

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 7 (“SIGNS”) OF THE OAK PARK VILLAGE CODE TO AMEND VARIOUS SECTIONS OF ARTICLE 7**

**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 Village Code of Oak Park, Illinois (“Village Code”) was adopted on March 23, 2009; and

**WHEREAS**, Article 7 replaced and consolidated two (2) previous articles of the Village Code regulating signs; and

**WHEREAS**, the Village President and Board of Trustees have determined to amend various sections of Article 7 of the Village Code as set forth herein.

**NOW THEREFORE, 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 Oak Park Village Code is hereby amended to add the underlined and delete the overstricken language as follows:

\* \* \* \*

**7-7-3: DEFINITIONS:**

\* \* \* \*

**ARCHITECTURAL ELEMENT:** A prominent or significant part or feature of a building, structure, or site.

**ATTENTION GETTING DEVICE:** A display that utilizes motion or flashing lights to attract attention of passers-by. Examples include strings of pennants, banners or streamers, advertising flags, clusters of flags, strings of twirlers or propellers, flares, balloons, strobe lights, and sequential flashing "runner" lights.

\* \* \* \*

**BUILDING OFFICIAL:** ~~The Director of the Building and Property Standards Department~~  
Chief Building Official or his or her designee.

\* \* \* \*

**DWELLING, MULTIPLE-FAMILY:** A building having three (3) or more ~~than three (3)~~ dwelling units.

**DWELLING, SINGLE-FAMILY:** A building having one (1) dwelling unit.

~~**DWELLING, THREE-FAMILY:** A building having three (3) dwelling units.~~

**DWELLING, TWO-FAMILY:** A building having two (2) dwelling units.

\* \* \* \*

**GRADE:** Grade is measured as the average level of the finished surface of the ground adjacent to the exterior walls of the structure. Grade is used as the starting point to measure height. For purposes of this Code, any wall approximately parallel to and not more than twenty (20) feet from a street line is to be considered as adjoining the street.

- A. For buildings having walls adjoining one street only, “grade” is defined as the elevation of the sidewalk at the midpoint of the wall adjoining the street.
- B. For buildings having walls adjoining more than one street, grade” is defined as the average of the elevation of the sidewalk at the midpoints of all walls adjoining the streets.
- C. For buildings having no wall adjoining the street, “grade” is defined as the average level of the finished surface of the ground adjacent to the exterior walls of the building.
- D. Where no sidewalk exists, the grade shall be established by the Village Engineer.

\* \* \* \*

**MURAL:** A picture or photograph painted or applied directly on a wall and which in no way identifies a product.

\* \* \* \*

**OBSCENE SIGN:** A sign which is found to meet the three (3) established criteria of obscenity: 1) prurient in nature; 2) ~~completely~~ devoid of scientific, political, educational or social value; and 3) a violation of local community standards.

\* \* \* \*

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

The Community Design Commission shall hear and decide upon requests for variances from this article.

A. Determination Of Need For A Variance: It shall be the duty of the Zoning Administrator, after an application for any sign permit, to determine and advise the applicant whether under the provisions of this article, a sign variance is required.

B. Preliminary Conference:

~~1.~~ Any applicant for a sign permit that requires a variance may file a written request for a preliminary conference with the Community Design Commission. At the conference, the Community Design Commission shall ~~give consideration to~~ 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.

~~2. Notice of this preliminary meeting shall be provided to tenants within two hundred fifty (250') feet of the subject property. Notice will be by mail and shall be given no more than thirty (30) days nor less than fifteen (15) days before the meeting. Such notice shall include the time and place of the hearing, a general description of the contents of the request to be heard, and the address or location of the property to which the request applies.~~

C. Procedure:

1. Application: An applicant for a sign permit that requires a variance shall apply to the Community Design Commission for such variance and shall submit all items as required in Paragraph ~~4E~~ below. Upon receipt of such application, the Community Design Commission 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.

2. Notice Of Public Hearing: Notice of public hearings on requests for variances shall be given no more than thirty (30) days nor less than fifteen (15) days before the hearing by publication in a newspaper of general circulation in the Village. Such notice shall

include the time and place of the hearing, a general description of the contents of the request to be heard, and the address or location of the property to which the request applies. The published notice may be supplemented by such additional form of notice as provided by rule of the hearing body.

