

ORDINANCE NO. 08 - ____

AN ORDINANCE AMENDING CHAPTER 4 (STREET GRAPHICS CONTROL) OF TITLE 5 (BUILDING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority that:

SECTION 1: Chapter 4 (Street Graphics Control) of Title 5 (Building Regulations) of the City of Naperville Municipal Code is hereby deleted in its entirety and replaced with the following:

CHAPTER 4

STREET GRAPHICS CONTROL

SECTION:

- 5-4- 1: Statement of Purpose
- 5-4- 2: Definitions
- 5-4- 3: Prohibited Signs
- 5-4- 4: Exempt Signs
- 5-4- 5: Commercial Signs
- 5-4- 6: Miscellaneous Signs
- 5-4- 7: Temporary Signs
- 5-4- 8: Residential Signs
- 5-4- 9: Special Areas of Control
- 5-4-10: Illumination
- 5-4-11: Measurements
- 5-4-12: Permit Process
- 5-4-13: Nonconforming Signs
- 5-4-14: Administration
- 5-4-15: Insurance and Bond Requirements

5-4-1: STATEMENT OF PURPOSE: The purpose of this Chapter is to create the framework for a comprehensive balanced system of signage, to promote communication between people and their environment and to avoid the usual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. This Chapter is adopted for the following purposes:

1. To preserve, protect and promote public health, safety, and welfare.

2. To preserve the value of private property by assuring the compatibility of signs with surrounding land uses.
3. To protect the physical and mental well being of the general public by recognizing and encouraging a sense of aesthetic appreciation for the visual environment.
4. To enhance the physical appearance of the City by preserving the scenic and natural beauty of the area.
5. To enhance the City's economy, business and industry by promoting the reasonable, orderly and effective display of signs, and encouraging better communication between an activity and the public it seeks with its message.
6. To protect the general public from damage and injury, which may be caused by the faulty and uncontrolled construction and use of signs within the City.
7. To protect pedestrians and motorists within the City from injury caused by distractions, obstructions, and hazards created by certain signs.
8. To protect the public investment in streets and highways by reducing distraction which may increase the number and severity of traffic accidents.
9. To encourage sound practices and lessen the objectionable effects of competition with respect to size and placement of signs.
10. To authorize the use of signs which specifically:
 - 10.1. Are compatible with their surroundings.
 - 10.2. Are appropriate for the activity of displaying the sign.
 - 10.3. Express the identity of individual activities and the community as a whole.
 - 10.4. Are legible in the circumstances in which they are seen.
 - 10.5. Comply with the Building Design Guidelines, which promote high-quality non-residential building design in the City of Naperville that will enhance the quality of life enjoyed by Naperville residents.

5-4-2: DEFINITIONS:

ABANDONED SIGN:

A sign is considered abandoned when its owner fails to maintain a sign for a period of six months or longer or when a structure remains on site and is absent a display advertising a business name, product, or service.

ADVOCACY SIGN:	A sign directed at promoting active support for a cause.
AREA:	The area of any sign shall be determined pursuant to Section 5-4-11 of this Chapter.
AREA OF SPECIAL CONTROL:	An area of the City for which specific regulations are set forth in this Chapter, including the downtown central business district, tollway corridor, and educational campus.
AWNING/CANOPY SIGN:	A sign that is mounted, painted, or attached to an awning, canopy, or marquee.
BANNER:	A temporary sign composed of lightweight material enclosed, or not enclosed, in a rigid frame, secured, or mounted to a permanent structure.
BARE BULB ILLUMINATION:	Exposed or uncovered lighting elements found on a sign, for example, light bulbs without cover.
CHANGEABLE SIGN:	A sign whereon provision is made for letters or characters to be placed in or upon the sign and is permitted to change no more than once every ten (10) seconds.
COMMERCIAL SIGN:	A sign which identifies, advertises, or directs attention to a commercial, industrial, or institutional structure or business, or is intended to induce the purchase of goods, property, or service; including, without limitation, a sign naming a brand of goods or service and real estate signs.
DEVELOPMENT IDENTIFICATION SIGN, COMMERCIAL:	A sign which identifies the name of a commercial planned unit development, existing commercial center consisting of at least ten (10) business establishments, or an overall commercial development size exceeding ten (10) acres.
DEVELOPMENT IDENTIFICATION SIGN, RESIDENTIAL:	A sign which identifies the name of a single-family subdivision when the development comprises a minimum of ten (10) acres.
DIRECTIONAL SIGN:	Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way", "entrance", "drive-thru", and "exit", but may also identify the establishment itself but not other goods or services available at the establishment and does not

contain other advertising messages.

DIRECTOR:

The Director of the Transportation, Engineering, and Development Services Department or his or her designee.

EDUCATIONAL CAMPUS:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

FLAG:

A construction of fabric, plastic or paper depicting through symbols, characters, design or letters, a nation, political subdivision, institution or business when hung, without frame, from a staff or pole.

FLAG, ORNAMENTAL:

Any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

**GASOLINE SERVICE STATION
READER BOARD:**

A changeable sign indicating fuel prices as mandated by applicable federal or state laws.

GROUND SIGN:

A sign which is completely or principally supported by one or more posts or other support or physically attached to the ground, which is not attached to the principal building on the property, and is anchored in or upon the ground. This shall include, but not be limited to, signs attached to poles or supports for lights, canopies, and other items or structures.

HAND HELD SIGN:

Signs that are not self-supporting and are carried by or under the immediate control of a human being.

INFLATABLE:

An object or device that can be filled with air or gas.

MENU BOARD:

A fully enclosed, or otherwise protected from the elements, sign structure, including but not limited to a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying eating or drinking establishment menus.

MENU BOARD, DRIVE-THROUGH:	A sign placed so as to be viewed from a drive-through lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.
MODEL HOME SITE:	A registered building or structure per Section 6-2-9, which is used as an example of the type of dwelling unit which may be purchased or rented.
MODEL HOME AREA:	The subdivision or planned unit development, in which the model home site is located.
MONUMENT SIGN:	A sign which is completely or principally supported by a short wall typically constructed of masonry material which is a minimum of eighty percent (80%) of the width of the sign, and is not attached to the principal building on the property, and is anchored in or upon the ground.
NONCOMMERCIAL SIGN:	A sign not directed at promoting commercial activity and includes, but is not limited to, political campaign and advocacy signs.
OFF PREMISES SIGN:	A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located, including, but not limited to, signs commonly referred to as billboards.
OUT LOT/OUTBUILDING:	Secondary to the principal use of the shopping center.
POLE SIGN:	A ground sign whose sign face or cabinet is supported by a pole structure.
PORTABLE SIGN:	Signs that are designed to be moved from place to place, not permanently or temporarily attached to ground or building, and often contain changeable content.
PROJECTING SIGN:	Any sign that is attached to a wall in a perpendicular manner.
RACEWAY:	The structural support for letters and symbols of a wall mounted sign.

