

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE III
OF THE CODE OF ORDINANCES OF
THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One: Chapter 4, Article 3 of the Code of Ordinances of the City of Rock Island, Illinois is hereby wholly removed and replaced with the following article:

ARTICLE III: SIGNS

Sec. 4-46. Purpose

The purpose of this Article is to set out regulations for the construction, installation, and maintenance of signs while preserving the right of free speech and expression.

Sec. 4-47. Scope

This Article's regulations shall provide a balanced and fair legal framework for design, construction, and placement of signs that:

1. Promotes the safety of persons and property by ensuring that signs do not create a hazard by:
 - a. collapsing, catching fire, or otherwise decaying;
 - b. confusing or distracting motorists; or
 - c. impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs; and
2. Promotes the efficient communication of messages, and ensures that persons exposed to signs:
 - a. are not overwhelmed by the number of messages presented; and
 - b. are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose; and
3. Protects the public welfare and enhances the appearance and economic value of the landscape by protecting scenic views and avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors;

4. Ensures that signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
5. Promotes the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with the built environment, in order to meet the objectives related to the quality and character of development set forth in the City's Comprehensive Plan;
6. Enhances property values and business opportunities;
7. Assists in wayfinding; and
8. Provides fair and consistent permitting and enforcement.

Sec. 4-48. Authority

The City Council finds that:

1. The City has the authority to regulate signs under the United States Constitution, the Constitution of the State of Illinois, and Division 13 of the Illinois Municipal Code, 65 ILCS 5/11-13-1 *et seq.*, or its successor statute;
2. This Article advances important and substantial governmental interests;
3. The regulations set out in this Article are unrelated to the suppression of constitutionally-protected free expression and do not involve the content of protected messages which may be displayed on signs, nor do they involve the viewpoint of individual speakers;
4. The incidental restriction on the freedom of speech is no greater than is essential to the furtherance of the interests protected by this Article; and
5. Certain types of speech are not protected by the First Amendment due to the harm that they cause to individuals or the community, and speech that is harmful to minors may be prohibited in places that are accessible to minors.

Sec. 4-49. General Findings of Fact

The City Council finds that:

1. The ability to display signs of reasonable size and dimensions is vital to the health and sustainability of many businesses, and the display of signs with noncommercial messages is a traditional component of the freedom of speech, but the constitutional

guarantee of free speech may be limited by appropriate and constrained regulation that is unrelated to the expression itself;

2. The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists), because sign clutter degrades the character of the community, makes the community a less attractive place for commerce and private investment, and dilutes or obscures messages displayed along the City's streets by creating visual confusion and aesthetic blight;
3. Sign clutter can be prevented by regulations that balance the legitimate needs of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community as a whole in providing for a high-quality community character;
4. Temporary signs that are not constructed of weather-resistant materials are often damaged or destroyed by wind, rain, and sun, and after such damage or destruction, degrade the aesthetics of the City's streets if they are not removed;
5. The City has an important and substantial interest in keeping its rights-of-way clear of obstructions and litter;
6. The City has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community; and
7. The uncontrolled use of off-premises outdoor advertising signs and their location, density, size, shape, motion, illumination and demand for attention can be injurious to the purposes of this Article, and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial messages are necessary and desirable.

Sec. 4-50. Application of this Article

1. *Generally.* All construction, relocation, enlargement, alteration, and modification of signs within the City shall conform to the requirements of this Article, all State and Federal regulations concerning signs and advertising, and applicable building codes.
2. *Signs Requiring a Permit.* A sign permit shall be required for all signs exceeding six square feet in area and any sign which contains mechanical or electrical components unless otherwise exempted in this Article. In addition, a sign permit shall be required at any time the sign area is increased, if the increase is allowable within the zoning district in which the sign is located. This subsection shall not be interpreted so as to grant permission for prohibited signs with sign areas less than six square feet.

