

ORDINANCE NO. 18-025

AN ORDINANCE AMENDING CHAPTER 152,

ENTITLED "SIGNS,"

OF THE CITY ORDINANCES

OF THE CITY OF MONMOUTH, ILLINOIS

BE IT ORDAINED by the City Council of the City of Monmouth, Warren County, Illinois, as follows:

Section 1:

Chapter 152 of the Monmouth Code of Ordinances, entitled "SIGNS", is hereby revoked in its entirety and in place thereof shall include the following:

**CHAPTER 152: SIGNS**

**Section 152.01 DEFINITION**

(A) Sign. Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purposes of a person or entity, or to communicate information of any kind to the public. A temporary sign is a sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs. portable sign is a temporary free standing sign not attached to any permanent structure, which remains in a location less than thirty (30) days. Realtor/For Rent/For Sale by Owner signs shall not be considered temporary signs for purposes of this Chapter.

(B) Off-Premises Sign. A sign, including a billboard, which refers to a place of business or event at a location other than the lot upon which the sign is erected.

(C) Animated Sign. Any sign that uses or displays movement, change of lighting, audio, video, or image sequences to depict action or create a special effect or scene, or any form message transition such as scrolling or fading.

(D) Changeable Copy Sign. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign.

(E) Dwell Time. The length of time during which a changeable copy sign's message is continuously displayed prior to changing or displaying a new message.

(F) Dynamic Display Sign. A programmable, changeable copy sign that can display variable messages and diversified content via electronic means.

(G) Static Sign. A sign whose characters, letters, or illustrations cannot be changed or rearranged without altering the face or the surface of the sign.

(H) Banner. A temporary sign made of fabric or any non-rigid material with no enclosing framework and displayed outside of a building. Feather Banners are not considered Banners for purposes of this Chapter.

(I) Feather Banners. A design typically made of a flexible fabric attached to a long pole in the general shape of a feather, teardrop, or similar shape.

(J) Political Sign. A temporary sign intended to advance a political statement, cause or candidate for office.

## **Section 152.02 LOCATION OF SIGNS**

(A) No person or business shall locate, erect, construct, operate, or cause or permit to exist in the City any sign or billboard, any part of which is located within 100 feet of the center of any railroad track crossing, other than those painted or erected upon a building. Further no sign or billboard shall be erected that obstructs or interferes with the clear view of any railroad track crossing signs.

(B) The foregoing shall not prohibit the use of signs on city-owned or city-leased trash cans, litter cans, or barrels placed on the city streets or sidewalks.

(C) No signs shall be allowed in any residentially zoned property within the City of Monmouth, other than signs allowed under Article 15, Section 8 of the Zoning Code for the City of Monmouth.

(D) Political signs shall be permitted in all zoning districts, subject to the following limitations:

(1) Such signs for election candidates or ballot propositions shall be displayed only for a period of 60 days preceding the election and shall be removed with 10 days after the election, provided that signs promoting successful candidates or ballot propositions in a primary election may remain displayed until not more than 10 days after the general election.

(2) Such signs shall not be placed in any public right-of-way or obstruct traffic visibility.

## **Section 152.03 CONSTRUCTION ON AND ABOVE STREETS AND SIDEWALKS**

Any of the following shall be unlawful without first obtaining the permission of the City Council:

(A) Erect, construct, or maintain in the City any sign in such a manner that it is fastened to, rested upon, or supported upon any street, boulevard, or curbing.

(B) Construct any sign in such a manner that it hangs, rests, or remains within two (2) feet of the line of the upper side of the top globe of any boulevard light in the City, or within two (2) feet of the line of the inner side of the inside globe of any boulevard light.

(C) Construct any sign in any case projecting beyond the outside lines of the sidewalk over which such sign projects.

(D) Construct, erect, or maintain any standard, pole, or light of any kind in the City in such a manner that it shall be fastened to, rested upon, or supported upon or from any street, sidewalk, boulevard, or curbing.

(E) Construct, erect, or maintain in the City any sign that is located within two (2) feet of a street -right of way. No sign may encroach upon the City right of way.

## **Section 152.04 OFF-PREMISES SIGNS PROHIBITED**

No Off-Premises Signs, as defined by this Chapter, shall be allowed on any property, regardless of the property's zoning classification, within the city limits to the City of Monmouth. Any Off-Premise Signs currently located in the City of Monmouth prior to the enactment of this Chapter shall be allowed, however, if any Off-Premises Signs currently existing becomes destroyed or otherwise requires replacement, said Off-Premise Signs shall not be allowed to be replaced. This

Section shall take precedence over any other ordinances, including the Zoning Code of Ordinances, for the City of Monmouth that conflicts with the language of this Section.

**Section 152.05 MAINTENANCE, REPAIR, AND REMOVAL**

Every sign permitted by this Chapter shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling or is otherwise deemed unsafe by the code official, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the Sections of this Chapter, the owner thereof or the person or firm using same shall, upon written notice by the code official forthwith in the case of immediate danger, and in any case within not more than 10 days, make such sign conform to the provisions of this Chapter, or said sign shall be removed. If within 10 days the directive of the code official is not complied with, the code official shall be permitted to remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.