REAL ESTATE SIGN:	A sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.
ROOF SIGN:	A sign that is permanently attached to the roof of a structure and supported on one or more poles.
SHOPPING CENTER:	A series of retail establishments with individual entrances, sharing a common wall and common off street parking.
SIDEWALK SIGN:	A portable freestanding sign that is designed such that it can be displayed during business hours and easily removed at the close of business.
SIGN:	Any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means including words, printed text, letters, figures, designs, symbols, pictures, fixtures, colors, motion, illumination or projected images for the purpose of delivering a message. The term "sign" includes, but is not limited to, every projecting sign, ground sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennants, banners, streamers or any other attention getting device, or other display whether affixed to a building or separate from any building.
STACKED SIGNS:	Signs that are vertically placed one on top of the other and located on one support structure.
SUPPORT STRUCTURE:	The parts or portion of any sign specifically used to house, contain, frame, or display the surface of a sign.
TEMPORARY SIGN:	A sign designed and intended for a temporary period of display; typically constructed from nondurable materials such as paper, cardboard, cloth, plastic and/or wallboard; and does not constitute a structure subject to the City's building or zoning codes.
WALL SIGN:	A sign attached or erected against a wall of a building or structure with the exposed face of the sign or plane parallel to the plane of the wall.

WALL SIGN, SECONDARY BUSINESS:

A sign permitted by Section 5-4-5:1 for a secondary commercial business located inside a primary business establishment.

WINDOW SIGN:

A sign that is installed inside, painted upon, or placed against a window for purposes of viewing from outside the premises, not including merchandise located in a window display.

5-4-3: PROHIBITED SIGNS: Any sign not expressly permitted in this Chapter is prohibited. No person or activity shall display any of the following signs within the City of Naperville:

1. Signs which by color, location, or design resemble or conflict with traffic control signs or signals.
2. Signs attached to utility or traffic signal poles or standards.
3. Portable signs.
4. Signs on a vehicle where said vehicle is parked adjacent to or near the right of way for the purposes of identifying or calling attention to the business, such as utilizing directional signage, and is not used for daily operations or during the regular course of business, or is not licensed, insured, or operational.
5. Off premises signs.
6. Flashing signs.
7. Bare bulb illumination.
8. Any signs or attention getting devices, that rotate, revolve, or have any visible moving parts or that gives the appearance of movement, shall include but is not limited to searchlights, festoon lighting, pennants, spinners, streamers, balloons, inflatables and other similar devices, or ornamentation designed for purposes of attracting attention, promotion or advertising (except as permitted in this Chapter).
9. Projecting signs, except within the central business district.
10. Any sign or structure which constitutes a hazard to public health or safety.
11. Any sign located in the public right of way, except as permitted in this Chapter.
12. Pole signs.

5-4-4: EXEMPT SIGNS: The following signs shall be exempt from the regulation of this Chapter and are not required to obtain a permit:

1. Governmental signs such as traffic control signs and legal notices.
2. Railroad crossing and signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities.
3. Directional, informational or public service signs, excluding public utilities, not exceeding six (6) square feet in area, erected for the convenience of the public, such as signs identifying entrances, exits, parking areas, restrooms, public telephones, walkways and similar features or facilities.
4. House numbers, non-illuminated or directly illuminated, located on the lot to which the sign is apparent and not exceeding four (4) square feet in area.
5. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designated and located to be viewed exclusively by patrons located within the interior of a building housing such use or uses.
6. Decorations and signs temporarily displayed in connection with a local festivity approved by the City Council or a national holiday.
7. No trespassing signs or other such signs regulating the use of property, such as no hunting, no fishing, etc., of no more than two (2) square feet in area.
8. On premises signs for the professional use of a doctor of medicine, dentist, osteopath, chiropractor, lawyer, accountant, architect, engineer or minister, which shall be limited to a maximum of two (2) square feet in area and have no commercial advertising.
9. Flags of any country, state, or unit of local government.
10. Real estate signs may not extend outside the property line and not more than five (5) square feet per face in area that indicate the sale, rental or lease of the premises upon which said signs are located. No more than one real estate sign per lot except that a corner lot may have one such real estate sign per street frontage.
11. Construction signs, identifying the architects, engineers, contractors and other individuals or firms involved with the construction. The sign may announce the character of the building enterprise including renderings, or the purpose for which the building is intended, up to a maximum area of forty-eight (48) square feet for commercial properties and five (5) square feet for a single-family residential property. The sign shall be confined to the site of the construction, and shall be

removed within three (3) days after the beginning of the intended use of the project.

12. Memorial signs and tablets, names of buildings and date of erection when cut into masonry surface or inlaid so as to be part of the building or when constructed of bronze or other noncombustible material.
13. Signs of historical societies containing no advertising and not more than five (5) square feet in area.
14. Public signs and other signs incidental thereto for identification, information or directional purposes erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance.
15. A monument sign not more than twenty (20) square feet in area with a maximum height of five (5) feet for a religious institution when the same is located on the premises of the institution and is located in such a manner so as not to interfere with the vision of motorists. Monument signs that exceed either the height or area in this provision are not exempt from permit and must meet the regulations provided in Section 5-4-5.2 of this Chapter.
16. One off site directional sign for any religious institution not exceeding three (3) square feet in area, including no more than twenty-four (24) 4-inch letters provided that:
 - 16.1. All signs are made and installed by the department of public works upon payment of all costs by the religious institution.
 - 16.2. Such signs shall be placed at the intersection of the arterial in closest proximity to the church requesting the sign.
 - 16.3. No more than five (5) such signs shall be at any single intersection including all four (4) quadrants of any such intersection.
17. Banners displayed in the public right of way installed by the City of Naperville.
18. Help wanted signs placed in the window of a business, not to exceed six (6) square feet. The "help wanted" sign text must be the predominant text on the sign. Signs in excess of six (6) square feet follow the provisions for temporary signs. Help wanted signs may only be used if the business is actively hiring.
19. Signs within a business or education campus not visible from the public right of way.
20. One sidewalk sign not to exceed six (6) square feet in area, five (5) feet in height placed within five (5) feet of the building entrance to a business, and not in the public right of way, with the exception of the central business district. All

sidewalk signs are exempt from permit during business hours and must be removed at the closing of business or during severe weather including high winds and heavy snow fall. Sidewalk signs cannot be located in the Central Business District during snow removal operations.

21. Time and temperature devices are permitted for all except for industrial and residential areas. They are subject to the size regulations for monument or wall mounted signs as identified later in this Chapter.
22. Temporary window signs are exempt from permit provided the total area of permanent and temporary window signs occupies no more than fifty percent (50%) of the window surface area per store front elevation.
23. Hand held signs or people in costume adjacent to the business or organization being advertised and a minimum of ten (10) feet from the street curb. In the central business district, hand held signs or people in costume may be located adjacent to the business or organization being advertised on the sidewalk only.

