

ORDINANCE NO. 2013- 03

AN ORDINANCE AMENDING ORDINANCE NO. 99-5, REGULATING SIGNS IN VILLAGE OF WINNEBAGO, ILLINOIS

WHEREAS, on or about July 12, 1999, Ordinance No. 99-5 was passed regulating signs in the Village of Winnebago; and

WHEREAS, the purpose of passage of said sign ordinance was to protect and promote the public health, safety, convenience, comfort, morale, prosperity, and welfare of the public in the Village, and to achieve said purpose it was deemed necessary to regulate the location, size, and illumination of signs; and

WHEREAS, it has been determined that said ordinance did not specifically reference regulation of signs in the public road right-of-way; and

WHEREAS, primarily for public safety reasons, and secondarily for aesthetic reasons, the Village Board of Trustees feels it is necessary, and in the best interests of the citizens of the Village of Winnebago to specifically regulate the placement of signs in the public road right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINNEBAGO, ILLINOIS, AS FOLLOWS:

SECTION I—AMENDMENTS

Ordinance No. 99-5 shall be and hereby is amended as follows:

1. The definition of "signs" in Section 2 of Ordinance No. 99-5, is hereby deleted, and replaced in its entirety with the following definition for "sign":

A sign is any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, on which is displayed or included any letter, work, model, banner, flag, pennant, insignia, decoration, device, or representation used as an announcement, direction, advertisement, or other attention directing device. A "sign" does not include a similar structure or device located within a building except for illuminated signs within windows visible from the street. A "sign" includes any billboard, but does not include the flag or cloth pennant or insignia or any nation or association of nations, or of any state, city, or other political unit, or of any political, charitable, educational, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event.

2. The following definition of "temporary sign" shall be and hereby is added to the end of the first paragraph of Section 2 of Ordinance No. 99-5:

Temporary Sign is a sign not permanently affixed to the ground or any structure, including, but not limited to, A-frame signs, T-shaped and inverted T-shaped signs, or any sign intended to be displayed for a limited period of time. Temporary signs include, but are not necessarily limited to, real estate, garage sale, special event, construction, election, yard sale, demonstration sign, and similar signs intended for a temporary period of posting, only to the extent such signs are not permanently affixed to the ground or any structure.

3. The following definition of "public road right-of-way" is added and inserted as the second paragraph of Section 2 of Ordinance No. 99-5:

Public Road Right-of-Way is the land on which a roadway and its associated facilities and appurtenances are located, with the right-of-way accommodating the entire roadway (i.e., travel lanes and shoulders), as well as adjacent sidewalks and the roadside corridors on which utilities are located. By ways of example only, in areas where there are sidewalks on both sides of the street in the Village, the public road right-of-way extends from the sidewalk on one side of the street to the sidewalk on the other side of the street. In areas where there are not sidewalks, the public road right-of-way generally extends 4-6 feet from the street surface. If there are utility poles on the street, the area between the utility pole and the roadway is public road right-of-way. The public road right-of-way includes, but is not limited to, the grassy area.

4. The following new paragraph 6.1 is hereby added to Section 2 of Ordinance No. 99-5:

No sign of any kind shall be erected or placed on Village of Winnebago property or within any public road right-of-way except by governmental authorities in the discharge of a governmental function, unless the sign is a temporary sign, is in the public road right-of-way for not longer than twenty-four (24) hours in duration, with the sign displayed for no more than twenty-four (24) hours in a seven (7) day period, and is not placed in such a position so as to impede or obstruct traffic flow or the sight line of drivers. The Village, without notice, may remove any sign placed on public road right-of-way that has not been so placed according to the aforesaid guidelines, or that constitutes a safety hazard.

**SECTION II—CONTINUED EFFECTIVENESS OF OTHER PROVISIONS OF
ORDINANCE**

All other provisions of Ordinance No. 99-5 shall remain in full force and effect.

SECTION III—EFFECTIVE DATE OF ORDINANCE

This ordinance shall be in effect from and after its passage, approval, and pamphlet publication as provided by law.

Passed this 7th day of January, 2013.

APPROVED:

Franklin J. Eubank, Jr., President of the Board of
Trustees of the Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED: 1-7-13

APPROVED: 1-7-13

PAMPHLET PUBLICATION: _____