

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 7 (“SIGNS”), SECTION 4 (“SIGN PERMIT”), SECTION 5 (“SIGN VARIANCE”), SECTION 10 (“OBSOLETE, ABANDONED OR UNSAFE SIGNS”), SECTION 14 (“GROUND SIGN CONSTRUCTION AND DESIGN STANDARDS”), SECTION 18 (“CLASSIC SIGNS”), AND SECTION 19 (“NONCONFORMING SIGNS”) OF THE OAK PARK VILLAGE CODE**

**WHEREAS**, the Village of Oak Park (“Village”) is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

**WHEREAS**, Chapter 7 (“Buildings”), Article 7 (“Signs”) of the Oak Park Village Code (“Village Code”) was adopted on March 23, 2009 to replace and consolidate the previous two (2) articles of the Village Code regulating signs pursuant to the Village’s home rule powers; and

**WHEREAS**, the Village President and Village Board of Trustees have determined that it is appropriate to adopt the text amendments as provided in this Ordinance amending Section 7-7-4 (“Sign Permit”), Section 7-7-5 (“Sign Variance”), Section 7-7-10 (“Obsolete, Abandoned or Unsafe Signs”), Section 7-7-14 (“Ground Sign Construction and Design Standards”), Section 18 (“Classic Signs”) and Section 7-7-19 (“Nonconforming Signs”) of the Village Code by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*; striking *Permit and Property Standards* and replacing it with *Permits and Property Division of the Development Services Department*; striking *Customer*; and striking *Commission* and replacing it with *Zoning Board of Appeals* as set forth herein.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Village Code Amended.** Chapter 7 (“Buildings”), Article 7 (“Signs”), of the Village Code is hereby amended by deleting the overstricken language and adding the underlined language as follows:

\* \* \* \*

#### 7-7-4: SIGN PERMIT:

\* \* \* \*

##### **B. Authority and Execution**

The Zoning Administrator shall be responsible for determining compliance with this Code, and the Development ~~Customer~~ Services Department shall be responsible for issuing a sign permit.

##### **C. Permit Issuance**

1. Upon the filing of an application with the Development ~~and Customer~~ Services Department for a sign permit for erection, alteration or relocation of a sign, the Development ~~Customer~~ Services Department shall determine whether the application is complete. If the application is not complete, the Development ~~Customer~~ Services Department shall notify the applicant of any deficiencies, and shall take no steps to process the application until the deficiencies are remedied.
2. The Development ~~Customer~~ Services Department shall examine the plans and specifications, and the premises upon which the proposed sign is to be erected to ensure compliance with the requirements of the Village's Building Code and all other applicable ordinances of the Village. The Development ~~Customer~~ Services Department shall issue a sign permit if the proposed sign complies with the requirements of this Code and all other ordinances of the Village.

##### **E. Inspection**

The Development ~~Customer~~ Services Department may inspect, at such times as deemed appropriate, signs regulated by this Code. The purpose of the inspection is to ascertain whether the structure is secure or not secure, whether in need of repair or removal, or in conformance with the permit application and the provisions of this Code.

##### **H. Enforcement**

If any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this Code, the sign owner or other person responsible for maintaining the sign, shall, upon written notice from the Department ~~Customer~~ Services Department, bring such sign into conformance with this Code or remove the sign within ten (10) business days of the date of such notice.

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**7-7-5: SIGN VARIANCE:**

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The ~~Community Design Commission~~ Zoning Board of Appeals shall hear and decide upon requests for variances from the Village Sign Code.

**B. Preliminary Conference**

Any applicant for a sign permit that requires a variance may file a written request for a preliminary conference with the ~~Community Design Commission~~ Zoning Board of Appeals. At the conference, the ~~Community Design Commission~~ Zoning Board of Appeals shall consider preliminary exterior drawings, sketches or photographic examples, landscape and site plans and materials on a specific project, and shall provide the applicant with guidance in the development of a plan which would be consistent with the requirements and purposes of this Code.

