CHAPTER 14
BUILDING
amended 2021-22-6

14.01 Title
14.02 Building Codes Adopted
14.03 Building Inspector
14.04 Zoning Compliance
14.05 Water Supply, Sewage Disposal, Requirements for Occupancy
14.06 Damaged Structures
14.07 Building Permit Applications *Ord. 2005-06-02*
14.08 Inspections
14.09 Fees
14.10 Building Permit Expiration, Extension and Other Changes
14.11 Signs

14.01 TITLE

This Ordinance, including the rules and regulations it adopts by reference, is hereby entitled the Village of Bull Valley Building Ordinance, or the "Building Ordinance."

14.02 BUILDING CODES ADOPTED *Amended, 2025-26-17, 1998-99-8*

A. The following Building Codes are hereby adopted as the Building Codes of the Village of Bull Valley, for the control of buildings and structures as therein provided in each code. Each and all of the regulations, provisions, penalties, conditions and terms contained in each code described below are hereby referred to, adopted and made a part hereof as if fully set forth in this code. If there is any conflict between these codes and other codes adopted by the Village, the more restrictive code shall prevail. All amendments to any of the codes below shall be deemed adopted by the Village upon the date of publication by the amending body.

The 2024 International Building Code
The 2024 International Residential Code
The 2024 International Mechanical Code
The 2024 International Fire Code
The 2024 International Existing Building Code
The 2024 International Property Maintenance Code
The 2023 National Electrical Code
The Illinois Energy Conservation Code, current edition, 2024
The Illinois State Plumbing Code, current edition
The Illinois Accessibility Code, current edition

B. Exceptions

1. All references to the International Plumbing Code shall be replaced with reference to the current version of the Illinois State Plumbing Code.

2. All sections of the Building Codes pertaining to flood hazard areas, flood plains, flood elevations or similar terms, wells and wastewater systems, etc., shall be superseded by provisions of the McHenry County Stormwater Management

Ordinance (SMO) adopted by the Village as Chapter 25 of the Bull Valley Municipal Code.

3. Swimming pools shall comply with the requirements of the McHenry County Pool and Spa Ordinance, Section 11.4-l of the Bull Valley Zoning Code and applicable sections of the Building Codes.

4. Photovoltaic systems, fencing and other accessory uses shall comply with Section 11, Accessory Uses, of the Bull Valley Zoning Code and applicable sections of the Building Codes.

5. An automatic residential fire sprinkler system shall not be required in one- and two-family homes. When provided, automatic residential fire sprinkler systems shall be designed and installed in accordance with the Illinois State Plumbing Code and applicable sections of the Building Code.

6. Open burning, recreational fires, open flame, and portable outdoor fireplaces on any premises shall comply with the McHenry County Department of Health Open Burning Ordinance and with regulations or orders of the fire prevention district(s) having jurisdiction in which the activity is to occur.

7. In the event of a conflict between the Building Codes and any of the above local Ordinances, the more restrictive provisions shall apply.

8. No building permit shall be issued for new construction, remodels, accessory buildings, decks and swimming pools, excavation or site grading, without proof of review and approval by McHenry County Stormwater Department.

9. No building permit shall be issued for construction in any flood hazard area, or flood plain, in accordance with Section 10 of the Village Zoning Ordinance.

14.03 **BUILDING INSPECTOR** *Ord. 1998-99-9*

A. Creation: The position of Building Inspector is hereby created in which is vested the power and duty to administer and enforce all the provisions of this Chapter 14 and such related regulations as are assigned to that position by the Board of Trustees. Whenever the term "Building Inspector" is used in this Chapter 14, such reference shall be to the Building Inspector whose position is hereby created.

B. Appointment: The Village President shall retain the services of a Building Inspector. Such officer should be qualified and experienced to carry out the duties and conduct the affairs of this office. If the Building Inspector is a Village employee, the Building Inspector shall post a fidelity bond with the Village Clerk. The Building Inspector may also be a licensed, insured and bonded independent contractor or service business.

C. Compensation: The Building Inspector shall be paid such compensation for performance of his duties out of the fees hereinafter provided for as the Board of Trustees may from time to time provide.

