

East Peoria Sign Code

Chapter 7

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*Cross reference—Planning and zoning administrator, § 1-4-4.12.

4-7-1. Short title.

This code shall be known as the Sign Code of the City of East Peoria, Illinois, and may be so cited and pleaded and shall be referred to herein as the code.

4-7-2. Purpose.

The primary intent of this code is to regulate signs intended to be viewed from any vehicular public right-of-way. Therefore, the purpose of this code shall be to:

(a) Coordinate the type, placement, and physical dimensions of signs within the different land-use zones.

(b) Encourage the innovative use of design.

(c) Promote both proper maintenance and renovation.

(d) Minimize visual confusion and clutter.

(e) Insure that these regulations are compatible with the zoning regulations.

(f) Recognize the commercial communication requirements of all sectors of the business community.

4-7-3. Definitions.

Abandoned sign. A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity and/or for which no legal owner can be found.

Administrator. The planning and zoning administrator or his designated representative.

Animated sign. Any sign which uses movement or change of lighting to depict action or to create a special effect or scene. (See flashing sign)

Area. (See sign, area of)

Awning. A shelter projecting from and supported by the exterior wall of a building constructed of non rigid materials on a supporting framework (see marquee).

Awning sign. A sign painted on, printed on, or attached flat against the surface of an awning.

Banner sign. A sign made of fabric or any nonrigid material with no enclosing framework so as to allow movement of the sign caused by movement of the atmosphere.

Billboard. (See off-premises sign)

Building face. All window and wall area of a building in one plane or elevation.

Canopy. A permanent roof-like shelter extending from part or all of a building face.

Changeable copy sign (automatic). A sign on which the copy changes automatically on a lampbank or through mechanical, e.g., electrical or electronic time and temperature units, message center.

Changeable copy sign (manual). A sign on which copy is changed manually in the field, e.g., readerboards with changeable letters.

City. That area defined by the corporate limits of East Peoria, Illinois.

Clearance (of a sign). The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

Construction sign. A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction of the property on which the sign is located.

Copy. The wording on a sign surface in either permanent or removable letter form.

Copy area. The area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign.

Directional/information sign. An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

Double-faced sign. A sign with two (2) faces.

Electric sign. A sign or sign structure in which electrical wiring, connections, or fixtures are used.

Electronic message center. (See changeable copy sign, automatic.)

Embellishments. Letters, figures, characters or representatives in cut-outs or irregular forms or similar ornaments attached to or superimposed upon the sign.

Erected. Attached, altered, built, constructed, reconstructed, enlarged or moved and shall include the painting of wall signs.

Exempt signs. Signs exempted from normal permit requirements, but not from construction specifications.

Facade. The entire building front including the parapet.

Facia sign. (See wall sign)

Festoons. A string of ribbons, tinsel, small flags, or pinwheels.

Flashing sign. A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs (automatic), animated signs, or signs which through reflection or other means, create an illusion of flashing intermittent light (see animated sign, changeable copy sign).

Freestanding sign. A sign permanently supported upon the ground by poles or braces and not attached to any building.

Frontage. The length of the property line of any one premises along each public right-of-way on which it borders.

Frontage, building. The length of an outside building wall on a public right-of-way.

Government sign. Any temporary or permanent sign erected and maintained by the city, county, state, or Federal government for traffic direction or for designation of a direction to any school, hospital, historical site, or public service, property or facility.

Ground level. Street grade.

Height (of a sign). The vertical distance measured from the highest point of the sign or its supporting members to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (see clearance).

Highway, interstate. Any highway designated by the Illinois Department of Transportation as part of the National System of Interstate and Defense Highways.

Highway, primary. Any highway other than an interstate highway designed by the Illinois Department of Transportation and approved by the United States Department of Transportation as a part of the Federal-Aid Primary System.

Identification sign. A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

Illegal sign. A sign which does not meet the requirements of this Code and which does not have legal nonconforming status.

Illuminated sign. A sign with an artificial light source incorporated internally or externally for the purpose of lighting the sign.

Incidental, sign. A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., credit card sign, a sign indicating hours of business.

Individual letter sign. Any sign made of self-contained letters or embellishments that are mounted on the face of a building, on a parapet or on a marquee.

Lot. A plot of ground made up of one or more parcels, which is or may be occupied by a use, building or buildings.

Maintenance. The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Mansard. A sloped roof or roof-like facade architecturally comparable to a building wall.

Marquee sign. Any sign attached to or supported by a marquee structure.

Monument sign. A sign with a base attached to the ground made of natural materials, i.e. granite, marble or other similar substances or masonry materials.

Nameplate. A nonelectric on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Nonconforming sign. A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations.

Occupancy. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Off-premises sign. A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g., billboards or outdoor advertising.

On-premises sign. A sign which pertains to the use of the premises on which it is located.

Outdoor advertiser. Any person engaged in the business of placing, posting or painting any advertisements, notices or displays in or on any place in the city for the purpose of outdoor advertising, so that the resulting display is visible from any street, alley, sidewalk or other public place in the city.

Owner. A person recorded as such on official records. For the purposes of this chapter, the owner of the property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Administrator, e.g., a sign leased from a sign company.

