

10-15-0-7

ORIGINAL

AN ORDINANCE ESTABLISHING STANDARDS FOR SIGNS IN OAK PARK  
SPECIAL SERVICE AREA NUMBER ONE

BE IT ORDAINED by the President and Board of Trustees of  
the Village of Oak Park, Cook County, Illinois, as follows:

SECTION I - FINDINGS

A. Special Service Area Number One of the Village of Oak Park, known as the Oak Park Village Mall, was established by Ordinance adopted December 17, 1973, pursuant to Article VII, Section 6L of the Illinois Constitution and enabling legislation adopted pursuant thereto for the purpose of furnishing special services consisting of the creation of a shopping mall. The Oak Park Village Mall Commission for Special Service Area Number One was created by Ordinance adopted February 4, 1974.

B. That in order for Special Service Area Number One to fully benefit from the capital expenditures made to create the Mall, it is essential that advertising and other signs in the Mall area conform to special standards applicable to said area.

C. The regulation of projecting signs in this ordinance is consistent with Oak Park's Comprehensive Plan.

D. The creation of the Oak Park Village Mall represents a clustering of convenient pedestrian shopping with the vehicular traffic, and the need for visual identification from passing motor vehicles is no longer present.

E. That a public hearing has been held pursuant to notice to owners of property in the area of the Oak Park Village Mall and a substantial majority of said owners endorse and recommend the adoption of this ordinance.

SECTION II - DEFINITIONS

A. SIGN A "sign" shall mean any device, display or structure other than buildings or landscaping, readily visible from public property and used primarily for visual communication for the purpose of, or having the result of, bringing the subject thereof to the attention of the person, group of persons, or the public generally. A sign includes, but is not limited to, any and all reading matter, letters, numerals, pictorial representations, emblems, trademarks, flags, banners, streamers, pennants, inscriptions, and patterns whether affixed to a building, painted or otherwise depicted on a building, or separate from any building, and shall include window signs.

B. WINDOW SIGN A "window sign" shall mean any sign affixed to, in contact with, or within twelve (12) inches of a window thereof.

C. SURFACE AREA The "surface area" of a sign shall include all of the display area of the sign. Frames and structural members shall not be included in the computation of surface area.

SECTION III - SPECIFICATIONS FOR SIGNS      The following specifications for signs shall apply in Special Service Area Number One:

A. PROJECTION      All signs shall be located within, or shall extend not more than eighteen (18) inches from the wall of any building; and any sign attached to the wall of a building shall be attached in such a manner that the face of the sign is substantially parallel to such wall and shall not include any message on that portion of the sign extending from the building.

B. HEIGHT      No sign shall extend above the height of the building, and any sign extending more than three (3) inches from the wall of a building shall be located at a height of not less than ten (10) feet above grade.

C. SIZE

1. For buildings or portions thereof under separate management or control having building frontages of fifty (50) feet or less: The surface area of all exterior signs on the premises shall not exceed two square feet per lineal foot of building frontage or seventy-five (75) square feet, whichever is less, for each frontage on a public street or each frontage with public access; provided, however, that the surface area of all such signs shall not exceed, in the aggregate, seventy-five (75) square feet on any single building frontage.

2. For buildings or portions thereof under separate management or control having building frontages in excess of fifty (50) feet: The surface area of all exterior signs on the premises shall not exceed 1.5 square feet per lineal foot of building frontage or one hundred twenty-five (125) square feet, whichever is less, for each frontage on a public street or each frontage with public access; provided, however, that the surface area of all such signs shall not exceed, in the aggregate, one hundred twenty-five (125) square feet on any single building frontage.

D. WINDOW SIGNS

1. No window sign shall occupy more than twenty (20) percent of the total area of the window in which the sign is located.

2. No sign shall be affixed to a window surface except that the name, monogram, logo, address and telephone number of the person or firm occupying the premises may be permanently affixed upon a window in compliance with Section III D. 1. above. The surface area of such sign(s) is not to be included in the overall computation of allowable signage as determined by the provisions of Section III C. of this ordinance.

3. The provisions of this Section III D. shall not restrict the reasonable application upon the glass surface of a door or window of lettering or decals giving the address, hours of business, entrance or exit information, professional or security affiliations or memberships, credit cards which are accepted, or other similar information; nor shall the surface area of such lettering or decals be included in the overall computation of allowable window signs.

E. MOVING PARTS No sign or any part of a sign (excluding signs located wholly within a building) shall move or create the illusion of movement in any manner.

F. ILLUMINATION An illuminated sign or lighting device shall employ only lights of constant intensity and no sign shall be illuminated by or contain flashing intermittent, rotating or moving lights or lights creating an illusion of movement.