3. *Exempt Signs.* The following signs never require a sign permit, but may require a building permit or other related permit (if subject to building or electrical codes). Temporary signs that do not require permits shall still comply with the standards of the applicable standards of this Article.
 - a. *Official and Legal Notice.* Official and legal notice signs that are issued by any court, public body, person, or officer in performance of a public duty, or in giving any legal notice;
 - b. *Flags.* Flags that are not larger than 30 square feet in area that are affixed to permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent);
 - c. *Decorative Signs.* Clearly incidental, customary, and commonly associated with a holiday, provided that such signs shall be displayed for a period of not more than 60 consecutive days nor more than 60 total days in any one year;
 - d. *Carried Signs.* Signs that are being carried by people (however, such signs are not exempt if they are set down or propped on objects);
 - e. *Bumper Stickers.* Bumper stickers on vehicles;
 - f. *Interior Signs.* Signs that are not visible from residential lots, abutting property or public rights of way except where otherwise noted in this Article;
 - g. *Traffic Control Signs.* Traffic control signs and other signs related to public safety that the City or another jurisdiction installs or requires a developer to install; and
 - h. *Holiday Decorations.* Holiday decorations that are displayed for not more than two months per year.
 - i. Traffic or other municipal signs such as legal notices, railroad crossings, danger and other emergency signs as may be approved by the city council.
 - j. Community special event signs approved by the city council.
 - k. Signs used exclusively for traffic direction, on private streets or in parking areas, not exceeding ten (10) square feet in area and not illuminated. Such signs shall be placed so as not to cause traffic or pedestrian hazards.

Sec. 4-51. Exemption for Addressing

The City Council finds that the posting of the addresses of buildings in locations that are visible from the street is necessary for the effective delivery of public safety services. The efficient and timely delivery of emergency services is a compelling governmental interest. Accordingly, the City requires that street addresses shall be posted as follows:

1. *Nonresidential and Mixed-Use Districts.* In nonresidential districts, street addresses shall be posted at all primary building entrances and on detached signage if the address on the building is not visible from the street.
2. *Residential Districts.* In residential districts, street addresses shall be posted:
 1. On the facade of the building that faces the street from which the address is taken; and
 2. On the mailbox or mailbox support, if the mailbox is detached from the building.
 3. *Exclusion from Sign Area Calculation.* Because address signs are required, numbers and letters used for addressing are not included in the calculation of sign area if they are not more than 14 inches in height.

Sec. 4-52. Effective Date

This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

Sec. 4-53. Signs Permitted Before Effective Date

If a permit for a sign has been issued in accordance with all City ordinances in effect prior to the effective date of this Article, and provided that construction is begun within six months of the effective date of this Article and diligently pursued to completion, said sign may be completed in accordance with the approved plans on the basis of which the permit has been issued, subject thereafter, if applicable, to the provisions of this Code regarding nonconforming signs.

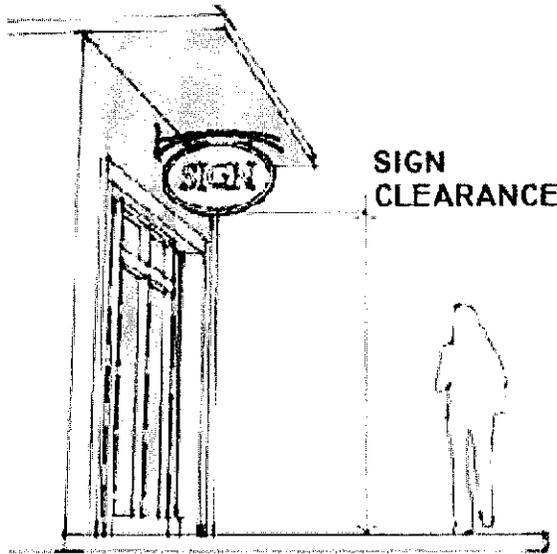
Sec. 4-54. Relationship to Other Regulations

These regulations recognize other regulations pertaining to signage. Where any provision of this Article covers the same subject matter as other regulations, the more restrictive regulation shall apply.