Painted wall sign. Any sign which is applied with paint or similar substance on the face of a wall.

Parapet. The extension of a false front or wall above roofline.

Person. Any individual, corporation, association, firm, partnership, or similarly defined interest.

Point of purchase display. Advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.

Pole banner. A banner sign that is attached to the supporting standard for a street light, a utility pole or other similar structure which standard, pole or other structure is owned, leased or under the control of the city and is located within or immediately adjacent to the public right-of-way.

Pole cover. Covers enclosing or decorating poles or other structural supports of a sign.

Political sign. A temporary sign used in connection with a local, state, or national election or referendum.

Portable sign. Any sign not permanently affixed to the ground or to a structure or building or any sign mounted on a chassis or other structure in such a fashion that it could be transported by removing the sign and its chassis from its mounting and attaching wheel mountings and wheels; provided, however, that this term shall not be construed to include exempt signs authorized pursuant to subsection 4-7-5(b) of this Code or temporary signs authorized pursuant to section 4-7-8 of this Code.

Premises. A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Projecting sign. A sign other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Projecting pedestrian sign. An on-premises sign which is attached to and projects from a structure or building face at right angles for the purpose of directing pedestrians to a particular location.

Public right-of-way. A public street or alley.

Real estate sign. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Rotating sign. A sign or portion of a sign which moves in a revolving manner. Such motion does not refer to methods of changing copy.

Scenic area. Any area of particular scenic beauty as determined by resolution of the East Peoria City Council.

Sign. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identify any establishment, product, goods or service.

Sign, area of.

- (a) *Projecting and freestanding.* The area of a freestanding or projecting sign shall have only one face (the largest one) of any double or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two (2) individual cabinets:
 - (1) The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on such embellishments.
 - (2) If the sign is composed of more than two (2) sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy.
- (b) *Wall signs.* The areas shall be within a single, continuous perimeter composed of any straight line geometric figure which enclosed the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by

measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

Sign structure. Any structure which supports, has supported or is capable of supporting a sign.

Swinging sign. A sign installed on an arm or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Temporary sign. A sign which is not a permanently affixed device such as banners, pennants, flags (not including those of a nation), and balloons or other air or gas filled fixtures, shall be a temporary sign.

Temporary window sign. A sign painted on the interior of a window or constructed of paper, cloth, or other like material and attached to the interior side of a window.

Under canopy sign. A sign suspended beneath a canopy, ceiling, roof, or marquee.

Use. The purpose for which a building, lot, sign or structure is intended, designed, occupied, or maintained.

Wall sign. A sign attached to, erected against, or painted on the wall of a building with the face in a parallel plane to the plan of the building wall. This includes painted, individual letter and cabinet signs and signs on a mansard.

Window sign. A sign installed inside a window and intended to be viewed from the outside. (Ord. No. 2894, § 1, 4-9-96; Ord. No. 3523, § 1, 5-18-04)

4-7-4. Administration.

(a) *Code administrator.* The administrator is authorized to process applications for permits and variances, hold public hearings as required, and enforce and carry out all provisions of this Code. The administrator is authorized to promulgate procedures consistent with this function and with this Code.

The administrator is empowered, upon presentation of proper credentials to enter or inspect any building, structure, or premises in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless an emergency exists.

(b) *Permit required.* Except as otherwise provided in this Code, it shall be unlawful for any person to erect, construct, enlarge, move, or convert any sign or cause the same to be done, without first obtaining a sign permit as required by this Code. No permit is required for the maintenance of a sign or for a change of copy or painted, printed, or changeable copy signs. Repair of a sign not involving structural changes shall also be exempt. Change of the plastic face will be exempt if due to breakage and/or deterioration of the face, but a change because of a new or different advertiser is not exempt.

An electrical permit is required for all signs having electrical components.

(c) *Application for permit.* Application for a permit for the erection, alteration, or relocation of a sign shall be made to the administrator upon a form provided by the administrator and shall include the following information:

- (1) Name and address of owner of the sign.
- (2) Name and address of owner or the person in possession of the premises.
- (3) Address of the proposed site.
- (4) The type of sign and sign structure in accordance with this chapter.
- (5) A site plan showing the proposed location of the sign along with the locations and square footage area of all existing signs on the same premises.

(6) *Specifications* and scale drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.

(7) *Verification* and/or certification that applicant represents the owner of lot or person in possession of the premises.

(d) *Permit fee.* All applications for permits filed with the administrator shall be accompanied by a payment of the permit fee before a determination of issuance is made. The fee shall be fifty cents (\$0.50) per square foot of the sign area. The fee shall not be less than twenty-five dollars (\$25.00). The square footage for an individual letter sign shall be the copy area.

Electrical - An electrical permit is required for all signs utilizing electrical power. The permit fee is twenty-five dollars (\$25.00).

The permit fee for a temporary sign upon proper application is twenty-five dollars (\$25.00). The temporary permit fee for religious and public bodies is hereby waived.