D. Collection of Fees: All fees as may be established by this Chapter 14, or any amendments thereto, or any other ordinance so empowering the Building Inspector, shall be collected by the Village or the Building Inspector and deposited with the Village Treasurer.

14.04 **ZONING COMPLIANCE** *Amended, 1998-99-8*

A. Administration: The Village Building Inspector, Village President and Village Chief of Police are each hereby vested with the power and duty to issue Notices of Violation and Non-Compliance with the Bull Valley Zoning Code, and to administer the provisions of the Bull Valley Zoning Ordinance and such related regulations as are assigned by the Board of Trustees. Alternatively, or in addition to the above notices, the Chief of Police or his delegate may issue an Ordinance Violation Citation.

B. Appeals. Appeals from a Notice of Violation and/or Non-Compliance issued under Section A above shall be heard and determined by the Planning and Zoning Commission pursuant to Section 13.6-1.2.5 of the Bull Valley Zoning Code. Ordinance Violation Citations will be referred to the Village Code Hearing Department and set for hearing.

14.05 **WATER SUPPLY, SEWAGE DISPOSAL, REQUIREMENTS FOR OCCUPANCY** *Ord. 1998-99-8*

A. In addition to the minimum planning and building requirements in the Village's building codes, all residential units shall comply with the following provisions of the Public Health Ordinance for McHenry County, effective January 1, 2020, as amended, from time to time, are hereby adopted by reference and made a part hereof:

Article IV, Wastewater and Sewage Treatment and Disposal

Article V, Private, Semi-Private, Closed Loop and Non-Community Water Supplies.

If any sewage disposal system is to serve more than 15 persons und it is proposed to discharge the effluent therefrom into any stream or other waters within the Village, a written permit shall first be obtained from the Illinois Environmental Protection Agency, according to the provisions of the State of Illinois Environmental Protection Act, and from any other agency as required by law. Where it is not proposed to discharge such wastes into any stream or other waters within the Village such wastes shall be treated or disposed of in accordance with the regulations of this Ordinance.

B. Requirements for Occupancy:

1. Before a structure may be occupied, a Certificate of Occupancy must be issued by the Building Inspector.

2. A Certificate of Occupancy shall be issued only under the following conditions:

   a. The work is completed, in accordance with the provisions of this Chapter 14.

b. Any corrections ordered by the Building Inspector shall have been made, re-inspected and approved by the Building Inspector.

c. A culvert must be installed if specified by the Village Engineer.

d. The property shall have a street number, assigned by the Village and submitted to the local US Post Office.

e. All fees and fines owed to the Village for this construction permit or any other matter have been paid in full.

14.06 **DAMAGED STRUCTURES** *Amended, 1998-99-8*

The repair or replacement of residential, agricultural, industrial, storage, business, institutional and public structures that are substantially damaged or destroyed and which may be re-built or repaired shall comply with the building codes of the Village.

14.07 **BUILDING PERMIT APPLICATIONS** *Ord. 2005-06-02*

A. No building or structure shall hereafter be erected or altered until a building permit is issued by the Village. A permit shall not be issued unless the proposed construction and use of the land complies with the ordinances of the Village.

B. When a building permit application is submitted to the Building Department, the Building Inspector shall reject the application or approve issuance of a permit within 30 days after a permit application is received. In the event a permit application is rejected the reasons shall be put in writing.

C. Building permit applications shall not be considered accepted until all required documentation has been filed with the Building Department. The Building Department shall have available to the public, in written form, what documentation shall accompany a building permit application.

D. Permit Applications:

1. General Provisions:

a. The application for a permit shall be in writing using a form provided by the Village. A permit application is not considered complete until all required information has been provided, and all accompanying information as required in this Section 14.07 has been furnished.

b. Each application shall be signed by the owner or his authorized agent (the "applicant").

c. A permit may be amended during the course of work according to the regulations provided for in this Chapter 14 and the payment of any applicable fees. However, any alterations or additions to be made after completion of the work shall require the issuance of another permit.

d. The Village may adopt reasonable administrative procedures for the processing of permit applications from time to time in order to better carry out the purposes, intent and regulations of this Chapter 14.