**C. Procedure**

1. Application: An applicant for a sign permit that requires a variance shall apply to the ~~Community Design Commission~~ Zoning Board of Appeals for such variance and shall submit all items as required in Paragraph 4 below. Upon receipt of such application, the ~~Community Design Commission~~ Zoning Board of Appeals shall schedule a meeting where the applicant shall be given an opportunity to make a presentation and all interested parties shall be given the opportunity to comment.

4. Submittal Requirements: At the time of the public hearing, the applicant shall provide the ~~Commission~~ Zoning Board of Appeals with the following documents depicting exterior design features:

- a. Drawings which shall include plans, elevations, and site plans.
- b. Landscaping and screening plans (when appropriate).
- c. Renderings and specifications for signs.
- d. A statement as to kind, color and texture of materials.

e. All documents shall be drawn to scale.

5. Decision: Based upon the findings of fact in Paragraph D below, the ~~Community Design Commission~~ Zoning Board of Appeals shall render its decision within thirty (30) days of the conclusion of the hearing and shall notify the Zoning Administrator, or his/her designee, and the applicant of its decision. The concurring vote of a majority of the members of the ~~Community Design Commission~~ Zoning Board of Appeals shall be necessary to grant a variance. The order of the ~~Commission~~ Zoning Board of Appeals shall be by written resolution and contain its findings of fact.

6. Inspection Upon Completion: Upon the granting of a variance, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which the variance was granted shall be turned over to the Zoning Administrator whose responsibility it shall be to determine that, upon completion, there have been no deviations from the approval regarding sign design, aesthetics, or regulations contained within this Code. The Development ~~Customer~~ Services Department will be responsible for inspecting the built sign plans and built sign to ensure that it does not deviate from this and other Village Codes related to structural, electrical, and any other regulations contained in this or other Village Codes. Such deviations shall constitute a violation of this Code, in which event the Zoning Administrator or Development ~~Customer~~ Services Department may stop work on the project in the same manner as for a violation of the Village Code. Work may not be resumed until such deviations are corrected.

#### **D. Findings of Fact**

After hearing and considering the materials presented, the ~~Community Design Commission~~ Zoning Board of Appeals shall grant a variance if it finds that:

1. The applicant's plans are substantially consistent with the design criteria of this Code.
2. The proposed exterior design features of the sign are suitable and compatible with the character of neighboring buildings and structures existing or under construction and with the character of the neighborhood and the applicable zoning district, and enhance the environment of the Village.
3. The exterior design features of the sign will not be detrimental to the harmonious and orderly growth of the Village.
4. The exterior design features of the sign will not cause a substantial

depreciation in the property values in the neighborhood.

**E. Appeal**

1. Within fifteen (15) days of receipt of a denial of a variation, the applicant and/or his or her representative may appeal the ~~Commission~~ Zoning Board of Appeals's decision to the Village Board. The Village Board, within forty-five (45) days of the applicant filing his or her appeal, shall affirm, reverse or modify the decision of the ~~Commission~~ Zoning Board of Appeals after due consideration of the facts contained in the record, which the ~~Commission~~ Zoning Board of Appeals shall submit to the Village Board within ten (10) working days of the filing of the appeal. The Board of Trustees may receive comments on the contents of the record, orally at the meeting or in writing, not less than ten (10) days prior to the meeting at which the Board will first consider the appeal but shall not consider any new matters that were not presented during the ~~Commission~~ Zoning Board of Appeals hearings.

2. The Village shall, within seven (7) days of its decision, advise the applicants and the ~~Commission~~ Zoning Board of Appeals, in writing, of its final decision and shall direct the Village Manager to advise all affected departments of the Village government.

3. The failure of the Village Board to affirm, modify or reverse the decision of the ~~Commission~~ Zoning Board of Appeals within forty-five (45) days of the applicant filing his or her appeal shall be considered as an affirmance by the Village Board of the decision of the ~~Commission~~ Zoning Board of Appeals and a denial of the appeal, and the ~~Commission~~ Zoning Board of Appeals shall so notify the applicant and the affected departments of the Village government. The decision of the Village Board will be the final administrative decision of the Village.

