

ORDINANCE NO. 6021

AN ORDINANCE AMENDING ZONING ORDINANCE

NO. 3817 OF THE CITY OF PERU, IL

WHEREAS, after legal notice duly published in the News Tribune, a newspaper of general circulation within the City, the Plan Commission and Zoning Board of Appeals of the City of Peru, IL, met on Wednesday, July 23, 2014, Wednesday, August 6, 2014, and on Thursday, August 7, 2014, in the City Municipal Building, for public hearings to consider proposed text amendments to City of Peru Zoning Ordinance No 3817 (hereinafter "Zoning Ordinance") concerning signage, including definitions, permits, construction, location of signs, size of signs, types of signs, sign lighting, regulations for electric multiple message signs, penalties, and related provisions; and

WHEREAS, the Plan Commission and Zoning Board of Appeals have made their report of the hearings and have unanimously recommended certain amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PERU, LASALLE COUNTY, ILLINOIS, A HOME RULE MUNICIPALITY, AS FOLLOWS:

SECTION 1. AMENDMENTS. The Zoning Ordinance shall be, and is hereby, amended as follows:

ARTICLE VIII – SIGNAGE is amended, in its entirety, to read as follows:

8.01 General Purpose:

- (a) The regulation of signs by this Article VIII is intended to promote and protect the public health, safety and welfare by:
 - (1) Enhancing the economic conditions of the City by promoting reasonable, orderly and effective use and display of signs.
 - (2) Enhancing the physical appearance of the City by the same.
 - (3) Protecting the public use of streets and rights of way by reducing sign distractions that may increase traffic accidents and congestion.
 - (4) Minimizing the adverse effects of signs on adjacent public and private property.
 - (5) Coordinating the type, placement and physical dimensions of signs within the different land use areas.
 - (6) Insuring proper maintenance of signs.
 - (7) Requiring the removal of signs that are abandoned or expired.
- (b) Signs covered by this Article include exterior building and site signs used for identification, information and advertising. It also includes interior signage intended

to be viewed from the exterior for the purpose of identification, information or advertising. It includes permanent and temporary signs.

(c) Sign regulations are not intended to control sign content.

Section 8.02 Specific Definitions. (Also see Article III for additional 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.

Animated, Flashing or Moving Sign: See Article III; *Moving Sign or Flashing Sign*

Awning Sign: A sign attached to or incorporated into an awning.

Banner: Any sign made of vinyl, fabric, or similar material that is displayed on a pole or building. National, state or municipal flags and official flags of any institution or business shall not be considered banners. Also see *Temporary sign*.

Billboard: A structure for the permanent display of off-premises advertisement which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the lot on which the sign is located.

Building Inspector: City of Peru Building Inspector, Assistant Building Inspector, Building Inspector's assigned representative, or other official designated by the City.

Business Sign: A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered, on the premises where the sign is located or to which it is affixed. A business sign shall be a wall, canopy, awning, marquee, free standing or window sign.

Cold Air Inflatable Device: An inflatable device, without a frame, used as a portable sign for promotions, sales or special events. A cold air device shall be ground mounted. Also see *Temporary sign*.

Construction Sign: A sign erected on a lot on which construction is taking place, indicating the names of the architect, engineers, contractors, owner, sponsors, and similar persons or firms having a role or interest in the construction or project. Construction signs are temporary signs and shall be installed no more than thirty (30) days prior to the start of construction and removed within thirty (30) days after occupancy. A construction sign shall be a wall or freestanding sign.

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). Also included are all signs incorporating or using an electronic display screen, including light emitting diode (LED) screens, plasma screens, and similar technology, regardless of whether text or copy is displayed on the screen.

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

Clearance (of a sign): The smallest distance between the sign (including framework, and embellishments) and the grade of the adjacent street, street curb, or other identified element.

Development Sign: See Article III; Sign, development.

Directional / Informational 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) sides or faces.

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

Electronic Message Display Panel: A separate portion of a sign capable of displaying fixed or changing text, characters, figures or images, using light emitting diodes (LED), liquid crystal display (LCD), fiber optics, light bulbs, or other illumination devices that can be electronically changed by remote or automatic means. The following terms for these panels shall be defined as follows:

- (1) **Background Animation:** the appearance of movement on a sign that creates a special effect or scene set in the background of a sign, but where the informational message portion displays static content in the foreground of the sign.
- (2) **Character:** A letter, number, punctuation mark or decimal point.
- (3) **Dissolve:** Where static messages are changed by means of varying light intensity or pattern, or where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
- (4) **Fade:** Where static messages are changed by means of varying light intensity, or where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- (5) **Flashing:** A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.
- (6) **Foreground Animation:** The use of movement or some element thereof, to depict action or create a special effect or scene in the foreground of the sign.
- (7) **Foot Candle:** One foot candle is the equivalent light that a single wax candle would produce if it were viewed from one (1) foot away.
- (8) **Scrolling:** Where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.
- (9) **Static:** Graphics having no motion or movement of any type.
- (10) **Text:** Graphics consisting of letters, words, numbers, punctuation or decimal points only, that do not include any animation or video.
- (11) **Travel:** Where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
- (12) **Video:** Moving images that are a sequence of images of continuous motion, breaking it up into discrete frames for subsequent display.

Event Sign: See Article III; *Sign, event*.

Exempt Sign: Signs exempt from the normal permit requirements, but not from construction specifications and maintenance and other indicated requirements.

Freestanding Sign: See Article III; *Sign, freestanding*.

Garage Sale Sign / Rummage Sale Sign: Signs used to announce and give directions to a residential garage sale or rummage sale. See *Temporary sign*.

Grand Opening Sign: A temporary sign used for the purpose of advertising a grand opening of a new business. A grand opening sign may be a wall, marquee, canopy, awning or freestanding sign. Promotions, anniversary sales, special sales, or going out of business sales do not apply. See *Event Sign* and/or *Temporary sign*.

