

ORDINANCE 2017-06

**AN ORDINANCE AMENDING THE SIGN REGULATIONS CHAPTER
OF THE WEST DUNDEE MUNICIPAL CODE**

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, Village staff has noted the need to amend the applicable sections of Title 9, Chapter 4: Sign Regulations of the Municipal Code recommending regulations related to signs for commercial business entities and issuance of occupancy permits; and

WHEREAS, the President and Board of Trustees have carefully considered staff's recommendation as well as the information presented and have determined that the amended regulations will improve administrative and enforcement procedures for the betterment of the Village and the commercial business districts of its built environment.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That Chapter 4 Sign Regulations Section 9-4-5 General Rules for All Signs be amended per Exhibit A attached to this Ordinance.

SECTION 2: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 3: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publications is hereby authorized as provided by law.


PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 6th day of February, 2017.


AYES: Trustees Price, Hanley, Yuscka, Wilbrandt and Kembitzky

NAYS: None

ABSENT: Trustee Pflanz

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: February 6, 2017
Approved: February 8, 2017
Published: February 8, 2017

Prepared by:
Village of West Dundee
Community Development Department
100 Carrington Drive
West Dundee, IL 60118

EXHIBIT A

9-4-5: GENERAL RULES FOR ALL SIGNS:

A. Classification Of Signs: Signs shall be classified and permitted in accordance with the regulations set forth in this chapter. Only those signs specifically permitted shall be allowed. The classification of signs and sign regulations shall be in accordance with the various use areas designated herein.

B. Private Sign Covenants Or Tenant Sign Criteria: Nothing in this chapter shall be construed to prevent the owner or property manager of a shopping center, multiple business center, other similar multi-tenant or multi-user property, or other business, industrial or institutional use to impose and enforce private sign covenants upon such property which may be more restrictive or which may set higher standards than the provisions of this chapter. However, in the case of conflict between these regulations and the private sign covenants, the more restrictive regulations or the higher standards shall govern. The village shall not be responsible for enforcement of private sign covenants.

C. Location For Signage: No signs shall be allowed in the sight triangle for a property or site or in a public parkway. (Ord. 14-02, 1-20-2014)

9-4-5: GENERAL RULES FOR ALL SIGNS:

D. Occupancy Permit: Since identification of commercial businesses is beneficial to individual businesses and instrumental in the appearance and perception of the vitality of the Village's commercial districts, a commercial business entity shall work with Village staff on its signage as soon as is practically possible either prior to or soon after formally committing to a tenant space through lease or ownership.

A formal application for signage shall be submitted to the Village in a timely manner for review by staff and consideration by the Appearance Review Commission so that a signage plan may be approved – and potentially fabricated and installed – by the time a commercial business space is inspected for potential issuance of its certificate of occupancy.

If an application for commercial business signage that has been submitted to and reviewed by the Appearance Review Commission does not receive a recommendation from the Commission within 60 days from the date of its initial review by the Commission, the Village shall issue an occupancy permit for the establishment so long as all other building permit or occupancy permit conditions have otherwise been met.

A commercial business entity shall have its signage installed no later than 90 days after issuance of the occupancy permit. A written request for a specific extension of time, not greater than 90 days, may be reviewed and administratively approved by the Community Development Director (or staff designee) as a reasonable accommodation due to practical difficulties a commercial business entity may encounter in securing its signage or its installation. An extension beyond the administratively-approved 90 days shall require consideration by the Village President and Board of Trustees.