

VILLAGE OF CHATHAM, ILLINOIS

---

ORDINANCE NO. 99- 41

AN ORDINANCE REGULATING BILLBOARDS  
IN THE VILLAGE OF CHATHAM AND AMENDING THE VILLAGE OF  
CHATHAM CODE OF ORDINANCES

---

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF CHATHAM, ILLINOIS  
THIS 10 DAY OF AUGUST, 1999

---

Published in pamphlet form by the authority of the President and  
Board of Trustees of the Village of Chatham, Sangamon County,  
Illinois, this 11 day of AUGUST, 1999.

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF SANGAMON            )

**CERTIFICATE**

I certify that I am the duly elected and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I further certify that on \_\_\_\_\_, 1999, the corporate authorities of such Village passed and approved Ordinance No. 99-\_\_\_ entitled:

**AN ORDINANCE REGULATING BILLBOARDS  
IN THE VILLAGE OF CHATHAM AND AMENDING THE VILLAGE OF  
CHATHAM CODE OF ORDINANCES**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 99-\_\_\_ including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on \_\_\_\_\_, 1999, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Chatham, Illinois, this \_\_\_ day of \_\_\_\_\_, 1999.

(SEAL)

\_\_\_\_\_  
Village Clerk

**AN ORDINANCE REGULATING BILLBOARDS  
IN THE VILLAGE OF CHATHAM AND AMENDING THE VILLAGE OF  
CHATHAM CODE OF ORDINANCES**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE  
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

**SECTION 1:** Chapter 159 is hereby added to the Code of Ordinances of the  
Village of Chatham, as follows.

**CHAPTER 159: BILLBOARDS**

**159.1 DEFINITIONS.**

The following terms used in this Chapter shall have the following meanings:

**Billboard:** A billboard is an object, device, display, sign, or structure, or part thereof, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location, or to express a point of view, by any means, including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images, which are not substantially related to the primary economic activity or use conducted on the zoning lot. Billboards do not include commercial signage related to the business conducted on the zoning lot, nor signs temporarily placed in residential lawns by residents, owners, contractors, real estate brokers or agents, or by or on behalf of political candidates or issues.

**Billboard Area:** The facing of a billboard, including copy, insignia, background, structural supports, and border and trim. The measurement shall be determined by the smallest rectangle inclusive of all letters and images. The structural supports shall be excluded if they do not constitute a major part of the billboard or if the structure is not used to identify or attract attention to the business or product. A double-sided billboard, with sign faces parallel to each other, shall be deemed to have the billboard area of the larger sign face.

**Spacing.** Spacing of billboards shall be the minimum distance between outdoor advertising billboard structures measured along the nearest edge of the pavement between points directly opposite the billboards along each side of the highway and shall apply to outdoor advertising billboard structures located on both sides of the highway involved.

Spacing shall be calculated with respect to existing billboards whether or not the existing billboards are within the corporate limits of the Village.

Illuminated Billboard. A billboard having its characters, letters, figures, designs or outlines illuminated by a source of artificial light.

Interstate 55 Corridor An area including all land located within 1,000 feet of the east and west boundaries of the Interstate 55 right-of-way and within the corporate limits of the Village of Chatham.

Route 4 Corridor An area including all land located within 200 feet of the east and west boundaries of the Illinois Route 4 right-of-way and within the corporate limits of the Village of Chatham.

Zoning Ordinance. Chapter 158 of this Code of Ordinances.

## **159.2 PURPOSE.**

The regulations set forth in this Chapter are established in order to promote and protect generally public health, safety, comfort, prosperity and welfare and in order to accomplish the following specific purposes:

1. To maintain and enhance the visual environment, and to preserve the right of citizens to enjoy the Village's scenic beauty;
2. To improve pedestrian and traffic safety;
3. To minimize the possible adverse effect of billboards on nearby public and private property.
4. To provide a reasonable amortization period for nonconforming billboards, in order to lessen the economic impact thereof on the owners thereof.

## **159.3 GENERAL CONSTRUCTION, MATERIAL, LOCATION AND PERFORMANCE STANDARDS.**

### **A. Electrical Requirements.**

1. The electrical components, connections, and installations of all billboards shall conform to the Electric Code of the Village and all regulations promulgated thereunder.

2. In no case shall electrical wiring be exposed to the view of, or access by, the public.

B. Illumination and Movement.

1. The light from every illuminated billboard shall be shaded, shielded or directed so that no ray emanating from any light fixture shall directly impinge upon any residential structure or public road, and all light visible from any residential structure or public road is either reflected from, or diffused and filtered through, the sign.

2. Flashing billboards, flashing or moving lights on billboards, and reflective pennants are prohibited, except signs exhibiting time and temperature, date or other similar information.

C. Location

1. Billboards shall be located within the zoning lot in accordance with the applicable setback and yard provisions of the zoning district in which such lot is located

2. Billboards shall not be located on the public right-of-way, or affixed to or upon public property on the public right-of-way, including but not limited to any sidewalk, crosswalk, curb, curbstone, street lamp post, hydrant, tree, shrub, tree stake or guard, electric light or power, telephone or telegraph system, fire alarm, lighting system, public bridge, drinking fountain, trash receptacle, street sign or traffic sign.

D. Maintenance. All billboards shall be properly maintained, free of broken or missing parts, rust or oxidation, faded or chipped paint, and similar conditions of disrepair.

**159.4. LOCATION RESTRICTIONS**

A. Billboards are permitted only in areas of the Village which meet all of the following conditions:

1. The applicable zoning classification is B-1, B-2, I-1 or I-2;
2. The billboard is located within the Route 4 Corridor or the Interstate 55 Corridor; and
3. The zoning lot on which the billboard is located borders directly on the right-of-way of Illinois Route 4 or Interstate 55.