3. Posted Notice: Posted notice must be provided by an applicant and/or property owner and must be located on the property that is the subject of an application. The sign must be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage are required to post one sign visible on each street frontage. The required posting period must be no less than fifteen (15) days and no more than 30 days in advance of the scheduled hearing date. For the purposes of this subsection, a day is a calendar day. The sign must include the date, time, and place of the hearing/decision, purpose of such hearing/decision, and the appropriate Village personnel to contact for additional information. The sign must be approximately 48 inches by forty-eight (48) inches, containing one-inch minimum typeface. The sign must be weatherproof. Failure to post a sign and/or the removal or knocking down of a sign before a public hearing shall not invalidate, impair, or otherwise affect any subsequent variance approval following a public hearing. The sign must, whenever possible, remain posted until a hearing is completed. An applicant is responsible for removal of a sign within ten days of the issuance of a variance decision.

4. ~~3.~~ Submittal Requirements:

At the time of the public hearing, the applicant shall provide the Commission 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. ~~4.~~ Decision: Based upon the findings of fact in Paragraph D below, the Community Design Commission 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 shall be necessary to grant a variance. The order of the Commission shall be by written resolution and contain its findings of fact.

~~6.5.~~ 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 ~~Building and Property Standards 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 ~~Building and Property Standards 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.

~~7.6.~~ It shall be the duty of the person to whom a variance has been granted to comply with the requirements of the variance and to obtain such inspections as are necessary to assure compliance. The Building Official shall give notice to said person of any deficiencies found to exist. Failure to correct any deficiencies within ten (10) days after receipt of notification of such deficiency shall constitute a violation of this Code.

E. Appeal:

1. Within fifteen (15) days of receipt of a denial of a variance, the applicant and/or his or her representative may appeal the Commission'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 after due consideration of the facts contained in the record, which the Commission 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 hearings.
2. The Village shall, within seven (7) days of its decision, advise the applicants and the Commission, 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 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 and a denial of the appeal, and the Commission 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.

F. Validity and Extension of Time:

1. No order granting a variance shall be valid longer than twelve (12) months from the date the approval was granted unless an application for building permit is filed within such period or the sign is completely installed ~~use is commenced~~ within such period.
2. The Village Board may grant one (1) additional extension of time not exceeding twelve (12) months, upon written application made within the initial twelve (12) month period, without further notice or hearing. The right to so extend said time shall not include the right to grant additional relief by expanding the scope of the variance.

G. Amendments to Approved Variances: Amendments to a variance may be obtained by application in the same manner as provided for an original variance.

\* \* \* \*

**7-7-9: GENERAL CONSTRUCTION AND DESIGN STANDARDS:**

\* \* \* \*

D. Illumination:

2. No sign illumination shall exceed one (1) foot candle of illumination at the property line, except for projecting signs and wall signs where illumination shall not exceed one (1) foot candle at its face.

\* \* \* \*

4. ~~Neon lighting to outline buildings or building elements, such as doors and windows, is prohibited.~~ Any lighting, either incandescent, fluorescent, neon or other light source, including strip lighting, for outlining buildings or elements, such as doors and windows is prohibited.

\* \* \* \*

**7-7-11: PROHIBITED SIGNS:**

It is unlawful to erect or maintain any of the following signs:

~~A. Balloon signs.~~

A. B. Signs with flashing or blinking lights or other means not providing constant illumination,

including strobe lights, moving or fixed spotlights and floodlights.

B. ~~C.~~ Moving signs. No sign or part of any sign shall move or give the illusion of movement in any manner.

C. ~~D.~~ Illegally-affixed signs.

D. ~~E.~~ Permanent banners and pennants. This does not include temporary banners and pennants permitted in accordance with this Code.

E. ~~F.~~ Roof signs.

F. ~~G.~~ Projecting signs in the Residential Sign Overlay District.

G. ~~H.~~ Portable signs.

H. ~~I.~~ Signs of an obscene nature.

I. ~~J.~~ Signs placed or painted on parked vehicles where the primary purpose is to advertise a product or service, or to direct the public to a business or activity located on or off the premises are prohibited. Signs displayed on trucks, buses or other vehicles, which are being operated and stored in the normal course of a business, such as signs indicating the owner or business that are located on delivery trucks, moving vans and rental trucks, are permitted, provided that the primary purpose of such vehicles is not the display of signs, and that they are parked or stored in areas appropriate to their use as vehicles. Vehicle for-sale signs are also permitted in accordance with Section 7.7.13.B.4 below.

J. ~~K.~~ Signs which constitute a traffic hazard, including those signs that:

1. Obstruct free and clear vision at any street, intersection, parking lot entrance or exit, or driveway.
2. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal or device because of its position, shape or color, including signs illuminated in red, green or amber color to resemble a traffic signal.
3. Make use of the words STOP, LOOK, DETOUR, DANGER or any other word, phrase, symbol or character in a manner that misleads, interferes with, or confuses traffic.