5-4-5: **COMMERCIAL SIGNS:** Commercial signs are permitted for lawfully established and maintained businesses, including retail, services, and office locations as provided herein. Commercial signs shall be limited to the business name, product and/or activity available or conducted on the property, and contact information. In particular, and without limitation to the foregoing, off premises advertising signs, sometimes referred to as billboards, are expressly prohibited. These provisions shall not apply to legal nonconforming uses or to home occupations.

1. Wall Signs

- 1.1 Permitted Wall Signage: Each commercial business is allowed to display a wall sign per each frontage along a public roadway or expressway. Wall signs may also be displayed:
 - a. Adjacent to an off street parking area provided that customer access is also available;
 - b. If adjacent to an off street parking area, but customer access is not available, a wall sign may also be displayed, but may not exceed 50% the maximum area allowed by Section 5-4-5:1.
 - c. Per each frontage along a private road, but may not exceed 50% the maximum area allowed by Section 5-4-5:1.
- 1.2 Wall Sign Area: For every linear foot of street frontage, 1.5 square feet, up to a maximum of three hundred (300) square feet of signage is allowed. See illustration in Section 5-4-11.

- 1.3. Wall Sign Area Measurement: The area of the wall sign shall be determined by enclosing the elements of the sign in an imaginary rectangle, circle, triangle or parallelogram. The sum total area of the sign within the imaginary rectangle, circle, triangle, or parallelogram is deducted from the permitted wall signage available. See illustration in Section 5-4-11.
- 1.4. Wall Sign Limits: Signable wall area shall not extend above the roofline or parapet of a building.
- 1.5. Wall Sign Raceway: If a raceway is visible it shall match the color of the exterior of the building.
- 1.6. Wall Sign Projection Limitation: Wall signs may be painted on, or attached in a place substantially parallel to the building exterior wall, but must not project from the wall by more than eighteen (18) inches, at any point, and must not interrupt architectural details.
- 1.7. Permitted Secondary Business Wall Signage: In addition to the number of signs permitted by subsection 5-4-5:1 of this Section, one (1) wall sign may be permitted, for each secondary business located inside the primary business establishment. The sign area for each secondary business wall sign may not exceed ten (10) percent of the area of the wall sign displayed for the primary business, and all secondary business wall signs may not exceed the total of one hundred (100) square feet. The secondary business wall sign area calculation is excluded from the maximum sign area allowed by subsection 5-4-5:1 of this Section.

2. Monument Signs:

- 2.1. Permitted Monument Signage: Each business in a single tenant building with a minimum of one hundred (100) feet of lot frontage is allowed one monument mounted sign, oriented perpendicular to the public roadway. Monument signs for shopping centers with multiple tenants or auto dealerships which have a minimum of five (500) hundred linear feet along the roadway may have two (2) monument signs placed no closer together than two hundred (200) feet and must meet the area and setback requirements as indicated in this Section.
- 2.2. Monument Sign Area: Except in Special Areas of Control (Section 5-4-9), monument signs must comply with the following area requirements:

Posted speed limits of 40 mph or less - 45 square feet

Posted speed limits of 45 to 50 mph - 90 square feet

Posted speed limits of 55 mph or greater - 120 square feet

If the business has street frontage on a roadway that has a posted speed limit below the 85th percentile speed, said business will be eligible for a maximum sign area at the next area requirement listed above. In no case shall a monument sign exceed one hundred twenty (120) square feet.

- 2.3. Monument Sign Area Measurement: The sign area shall be the extreme outer dimension of the freestanding structure, excluding the support structure and architectural features. See illustration in Section 5-4-11.
- 2.4. Monument Sign Height: The height of a monument sign cannot exceed ten (10) feet. The height of a monument sign for an automobile dealership cannot exceed twenty (20) feet. When an automobile dealership is permitted more than one monument sign, per Section 5-4-5:2, the second monument sign cannot exceed ten (10) feet. An allowance to exceed the maximum height by an additional two (2) feet for architectural features shall be given for monument signs. See illustration in section 5-4-11.
- 2.5. Monument Sign Setback (Front Property Line): Any monument sign fronting a major arterial may be no closer than ten (10) feet from the front property line. All other monument signs must be a minimum of five (5) feet from the front property line.
- 2.6. Monument Sign Setback (Interior Property Line): A monument sign may not be located closer than forty (40) feet from an interior lot line, except as provided for in an area of special control (Section 5-4-9).
- 2.7. Permitted Outlot Monument Signs: Outlots and outbuildings located adjacent to a public roadway, within a shopping center, are permitted a separate monument sign not to exceed the limits established in Section 5-4-5:2 of this Section. Such sign must be displayed in front of the building and in accordance with the setback provisions established by this Section.
- 2.8. Monument Sign Landscape Requirement: A landscaped area located around the base of the monument sign equal to one (1) square foot for each one (1) square foot of monument sign area is required for all monument signs. The landscaped area shall contain well maintained material including living landscape materials, architectural stones, water features or other beautification measures placed throughout the required landscape area. It is the responsibility of the property owner to ensure that landscaping must be installed within six (6) months from the installation of the monument sign. See illustration in Section 5-4-11.
- 2.9. Monument Sign Address Identification: Address number must be incorporated into a monument sign. Addresses shall be at least five and a half (5.5) inches in height. Addresses not exceeding a height of six (6) inches are excluded from the sign area measurement.

2.10. Shared Access Sign Area Bonus: Adjacent parcels with a shared access agreement are eligible for a fifty percent (50%) area bonus for the installation of only a single monument sign benefiting the businesses located on both parcels, when one monument sign would be permitted for each parcel.

3. Awnings and Canopy Signs

3.1. Permitted Awning and Canopy Signs: Awning and canopy structures are allowed a sign per frontage facing a public or private roadway.

3.2. Awning and Canopy Sign Area: When an awning covers multiple businesses, each store is allowed up to twelve (12) square feet of signage.

3.3. Awning and Canopy Sign Area Measurement: The area of the awning and canopy signs shall be determined by enclosing the elements of the sign in an imaginary rectangle, circle, triangle or parallelogram. See illustration in Section 5-4-11.

3.3. Awning and Canopy Sign Color: Canopies and awnings are limited to two (2) colors. Logos are exempt from this provision. Striping may only be vertical or horizontal.

3.4. Awning and Canopy Sign Illumination: Canopies may be illuminated per Section 5-4-10 of this Chapter.

5-4-6: MISCELLANEOUS SIGNS: A variety of auxiliary signs permitted for lawfully established and maintained businesses, including retail, services, office, and institutional locations as provided herein, other than a wall, monument, or awning signs, regulated by Section 5-4-5 of this Chapter.

1. Changeable Signage: Changeable signage cannot exceed fifty percent (50%) of the permitted area of a monument sign and is permitted to change no more than once every ten (10) seconds and must contain a static message. Temporary signs cannot contain changeable signage.