2. Information Accompanying Permit Applications:

a. Each building permit application shall be accompanied by the following material, unless otherwise noted on the checklist provided:

i. Two full sets of drawings of the proposed construction. All pages of said drawings shall be signed and stamped by an Illinois licensed architect or engineer. Said signatory shall also certify that the submitted plans meet the minimum standards under all applicable building codes of the Village.

ii. A plat of survey of the lot showing the existing and proposed building(s), structure(s), underground facilities, easements and driveways, as well as building footprints on all immediately adjoining lots.

iii. Two copies of the site plan, with all setbacks, lot sizes, and building location for construction shown.

iv. Proof of variance or special use (if required).

v. One copy of well and septic plan and permit from McHenry County Health Department.

vi. Culvert/driveway permit (can be concurrent application).

vii. Road Bond if required by Municipal Code Section 5.13.

viii. Number of acres and PIN number(s) of the property.

ix. Township where the property is located.

x. Tree preservation plan in conformance with Chapter 12, Section 12.14-K.

xi. Lighting plan in conformance with Chapter 27, Lighting.

xii. Approval of building permit in ADID wetlands. Any person or entity considering any construction in an ADID wetland shall submit a review and letter of recommendation from the Illinois Department of Natural Resources and the Illinois Endangered Species Protection Board, and a letter of compliance from the McHenry County Stormwater Department, prior to review of the application for a building permit or issuance of the building permit.

b. If the scope of the structural work is minor and limited in detail, the Building Inspector shall have the discretion of modifying any portion of this requirement.

c. The applicant is required to provide such additional descriptive information in drawn or written forms as to the location, use, materials and design of buildings and structures and appurtenances thereof, and interior or exterior fixtures, as required by this Chapter 14 or by administrative procedures of the Village, in order for the Building Inspector to conduct a proper plan review to assure compliance with this Chapter 14 prior to permit issuance. Such additional information may include, but is not limited to truss certificates, manufacturer's "cut sheets" or product specifications and MSDS sheets.

d. A letter or receipt from the appropriate school district indicating that the impact fee has been paid, in the event the subject property is within the Village, its extraterritorial jurisdiction or is an obligation due under an agreement or court decree.

3. Supplemental Information Required After Permit Issuance: The applicant shall furnish such other supplemental information during the course of construction as may be occasioned by inspections, if in the judgment of the Building Inspector additional information is required in order to determine if the construction will comply with the regulations of this Chapter 14. Such information may include, but is not limited to results of soil tests, manufacturer's "cut sheets," product specifications or installation standards.

4. Other Fees Accompanying the Permit Application: In the event an impact fee (i.e., for park, roads, etc.) or any other outstanding debt is due the Village by virtue of Village ordinance, an agreement or court decree, such fee shall be paid at the time of permit application and prior to issuance of any permit.

14.08 **INSPECTIONS** *Amended, 1998-99-8*

All work shall be inspected by the Building Inspector or his designated official, at the following stages of construction, and no subsequent stage may commence until the preceding stage has been inspected and approved by the Building Inspector, which inspection need be made no earlier than forty-eight (48) hours after request is made for such inspection and need not be made on any Saturday, Sunday, or holiday, said stages being as follows:

Erosion control throughout construction

Footings formed – before pouring of concrete

Foundation wall pre-pour – forms in place and rebar installed per approved drawing

Foundation back-fill – damp-proofing installed also drain title installed – covered by stone – prior to backfilling

Underground plumbing

Pre-pour slab – vapor barrier installed prior to pouring concrete

Electrical service inspection

All rough inspection – building, plumbing, HVAC and electric are complete

Insulation and fire stopping

Drywall – after all attachments are installed prior to taping

Final carpentry, HVAC, electrical and plumbing – the final inspection prior to issuance of a certificate of occupancy, subject to code compliance approval

14.09 **FEES** *25-26-03*

RESERVED.

14.10 **BUILDING PERMIT EXPIRATION, EXTENSION AND OTHER CHANGES**

Amended, 24-25-10, 23-24-15, 2011-12-21, 2011-12-09, 2009-10-13, 1998-99-15; 2013-14-06

A. Commencing Construction: The work described in the building permit must commence within one hundred twenty (120) days from the date of issuance of the building permit.

