

ORDINANCE 2022-02

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(a) of the Constitution of the State of Illinois and as such has the power to and authority to perform any function pertaining to its government affairs; and,

WHEREAS, the Village of West Dundee has supported the use of artists for seasonal window painting in conjunction with Dickens in Dundee, a program which has been well-received by the community; and,

WHEREAS, business owners within the B-1 Downtown Business District have increasingly sought out and implemented hand-painted window signs and artwork over the past 12+ months, and have expressed a desire to continue to seek such opportunities; and

WHEREAS, the Appearance Review Commission discussed guidelines and procedures in support of temporary thematic window compositions in the B-1 Downtown Business District at public meetings dated October 12 and November 9, 2021, with continued discussion regarding both temporary thematic window compositions and maximum glazing coverage for business promotional signs and temporary window signs at a public meeting on December 14, 2021, resulting in a recommendation for text amendments to section of Title 9: Building Regulations, Chapter 4: Sign Regulations, of the Municipal Code; and,

WHEREAS, the President and Board of Trustees have carefully considered the recommendation of the Appearance Review Commission and have determined that the regulations will respond to the changing needs of businesses, enhance the commercial corridor, and improve administrative and enforcement procedures for the betterment of the Village.

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 Article 9, Chapter 4 of the Village of Code of the Village of West Dundee be amended as follows:

(a) That "Thematic Window Compositions, Temporary" be and is hereby added to Section 9-4-3: Types of Signs; Definitions, as follows:

Thematic Window Compositions, Temporary: A temporary sign that celebrates thematic or artistic expression and is on display for only a limited period of time.

(b) That Section 9-4-6: Signs Not Subject to Permit, be and is hereby amended with the text attached hereto as Exhibit A.

(c) That "Thematic Window Compositions, Temporary" be and is hereby added to Section 9-4-7: Signs Requiring Sign Permit, with the text attached hereto within Exhibit B.

(d) That "Business Promotional Signs" and "Window Signs, Temporary", as addressed in Section 9-4-7: Signs Requiring Sign Permit, be and is hereby amended with the text attached hereto within Exhibit B.

(e) That "Thematic Window Compositions, Temporary" be and is hereby added to Table 9-4-8B: Signs for Historic Area, Permit Required, with the text attached hereto as Exhibit C.

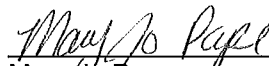
SECTION 2: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and 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 17th day of January, 2022.

AYES: Trustees Price, Yuscka, Haley, Alopogianis, Anderley and Wilbrandt
NAYS: None
ABSENT: None

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

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

EXHIBIT A

9-4-6: SIGNS NOT SUBJECT TO PERMIT:

Displays Or Decorations For Holidays And Special Occasions, Temporary: Do not require a permit but are subject to the following:

- A. Temporary displays or decorations customarily associated with any national, State, local or religious holiday or celebration shall be erected no earlier than forty five (45) days before and displayed no longer than sixty (60) days after the holiday/celebration.
- B. Temporary displays or decorations announcing special occasions including, but not limited to, the birth of a child, birthdays or weddings shall be displayed for a maximum of ten (10) days.
- C. Temporary displays shall be differentiated from temporary thematic window compositions.

Window Signs, Temporary: All window signs not otherwise defined shall not occupy more than fifty percent (~~50%~~) twenty-five percent (25%) of the total window area of the first floor including glass door if applicable. Window signs must be on premises signs and cannot be displayed above the first floor without permit approval.

EXHIBIT B

9-4-7: SIGNS REQUIRING SIGN PERMIT:

Business Promotional Signs: A temporary use permit is required; the fee is twenty five dollars (\$25.00) annually. A single business may display a special event or promotional sign on a limited basis. These signs can be vinyl banner signs or other permitted temporary sign material as approved by the building official. All signs must be wholly displayed on private property.

