



# City of Chicago



O2014-2504

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	4/2/2014
<b>Sponsor(s):</b>	Emanuel (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Chapters 7-28, 10-8, 13-20, 13-96, 17-12 and 17-17 regarding provisions of illuminated signs
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

ZON.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

April 2, 2014

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Buildings Commissioner and the Commissioner of Planning and Development, I transmit herewith an ordinance amending various Municipal Code provisions regarding illuminated signs.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

## ORDINANCE

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

**SECTION 1.** Section 7-28-085 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

**7-28-085 Signs and signboards unlawful on private walkways, etc.**

It shall be unlawful to erect any sign and ~~signboard~~ on the surface of a privately owned walkway or parking lot made available for public use and access if the placement of such sign or ~~signboard~~ obstructs the use of the facility made available for public use and creates a public safety hazard. Any person found to have violated this section shall be fined not less than \$100.00 nor more than ~~shall it exceed~~ \$500.00.

**SECTION 2.** Section 10-8-380 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by adding the language underscored, as follows:

**10-8-380 Defacing property in public places.**

No person shall wantonly mar, injure, deface or destroy any fence, guidepost, sign, ~~signboard~~ or awning in any public way or other public place in the city.

**SECTION 3.** Chapter 13-20 of the Municipal Code of Chicago is hereby amended by adding a new section 13-20-675, by deleting the language struck through and inserting the language underscored, as follows:

**13-20-510 Definitions.**

For the purposes of this article, the following additional definitions apply.

(Omitted text is unaffected by this ordinance)

"Dynamic image display sign" means any sign, or portion thereof, with characteristics that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, ~~flashing~~, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays. ~~A "dynamic image display sign" shall include, but not be limited to, a changing image sign, as that term is defined in Section 17-17-0234, a video display sign, as that term is defined in Section 17-17-02190, and a flashing sign, as that term is defined in Section 17-17-0256.~~

"Flat signs". ~~Flat signs are~~ means signs which are placed flat against the building or structure from which they are supported and which run parallel thereto. Signs supported from a canopy are deemed to be flat signs when they are single face.

"Ground signs": ~~Ground signs are~~ means signs supported by a structure which rests on or in the ground.

"Luminance" means the photometric quantity most closely associated with the perception of brightness. Luminance is measured in candelas per square meters or "nits."

"Motion" or "moving" means the depiction of movement or change of position of text, images or graphics. Motion or moving shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

"Nits" means a unit of measurement of brightness or luminance. One nit is equal to one candela per square meter.

"Projecting signs": ~~Projecting signs are~~ means signs which project obliquely or at right angles from the building or structure from which they are supported.

(Omitted text is unaffected by this ordinance)

~~Signboards (billboards, paintboards, and posted panelboards). Signboards are signs which fall into this general classification and are commonly known by this or other titles.~~

"Static sign" means a sign that does not rotate, move, or have any appearance of changing or movement in the sign, sign components or structure. A "static sign" shall not include any sign that has any characteristics of a dynamic image display sign.

"Twirl time" means the time it takes for static text, images or graphics on a dynamic image display sign to change to different text, images or graphics.

### **13-20-520 Penalties.**

(Omitted text is unaffected by this ordinance)

(b) In addition to any other fine or penalty provided, if, on three separate occasions in any 12-month period, any registered electrical contractor, a registered sign contractor, or bonded sign erector erects, installs, alters, repairs, enlarges or illuminates any sign, signboard or structure covered by the provisions of this article, without first having obtained any permit required under this Code, such person's certificate of registration, bond and all permit privileges may be subject to revocation.

(Omitted text is unaffected by this ordinance)

### **13-20-530 Original and subsequent inspections.**

The building department under the direction of the building commissioner shall issue permits for, and make original and subsequent inspections of, all signs, city digital signs, and

associated sign structures as are covered by this article of the Code.