2. Window Signs: Window signs are allowed up to twenty five percent (25%) of each window area. Temporary window signs are exempt from permit provided the total area of permanent and temporary window signs occupies no more than fifty percent (50%) of the window surface area. Televisions may be used as a window sign, but can only be used for the purpose of advertising services or merchandise associated with the business.

3. Commercial Real Estate Signs: Real estates signs in commercial districts are limited to one sign not to exceed forty-eight (48) square feet with a maximum height of ten (10) feet per driveway entrance.

4. Gasoline Service Station Signs: Gasoline service stations shall also be permitted to place one reader board on the building facade. Said reader board shall not exceed thirty-two (32) square feet. When such a reader board is utilized, the gasoline service station shall not make use of any other type of signs other than the monument sign allowed for each street frontage and the window signs allowed by the provisions of this Chapter.
5. Drive-Through Menu Boards: Two menu boards for a drive-in or drive-through restaurant, per drive through lane, shall be permitted in addition to other signs permitted under these regulations.
6. Commercial Development Identification Signs:
 - 6.1. Permitted Commercial Development Identification Signs: Planned unit commercial developments, existing commercial center consisting of at least ten (10) business establishments, or commercial developments exceeding ten (10) acres are permitted no more than one sign per street frontage for the development. Commercial Development Identification signs for shopping centers with multiple tenants and a minimum of five hundred (500) linear feet along the roadway may have two (2) commercial identification signs placed per street frontage and must meet the area and setback requirements as indicated in this Section.

A fifty percent (50%) area bonus will be granted for a commercial identification sign which is the only sign for a development on which more than one such sign would otherwise be permitted.
 - 6.2. Commercial Development Identification Sign Area: Signs shall be a maximum of thirty-two (32) square feet in area. See illustration for monument sign in Section 5-4-11.
 - 6.3. Commercial Development Identification Sign Height: Signs shall not exceed ten (10) feet from finished grade.
 - 6.4. Commercial Development Identification Sign Setback: Signs shall be located a minimum of ten (10) feet from any property line.
 - 6.5. Commercial Development Identification Sign Content: Commercial development identification signs are to display only the name of the development and logo.
 - 6.6. Commercial Development Identification Wall Sign: Signs shall be a maximum of thirty-two (32) square feet in area. See illustration for wall sign in Section 5-4-11.
7. Home Occupations: The area of a home occupation sign shall not exceed four (4) square feet, as determined by drawing an imaginary square or rectangular

envelope so as to enclose the entire surface of the sign. Additionally, home occupation signs shall be non-illuminated.

8. Commercial Signage for Residential Properties: Refer to the required conditions for signage provided in Chapter 6 (Residence Districts) of Title 6 (Zoning Regulations) for office uses permitted as a conditional use in the R1A, R1B, R2, R3A, and R3 zoning districts.

5-4-7: TEMPORARY SIGNS: Certain temporary signs and attention getting devices as defined in this Chapter may be permitted for promoting special community activities, special events, grand openings for businesses, the activities of nonprofit organizations, or the sale or lease of real property, and are subject to the following provisions of this section. Temporary signs are limited to events outside the normal routine of the business activities and are used to promote the special event itself. All signage must be temporarily anchored or secured to the ground or building.

1. Special Event Signs

- 1.1. Special Event Sign Time Period: No more than four (4) one week (7 day) periods during any calendar year. A special permit for temporary signs may be issued for any nonprofit entity or business by the City of Naperville after approval of a completed application and payment of the fees required by this Chapter. A temporary sign displayed for less than seven (7) days constitutes a one week period.
- 1.2. Special Event Sign Area and Height: Signs may not exceed thirty-two (32) square feet in size and must be placed on private property. The signs must be removed within five (5) days of the event.
- 1.3. Inflatable Sign Height: Inflatables and balloon signage are not to exceed twenty-five (25) feet in height and must meet the setback requirements provided in this Chapter.
- 1.4. Special Event Sign Location: Temporary signs must be placed as not to conflict with the sight distance requirements of Title 6 of this code, or create a potentially dangerous situation.
- 1.5. Special Event Sign Setback (Front Property Line): Any ground sign fronting a major arterial may be no closer than ten (10) feet from the front property line. All other ground signs must be a minimum of five feet (5') from the property line.
- 1.6. Special Event Sign Permit Fee: A permit fee for each display shall be paid to the City.

2. Temporary Real Estate Signs

- 2.1. Commercial Real Estate Signs: Commercial real estate signs are permitted in accordance with subsection 5-4-6 of this Chapter.
- 2.2. Residential Real Estate Signs: Residential real estate signs are permitted in accordance with subsection 5-4-8 of this Chapter.
3. Noncommercial Signs
 - 3.1. Noncommercial Sign Area: A single support structure shall not contain any sign(s) in excess of eight (8) square feet in total area. The area shall be determined by drawing an imaginary square or rectangle envelope so as to completely enclose the signage, including the support structure and any attention getting borders.
 - 3.2. Noncommercial Sign Height: A single sign or stacked signs, including the support structures, shall not exceed five feet (5') in height.
 - 3.3. Noncommercial Sign Setback: Noncommercial signs shall not be posted in a manner that creates a danger to the public, either as a result of dangerous construction, sight obstruction or any other cause. Noncommercial signs shall not be permitted within twenty (20) feet of the point formed by the intersection of the curb lines of two (2) or more streets, nor within ten (10) feet (10') of the paved portion of any street or back of curb where no sidewalk is present. See illustration for measurement in Section 5-4-11.
 - 3.4. Noncommercial Sign Permit: No permit shall be required for a noncommercial sign.
 - 3.5. Noncommercial Sign time Limit: Signage for which there is an event that the sign is referencing, shall be removed within seven (7) days of the occurrence of the event.

5-4-8: RESIDENTIAL SIGNS

1. Model Home Site Signs
 - 1.1. Permitted Model Home Site Signs: In a model home area signs may be displayed only on a registered model home site pursuant to Section 6-2-9 of this Code.
 - 1.2. Model Home Site Number: No more than three (3) signs shall be displayed on a model home site.
 - 1.3. Model Home Site Sign Area: The total footage limitation per model home shall not exceed forty eight (48) square feet.