B. Permit Expiration: Building permits shall expire if the relevant building, structure or improvement is not completed within the following periods after issuance of the initial permit:

1. New house.....365 calendar days
2. Garage:.....365 calendar days
3. Remodeling or addition: .....180 calendar days
4. Fences, patios, and other miscellaneous improvements requiring a permit..... 60 calendar days

C. Permit Extension:

1. Permits may be extended for a period of up to six (6) months only upon written request submitted before the original expiration date.
2. Each extension shall incur an extension fee equal to one-half (50%) of the original permit fee.

3. No permit may be extended after its expiration date. Permits requiring additional time after expiration shall be considered invalid and require application for a new permit. Any continued work without an approved, valid permit shall be considered unpermitted construction subject to penalties as outlined below.

D. Failure to Complete Project:

1. Projects not completed and inspected by the expiration date, without a valid extension filed, shall result in forfeiture of escrow deposits and immediate termination of the permit.
2. Continuation of work beyond permit validity shall constitute a violation, subjecting the owner to penalties including fines, condemnation, closure, or demolition at the owner's expense, with unpaid costs becoming a lien against the property.

E. Changes to Permit After Issuance: Changes requested post-issuance will incur additional fees as follows:

Less than 30 days from issuance:	no fee
31-90 days from issuance:	25% of original permit fee
91-180 days from issuance:	50% of original permit fee
181+ days from issuance:	new permit required

F. Stop Work Orders: Construction initiated prior to obtaining a required building permit shall constitute a violation of this Chapter 14. The Building Inspector or authorized Village official shall issue a Stop Work Order with an immediate penalty as specified in Appendix A. Work must cease immediately upon issuance of a Stop Work Order. Failure to comply with the Stop Work Order within three business days will result in issuance of an ordinance citation. Each day of continued non-compliance will be treated as a separate offense, and additional penalties will be assessed.

G. Ordinance Citations: Any person, firm or corporation found in violation of any provision of this Chapter 14 shall, upon conviction, be subject to fines as detailed in Appendix A of this Code, including building inspector fees and the Village's prosecution costs and reasonable attorney fees. Each day a violation continues, it shall be considered a separate offense, potentially leading to cumulative penalties.

14.11 **SIGNS** *Ord. 1990-23; amended, 2011-12-21, 1997-98-15, 1991-92-6; 2013-14-06, 21-22-14*

A. Purpose and Intent
B. Definitions
C. General Requirements
D. Prohibitions
E. Exemptions
F. Signs in Retail Districts

G. Subdivision Signs
H. Permit Required
I. Violations
J. Determining the Public Right-of Way

A. Purpose, Intent, Interpretation: The purpose of this section is to promote aesthetic quality in the design, location, size and purpose of all signs; to promote property values, preserve the character of the Village, and ensure an attractive and harmonious community; to promote signs that are compatible with the use of the property to which they are appurtenant, are compatible with the landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition; and promote the public, health, safety and welfare.

Wherever a commercial message is allowed to be displayed, a non-commercial message will also be permitted.

If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which can be given effect without the invalid provision.

B. Definitions: Terms used within this Section 14.11 are defined as follows:

1. Sign: A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign's message. Signs located completely within an enclosed building, and not exposed to view from a road or street, are not considered a sign for purposes of this Section.

2. Temporary Sign: A sign in any zoning district, intended to display either commercial or noncommercial messages of a transitory or temporary nature for a short period of time. A temporary sign is generally a small sign with no more than six (6) feet in area per side, constructed of cardboard, cloth, canvas, corrugated plastic or other biodegradable material and not embedded in the ground, except by its wire support frame, nor permanently affixed to a building or sign structure that is embedded in the ground.

3. Permanent Sign: A sign that does not meet the above definition of Temporary sign.

4. Commercial Sign: A sign or device intended or used to encourage or promote a commercial purpose or identify, advertise, or direct attention to a business, or induce the purchase of goods, property, or service, including without limitation, any sign naming a brand of goods or service.