Sec. 4-55. Measurements

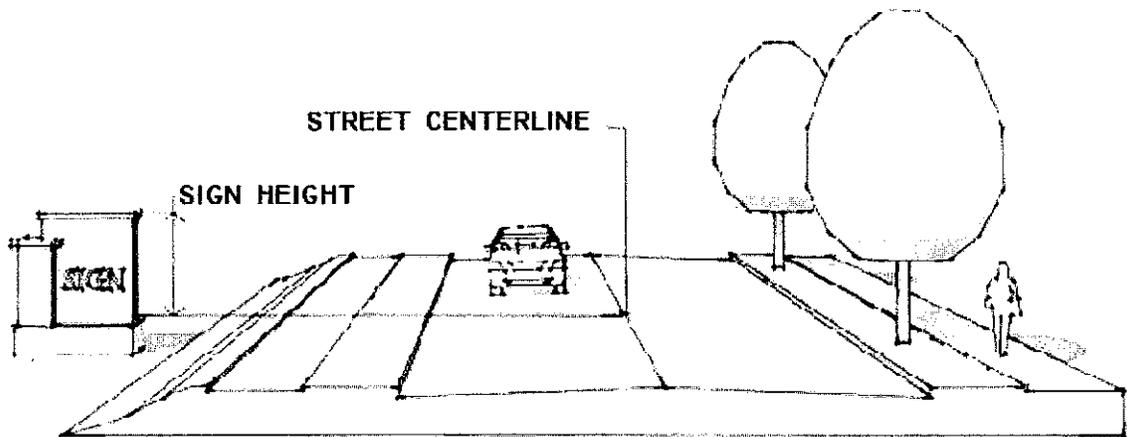
1. *Generally.* The regulations of this Article shall be applied using the measurements set out in this Section.
2. *Sign Clearance.* Sign clearance is the distance between the bottom of a sign face or structural element that is not affixed to the ground and the nearest point on the surface under it. See Figure A, Measurement of Sign Clearance.
3. *Sign Height.* For detached signs (temporary and permanent), sign height is:
 1. Where the natural grade of the ground where the sign is to be located is lower than the street centerline, the vertical distance to the top of the sign face or sign structure, whichever is higher, measured from the elevation of the centerline of the adjacent street. See Figure B, Measurement of Sign Height, Sign Base Lower than Street Centerline.

Figure A
Measurement of Sign Clearance



2. Where the natural grade of the ground where the sign is to be located is higher than the street centerline, the vertical distance to the top of the sign face or sign structure, whichever is higher, measured from the elevation of the average grade around the base of the sign.

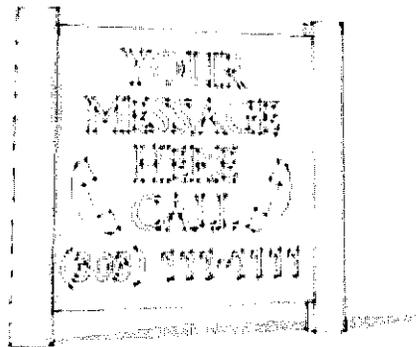
Figure B
Measurement of Sign Height, Sign Base Lower than Street Centerline



4. *Items of Information.* An item of information is a word, logo, abbreviation, symbol, geometric shape, image, or number with 10 or fewer digits (punctuation of numbers does not increase the number of items of information). See Figure C, Items of Information.

Figure C
Items of Information

This sign has seven items of information: four words, a ten digit phone number (with punctuation), and two symbols.



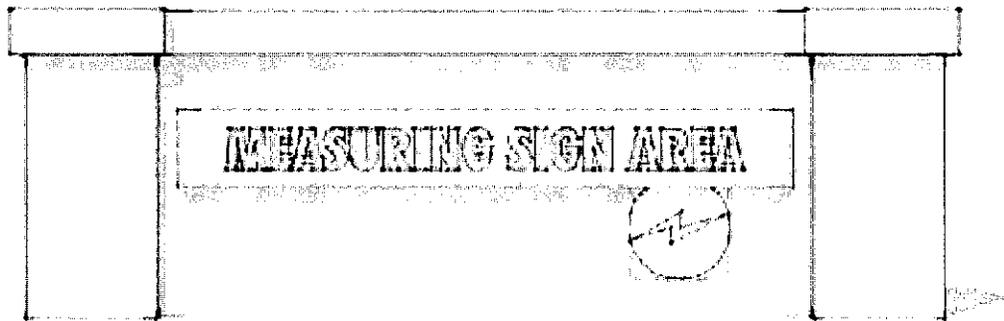
Sec. 4-56. Calculations

1. *Sign Area.* Sign area is calculated as the area within a continuous perimeter with up to eight straight sides that encloses the limits of text and graphics of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the