- A. Number: Businesses are permitted four (4) promotional event signs and/or special event signs per year. Only one such sign is permitted to be displayed at a time for each business or zoning lot.
- B. Duration: Promotional signs shall be permitted for thirty (30) day periods. Display of any business promotional sign may not be sequential; there must be thirty (30) days between the issuance of permits for such signs. An exception may be made for events or promotions held in conjunction with traditional national holidays.
- C. Size:
 1. Promotional banner signs may not be larger than thirty two (32) square feet (4' x 8' preferred).
 2. Such signs shall not exceed 25% per individual/singular glazed area (window or door) and 25% of total first-floor glazing.
- D. Location:
 1. Banners: Banner signs must be affixed to the building walls in a nonprojecting manner and may not exceed the height of the first floor of the building or twelve feet (12') from grade, whichever is higher. Banners must be firmly secured with all four (4) corners pinned down. Banners may be secured to porch posts or railings only if the building official determines that no other area is feasible for display due to location of windows, doors, etc.
 2. Other: All promotional business signs must be displayed on the elevation of the building with the store or business' main entrance or on the elevation of the building facing the public street. If not affixed to the building, signs must be within ten feet (10') of the front elevation not blocking any ingress/egress point or line of sight. Exact locations shall be approved by the building official. For businesses with changeable copy signs attached to the freestanding signs, no business promotional signs shall be permitted. For businesses within large parks and/or retail areas whose frontage is not located adjacent to a public street, signs may be placed in common areas near to or secured to park or shopping center signs. Only one such sign is permitted at a time with landlord/owner approval.
- E. Exceptions: The Village Board may grant exceptions related to the number, duration, size, and location regulations listed in subsections A through D above.

Thematic Window Compositions, Temporary: A temporary sign permit is required; the fee is twenty-five dollars (\$25.00) annually. A single business may display a thematic window composition on a limited basis. These compositions can be hand painted, vinyl banner signs or other permitted temporary sign material as approved by Village staff. All signs must be wholly displayed on private property.

A. B-1 Downtown Business District:

1. Number: Businesses are permitted four (4) thematic window compositions per year.
2. Duration: Thematic window compositions shall be permitted for thirty (30) day periods. Display of thematic window compositions may be sequential.
3. Size: Thematic window compositions shall not exceed 50% per individual/singular glazed area (window or door) and 50% of total first-floor glazing.
4. Locations:
 - a. Shall only be located on a current or formerly glazed area (windows or doors).
 - b. Shall only be permitted on the first floor.
5. Minimum Design Standards:
 - a. Shall not include business promotional language.
 - b. Shall not include contentious, abusive, or offensive material.
 - c. Permit application shall include an illustration / rendering / representation of the composition.
6. Other:
 - a. Display of thematic window compositions may not coincide or overlap with display of business promotional signs.
 - b. Thematic window compositions shall not obscure approved permanent window signage.
 - c. Permit applications shall be considered administratively. An appeal may be made to the Appearance Review Commission in the event that an application or proposal is denied a permit by village staff.

Window Signs, Temporary: Temporary window signs above the first floor shall be allowed when the upper floor is occupied by a commercial tenant. Such signs shall not cover more than ~~fifty percent (50%)~~ twenty-five percent (25%) of the total glass area of the ~~second~~ any upper floor, facing the street.

EXHIBIT C

Table 9-4-8B – Signs for Historic Area, Permit Required

Includes all properties designated by section 9-6-2 of this title as contained within the West Dundee historic area and all commercial property located between the river and 3rd Street. Appearance review commission review required. Permitted signs are not always deemed appropriate, the commission may modify the size, location or design of the sign. Direct illumination signs are not permitted.

<u>Other – Not Subject to Appearance Review Commission Review:</u>			
<u>Sign Type</u>	<u>Maximum Number</u>	<u>Maximum Size</u>	<u>Other Requirements</u>
<u>Thematic Window Compositions, Temporary</u>	<u>4 per year</u>	<u>Shall not exceed 50% per individual/singular glazed area (window or door) and 50% of total first-floor glazing.</u>	<u>Located on first floor glass only.</u>