B. Billboards located within the Route 4 Corridor are subject to the following additional regulations:

1. Spacing shall be at least 500 feet.
2. No billboard shall have a billboard area exceeding 175 square feet.
3. The top of a billboard may not be more than 30 feet above the surface of the lot.
4. Each billboard shall be so designed and located such that its primary audience is the traveling public on Illinois Route 4.

C. Billboards located within the Interstate 55 Corridor are subject to the following additional regulations:

1. Spacing shall be at least 1,000 feet.
2. No billboard shall have a billboard area exceeding 350 square feet.
3. The top of a billboard may not be more than 40 feet above the surface of the lot.
4. Each billboard shall be so designed and located such that its primary audience is the traveling public on Interstate 55.

#### **159.5. ENFORCEMENT**

A. From and after the effective date of this Chapter, it shall be unlawful to erect, or to structurally or electrically alter, any billboard within the Village unless a permit therefore has been issued by the Zoning Administrator in accordance with the provisions of this Chapter. A written application for such permit shall be filed with the Zoning Administrator, and the application shall contain, as a minimum, a site plan; a plan of the proposed billboard; a map showing spacing with respect to existing billboards; and evidence of any federal or state permits which the applicant has obtained with respect to the billboard. The application shall be signed by the owner of record of the zoning lot on which the billboard will be located. Prior to or concurrently with the filing of such application, the applicant shall pay to the Village a permit fee in the amount of \$10.00 for each sign, plus \$.25 for each square foot of surface area of such sign in excess of 20 square feet. If the application shows that the proposed billboard would be in conformance with this Chapter,

the Zoning Administrator shall grant the application and issue a permit. If the application shows that the proposed billboard would not be in conformance with this Chapter, the Zoning Administrator shall deny the application in writing. The Zoning Administrator shall have 5 business days to grant or deny the permit application; his decision shall be reviewable by the Zoning Board of Appeals in accordance with the appeal provisions in the Zoning Ordinance.

B. Compliance with State law. No billboard permit shall be issued by the Zoning Administrator unless the applicant has obtained all necessary state or federal permits, if any. The issuance of such state or federal permits shall not entitle the applicant to issuance of a Village permit, unless the applicant is in compliance with all applicable Village, state and federal laws.

C. Maintenance of Billboards Billboards shall be maintained in a safe condition. If the Zoning Administrator shall find that any billboard has not been properly maintained, as evidenced by damaged, dented, cracked, broken or missing parts; the presence of rust or oxidation; faded or chipped paint; or similar conditions of disrepair, he shall give written notice of such violation to the owner or occupant of the premises upon which such sign is located, stating the condition noted and providing not less than 15 days within which to remedy the deficiency, unless the billboard presents an immediate threat to life or property, in which case the notice shall provide that the deficiency shall be remedied immediately.

#### **159.6 NON-CONFORMING BILLBOARDS.**

A. Billboards which existed prior to the effective date of this Chapter, and which conformed to all Village ordinances prior to the effective date of this Chapter, and which conform to all safety, electrical and maintenance requirements set forth in this Chapter, may continue in existence until August 14, 2006. After that date, all such nonconforming billboards shall be deemed unlawful and shall be brought into compliance with this Chapter, or removed. In the event two billboards are both nonconforming due solely to their spacing from each other, the billboard which was last erected shall be deemed unlawful and shall be subject to removal.

B. Until August 14, 2006, nonconforming billboards may be maintained in their nonconforming condition, and the advertising contained thereon may be changed from time to time. However, no nonconforming billboard may be enlarged; nor may the illumination thereof be increased. If a nonconforming billboard is damaged and the cost of repair would exceed 50% of its replacement cost, the billboard shall be brought into compliance with this Chapter or removed.

C. This section shall not be construed as permitting any billboard which was not in conformity with all Village ordinances prior to the effective date of this chapter, or which do not conform to all safety, electrical and maintenance requirements of this Chapter.

D. This Chapter shall not affect any right which has vested pursuant to any annexation agreement executed prior to the effective date hereof.

**159.7 NUISANCE DECLARED** The Village hereby declares that any billboard which does not conform to the requirements of this Chapter, and is not allowed pursuant to the nonconforming sign provisions of Section 159.6, is a nuisance. In addition to any other remedies available to the Village, the Village may sue the owner of any land on which a such a billboard is located, to abate such a nuisance.

**159.8 PENALTY** Any person, firm or corporation who or which owns, leases (as lessor or lessee) or controls a billboard which violates any provision of this Chapter, or owns a zoning lot on which such a billboard is located, or fails to remedy a deficiency as to which notice has been sent by the Zoning Administrator as set forth in section 159.5C, shall be subject to a fine of not less than \$250.00 nor more than \$750.00 for each violation. Each day a violation continues shall be deemed a separate offense.


**SECTION 2: EFFECTIVE DATE; REPEALER**

This Ordinance repeals the sign provisions of the 1982 Zoning Ordinance insofar as they pertain to billboards. It is effective on August 15, 1999. The Clerk is directed to publish this Ordinance in pamphlet form.

PASSED this 10 day of AUGUST, 1999.

  
VILLAGE PRESIDENT

ATTEST:

  
Village Clerk

YES: 5



NO: Ø

PASSED: 8/10/99

APPROVED: 8/10/99

ABSENT: Boyle

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF SANGAMON        )

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 99-\_\_\_\_\_, adopted by the President and Board of Trustees of said Village on the \_\_\_\_\_ day of \_\_\_\_\_, 1999, said Ordinance being entitled:

**AN ORDINANCE REGULATING BILLBOARDS  
IN THE VILLAGE OF CHATHAM AND AMENDING THE VILLAGE OF  
CHATHAM CODE OF ORDINANCES**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Village Clerk