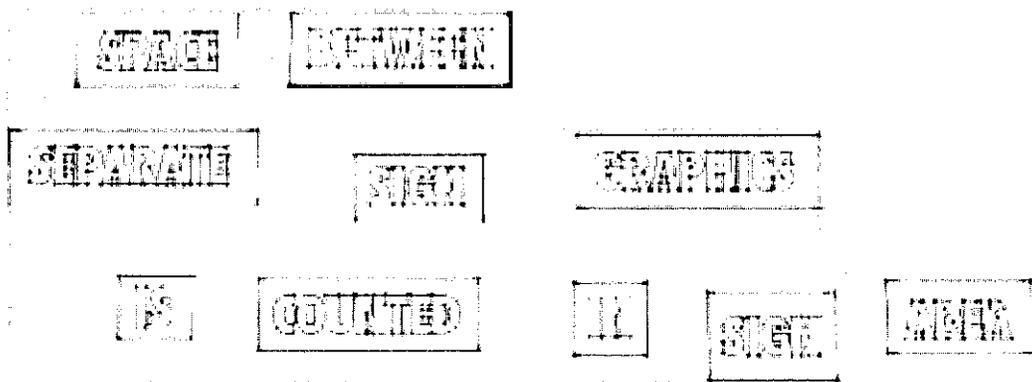
sign's message from the background against which it is placed. The area excludes the structure upon which the sign is placed (unless the structure is an integral part of the display or used to differentiate it), but includes any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not. See Figure D, Sign Area, Generally.

Figure D
Sign Area, Generally

The sign area of the illustrative monument sign below is calculated as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing of the message and graphics of the sign.



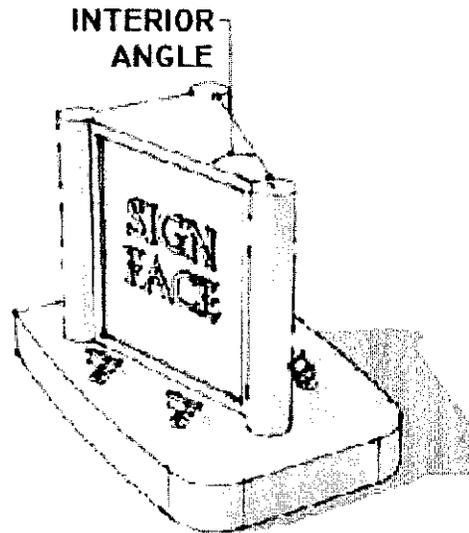
The sign area of the illustrative collection of wall signs below is measured as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing that differentiates them from the wall.



2. *Double-Faced Signs.* For projecting, suspended, or other double-faced signs only one display face is measured if the sign faces are parallel or form an interior angle of less than 45 degrees, provided that the signs are mounted on the same structure. If the faces are of unequal area, then sign area is equal to the area of the larger face. Both display faces are

measured if the interior angle is greater than 45 degrees or the sign faces are mounted on different structures.

Figure E
Double-Faced Signs



3. *Signable Area.* Signable area is calculated as follows:

- a. *Wall Signs.* A two-dimensional area on the facade of a building that describes the largest square, rectangle, or parallelogram which is free of architectural details.
- b. *Window Signs.* The area of glass within a window frame.
- c. *Other Signs.* The area of the face of the sign which is designed to be used for text and graphics (the signable area does not include the sign's supporting frame or structure, if any, provided that such frame or structure is not designed to display text or graphics).

Sec. 4-57. Definitions

As used in this article unless the context otherwise indicates the following terms shall be defined as indicated:

Alter means to change the size, shape or outline, or type of sign or to change the electrical lighting, except for the replacement of lamps not brighter than the original or the replacement of a surface panel.

Attach means to stick, tack, nail or otherwise affix a sign to any object; to paint, stencil, write, or otherwise mark on an object.

Awning means an architectural projection that provides weather protection, identity and decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which a thin cover is attached which may be of fabric or canvas, and may be illuminated.

Banner means a sign composed of cloth, plastic, paper, canvas or other light fabric.

Building means a structure which has a roof supported by columns, wall or air for the shelter, support, or enclosure of persons, animal or chattel.

Chief Building Official means the Chief Building Official for the City or their designee.

Canopy means a roof-like structure which shelters a use such as, but not restricted to, a gasoline pump island, and is supported by either one or more columns or by the building to which it is accessory to and is open on two or more sides.

Dilapidated or deteriorated condition means any sign:

1. Where elements of the surface or background can be seen as viewed from the normal viewing distance (intended viewing distance), to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; or
2. Where the structural support or frame or sign panels are visibly bent, broken, dented, or torn as to constitute an unsightly, hazardous or harmful condition; or
3. Where the sign, or its elements, are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or
4. Where the message or wording can no longer be clearly read by a person under normal viewing conditions; or
5. Where the sign or its elements are not in compliance with the regulations of the National Electrical Code and/or the International Building Code currently adopted by the City.

Erect means to build, construct, attach, hang, place, suspend or affix signs.

Facing means the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Flag means a piece of cloth, canvas, or other light fabric, usually rectangular in shape, containing a distinctive design, logo or message which is used as a symbol or to signal or attract attention.