- 1.4. Height: Height of a sign shall not exceed six (6) feet including ornamentation.
 - 1.5. Model Home Site Ornamental Flags: Ornamental flags are not to exceed one (1) in number and the pole height is not to exceed ten (10) feet at each model home location.
2. Model Home Area Signs
- 2.1. Model Home Area Sign Number: Only one sign is allowed per entrance with a maximum of three (3) in each subdivision for the sale or lease of lots, homes, or space.
 - 2.2. Model Home Area Sign Area: Signs are not to exceed thirty-two (32) square feet in area within the subdivision or at entrances.
 - 2.3. Model Home Area Sign Content: No limitation on items of information.
 - 2.4. Model Home Area Sign Height: The height of such a sign shall not exceed ten (10) feet including ornamentation.
 - 2.5. Model Home Area On Site Directional Signs: Directional signs may be placed from the entrances to the subdivision of the model home area, at each corner not to exceed six (6) square feet in area. Items of information shall be limited to the name of the subdivision or builder and logo; arrows and/or words of direction; and the height of the sign shall not exceed six feet (6') including ornamentation.
 - 2.6. General Limitation: There shall be no model home signs in any developed subdivision where there are no model homes.
3. Residential Development Identification Signs:
- 3.1. Residential Development Identification Sign Number: Two signs allowed per entrance with a maximum of four (4) in each subdivision.
 - 3.2. Residential Development Identification Sign Content: Residential development identification signs are to display only the name of the subdivision and logo.
 - 3.3. Residential Development Identification Sign Height: Entrance signs shall not exceed a height of three feet six inches (3'6").
 - 3.4. Residential Development Identification Sign Area: Maximum size shall not exceed thirty-two (32) square feet of sign area.

- 3.5. Residential Development Identification Sign Setback: Residential development identification signs fronting a major arterial may be no closer than ten (10) feet from the front property line. All other monument signs must be a minimum of five (5) feet from the front property line.
 - 3.6. Residential Development Identification Sign Illumination: Indirect illumination will be permitted.
 - 3.7. Non-Conforming Residential Signs: Any entrance sign in existence in the public right of way or parkway or otherwise does not conform to the requirements of this Chapter at the time of the enactment of this Section is exempted from conformance. Homeowners' associations will have the option to repair a sign without conforming to the requirements of this Section as long as the sign was in existence prior to the enactment of this section.
4. Residential Real Estate Signs:
 - 4.1. One (1) temporary sign is allowed for sale, lease, or rent, of residential property and shall not exceed five (5) square feet and is exempt from permit pursuant to this Chapter.
 - 4.2. One (1) temporary sign is allowed for contractors, developers, or architects and shall not exceed five (5) square feet and is exempt from permit pursuant to this Chapter.

5-4-9: SPECIAL AREAS OF CONTROL

1. Downtown Central Business District:
 - 1.1. In the central business district area (for properties zoned B4, B5, and TU), the sum of the area of all ground, wall, and permanent window signs facing the public right of way shall not exceed an area equal to one and one-half (1 1/2) square feet of frontage per side.
 - 1.2. One projecting sign for each main (first) floor establishment is permitted. It may not extend more than thirty six inches (36") from the vertical plane of the facade and must be six (6) inches from the facade. It shall not exceed five (5) square feet in area and shall not be lower than eight (8) feet from the sidewalk. Such projecting signs shall not be internally illuminated. External lighting is permitted. Only the name of the business owner, business and/or logo may be displayed. Second floor business establishments may display a projecting sign with the same criteria. The sign must be located over or within two (2) feet of the first floor door access to the business.

- 1.3. Ground signs are limited to thirty (30) square feet. The maximum height of a ground sign shall be ten (10) feet. Properties must have a minimum linear frontage of fifty feet (50') to display a ground mounted sign. The sign can be no closer than fifteen (15) feet to an interior lot line.
- 1.4. Wall signs for first floor businesses must be located over the leased space. Wall signs for businesses located above the first floor may be displayed on the portion of the building that the business occupies in such a fashion as to complement the architectural integrity of the building.
- 1.5. Awning signs are permitted in accordance with subsection 5-4-4:5 of this Chapter.
- 1.6. Sidewalk signs are exempt from permit. Such signs shall not exceed six (6) square feet in area, may be located only on the sidewalk in front of the business and may not obstruct pedestrian traffic. All sidewalk signs must be removed at the closing of business or during severe weather including high winds and heavy snow fall. Sidewalk signs cannot be located in the Central Business District during snow removal operations or during other severe weather events.
- 1.7. Menu boards for restaurants and taverns are permitted to be displayed on the wall of the business. Such signs may not exceed nine (9) square feet in area. The sign may include menus or notice of special events including community events. All such signs must be enclosed in a glassed frame.
2. Tollway Corridor: For properties that are directly adjacent to the I-88 corridor, the regulations of this Chapter apply unless otherwise noted below:
 - 2.1. Ground signage must have a tollway frontage with a minimum of five hundred (500) feet.
 - 2.2. The area of a ground sign cannot exceed one hundred twenty (120) square feet.
 - 2.3. The height cannot exceed twenty-five (25) feet.
3. Educational Campus: Any educational campus is subject to the regulations of this Chapter unless otherwise stated below:
 - 3.1. Entry monuments are permitted within the perimeter of the campus and all such structures shall be on private property.
 - a. The monument sign may not exceed five (5) feet in width and six feet (6') in height including ornamentation.

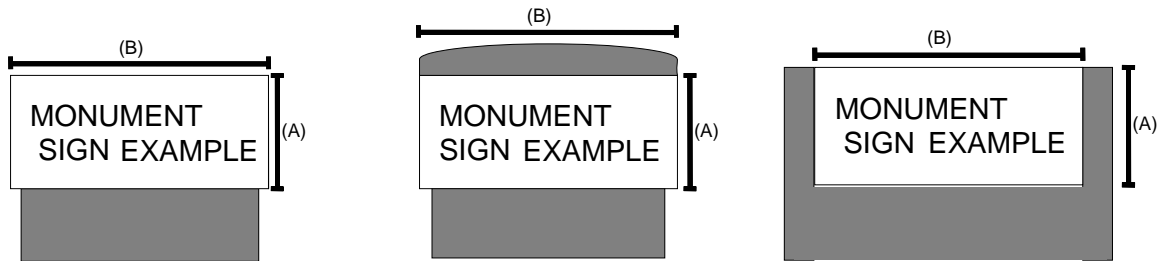
- b. Any monument sign fronting a major arterial may be no closer than ten (10) feet from the front property line. All other monument signs must be a minimum of five (5) feet from the front property line.
 - c. The sign area of the monument sign shall not exceed thirty-two (32) square feet.
- 3.2. Building identification may consist of one ground mounted sign not to exceed fifteen (15) square feet in area with a maximum height of five (5) feet and a minimum setback of five (5) feet from the property line. A wall mounted sign shall not exceed thirty-two (32) square feet in area and not extend over the roofline of the building.
- 3.3. Information signs may consist of any of the following:
- a. "Kiosk" display area not to exceed twenty-five (25) square feet in area per side.
 - b. Shall not exceed twelve (12) feet in height.
 - c. Shall provide a ten (10) foot minimum setback.
 - d. Shall be contained within the campus property.