5. Public right-of-way: That portion of land set aside for maintenance and construction of public roads, that portion of land utilized by the public as a road, whether or not such land is dedicated or depicted in a formal written instrument, as well as that area adjacent to such road utilized by the Village to maintain such road. The property may be prescriptive easement, formally dedicated right-of-way, dedicated by common law plat, roadway easement or established by public use or other evidence or testimony. If the right-of-way is not described, it shall be established by the location of monuments or fences. If there are no monuments or fences it shall be considered the area generally occupied by the roadway and ditches. The burden shall be upon the complainant to demonstrate that the Village's determination of the right-of-way is unreasonable.

C. General Requirements. No sign shall be installed within any Village zoning districts unless allowed by other ordinances of the Village or permitted in accordance with the regulations set forth hereinafter:

1. Character: All permitted signs shall be compatible with the rural character of the Village. Commercial signs are prohibited in Estate or Agricultural zones. Signs must be related to the premises upon which they are placed.

2. Illumination: Flashing signs are strictly prohibited. Exterior floodlights used to illuminate a sign, if permitted, shall be subject to the requirements of Section E.2, below. Internally illuminated signs are prohibited in Estate and Agricultural Districts. Temporary signs may not be illuminated.

3. Location: No signs shall be placed on any tree, utility pole, structure or landscape feature. Signs shall not be located in a public right of way or on public property. Signs may only be placed on private property with the owner's permission. There shall not be more than one sign per lot, except that on a corner lot, two signs, one facing each street and set back 25 feet from the corner, shall be permitted.

4. Size. No sign, including political campaign signs, shall exceed six square feet in area per side, nor be closer than 25 feet to any other zoning lot.

5. Height: No sign shall project higher than seven feet above the natural ground level where it is located. A temporary sign shall not project higher than three feet above the ground level where it is located

6. Placement: No sign shall project beyond the property line into the public right-of-way. No sign shall be closer than within 10 feet of the road itself except that a temporary sign may be closer, if and to the extent that topographical or landscaping features prevent placement or visibility of the sign 10 feet or more from the road. Under no circumstances whatsoever shall any sign constitute a traffic or other safety hazard.

7. Time: Permanent signs must be removed within fourteen days after the purpose for which they were installed has been discontinued or changed. Temporary signs must be removed within three (3) days after the purpose for which they were installed has been met or discontinued, but no later than fourteen (14) days from the date they were erected.

8. Signs may not be or appear to be handwritten.

9. Nonconforming signs: Any sign in any zoning district on the effective date of this Chapter that does not comply with the requirements of this Chapter shall be considered a non-conforming use. Except as otherwise stated herein, such uses shall be made to comply with the requirements of this Chapter or be removed within one year from the date of this ordinance or any amendment thereto or any zoning change which causes the sign to become non-conforming. During the one year period the sign may not be altered.

10. The Village Board may approve modifications to these regulations, and establish time limits to individual requests if environmental, educational or safety reasons are established.

D. Prohibitions: Except as permitted in this Section 14.11, the following are prohibited in the Village:

1. Any sign advertising or advocating any activity which is not a permitted use for the property or a lawful use;

2. Signs displaying a message on or within parked motor vehicles, not pertaining to the vehicle itself, and designed to be conspicuously visible from outside the vehicle;

3. Tethered airborne signs;

4. Beacon lights;

5. Flashing signs;

6. Billboards;

7. Roof signs;

8. Moving signs; or signs with moving parts however powered;

9. Advertising decals;

10. Directional signs;

11. Inflatable signs;

12. “A” frame signs, sandwich signs, curb signs;

13. Pennants;

14. Signs that use reflective paints or tape;

15. Signs with lights between opaque letters and an opaque background;

16. Signs hung across any street, alley or public right-of-way;

17. Signs on microwave, radio, transmission or receiving towers or on satellite dishes other than warning signs and contact information of the facility owner or manager;

18. Banners and feather banners;

19. Any sign which uses exposed exterior neon tubing and/or exposed light bulbs;

20. All other signs and miscellaneous messaging devices not expressly authorized by this Code.

E. Exemptions: The following types of signs are exempt from the provisions of this Section except for construction, maintenance and safety regulations, and except as provided for herein. Such signs are exempted from all permit requirements herein, except that illuminated signs shall be subject to application for and receipt of an electrical permit. Exempted signs and devices may be used to display non-commercial messages under the same standards as the display of a commercial message unless otherwise allowed or restricted by state laws including, but not limited to the Illinois Election Code and/or 10 ILCS 5/1-1 *et seq.* as enforced by the State Board of Elections or other appropriate officials:

1. Public Signs: Signs required by governmental bodies or public utility specifically authorized for a public purpose by any law, statute or ordinance; such public signs may be of any type, number, area, height, location or illumination as required by law, statute or ordinance, including traffic control signs and devices.

