

ORDINANCE NUMBER 06 - 46

ORDINANCE AMENDING THE EAST DUNDEE
CODE OF ORDINANCES, TITLE XV, LAND USAGE,
CHAPTER 156, SIGNS (ELECTRONIC SIGNAGE)

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and 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, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Title XV, **Land Usage**, Chapter 156, **Signs** be amended.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That Title XV, **Land Usage**, Chapter 156, **Signs**, of the Village of East Dundee Code of Ordinances is hereby amended as follows:

§ 156.02. DEFINITIONS

(b) *Illumination and movement.*

2. **CHANGEABLE COPY SIGN/READER BOARD.** A sign on which copy is manually changed in the field.

3. **ELECTRICAL SIGN.** A sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

4. **FULL ELECTRONIC MESSAGE DISPLAY.** A sign capable of displaying words, symbols, figures or images that can be electronically or

mechanically changed by remote or automatic means, including animated graphics and video.

5. **ILLUMINATED SIGN.** A sign in which the source of illumination is a fundamental or integral part of the sign.

6. **INDIRECTLY ILLUMINATED SIGN.** A sign which reflects light from a source intentionally directed upon it.

7. **NON-ILLUMINATED SIGN.** A sign which has no direct or indirect source of light.

8. **MONUMENT SIGN.** A freestanding sign supported primarily by an integral structural framework having the appearance of a solid base or integrated into landscaping or other solid structural features other than support poles or pylons. The width of the top of the sign shall be no more than 120 percent of the width of the base.

9. **STATIC ELECTRONIC MESSAGE DISPLAY.** A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Consistent with the definitions below, said displays shall change only through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including movement of any illumination or the flashing, scintillating or varying of light intensity.

a. **DISSOLVE.** A mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

b. **FADE.** A mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

c. **FRAME.** A complete, static display screen on an electronic message display.

d. **FRAME EFFECT.** A visual effect on an electronic message display to change one message to another.

e. **TRANSITION.** A visual effect used on an electronic message display to change from one message to another.

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§ 156.03. GENERAL REGULATIONS.

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(F) *Movement.* Moving, rotating or animated signs or signs creating the illusion of movement shall be prohibited, except for those signs permitted to contain an electronic message display as per the provisions of an overlay district established within this Chapter.

(G) *Illumination.*

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(5) Illumination shall be constant in intensity and color, and shall not consist of flashing, animated, chasing, scintillating or other illumination conveying the sense of movement except for those signs that exhibit time and temperature or are permitted to contain an electronic message display as per the provisions of an overlay district established within this Chapter.

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(I) *Changeable copy.* Unless specifically provided for otherwise herein, changeable copy signs are prohibited. Where such signs are permitted, the area of the changeable copy sign shall be included within the total permitted area of the sign.

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(R) *Prohibited signs.*

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(3) Flashing signs, except for those signs permitted to contain an electronic message display as per the provisions of an overlay district established within this Chapter;

(E) *East Side Commercial Overlay District.*

(1) *District area.* The area of the East Side Commercial Overlay District includes all lots zoned B-2, B-3, or B-4 with frontage on Highways 25 and/or 72 within the following boundaries:

- (a) On the north, the south side of the Highway 68 right-of-way;
- (b) On the south, the Village corporate limits;
- (c) On the east, the Village corporate limits; and
- (d) On the west, a north-south line crossing a point in the center of the Highway 72 right-of-way approximately 1077.18 feet from of the center of the intersection of Highways 25 and 72 as measured down the centerline of Highway 72.

(2) *Permitted freestanding signs.* Freestanding signs shall be permitted in the East Side Commercial Overlay District subject to the following:

- (a) One freestanding sign is permitted on each side of a lot with frontage on a public street provided that the width of the frontage is 100 feet or greater.
- (b) In the event other provisions of this Chapter permit other freestanding signs on a lot within the overlay district, each freestanding sign permitted by this subsection shall be in lieu of one other freestanding sign of the most similar size otherwise permitted on the lot.
- (c) The total size of the freestanding sign, including all structural elements, shall not exceed 20 feet in height, 15 feet in width, nor 3 feet in thickness.
- (d) The sign area shall not exceed the following:
 - 1. For lots with a width of at least 100 feet but less than 250 feet, 125 square feet per side, limited to two sides or 250 square feet total.
 - 2. For lots with a width of 250 feet and greater,

140 square feet per side, limited to two sides of 280 square feet total.