Ground Mounted / Monument Sign: A sign that is supported on a base that is equal in width and depth of the frame of the sign itself. A ground mounted monument sign must be constructed of materials to match the principal structure.

Government Sign: Any temporary or permanent sign erected and maintained by the City, County, State or Federal government for traffic or designation of a direction to any school, hospital, historic 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 surface grade beneath the sign, whichever is less. See *Clearance (of a sign)*.

Illuminated Sign: See Article III; *Illuminated 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, a parapet, or a marquee.

Identification Sign: a sign giving the name and address of a residential building, business, development, industry, or other building or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol. An identification sign shall be a freestanding, wall, canopy, awning, or marquee sign.

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

Marquee: See Article III; *Marquee*.

Marquee Sign: A sign which is attached to or incorporated into a marquee.

Menu Board Sign: A sign at a remote location on a lot giving product and price information about products sold on the lot to a motorist in a waiting vehicle.

Message Board Sign: See Article III; *Message board*.

Nonconforming Sign: See Article III; *Sign, nonconforming*.

Off-premises Sign: A sign structure advertising establishments, businesses, merchandise, services or entertainment, which is not sold, produced, manufactured or provided at the property on which said sign is located.

On-premises Sign: A sign which pertains to the use of the premises on which it is located and for no other business, service, etc. which is not on the site.

Pole Sign: A freestanding sign supported by a column or columns, whose purpose is to support the sign.

Political Sign: A temporary sign used in connection with a local, state, or national election or referendum. See *Temporary sign*.

Portable Sign: Any sign not permanently affixed to the ground or to a structure or building or any sign mounted on a chassis 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, including bicycle signs; provided, however, that this term shall not be construed to include exempt signs authorized pursuant to subsections of this Article.

Projecting Sign: A sign which in whole or part is dependent upon the building for support and projects more than twelve (12") inches from such building, except for awning, canopy and marquee signs.

Real Estate Sign: A sign indicating the sale, rental, lease, or development of a lot, a portion of the lot, or building on the lot on which the sign is located. A real estate sign shall be a wall or freestanding sign. See *Temporary sign*.

Roof Sign: See Article III; *Roof sign*.

Sandwich Sign or A-frame Sign: A temporary, portable sign constructed of two (2) boards, hinged together toward the top to permit the sign to stand when the bottom edges of the sign are spread; or constructed as a box, with two side of which are no more than twelve (12) square feet.

Snipe Sign: A temporary or permanent non-governmental sign in a public right-of-way which is tacked, nailed, posted, plastered, glazed or otherwise affixed to a pole, stake, fence, traffic sign, utility pole, light pole, tree or the ground.

Sign: An external building sign, site sign or window sign intended to be viewed from the exterior, used for the purpose of identification, information and/or advertising. Sign shall include the sign structure, supporting structure, frame, panel inserts and other associated parts, including electrical wiring. Signs may be permanent or temporary in nature. Signs include awning signs, billboards, banners, business signs, cold air inflatable signs, construction signs, changeable copy signs, development signs, directional/information signs, electric signs, electronic message display panel signs, event signs, freestanding signs, garage sale/rummage sale signs, grand opening signs, ground mounted signs, illuminated signs, individual letter signs, marquee signs, menu board signs, message board signs, pole signs, political signs, portable signs, real estate signs, roof signs, sandwich signs, trailer signs, vehicle signs, wall signs, wind feather signs, and window signs, as further defined herein.

Sign (gross area of):

- (1) The area within the sign frame shall be considered the gross surface area.
- (2) Should letters or graphics be mounted directly to the wall or fascia or in any such way as to be without a frame, the dimensions for calculating the square footage shall be the area contained within the periphery formed around such letters or graphics bounded by straight lines connecting the outermost points thereof.
- (3) Only one side of a double faced sign shall be used in computing total surface area.

(4) The area of a multiple-faced or irregular-shaped sign shall be computed on the basis of the greatest projected area of any plane passed through the sign face.

(5) The columns and structure of freestanding signs shall not be used to calculate the area of the sign, provided there is no advertising copy on the poles.

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

Temporary Sign: See Article III; *Sign, temporary.*

Trailer Sign: A sign mounted on a chassis with or without wheels.

Vehicle Sign: Any vehicle primarily situated to serve as a sign rather than as transportation. An automobile, van, or truck displaying the name and /or other information regarding the related establishment used for normal business operations or for employee/ client transportation is not a vehicle sign.

Vision Triangle (site triangle): A triangular-shaped area of land established at corner lots and intersections of roads or drives in which nothing is erected, placed, planted or allowed to grow, that would cause confusion, interfere, or restrict, or obstruct the site distance of motorists entering or leaving the intersection. The site triangle is measured as thirty (30) feet each direction from the intersection of the property line/right-of-way point.

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

Wind Feather (wind flag, teardrop banner, blade): Fabric or plastic attention getting devices supported by a pole and having a tall, narrow orientation whose rotation is determined by the wind direction.

Window Sign: See Article III; *Sign, window promotional.*

8.03 General Requirements:

- (a) Permits. 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 ownership interest in, except in accordance with the provisions of this Code, the Building Codes and Electrical Codes adopted by the City of Peru and without first obtaining a sign permit where required in this section. The permit application fees for each sign shall be as provided in the fee schedule available from the City. Each person that receives a sign permit is required to provide the City with the name and address of the party of record (legal owner of the sign and the property where the sign is located, if different). They are required to update this information if it changes. All notices, fines and penalties will be delivered/assessed to the party of record.
- (b) All signs constructed of a permanent material shall be permanently attached to the ground, a building, or another structure capable of supporting the sign loads and a minimum 30 pound per square foot wind load. Free standing pole mounted signs shall require permanent foundations that extend below frost, with engineering drawings sealed by a structural engineer or architect licensed in the State of Illinois verifying compliance.