Incidental means information on a sign that is incidental to the operation of the business such as but not limited to hours of operation, accepted credit cards and parking information.

Incombustible Material means any material which will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200°F) and will not continue to burn or glow at that temperature.

Logo means any design or insignia of a company or product which is commonly used in advertising to identify that company or product.

Pennant means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Premises means a lot or unplatted tract, or a combination of contiguous lots and/or unplatted tracts of land where the lot, tract, or combination of lots and/or tracts is under single ownership and is reflected in the plat record of the City.

Public Right-of-Way means a dedicated road or street including the easement for that road or street.

Roof means any exterior surface of a structure that has a slope of less than 70 degrees and shall also include the top most portion of any structure.

Searchlight means an apparatus capable of projecting a beam or beams of light in excess of 1 million peak candlepower.

Setback means the minimum required distance the sign must be located from a right-of-way or a property line. The distance shall be measured from the right-of-way or property line to the closest point of the sign from the ground upward.

Sight Visibility Triangle means where one street intersects with another, the triangular area formed by extending two (2) curb lines a distance of twenty-five (25) feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of twenty-five (25) feet from their point of intersection and connecting these points with an imaginary line thereby making a triangle. Where a street intersects with an alley or driveway, the "sight visibility triangle" is the triangular area

formed by measuring eight (8) feet to a point along the property lines and adjoining said points to form the hypotenuse of the triangle. This shall only apply to monument freestanding signs.

Person means any human being, firm, legal entity, partnership, association, corporation, company or organization of any kind.

Sign means a name, identification, description, display or illumination that is affixed to, painted, or represented directly or indirectly, upon a building, structure, or piece of land which advertises or directs attention to an object, product, place, activity, person, institution, organization, or a business.

Attached Projecting Sign means any sign that is attached to a building or other structure and extends beyond the surface of that portion of the building or structure to which it is attached.

Attached Wall Sign means all flat signs of solid face construction that are placed against a building or other structure and attached to the exterior front, rear, or side wall of any building, or other structure.

Electronic Message Sign means a type of animated sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Signs which employ light-emitting diode (LED) technology are included as a form of electronic message display sign, but do not include video signs, tri-vision signs, and animated signs, which are prohibited.

Elevated Pole Sign means a freestanding sign that is erected or affixed to one or more poles or posts, raised more than 12' from grade and that does not meet the requirements or location regulations of a monument sign.

Feather Sign means a freestanding temporary sign that is constructed of a single pole that curves toward its upper end and has a feather-shaped material stretched along the length of the pole displaying a design or message.

Freestanding Sign means as regulated by this article, any sign supported by uprights or braces placed into the ground and not attached to any building or structure other than said braces or uprights.

Grand Opening Sign means a temporary sign or attention-getting inflatable device that is a cold air inflated object made of flexible fabric, resting on the ground or structure, restrained, attached or held in place, and equipped with a portable blower motor that provides a constant flow of air into the device that is allowed to be utilized for up to 30 days to indicate that a new business is now open to the public.

Illuminated Sign means any sign that has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.

Indirectly Illuminated Sign means any illuminated, non-flashing sign whose illumination is derived from an external, artificial lighting source.

Marquee Sign means any sign attached to, or an integral part of, a hood or canopy of permanent construction projecting from the wall of a building over the entrance to that building. For the purposes of this article, marquee signs shall be considered as attached signs when determining the allowable square foot area and total square foot area of all permitted signs. No marquee sign shall extend more than two feet (2') above the marquee structure.

Monument Sign means a freestanding sign that in which the entire bottom of the sign body or the base of the sign structure is erected directly upon the existing or artificially created grade or that is raised no more than 12 feet from the existing or artificially grade to the bottom of the sign and has a horizontal dimension equal to or greater than its vertical dimension.

Obsolete Sign means any on premises sign or facing that no longer advertises a bona fide business conducted or product sold on the premises.

On Premises Sign means any sign identifying the occupant of the property upon which it is located and/or advertising goods or services available thereon.

Outdoor Advertising Sign (Billboard or Poster Panel) means a primarily changeable copy sign that directs attention to a business, product, service, or activity not necessarily intended to be sold or offered upon the premises where such sign is located.

