

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: January 9, 2017 (B of T) Date: January 19, 2017

TITLE: Correction to Scrivener's Error – Sign Ordinance: Temporary Signs

SUBMITTED BY: Department of Community Development *WΔ*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance approving a text amendment to Section 153.237 of the Lombard Sign Ordinance, to correct a scrivener's error associated with Ordinance 6834.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

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:** Scott R. Niehaus, Village Manager

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

**MEETING DATE:** January 19, 2017

**SUBJECT:** Correction to Scrivener's Error – Sign Ordinance: Temporary Signs

### **BACKGROUND/POLICY IMPLICATIONS**

In 2013, the Plan Commission recommended and the Village Board adopted Ordinance 6834, which amended the Sign Ordinance as it relates to temporary inflatable signs (PC 13-04). These amendments were intended to update the Sign Ordinance to allow temporary inflatable signs to incorporate text or graphics. Previously, the Sign Ordinance prohibited the display of text or graphics on inflatable signs.

Ordinance 6834 amended Section 153.209, Attention-Getting Devices, to provide for text and graphics on inflatable signs and attention-getting devices. Related definitions in Section 153.602 were also amended. Unfortunately, Ordinance 6834 as adopted did not amend a table in Section 153.237 of the Sign Ordinance that contains a reference to inflatable signs and pennants with a footnote that prohibits graphics or text on these signs. In review of the Plan Commission public hearing testimony, it is clear that the intent of the text amendment was to allow for display of text and/or graphics on inflatable signs and pennants, and that the table in Section 153.237 should have been amended accordingly.

To correct this scrivener's error and per Village Counsel direction, the Village is requesting a text amendment to Section 153.237 as follows:

### **§153.237 TEMPORARY SIGNS.**

- (D) *Permitted temporary signs by sign type and property type:* Temporary Signs shall be allowed in the Village in accordance with the following table:

Sign Type	Multiple-Family Dwellings; on lots less than 1 acre in area, Attached Dwellings, Two- Family Dwellings, Detached Dwellings:	All other Areas
Pennants	P <sup>#</sup>	P <sup>#</sup>
Banners	N	P
Inflatable	N	P <sup>#</sup>
Window	Y <sup>i</sup>	Y
Feather	N	P

Y = Allowed without sign permit.

P = Allowed only with sign permit.

N = Not allowed.

i = No commercial message allowed on sign, except for a commercial message drawing attention to an activity currently and legally offered on the premises.

~~ii = No text, graphic, logo or symbol shall be displayed on any surface.~~

### **ACTION REQUESTED**

Attached is an Ordinance approving a text amendment to Section 153.237 of the Lombard Sign Ordinance, to correct a scrivener's error associated with Ordinance 6834. Please place this item on the Village Board agenda for consideration as part of the January 19, 2017 Board meeting. Staff also requests a waiver of first reading of the ordinance.

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE LOMBARD SIGN ORDINANCE  
TITLE 15, CHAPTER 153  
OF THE CODE OF LOMBARD, ILLINOIS**

(Correction of a Scrivener's Error – Temporary Signs)

WHEREAS, the Village of Lombard maintains a Sign Ordinance which is found in Title 15, Chapter 153 of the Code of Lombard, Illinois; and

WHEREAS, the Board of Trustees adopted Ordinance 6834 on May 2, 2013 that intended to amend the Sign Ordinance to allow text or graphic symbols to be displayed on temporary inflatable signs and other attention-getting devices; and

WHEREAS, in further review of the adopted Ordinance, the Village finds that the Ordinance inadvertently failed to amend a table in Section 153.237 that prohibits text or graphics on inflatable signs and pennants; and

WHEREAS, the Village finds that this oversight was unintended and did not reflect the intent of the Plan Commission through its public hearing process and the Village Board in its approval; and

WHEREAS, the President and Board of Trustees find it appropriate and necessary to adopt an amended ordinance to reflect the intent of the Plan Commission and Village Board in its original approval of the text amendments.

NOW, THEREFORE, 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 153.237, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

**§153.237 TEMPORARY SIGNS.**

- (D) *Permitted temporary signs by sign type and property type:* Temporary Signs shall be allowed in the Village in accordance with the following table:

Sign Type	Multiple-Family Dwellings; on lots less than 1 acre in area, Attached Dwellings, Two- Family Dwellings, Detached Dwellings:	All other Areas
Pennants	P <sup>ii</sup>	P <sup>ii</sup>
Banners	N	P
Inflatable	N	P <sup>ii</sup>
Window	Y <sup>i</sup>	Y
Feather	N	P

Y = Allowed without sign permit.

P = Allowed only with sign permit.

N = Not allowed.

i = No commercial message allowed on sign, except for a commercial message drawing attention to an activity currently and legally offered on the premises.

~~ii = No text, graphic, logo or symbol shall be displayed on any surface.~~

**SECTION 2:** All other provisions associated with Ordinance 6834 not amended by this ordinance, or subsequently amended, shall remain in full force and effect.

**SECTION 3:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

Ordinance No. \_\_\_\_\_

Re: Correction of a Scrivener's Error – Temporary Signs

Page 3

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk