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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1263

AN ORDINANCE CREATING CHAPTER 15.62, LAKE STREET
CORRIDOR SIGNAGE REGULATIONS, OF THE VILLAGE OF
MELROSE PARK MUNICIPAL CODE, FOR THE VILLAGE OF
MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK

THIS 9TH DAY OF MARCH 2009

RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI
JAIME ANGUIANO

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Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 10TH day of MARCH 2009

ORDINANCE NO. 1263

AN ORDINANCE CREATING CHAPTER 15.62, LAKE STREET CORRIDOR SIGNAGE REGULATIONS, OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Lake Street Corridor includes all properties with frontage on Lake Street and/or Broadway Avenue, bounded by 25th Avenue on the west, 9th Avenue on the east, Main Street on the south and Iowa Street on the north (the “Corridor”); and

WHEREAS, the Corridor contains almost exclusively commercial-developed properties with high intensities of use, and high volumes of pedestrian and vehicular traffic; and

WHEREAS, the Village seeks to ensure that as the Corridor continues to develop and be

re-developed, the Village can help induce sound and harmonious design of building frontage within the Corridor, as to signage, window surfaces, awnings, and banners, and for the improvement of public safety and overall aesthetics within the Corridor; and

WHEREAS, the Village hereby finds that regulations regarding signage within the Corridor will help provide for a more attractive working and shopping environment therein; and

WHEREAS, the Village seeks to create a new chapter in the Village Municipal Code (the "Village Code") regarding signs located within the Corridor; and

WHEREAS, specifically this regulation of signage is intended to (a) promote and protect the public health, safety and welfare of the Village and its residents by reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses within the Corridor; (b) create a more attractive economic and business climate within the Corridor; (c) enhance and protect the physical appearance of all areas within the Corridor; and (d) reduce distractions, obstructions and hazards to pedestrian and vehicular traffic caused by the indiscriminate placement and use of signs; and

WHEREAS, the Village hereby finds and declares that an ordinance providing for the regulation of signage within the Corridor establishes an effective mechanism for the Village to help reduce safety hazards and improve sightlines and visibility within the Corridor while also improving aesthetics; and

WHEREAS, as such, the Village Board deems it advisable and necessary for the benefit of the Village and the health, safety, and welfare of its residents to amend the Village Code by adding new Chapter 15.62, "Lake Street Corridor Signage Regulations," as described herein; and

NOW, THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to amend the Village Code by adding new Chapter 15.62, "Lake Street Corridor Signage Regulations."

Section 03. Invocation of Authority.

This Ordinance is adopted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes, including, but not limited to, 65 ILCS 5/11-80-15.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05 - 09. Reserved.

**ARTICLE II.
NEW CHAPTER 15.62, LAKE STREET CORRIDOR SIGNAGE REGULATIONS**

Section 10.00 New Chapter 15.62, Lake Street Corridor Signage Regulations.

That Title 15 of the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by adding a new Chapter 15.62, "Lake Street Corridor Signage Regulations," by inserting the following language:

“Chapter 15.62

LAKE STREET CORRIDOR SIGNAGE REGULATIONS

Sections:

- 15.62.010 Purpose.**
- 15.62.020 Scope.**
- 15.62.030 General Standards.**
- 15.62.040 Classification of Signs.**
- 15.62.050 Signs Specifically Prohibited.**
- 15.62.060 District Regulations.**

15.62.010 Purpose.

The regulation of signs by this Chapter is intended to promote and protect the public health, safety and welfare by reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses; by creating a more attractive economic and business climate within the commercial and office areas of the Village; by enhancing and protecting the physical appearance of all areas of the Village; and by reducing the distractions, obstructions and hazards to pedestrian and vehicular traffic caused by the indiscriminate placement and use of signs.

15.62.020 Scope.

A. The term “Corridor” as used in this Chapter refers to the Lake Street Corridor of the Village, which includes all properties with frontage on Lake Street and/or Broadway Avenue, as bounded by 25th Avenue on the west, 9th Avenue on the east, Main Street on the south and Iowa Street on the north.

B. The regulations of this Chapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all Wall Signs, Window Signs, Awning, Canopy or Marquee Signs, and Attention-Getting Devices within the Corridor. Signs not specifically addressed in this Chapter shall be governed by Chapter 15.60 of the Village Municipal Code.

C. Notwithstanding anything to the contrary, the regulations set forth in Chapter 15.60, as amended, of the Village Municipal Code apply to and are incorporated into this Chapter. In any instance where there is a conflict between the contents of Chapter 15.60 and this Chapter 15.62, this Chapter 15.62 shall govern and control.

15.62.030 General Standards.

The following general standards shall apply to all signs regulated in this Chapter:

A. Illumination.

1. Location and Design of Light Source. Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve (12) inches from the face of the sign or building to which it is attached; provided, however, that a receptacle or device housing a permitted light source for a sign may be located more than twelve (12) inches from the face of the

sign if such light source is ground mounted, locked in place, and cannot be redirected.

2. Level of Illumination. In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed one hundred seventy-five (175) foot candles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such sign face. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.

3. Signs Adjacent to Residential Areas. Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.

4. Flashing Lights Prohibited. Except for governmental or public service signs when expressly permitted by this Chapter or Chapter 15.60, no flashing, blinking or intermittent lights shall be permitted.

B. Electrical Elements. All wiring, fittings and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the Village Municipal Code. No metal sign illuminated by any means requiring internal wiring and no electrical fixtures attached to any sign shall be lower than nine (9) feet from grade unless it is grounded by the use of a grounding conductor run with the circuit conductors and is also grounded by being bonded to a grounding electrode at the sign site.

C. Structural Elements. The construction and structural components of all signs shall be in accordance with the standards and regulations of the Village Municipal Code. All permanent signs shall be constructed of fire-resistant materials and shall be capable of withstanding wind pressures of at least thirty (30) pounds per square foot of surface area and of receiving dead loads based on the actual weight of the structure.

D. Minimum Elevation of Certain Signs. The bottom of every awning, canopy, marquee, and wall sign shall be elevated at least eight (8) feet above grade. Whenever possible wall signs on the same facade shall maintain the same top and bottom elevations above grade.

E. Obstruction of Access Ways. No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required access way.

F. Obstruction of Window Surface. No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any applicable provision of the Village Municipal Code.

G. Traffic Safety—Confusion with Traffic Signals. No sign shall be maintained at any location where by reason of its position, size, shape, content, color, or illumination it may, in the opinion of the Building Commissioner, obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.

H. Signs in Rights-of-Way. Except as provided in this Section, no sign except governmental signs shall be placed in or extend into or over any public property or right-of-way. Temporary signs advertising civic functions may extend into or over a public right-of-way upon

the specific prior approval of the Building Commissioner on the basis of need and impact on pedestrian and vehicular traffic, and impact on surrounding properties.

I. Sign Identification. All signs shall be plainly marked with the name of the person, firm or corporation hanging or erecting the sign and the sign permit number.

J. Sign Maintenance. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this Chapter and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

K. Sign Measurement.

1. Area to be Included. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Where a sign has more than one display face, all faces shall be included in determining the area of the sign.

2. Area of Signs With Backing. The area of all signs with backing shall be measured by computing the area of the sign backing.

3. Area of Signs Without Backing. The area of all signs without backing shall be measured by computing the area of the smallest regular geometric figure that can encompass all words, letters, figures, emblems and other elements of the sign message.

4. Area of Signs With and Without Backing. The area of all signs formed by a combination of elements with and without backing shall be measured by counting the area of such elements measured in accordance with the foregoing subparagraphs.

L. Signs on Lots With Multiple Users. Where more than one user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted signage among such users.

M. General Safety. Notwithstanding any other provision of this Section, no sign shall be located in any area or in any manner so as to create a nuisance or a threat to the public safety and welfare.

15.62.040 Classification of Signs.

Within the Corridor, signs shall be classified as follows:

A. Attention-Getting Device. A sign or device designed to attract attention by means of flashing or moving parts, bright color or light, or movement of any kind. Examples of such signs or devices include pennants hung in series, whirligigs, spinners, streamers, flashing lights, search lights and balloons.

B. Awning, Canopy or Marquee Sign. A sign that is mounted or painted on or attached to an awning, canopy or marquee that is otherwise permitted by this Chapter. No such sign shall project above, below, or beyond the physical dimensions of such awning, canopy or marquee.

C. Banner Sign. A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.

D. Box Sign. A sign that is self-enclosed in a typically square or rectangular structure with or without internal lighting. A Box Sign can be single-sided or double-sided.

E. Moving or Animated Sign. Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.

F. Paint on Wall Sign. A sign painted on the wall of a building or structure with the exposed face of the sign in a place parallel to the face of the wall.

G. Reader Board/Changeable Copy/Video Sign. A sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign. This does not apply to Gas/Service Stations or to that portion of a sign dedicated to time and/or temperature.

H. Roof Sign. A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.

I. Wall Sign. A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve (12) inches from such building or structure.

J. Window Sign. A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its message can be read from the exterior of the structure.

15.62.050 Signs Specifically Prohibited in the Corridor.

The following signs are prohibited in the Corridor:

- A. Banner Signs (Except for the grand opening of a new business);
- B. Box Signs;
- C. Electronic Reader Board;
- D. Moving or Animated Signs;
- E. Roof Signs;
- F. Any sign that advertises, identifies or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located. Such signs shall be removed within thirty (30) days following cessation of the relevant activity;
- G. Any sign on a tree or utility pole, whether on public or private property;
- H. Any sign painted directly on a wall, roof or fence;
- I. Attention-Getting Devices.

15.62.060 District Regulations.

Wall signs, canopy/awning signs, and window signs shall be permitted in the Corridor, as follows:

- A. Number of Signs Permitted Per Lot.
 - 1. Wall Signs: One (1) Wall Sign per zoning lot frontage for buildings with a single ground floor tenant, or one (1) Wall Sign per ground floor business tenant fronting the public right-of-way;
 - 2. Awning and Canopy Signs: No limit on the number permitted.
 - 3. Window Signs: No limit on the number permitted.
- B. Maximum Gross Surface Area of Signs Permitted.

1. Total Sign Area: The total area of all signs on a zoning lot shall not exceed one (1) square foot per foot of zoning lot frontage.

2. Individual Sign Area Limitations: The following individual sign area limitations shall apply as follows:

a. Awning and Canopy Signs: Not to exceed fifty (50) square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent (5%) of the wall to which it is affixed.

b. Wall Signs: Not to exceed sixty (60) square feet per sign, or not to exceed covering more than five percent (5%) of the wall to which it is affixed, whichever is less.

c. Window Signs: The aggregate area of all such signs shall not exceed thirty percent (30%) of the area of the window in which they are exhibited nor block any window area required for light, ventilation or emergency exit by any applicable Chapter of the Village Municipal Code.

C. Maximum Height of Signs Permitted.

1. Awning and Canopy Signs: Twenty (20) feet; all Awning and Canopy Signs shall be at least eight (8) feet above grade. Awning and Canopy Signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed. No Awning or Canopy Sign shall cover any architectural features of the building to which it is attached.

2. Wall Signs: Twenty-five (25) feet. Permitted only on the first floor of multi-story buildings. No Wall Sign shall cover any architectural features of the building to which it is attached. Wall Signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.

D. Illumination, Color, Material.

1. Awnings, Canopies and Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy and shall not be located under the canopy/awning. Awnings, canopies and signs shall be of a cloth material and of a suitable quality to maintain the general character of the Corridor. Plastic and/or metal awnings and canopies are not permitted. Every awning, sign and canopy shall be of a single color, as approved by the Building Commissioner and as permitted by law, with appropriate lettering. All awnings, signs and canopies on a single building shall be the same color and material, as applicable.

2. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated channelized lettering or backlit.

3. Window Signs: Window signs shall not be illuminated.

4. Exemption. Political election signs, governmental signs, religious signs and temporary signs shall be exempted from any regulations regarding sign colors in this Chapter.”

Section 11.00 Contracts Authorized.

The Village is hereby granted the authority to enter into contracts with

consultants, vendors, and related companies and to expend all necessary and appropriate funds in order (a) to implement and enforce this new Chapter, and may waive all bidding requirements as to such contracts in order to expedite this implementation, and (b) during this transition, to aid and assist property owners located within the Corridor by installing signage that complies with this new Chapter.

Section 12.00 Other Actions Authorized.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documents required to be delivered in connection with this Ordinance.

Sections 12.00 – 15.00. Reserved.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 16.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of this Ordinance.

Section 17.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be

excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 18.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 19.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 20.00 Effective Date.

This Ordinance shall be in full force and effect ten (10) days following its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Mota,
Trustee Prignano, Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:

ABSENT:

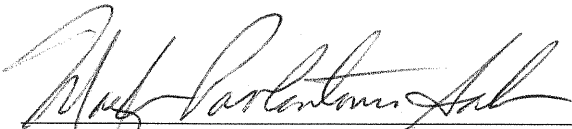
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS NINTH DAY OF
MARCH, 2009 A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 9, 2009
Published in Pamphlet Form: March 10, 2009