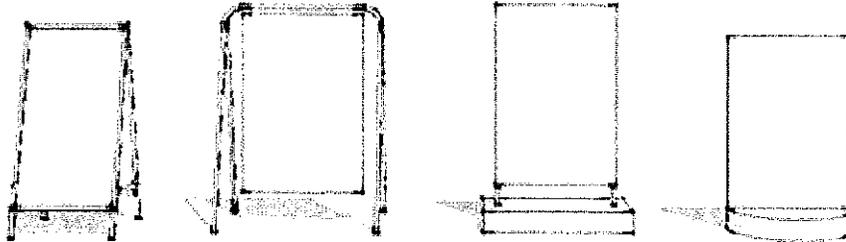
Portable Sign means any sign designed and manufactured, or constructed to be self-supporting, self-contained, portable, and not permanently attached to the ground or other permanent structure, including signs designed to be transported, but not limited to, signs designed to be transported by means of wheels; signs converted to "A" or "T" frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to, or painted on, vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day to day operations of the business.

Roof Sign means as regulated by this article, any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal means of support on the roof structure.

Sidewalk Sign means a type of temporary portable sign that is meant to be set out on the sidewalk in front of a corresponding building space. These signs include A-frame

(sandwich board) signs, signs that are suspended from the top member of an A-frame, signs with weighted bases, and comparable signs.

Figure F
Sidewalk Signs

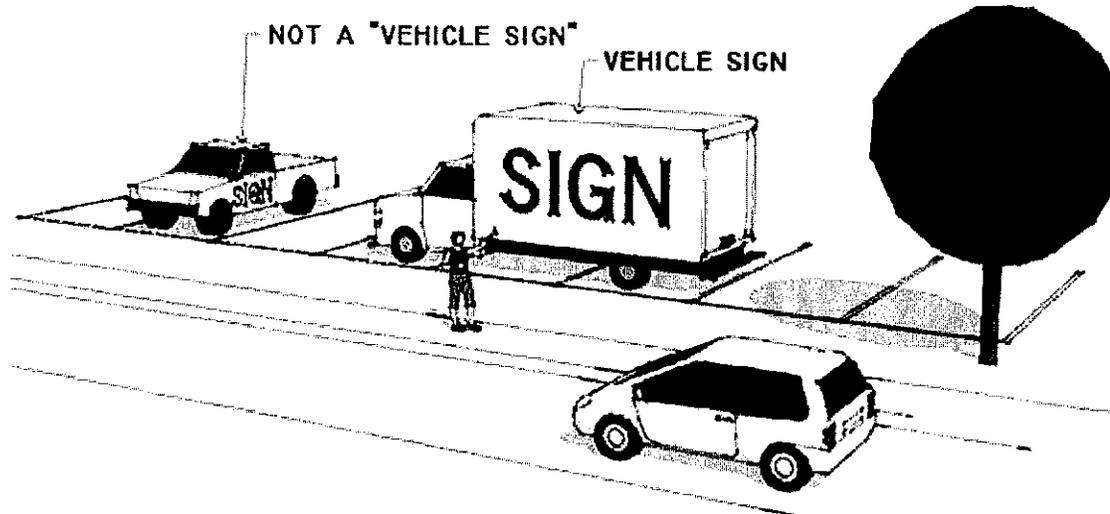


Temporary Sign means any sign, irrespective of the type of sign or the materials used for its construction and designed or intended to be displayed for limited periods of time, which is restricted by the terms of this Article as to the number and length of time it may be erected, maintained, used or displayed.

Vehicle Sign means a sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used for transporting people or materials in the normal operations of the business and it is properly parking in a designated parking space. Signs attached to trailers or inoperable vehicles are presumed to be vehicle signs if they are parked in plain view from the right-of-way. Bumper stickers are not vehicle signs.

Vehicle Sign

In the illustration below, the sign on the pickup truck is not a "vehicle sign," because the pickup truck is in operable and properly parked in a parking space. The sign on the delivery truck is a "vehicle sign" because the truck is parked across parking spaces adjacent to the right-of-way, and the intent to use the position of the truck to display the sign is presumed.



Window Sign means any sign, whether temporary or permanent, inside or outside, attached to, affixed to, leaning against, or within 1 foot of a window and visible from the outside of a building, or structure. Window signs include neon or LED signs.