(Omitted text is unaffected by this ordinance)

### **13-20-550 Permits required.**

(a) Unless a valid permit has been obtained from the department of buildings, it shall be unlawful for any person:

(1) to own, maintain, erect, install, alter, repair or enlarge any sign, city digital sign, or associated sign structure covered by the provisions of this article;

(2) to commence to erect, install, alter, repair or enlarge any sign, city digital sign, or associated sign structure covered by the provisions of this article;

(3) to cause any sign, city digital sign, or associated sign structure covered by the provisions of this article to be erected, installed, altered, repaired or enlarged;

(Omitted text is unaffected by this ordinance)

### **13-20-560 Permit application.**

(a) (1) For all permits issued after the effective date of the 2012 amendatory ordinance, applications for permits to erect, install or alter signs shall be made by the owner or lessee of the real property on which the sign will be located. The application shall be signed by the applicant and a bonded sign erector. If the sign is a dynamic image display sign or a static sign which has direct or indirect lighting, the application shall also be signed by a licensed electrical contractor. For every permit application for a dynamic image display sign submitted on or after April 2, 2014, or for any application for a renewal of such permit, the applicant shall also attached the affidavit required in section 13-20-675(d)(2).

All such applications shall be made in a form prescribed by the building commissioner.

(2) Any substantial change in information, including any change in ownership or lessee, that is different from that information listed in the permit application shall be reported to the commissioner within 10 days of such change. The change of information shall be submitted to the commissioner in a form prescribed by the commissioner in rules and regulations.

(b) Except as provided in section 13-20-565 (a), a non-refundable review fee equal to one-half of the permit fee shall be paid at the time the application is submitted. If the permit is issued, the review fee shall be deducted from the amount of the permit fee due.

### **13-20-590 Construction contrary to permit.**

It shall be unlawful for any person to erect, alter, maintain or repair any sign ~~or signboard~~ contrary to the approved permit. Where a sign ~~or signboard~~ has been erected, altered, or repaired contrary to the approved permit, the permit shall be invalidated by this action.

Where a bonded sign erector, a registered sign contractor, or a registered electrical contractor installs, alters, erects, or repairs a sign, ~~signboard~~, or illuminates a signboard sign without a permit first being issued, the permit privileges of such bonded sign erector, a registered sign contractor, or registered electrical contractor may be suspended and shall not be reinstated until such time as all the provisions of this chapter have been complied with.

Where a bonded sign erector, a registered sign contractor, or a registered electrical

contractor performs defective work in the erection, alteration, or repair of a sign, ~~signboard~~, or the illumination of a ~~sign signboard~~, or when a permit is invalidated, the contractor shall be notified in writing of such defective work or invalidation. If at the end of ten days the defective work has not been corrected, the permit privileges of such contractor shall be suspended and shall not be reinstated until such defective work has been corrected.

#### **13-20-610 Display of permits.**

All permits authorizing the installation of a sign, ~~signboard~~, or obstruction of the public way shall be displayed in a conspicuous location at the installation site during any period that such installation takes place.

#### **13-20-650 Height and location.**

Sign size and location shall be limited as follows:

(a) Except for high rise building signs permitted pursuant to section 17-12-1005-D, the overall vertical height of a roof, ground, or projecting sign or signboard shall not exceed 75 feet (22.9 m) above ground, or grade, level.

#### **13-20-675 Dynamic image display signs-additional standards.**

Every dynamic image display sign, including a city digital sign, for which a permit application is submitted on or after April 2, 2014 shall comply with the following:

##### (a) Luminance.

(1) The maximum luminance for any sign shall not be greater than:

(A) 2,500 nits between 5 a.m. and sunset;

(2) 250 nits between sunset and midnight.

(2) No sign shall be illuminated between the hours of midnight and 5 a.m.; provided that an entity may keep its on-premise sign illuminated to no greater than 250 nits between the hours of midnight and 5 a.m., when the entity is open for business. For purposes of this subsection, "open for business" means an entity that is conducting its normal business or occupation and admits clients, customers or patrons during such time.

(b) Dwell time. The text, image or display on the face of the sign shall not change more than once every 10 seconds. Twirl time shall not exceed 0.25 seconds.

##### (c) Motion.

(1) all motion is prohibited on the sign;

(2) during the message transition, the sign shall not display any visible effects, including but not limited to action, motion, fading, dissolving, blinking, or the illusion of such effects; and

(3) no message shall transition from one face to another face.

##### (d) Control/Testing.

(1) all signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's luminance in compliance with this section. In instances where the sign malfunctions, the sign shall either automatically shut off or turn to a black screen;

(2) prior to the issuance of any permit for a sign, the applicant shall submit an affidavit that attests that the sign has been tested and complies with the dwell time, luminance

requirements, motion and other requirements of this section, and that the luminance intensity is protected from manipulation by password-protected software or other method satisfactory to the commissioner, as set forth in rules and regulations; and

(3) the test of the luminance levels required by this section shall be made when the sign is set to full white.