5-4-10: ILLUMINATION: Internally or externally illuminated signs shall be permitted, per the regulations of this Chapter, provided they meet the following requirements:

1. Signs shall be illuminated only by steady, stationary, shielded or shaded light sources directed solely at the sign or internal to it so that the light intensity or brightness does not create either a nuisance to adjacent property or a traffic hazard for motorists or pedestrians.
2. Individual letters or logos may be internally illuminated. All other portions of the sign shall be opaque.
3. No exposed reflective type bulb and no strobe light shall be used.
4. Illuminated signs shall produce no more than thirty (30) foot-candles of illumination, four (4) feet from the sign.
5. Whenever external illumination is used to illuminate a sign, the source of light shall be located, shielded, and directed in such a manner that the light source is not visible from a public street or private residence.

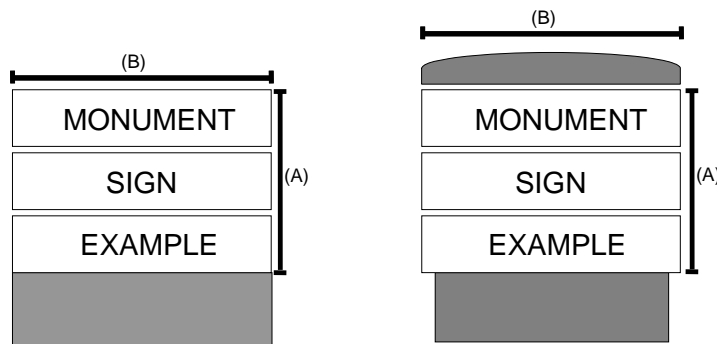
5-4-11: MEASUREMENTS: The following criteria shall be used in measuring a sign or building façade in order to determine compliance with this ordinance:

1. Sign Area, Monument Sign: The sign area shall be the extreme outer dimension of the freestanding structure, excluding the support structure and architectural features.



TOTAL AREA = (A) x (B)
 Support structures and architectural features are excluded from Total Area

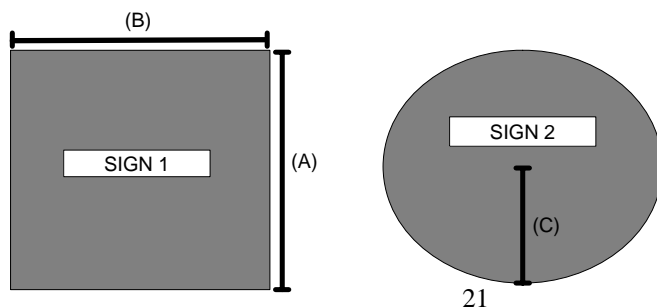
2. Sign Area, Monument Sign (Multiple Elements): For monument signs that contain multiple cabinets on one structure, the modules together are counted as one sign face in order to compute the sign area.



TOTAL AREA = (A) x (B)
 Support structures and architectural features are excluded from Total Area

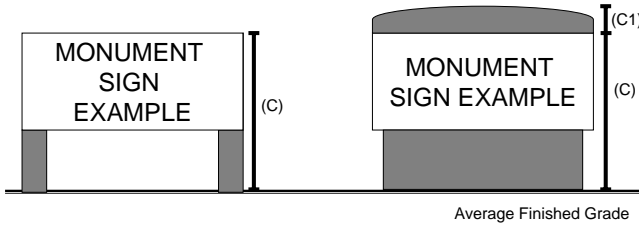
3. Monument Sign (Landscape Requirement): The landscape requirement is determined by calculating the area of the landscaped area located around the base of the monument sign. Examples of a rectangular and circular area are provided below.

BIRD'S EYE VIEW



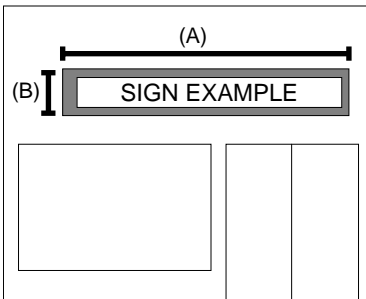
GROUND SIGN
 SIGN 1: Total Required Landscaped Area = (A) x (B)
 SIGN 2: Total Required Landscaped Area = 3.14159 x ((C) x (C))

4. **Sign Height, Monument Sign:** The overall height of a freestanding sign or sign structure is measured from the average finished grade at the base of the sign to the highest points of the sign structure.



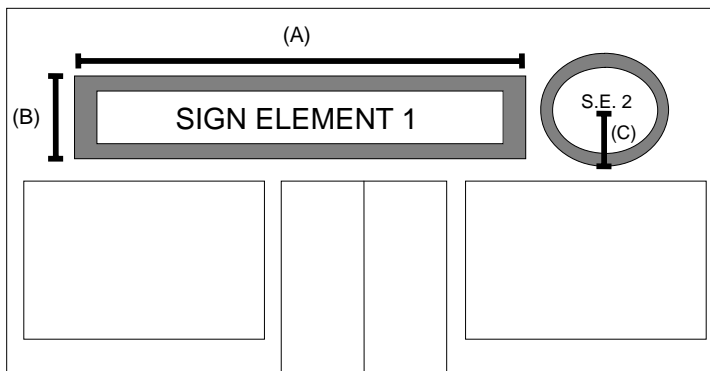
HEIGHT = (C) measured from Average Finished Grade (cannot exceed 10 Feet)
 (C1) architectural feature
 (C + C1) cannot exceed 12 Feet

5. **Sign Area, Wall Sign (Single Element):** The sign area is determined by calculating the measurements of the outer dimensions of the frame or cabinet surrounding the sign.

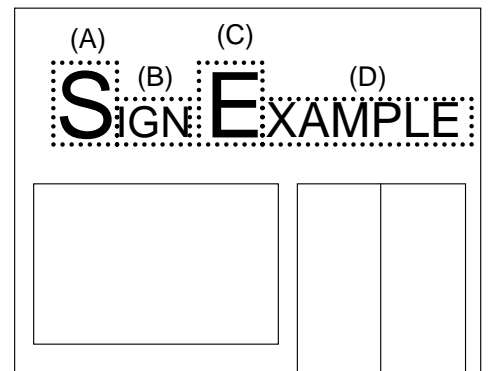


TOTAL AREA = (A) x (B)

6. **Sign Area, Wall Sign (Multiple Elements):** When signs are constructed of individual elements, the area of all sign elements, which together convey a single, complete message, shall be considered as a single sign. The sign area is determined by calculating the area of an imaginary rectangle, circle, triangle, or parallelogram drawn around the sign elements.