Sec. 4-58. License Required

It shall be unlawful for any person to engage in the sign business within the city of Rock Island without first having obtained a license therefor, as herein required; provided, however, that no license issued hereunder shall be construed so as to permit the use of any thing or structure, natural or artificial, located in any public street, alley, sidewalk or other public place for advertising purposes. Application for said license shall be made in writing to the inspection division. All registration fees, bonding, insurance, licensing and other construction related requirements shall be consistent with the international building code. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-59. Permits Required

It shall be unlawful for any person to erect, structurally alter, or relocate, within the city of Rock Island, any "sign" as defined in this article, except temporary signs, without first obtaining an erection permit from the inspection division and making payment of the fee as

required by this section. All signs that have electrical provisions shall, in addition, be subject to the provisions of the electrical code and the permit fees required thereunder.

1. Every applicant, before being granted an erection permit hereunder, shall pay a permit fee for each such sign and sign structure regulated by this article. Unless otherwise specified in this article, each sign shall be considered a separate structure requiring its own permit. Permit fees shall be based on the market value of the sign at the time when said permit is applied for. The permit fee shall be as specified in the international building code, as adopted by the city of Rock Island.
2. The owner of any building to which a sign is to be attached, said sign to encroach or hang over public right of way, shall, before any permit be granted for construction or installation of said sign, furnish the city of Rock Island satisfactory evidence of liability insurance coverage in an amount of not less than one hundred thousand dollars (\$100,000.00) liability coverage on account of any one accident, from an insurance company authorized to do business in the state of Illinois, with an endorsement thereon holding the city of Rock Island harmless from any claims or causes of action arising out of the installation or maintenance of said sign. The owner of any building to which a sign has been attached prior to the passage date hereof, which said sign encroaches or hangs over public right of way, shall comply with the insurance requirements of this section within thirty (30) days after the enactment of this article.
3. It shall be the duty of the inspection division and the planning and redevelopment division, upon filing of an application for an erection permit, to examine such plans, specifications, and other data relating to the proposed sign and sign structure. If it appears that the proposed sign and sign structure is in compliance with all the requirements of the international building code, this article and all other laws and ordinances of the city of Rock Island, he or she shall then issue an erection permit. If the work authorized under an erection permit has not been completed within the period specified in the building code, said permit shall become null and void, except that if good cause is shown, the inspection division may extend the permit.
4. The application for an erection permit of a sign in which electrical wiring and connections are to be used shall be submitted to the inspection division. The inspection division shall examine the plans and specifications respecting all wiring and connections to determine if the same complies with the electrical code of the city of Rock Island and he or she shall issue an electrical permit if the said plans and specifications comply with said code. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-60. Application for Erection Permit

Applications for erection permits shall be made upon forms provided by the inspection division and shall contain or have attached thereto the following information:

- (1) Name, address and telephone number of the person erecting the sign.
- (2) Location of building, structure or lot to which or upon which the sign is to be attached or erected. (3) Name, address and telephone number of the applicant.
- (4) Written consent of the owner or authorized representative of the building, structure or land to which or on which the sign is to be erected.
- (5) When requested by the inspection division, blueprints or drawings of the plans and/or specifications and method of construction, attachment to the building or in the ground, and the position of the sign in relation to nearby buildings, structures or other signs.
- (6) When requested by the inspection division, a copy of stress sheets and calculations showing that sign and sign structure are designed for dead load and wind pressure in any direction in the amount required by this and other laws and ordinances of the city of Rock Island.
- (7) Location and size of the proposed sign. (8) Proof of insurance policy or bond.
- (9) Such other information as the inspection division may require to show full compliance with this and all other ordinances of the city. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-61. Revocation of Permit

The inspection division is hereby authorized and empowered to revoke any permit issued by him or her upon failure of the holder thereof to comply with any provisions of this article. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-62. Structural and Fabrication Regulations

All signs shall be built, constructed and erected in accordance with the international building code and other ordinances of the city of Rock Island.

- (1) *Design Of Signs:* Every freestanding sign including the frames and poles or supports and footings, and every attached projecting sign, including frames, braces and supports thereof shall be designed by a structural or manufacturer's engineer in conformance with wind pressure and dead load requirements established in this article and in accordance with the international building code and other ordinances of the city of Rock Island.
- (2) *Erection Of Signs:* Every freestanding sign shall be erected under the supervision of an experienced construction superintendent or manufacturer's representative capable of interpreting the construction and erection drawings required in order to assure conformance with all provisions of this article.

(3) *Treating Required* : The owner of any sign (existing or proposed) shall be required to have it properly painted, galvanized or otherwise treated to prevent rust and deterioration of all parts and supports of the said sign. All permanent signs must be constructed of rigid, weather-proof materials and attached to a building so that wall penetrations are watertight and the structure does not exceed allowable stressed of supporting materials.