K. ~~L.~~ Signs which obstruct any ingress or egress, including doors, windows or fire escapes.

L. ~~M.~~ Off-premise signs.

N. ~~O.~~ Any strip lighting, such as but not limited to, incandescent, fluorescent, or neon lighting

visible from, or applied to, the exterior outlining buildings, doors or windows or other architectural elements is prohibited.

**7-7-12: EXEMPT SIGNS:**

The following signs shall be allowed without a sign permit:

\* \* \* \*

V. Murals: Murals as defined in section 7-7-3 above.

**7-7-13: TEMPORARY SIGNS:**

\* \* \* \*

B. Regulations by Temporary Sign Type:

\* \* \* \*

6. Temporary Window Signs:

\* \* \* \*

f. Temporary solid window coverings intended to block interior construction activities are permitted. If a sign is printed on, affixed to, in contact with or etched on the window and intended for viewing from the exterior of a window, the sign shall not exceed twenty five percent (25%) of the total window area.

\* \* \* \*

7. Temporary Construction Signs:

\* \* \* \*

c. Construction Window Signs: Temporary solid window coverings intended to block interior construction activities are permitted. If a sign is printed on, affixed to, in contact with or etched on the window and intended for viewing from the exterior of a window, the sign shall not exceed twenty five percent (25%) of the total window area.



8. Temporary Attention Getting Devices: Attention getting devices are permitted for special events and for new business openings subject to the following:

- a. Attention getting devices for special events may be erected on a zoning lot no more than four (4) times in a year beginning on the first date that a permit is issued for an attention getting device.
- b. Attention getting devices are limited to a display of thirty (30) days when not related to a date specific or, if date specific, may be erected no earlier than five (5) days prior to an event plus the duration of the event and must be removed within two (2) days after the event.
- c. Attention getting devices are limited to a display of sixty (60) days in conjunction with a new business opening.

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

Ground signs are permitted subject to the following:

\* \* \* \*

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 ~~Building 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.

\* \* \* \*

**7-7-15: BUILDING SIGN CONSTRUCTION AND DESIGN STANDARDS:**

A. Maximum Surface Area; All Exterior Signs:

\* \* \* \*

2. Width of lot shall be measured at the front lot line; provided, however, for lots having more than one street line, width of the lot shall be measured at the street line of the greatest dimension lying in a frontage which is wholly within a commercial ~~or industrial~~ district; or, in the street line of the shortest dimension if the lot has no street line lying in a frontage which is wholly within a commercial ~~or industrial~~ district.

\* \* \* \*

C. Window Sign (Permanent):

\* \* \* \*

4. All ground floor street-side building facades must allow pedestrians to view goods and activities inside and encourage walking and browsing. Substantially opaque, frosted, etched, tinted, black, and reflective mirror glass are prohibited.

D. Wall Sign:

\* \* \* \*

6. Gooseneck reflectors are permitted on all wall signs provided the reflectors must concentrate the illumination upon the area of the sign face only. Internally illuminated signs shall be constructed with an opaque background with only letters, logos and/or details as translucent features. A white or light-colored background is prohibited.

\* \* \* \*

**7-7-17: SIGNS FOR HOSPITAL USE:**

Signs for a hospital use shall comply with the following regulations for the Corridor Commercial Sign Overlay District and this Code, except as follows:

\* \* \* \*

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

Nonconforming signs may be maintained subject to the following regulations:

\* \* \* \*

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 ~~Building and Property Standards Department~~ when:

\* \* \* \*

**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.

**ADOPTED** this 21<sup>st</sup> day of March, 2022, pursuant to a roll call vote at follows:

| Voting                    | Aye | Nay | Abstain | Absent |
|---------------------------|-----|-----|---------|--------|
| President Scaman          |     |     |         |        |
| Trustee Buchanan          |     |     |         |        |
| Trustee Enyia             |     |     |         |        |
| Trustee Parakkat          |     |     |         |        |
| Trustee Robinson          |     |     |         |        |
| Trustee Taglia            |     |     |         |        |
| Trustee Walker-Peddakotla |     |     |         |        |

**APPROVED** this 21<sup>st</sup> day of March, 2022.

\_\_\_\_\_  
Vicki Scaman, Village President

**ATTEST**

\_\_\_\_\_  
Christina M. Waters, Village Clerk

Published in pamphlet form this 21<sup>st</sup> day of March, 2022.

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Christina M. Waters, Village Clerk