
- 4.9.3.1 Signs in which the sign face has been altered or replaced.
- 4.9.3.2 Signs that are altered in any way except for normal maintenance and repair.
- 4.9.3.3 All nonconforming signs or all components of nonconforming signs which are prohibited signs as provided in Section 4.12 other than signs described herein shall be removed as provided in Section 4.9.4 below and shall not be re-established.
- 4.9.3.4 All nonconforming signs, which are abandoned signs as provided in Section 4.10, shall be removed immediately upon passage of this ordinance.
- 4.9.3.5 Any existing sign that the Traffic Bureau of the Waukegan Police department finds to be nonconforming with respect to Section 5.2.7 shall be removed immediately following notification by the Traffic Bureau. Such signs may be relocated or re-erected in a conforming manner.
- 4.9.3.6 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.
- 4.9.3.7 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 for a period of ninety (90) days.
- 4.9.3.8 All temporary nonconforming signs shall be removed and shall not be re-established except in compliance with this Ordinance immediately following the date of the event to which the signs pertain or, in cases where no such date is specified, either by ordinance or by permit, within thirty (30) days.
- 4.9.3.9 Any nonconforming sign, which the Building Official finds to be unsafe, shall be removed immediately.
- 4.9.4 Amortization of Nonconforming Signs. Not later than two years from the date of passage of this Ordinance, all nonconforming signs must be removed or brought into full compliance with the requirements herein.

4.10 ABANDONED SIGNS

The following regulations shall govern abandoned signs:

- 4.10.1 Abandoned Signs defined. For the purpose of this Ordinance, the following signs shall be deemed abandoned:
 - 4.10.1.1 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 Section 5.10 may be displayed thereon.
 - 4.10.1.2 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.
 - 4.10.1.3 Any sign, other than a real estate sign, which refers to a property, location or activity which has become vacant and remains vacant for a period of 30 days.
 - 4.10.1.4 Any sign for which an annual permit or license fee is charged and where the owner of such sign fails to obtain such permit or license within 60 days of inspection and proper notification.
 - 4.10.1.5 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. See also Section 9.2.2.4.
 - 4.10.1.6 Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign.
- 4.10.2 Removal of Abandoned Signs. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign either immediately or within the time period otherwise established in Section 4.10.1 above. 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 such sign in a timely manner, the Building Official may remove such sign. Any expense directly incurred in the removal of such 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.

4.11 EXEMPTIONS

The provisions and regulations of this Ordinance shall not apply to the following signs; provided, however, that such signs shall be subject to the Waukegan Electrical Code, the regulations governing the removal of unsafe and unlawful signs, and the regulations herein.

- 4.11.1 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.
- 4.11.2 Signs authorized and erected by the City of Waukegan, including public notices posted by public officials or employees in the performance of their duties.
- 4.11.3 Warning signs placed by utility companies or others in areas of danger that are accessible to the public.
- 4.11.4 Identification tags, labels, plaques and signs used by utility companies and other organizations to identify fixed operating equipment and for similar purposes.

- 4.11.5 Outdoor advertising sign (including legal nonconforming outdoor advertising signs) erected and maintained in conformance with the Outdoor Advertising Ordinance of the City of Waukegan.
- 4.11.6 Cornerstones as defined in Article 3.
- 4.11.7 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 such signs pertain to an actual offering for sale or announce an actual warning and provided further that such signs do not exceed two square feet in area and are not located in any required yard.
- 4.11.8 Political Election Signs and Political Message Signs may be displayed without permit provided that such signs are not located in the public right-of-way, attached to utility poles or trees and provided further that such signs on residential property may not exceed sixteen (16) square feet in total size. Signs on non-residential property may not be erected more than sixty (60) days prior to the applicable election or referendum and must be removed within four (4) days after the election or referendum and may not exceed sixteen (16) square feet in size.
- 4.11.9 Religious signs may be displayed without permit provided that such 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 ordinance.
- 4.11.10 Real estate signs in conformance with the requirements of Section 5.10 herein.
- 4.11.11 Seasonal decorations, including items of a primarily decorative nature associated with national, local or religious holidays. Such seasonal decorations visible from the public right-of-way shall be removed within thirty (30) days after the event.
- 4.11.12 Snipe signs and temporary signs not exceeding two square feet in area advertising garage sales, estate sales, bazaars, and rummage sales and similar events may be displayed during the time of the event. Such signs shall not be attached to any utility poles, light standard, tree, or placed in any right-of-way.
- 4.11.13 Temporary window signs of non-permanent materials such as paper, poster board or similar materials may be displayed in any window provided such signs do not occupy more than 20% of the area of the window. However, such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity.
- 4.11.14 Signs on vehicles provided such signs are not relocateable signs as regulated by this Ordinance and provided further that such vehicles are fully operable and licensed by the State of Illinois and are being operated in normal and customary fashion. Such signs are limited by the provisions of Section 4.12.7 herein.
- 4.11.15 Flag displays limited to the flags of the United States of America, the armed services, other national agencies, departments, state flags, city flags and corporate or institutional flags, provided such corporate or institutional flags are no larger than any of the other exempt flags in the same display.
- 4.11.16 Construction signs. See Section 9.2.1 for requirements.

4.12 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.