(e) *Issuance and denial.* The administrator shall grant or deny a permit for the erection, alteration, or relocation of a sign within five (5) working days of receipt of a valid and complete application including the paid fee, provided the proposed sign complies with all applicable laws and regulations of the city: When a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When the permit is denied by the administrator, written notice of the denial with the reasons shall be forwarded to the applicant.

The administrator may, in writing, suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application or if the sign is not placed according to the site plan submitted.

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign or shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

(f) *Permit conditions and penalties.* A permit issued by the administrator becomes null and void if work does not commence within sixty (60) days of issuance. If work authorized by the permit is suspended or abandoned for thirty (30) days, the permit must be renewed with an additional payment of one-half of the original fee.

If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be tripled. However, payment of the tripled fee shall not relieve any person of any other requirements or penalties prescribed in this chapter.

If an electrical permit is not obtained prior to installing electricity to a sign, then the administrator shall stop the installation activity of the sign and the permit fee shall be tripled. If the administrator suspends or revokes an issued permit for reason, then the reissued fee will be tripled.

(g) *Inspections.* Any person installing, altering or relocating a sign for which a permit has been issued shall notify the administrator upon completion of the work. A freestanding sign

shall be inspected after the post hole(s) has been dug and prior to the erection of the pole and sign. The pole and sign will be inspected in relationship to the approved permit application. The electrical inspector shall inspect the sign after all electrical work is completed. The administrator shall also conduct a final inspection.

The administrator may require in writing upon issuance of a permit that he be notified for inspection prior to installation of certain signs.

(h) *Procedure for variances:*

(1) *Variance.* A request for a variance of the sign regulations shall be submitted to the administrator on forms provided by the administrator. The application fee for a variance shall be thirty dollars (\$30.00). The administrator shall forward all information to the zoning board of appeals, which shall hold a public hearing on the application at a regularly scheduled or special meeting. Notice of the time and place of the hearing together with a brief description of the subject matter shall be published one time not more than thirty (30) nor less than fifteen (15) days prior to the hearing in a news paper of general circulation in the city. Variations from the regulations of this Title shall be granted by the zoning board of appeals only in accordance with the standards established in this section, and may be granted only in the following instances, and in no others:

- (a) To permit a setback of less than ten (10) feet from the property line;
- (b) To permit an increase in the height of a sign of not more than forty (40) percent of the maximum permitted under the applicable regulation; and
- (c) To permit an increase in the area of a wall or freestanding sign of not more than twenty five (25) percent of the maximum permitted under the applicable regulation.

(2) *Standards for variations.* The zoning board of appeals shall not vary the regulations of this sign code, as authorized in this section, unless it shall make findings based upon the evidence presented to it in each specific case that:

- (a) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;
- (b) The conditions upon which a petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification;
- (c) The purpose of the variation is not based exclusively upon a desire to make more money out of the property;
- (d) The alleged difficulty or hardship is caused by this code and has not been created by any persons presently having an interest in the property;

- (e) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- (f) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public street, or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.

The zoning board of appeals may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this section, to reduce or minimize the effect of such variation upon other properties in the neighborhood, and to better carry out the general intent of this Title.

The same application for a variance may not be resubmitted within six (6) months of the zoning board of appeals' decision unless in the judgment of the administrator the original application has been substantially amended.

(i) *Bond and certificate of insurance.* No permit for a sign being installed by a sign company shall be issued to any person for the purpose of erecting an authorized sign unless the company has on file with the city a bond in the amount of five thousand dollars (\$5,000.00). The bond is conditioned upon the proper installation of the sign and payment of all fees and/or penalties as implemented by this Code. A company that is engaged in the business of signs shall provide to the city a certificate of insurance for liability in the amount of one hundred thousand dollars (\$100,000.00) per person, three hundred thousand dollars (\$300,000.00) per occurrence and one hundred thousand dollars (\$100,000.00) for property damage.

(j) *Interpretation.* Whenever the requirements of this Code fail to apply to a unique situation, or a situation arises which is not covered by this Code, the administrator shall have the authority to interpret the Code, provided no sign shall be permitted which does not meet the intent and purpose of this Code. (Ord. 2369, 10-24-89; Ord. 2544, 10-29-91)

4-7-5. General provisions.

It shall be unlawful for any person to erect, place or maintain a sign in the city or to permit a sign to remain on property which such person controls or has an ownership interest in, except in accordance with the provisions of this Code.

- (a) Signs prohibited. The following types of signs are prohibited in all zoning districts (except as otherwise permitted in this Code):
 - (1) Abandoned signs.
 - (2) Animated and intensely lighted signs that flash, blink or travel except as follows:
 - a. Public service information signs classified as changing signs, or
 - b. Signs identifying premises having a class RB liquor license.