- (c) All signs, including those for which no permit has been issued, shall comply with the requirements of this Article.
- (d) All signs, including those for which no permit has been issued, shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Article, at all times. A sign which is not maintained in good condition shall be considered an illegal sign. All signs, canopies and awnings shall be kept and maintained in a safe, neat and orderly condition and appearance, and shall be repainted or otherwise maintained periodically by the owner to prevent corrosion or deterioration caused by weather, age or any other conditions, and to keep the same in a safe, neat and orderly condition and appearance.
- (e) Existing Nonconforming signs shall be considered as a legal sign and permitted to remain per conditions of this Article. However, changes that can readily be made to the sign to make it comply shall be made (e.g., times that the sign should not be on, brightness of the sign, etc).
- (f) Gross surface area calculation. See definition for "Sign (gross area of)".
- (g) Removal of illegal 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 provide, the City is hereby authorized to cause removal of said sign and any cost or expense incidental thereto shall be paid by the party of record for the sign. Such cost, if not reimbursed, shall be subject to a lien against the premises upon which the sign is located.
- (h) Traffic hazards prohibited.
- (1) Signs shall not be placed in the public right-of-way; however projecting signs and awning signs and marquees, when approved by the City, may be allowed in the Peru downtown business district. Such signs, if approved, shall have a minimum of eight feet vertical clearance above the walk and have a minimum three feet horizontal clearance from the face of the curb or edge of road.
 - (2) Signs shall not be erected in such a location where the sign interferes with pedestrian /or vehicle traffic.
 - (3) Signs shall not be erected in the vision triangle at an intersection of any streets in such a manner as to distract or obstruct the visibility of traffic, traffic signs or signals.
 - (4) Signs shall not be worded, phased, lighted or constructed in a shape, size or color in such a manner as to interfere with, mislead or confuse traffic or resemble traffic signs.
 - (5) Signs shall not be installed that will block or obstruct state or local road signs.
- (i) Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electrical Code. However, in no case shall a sign be installed closer than ten (10) feet from a conductor or guy wire without written permission from the City.
- (j) Sidewalk construction area requirements.
- (1) Signs that require the use of hoisting machines over the sidewalk shall require, for protection of the public, the sidewalk to be blocked off during the work in question.
 - (2) Under no circumstances, when work is being done pursuant to this section, shall any hoisting machine be permitted to occupy the City or State sidewalk area.
- (k) Illumination of signs, including electronic signs (general).

- (1) Illuminated signs located on a lot adjacent to any residential district shall not be operated between the hours of 11:00 p.m. and 7:00 a.m., except when the business is open twenty four (24) hours a day.
 - (2) All illuminated signs shall concentrate the illumination upon the area of the sign and shall minimize glare upon the street or adjacent property.
 - (3) Illumination of signs shall be diffused or indirect and arranged so no direct rays shall reflect into public way or any lot on the perimeter of the premises on which the sign is located.
 - (4) Flashing, blinking or traveling and similar illumination is prohibited. Variance may be requested for this based on the design character of the development.
 - (5) Pole and pylon signs, if illuminated, shall be illuminated internally.
 - (6) All illuminated signs shall give off an illumination which is not intermittent and which is kept stationary or consistent.
 - (7) Lighting may be installed above signs to light the signs provided that the illumination is on the sign and does not extend to adjacent properties or the street.
 - (8) Electronic message boards shall have the ability to be dimmed to control brightness. The City may require reduction in brightness after the sign is installed by written notification. Failure to be able to comply may make the sign an illegal sign.
- (l) No sign shall be erected, constructed, or maintained so as to obstruct any exit, exit window, window ventilation, mechanical ventilation, or exhaust; or be in conflict with any Building Code adopted by the City of Peru.
- (m) No sign shall be supported by chains or other devices that would allow the sign to swing due to wind action.
- (n) Prohibited signs:
- (1) Roof mounted signs.
 - (2) Wall painted signs. This is not intended to prohibit murals.
 - (3) Off-premise signs except as approved by special permit, or specifically allowed elsewhere in this Article.
 - (4) Signs in right-of-way.
 - (5) Signs attached to trees, utility poles, public benches, street lights, or any public property, except as otherwise permitted in this Article.
 - (6) Vehicle signs.
 - (7) Billboard signs.
 - (8) Trailer signs.
 - (9) Flashing, animated or moving signs.
 - (10) Illegal signs.
 - (11) Signs that constitute a hazard to public health or safety.
 - (12) Wind-blown signs (except for temporary banners and / or wind feathers).
 - (13) Strings of lights (except for temporary holiday decorations).
 - (14) Any sign that incorporates sound in any way.
 - (15) All other signs not expressly permitted or regulated herein.
- (o) Exempt signs

- (1) The following chart list signs exempt from permitting, provided they follow the requirements of this Article and the conditions indicated.

Sign Type	Maximum Area	Additional Conditions
Identification Signs	1 sq. ft.	-
Memorial Signs or Tablets	4 sq. ft.	-
On-site Directional Signs and Warning Signs	4 sq. ft.	-
Signs Erected by Governmental Bodies	-	-
Real Estate Signs	-	See Temporary Signs
Rummage Sale or Garage Sale	-	See Temporary Signs
Government, Religions, Charitable, or Fraternal Organization flag, Pennants, and Logos	American Flag-sized	-
Sidewalk Signs	-	See Sidewalk Signs
Window Signs	-	See Window Signs
Construction Signs	-	See Temporary Signs
Political Signs	-	See Temporary Signs
Public Notices	-	-
Interior Signage	-	-
No Trespassing	1 ½ sq. ft.	Only four per lot
No Dumping	1 ½ sq. ft.	Only four per lot
Occupational Signs	2 sq. ft.	