**Section 152.06 OBSOLETE SIGN**

Any sign that no longer advertises or identifies a use conducted on the property on which said sign is erected, shall be removed within 30 days after written notification from the code official; and upon failure to comply with such notice, the code official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building, structure or ground on which the sign is located.

**Section 152.07 NONCONFORMING SIGNS**

Any sign legally existing at the time of the passage of this Chapter that does not conform in use, location, height or size with the regulations of the zone in which such sign is located, shall be considered a legal nonconforming use or structure and shall be permitted to continue in such status until such time as it is either abandoned or removed by its owner, subject to the following limitations:

- (A) Structural alterations, enlargement or re-erection are permissible only where such alterations will not increase the degree of nonconformity of the signs.
- (B) No off premises sign shall be permitted to be replaced.

**Section 152.08 PROHIBITED SIGNS**

The following devices and locations shall be specifically prohibited:

- (A) Signs located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic. In addition, no sign shall prevent any ingress and egress from any door, window or fire escape.
- (B) Except as provided for elsewhere in this Chapter, signs encroaching upon or overhanging public right-of-way shall not be allowed. No sign shall be attached to any utility pole, tree, light standard, or any other public facility located within the public right-of-way.
- (C) Temporary signs that consist of feather banners, pennants, ribbons, streamers, spinners or similar devices, except those temporarily displayed as part of a special sale, promotion or

community event. For purposes of this subsection, “temporarily” means no more than 30 days in any calendar year.

(D) Any sign attached to, or placed on, a vehicle or trailer parked on public or private property, except signs meeting the following conditions:

- 1) The primary purpose of such a vehicle or trailer is not the display of signs.
- 2) The signs are magnetic, decals or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.
- 3) The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used or available for use in the daily function of the business to which signs relate.

(E) Vehicles and trailers are not used primarily as static displays, advertising a product or service, not utilized as storage, shelter or distribution points for commercial products or services for the general public.

#### **Section 152.09 PERMITS REQUIRED**

A permit must be obtained from the code official for the erection of all signs erected and maintained within this jurisdiction and in accordance with other ordinances of this jurisdiction. Only Temporary signs are exempt from the permitting process.

#### **Section 152.10 CHANGES TO SIGNS**

No sign shall be structurally altered, enlarged or relocated except in conformity to the provisions of this Chapter, nor until a proper permit, if required, has been secured. The changing or maintenance of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, business names, lettering, sign faces, colors, display and/or graphic matter, or the content of any sign shall not be deemed a structural alteration.

#### **Section 152.11 SPECIAL EVENT SIGNS IN PUBLIC WAYS**

Signs advertising a special community event shall not be prohibited in or over public rights-of-way, subject to approval by the code official as to the size, location and method of erection. The code official may not approve any special event signage that would impair the safety and convenience of use of public rights-of-way, or obstruct visibility. Signs advertising a special community event in the circle on the Square must reserve a date and a location with the City Clerk’s office. Two signs, one on the West and one on the East, are allowed on the North side of the circle with the same designation on the South side which allows for a total of four (4) signs at one time. The banners may be placed on two posts and be no larger than four (4) feet by eight (8) feet. The banners must be tightly secured to the posts and made from vinyl or water resistant material. Depending on availability, the banners may not be put up more than two weeks in advance of the event and must be removed as soon as possible after the date of the event.

#### **Section 152.12 WINDOW SIGNS**

Window signs shall be permitted for all commercial and industrial districts, subject to the following limitations:

(A) The aggregate area of all such signs shall not exceed 25 percent of the window area on which such signs are displayed. Window panels separated by muntins or mullions shall be considered as one continuous window area.

(B) Window signs shall not be assessed against the sign area permitted for other sign types.

**Section 152.13 ANIMATED AND DYNAMIC DISPLAY SIGNS**

Animated and Dynamic Display signs shall be permitted in any non-residential zoning district, subject to the following limitations:

(A) All animated and dynamic display signs shall have a minimum dwell time of ten (10) seconds.

(B) All animated and dynamic display signs shall be incorporated into a static sign and shall not be larger (greater square footage) than the accompanying static sign.

(C) The square footage of all animated and dynamic display signs shall be included in the calculation of the total maximum square footage allowed for that non-residential property.

(D) Any animated or dynamic display sign located on a non-residential property located within 100 feet of any residential zoning district, shall not flash, blink, scroll, or animate between the hours of 10:00 PM in the evening to 7:00 AM the following morning, provided however, that they may be allowed to constantly illuminate during this daily 9-hour period of time.

(E) No animated sign, which flash or blink text or graphics, for advertising purposes that are digital in character with LED neon lights or other bright lighting characteristics, shall be allowed within 75 feet of residentially zoned properties or erected in any manner or commercial location so as to create an appearance of traffic signals, other official traffic control devices, or law enforcement/emergency vehicle lighting mechanisms.

Section 2:

In all respects, the above language shall replace the current Chapter 152 of the Monmouth Code of Ordinances in its entirety.

Section 3:

This ordinance shall be in full force and effect ten (10) days after this due publication in pamphlet form, passage and approval thereof as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2018.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2018.

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MAYOR

ATTESTED:

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CITY CLERK

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent or not voting: \_\_\_\_\_