- (3) Banners, pennants, festoons, searchlights (except as otherwise permitted by sections 4-7-6(d) and (e) and sections 4-7-8(d) and (e) of this chapter).
 - (4) Flags other than those of any nation, state, political subdivision or corporation.
 - (5) Signs attached or printed on trees, utility poles, public benches, streetlights or placed on any public property or public right-of-way except as otherwise permitted in this chapter.
 - (6) Signs imitating or resembling official traffic or government signs or signals.
 - (7) Signs placed on or over public rights-of-way (except as may be permitted)
 - (8) Sandwich board signs, sidewalk or curb signs, balloons or other gas-filled fixtures, swinging signs and A-frame signs (except as may be permitted).
 - (9) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. (This does not apply to allowed portable signs or to signs or lettering on buses, taxis or vehicles operating during the normal course of business.)
 - (10) Signs that contain statements, words, or pictures of an obscene, pornographic or immoral character, or which contain advertising matter which is untruthful.
 - (11) Portable signs.
 - (12) Garage (yard) sale or rummage sale signs posted in excess of the five (5) day limitation.
 - (13) Signs erected in such a manner as to obstruct the line of sight of traffic or traffic lights at intersections.
 - (14) Signs that interfere with the proper and convenient protection of persons or property by the police or fire department.
- (b) Exempt signs. The following types of signs are exempt from permit requirements providing any and all requirements stated herein have been met, and further providing the signs are in conformance with all other requirements of this Code. Artificial light sources incorporated internally or externally for the purpose of illuminating an exempt sign are prohibited. Except as otherwise hereinafter set forth the area of exempt signs shall not exceed five (5) square feet when located in residential zoning districts or thirty-two (32) square feet when located in business and manufacturing zoning districts; provided, however, that the area of exempt signs shall not exceed five (5) square feet when located on premises which lie in business or manufacturing zoning districts, but contain a single-family or multi-family residential dwelling. Except as otherwise hereinafter set forth, the area of exempt signs shall not exceed five (5) square feet when located in residential zoning districts or thirty-two (32) square feet when located in business and manufacturing zoning districts;

provided, however, that the area of exempt signs shall not exceed five (5) square feet when located on premises which lie in business or manufacturing zoning districts, but contain a single-family or multi-family residential dwelling.

- (1) Construction signs shall not be erected more than thirty (30) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed thirty (30) days after completion of construction prior to occupancy.
- (2) Directional/information signs located entirely on the property to which they pertain not exceeding four (4) square feet and an overall height of three (3) feet such as identifying restrooms, public telephones, and walkways, parking lot entrances and exits.
- (3) Signs identifying parking lot entrances and exits which are:
 - a. Located entirely on the property to which they pertain;
 - b. Are at least one foot from the property line(s); and
 - c. Have an area not exceeding four (4) square feet and an overall height of 3 feet.
- (4) The flags, emblems or insignia of any nation or political subdivision or corporate flag.
- (5) Governmental signs or notices to include traffic, street, danger, railroad crossing, and public service signs.
- (6) Holiday or special events decorations.
- (7) House numbers and name plates not exceeding two (2) square feet in area for each residential unit.
- (8) Interior signs not seen from the public right-of-way. This does not exempt them from other required permits as specified in the City Code.
- (9) Memorial signs, tablets or corner stones identifying buildings and date of construction provided said sign, tablet or corner stone is part of the building.
- (10) No Trespassing or No Dumping signs that are limited to one and one-half (P12) square feet in area per sign, with no more than four (4) per lot except with special permission of the administrator.
- (11) Official public notices posted by public offices or employees in the performance of their duties.
- (12) One political sign per candidate or issue in any local, state or national election per lot. Political signs may be placed only on private property and only with permission of the landowner or person in control of said property. All political signs must be removed within seven (7) days after the election.
- (13) Bulletin boards are permitted in connection with public buildings, schools, medical facilities or religious institutions. Such signs shall be solely for the purposes of displaying the name of the building and its activity or services.

- (14) One real estate sign on any lot advertising the rent, sale or lease of the land or building upon which it is located provided the sign is not directly illuminated, and is removed seven (7) days after the sale, rental or lease of the property.
- (15) Symbols or insignia of religious institutions or commemorative plaques or recognized historical agencies. Also included are identification emblems of religious orders or historical agencies.
- (16) Signs warning the public of the existence of danger that do not contain advertising material.
- (17) Temporary window signs in business and manufacturing zone districts, provided that they do not exist for more than thirty (30) days.
- (18) One projecting pedestrian sign per premises in business and manufacturing districts provided such sign is no larger than four (4) square feet in area.
- (19) Signs regarding trading stamps, credit cards or trade affiliations when incidental to other signage on the property in the manufacturing and business zoning districts.
- (20) Garage, yard or rummage sale signs not exceeding two (2) square feet and which are not posted for more than five (5) days.
- (21) Signs, provided by the chief of police, regulating soliciting.

(Ord. No. 2633, § 1, 2-2-93; Ord. No. 2687, § 1, 11-16-93; Ord. No. 2695, § 1, 12-21-93; Ord. No. 2796, § 1, 5-21-96; Ord. No. 3112, § 1, 12-1-98; Ord. No. 3154, § 1, 6-8-99; Ord. No. 3523, § 2,3, 5-18-04)

4-7-6. On-premises signs by zoning district.