**SECTION 4.** Section 13-96-020 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

**13-96-020 Outdoor signs – Generally.**

Outdoor signs shall comply with all applicable provisions of this Code and with the special provisions of Sections 13-96-030 to 13-96-080, inclusive, and Article XIII of Chapter 13-20 44-40. Notwithstanding the foregoing, in the event of a conflict between any outdoor sign provisions in the Code, including this Chapter 13-96, and Title 17, which establishes city digital signs as exempt signs subject to the location, projection, height, sign face area and other regulations expressly set forth in such Title 17, the Title 17 regulations shall govern and control. City digital signs shall remain subject, however, to Section 13-20-675 and the structural safety and construction requirements of this Title 13, including design load, compressive stress, wind pressure, and combustibility requirements.

**SECTION 5.** Chapter 17-12 of the Municipal Code of Chicago is hereby amended by adding new sections 17-12-0711, 17-12-0712 and 17-12-1006-J, by deleting the language struck through and inserting the language underscored, as follows:

**17-12-0601-F ~~Changing-image~~ Dynamic Image Display Signs.** The area of a ~~changing-image dynamic image display~~ sign feature is determined by calculating the area of the smallest square or rectangle that can be drawn around the edge of each of the ~~changing-image dynamic image display~~ elements.

**17-12-0700 Prohibited signs.**

The following are prohibited in all zoning districts:

(Omitted text is unaffected by this ordinance)

17-12-0710 signs attached, erected, maintained or installed on a fence located on or near the perimeter of any surface parking lot.

17-12-0711 video display signs; provided that this prohibition does not apply to any video display sign located within a planned development in which the principal use is a sports stadium.

17-12-0712 signs that do not comply with section 13-20-675.

(Omitted text is unaffected by this ordinance)

**17-12-0803-C Direct or indirect lighting is allowed.** ~~Changing-image~~ Dynamic image display sign features and projections into the right-of-way are prohibited.

(Omitted text is unaffected by this ordinance)

**17-12-0804-A Sign Features and Characteristics.** Temporary signs may not be illuminated. ~~Changing-image~~ Dynamic image display sign features and electronic elements are prohibited.

(Omitted text is unaffected by this ordinance)

**17-12-0903-A Lighting.** Signs in R and DR zoning districts may use only indirect lighting. Direct lighting and internal lighting of signs is prohibited, except in the case of allowed dynamic image display ~~changing-image~~ signs; or in the case of freestanding, on-premise signs for public and civic uses, when such signs are located along a through street as classified by the Chicago Department of Transportation. Flashing signs are prohibited.

**17-12-0903-B ~~Changing-image~~ Signs Dynamic Image Display Signs.** Public and civic uses in R and DR districts may use dynamic image display ~~changing-image~~ signs. Flashing signs are prohibited.

(Omitted text is unaffected by this ordinance)

**17-12-1004 Sign Features and Characteristics.**  
Signs that are allowed in B, C, M, DC, DX and DS districts are subject to the following standards:

	B1, B2 Districts	DC, DX Districts	B3, C1, C3, DS Districts	C2, M Districts
Allowed Lighting	Direct, Indirect or Internal			
<del>Changing-image</del> <u>Dynamic Image Display</u> Signs	Allowed, subject to Sec. 17-12-1005-B ( <i>city digital signs</i> are instead subject to Section 17-12-1200)			
Flashing Signs	Prohibited	Allowed, subject to Sec. 17-12-1005-C		
Video Display Signs	Prohibited except as allowed in Section 17-12-0711	Allowed, subject to Sec. 17-12-1005-G Prohibited except as allowed in Section 17-12-0711		

(Omitted text is unaffected by this ordinance)

**17-12-1005-B ~~Changing-image~~ Dynamic Image Display Signs.** In B1 and B2 districts, sign face area devoted to ~~changing-image~~ dynamic image display signs may not exceed 25% of the maximum total sign area allowed under Sec. 17-12-1003 or 100 square feet, whichever is less. In all districts, sign face area devoted to ~~changing-image~~ dynamic image display signs may not exceed 25% of the maximum total sign area allowed under Sec. 17-12-1003 or 200 square feet, whichever is less.

**17-12-1005-C Flashing Signs.**

1. Maximum Area. The total sign face area of all flashing signs on a lot may not exceed 25% of overall sign area limit or 100 square feet, whichever is less.