- 4.12.1 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 such a traffic control device or sign.
- 4.12.2 Any obscene language or graphic material or other representation of an obscenity or obscene act.
- 4.12.3 Any sign, signal or similar device which emits music, speech, simulated speech or any other sound on a regular or intermittent basis.
- 4.12.4 Any sign affixed to a tree.
- 4.12.5 Any sign affixed to a utility pole, public light or street light, traffic control device or similar standard used for lighting, such as parking lot lights.
- 4.12.6 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 such light used as an eye catcher.
- 4.12.7 Any sign attached or painted onto an inoperable or unlicensed motor vehicle or any sign attached to a licensed vehicle within 50' of the public right-of-way or on the property to which the sign thereon refers.
- 4.12.8 Any outdoor advertising sign which is not a permitted sign (including legal nonconforming outdoor advertising signs) under the Waukegan Outdoor Advertising Sign Ordinance, or any outdoor advertising sign which is not an exempt sign as provided in Section 4.11 above.
- 4.12.9 Bench signs.
- 4.12.10 Cross-Street Banners. Banners strung across the public right-of-way are prohibited.
- 4.12.11 Moving or rotating signs.
- 4.12.12 Eye catchers as defined in Article 3.0.
- 4.12.13 Any off-premise sign as defined in Section 3.35.
- 4.12.14 Portable signs as defined in Article 3.0.
- 4.12.15 Painted wall signs as defined in Article 3.0.
- 4.12.16 Projecting signs.
- 4.12.17 Relocateable (mobile) signs as defined in Article 3.0.
- 4.12.18 Roof signs as defined in Article 3.0.
- 4.12.19 Swinging signs as defined in Article 3.0.
- 4.12.20 Larger than life size inflatable and/or plastic figures representing trades-persons, animals, products or other figures commonly associated with a particular business or occupation.
- 4.12.21 Any sign painted on the roof of a building, pavement or other surface or structure.
- 4.12.22 Any otherwise exempt sign, which exceeds the regulations or restrictions for size, location or time of display, placed on such exempt signs by Section 4.11.

4.13 REMOVAL OF SIGNS

Signs required to be removed by this Ordinance shall be removed in accordance with the following regulations:

- 4.13.1 It shall be the responsibility of the owner of the property upon which a sign is located to remove such sign as required by this Ordinance, 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 same. In any case in which a sign has been removed by the Building Official or by a private contractor at the direction of the

Building Official in accordance with the provisions of this Ordinance, any cost directly incurred in the removal of such sign shall be charged to the owner of the property. If the owner fails to pay such costs to the City within thirty 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.

- 4.13.2 Nonconforming signs shall be removed in accordance with the provisions of Section 4.9 and this Section.
- 4.13.3 Abandoned signs shall be removed in accordance with the provisions of Section 4.10 and this Section.
- 4.13.4 Prohibited signs and other signs erected subsequent to the passage of this Ordinance and found to be in violation of this Ordinance shall be removed by the owner of such sign within thirty days of receiving notice of such violations. If after thirty days such sign has not been removed, the Building Official may remove it as provided in Section 4.10.2, above.
- 4.13.5 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 Official may order such sign removed as provided in Section 4.10.2, above.

5.0 REGULATIONS FOR PARTICULAR SIGNS

The following regulations shall govern the design, erection and maintenance of the various types of signs wherever permitted.

5.1 SIGN CONSTRUCTION

All signs other than temporary signs shall be constructed in conformance with the following regulations:

- 5.1.1 Any wall sign, ground sign, monument sign, directory, window sign or any other measured sign approved by variance or conditional use permit in excess of fifty square feet of measured sign area shall be designed by an architect, structural engineer or manufacturer and may be approved by the Building Official if it is in compliance with the building code of the City of Waukegan.
- 5.1.2 Any other sign may be approved by the Building Official if it is in compliance with the building code of the City of Waukegan.
- 5.1.3 All electrical signs shall bear the seal of Underwriters Laboratories or an equivalent agency engaged in practice of making safety inspection and certifications of electrical equipment.
- 5.1.4 Construction specifications
 - 5.1.4.1 All ground sign structures shall be self-supporting structures and permanently attached to sufficient foundation which shall include architectural treatments such as brick or stone.
 - 5.1.4.2 Electrical service to ground signs shall be buried or otherwise concealed.
 - 5.1.4.3 All signs, except those attached flat against the wall of a building shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
 - 5.1.4.3.1 For solid signs, 30 pounds per square foot on the largest face of the sign and structure.
 - 5.1.4.3.2 For skeleton signs, 30 pounds per square foot of the total face cover of the letters and other sign surfaces, or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
 - 5.1.4.4 No sign shall be suspended by chains, or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
 - 5.1.4.5 Support and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view.
 - 5.1.4.6 All signs shall be marked with the manufacturer's name in a size easily visible from the ground. All electric signs shall also include: for incandescent lamps, the number of lamp holders; for electric discharge lamp signs, the input amperes at full load and the input voltage.

5.2 SIGN ERECTION

All signs shall be erected in accordance with the following regulations:

- 5.2.1 Wall signs. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws or other fastening approved by the Building Official and imbedded in the wall. However, such signs may rest or be bolted to heavy

metal brackets or saddles each of which shall be attached to the wall as provided above. In no case shall any sign be secured to a building with wire, strips of wood or nails. The Building Official shall approve the methods and materials used in the erection of all wall signs.

- 5.2.2 Pole signs. All pole signs, directories and similar approved free standing signs shall be erected on posts or standards extending at least 72” below the natural surface of the ground. All posts or standards shall be protected from moisture and corrosion below grade.
- 5.2.3 Ground Signs. All ground signs and similar approved free standing monument signs shall be secured to a brick/stone base which in turn will be secured to a concrete foundation extending at least 42” below the natural surface of the ground.
- 5.2.4 Window Signs. All window signs other than painted signs shall be safely and securely attached to the window frame or other structural member and shall not be fastened to the glass. No window sign shall be located in such a way as to block or prevent ingress or egress through any window, doorway or any required fire opening.
- 5.2.5 Safety. All signs shall be installed and maintained in a workmanlike manner using equipment, which is adequate and safe for the task. The Ordinance recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, the Building Official may deny a sign permit if the sign contractor does not have or does not arrange for the use of adequate equipment. The Building Official may also cite the sign contractor for a violation of this Ordinance if he fails to use proper equipment in the maintenance of a sign.
- 5.2.6 Electric Signs. This Ordinance recognizes that electric signs are controlled under the special equipment provisions of the Waukegan Electric Code. It also recognizes that the electric sign contractors have developed a specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are hereon authorized to perform the following specific tasks:
 - 5.2.6.1 Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and may connect said signs to primary branch circuits, if said circuits already exist outside of the building.
 - 5.2.6.2 Install interior electric signs, but may not connect said signs to the primary branch circuit.
 - 5.2.6.3 Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This Ordinance prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the Waukegan Electric Code.
- 5.2.7 Location. All signs shall be located in conformance with the requirements of Articles 5.0 and 6.0, In addition, signs shall be located so as to provide for the clear view of any traffic control sign or device and no sign shall be erected so as to obscure such a device or so as to create a situation in which it is difficult to distinguish the traffic control device from the sign. The location of any sign at an intersection at which there are traffic signals shall first be approved by the Traffic Bureau of the Waukegan Police Department.

