

MEMORANDUM

To: David A. Hulseberg, Village Manager
From: William J. Heniff, AICP, Director of Community Development
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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