The following signs, meeting the other provisions of this Code, are permitted in the various East Peoria zoning districts:

- (a) All signs not requiring permits (section 4-7-5(b)).
- (b) Signs permitted in C, R-1, R-2, and R-3 zoning districts:
 - (1) One subdivision identification sign per major entrance for each subdivision or development, not to exceed forty-eight (48) square feet in sign area.
 - (2) One apartment freestanding identification sign not to exceed forty-eight (48) square feet in sign area.
 - (3) Nonresidential uses, such as churches, schools, hospitals or other public buildings, may have one freestanding sign not to exceed one hundred (100) square feet and wall sign(s) not to exceed a copy area of forty-eight (48) square feet.
 - (4) One sign within a planned unit development not to exceed one hundred (100) square feet in sign area.
 - (5) One sign for a day care center not to exceed eight (8) square feet in sign area or a wall sign not to exceed a copy area of eight (8) square feet.

- (6) All allowed freestanding signs shall have a maximum height limit of eight (8) feet with a setback from the right-of-way of ten (10) feet.

(c) Signs permitted in R-4 zoning district:

- (1) Any sign permitted in subsection 4-7-6(a) and (b).
- (2) One apartment complex building identification wall sign with a copy area not to exceed eight (8) square feet.
- (3) Identification signs for other uses in the R-4 zoning district not to exceed forty eight (48) square feet for freestanding sign and eight (8) square feet for wall signs.
- (4) All allowed freestanding signs shall have a maximum height limit of eight (8) feet with a setback from the right-of-way of ten (10) feet.

(d) Signs permitted in B-1 zoning district:

- (1) Not more than two freestanding sign(s) per premises having street frontage on a public right-of-way not to exceed two square foot of sign area per linear foot of street frontage abutting the parcel and not to exceed one hundred fifty (150) square feet per sign.
- (2) Freestanding signs may not exceed a height of twenty (20) feet with a set back from the right-of-way of ten (10) feet.
- (3) A combination of wall, individual letter, canopy and awning signs per occupancy, not to exceed a total of one square foot of copy area for each linear foot of building frontage. Where occupancy is on a corner having more than one street frontage, each side having frontage may contain the maximum allowable sign area.
- (4) A business may display one window sign, permanent or temporary, per window. Any such window sign shall not exceed twenty-five (25) percent of the surface area of the window in which it is displayed. Window panes or panels separated only by mullions shall be considered as one continuous window in calculating the window surface area. All window signs shall be attached and displayed only from the inside surface of the window.
- (5) A projecting sign that:
 - a. Does not exceed above parapet wall or roofline;
 - b. Is a minimum of ten (10) feet above the ground;
 - c. The inner edge does not extend farther than two (2) feet from the building;
 - d. Is one square foot per linear foot of street frontage not to exceed thirty (30) square feet; and
 - e. Does not extend over public right-of-way.

- (6) A business may display one and only one exterior banner which must be affixed to the building which houses the business. Banners must be attached below the roofline of the building and shall have a maximum height of three (3) feet and a maximum width often (10) feet. Banners shall not be attached to fences, posts or poles. Once the location of a banner has been established through issuance of a permit, that location may be changed from time to time only through the application process which includes the payment of an additional permit fee.
- (e) Signs permitted in B-2, B-3, M-1, and M-2 zoning districts:
- (1) One freestanding sign per premises having street frontage on a public right-of-way not to exceed two (2) square feet of sign area per linear foot of street frontage abutting the parcel.
 - (2) When a lot has in excess of one hundred (100) feet of street frontage on a public right-of-way, one additional freestanding sign may be erected for each additional increment of one hundred (100) feet or fraction thereof of street frontage. The distance between the freestanding signs shall be a minimum of one hundred (100) feet. The total of all freestanding signs shall not exceed two (2) square feet of sign area per linear foot of street frontage and one square foot of sign area for each additional foot in excess of one hundred (100) feet. In no case shall any one developed parcel contain more than five hundred (500) square feet of freestanding sign area.
 - (3) Freestanding signs may not exceed a height of thirty five (35) feet with a setback from the right-of-way of ten (10) feet.
 - (4) A combination of wall, individual letter, canopy and awning signs per occupancy, not to exceed a total of three (3) square feet of copy area for each linear foot of building frontage.
 - (5) Whenever a parcel has street frontage on two (2) or more public rights-of-way, the entire frontage may be used in computing the allowable sign area.
 - (6) No freestanding sign of any nature shall be constructed within three hundred fifty (350) feet of any point of intersection of any right-of-way line of Washington Street with any right-of-way line of Main Street.
 - (7) Only one A-frame or swinging sign, having an area not to exceed nine (9) square feet which is not located beyond the property line, is permitted in addition to all other allowable signs for automobile service stations. Such sign shall not be illuminated or flashing.
 - (8) A projecting sign that:
 - a. Does not extend above the parapet wall or roofline;
 - b. Is a minimum of ten (10) feet above the ground;
 - c. The inner edge does not extend farther than two (2) feet from the building.