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**7-7-10: OBSOLETE, ABONDONED OR UNSAFE SIGNS:**

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**A. Obsolete or Abandoned Signs**

Any sign, whether existing on or erected after the effective date of this Code, which advertises a business no longer being conducted or a product no longer being sold in or from the premises to which the sign relates, shall be taken down and removed by the owner or agent of the

building, structure or premises upon which such sign is found. Removal shall be effected within twenty (20) days after written notice from the ~~Building and Property Standards Department~~ Permits and Development Division of the Development Services Department. If such a sign is not removed after such twenty (20) day period, the ~~Building and Property Standards Department~~ Permits and Development Division of the Development Services Department is authorized to have the sign removed. Any reasonable cost incident thereto shall be filed as a lien against the property where the sign was located.

**B. Unsafe Signs**

When any sign becomes insecure, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this Code or any other provisions of the Village Code, the owner thereof or the person or firm maintaining same, shall, upon written notice of the ~~Building and Property Standards Department~~ Permits & Development Division of the Development Services Department, forthwith in the case of immediate danger, and in any case within no more than ten (10) days, make such sign conform to the provisions of this Code or remove it.

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**7-7-14: GROUND SIGN CONSTRUCTION AND DESIGN STANDARDS:**

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Ground signs are permitted subject to the following:

- A. Ground signs are permitted only in the districts listed in Tables 1 and 2 at the end of this section, subject to the regulations of Tables 1 and 2 and this Code.
- B. One (1) ground sign is permitted per street frontage of a zoning lot, whether a monument or pole sign. In addition to a ground sign, drive-through establishments are permitted one (1) menu board sign, whether constructed as a pole or monument sign, no more than forty (40) square feet in sign area, no more than six (6) feet in height and no less than twenty (20) feet from any lot line.
- C. The primary support of a pole sign must be erected in such a manner that at least forty-two (42) inches of the length of the support is underground. The Development Customer Services Department may require proper documentation from a structural engineer or

manufacturer that indicates proper installation instructions for the sign, as well as the sign's ability to withstand wind pressures.

**7-7-18: CLASSIC SIGNS:**

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**B. Application**

1. An application for classic sign status must include plans for sign maintenance, renovation or possible reconstruction, acceptable to the Zoning Administrator.
2. Application for classic sign status must be made to the Village Planner, or his/her designee, who schedules a public hearing of the ~~Community Design Commission~~ Zoning Board of Appeals and presents his/her recommendations to the ~~Community Design Commission~~ Zoning Board of Appeals at a public hearing.
3. The ~~Community Design Commission~~ Zoning Board of Appeals shall approve or deny the application.
4. The applicant may appeal a decision of the ~~Community Design Commission~~ Zoning Board of Appeals to the Village Board within thirty (30) days of notification of the decision.

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**7-7-19: NONCONFORMING SIGNS:**

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**E.** Signs which do not conform to the provisions of this Code but which lawfully existed and were maintained prior to the adoption of this amended Code shall be removed or made to conform within sixty (60) days after written notice by the Development ~~Customer~~ Services Department when:

1. The use of the establishment changes and the exterior of the building or other site conditions are to be altered; or
2. A sign is damaged by any cause resulting in replacement or repair cost equal to or greater than one-half (½) of its replacement value at the time the damage occurs; or

3. The maximum cost to bring a sign into conformance with this article is five hundred dollars (\$500.00) or less, which shall include the removal of neon, wall, and window signs and the removal of neon lighting outlining buildings, doors and windows. If a property owner or agent claims that the cost to bring a sign into conformance with this article is more than five hundred dollars (\$500.00), the property owner or agent shall provide a written cost estimate from a reputable sign business to the Village to be exempt from the requirements of this section; or
4. A new business is proposed to be located at the applicable property where the nonconforming sign is maintained and the new business owner or agent proposes to alter the sign at the location and the proposed alteration requires a sign permit pursuant to this article.

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**Section 3. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage, and publication as provided by law.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**



**ADOPTED** this 4th day of March, 2025, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

**APPROVED** this 4th day of March, 2025.

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Vicki Scaman, Village President

**ATTEST**

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Christina M. Waters, Village Clerk

Published in pamphlet form this 4th day of March, 2025.

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Christina M. Waters, Village Clerk