G. INTENSITY OF LIGHT No sign shall be either directly or indirectly illuminated in such a manner as to affect adversely the use and enjoyment of nearby property and Special Service Area Number One.

H. ALLOWED INFORMATION ON SIGNS No sign (excluding signs located wholly within a building) shall be erected or maintained on any premises, except to identify the building or to state the name of the person or entity occupying the premises and the product or service offered.

I. AWNINGS Awnings as permitted by the Building Code of the Village of Oak Park shall be permitted. The only sign(s) allowed on an awning(s) shall be the name of the store, logo, and the street number, and the combined area of such sign(s) in excess of fifteen (15) square feet must be counted as part of the total area allowed that building for its exterior signs.

J. PAINTED WALL SIGNS Signs painted directly on the surface of a building are prohibited.

#### SECTION IV - EXEMPT SIGNS

A. SIGNS OF SPECIAL SIGNIFICANCE Because of their key location at or near important intersections in Special Service Area Number One, and because they provide a public service through the dissemination of information other than advertising, the following are deemed to be signs of special significance in Special Service Area Number One and are, therefore, exempted from the provisions of Section V A. of this ordinance:

1. Marshall Field marquee and clock;
2. Lake Theater marquee and sign;
3. Oak Park Federal clock/temperature sign;
4. Oak Park Trust clock/temperature sign.

B. NON-COMMERCIAL SIGNS Traffic control signs, flags, emblems, memorials, plaques and other signs designed and intended for the safety and convenience of the public may be located as authorized by the Mall Commission and/or the President and Board of Trustees of the Village of Oak Park.

C. NON-ILLUMINATED SIGNS Non-illuminated signs not exceeding six (6) square feet in surface area displayed strictly for the direction, safety or convenience of the public, including signs which identify rest rooms, parking area entrances or exits, freight entrances, addresses or similar signs are exempt from the provisions of Sections III C. and H. of this ordinance.

D. TEMPORARY SIGNS

1. One non-illuminated real estate sign not exceeding ten (10) square feet in area advertising the sale or lease of non-residential property may be located on each street frontage of said property. Such signs which shall be removed within seven (7) days after the completion of the advertised sale or lease are exempt from the provisions of Sections III C. and H. of this ordinance.

2. One non-illuminated construction site sign not exceeding ten (10) square feet in area identifying the parties engaged in the design or construction on a lot or premises where construction or remodeling is in progress may be located on each street frontage of said property. Such signs which shall be removed within seven (7) working days after the completion of such work are except from the provisions of Sections III C. and H. of this ordinance.

3. Decorations connected with civic, patriotic, or religious holidays may be displayed no more than forty (40) days prior to, nor more than seven (7) working days after the appropriate holiday. Such decorations are exempt from the provisions of Sections III A., B., C., E., F., H. of this ordinance.

4. Flags, emblems and signs of political, civic, patriotic, or religious holidays or events may be displayed no more than forty (40) days prior to, nor later than seven (7) days after the appropriate holiday or event. Such decorations are exempt from the provisions of Sections III A., B., C., E., F., H. of this ordinance.

E. STREET NUMBERS Street numbers not exceeding four (4) inches in height. Such numbers are exempt from the provisions of Section III C. of this ordinance.

SECTION V - AMORTIZATION OF EXISTING SIGNS

A. PROJECTED SIGNS All signs projecting from a building in such a manner that the face or faces of the sign are not substantially parallel to the face of the building must be removed along with all hanging or mounting apparatus within twenty-four (24) months from the effective date of this ordinance.

B. SINGLE FACE SIGNS Single face signs attached to a wall in such a manner that the face of the sign is substantially parallel to the wall, which do not comply with the provisions of Section III, paragraphs B. (height), E. (moving parts), F. (illumination), G. (intensity of light), or H. (allowed information) of this ordinance must be removed or made to comply with said provisions within twenty-four (24) months from the effective date of this ordinance.

C. WINDOW SIGNS Window signs must be removed or made to conform to the provisions of this ordinance within thirty (30) days from the date of its adoption.

D. PAINTED WALL SIGNS Painted wall signs must be removed within twenty-four (24) months from the effective date of this ordinance.

SECTION VI - VARIATIONS

A. AUTHORIZATION The President and Board of Trustees of the Village of Oak Park, by ordinance, may vary the regulations of this ordinance provided the Board makes a finding of fact based upon the standards hereinafter prescribed that the application of the strict letter of the regulations of this ordinance will create practical difficulties or particular hardships for the owners or long term lessees of buildings and/or land in the Special Service Area Number One.

