



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

January 17, 2013

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

Ladies and Gentlemen:

At the request of the Commissioner of Buildings, I transmit herewith, together with Aldermen Moreno, Beale, Lane, O'Shea, Solis, Suarez, Mell, Austin, Mitts, Reilly, Smith and Tunney, an ordinance amending various provisions of the Municipal Code regarding regulation of 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. Chapter 13-20 of the Municipal Code of Chicago is hereby amended by adding sections 13-20-557 and 13-20-565, by deleting the language struck through and inserting the language underscored, as follows: '

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 electrical signs, city digital signs, billboards, signboards or other outdoor signs and streeh associated sign structures as are covered by this article of the Code.

Subsequent inspections shall be made at least once every 24 months and as often as deemed

necessary by the building commissioner based on a risk assessment to determine the electrical and structural safety of all signs, ~~signboards~~ and such structures as are covered by this article.

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, ~~signboard~~ or associated sign structure covered by the provisions of this article, ~~including but not limited to any illuminated or non-illuminated sign, city digital sign, painted wall sign, ground sign, dynamic image display sign, or roof sign, or any such sign's support structure;~~ of

2) to commence to erect, install, alter, repair or enlarge any sign, ~~signboard~~ or associated sign structure covered by the provisions of this article, ~~including but not limited to any illuminated or non-illuminated sign, city digital sign, painted wall sign, ground sign, dynamic image display sign, or roof sign, or any such sign's support structure;~~ of

3) to cause any sign, ~~signboard~~ or associated sign structure covered by the provisions of this article, ~~including but not limited to any illuminated or non-illuminated sign, city digital sign, painted wall sign, ground sign, dynamic image display sign, or roof sign, or any such sign's support structure;~~ to be erected, installed, altered, repaired or enlarged; of

4) to change a sign from a static image display sign to a dynamic image display sign; ~~±~~

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5) to change from an on-premise sign to an off-premise sign, ~~unless a valid permit has been obtained from the department of buildings.~~

(Omitted text is unaffected by this ordinance)

(d) Notwithstanding the provisions of this section to the contrary, a sign permit is not required to erect, maintain, install, alter, repair or enlarge an on-premise sign that is: (i) constructed wholly from paper, vinyl, film or stickers and attached to a window for no more than 60 days; or (ii) painted directly onto the window; provided that signs may not be applied to more than 25% of any single window. Window lettering that is less than 2 inches in height will not be counted in the calculation of the 25% if it is an on-premises sign. The signs authorized by this subsection (d) shall be counted in the calculation of the total sign area restrictions imposed by section 17-12-1003.

13-20-557 Signs on fences-prohibited.

a) No sign shall be erected, maintained, installed, altered, repaired or enlarged on any fence.

b) No permit shall be issued which authorizes the erection, maintenance, installation, alteration, repair or enlargement of any sign on a fence.

c) This section shall not apply to any: (1) warning sign; (2) sign erected, maintained or installed by any federal, state or local government; or (3) official sign, public notice sign or other similar such sign required to be posted on a fence by any applicable federal, state or local law, regulation or ordinance or by order of a court of competent jurisdiction.

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. All such applications shall be made in a form as 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.

13-20-565 Permits-Term.

a) Any permit required under section 13-20-550 issued after the effective date of this 2013 amendatory ordinance shall expire 5 years after its issuance. Prior to the expiration of the permit, the permit holder shall file an application for a renewal permit. If the permit holder has demonstrated that during the permit term, there has been no substantial alteration in the sign or sign structure from the original permit, the permit shall be automatically renewed for an additional period of 5 years, and every 5 years thereafter, as long as the sign and sign structure remain in accordance with the original permit. Failure to make an application for a renewal permit within 30 days after the expiration of the permit shall cause the sign to become illegal and require immediate removal of the sign and sign structure. No fee shall be charged for a renewal permit issued pursuant to this subsection.

If a permit holder fails to timely renew the permit in accordance with this subsection (a), the permit holder may apply for a new sign permit, but such application shall be subject to current code provisions, including zoning restrictions, applicable to the issuance of a new sign permit.

b) This section shall not apply to any lawfully permitted or legally established sign existing prior to the effective date of this 2013 amendatory ordinance; provided that if, after the effective date of this 2013 amendatory ordinance, any such sign or sign structure is substantially altered and such alteration requires a permit under section 13-20-550, subsection (a) shall apply to the new permit.

(c) Nothing in this section shall be construed as authorizing a change or alteration in a sign

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without a permit pursuant to section 13-20-550.

(d) For purposes of this section the term "substantial alteration" or "substantially altered" means a change, enlargement or alteration of a sign or sign structure which requires the issuance of a new permit under section 13-20-550.