2. Secluded Signs: signs located on private property that cannot be deciphered or viewed from a public right-of-way or public property;

3. Symbols or Insignia: any sign of any official court or public office, notices thereof, or any flag, emblem or insignia of a government entity.

4. Address numerals and non illuminated nameplate signs on private property

5. Memorial signs, commemorative plaques, and memorial tablets displayed on public property, in cemeteries (including tombstones), or at historic sites.

6. "No Trespassing", "No Dumping", "No Hunting", "Danger-High Voltage" and other signs that warn of danger, restrict access to property or provide notice of security for property, provided that no such sign shall exceed 2 square feet and the number of signs is reasonable for the parcel size.

7. Signs regulated by the Illinois Election Code and/or 10 ILCS 5/1 *et seq.* as enforced by the State Board of Elections or other appropriate officials. Other political issue signs. Political signs can be no larger than 6 square feet in area per side.

8. One window sign no larger than 8.5 inches by 11 inches in one window.

F. <u>Signs in Retail Planned Development or Select Limited Retail Districts</u>:

1. In the Select Limited Retail District or the Retail PD District (Retail Districts), one permanent ground sign shall be permitted for each zoning lot with street frontage with a principal building, identifying the business on such parcel. Such sign shall not exceed 32 square feet, not exceed a height of six feet from grade, be situated no closer than 10 feet from the front lot line and be subject to and contingent upon receipt of a permit from the Village in accordance with the conditions and requirements set forth below. Roof signs, wall signs and awning signs that complement the design of the structure, may be permitted at the discretion of the Board.

2. <u>Additional Requirements:</u>

   a. Building Code: All signs shall be constructed of materials approved by the Village and shall comply with the requirements of Chapter 14, Building, of the Bull Valley Municipal Code and any amendments thereto as adopted by the Village.

   b. Electrical Code: All signs in which any electrical wiring and/or connections are to be used shall comply with the requirements of Chapter 14, Building, of the Bull Valley Municipal Code and any amendments thereto as adopted by the Village.

   c. Illumination Generally: Illumination, if authorized herein, shall be white (non-colored) light and shall not blink, fluctuate or move.

   d. Internal Illumination: The type and manner of illumination shall be specifically restricted by the following:

1. No part of the sign panel other than the lettering shall be transparent or translucent.

2. In no case shall the lighting intensity exceed the limit of 70 foot candles measured with a standard light meter perpendicular to the face of the sign at a distance equal to the narrowest dimension of the sign, whether it be the height or the width.

e. External Illumination: Externally illuminated signs shall be permitted subject to the standards set forth in this Section and Chapter 27, Lighting of the Bull Valley Municipal Code. The type and manner of illumination shall be specifically restricted by the following.

f. The lighting shall be uniformly distributed over the area of the sign or portion thereof and not extend beyond the edges of the sign. No element of the bulb or bulbs shall be visible from any adjoining roadway or property.

g. The lighting shall not trespass onto other properties, shine into dwellings or create a traffic hazard.

h. The light reflectance, when measured perpendicular one foot from the surface of the sign, shall not exceed 50 foot candles at its brightest area when measured with a standard light meter.

i. Floodlights, gooseneck reflectors or other external sources of illumination shall be contained within a protective casing.

j. Wind Pressure and Dead Load Requirements: All permanent signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square feet and shall be constructed to receive dead loads as required in Section 14.11 of the Bull Valley Municipal Code and any amendments thereto or other applicable ordinances of the Village. Any existing sign not so constructed shall be considered an immediate peril to persons and property and shall be removed pursuant to this Section.

k. Illinois Highway Advertising Control Act: No sign permitted under this Section shall be allowed or maintained if the sign shall in any way violate the Illinois Highway Advertising Control Act (225 ILCS 440/1 *et seq.*), as amended. No sign permitted under such Act shall exceed the standards as set forth in this Zoning Code.