- d. Is one square foot per linear foot of street frontage not to exceed thirty (30) square feet; and
 - e. Does not extend over public right-of-way or a public sidewalk.
- (9) A sign allowed by special use permit in accordance with sections 5-9-3(b), 5-9-4(b) or 5-10-2(b) of this Code.
- (10) A business may display one window sign, permanent or temporary, per window. Any such window sign shall not exceed twenty-five (25) percent of the surface area of the window in which it is displayed. Window panes or panels separated only by mullions shall be considered as one continuous window in calculating the window surface area. All window signs shall be attached and displayed only from the inside surface of the window.
- (11) A business may display one and only one exterior banner which must be affixed to the building which houses the business. Banners must be attached below the roofline of the building and shall have a maximum height of three (3) feet and a maximum width often (10) feet. Banners shall not be attached to fences, posts or poles. Once the location of a banner has been established through issuance of a permit, that location may be changed from time to time only through the application process which includes the payment of an additional permit fee.
- (f) Certain monument signs in B-1, B-2 and B-3 districts:
- (1) One monument sign may be constructed on a zoning lot located within a B-1, B-2 or B-3 district and will not be considered for the purpose of calculating or limiting the amount or nature of signage which may be placed on the zoning lot under other provisions of this Sign Code, provided that the monument sign complies with each of the following conditions:
 - a. The monument sign does not exceed fifteen (15) feet in height, including the base.
 - b. The total area of the monument sign does not exceed one hundred fifty (150) square feet.
 - c. The text on the monument sign contains not more than twenty-five (25) characters and shows only the name of the development or building located on the zoning lot where the monument sign is placed.
 - (2) Any such monument sign may be externally illuminated.

(Ord. 2369, 10-24-89; Ord. 2607, 9-15-92; Ord. No. 2695, § 3, 12-21-93; Ord. No. 3495, § 1, 4-6-04)

4-7-7. Off-premises signs.

No off-premises sign shall be erected in the city without a permit. The off-premises sign permit shall be granted only after approval by the city council subsequent to receipt of a recommendation from the zoning board of appeals following a hearing for special use as provided in Title 5 of this Code.

- (a) Procedure for obtaining off-premises sign permit. A person wishing to erect an off-premises sign within the city shall make application for a permit to the administrator on forms provided by the administrator. The combined permit and special use fee for an off-premises sign shall be one hundred dollars (\$100.00). The administrator shall forward the application to the zoning board of appeals, which shall hold a public hearing on the application at a regularly scheduled or special meeting. Notice of the time and place of the hearing together with a brief description of the subject matter shall be published one time not more than thirty (30) nor less than fifteen (15) days prior to the hearing in a newspaper of general circulation in the city. Following the public hearing, the zoning board of appeals shall forward its recommendation on the application to the city council for final action.
- (b) Standards for off-premises signs. In addition to the applicable construction standards in subsection 4-7-9(b) and the zoning regulations found at Title 5 of this Code, the zoning board of appeals shall determine if the off-premises sign meets the following requirements of this section:
 - (1) The special use standards as provided in subsection 5-11-10(f) shall be met.
 - (2) All off-premises signs shall be freestanding.
 - (3) No sign may be erected which exceeds one hundred fifty (150) square feet in sign area, ten (10) feet in height and fifteen (15) feet in length, including border and trim, but excluding ornamental base or apron, supports and other structural members. The maximum size limitation shall apply to each side of the sign or sign structure. A maximum of two (2) signs may be erected on a facing, in which event the facing shall be deemed to be one sign, the size of which may not exceed the dimensions listed in this section. Signs may be double-faced or be placed back-to-back or V-type. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign.
 - (4) No off-premises sign shall be closer than one thousand (1,000) feet to another off-premises sign or to any school, park, church or other place of worship.
 - (5) In accordance with subsection 5-11-10(e) of this Code, whenever the zoning board of appeals shall recommend a special use permit for an off-premises sign, it shall condition such special use permit on the inclusion of adequate landscaping and an adequate program to maintain such landscaping, unless it finds landscaping wholly inappropriate because of the location of the off-premises sign.

- (6) The granting of the permit is otherwise in the best interests of the health, safety and welfare of the city's residents.
- (c) Scenic areas. No off-premises sign shall be erected in any of the following designated scenic areas:
 - (1) The area bounded by Illinois Route 24 on the north; the municipal boundary on the west; U.S. Interstate 74 on the south; and a line running parallel and 2,000 feet east of the center of Illinois Route 116 on the east.
 - (2) The area bounded by U.S. Interstate 74 on the east; the Industrial Spur on the south; West Washington Street and the Robert Michel Bridge on the west; and the municipal boundaries on the north.

(Ord. 2369, 10-24-89; Ord. 2544, 10-29-91; Ord. No. 2894, § 2, 4-9-96; Ord. No. 2895, § 1, 4-16-96; Ord. No. 2949, § 2, 6-10-97; Ord. No. 3019, § 1, 10-28-97; Ord. No. 3021, § 1, 10-28-97)

4-7-8. Temporary signs.

- (a) Issuance of permit fee. The administrator may issue, upon proper application and payment of a twenty dollar (\$20.00) fee, permits for temporary signs as defined in this section. The permit fees for religious and public bodies are hereby waived.
- (b) Temporary signs for special events. Temporary signs, banners, flags or pennants are allowed in conjunction with the following:
 - (1) Religious, civic, political or charitable events and projects.
 - (2) The grand opening of any private business, provided that application is made within forty five (45) days of the business opening.