2. Maximum Height. No part of any flashing sign may exceed a height of 24 feet.

3. Prohibited Locations. Flashing signs are prohibited in the following locations:

- (a) B1 districts;
- (b) B2 districts;
- (c) Within 125 feet of any R or public park with an area of 2 acres or more;
- (d) Within 100 feet of any DR district;
- (e) Within 500 feet of Lake Shore Drive;
- (f) Within 500 feet of any ~~expressways or toll roads, as designated by the Chicago Department of Transportation~~ designated expressway or toll road; and
- (g) Within 500 feet of Michigan Avenue, between Oak Street on the north and Roosevelt Road on the south.

(Omitted text is unaffected by this ordinance)

**17-12-1005-G Video Dynamic Image Display Signs.**

1. Maximum Area. The total sign face area of a video dynamic image display sign may not exceed 25% of the subject lot's overall sign area limit or 100 square feet, whichever is less.

2. Maximum Height. No part of any video dynamic image display sign may exceed a height of 24 feet.

3. Prohibited Locations. Video Dynamic image display signs are prohibited in the following locations:

- ~~(a)~~ ~~B1 districts;~~
- ~~(b)~~ ~~B2 districts;~~
- ~~(a e)~~ Within 100 feet of any R or DR district or public park with an area of 2 acres or more;
- ~~(b d)~~ Within 500 feet of Lake Shore Drive;
- ~~(c e)~~ Within 500 feet of any designated expressway or toll road ~~expressways or toll roads, as designated by the Chicago Department of Transportation~~; and
- ~~(d f)~~ Within 500 feet of Michigan Avenue, between Oak Street on the north and Roosevelt Road on the south.

(Omitted text is unaffected by this ordinance)

**17-12-1006 Additional Standards for Off- premise Signs.**

**17-12-1006-A Separation from R and DR Districts.**

1. Off-premise signs with a sign face area of more than 100 square feet are prohibited within 250 feet of any residential district.

2. Off-premise signs are prohibited entirely within 100 feet of any residential district; except off-premises dynamic image display signs are prohibited entirely within 125 feet of any residential district. This prohibition does not apply to any sign located within a planned development in which the principal use is a sports stadium.

3. These distances are to be measured as a straight-line distance from a point on the sign face nearest the R or DR district to nearest residential district boundary. (See Sec. 17-1-0803 for rules governing interpretation of zoning district boundaries)

(Omitted text is unaffected by this ordinance)

**17-12-1006-F Separation from Designated Major Streets and Roads.**

1. Off-premise signs are prohibited within 500 feet of the following street and road rights-of-way:

- (a) Lake Shore Drive;
- (b) any designated expressway or toll road ~~expressways or toll roads, as designated by the Chicago Department of Transportation;~~
- (c) Michigan Avenue, between Oak Street on the north and Roosevelt Road on the south.

(Omitted text is unaffected by this ordinance)

**17-12-1006-J Off-premise dynamic image display signs.**

1. Off-premise dynamic image display signs are prohibited within 125 feet of any B1 or B2 district, except this prohibition does not apply to any sign located within a planned development in which the principal use is a sports stadium.

2. These distances are to be measured as a straight-line distance from a point on the sign face nearest the B1 or B2 district to nearest B1 or B2 district boundary.

(Omitted text is unaffected by this ordinance)

**17-12-1101-B Regulations and Standards.** The following standards apply to signs within the Michigan Avenue Corridor special sign district. These sign regulations are supplemental standards that apply in addition to existing zoning regulations. All existing zoning regulations apply except those that conflict with regulations imposed for the Michigan Avenue Corridor. In case of conflict between the Michigan Avenue Corridor regulations and existing, underlying zoning district regulations, the Michigan Avenue Corridor regulations will govern.

(Omitted text is unaffected by this ordinance)

9. ~~Flashing and Changing-image~~ Dynamic Image Display Signs. No flashing or ~~changing-images~~ dynamic image display sign are is permitted on the exterior of any building or structure on the Michigan Avenue frontage.

(Omitted text is unaffected by this ordinance)

**17-12-1102-B Regulations and Standards.** The following standards apply to signs within the Oak Street Corridor special sign district. These sign regulations are supplemental standards that apply in addition to existing zoning regulations. All existing zoning regulations apply except those that conflict with regulations imposed for the Oak Street Corridor. In case of conflict between the Oak Street Corridor special sign district regulations and other zoning regulations, the Oak Street Corridor regulations will govern.