5.3 LIGHTING

The lighting of all signs shall conform to the following regulations:

- 5.3.1 Signs may be lighted internally or externally with a lighting fixture the sole purpose of which is to light a sign. The lighting fixture shall be construed, for purposes of this Ordinance, to be a part of the sign.
- 5.3.2 All external lighting fixtures and reflectors shall be provided with the proper glass lenses or hoods concentrating the illumination on the area of the sign and preventing glare upon the street or other adjacent property. No floodlight or spotlight of the simplified industrial type shall be permitted.
- 5.3.3 The lettering or advertising designs to be illuminated internally may be composed of glass or other transparent or translucent material provided that any glass forming the sign face shall be laminated safety glass, tempered glass or wired glass at least one-quarter inch thick.
- 5.3.4 All lighting fixtures and all electrical service may be approved by the Electrical Inspector if they conform to the Waukegan Electrical Code.
- 5.3.5 Under no circumstances shall signs or sign components be used as site lighting or exterior lighting.

5.4 WALL SIGNS

- 5.4.1 Definition. Wall sign shall mean 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. Further, where the wall treatment of a building establishes a sloping wall or a "mansard roof" wall treatment, a wall sign may be located on such a sloping surface or "roof". The face of a sign located on a sloping roof may be vertical and need not parallel the sloping surface of the wall.
- 5.4.2 Size. The maximum allowable size of a wall sign shall be 10% of the total façade as defined herein. In no event shall any sign exceed 144 square feet in size.
- 5.4.3 Location.
 - 5.4.3.1 A wall sign shall not project more than one foot from the wall to which it is attached.
 - 5.4.3.2 A wall sign shall not cover partially or wholly any wall opening.
 - 5.4.3.3 A wall sign shall not project beyond the ends of a wall to which it is attached nor shall it project above the lowest point of the eaves or the cornice line or cap of the wall to which it is attached.
 - 5.4.3.4 Surface-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
- 5.4.4 Any wall sign which projects into or overhangs the public right-of-way or other public property by a distance of one foot or less shall be located so that the lowest point of the sign or its supporting members shall be at least ten feet above the sidewalk or above grade at the point where the sign is located except that name plates, addresses, architectural signs and accessory signs projecting one inch or less may be located a lesser height.
- 5.4.5 No wall sign shall be located so as to prevent fire access from any door, window or fire escape.

5.5 **GROUND SIGNS**

- 5.5.1 Definition. Ground sign as permitted by this Ordinance shall mean a sign permanently attached to or supported by the ground or foundation in the ground or other paved or improved surface located at grade.
- 5.5.2 Design. The primary supporting structure (uprights) of a ground sign shall be constructed from circular, square or rectangular sections of wood, brick, stone or other material approved by the Building Official. All secondary supporting members, braces, guys, structural iron, flanges, and electrical components shall be concealed. All exposed structural materials or covering materials shall have a permanent finish and shall be maintained in a safe condition as provided in Section 4.8. The base of any vertical ground sign shall be landscaped with a planting of low evergreen shrubs or other decorative screening for the foundation but not to exceed four feet in height. The landscaped area shall equal two square feet for every square foot of sign face.
- 5.5.3 Size of individual signs. See Table 1. However, no sign shall exceed 144 square feet.
- 5.5.4 Height of Ground Signs. A ground sign shall have no part of the sign higher than that shown in Table 2, above the normal elevation of the edge of the pavement at a point immediately opposite the sign, whichever is higher. Any berm or other fill placed at the base of the sign shall not be considered normal elevation of the ground.
- 5.5.5 Location. Ground signs shall be located within the property lines and no part of the sign shall overhang the public right-of-way or any adjoining property. The following additional regulations shall apply to the location of ground signs:
- 5.5.5.1 In all conservation and residential districts, ground signs shall be set back five feet from the public right-of-way.
- 5.5.5.2 A ground sign shall not be located within 100 feet of any other ground sign on the same lot or zoning lot.
- 5.5.5.3 In any yard adjoining the intersection of street, alleys or driveways, a ground sign shall be designed or located in such a way that it does not interfere with the clear view of motorists and pedestrians. Such sign shall be three feet in height or less or shall be set back from the intersection in such a way as to maintain the clear view of the intersection by both motorists and pedestrians. At minimum in intersection situations, the sign shall not be placed within a sight triangle having one side along the property line or sidewalk a distance of 15 feet from the intersection; the second side along the other property line, sidewalk, alley or driveway a distance of 15 feet from the intersection, and the third side along a line between the two points on the other two sides which are 15 feet from the intersection. The following exceptions may be permitted by the Building Official where he finds that the resultant sign will not obscure vision at the intersection: an accessory sign of four square feet or less or a ground sign supported by a structure having a width of eighteen inches, when measured at the widest point, or less and the lowest point of the sign at least ten feet above grade.

5.6 DIRECTORIES

- 5.6.1 Definition. Directory shall mean any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same or similar events where such sign is located on the same premises as the building or buildings and where such sign contains no more than eighteen square feet of measured sign area.
- 5.6.2 Location
- 5.6.2.1 In districts for which there is no required front yard, directories may be located at the property line. In all other areas, directories shall be set back at least five feet.
- 5.6.2.2 There shall be no more than one directory for each street that the lot or building fronts upon, except that where a building adjoins one or more additional streets, one additional directory shall be permitted for each such street face that contains a point of public access to the building.
- 5.6.2.3 Additional directories may be erected when located within the building lines established for the lot upon which they are located, provided that such additional directories shall be counted as measured signs.