The temporary sign permit for the above named events or projects shall be valid for no more than thirty (30) consecutive days. Such permits are not renewable.

- (c) Temporary signs for real estate developments. Temporary signs for the marketing of lots in a newly opened subdivision, or subdivision phase, or for commercial or industrial sites and spaces are allowed subject to the following conditions:
 - (1) Such permits to be issued for a period of one year for a specific property or subdivision phase. Permits may be renewed annually.
 - (2) No more than one temporary sign per subject property. The sign shall be on-premises.
 - (3) Such temporary signs shall not exceed sixty four (64) square feet in size.
 - (4) In a subdivision such signs shall be removed when seventy five (75) percent of the lots in the subdivision or subdivision phase are sold.

- (d) Temporary use of searchlight for the East Peoria Festival of Lights Parade. Temporary use of a searchlight in connection with the East Peoria Festival of Lights Parade is allowed subject to the following conditions:
- (1) No more than one permit for temporary use of a searchlight in connection with the East Peoria Festival of Lights Parade shall be issued per year; provided, this section shall not be construed to require the issuance of such a permit.
 - (2) A searchlight may be operated pursuant to this section up to two (2) weeks prior to the scheduled date of the parade, but once operated must be operated for each and every successive night thereafter until and including the scheduled date of the parade.
 - (3) The issuance of the permit shall be subject to such time, place and manner restrictions as the administrator in his discretion shall deem appropriate.
- (e) Placement of pole banners. Temporary pole banners placed by the city or with the consent of the city which pole banners celebrate and promote the East Peoria Community, civic organizations or public events subject to the following conditions:
- (1) A minimum of sixty-five (65) percent of the area of the pole banner sign must be dedicated to artwork or text which is consistent with the purposes for which pole banners may be displayed.
 - (2) Advertising limited to the business name of the sponsor, the sponsor's logo, the year in which the sponsor was established and the sponsor's web address shall not exceed thirty-five (35) percent of the area of the pole banner sign.
 - (3) No permit shall be required for pole banners displayed by the city.
 - (4) The city may at its discretion enter into contracts with persons which authorize such persons to display pole banners which comply with the terms and conditions of this section. Any such contract may provide for the waiver of the permit fee otherwise required for temporary signs. Only one (1) application and one (1) permit shall be required for any number of substantially identical pole banners.
 - (5) The issuance of a permit for one (1) or more pole banners shall be subject to such time, place and manner restrictions as the administrator in his discretion shall deem appropriate given the purpose and content of the pole banners.
- (f) Conformance with codes. Except as otherwise provided in this section, such temporary signs shall comply with all applicable city codes.

(Ord. No. 2687, § 2, 11-16-93; Ord. No. 3523, § 4, 5-18-04)

4-7-9. Construction specifications and inspection.

- (a) Compliance with city codes. All signs shall comply with the provisions of the city's most recently adopted BOCA Building Code and National Electric Code, as well as additional construction standards set forth in this section.

(b) Additional construction standards.

- (1) Obstruction to exits. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
- (2) Obstruction to ventilation. No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provision of the building or fire prevention codes.
- (3) Clearance from high voltage power lines. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specification, depending on voltages concerned. However, in no case shall a sign be installed closer than twenty-four (24) inches horizontally or vertically from any conductor or public utility guy wire.
- (4) Drainage. The roofs of all marquees shall be properly guttered and drained.
- (5) Freestanding sign structures. All freestanding sign structures or poles shall be self-supporting structures erected on or permanently attached to concrete foundations.
- (6) Wind loads. All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows:
 - a. For solid signs, thirty (30) pounds per square foot on one face of the sign.
 - b. For skeleton signs, thirty-six (36) pounds per square foot of the total face area of the letters and other sign surfaces, or ten (10) pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.

The wind loadings quoted above are normal averages and must be adjusted for areas subject to unusually high velocity winds, for signs of extraordinary height or for certain wind tunneling effects created by large buildings.

- (7) Sign anchoring. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
- (8) Setbacks. No portion of any freestanding sign shall be closer than twenty (20) feet to any property line.
- (9) Permanent construction. All signs except temporary signs must be of a permanent nature and cannot be constructed of cloth, paper, cardboard or similar materials.

- (10) Height of signs. No part of any wall or window sign (temporary or permanent) shall be located above the first occupied floor of a building, further, no part of any sign, except a freestanding sign, shall extend above the roofline of a building. No off-premises sign shall have an overall height exceeding thirty-five (35) feet.

(Ord. No. 2949, § 3, 6-10-97; Ord. No. 3019, § 2, 10-28-97; Ord. No. 3021, § 2, 10-28-97)

4-7-10. Maintenance, repair, penalties.

- (a) Maintenance. Every sign in the city, including those for which no permit is required, shall be maintained in good structural condition at all times, including the replacement of defective parts, painting, cleaning and other acts required for proper maintenance. A sign which is not maintained in good structural condition shall be considered an illegal sign.
- (b) Illegal signs. It is hereby declared to be a violation of this Code for any person to allow the existence of an illegal sign on property under his ownership or control.