13-20-645 Procedure for non-renewal, denial revocation or rescission of revoking or rescinding a permit. j

(a) If a sign permit is not renewed pursuant to section 13-20-565, or if the commissioner denies an application for, or revokes or rescinds a sign permit[^] he the commissioner shall notify the permittee, in writing, of the such non-renewal, denial, revocation or rescission. The notice shall:

- 1) set forth the basis of the non-renewal, denial, revocation or rescission;

2) include a statement that within ten days of the notice of non-renewal, denial, revocation or rescission, the permittee is entitled to request a hearing, in person and in writing, at the department of administrative hearings;

3) include a statement that the permittee is entitled to appear at the hearing to testify, present documents, including affidavits, and any other evidence to contest the non-renewal, denial, revocation or rescission;

4) include a statement that if the permittee fails to request a hearing within ten days, the permittee is deemed to have conceded the validity of the reason stated in the notice and the non-renewal, denial, revocation or rescission shall become final;

5) include a certificate of service;

6) include an oath or affirmation by the commissioner certifying the correctness of the facts set forth in the notice of non-renewal, denial, revocation or rescission; and

7) be served by first class mail.

(Omitted text is unaffected by this ordinance)

c) Based upon the evidence contained in the record, an administrative law officer of the department of administrative hearings shall issue written findings and enter an order either affirming or reversing the non-renewal, denial, revocation or rescission. A copy of the findings and order shall be served upon the permittee and all parties appearing or represented at the hearing either by personal service or first class mail.

d) If the permittee does not request a hearing within ten days after the notification of the revocation or rescission is sent, the permittee shall be deemed to have conceded the validity of the reason stated in the notice and the non-renewal, denial, revocation or rescission shall become final.

13-20-680 Council approval.

A city council order approving a sign shall be required in addition to the normal permit for any sign which exceeds 100 feet² (9.3 m²) in area or any roof or ground sign, structure or signboard over 24 feet (7.32 m) in height, excluding city digital signs identified in a coordinated city digital sign program agreement entered into pursuant to Section 10-28-046, or identified in an amendment to such a program agreement approved by the city council. Before the application for

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a permit for such sign is filed with the building commissioner, the applicant shall submit a duplicate of the application to the alderman of the ward in which the sign is to be located. At the time the duplicate is submitted to the alderman, the applicant shall (except as to such excluded city digital signs) submit to the city clerk an order for the approval or disapproval of the sign for introduction at the next regular meeting of the city council, and proof that the public notice provided for in this section has been given and a list of all persons who have been given such notice. The council order, upon being introduced to the council, shall be forwarded to the appropriate committee for hearing. Prior to filing its application, the applicant for the permit shall give notice to all voters registered at addresses within 250 feet (76.2 m) of the proposed sign location.

Any change to a sign for which a city council order was issued or required to be issued that changes the sign from a static image display sign to a dynamic image display sign shall require an additional city council order in compliance with the requirements of this section and a new sign permit in compliance with the requirements of this code. The council order shall include text explicitly approving the change in the sign from a static image display sign to a dynamic image display sign.

The notice shall be in writing and shall state:

- 1) The name of the applicant.
- 2) The proposed location of the sign.
- 3) The exterior dimensions of the proposed sign.
- 4) The means of illumination of the sign.
- 5) The height above ground level at which the proposed sign, if approved, will be located.
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- 6) The date of the application.
- 7) Indicate if a current sign will be changed from a static image display sign to a dynamic image display sign.

(Omitted text is unaffected by this ordinance)

SECTION 2. Title 17 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

17-12-0500 Signs exempt from zoning regulation.

The following are exempt from regulation under this Zoning Ordinance ~~and do not require sign permits:~~

(Omitted text is unaffected by this ordinance)

17-15-0503 Continuation of Nonconforming Signs. Nonconforming signs may remain in use, subject to the regulations of this section (Sec. 17-15-0500), section 13-20-565, and all other applicable requirements of the Municipal Code. Nonconforming signs must be maintained in good repair, and must comply with all other requirements of this Zoning Ordinance.

(Omitted text is unaffected by this ordinance)

17-15-0504 Alterations. Change of copy or the substitution of panels or faces on nonconforming signs is permitted without affecting the legal status of a sign as a nonconforming sign (subject to requirements for building and electrical permits). No other alterations are allowed, except for routine maintenance and repair.

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The alteration of any nonconforming sign, other than for routine maintenance and repair, shall cause the sign to lose its status as a legal non-conforming sign and such status shall not be re-established. The language added to this section by this 2013 amendatory ordinance is intended to clarify rather than change existing law.

SECTION 3. This ordinance shall take effect after its passage and approval.