B. APPLICATION FOR VARIATION Applications for variations may be filed by any person having a proprietary interest in property in Special Service Area Number One. Said application for variation shall be filed with the Zoning Officer of the Village of Oak Park who shall forward a copy of same to the President and Board of Trustees without delay. The application shall be in such numbers of copies, be in such form and contain such information as the Oak Park Village Mall Commission may prescribe from time to time, but shall in all instances contain the following:

1. The name and address of the applicant and the owner of the property in question;
2. A legal description and street address of the property in question;
3. A concise written statement explaining the nature of the variation being sought; the sections of this ordinance from which the variation is being sought, and its compliance with the standards set forth in Section VI E. of this ordinance;
4. Photographs and/or scale drawings as may be appropriate.

C. THE HEARING The President and Board of Trustees shall refer the application to the Oak Park Village Mall Commission for the purpose of holding a public hearing thereon pursuant to the rules for public hearings set forth in Section 27.9 of the Zoning Ordinance of the Village of Oak Park. Following the hearing, the Oak Park Village Mall Commission shall transmit to the President and Board of Trustees a written report giving its findings as to compliance of the proposed variation with the applicable standards governing the particular variation and giving its recommendations for action to be taken by the President and Board of Trustees.

D. APPOINTMENT AND DUTIES OF THE SECRETARY OF THE MALL COMMISSION The Oak Park Village Mall Commission shall appoint a Secretary experienced in record-keeping, who shall serve as Secretary until a successor is appointed. The Secretary shall:

1. Cause a record to be kept of the Oak Park Village Mall proceedings and actions, showing the vote of each member upon each question, or if absent, or failing to vote, that fact;
2. Act as custodian of the records of the Oak Park Village Mall Commission;
3. Furnish to and receive from the public such applications for variations as are approved by the Oak Park Village Mall Commission;
4. Perform such additional duties as may be assigned from time to time by the Oak Park Village Mall Commission.

E. STANDARDS

1. With respect to existing signs, a variation from the amortization regulations of this ordinance shall not be granted unless evidence is presented that:

(a) Because of the age, cost, or unique characteristics of the sign(s) in question the strict enforcement of the amortization regulations as set forth in this ordinance would impose an undo hardship on the applicant;

(b) The proposed variation would not merely serve as a convenience to the applicant but will alleviate some demonstrable hardship not generally applicable to other properties in Special Service Area Number One;

(c) The waiver of amortization regulations or an extension in the period of amortization would not have a detrimental effect on Special Service Area Number One;

(d) The proposed variations are in harmony with the spirit and intent of this ordinance.

2. With respect to the erection of new signs, a variation from the regulations set forth in this ordinance shall not be granted unless evidence is presented that:

(a) The proposed variation will not be materially detrimental to Special Service Area Number One or other nearby property;

(b) That notwithstanding the benefits of Special Service Area Number One, the property in question will suffer some demonstrable and irreversible hardship if made to conform to the strict letter of this ordinance;

(c) The alleged hardship has not been created by any one presently having a proprietary interest in the property;

(d) The proposed variation is in harmony with the spirit and intent of this ordinance.

F. ACTION BY BOARD OF TRUSTEES After receiving the report of the Oak Park Village Mall Commission, the President and Board of Trustees may grant the proposed variation, or may deny it, or may refer the matter back to the Oak Park Mall Commission for further consideration.

G. FEES Any application for variation shall be accompanied by a fee in the amount of \$50. All fees shall be in cash or by check payable to the Village of Oak Park.

#### SECTION VII - OVERLAPPING OF CONTRADICTORY REGULATIONS

Where the regulations imposed by any provision of this ordinance conflict with comparable regulations imposed by any other ordinance, law, resolution, rule or regulation, the provisions of this ordinance shall govern.

#### SECTION VIII - SEVERABILITY

If any Section, Sub-Section, paragraph, sentence, clause or phrase of this ordinance is declared invalid, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

#### SECTION IX - PENALTIES

Any person who shall violate any provision of this ordinance shall upon conviction be punished by a fine of not less than \$25, nor more than \$500, and each day's failure to comply with any such provision shall constitute a separate offense.

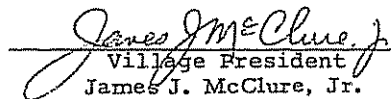
This Ordinance shall be in full force and effect from and after its adoption, approval and publication as provided by law.

ADOPTED this 3rd day of February, 1975, pursuant to a roll call vote as follows:

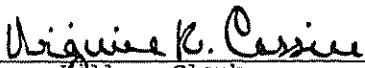
AYES: Trustees Callahan, Hoppe, Klem, Loevy, Osborn and Varnes, and President McClure.

NAYS: None.

APPROVED by me this 3rd day of February, 1975.

  
Village President  
James J. McClure, Jr.

ATTEST:

  
Village Clerk  
Virginia R. Cassin

Published by me according to law this 9th day of February, 1975.

  
Village Clerk  
Virginia R. Cassin