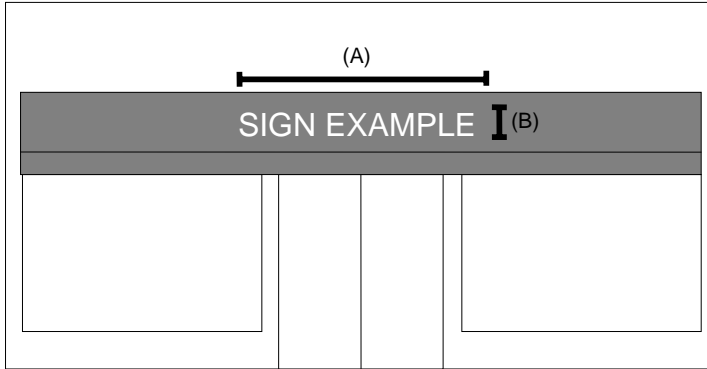


SIGN ELEMENT 1 = (A) X (B)



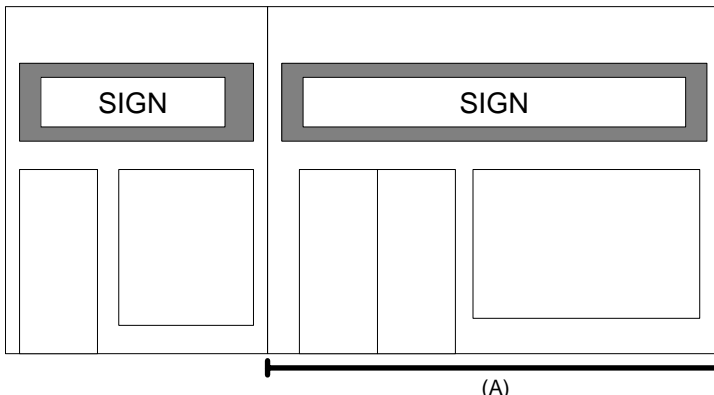
TOTAL AREA = ELEMENT A + ELEMENT B

7. Sign Area, Awning and Canopy: When signs are incorporated into the awning, or canopy, the sign area is determined by computing the area of an imaginary rectangle, circle, triangle, or parallelogram drawn around the sign.



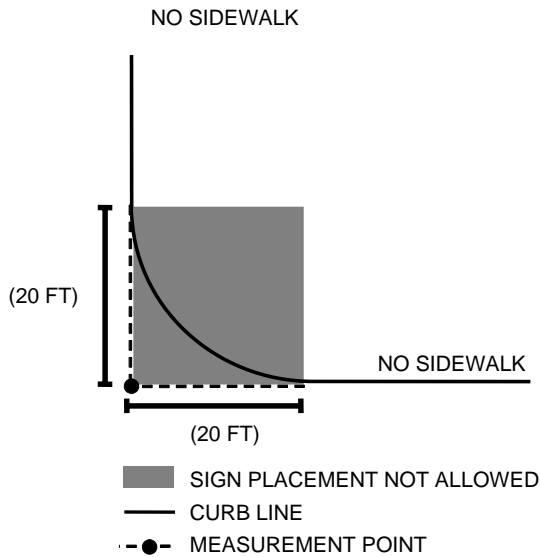
TOTAL AREA = (A) x (B)

8. Measurement of Building Frontage: The building frontage shall be calculated using the width of the first story exterior wall as described. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screened walls, fences, etc. Alcoves, entryways and extruding portions shall be measured through as though along a flat wall of a building.



BUILDING FRONTAGE = (A)

9. Measurement of Non-Commercial Signage Setback: Noncommercial signs shall not be permitted within twenty (20) feet of the point formed by the intersection of the curb lines of two (2) or more streets, nor within ten (10) feet of the paved portion of any street or back of curb where no sidewalk is present.



5-4-12: PERMIT PROCESS: Unless exempted from the requirements of this Chapter, no person shall erect or display any sign unless issued a permit.

1. Application: Any person or activity proposing to erect, display, or replace a sign, with the exception of individual panels on a multiple tenant sign, shall file an application on a form provided by the City of Naperville. Signs listed in Section 5-4-4 of this Chapter are exempt from a sign permit. The following supporting documents are required for review of a permit:
 - 1.1. Scaled drawing of proposed sign (scale must be indicated on drawing).
 - 1.2. Location drawing, clearly drawn indicating roadways, parking lots & buildings, including dimensions of setback (ground signs).
 - 1.3. Detailed, scaled drawing of building elevation where sign will be placed (wall signs).
 - 1.4. Plat of survey.
 - 1.5. Completed electrical contractor's certification (for signs requiring electric).
2. Granting Of Permit: After review, a permit for the sign shall be granted if:
 - 2.1. It complies with this Chapter.

- 2.2. It has been authorized by a variance granted by the City of Naperville, if required.
- 2.3. All applicable permit fees have been paid as required.
3. Conformance With The National Electrical Code: All signs in which electrical wiring and connections are required shall conform to the applicable provisions of the national electrical code.
4. Wind Pressure And Dead Load Requirements: Signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and to receive dead loads as required in the building code.
5. Payment Of Fees: All fees shall be paid in full before any permit for a sign is issued.
6. Completion Of Authorized Work: If the work authorized under the permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.
7. Abandoned Signs: Any sign which has been deemed abandoned shall be removed; or have the face replaced with a weatherproof, blank face by the owner, agent or person having the beneficial use of the building, structure or lot upon which such sign is located within one hundred eighty (180) days after the business has abandoned the tenant space. Any abandoned sign that does not comply with this provision is considered a nuisance and subject to abatement by the City. The owner of the abandoned sign will be responsible for reimbursement to the City of Naperville for all costs relating to the abatement of the nuisance.

5-4-13: NONCONFORMING SIGNS: Any nonconforming sign lawfully in existence at the time of the adoption of this Chapter or any subsequent amendment hereto may be continued in accordance with the provisions of this section. Non-conforming signs may continue to exist provided the signs are in conformity with the provisions of this Chapter.

1. Ordinary repairs and maintenance, including removing and replacing of the outer panels shall be permitted; provided that no structural alterations, revision of the signage, or other work shall appreciably extend the normal life of the sign.
2. No repair, alteration, or replacement which increases the size of the sign shall be permitted.
3. No sign shall be moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to all regulations of this Chapter and other applicable regulations of the City.

4. A nonconforming sign which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed fifty percent (50%) of the cost of the replacement of the entire sign, shall not be restored unless said sign shall conform to all of the regulations of this Chapter and other applicable regulations of the City of Naperville.

In the event such damage or destruction is less than fifty percent (50%) of the cost of restoration of the sign to the condition in which it was before the occurrence of damage or destruction, restoration must be completed within one hundred eighty (180) days from the date of such damage or destruction, and diligently pursued to completion, or the sign shall be removed.

5. If a nonconforming sign is discontinued for a continuous period of one hundred eighty (180) days, it shall be removed, and any subsequent sign shall conform to all of the requirements of this Chapter and other applicable regulations of the City of Naperville.
6. No substitution, through repair or alteration, of any element of a sign, which causes such sign to be classified as nonconforming, for another such element, shall be permitted.
7. Any nonconforming sign which violates any provision of this Section shall be considered a nuisance and removed within 30 days. Failure to remove within thirty (30) days shall subject the sign to abatement by the City. The owner of the non-conforming sign shall be responsible for reimbursement to the City of Naperville for all costs relating to the abatement of the nuisance.