- (2) Sidewalk signs, provided that:
- a. Only one sandwich sign is permitted per business. It must be located directly in front of the premise being advertised and must not interfere with movement of pedestrians;
 - b. Shall not exceed thirty inches in width and thirty-six (36) inches in height;
 - c. May be displayed during permitted business hours and when the store is open for business;
 - d. Shall not be illuminated or animated.
- (3) Window signs, provided that:
- a. Total window sign area shall not exceed eighty percent of the window area of the individual window lite; and
 - b. Total area of all window signs shall not exceed 20% of the total window area facing a street or road.
 - c. Window signs shall contain no animation or flashing elements.
- (4) Occupational signs denoting only the name and profession of an occupant in a commercial building or public institutional building provided it does not exceed two (2) square feet in area.
- (5) Signs and signage within the interior of buildings used to identify rooms and spaces and not intended to be visible from the exterior.
- (p) Penalties.

(1) Temporary signs, that are non-conforming (illegal signs) and do not require permits:

- a. May be removed by the City of Peru and disposed of; or
- b. The City of Peru may instruct the owner of the signs to remove them. Signs shall be removed within the day of the notice. If the party notified fails to remove the signs, penalties will be imposed per Article XVI and the schedule available from the City Clerk's office.

(2) Temporary signs, that require permitting, and all other signs that require permitting:

- a. The Building Inspector shall issue a written notice of correction or removal to the party of record, indicating the time limit for corrective action.
- b. If the party of record complies, there will be no penalties imposed.
- c. If the party of record does not comply, penalties will be imposed per Article XVI and the schedule available from the City Clerk's office.

(3) If the time frame indicated in the notice of corrective action cannot be complied with for justifiable reasons, contact the Building Inspector in writing with a request for extension of time. Extensions of time, if granted, will be given in writing by the Building Inspector.

(q) Variances and appeals:

(1) If an application for a sign permit is denied, the applicant may request a variance if they feel there are circumstances that warrant such action. Variance procedures are outlined elsewhere in the Ordinance. Some grounds for consideration of a variance are:

- a. Unique physical characteristics of the property.
- b. There are limited available locations for signage on the property.
- c. The size of the property warrants additional or increased size or types of signs.

(2) See Article XV for additional information.

8.04 Permanent Signage in Residential Districts.

(a) *Freestanding signs.* The following regulations shall apply to all freestanding signs in residential districts.

(1) Subdivision identification signs.

- a. Display. Lettering shall not be more than one foot in height and shall only indicate the name of the subdivision.
- b. Gross surface area. No single subdivision identification sign shall exceed one hundred (100) square feet in gross surface area.

c. Height. The height of a single freestanding sign shall not exceed six (6) feet.

d. Application.

- i. Applications for construction of a subdivision identification sign shall be submitted to the Building Inspector.
- ii. Applications shall include a scaled rendering of the subject sign, location map and a list of construction materials.
- iii. The Building Inspector may require alterations to the submitted plan if it is determined that such plan is not consistent with public safety, or public interest.

e. Ownership and maintenance.

- i. As a condition of constructing and installing a subdivision identification sign, the developer or a duly established homeowners association for said subdivision shall own and maintain the sign, and shall execute an agreement acceptable to the City Council providing for such maintenance.
- ii. Failure of the developer or homeowners association to satisfactorily perform such agreement shall constitute grounds for the City to cause the sign's removal.

(2) Non-commercial signs.

- a. Location. A sign shall not be located nearer than eight (8) feet from the nearest interior lot line and not less than one-half the depth of the required yard from the nearest lot line adjoining a street.
- b. Number of signs. Only one freestanding sign shall be allowed per lot.
- c. Gross surface area. A single freestanding sign shall not exceed fifty (50) square feet in gross surface area.
- d. Height. The height of a single freestanding sign shall not exceed eight (8) feet.

- (b) *Illumination of signs.* Only non-commercial signs may be illuminated, subject to the provisions of Section 8.10.

- i. Sign Zone "A": Eighty (80) square feet for a lot/building frontage up to eighty (80) linear feet; one hundred (100) square feet for a lot/building frontage from eighty (80) to one hundred (100) linear feet; one hundred and twenty-five (125) square feet for a lot/building frontage exceeding one hundred (100) linear feet.
- ii. Sign Zone "B": Two hundred and twenty-five (225) square feet.
- iii. Sign Zone "C": Three hundred (300) square feet.
- iv. Sign Zone "D": Three hundred and seventy-five (375) square feet.

(3) Location.

- a. Permanent signage shall not be located closer than forty (40) feet from a residence, nor farther than seventy-five feet from a business.

(4) Illumination. Signs may be illuminated according to the provisions in Section 8.10.

(c) *Unified center two acres or larger.* The following regulations shall apply to all signage at a unified center located on a parcel of land, larger than two (2) acres, in all Sign Zones.

(1) Freestanding signs.

- a. Number of signs. Two (2) freestanding signs shall be allowed.
- b. Display. A freestanding sign shall display the name and location of a unified center, and may display the names of individual tenants located within the center provided that (Amended by Ordinance No. 3960 June 16, 2003):
 - i. The gross surface area of the display of the name and location of the unified center shall be no less than twice the gross surface area of the largest individual tenant display.
 - ii. Each individual tenant display shall be a minimum of six (6) square feet in gross surface area.
 - iii. All individual tenant displays shall be uniform in size and color.
 - iv. Individual tenants with a linear front footage of one hundred (100) feet or greater shall be allowed to display their colored business logo.
- c. Gross surface area.
 - i. Single Sign. A single freestanding sign shall not exceed three hundred and seventy-five (375) square feet in gross surface area.
 - ii. Two (2) signs. If two (2) freestanding signs are erected, the gross surface area of the second sign shall not exceed two hundred (200) square feet.
- d. Height.
 - i. Single sign. A single freestanding sign shall not exceed forty-five (45) feet in height.
 - ii. Two (2) signs. If two (2) freestanding signs are erected, the height of the second sign shall not exceed thirty-five (35) feet.

(2) Attached signs.

- a. Number of signs. Only one attached sign shall be allowed per individual store, except where a store fronts on two (2) public streets, one attached sign shall be permitted per front footage.