3. The freestanding sign shall have a minimum front setback of 15 feet and a maximum front setback of 30 feet.

4. The freestanding sign shall have a minimum setback of 100 feet from any lot located within a residential zoning district.

5. The freestanding sign shall not impede normal pedestrian movement nor obstruct the driver line-of-sight for the motor vehicle traffic.

(3) *Electronic message display.* For new car dealerships, multi-tenant retail centers and amusement establishments only, the freestanding sign permitted in paragraph 2, above, may contain a fully electronic message display consisting of words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means, including animated graphics and video, subject to the following:

(a) The area of the electronic message display shall not exceed 75% of the sign area.

(b) The intensity of illumination and the movement of any illumination or the flashing, scintillating or varying of light intensity shall not constitute a traffic hazard as described in subsection 156.03(E).

(4) *Compliance with all other regulations.* Except where expressly stated otherwise in this subsection, all freestanding signs permitted herein shall comply with all other applicable regulations contained in this Chapter.

(F) *Hilltop Commercial Overlay District.*

(1) *District area.* The area of the Hilltop Overlay District includes all properties zoned B-2, B-3, or B-4 with frontage on Highway 72 within the following boundaries:

(a) On the west, a north-south line crossing a point in the center of the Highway 72 right-of-way approximately 1,077.18 feet from of the center of the intersection of Highways 25 and 72 as measured down the centerline of Highway 72; and

(b) On the east:

1. On the north side of Highways 72, the east right-of-way line of Highway 68; and

2. On the south side of Highway 72, a line parallel to and approximately 361.76 feet from the centerline of the Van Buren Street right-of-way a point in the center of the intersection of Highway 72 and Van Buren Street.

(2) *Permitted freestanding signs.* Freestanding signs shall be permitted in the Hilltop Commercial Overlay District subject to the following:

(a) One freestanding sign is permitted on each lot with a minimum of 100 feet of frontage on Highway 72.

(b) In the event other provisions of this Chapter permit other freestanding signs on a lot within the overlay district, each freestanding sign permitted by this subsection shall be in lieu of one other freestanding sign of the most similar size otherwise permitted on the lot.

(c) The total size of the freestanding sign, including all structural elements, shall not exceed 15 feet in height, 10 feet in width, nor 3 feet in thickness.

(d) The sign area shall not exceed 50 square feet per side, limited to two sides or 100 square feet total.

(e) The freestanding sign shall have a minimum front setback of 15 feet and a maximum front setback of 30 feet.

(f) The freestanding sign shall have a minimum setback of 100 feet from any lot located within a residential zoning district.

(g) The freestanding sign shall not impede normal pedestrian movement nor obstruct the driver line-of-sight for the motor vehicle traffic.

(3) *Electronic message display.* For new car dealerships, multi-tenant retail centers and amusement establishments only, the freestanding sign may contain a static electronic message display capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means, subject to the following:

(a) The area of the electronic message display shall not exceed 75% of the sign area.

(b) The electronic display shall contain static messages only. Said messages shall change only through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, but which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including movement of any illumination or the flashing, scintillating or varying of light intensity.

(c) Each message on the sign shall be displayed for a minimum of 10 seconds.

(d) The intensity of illumination shall not constitute a traffic hazard as described in subsection 156.03(E).

(4) *Compliance with all other regulations.* Except where expressly stated otherwise in this subsection, all freestanding signs permitted herein shall comply with all other applicable regulations contained in this Chapter.

Section Two. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 16th day of October, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanOstenbridge, Scarpelli, O'Leary,
Gorman, Curtini, Pres. Bartels

NAYES: _____

ABSENT: _____

Approved by me this 16th day of Oct, 2006.

Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 19th day of October, 2006, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton

SUSAN NORTON, Village Clerk

Recorded in the Village Records on Oct. 19, 2006.