5.7 WINDOW SIGNS

- 5.7.1 Definition. Window signs shall mean any permanent sign or similar device displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside.
- 5.7.2 Any permanent window sign, any window sign constructed of permanent materials or any lighted window sign is a measured sign. No window sign shall have a total measured sign area in excess of twenty percent (20%) of the opening in which it is located except that neon borders or other decorative borders on a transparent window shall be measured using the actual area of such borders rather than measured sign area as defined in this Ordinance. Such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity at the location. Any neon borders shall be protected by a clear Plexiglas cover that will prevent contact with the neon tube and/or the splices made to the neon tube. The Plexiglas shield shall be placed away from the neon tube and/or splices to provide for ventilation and to prevent the buildup of heat. All neon transformers and wiring shall be adequately supported and installed in a good and workmanlike manner and be secure from the public.

5.8 AWNING SIGNS

Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Ordinance. Awning scale and proportions are to be appropriate for the building on which they are mounted as well as the adjacent structures. Awnings must be uniform in size, shape (except for arched openings, see "Forms" below) and color in order to unify multiple storefronts within a single building. The length of the awning is to be restricted to the length of the storefront opening. Awnings must not continue over masonry piers. The vertical and horizontal dimension should be proportional to the overall projection of the awning.

- 5.8.1 Projection. Awnings may project a maximum of 36 inches. Projection depth should match the existing adjacent awnings provided they comply with the acceptable minimum

- projection. Awnings should be placed at a minimum height of 8 feet above the sidewalk. If awnings are lit, it should be from an outside source. No backlit awnings are allowed.
- 5.8.2 Forms. Awning forms are to conform to the general shape of the opening. Arched openings are to receive ½-round domed awnings, whereas rectangular openings are to receive rectangular, gently sloping; planar forms with closed ends. Valances may be fixed or loose. Bubble awnings are prohibited.
- 5.8.3 Mounting. Awnings may be fixed or retractable. Retractable awnings must be kept either in the fully projected position or the fully closed position. Fixed awnings are to have concealed rigid metal frames. Retractable awnings should have a canopy cover and automatic retractable rollers mounted to the building. Underpanels are not desired. Frames should be painted to match or complement the color of the awning cover material or its underside.
- 5.8.4 Materials. The awning material should be taut, not relaxed. Awning materials may include matte finish painted army duck, vinyl-coated cotton, acrylic-coated polyester, and vinyl-coated polyester or cotton and solution-dyed acrylic. All awnings shall be restricted to cutout lettering, heat color-transfer, pressure sensitive vinyl films or sewn appliqué signs on the apron only. All awnings located on the same building must be the same material and lettering.
- 5.8.5 Colors. Awning and banner colors must take into account the color selection of the surrounding materials, buildings, signs, awning, of the retailer/user and district. All awnings located on the same building must be the same color. Colors should enhance and complement the building.
- 5.8.6 Banners. Banners may be location, event, holiday or sponsor specific and are temporary signs as defined by this ordinance. Banners are to be secured to building walls or mounted on existing poles by fixed brackets and hardware.
- 5.8.7 Compliance. All new or replacement awnings and banners must comply with all applicable City codes.

5.9 CHANGEABLE COPY SIGNS

Any permanent changeable copy signs are measured signs and are permitted subject to the restrictions for measured signs as provided in this Article, Article 9 and this Ordinance generally and subject to the following regulations:

- 5.9.1 Definition. Changeable copy sign shall mean any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. Included in this definition are time and temperature clocks with digital displays, electronic message boards, changeable displays of product prices and permanent changeable copy boards.
- 5.9.2 Location. Changeable copy signs are permitted as or as part of any permitted wall sign or ground sign subject to the regulations established for such signs.
- 5.9.3 Maintenance. In addition to the general requirements for sign maintenance, all changeable copy signs shall bear a legible message, other suitable display or left blank. Electronic devices when not in use may be left blank and unlighted. Any lighted or electronic changeable copy sign in which the electrical or lighting components are operating in an erratic, broken or damaged fashion shall be turned off or removed.

5.10 REAL ESTATE SIGNS

- 5.10.1 Definition. For purposes of this regulation, real estate signs shall mean any non-illuminated sign indicating that the premises upon which it is located are available for sale or lease. A real estate sign may be either a ground sign or a wall sign. The measured sign area shall not exceed eight square feet in residential and conservation districts and thirty-two square feet in all other districts. Such signs shall also conform to all other Code requirements, including the City of Waukegan Zoning Code. In commercial districts, real estate signs shall be considered a measured sign, and a permit shall be obtained from the City of Waukegan.
- 5.10.2 Design. A real estate ground sign may consist of a sign face of wood, metal or other material; surrounding trim and supporting uprights and braces must be securely anchored in the ground. The top of the supporting uprights of the sign shall be no more than 6' off the ground. A real estate wall sign may consist of a sign face of wood, metal or similar material and surrounding trim securely anchored to the wall of the building. The construction and erection of all real estate signs shall conform to the requirements of Sections 5.1 and 5.2 of this Article.
- 5.10.3 Location. For unimproved commercial property, a real estate sign shall be located in the buildable area of the lot. For all other non-commercial property, a real estate sign may be located in the same manner as any other permitted wall sign or ground sign, provided it is set back at least four (4) feet from the right-of-way in any required yard and is displayed only from the time of offering until one week after closing or the execution of a lease.

5.11 MARQUEES

- 5.11.1 Definition. Marquee shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use.
- 5.11.2 The roofs of marquees shall be used for no other purpose than to form and constitute a roof, and may be opaque, translucent or transparent. The roof of a marquee shall not bear or carry any sign or other advertising device.
- 5.11.3 Location. A marquee may be constructed over that portion of the public right-of-way, which is a sidewalk. No marquee shall extend beyond the curb line of the street. A marquee shall be at least ten feet above the sidewalk. No marquee shall extend above the sill line of windows on the second story of a building to which it is attached or above the cornice line of a one-story building.
- 5.11.4 Erection. No marquee shall be attached to the ground, but shall be supported entirely by the building to which it is attached.
- 5.11.5 Signs on Marquees. Signs on marquees shall be measured signs and shall be subject to the regulations for sign area established in Article 7. No sign shall be located on the roof of a marquee nor be suspended from a marquee so as to have a clearance of less than ten feet.