(Omitted text is unaffected by this ordinance)

6. Prohibited Signs. The following types of signs are prohibited within the Oak Street Corridor special sign district:

- (a) free-standing ground signs;
- (b) banners;
- (c) neon signs (neon tubing may be used as a source of light when completely shielded and not visible from public streets, sidewalks or alleys);
- (d) flashing,
- (e) ~~changing-image~~ dynamic image display signs; and
- (f) off-premise signs.

(Omitted text is unaffected by this ordinance)

**17-12-1103-B Regulations and Standards.** The following standards apply to signs within the State Street/Wabash Avenue Corridor special sign district. These sign regulations are supplemental standards that apply in addition to existing zoning regulations. All existing zoning regulations apply except those that conflict with regulations imposed for the State Street/Wabash Avenue Corridor special sign district. In case of conflict between the State Street/Wabash Avenue Corridor regulations and existing, underlying zoning district regulations, the State Street/Wabash Avenue Corridor regulations will govern.

(Omitted text is unaffected by this ordinance)

6. Flashing and ~~Changing-image~~ Dynamic Image Display Signs. Except for theater signs and marquees, no flashing or ~~changing-image~~ dynamic image display signs are permitted on the exterior of any building or structure in the State Street/Wabash Avenue Corridor.

(Omitted text is unaffected by this ordinance)

**17-12-1201-A Regulations and Standards.** The following regulations shall apply to city digital signs, which, except as regulated hereby, are exempt signs under Section 17-12-0506.

1. Number, Area And Height Standards. The provisions of Section 17-12-1003 shall not apply to city digital signs. The maximum height of a city digital sign shall be 100 feet, measured from the lowest point of the ground directly below the city digital sign structure to the highest point on the sign or sign structure.

2. ~~Changing-Image~~ Dynamic Image Display Signs. The sign face of a city digital sign may not exceed 1,200 square feet.

(Omitted text is unaffected by this ordinance)

**SECTION 6.** Chapter 17-17 of the Municipal Code of Chicago is hereby amended by adding new sections 17-17-0244.5 and 17-17-0248.5, by adding the language underscored and by deleting the language struck through, as follows:

(Omitted text is unaffected by this ordinance)

**17-17-0234 Changing-image Sign.** Any sign that, through the use of moving structural elements, sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement or change of sign image or message. ~~Changing-image signs do not include otherwise static signs where illumination is turned off and back on not more than once every 24 hours.~~

**17-17-0234.5 City Digital Sign** shall mean a sign that satisfies all of the following conditions:

(a) the city digital sign is installed at the city's express direction and is located on land or public way owned by the city, or controlled by the city pursuant to an intergovernmental agreement approved by the city council, that is located within 660 feet of any designated expressway or toll road, ~~as designated by the Chicago Department of Transportation;~~

(b) the sign is capable of receiving and transmitting both programmed and real-time digital images and messages and is operated as a ~~changing-image~~ dynamic image display sign;

(Omitted text is unaffected by this ordinance)

**17-17-0244.5 Designated expressway or toll road.** A designated expressway or toll road means any of the following, and shall include any access ramp thereto:

- (A) Bishop Ford Expressway;
- (B) Chicago Skyway;
- (C) Dan Ryan Expressway;
- (D) Edens Expressway;
- (E) Eisenhower Expressway;
- (F) Interstate 57;
- (G) Interstate 90;
- (H) Interstate 190;
- (I) Kennedy Expressway;
- (J) Stevenson Expressway; or
- (K) Tri-State Tollway.

(Omitted text is unaffected by this ordinance)

**17-17-0248.5 Dynamic image display sign.** Any sign, or portion thereof, with characteristics that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

(Omitted text is unaffected by this ordinance)

**17-17-02190 Video Display Sign.** A video display sign is a type of dynamic image display sign

with a sequence of photographs or images projected onto a sign face with sufficient rapidity as to create the illusion of motion and continuity-capable-of-displaying full-motion imagery-of television quality or higher. Any dynamic image display sign where the text, image, display, photographs or images projected on the face of the sign exceeds the dwell and twirl restrictions established in section 13-20-675 is a video display sign.

(Omitted text is unaffected by this ordinance)

**SECTION 7.** This ordinance shall take effect after its passage and approval. The portions of this ordinance that amends Section 13-20-560 and adds Section 13-20-675 shall be deemed retroactive to April 2, 2014, and shall govern any application for a sign permit filed on or after that date.