The administrator may, after inspection, declare a sign to be illegal and shall provide notice, in writing, to the owner and/or other person in control of the premises on which the illegal sign is located. The notice shall describe the sign and state the reasons for his declaration. The person to whom the notice is sent shall be given not less than twenty-four (24) hours nor more than thirty (30) days in which to remove or repair the sign. Said notice may be delivered either by personal service or by certified mail.

- (c) Nonconforming signs. After the enactment of this Code, the administrator shall, from time to time, survey the city for nonconforming signs. Upon determination that a sign is nonconforming, the administrator may notify the owner of the property on which the sign is located of his determination and reasons therefore. Part of this notification may order the owner to remove the sign or make it conforming shall be deemed to be a violation of this Code, and the penalties of subsection 4-7-10(e) shall apply.

- (d) Removal of illegal or nonconforming signs. If the owner and/or other person in control of the premises fails to comply with any notice to repair or remove served as herein provided, the administrator is hereby authorized to cause removal of said sign and any cost or expense incidental thereto shall be paid by the owner and/or other person in control of the premises on which said sign is located. Such costs if not reimbursed, shall constitute a lien against the premises upon which the sign is located.
- (e) Penalties. The violation of or failure to comply with any of the provisions of this Code is declared to be a misdemeanor. Any person violating any provision of this sign code, shall, upon conviction, be fined not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day that a violation continues shall be deemed a separate offense.

(Ord. No. 3292, § 32, 7-3-01)

4-7-11. Outdoor advertisers.

- (a) Posting advertisements on illegal structures. No person shall post or maintain any advertisement or signs on any billboard or signpost which does not fully conform to all the provisions of chapter 4, section 7 of the City Code and all other ordinances of the city affecting the erection or maintenance of structures.
- (b) Billposting, etc., without consent of owner, etc., of premises. No person shall, without the consent of the owner or occupant of the premises, post, stick or place any handbill, showbill, placard or notice upon any building, wall, fence or tree box.
- (c) Duties.
 - (1) It shall be unlawful for any person engaged in the business of outdoor advertising to permit any refuse resulting from the erection or maintenance of any signs, display boards or billboards erected or maintained by such licensee to accumulate anywhere in the city; except by placing it in properly established and maintained refuse receptacles. It shall be unlawful to permit any loose or flapping combustible materials to hang from or to be attached to any billboard or signboard or other place used for display or advertising purposes. All refuse resulting from the operation of the business of any outdoor advertiser must be carefully gathered up and disposed of.
 - (2) In connection with weeds, etc. It shall be the duty of every outdoor advertiser to keep all grass and weeds and other growths, excepting trees and ornamental shrubbery, cut down so the same shall not grow to a greater length than ten (10) inches, within six (6) feet of any billboard or signboard used by such licensee; provided, that this obligation shall extend only to property controlled by the licensee.
- (d) Identification of licensee on advertisements. It shall be unlawful for any outdoor advertiser to carry on his business unless the name of such advertiser is attached,

displayed or printed on all billboards or signboards used by such advertiser or in any notice, placard or advertisement posted by him, in such lettering so as to be visible from a distance of at least five feet from the notice or advertisement.

- (e) Article not applicable to official notices. The provisions of this article shall not apply to the posting of signs or notices by order of any court or any public officer in the performance of his duty.
- (f) License required. It shall be unlawful for any outdoor advertiser to engage in or do the business of outdoor advertising in the city, without having first obtained a license therefore; provided, that no license issued under this subsection shall be construed so as to permit the use of any structures, natural or artificial, for advertising purposes, which are located in any public street, sidewalk, alley or other place in the city.
- (g) Application. Applicants for the license required by this subsection shall be filed with the administrator and shall be accompanied by a list of all places, including billboards or signboards or natural structures, contemplated to be used or on which it is intended to place signs or advertisements. This list shall be added to from time to time by the licensee as the right to post or place advertisements or signs on additional places is acquired.
- (h) Fees. The annual license fee for the license required by this division shall be one hundred fifty dollars (\$150.00), where the licensee uses or maintains not more than ten (10) billboards or signboards; and if such licensee uses or maintains more than ten (10) billboards or signboards, such annual licensee fee shall be one thousand dollars (\$1,000.00). Each application for a license as an outdoor advertiser contemplated by this section shall be accompanied by a statement under oath of the number of billboards, signboards or display boards used by the applicant in the city for such outdoor advertising. Upon the acquisition or use by construction or otherwise of more than ten (10) billboards as provided by this section, such licensee shall give notice in writing of such additional number of billboards or signboards and shall be required to pay the annual license fee where the number of billboards shall exceed ten (10) in number. Such annual license fee shall be due and payable on January 1 of each year.

(Ord. No. 2894, § 3, 4-9-96)

4-7-12. Conflict and severability.

- (a) Conflict. If any portion of this code is found to be in conflict with any other provision of any zoning, building, fire safety or other ordinance of the Code of the city, the provision which establishes the higher standard shall prevail.
- (b) Severability. If any section, subsection, sentence, clause or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provision to other persons or circumstance is in effect and shall remain in full force and effect.

(Ord. 2369, 10-24-89; Ord. No. 2894, § 4, 4-9-96)