5.12 MONUMENT SIGN AREA AND HEIGHT RESTRICTIONS

Monument signs shall be signs that are permanently attached to or supported by the ground and where the base of said sign is no higher than two feet (2'-0") above grade. A monument sign

shall include a supporting base composed of brick, architecturally treated wood or other similar materials complimented by landscaping. Monument signs shall be no taller than five feet high and no larger than 30 square feet in area in the B4, B5 and O/I-1 districts. Said signs must be accented with landscaping equal to two square feet for every one square foot of sign face.

5.13 ELECTRONIC MESSAGE CENTERS

- 5.13.1 Definition. Electronic message center (EMC) shall mean any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Electronic message centers do not include video signs, tri-vision signs, and animated signs, which are prohibited.
- 5.13.2 Minimum Lot Width and Area Requirements. Electronic message centers shall be permitted on properties that have at least two hundred, fifty feet (250'-0") of frontage and two and a half (2.5) acres of lot area.
- 5.13.3 Location. Only one (1) electronic message center is permitted per zoning lot. No electronic message center shall be located within 250'-0" of any residential district and must be at least fifteen feet (15'-0") from the property line.
- 5.13.4 Size. The electronic message center in its entirety is limited to fifty percent (50%) of the total sign area allowed, or forty (40) square feet, whichever is less.
- 5.13.5 Illumination. The message area of an electronic message center may be illuminated by white incandescent lamps, LEDs (light-emitting diodes) or magnetic discs. Whatever the light source, undue brightness is prohibited.
 - 5.13.5.1 For the purpose of enforcing this provision, "undue brightness" will be construed to mean illumination of a white portion of the sign in excess of 0.3 foot candles above ambient light levels.

At least 30 minutes past sunset, and with the electronic display either turned off, showing all black copy, or blocked, a foot candle meter will be used to record the area ambient light level. An ambient reading will be taken with the meter aimed directly at the electronic display at a distance of one hundred (100) feet. To establish the illumination level, the electronic display will be turned on to show all white copy and a second reading taken. If the difference between the readings is 0.3 foot candles or less, the brightness is properly adjusted. To ensure compliance with this provision, the sign must have an automatic phased proportional dimmer, which must be used to reduce nighttime brightness levels (compared to daytime brightness levels). Further, prior to the issuance of a permit for an electronic message center, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Director of Planning and Zoning.
 - 5.13.5.2 At the request of the City, electronic message center users shall reduce the level of brightness if determined by the City that the light levels are greater than the maximum permitted level as specified in this Section.
 - 5.13.5.3 Flashing lights, scrolling lights, and rotating of lights around the sign so as to draw attention and cause distraction are prohibited. Each message displayed on an

electric message center must be static or depicted for a minimum of five (5) seconds.

6.0 SIGNS PERMITTED IN DOWNTOWN AND LAKEFRONT DISTRICTS

Signs, which are erected in the downtown and lakefront districts shall be subject to additional regulations as well as those that are listed generally within this Ordinance. Measured signs, as defined in Section 4.1.1 may not be erected or maintained on any lot in excess of the limitations established in this Article regarding size, type, location, number and total area of signs for the B4, B5, and O/I-1 districts. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Article 8.0. 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 Article 9.0. Signs erected in the downtown and lakefront will also be subject to review by the Department of Planning and Zoning.

Commercial signs in the downtown and lakefront districts should reflect the character of the building style, while expressing each store's individuality. There are several prominent sign styles that are appropriate: surface-mounted, pin-mounted signs, interior, and decal signs. Sign materials are limited to painted wood, canvas, architectural glass and metal. Sign color is to be selected to harmonize with the building upon which it is mounted and the immediately adjacent structures. Lettering color can be unique to the image of the retailer/user. Natural metal sign and plaque material such as brushed bronze, antique bronze, aluminum, stainless steel and painted cast iron or similarly appearing materials are preferred. Highly reflective metallic signs are not allowed. Signs should be back-lit or lit by marquee or spot lighting. Internally-lit cabinet signs (with a lettered glass panel) and neon lighting are strictly prohibited. Spot lighting should be minimal and unobtrusive and shall not be visible from any street, sidewalk or dwelling. Simplified industrial light fixtures are strictly prohibited. Contextual solutions are recommended. The majority of the signs will be mounted within the building's sign band, defined as the wall area immediately over the storefront and below the second floor line.

6.1 INDIVIDUAL SIGN AREA AND HEIGHT RESTRICTIONS

The measured sign area of any individual wall sign located in the downtown and lakefront districts shall not exceed the requirements set forth below for each type of sign.

- 6.1.1 **Surface-Mounted Commercial Signs.** These signs are either fabricated from painted wood or cast metal plaques and are to be mounted within the sign band or within the storefront transom. The height of the sign is restricted to 80% of the area of the sign band or 18 inches - whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. The sign band of a building consists of the area located above the ground floor storefront opening and below the second floor line, and is located a minimum of 8'-0" and a maximum of 15'-0" above grade. Surface-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
- 6.1.2 **Pin-Mounted Commercial Signs.** These signs consist of channel, H-channel, reverse channel, cast metal and flat cut metal letters mounted above the storefront in the masonry sign band or suspended in front of the storefront at the transom or recessed entry. The size of the lettering is restricted so that the height of the letters does not exceed 80% of

the height of the sign band or 18 inches - whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. Pin-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.

6.1.3 Interior Signs. Interior signs, floating independently, are set behind the glass either at the transom or at the sill of the storefront and are lit from a separate source. This sign must adhere to the size limitations of decal signs as referenced below.

6.1.4 Decal signs. Decal signs are defined as painted or vinyl transfer letters and numbers. Decal signs can be mounted within the transom and at the lower section of the storefront window area so as not to interfere with interior or exterior activity at the location (see Sec. 5.7.2). The decal sign area at the lower section of the window can occupy up to 10% of the glass area of a single pane. Decals mounted at the transom are restricted to 50% of the area of the transom. Decals located at the lower section of the main display area are to be limited to 6" in height unless they contain store operation hours, which are restricted to 2".

6.1.5 Blade Signs

6.1.5.1 Definition. Blade sign shall mean a double-sided sign that projects perpendicular to the building facade and suspended by or attached to a single decorative (non-industrial) bracket. Blade signs are primarily oriented towards pedestrians. Such signage is allowed only in the downtown and lakefront districts of Waukegan.



