

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
\_\_\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *DAH*

DATE: July 14, 2010 (B of T) Date: August 19, 2010

TITLE: Text Amendments to the Sign Ordinance - Political Campaign Signs

SUBMITTED BY: Department of Community Development *WJ*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance amending Title 15, Chapter 153 of the Lombard Village Code in regard to prohibiting time restraints on political campaign signs located on residential properties. These amendments are to ensure compatibility with Public Act 96-904 with an effective date of January 1, 2011.

Staff recommends approval of the amendment.

Please place this item on the August 19, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X *DAH* \_\_\_\_\_ Date 7/27/10

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.





## MEMORANDUM

**To:** David A. Hulseberg, Village Manager  
**From:** William J. Heniff, AICP, Director of Community Development *WJH*  
**Date:** August 19, 2010  
**Subject:** Political Sign Text Amendments

Public Act 96-904, effective January 1, 2011, creates new restrictions on municipal authority regarding certain prohibitions on political campaign signs on residential property. The language of this amendment to Section 11-13-1 of the Illinois Municipal Code, relative to municipal authority to regulate for health, safety and welfare, is underscored below, as follows:

(12) to establish local standards solely for the review of the exterior design of buildings and structures, excluding utility facilities and outdoor off premises advertising signs, and designate a board or commission to implement the review process; except that, other than reasonable restrictions as to size, no home rule or non-home rule municipality may prohibit the display of outdoor political campaign signs on residential property during any period of time, the regulation of these signs being a power and function of the State and, therefore, this item (12) is a denial and limitation of concurrent home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

Significantly, Public Act 96-904 expressly provides that municipalities retain authority to enforce reasonable size limitations on political campaign signs, but that outdoor political campaign signs on residential property cannot be prohibited “during any period of time.” Based on the legislative debates, it appears that the Act was intended to address certain limited time periods for posting political campaign signs on residential property prior to and after an election.

The Lombard Sign Ordinance currently places time restrictions on political campaign signs. As the recent legislative amendments prohibit political campaign signs from being limited by time restraints, the Sign Ordinance must be amended to reflect the new regulations. As the Act specifically addresses residential property, the proposed amendments will only reflect changes to the duration requirements for properties of residential use.

The State still gives authority to municipalities to regulate time periods for political campaign signs on non-residential properties. Therefore, the existing time restrictions for

non-residential properties are still permissible and can remain in the Lombard Sign Ordinance.

**Proposed Text Amendments**

The following are the proposed text amendments for the Sign Ordinance. Any new additions and/or changes are underlined while any information that is to be removed is marked with a strikethrough.

**153.227 POLITICAL CAMPAIGN SIGNS**

It is unlawful to construct, erect, or maintain any Political Campaign Signs without complying with the following provisions:

(A) Multiple-Family Dwellings; on lots less than 1 acre in area, Attached Dwellings, Two-Family Dwellings, Detached Dwellings:

(1) Area: Sign(s) shall not exceed twelve (12) square feet in area.

(2) Number: Any number of signs are permitted.

(3) Location: Sign(s) shall be on private property with the property owner's consent. No sign(s) shall be located in or on the public right of way, sidewalk or other public thoroughfare. No signs shall be located in the clear line of sight area, as defined in the Lombard Zoning Ordinance.

~~(4) Duration: Sign(s) shall remain on the location where they are erected or placed for a period of not more than sixty (60) days before an event, and shall be removed within ten (10) days after the event to which they relate has ended.~~

(B) All others

(1) Area: Sign(s) shall not exceed thirty-two (32) square feet in area.

(2) Number: Any number of signs twelve (12) square feet or less in area shall be permitted. No more than one (1) sign per street exposure shall be permitted for Sign(s) greater than twelve (12) square feet in area.

(3) Location: Sign(s) shall be on private property with the property owner's consent. No sign(s) shall be located in or on the public right of way, sidewalk or other public thoroughfare. No signs shall be located in the clear line of sight area, as defined in the Lombard Zoning Ordinance (Chapter 155 of this Code).

(4) Duration: Sign(s) located on non-residential properties may ~~shall~~ remain on the location where they are erected or placed for a period of not more than sixty (60) days before an event, and shall be removed within ten (10) days after the event to which they relate has ended. This provision shall not apply to properties zoned for residential purposes.

**RECOMMENDATION:**

Staff recommends that the Village Board approve the proposed text amendments to ensure compatibility with the new legislation with an effective date of January 1, 2011, which will coincide with the effective date of Public Act 96-904.

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING  
TITLE 15, CHAPTER 153 OF THE LOMBARD VILLAGE  
CODE IN REGARD TO POLITICAL CAMPAIGN SIGNS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF  
THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 153, Section 153.227 of the Lombard  
Village Code is hereby amended to read in its entirety as follows:

**153.227 POLITICAL CAMPAIGN SIGNS**

It is unlawful to construct, erect, or maintain any Political Campaign Signs without complying  
with the following provisions:

(A) Multiple-Family Dwellings; on lots less than 1 acre in area, Attached Dwellings, Two-  
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SECTION 2: That this Ordinance shall be in full force and effect on January 1, 2011 and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk



#100386

## MEMORANDUM

**To:** David A. Hulseberg, Village Manager

**From:** William J. Heniff, AICP, Director of Community Development *WJH*

**Date:** September 16, 2010

**Subject:** Political Sign Duration

At the August 19, 2010 Village Board meeting, the Board continued this item to allow further discussion with staff relative to this request and some other additional changes to the political campaign signage provisions. As a result, a separate item is being forwarded to the Village Board for its consideration regarding proposed changes to the sign size and permit process for certain political campaign signs. However, the proposed changes regarding the elimination of a time duration for political campaign signs on residential properties is unchanged from when it was first introduced to the Village Board on August 19, 2010. Therefore staff is requesting that the Village Board adopt the text amendments to Title 15, Chapter 153, Section 153.227 to ensure consistency with the recently adopted State Public Act 96-904

### **RECOMMENDATION:**

Attached is an ordinance amending Title 15, Chapter 153, Section 153.227 of the Lombard Village Code removing time restrictions for political campaign signs on residential properties. Please place this item on the September 16, 2010 Village Board agenda. Staff recommends that the Village Board approve the proposed text amendments to ensure compatibility with the new legislation with an effective date of January 1, 2011, which will coincide with the effective date of Public Act 96-904.

Staff is also requesting a waiver of first reading.



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First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2010.

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Brigitte O'Brien, Village Clerk