

ORDINANCE NUMBER: 2016-20

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE VILLAGE OF CHERRY VALLEY, ILLINOIS
CHAPTER 6, ADVERTISING, SECTIONS 6-31, 6-34, 6-35, 6-37, 6-38, 6-45, 6-46, 6-47, 6-
48, 6-49,
AND 6-53**

WHEREAS, the Ordinance Committee for the Village of Cherry Valley, Illinois, has been reviewing Chapter 6 of the Code of Ordinances and has found outdated material in some of the sections of Chapter 6; and,

WHEREAS, the Board of Trustees has reviewed and discussed the suggested changes to those sections of Chapter 6 of the Code of Ordinances and is in agreement with the modifications to those sections as contained in this ordinance; and,

WHEREAS, in order to modify the sections of Chapter 2 of the Code of Ordinances for the Village of Cherry Valley, Illinois, it is necessary to enact this ordinance.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: The above-recitals are incorporated herein and made a part hereof.

SECTION 2: Section 6-30, entitled “Reserved”, shall and hereby is deleted in its entirety and is replaced by a new Section 6-30, which shall begin “Article II – Billboards”, and to be entitled “Definitions”, which shall read as follows:

- (a) **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 occupied by it. 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.
- (b) **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 of 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.

- (c) ILLUMINATED BILLBOARD. A billboard having its characters, letters, figures, designs or outlines illuminated by a source of artificial light.
- (d) 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.

SECTION 3: Section 6-31, Intent of Article, subsection (a), entitled “Development of Proper Signage Throughout Village; Role of Planning Commission and Board of Trustees, shall be re-titled “Development of Proper Signage Throughout Village; Role of Planning and Zoning Commission and Board of Trustees”, and shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 4: Section 6-31, Intent of Article, subsection (b), entitled “Statement of Policy” shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 5: Section 6-34, Sign Permit and Certificate of Appropriateness, subsection (a), entitled “Permit Required”, shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 6: Section 6-34, Sign Permit and Certificate of Appropriateness, subsection (b), entitled “Application for Certificate of Appropriateness”, shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 7: Section 6-34, Sign Permit and Certificate of Appropriateness, subsection (e), entitled “Consideration of Applications”, shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 8: Section 6-34, Sign Permit and Certificate of Appropriateness, subsection (f), entitled “Petitioners for Commercial Signs; Procedure”, shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 9: Section 6-34, Sign Permit and Certificate of Appropriateness, subsection (g)(5)(e), entitled “Application for Sign Permit”, shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, and to replace all references to the “Planning Commission” with the term “Planning and Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 10: Section 6-35, Certificate of Appropriateness, subsection (a)(1), entitled “Preliminary Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 11: Section 6-35, Certificate of Appropriateness, subsection (a)(2), entitled “Preliminary Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 12: Section 6-35, Certificate of Appropriateness, subsection (b)(1), entitled “Final Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, and to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 13: Section 6-35, Certificate of Appropriateness, subsection (b)(2), entitled “Final Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 14: Section 6-35, Certificate of Appropriateness, subsection (b)(3), entitled “Final Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 15: Section 6-35, Certificate of Appropriateness, subsection (b)(7), entitled “Final Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, and to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 16: Section 6-35, Certificate of Appropriateness, subsection (b)(8), entitled “Final Consideration”, shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 17: Section 6-37, Prohibited Signs, subsection (6), shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, and to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 18: Section 6-38, Temporary Signs, subsection (a)(2), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 19: Section 6-45, Enforcement, Penalties, and Revocation of Permit, subsection (a), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 20: Section 6-45, Enforcement, Penalties, and Revocation of Permit, subsection (b), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 21: Section 6-45, Enforcement, Penalties, and Revocation of Permit, subsection (c), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 22: Section 6-46, Failure to Complete Work, subsection (a), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 23: Section 6-46, Failure to Complete Work, subsection (b)(1), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 24: Section 6-46, Failure to Complete Work, subsection (d), shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 25: Section 6-47, Violation of Article Regulations, subsection (a), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 26: Section 6-48, Appeals, subsection (a), shall and hereby is amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, and to replace all references to the “Planning Commission” with the term “Planning and Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 27: Section 6-49, Variations, subsection (a), shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 28: Section 6-49, Variations, subsection (b), shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 29: Section 6-49, Variations, subsection (e), shall and hereby is amended to replace all references to the “Planning Commission” with the term “Planning & Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 30: Section 6-53, Removal of Signs by the Administrator, subsection (c), shall be amended and re-titled “Removal of Signs by the Designated Village Official”, and shall and hereby be further amended to replace all references to the “Village Administrator” with the term “Designated Village Official”, and to replace all references to the “Planning Commission” with the term “Planning and Zoning Commission”, with all other provisions of the aforementioned subsection remaining in full force and effect.

SECTION 31: Except as modified in Sections 2-30 above, the Code Sections as they previously existed and were printed shall remain in full force and effect.

SECTION 32: This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 17TH DAY OF MAY, 2016

AS FOLLOWS:

VOTING “AYE”: STEPHEN APPELL, NANCY BELT, JEFF FUSTIN,
SALLY HOLLEMBEAK, GARY MAITLAND, DAVID SCHROEDER

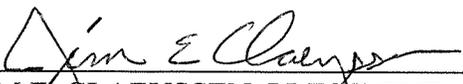
VOTING “NAY”: NONE

ABSENT, ABSTAIN, OTHER: NONE

APPROVED: MAY 17, 2016

ATTEST:


KATHLEEN TRIMBLE, DEPUTY CLERK


JIM E. CLAEYSSSEN, PRESIDENT