6.1.5.2 Size. The maximum area of a single blade sign shall not exceed six (6) square feet.

6.1.5.3 Location. The lowest point of a projecting sign that hangs over a sidewalk, plaza, or pedestrian walkway shall be at least eight feet (8'-0") above the grade of the adjacent sidewalk or pedestrian walkway. Blade signs shall not extend more than three feet (3'-0") from the façade. Blade signs should be mounted above the ground floor windows near building entrances. No portion of a blade sign shall extend above the roof line of the structure. Only one blade sign is allowed per leased space. Blade signs shall be externally illuminated. No floodlight or spotlight of the simplified industrial type shall be permitted. Blade signs shall contain only the name and/or logo of the business.

6.2 AWNING AND BANNER RESTRICTIONS

The regulations as set forth under Section 5.8 should be adhered to in locating awnings or banners in the downtown or lakefront districts.

7.0 SIGNS PERMITTED IN ALL OTHER NON-RESIDENTIAL ZONING DISTRICTS

No person shall erect or maintain measured signs as defined in Section 4.2.1 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 Article 8.0. 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 Article 9.0.

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.

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 such use.

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.

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.

7.1 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 shown in Table 1 multiplied by the actual street frontage of the lot. No sign shall exceed 144 square feet in size.

7.2 NUMBER OF SIGNS

The total number of measured signs of all types located on a lot shall not exceed the number shown in the 'total' column of Table 2; and the number of ground signs shall not exceed the number shown for that type in Table 2. Notwithstanding the requirements shown in Table 2, multi-tenant buildings shall be restricted to one ground sign for every 500 feet or fractional part thereof of frontage and one wall sign per use for each street frontage.

7.3 SIGN SETBACKS

7.3.1 All measured signs shall be set back from the property line as follows:

7.3.1.1 In all conservation and residential districts, all ground signs shall be set back at least a distance of five feet from the property line. In all office and business districts and in all industrial districts in which there are required front yards and required yards adjoining streets, all signs shall be set back at least five feet from the property line. In districts in which there is no required front yard or yard adjoining a street, ground signs may be

located at the property line provided that no part of the sign shall overhang the public right-of-way.

7.3.1.2 In addition to these regulations, the requirements of Article 5.0 for the location of signs shall also be met.

7.4 HEIGHT OF SIGNS

Measured ground signs shall not exceed the height limitations shown in Table 2, Number and Height of Signs Permitted by Zone, for the zoning district in which the sign is located.

7.5 MEASURED SIGNS IN RESIDENTIAL DISTRICTS

Measured signs are prohibited in residential districts except for the following: legal-nonconforming signs to the extent of the legal nonconformity; on-premise identification signs for educational institutions, parks and playgrounds, and religious institutions; development signs and multi-family building on-premise identification signs. Such measured signs that are permissible in residential zones under the terms of this section shall conform to all other requirements for measured signs.

8.0 REGULATIONS FOR ACCESSORY SIGNS

8.1 GENERAL REGULATIONS

Accessory signs as defined in Section 4.2.2 shall be erected and maintained only in conformance with the following regulations:

- 8.1.1 Permits and Fees. Permits are required and fees are charged for the erection and maintenance of accessory signs that such signs shall conform to the regulations herein except that any electrical accessory sign shall conform to the Waukegan Electrical Code.
- 8.1.2 Size of Accessory Signs. Any accessory sign shall not exceed four square feet of measured sign area.
- 8.1.3 Height. Accessory signs shall not exceed a height of four feet.
- 8.1.4 Identification Required. Accessory signs in excess of one square foot shall bear, in a visible location, on either the front or back of the sign, the names of the owner of the sign or other suitable identification.
- 8.1.5 Prohibited Advertising. Accessory signs shall carry no advertising messages for either products, product lines, services or firms except that the sign face may include a logotype or other symbols the area of which does not exceed one-fourth the measured sign area or the name of the owner in letters no higher than one-third of the height of the letters used in the message.
- 8.1.6 Accessory signs shall conform to the requirements established for a clear view of intersections as provided in Section 5.5.5.3.

8.2 REGULATIONS FOR PARTICULAR ACCESSORY SIGNS

- 8.2.1 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 such sign does not exceed a measured area of two square feet.
- 8.2.2 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 such 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.
- 8.2.3 Warning Signs. Signs posting private property against trespassing, hunting or similar prohibitions provided such signs do not exceed two square feet of measured sign area and are not closer than 100 feet to each other.
- 8.2.4 Directional Signs. Notwithstanding the provisions of 8.1.5 above, a directional sign, which in all other respects conforms, to the requirements for an accessory sign may bear a message consisting of the name of the place of business or logo and an arrow indicating the direction or route to be taken.

9.0 REGULATIONS FOR TEMPORARY SIGNS

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

9.1 GENERAL REGULATIONS

- 9.1.1 Permits. Temporary signs as provided in Section 9.2, below, shall only be erected pursuant to the issuance of a temporary sign permit. Any electrical temporary sign shall be subject to the Waukegan Electrical Code.
- 9.1.2 Fees. Temporary signs for which permits are required shall only be erected and maintained after the payment of a fee as provided in Section 4.6 herein 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.
- 9.1.3 Size of Signs. The measured sign area of temporary signs, the number of such signs, or the aggregate area of such signs shall not exceed the area or size limitation imposed in Section 9.2 below.
- 9.1.4 Location of Signs. Unless otherwise specified in Section 9.2 below, 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.
- 9.1.5 Time of Display. The erection and maintenance of all temporary signs shall be limited to the time period specified in Section 9.2, below, or to the time period specified in the permit, whichever is less.
- 9.1.6 Identification required. The name and address of the owner or person displaying any temporary sign shall appear on either the face or back of the sign except for temporary identification signs in which the name of the owner is part of the message. All temporary signs for which a specific date for their erection and removal has been established by permit, or otherwise, shall display those dates thereon in the following example: 7-21-02 to 7-28-02.
- 9.1.7 Removal of Temporary Signs. All temporary signs shall be removed by the owner as follows:
 - 9.1.7.1 Upon the expiration of the permit.
 - 9.1.7.2 Upon the expiration of the time period established in Section 9.2.
 - 9.1.7.3 When any such sign becomes damaged, deteriorated or illegible.
 - 9.1.7.4 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.

9.2 REGULATIONS FOR PARTICULAR TEMPORARY SIGNS

The following regulations are established for particular temporary signs.

- 9.2.1 Construction Signs. One sign identifying a construction project, the owner, architect, general contractor, sub-contractors, financiers and other information relating to a construction project may be erected at the construction site in accordance with the following:

- 9.2.1.1 Size. Not to exceed 64 square feet.
- 9.2.1.2 Locations. Within the property lines subject to the requirements for safety and clear view of intersections.
- 9.2.1.3 Height. Not to exceed 14 feet.
- 9.2.1.4 Display Period. From two weeks before ground breaking until occupancy.
- 9.2.2 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:
 - 9.2.2.1 Size. No individual sign shall exceed four square feet and no display of a point of sale sign shall include more than one such sign per frontage.
 - 9.2.2.2 Location. No point of sale sign shall be located on the public right-of-way.
 - 9.2.2.3 Height. No point of sale sign shall exceed a height of five feet.
 - 9.2.2.4 Period of Display. A point of sale sign shall not be erected more often than three times in any calendar year and the length of each such display shall not exceed 30 days.
- 9.2.3 Temporary Event Signs. A-Frame-type signs shall be allowed in accordance with all other provisions of this code, for a maximum time period of 15 days preceding the event advertised. The sign must be removed following the event, and the maximum permissible period of display shall be indicated on the sign permit. Such signs shall be installed with down guy-type anchors installed into the ground a minimum of 42” below grade. The sign shall be secured to the down guy-type anchors with chain, cable assemblies to secure the sign on all four corners. The anchors shall be removed at the same time as the sign is removed.
- 9.2.4 Temporary sign face. Sign faces which identify a location during the interim period while the permanent sign face is being manufactured, and which are typically made of plastic or canvas materials shall be allowed for a period of 30 days or until the permanent sign face is ready, whichever is less.

10.0 UNIFORM SIGN PLANS

10.1 REQUIRED

A Uniform Sign Plan is required for all residential subdivisions, multi-family and townhouse developments, planned unit developments, and all multi-building or multi-occupant commercial developments before any signs for such development may be erected on the property. All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the Uniform Sign Plan.

10.2 ELEMENTS

The Uniform Sign Plan shall consist of five elements that shall govern all signs within the development: location, materials, size, color and illumination. The Uniform Sign Plan shall include details, specifications, dimensions, and plans showing the proposed locations of signs and how such locations conform to this ordinance. It shall also show the computations of the maximum total sign area permitted for the site as well as any special computations regarding additional ground signs.

10.3 TIME FOR REVIEW

The Uniform Sign Plan shall be subject to approval by the City of Waukegan Planning and Zoning Department. For residential subdivisions, the Uniform Sign Plan must be submitted, reviewed, and approved prior to approval of the final subdivision plat. For multi-family and townhouse developments, the Uniform Sign Plan must be submitted, reviewed and approved prior to the issuance of any building permit for the development. For planned unit developments, the Uniform Sign Plan must be submitted, reviewed and approved prior to the approval of the first site plan or final subdivision plat for the development.

10.4 REVIEW CRITERIA

A Uniform Sign Plan for a residential subdivision, planned unit development, or multi-family or townhouse development shall not be approved until and unless the Planning and Zoning Department finds that:

- 10.4.1 The plan provides that signs of a similar type and function within the development will have a consistent size, lettering style, color scheme and material construction; and
- 10.4.2 The plan provides for signs that meet the size limitations, location requirements and other applicable requirements of this ordinance.

10.5 AMENDMENT PROCEDURES

A Uniform Sign Plan may be amended by filing a new master plan with the Planning and Zoning Department, provided that:

- 10.5.1 The application may be filed only by the owner of the land affected by the proposed change, or an agent, lessee, or contract purchaser specifically authorized by the owner to file such application. Before filing the application, all landowners affected by the proposed change must give written authorization, which such authorization shall be included in the filing.

10.5.2 Any new or amended Uniform Sign Plan shall include a schedule for bringing into conformance, within 90 days, all signs not conforming to the proposed plan. This shall apply to all properties governed by said plan.

Such amended Uniform Sign Plan shall be subject to approval as above.

10.6 EFFECT

After approval of a Uniform Sign Plan, or an amended Uniform Sign Plan, no sign shall be erected, placed, painted, or maintained, except in accordance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of a conflict between a provision of a Uniform Sign Plan and one or more provisions of this ordinance, this ordinance shall control.

11.0 ADMINISTRATION AND ENFORCEMENT

11.1 BUILDING OFFICIAL

This Ordinance shall be administered and enforced by the Building Official who shall have the following duties:

- 11.1.1 Receive all applications for sign permits.
- 11.1.2 Perform the review and inspections required by this Ordinance.
- 11.1.3 Enforce, as appropriate, the other laws and ordinances of the City as the same apply to the erection and maintenance of signs.
- 11.1.4 Issue all permits in conformance with this Ordinance.
- 11.1.5 Issue all citations or notices of violations required by this Ordinance.
- 11.1.6 Collect all fees for sign permits and issue all notices of annual fees and collect all annual fees as required by this Ordinance.
- 11.1.7 Maintain accurate records of all permits, inspections, citations, violations and fees and make such records available for public inspection during normal business hours.
- 11.1.8 Perform such other ministerial acts as are specifically required by this Ordinance.
- 11.1.9 Assist the Code Enforcement Board in the discharge of its duties and responsibilities as required by this Ordinance and by rule of the Board.

11.2 CODE ENFORCEMENT BOARD

In the administration and enforcement of this Ordinance, the Code Enforcement Board shall have the following powers and duties:

- 11.2.1 Make all determinations required of the Board as provided by this Ordinance.
- 11.2.2 Review and resolve any conflicts in standards, regulations, requirements or procedures arising from the application of this Ordinance and other laws or ordinances of the City regulating the erection and maintenance of signs or the licensing of sign contractors.
- 11.2.3 Make all determinations, requirements, conditions or agreements necessary to affect the removal of nonconforming signs and signs subject to the amortization provisions of this Ordinance.
- 11.2.4 Interpret the various provisions of this Ordinance as requested by either the Building Official, the applicant for or holder of a sign permit or the public.
- 11.2.5 Review all requests for variations from the regulations established by this Ordinance and issue an order in accordance with the standards established below.
- 11.2.6 Make rules governing the administration and enforcement of this Ordinance in accordance with the provisions of the Waukegan Code Enforcement Ordinance.