- b. Display. A sign shall display only information pursuant to the individual store located within said unified center.
 - c. Gross surface area.
 - i. Each individual store shall be permitted one square foot of gross surface per linear foot of said store front footage. A minimum of forty (40) square feet shall be maintained for each individual store.
 - ii. A single attached sign shall not exceed three hundred and seventy-five (375) square feet of gross surface area.
 - iii. All signs proposed for stores with a front footage of one hundred (100) linear feet or greater shall be entitled to additional individual sign gross surface area over and above the three hundred and seventy-five (375) square foot maximum allowed for an individual attached sign according to the following:
 - aa. Each first floor occupancy of a building is entitled to an additional fifteen (15) square feet of gross surface area for such unit of ten (10) feet that the sign is set back from the required minimum front or side lot line, whichever the sign faces.
 - bb. In the event a sign faces more than one lot line, the eligibility for additional surface area shall be based upon the number of feet the sign is set back from the nearest lot line.
 - cc. A sign shall be deemed to “face a lot line” if any face of such line is parallel to the lot line or within ten (10) degrees of parallel thereto.
- (3) Illumination. Signs may be illuminated according to the provisions in Section 8.10.
- (d) *Out building in a unified center.* The following regulations shall apply to all signage for single user out buildings of a unified center in all Sign Zones.
- (1) Freestanding signs.
 - a. Number of signs. Only one freestanding sign shall be allowed per lot.
 - b. Display. A freestanding sign shall display only the name of the business conducted on the lot.
 - c. Gross surface area. A single freestanding sign shall not exceed two hundred and twenty-five (225) square feet in gross surface area.
 - d. Height. The height of a freestanding sign shall not exceed thirty-five (35) feet.
 - (2) Attached signs.
 - a. Display. Any attached signs shall display only the name of the business conducted on the lot.

- b. Gross surface area. A single attached sign shall not exceed two hundred and twenty-five (225) square feet in gross surface area per front footage facing a public street.
 - c. Number. Only one attached sign per front footage shall be allowed.
- (2) Illumination. Signs may be illuminated according to the provisions in Section 8.10.

8.06. Signage in “M”, Manufacturing Districts.

- (a) *Total signage.* The total gross surface area of all signage shall not exceed one square foot for each linear foot of lot frontage.
- (b) *Freestanding signs.*
 - (1) Number of signs. Only one freestanding sign shall be allowed per lot.
 - (2) Display. A freestanding sign shall display only the name of the business conducted on the lot.
 - (3) Gross surface area. A single freestanding sign shall not exceed three hundred (300) square feet in gross surface area.
 - (4) Height. The height of a freestanding sign shall not exceed forty-five (45) feet.
- (c) *Attached signs.*
 - (1) Display. An attached sign shall display only the name of the business conducted on the lot.
 - (2) Gross surface area. A single attached sign shall not exceed three hundred (300) square feet in gross surface area.
- (d) *Illumination.* Signs may be illuminated according to the provisions in Section 8.10.

8.07. Signage in “PD”, Planned Development Districts.

- (a) *Residential areas.* All residential areas shall conform to the signage regulations for residential districts, unless otherwise stated in the preliminary development plan and approved of therein by the Plan Commission.
- (b) *Commercial and business areas.* All commercial areas shall conform to the signage regulations for that specific Sign Zone, unless otherwise stated in the preliminary development plan and approved of therein by the Plan Commission.
- (c) *Manufacturing areas.* All manufacturing areas shall conform to the signage regulations for manufacturing districts, unless otherwise stated in the preliminary development plan and approved of therein by the Plan Commission.

8.08. Off-Premises Signage.

- (a) *Off-premises signage.* Off-premise signs shall be allowed only in Sign Zone "D" on property located **within** one hundred (100) feet of the right of way lines on Interstate 80.
- (b) *Standards for off-premises signage.* Shall include, but not be limited to the following:
 - (1) All off-premises signs shall be freestanding
 - (2) No sign may be erected which exceeds one hundred and 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 (1) 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, circle or combination thereof which will encompass the entire sign.
 - (3) No off-premise 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.
 - (4) Whenever the Planning Commission and Zoning Board of Appeals shall recommend a special use permit for an off-premises sign, it shall condition such a 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.
 - (5) The granting of the permit is otherwise in the best interests of the health, safety and welfare of the City's residents.
 - (6) If the sign uses or incorporates automatic changeable technology, the sign shall be subject to the following additional restrictions:
 - a. The sign shall not be located within one hundred fifty (150) feet of an existing residentially used lot, unless all parts of the changeable copy sign are oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot;
 - b. No audio speakers or pyrotechnics shall be used or associated with the sign;
 - c. The Sign shall contain a light detector or photocell by which the sign's brightness can be dimmed when ambient light conditions darken; and
 - d. The sign display shall not incorporate video, motion pictures or intensely flashing or scintillating lights.