5-4-14: VARIANCES: It is recognized that the regulations provided in this Chapter cannot sensitively handle all of the sign situations in an area as diverse as that covered by the City. Therefore, the following procedures and requirements shall be applicable to any request for a variance:

1. Request Form: The applicant shall file a written request for a variance on a form provided by the City which shall include:
 - 1.1. Site Plan: depicting any existing structures, proposed structures, additions, signs, and/or fences (drawn to scale) and the setbacks from lot lines to such improvements.
 - 1.2. Elevation Plans: drawing of proposed sign or signs drawn to scale with dimensions shown, depicting the signs.
 - 1.3. A typed legible, neat legal description of the property on a separate page.
 - 1.4. Disclosure of Beneficiaries and/or, if the petitioner is a trust, then a Trust Disclosure.

- 1.5. Filing Fee: Includes and application fee and fee for the publishing of public notice.
2. Filing: The director or his or her designee shall forward the application to the City clerk for filing and delivery to the City council.
3. Review: The director shall transmit copies of the application to the Plan Commission or Zoning Board of Appeals, as appropriate for review and public hearing.
4. Public Hearing: The Plan Commission or Zoning Board of Appeals, as appropriate, shall hold a public hearing within sixty (60) days after the completed application has been filed.
5. Notice Of Hearing: The City clerk shall cause notice of the public hearing to be published in a newspaper of general circulation in the City at least at least fifteen (15) days prior to the hearing before the public hearing.
6. Hearing And Record: The public hearing shall be conducted by the Plan Commission or Zoning Board of Appeals, as appropriate and a record of such proceedings shall be preserved in such manner as the zoning board of appeals shall, by rule, prescribe from time to time.
7. Findings And Recommendations: Except for those matters on which the board of zoning appeals is authorized to take final action, the zoning board of appeals may make written findings of fact and shall submit same together with its recommendations to the City Council within one hundred twenty (120) days of filing of the application. The Plan Commission or Zoning Board of Appeals may impose such conditions and restrictions upon the subject sign and property, the location, the construction, design and use of the sign benefited by such a variation as may be necessary or appropriate to comply with the foregoing standards and to protect adjacent property and property values, and ensure traffic safety
8. Council Decision: After recommendation by the Plan Commission or Zoning Board of Appeals, as appropriate, the City Council may, by resolution, grant, or grant with modification, the proposed variance. If the City Council does not approve of a proposed variance after recommendation by the Plan Commission or Zoning Board of Appeals, it may deny the proposed variance or refer the proposed variance back to the Plan Commission or Zoning Board of Appeals, as appropriate.
9. Withdrawal Of Application: An application for a variance may be withdrawn by the applicant any time prior to its approval by the City Council. Withdrawal shall not affect the applicant's responsibility for payment of fees under Section 6-3-10 of this Code. Upon such withdrawal, the City council may, at its discretion, permit a substitute applicant, who shall be any person authorized to file an

original application, to resubmit the withdrawn application within thirty (30) days of the original applicant's withdrawal, and no additional fees shall be charged.

10. Effective Period Of Variance:

10.1. No variance shall be valid for a period longer than two (2) years from the date of the ordinance granting the variance unless a building permit is obtained within such period and the erection or alteration of the sign is started within such period.

10.2. Where conditions have not substantially changed since the date on which the variance was authorized, the owner of a parcel for which a variance has been authorized may, within one year prior to expiration of said variance, request the City council to extend the effective period of said variance for no more than one additional period of up to one year without reapplication to the ZBA or plan commission.

10.3. A variance shall not be valid if a sign for which a variance has been granted is destroyed or damaged by fire, collapse, explosion or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed fifty percent (50%) of the replacement cost of the sign at the time of destruction or damage.

10.4. In the event such damage or destruction is less than fifty percent (50%) of the replacement cost of sign, the variance shall be valid only if such restoration is started within six (6) months from the date of partial destruction and restoration proceeds and does not cease for a period of sixty (60) days and completion is accomplished within twenty-four (24) months from the date of partial destruction.

11. Standards for Variations: The zoning board of appeals shall not recommend or grant a variation unless it shall make findings of fact based upon evidence presented at the hearing in any given case that:

11.1. The plight of the owner is due to unique circumstances and the proposed variation will not merely serve as a convenience to the petitioner, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations of this Chapter were carried out and which particular hardship or practical difficulty is not generally applicable to other comparable signs or properties.

11.2. The alleged hardship has not been created by any person presently having a proprietary interest in the subject sign (or property).

- 11.3. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- 11.4. The proposed variation will not impair visibility to the adjacent property, increase the danger of traffic problems or endanger the public safety.
- 11.5. The proposed variation will not alter the essential character of the neighborhood; and
- 11.6. The proposed variation is in harmony with the spirit and intent of this Chapter.

5-4-15: ADMINISTRATION AND ENFORCEMENT:

- 1. Enforcement: The development services team leader, or his/her designee, is hereby authorized and directed to enforce the provisions of this Chapter.
- 2. Interpretation: The development services team leader shall be responsible for interpreting the provisions of this ordinance.
- 3. Penalty: Any person who violates any of the provisions of this Article shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- 4. Commercial and non-commercial signage placed in the public right-of-way in violation of this Article shall be considered a nuisance and subject to abatement by the City. The person responsible for the illegally placed signs may be responsible for reimbursement to the City for the City's costs of the removal or abatement of the illegally placed signs in addition to being charged with violating the provisions of this ordinance and subject to any fines and costs. The City Manager may take whatever action is lawful and necessary to collect costs due under this provision including, without limitation, hiring a collection agency, refusing to issue any City permit or license to the person/s responsible, including any service charges and costs of collection. The City may also set off against any amounts owed by the City to the person/s responsible amounts then owed by the delinquent customer to the City. Any person/s responsible desiring to obtain a City permit or license while contesting the amount owed the City, may obtain a City permit or license by posting financial security in a form acceptable to the City Attorney, and in an amount equal to the disputed amount.

5-4-16: INSURANCE AND BOND REQUIREMENTS: Every applicant for a permit for a street sign which will extend over a public right of way or which is so located that it may fall upon the same, shall file with the City before the permit is granted, a liability insurance policy covering all damage or injury that might be caused by each of said street signs, or certificate of insurance therefore, issued by an insurance company authorized to

do business in the state of Illinois and satisfactory to the City, with limits of liability of not less than fifty thousand dollars (\$50,000.00) for property damage and five hundred thousand dollars (\$500,000.00) for personal injuries. The City, its officers, agents and employees shall be named as additional parties insured. Such liability insurance policy shall be maintained in force throughout the life of the permit, and if at any time it shall not be in full force, the permit shall be revoked by the City.

SECTION 2: This Ordinance shall be in full force and effect after its passage and approval.

PASSED this ____ day of _____, 2008.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2008.

ATTEST:

A. George Pradel
Mayor

Pam LaFeber
City Clerk

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