11.3 VARIATIONS

Variations in the requirements of the various provisions of this Ordinance may be granted in accordance with the following regulations:

- 11.3.1 Application. A variation shall be made in writing to the Building Official who shall forward the same to the Code Enforcement Board.
- 11.3.2 Standards. The following standards shall govern the granting of a variation by the Code Enforcement Board:

- 11.3.2.1 The variation shall be based on practical difficulties arising from the strict application of the provisions of this Ordinance and not merely upon the desire of the applicant to establish an alternative signage.
- 11.3.2.2 The variation shall be based on hardship imposed by the Ordinance and not upon any self-imposed hardship by the applicant.
- 11.3.2.3 The variation granted shall be the least amount of variation, which will overcome the practical difficulty or hardship.
- 11.3.2.4 The variation shall be granted in conformance with the furtherance of the stated purpose and intent of this Ordinance.
- 11.3.2.5 The variation granted shall not be expressly prohibited as provided below.
- 11.3.3 Authorized Variations. The following variations or types of variations may be granted by the Code Enforcement Board:
 - 11.3.3.1 Variations to the amortization requirements as provided in Section 4.9.
 - 11.3.3.2 Variations in the location of signs for businesses, which do not have direct street frontage.
 - 11.3.3.3 Variations in the size and height of individual signs.
 - 11.3.3.4 Any other variation which is not a prohibited variation.
- 11.3.4 Prohibited Variations. The following variations or types of variations may not be granted by the Code Enforcement Board:
 - 11.3.4.1 Any variation that would result in an increase in the total amount of signage permitted on a lot.
 - 11.3.4.2 Any variation that would lengthen the time that an illegal sign, a prohibited sign or a nonconforming sign would be permitted to be maintained in any district.
- 11.3.5 Appeals. Any person aggrieved by an order, decision or recommendation of the Code Enforcement Board may appeal such action to the City Council. Such appeal shall be taken within 30 days of the action of the Code Enforcement Board. The City Council shall act upon such an appeal within 60 days. Failure of the City Council to act within the time frame above shall be considered a denial.

12.0 VIOLATIONS AND PENALTIES

Any person who violates any provision of the Waukegan Sign Ordinance shall be fined not less than \$50.00 or more than \$750.00 and each day upon which a violation occurs shall constitute a separate offense.

13.0 SEVERABILITY

If any section, subsection, paragraph, section, clause or phrase of this Ordinance should be declared invalid by a court of competent jurisdiction for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect. And to this end, the provisions of this ordinance are hereby declared to be severable.

14.0 REPEAL

All ordinances or parts of ordinances in conflict with the terms of this Ordinance are, to the extent of such conflict, hereby repealed.

15.0 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval and publications in pamphlet form as provided by law.

TABLE 1 - TOTAL SIGN AREA PERMITTED BY ZONE
(FOR WALL SIGN AREA, SEE SECTION 5.4)

| ZONE | TOTAL |
|---|-----------------------|
| <u>Conservation and Residential Districts</u> | |
| CR Conservation/Recreation | 0.2 sq. ft./lin. ft. |
| ER Estate Residential | 0.2 sq. ft./lin. ft. |
| R1 Single-Family Residential | 0.2 sq. ft./lin. ft. |
| R2 Single-Family Residential | 0.2 sq. ft./lin. ft. |
| R3 Single-Family Residential | 0.2 sq. ft./lin. ft. |
| R4 Two-Family Residential | 0.25 sq. ft./lin. ft. |
| R5 Limited General Residential | 0.25 sq. ft./lin. ft. |
| R6 General Residential | 0.25 sq. ft./lin. ft. |
| R7 General Residential | 0.25 sq. ft./lin. ft. |
| R8 General Residential | 0.25 sq. ft./lin. ft. |
| <u>Office and Business Districts</u> | |
| O/I-1 Office/Institutional | 1.5 sq. ft./lin. ft. |
| O/I-2 Office/Institutional | 1.5 sq. ft./lin. ft. |
| B1 Neighborhood Convenience | 1.0 sq. ft./lin. ft. |
| B2 Community Shopping | 1.5 sq. ft./lin. ft. |
| B3 General Commercial | 2.0 sq. ft./lin. ft. |
| B4 Central Business | 1.0 sq. ft./lin. ft. |
| B5 Central Service | 1.0 sq. ft./lin. ft. |
| M-CR Marine-Commercial Recreation | 1.5 sq. ft./lin. ft. |
| <u>Industrial Districts</u> | |
| I1 Restricted Industrial | 1.0 sq. ft./lin. ft. |
| I2 General Industrial | 1.0 sq. ft./lin. ft. |
| R/LI Research/Light Industrial | 1.0 sq. ft./lin. ft. |

TABLE 2 - NUMBER AND HEIGHT OF SIGNS PERMITTED BY ZONE

| ZONE | TOTAL NUMBER | NUMBER | GROUND SIGNS HEIGHT (MAX.) |
|--|---------------------|---------------|---|
| <u>Conservation and Residential District</u> | | | |
| All Districts | 2 | 1 | 10 feet |
| <u>Office and Business Districts</u> | | | |
| O/I-1 Office/Industrial | 3 | 1 | 15 feet |
| O/I-2 Office/Industrial | 3 | 1 | 15 feet |
| B1 Neighborhood Convenience | 3 | 1 | 15 feet |
| B2 Community Shopping | 4 | 1/250' | 20 feet |
| B3 General Commercial | 4 | 1/250' | 20 feet |
| B4 Central Business | 3 | 1 | 15 feet |
| B5 Central Service | 3 | 1 | 15 feet |
| M-CR Marine-Commercial Recreation | 3 | 1 | 15 feet |
| <u>Industrial Districts</u> | | | |
| All Districts | 2 | 1 | 20 feet |