8.09. Special Regulations for Electronic Multiple Message Signs.

- (a) *Purpose.* These regulations offer specific construction and operation regulations for the safe and appropriate use of electronic multiple message signs. Electronic multiple message signs may be but are not limited to: time/temperature signs, signs which display stock market information, electronic message/reader boards, and electronic billboard displays. These regulations shall apply to all Sign Zones, unless otherwise specified.
- (b) *Sign Area.* The area of an electronic multiple message sign shall be included in any sign area calculation. The maximum size of the electronic message display panel shall be eight (8) square feet in Sign Zone "A", thirty-two (32) square feet in Sign Zone "B", sixty-four (64) square feet in Sign Zone "C", and seventy-five (75) square feet in Sign Zones "D" and "M" Manufacturing Districts. Total gross surface area of a sign, including that of the electronic message display panel, shall not exceed the maximum areas stated in Sections 8.05, 8.06, and 8.07.
- (c) *Number of Display Panels.* There shall only be one (1) permitted sign per lot that may contain an electronic message display panel. Location shall be a minimum distance of fifty (50) feet from a residential district.
- (d) *Static Images Only.* Sign content/messages shall not consist of video, and shall not move, blink, animate, flash, or behave in any other way which constitutes or implies motion. Images shall remain static except during transition.
- (e) *Length of Display (Dwell Time).* Electronic multiple message signs are permitted to change their message no more than once per every three seconds- in Sign Zones "A" and "B" and once per every five seconds in Sign Zones "C" and "D". The use of background animation in Sign Zones "A" and "B" is permitted so long as flashing is prohibited.
- (f) *Transitions.* There shall be no foreground animation, traveling, or scrolling between displayed messages.
- (g) *Automatic Dimming.* Electronic multiple message signs shall be equipped with light sensing devices which automatically dim the intensity of the light emitted by the sign during ambient low-light and nighttime (dusk to dawn) conditions. No sign shall exceed an illumination level of 0.3 foot candles above ambient light as measured using a foot-candle meter at a distance of the square root of the product of the area of the EMC display panel and 100 ($\sqrt{[X \times 100]}$ =measuring distance with "X" being the area of the display panel).
- (h) *Maintenance.* Electronic multiple message signs shall be properly maintained. Bulbs, LEDs, pixels and the like shall be working, properly illuminating condition at all times. Malfunctioning electronic message display signs shall be turned off within twenty four (24) hours of the malfunction.

8.10. Illumination of Signs.

- (a) The following regulations shall apply to externally or internally illuminated signs (excluding electronic message signs).
- (1) Location. Illuminated signs located on a lot adjacent to any residential districts shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. In the event the premises on which the sign is specifically operating is engaged in the operation of its business, this requirement shall not apply.
 - (2) Visibility. Whenever external illumination is used for a sign, the source of light shall be located, shielded and directed in such a manner that the light is not directly visible from any surrounding Public Street or private residence. External light sources for ground signs shall be contained in a protective enclosure and concealed by landscaping.
 - (3) Goose neck reflectors. Goose neck reflectors and lights shall be allowed on freestanding signs and attached signs. The reflectors shall be so provided with devices concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.
 - (4) Internally Illuminated Signs. All pole, pylon, and ground signs that are internally illuminated shall have a light source that is visible only through a translucent surface.
 - (5) Operation. Unless otherwise stated all illuminated signs shall give off an illumination which is not intermittent and which is kept stationary or consistent in color. Exposed light bulbs, flashing, blinking or traveling and similar illumination are prohibited.
 - (6) Lighting intensity. In no case shall the lighting intensity of any sign, whether resulting from internal illumination or external illumination exceed 75 foot candles when measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign.
 - (7) General. All illuminated signs shall in addition be subject to the provisions of the National Electric Code.
 - (8) Lighting considerations will follow the general guidelines of the International Dark-Sky Association. Light only what is needed, when needed, and only at illumination levels necessary. At the same time, reduce light scattering upwards away from the object being lit.

8.11. Temporary Signs.

- (a) *Definition. Sign, temporary.* A non-permanent sign erected, affixed or maintained for a short, usually fixed, period of time, used for identification, information and advertising. Signs are not to be illuminated. All signs in this section are subject to the permits and fees as set forth by the City of Peru (See Section 8.03).

- (b) *Development signs.* A temporary on-premises sign for the purpose of advertising a new construction project or development during the period in which it is being constructed, as well as the initial renting/selling period. The following regulations shall apply to all development signs.
 - (1) Permits. A permit for a development sign is required for the following:
 - a. Residential projects of six (6) or more dwelling units.
 - b. Commercial areas of three (3) acres or more.
 - c. Industrial areas of ten (10) acres or more.
 - (2) Number of signs. Only one sign shall be allowed on the project site.
 - (3) Gross surface area. The sign shall not exceed two-hundred (200) square feet in gross surface area for development projects greater than ten (10) acres, and one-hundred square feet for projects less than ten (10) acres.
 - (4) Duration. After such time when seventy (70) percent of the project is sold, the sign shall be removed.
 - (5) Illumination. Development signs shall not be illuminated.

- (c) *For-Profit Event signs.* A sign advertising the name, duration, and/or place of a business promotion or similar event, provided the sign shall be displayed for a short period of time. The following regulations shall apply to all for-profit event signs or combination for-profit/non-profit event signs.
 - (1) Permits. A permit is required.
 - a. Permits for an event sign shall be limited to seven (7) days and such sign shall be removed within twenty-four (24) hours after expiration of the permit except that a new business shall be allowed to have an event sign for a thirty-day period as part of a grand opening promotion.
 - b. No more than four (4) event sign permits per applicant per year.
 - c. A minimum of fourteen (14) days must elapse before another event sign permit is issued.
 - d. In a unified center, no more than one event sign permit shall be issued at any one time.

- (2) Gross surface area.
 - a. The total gross surface area of all event signs on a lot shall not exceed two hundred (200) square feet.
 - b. A single event sign shall not exceed one hundred (100) square feet in gross surface area.
 - (3) Display. The display contained on any event sign shall pertain only to the business, industry and pursuit conducted on the lot on which it is located.
 - (4) Illumination. Event signs shall not be illuminated.
- (d) *Real estate signs.* A sign, providing notification of the property for which the sign is located on, as for purposes of being available for sale. The following regulations shall apply to all real estate signs, in which the sale, rental or lease of the property is advertised:
- (1) Residential buildings and single vacant lots.
 - a. Permits. Real estate signs shall be exempt from the permit requirements of this section.
 - b. Number of signs. Only one real estate sign shall be allowed per lot.
 - c. Gross surface area. A single real estate sign shall not exceed twenty four (24) square feet in gross surface area.
 - d. Duration. All real estate signs shall be removed within seven (7) days of the sale or lease of the premises upon which the sign is located. Signs on a property shall be allowed for a period not to exceed six (6) months, unless extended by the property owner. Open house signs may be installed forty-eight (48) hours prior to the event and removed at the end of the event
 - e. Illumination. Real estate signs shall not be illuminated.
 - (2) Commercial buildings and other vacant land.
 - a. Permits. Real estate signs shall be exempt from the permit requirements of this section.
 - b. Number of signs. Only one real estate sign shall be allowed per property frontage.
 - c. Gross Surface area. A single real estate sign shall not exceed two hundred (200) square feet in gross surface area.
 - d. Duration. All real estate signs shall be removed within seven (7) days of the sale or lease or expired contract of the premises upon which the sign is located.

e. Illumination. Real estate signs shall not be illuminated.