G. Subdivision Signs: Signs that are used to identify new or existing developments or subdivisions shall not exceed 32 square feet in size, not exceed a height of six feet from grade, shall be situated no closer than 10 feet from the front lot line, and shall be subject to and contingent upon receipt of a permit from the Village in accordance with the conditions and

requirements set forth in Section E. of this ordinance. One sign per dedicated perimeter road frontage shall be allowed. Such signs shall be fully landscaped. No additional signs which face perimeter roads from individual lots within the development will be allowed.

H. Permit Required

1. It shall be unlawful for any person to erect, construct, alter, or change any lettering or graphics on or relocate any sign, except as otherwise expressly authorized.

2. Permit Application: Application for a sign permit shall include the following information:

   a. Name, address and telephone number of the applicant.

   b. Location of the building, structure or parcel of property to such or upon which the sign is to be erected or attached.

   c. Position of the sign in relation to nearby buildings or structures.

   d. Three copies of the plans and specifications showing the method of construction, location, support, illumination if applicable and the lighting intensity measured in terms of foot candles.

   e. Sketch showing sign faces, exposed surfaces and layout of the proposed message thereof, accurately represented in scale as to size, proportion, font and color.

   f. Name of the person, firm, corporation or association erecting the sign.

   g. Written consent of the owners of the building, structure or land on or to which the sign is to be erected.

   h. Such other information as the Board of Trustees shall require to show full compliance with this Section and all other applicable Village ordinances.

   i. Temporary signs do not require a permit but must conform to the requirements of this ordinance or will be subject to Section I.3, Violations.

3. Permit Fees: Before a sign permit is issued in any Estate or Agricultural zone, the applicant shall pay a permit and inspection fee of $500.00 per sign. Before a sign permit is issued in any Retail zone, the applicant shall pay a permit and inspection fee of$1500.00 per sign. In addition the Village may require that the applicant post a bond to cover the cost of removal of said sign if necessary in the future.

4. Issuance of Permit: It shall be the duty of the Planning and Zoning Commission, upon the filing of a sign application permit, to examine such plans, specifications and other data and the premises where the sign will be erected, constructed or altered, and recommend that the Village Board issue a sign permit if all requirements of this Section and all other applicable Village ordinances are satisfied.

5. Revocation of Permit: The Village or designee is hereby authorized and empowered to revoke any sign permit if:

   a. Information in the application was materially false or misleading;

   b. The sign as installed does not conform to the sign permit application;

   c. The sign violates this code, the zoning ordinance, building code, or other applicable law, regulation, or ordinance; whether permitted or not, or

   d. The sign is not being properly maintained or has been abandoned, or is a nuisance or presents a danger to the public.

I. Violations:

1. Any person, firm or corporation violating this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

2. The Village may cause any sign or other advertising structure which is in an immediate peril to persons or property to be immediately removed or repaired if, after notice, either oral or written, the owner or lessee fails to take corrective action or if the owner or lessee cannot be located in sufficient time to remedy the immediate peril.

3. In addition to the penalty provisions of this Section, the Village reserves the right after reasonable notice to remove and dispose of, any sign that is in violation of this Section. The Village may also file a complaint for injunction or any other appropriate remedy, including the recovery of any costs incurred therewith, including legal fees. The Village Road Supervisor is hereby authorized to remove any sign in the Village's right of way or otherwise in violation of this ordinance.

J. Determining Public Right-of-Way: In the event there is a discrepancy on the location of the public right-of-way the Planning and Zoning Commission shall determine the extent of the right-of-way issue. In the event that the complainant disagrees with the Planning and Zoning Commission's determination, the complainant may appeal to the Village Board by filing a written notice of appeal with the Village Clerk within 15 days of the Planning and

Zoning Commission’s decision. Failure to file such notice shall waive the complainant's right to challenge the Planning and Zoning Commission’s determination. Provided that such notice of appeal is filed in a timely manner and appeal is made to the Village Board, the decision of the Village Board shall be final and conclusive.