(e) *Political signs.* A sign providing public awareness and notification of impending electoral party functions and happenings, for the purpose of filling public office. The following regulations shall apply to all political signs (Amended by Ordinance No. 4885 March 12, 2012):

1. Permits. Political signs shall be exempt from the permit requirements of this section.

2. Location. Private property. Signs are not allowed on the public right of way. All signs placed on private property shall be with the consent of the owner.

3. Sign Display. All Zoning Districts (Business, Manufacturing and Residential Zoning):

a. Not more than one (1) sign per candidate or referendum position shall be permitted on private property. The number of different candidates or referendum positions for which signs may be displayed is limited to six (6) signs total.

b. A sign for each candidate or referendum position shall be limited to sixteen (16) square feet. A limit of one (1) sign per yard per candidate. Total area of all signs permitted is forty-eight (48) square feet.

c. Signs may be up to five (5) feet in height from the ground to the top of the sign. The height restriction does not apply to a political election sign that may be displayed in a window.

d. All signs must be maintained so that they are legible and in good repair.

e. Duration.

i. Residential: No Restriction, but it is recommended that signs are only put up sixty (60) days in advance of any election in order to preserve the character of the community. It is also recommended that signs must be maintained and must look reasonable during this period.

ii. Non-residential property (Manufacturing, Business and Agricultural): Political signs are allowed only during the period beginning forty-five (45) days before the election and ending five (5) days after the election.

(f) *Yard, garage, rummage sale signs.* A sign advertising the name, duration, and/or place of a residential sale, for the purposes of selling surplus residential items. Reference section 6.05 covering garage sales, yard sales or rummage

sales. These sales are regulated by Ordinance No. 3666 entitled "An Ordinance Regulating Garage Sales". The following regulations shall apply to yard sale signs:

- (1) Permits. Yard sale signs shall be exempt from the permit requirements of this section.
- (2) Location. Yard sales signs may only be displayed on private property with the owners' consent. All rummage, garage and yard sale signs are not allowed on the right of way, on light/lamp poles, traffic signal or sign poles, or wooden utility poles. (Amended by Ordinance No. 4885 March 12, 2012).
- (3) Gross surface area. A single yard sign shall not exceed four (4) square feet in gross surface area.
- (4) Duration. Yard sale signs are allowed only during the period beginning one (1) day before the sale and ending one (1) day after the sale.
- (5) Signs may be placed off-premise on private property subject to consent of the property owner; no signs may be attached to city, utility, or other poles or other devices in the right-of- way.
- (6) All signs shall have the name of the seller, date and address of the event indicated on each sign.

(g) *Nonprofit Special Event Signs.* Temporary signs displayed for special community or charitable events sponsored by a government entity, religious institution, school and/or other non-for-profit and community service organizations, including medical expense fundraising events. Special events signs may be displayed in conjunction with any community/charitable event associated with or benefiting the City and surrounding community, subject to the following regulations (Amended by Ordinance No. 4885 March 12, 2012):

- (1) Permits are required. The permit fee is refundable once the sign is removed.
- (2) Not more than one (1) such sign shall be allowed on each street frontage of an individual property at any given time.
- (3) Such sign(s) shall not be placed in street, roads, or highway rights of way or City owned properties and shall comply with the sign ordinances general setbacks standards.
- (4) Such sign(s) may be placed off site on private property with the permission of the owner of the property on which the sign is placed.
- (5) Such sign(s) may be displayed for up to fourteen (14) days prior to the advertised event and shall be removed within three (3) days after the event ends. Failure to remove the signs within three (3) calendar days will result in forfeiture of the fee, and subsequent events will be double the permit fee.
- (6) Such sign(s) shall be secured and maintained in a presentable manner that they will not endanger public safety.
- (7) Such sign(s) shall not exceed thirty-two (32) square feet.
- (8) The maximum height of such sign(s) shall be five (5) feet.
- (9) Such sign(s) may display corporate sponsor's logos, and ticket cost but not any product price specials. All content must have

prior written approval by the Building Inspector or Superintendent of Public Works.

- (10) Any signs not approved by permit may be removed and disposed of by the City of Peru.
- (11) Five (5) signs per event will be allowed at five (5) different locations approved by the Building Inspector.

(h) *Portable Signs.* A sign that can be easily conveyed from location to location for purposes of advertising the name, duration, and/or place of a business promotion, carnival, festival, bazaar, political campaign or similar event, provided the sign shall be displayed for a short period of time (e.g., a small trailered sign with stability/balance outrigger legs). The following regulations shall apply to portable signs.

- (1) Permit is required for commercial use, where indicated elsewhere in this Article. Permits are not required for residential use.
- (2) Sign in letters must be fully secured.
- (3) Sign to be weighted down to reduce likelihood of overturning
- (4) Sign may be displayed for up to fourteen (14) days prior to the advertised event and shall be removed within three (3) days after the event ends. Failure to remove the signs within three (3) calendar days will result in forfeiture of the permit fee.
- (5) Event duration may be no longer than two inclusive weekends.
- (6) No more than one portable sign per location
- (7) Portable signs shall not be placed within the public right-of-way or within the vision/sight triangle at intersections (See 8.02 Definitions).

(i) *Spotlights and/or searchlights.* A beam of light shot up against the sky set up for the purposes of indirect advertising during the duration of a business promotion, carnival, festival, bazaar, political campaign or similar event. The following regulations shall apply to spotlights and/or searchlights.

- (1) Permit is required for commercial use and these signs are not allowed for residential use.
- (2) Provided that such devices are further restricted to use for a maximum of fifteen (15) calendar days per business, per year.
- (3) Will not shine or cause blindness nor distraction for pedestrians and vehicular traffic in the immediate area

(j) *Auction signs for property/buildings or goods.* A sign advertising the name, duration, and/or place of an auction (silent and/or broadcast verbally) for the purposes of promotion, provided the sign shall be displayed for a short period of time. The following regulations shall apply to auction signs;

- (1) Permit is not required.
- (2) Auctioneer is required to register an auction event with the Peru Police Department at least seven (7) days in advance of the sale.
- (3) Adequate parking must be available or arrangements must be made for traffic control, as approved by the Peru Police Department.
- (4) When real estate property is involved, Section 8.13 will follow Section 8.06 (d) pertaining to real estate format.

8.12. Removal of Signs.

- (a) *Discontinued business or event signs.*
 - (1) Any sign, which is located on property which becomes vacant and or unoccupied, or any sign which pertains to a time, event or purpose which no longer applies, shall be removed by the owner of record within twelve (12) months.
 - (2) Upon determination of the need for removal, the Building Inspector shall provide written notification stating that removal must take place within thirty (30) days upon receipt of such notice.
 - (3) In the event said sign is not removed, the Building Inspector shall cause the sign to be removed.
 - (4) The expense of the removal shall be borne by the owner of the sign and property owner, or the City shall have the right to place a lien against the property for the cost of said removal.
 - (5) Said sign shall not be again erected unless a permit is issued for the new installation.

- (b) *Removal of non-allowed, unsafe or endangering signs.* The Building Inspector shall cause the immediate removal of any sign that endangers the public safety, of any sign that is electrically or structurally defective, or any sign for which no permit has been issued. The expense of the removal shall be borne by the owner of the sign or property, or the City shall have the right to place a lien against the property for the cost of said removal.

- (c) *Vinyl Signs.* Any vinyl sign shall be removed upon direction of the Building Inspector if in need of repair or replacement as determined by the Building Inspector (Amended by Ordinance No. 4364 Oct 30, 2006).

8.14. Nonconforming Signs.

- (a) *On-site.* All on-site nonconforming signs or other advertising structures not otherwise prohibited by the provisions of this article shall be removed or altered to conform to the provisions of this article, when:
 - (1) The sign is changed or altered either in shape, size due to a change in the nature of business conducted on the premises.
 - (2) The sign is changed or altered either in shape, size due to a change in the name of the business.
 - (3) The necessary alterations are minor and/or can be readily achieved without major changes to the sign.

- (b) *Off-site.* All off-site signs or other advertising structures not otherwise prohibited by the provisions of this article shall be removed when:
 - (1) The sign is changed or altered either in shape, size due to a change in the nature of business conducted on the premises.
 - (2) The sign is changed or altered either in shape, size due to a change in the name of the business.
 - (3) The necessary alterations are minor and/or can be readily achieved without major changes to the sign.

Article III – The definition of “sign” shall read as follows:

Sign: An external building sign, site sign or window sign intended to be viewed from the exterior, used for the purpose of identification, information and/or advertising. Sign shall include the sign structure, supporting structure, frame, panel inserts and other associated parts, including electrical wiring. Signs may be permanent or temporary in nature. Signs include awning signs, billboards, banners, business signs, cold air inflatable signs, construction signs, changeable copy signs, development signs, directional/information signs, electric signs, electronic message display panel signs, event signs, freestanding signs, garage sale/rummage sale signs, grand opening signs, ground mounted signs, illuminated signs, individual letter signs, marquee signs, menu board signs, message board signs, pole signs, political signs, portable signs, real estate signs, roof signs, sandwich signs, trailer signs, vehicles signs, wall signs, wind feather signs, and window signs, as further defined herein.

Article XV – Section 15.08 shall be amended to add the following:

- (4) To any sign request that doesn't meet the current sign size within Section VIII, as long as the sign does not exceed 150% of the existing sign requirement; and

Section 15.13 shall be amended to add the following:

- (a) Fees for sign permits will be established by the City of Peru and available from the City Clerk's office during normal business hours.
- (b) Fees for penalties for sign violations will be established by the City of Peru and available from the City Clerk's office during normal business hours.

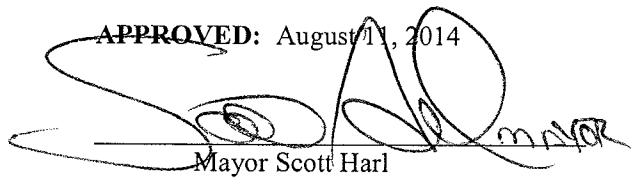
Article XVI – Section 16.05 Penalty shall be amended to add the following:

- a. All parties applying for a permit are required to provide the name and address of the “party of record”. They are also required to inform the City in writing of any changes to the party of record. All communications, permits, notices, penalties, etc. will be sent/applied to the party of record and shall be the responsibility of the party of record.
- b. Party of record will be notified in writing of any violations and given a time limit for correcting the violation.
- c. If time limit or corrective action cannot be complied with for justifiable reasons, party of record may request an extension or adjustment in writing. If extension or adjustment is granted, party of record shall receive written notice of revised completion date and requirements.
- d. Penalties will start the day after the completion date indicated, if corrective action is not completed, and continue until corrective action indicated is completed.

SECTION 2: Effective Date. This Ordinance shall be effective immediately from and after its passage, approval and publication according to law. These amendments shall be published in pamphlet form in the Zoning Ordinance.

PRESENTED, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Peru, Illinois, by an aye and nay roll call vote, with 8 voting aye, 0 voting nay, 0 absent, and Mayor Harl not voting, which meeting was held on the 11th day of August, 2014.



APPROVED: August 11, 2014

 Mayor Scott Harl

<u>Aldermen</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Potthoff	X		
Ferrari	X		
Waldorf	X		
Lukosus	X		
Perez	X		
Radtke	X		
Mueller	X		
Sapienza	X		