(4) *Wind Pressure and Dead Load Requirements*: All signs shall be designed and constructed to withstand wind pressure and to receive dead loads as required in the international building code or any other ordinance of the city of Rock Island.

(5) *No Glass Permitted*: No glass shall be permitted except in the lighting mechanism. Safety glass may be permissible in certain circumstances.

(6) *Lights*: Lights shall be permitted on signs providing they are made of corrosion resistant materials. The lights shall be provided with proper lenses concentrating the illumination upon the area of the sign and preventing glare upon the street or adjacent property.

(7) *Electrical Connections*: All electrical connections shall be weather tight and maintained in compliance with the current electrical code requirements.

(8) *Movable Parts to Be Secure*: Any movable part of any sign such as the cover of a service opening shall be securely fastened.

(9) *Face Of Sign Shall Be Smooth*: All signs or other advertising structures which are constructed at the property line, or within five feet (5') thereof, and are less than ten feet (10') above the ground over which they are located shall not have a surface with nails, tacks or wires that protrude there from, except electrical reflectors and devices which may extend over the top and in front of the advertising structures.

(10) *Letters to Be Secure*: All letters, figures, characters or representatives in cutout or irregular form maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure and shall comply with international building code requirements.

(11) *Materials Required*: The support structures of all freestanding elevated and roof signs for which a permit is required under this article, shall be constructed of incombustible material, excluding trim.

The facings of freestanding and roof signs and facings and supports of freestanding, attached projecting, attached wall and outdoor advertising signs are

allowed to be constructed of combustible materials if it is determined that they do not increase the fire hazard of the structure.

(12) *Supplementary Signs* : No supplementary sign or other appendage may be hung from or supported by an approved sign or its support if it will adversely affect the structure of the approved sign or make the approved sign nonconforming. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-63. Signs Not To Constitute A Traffic Hazard

No sign as regulated by this article shall be erected at the intersection of any street, alley or driveway in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP", "LOOK", "DANGER", or any other word, phrase or symbol, or character in such manner as to interfere with, mislead or confuse traffic. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-64. Attached Signs

(a) *Location and Size:*

(1) Every attached sign shall be placed at least ten feet (10') above the ground over which it is erected. These limits include the space necessary to allow for installation hardware. Requirements in the international building code will be used to determine the distance of allowable projection into the public right of way.

(2) Attached on premises signs may have an aggregate area of one square foot for each linear foot of building frontage facing a street and not to exceed total sign area per lot as identified by zoning district in this article. Permitted signs may be placed on any facade of the building.

(3) Outdoor advertising signs shall meet the following qualifications:

- a. Allowed by right in B-4, I-1 and I-2 zoning districts (maximum area of 300 square feet).
- b. Outdoor advertising signs up to seventy two (72) square feet to be considered a use authorized by the board of appeals in B-1, B-2 and B-3 zoning districts.
- c. Maximum length of twenty five feet (25').
- d. Maximum height of twenty five feet (25') (to include support post(s) and be measured from grade level to top of sign).

e. Minimum one thousand foot (1,000') separation between outdoor advertising signs includes both sides of street.

f. Minimum twenty five foot (25') front yard setback. g. Minimum ten foot (10') side yard setback.

h. Minimum fifty foot (50') setback from residentially zoned parcel.

i. New sign locations, or locations where signs are rebuilt shall landscape along and around the base support poles with low level shrubs and perennials and/or annual plantings.

(4) No attached sign shall extend more than four feet (4') above the facade of the building to which it is attached. A sign that is attached parallel to any building or structure shall not project beyond the ends of the wall to which it is attached.

(5) In the case of a lot or building facade with frontage on more than one street, attached signs may be permitted on each street in accordance with the regulations of this article. In no case shall allowable sign area be transferred from one street-facing facade to another street-facing facade.

(6) Attached signs identifying commercial uses in residential and conservation zoning districts approved by the board of zoning appeals shall not exceed fifteen (15) square feet in area, and shall be limited to one sign (attached or freestanding) on the premises of said use.

(7) Attached signs identifying churches, fraternities or other similar uses in residential zoning districts shall not exceed thirty (30) square feet in area, and shall be limited to one sign (attached or freestanding) on the premises of said use.

(8) Attached signs for special use permits granted by the city council shall be allowed only when authorized by said council, and shall conform to the requirements of this article.

(9) If the projecting attached sign is illuminated, the reflectors shall be provided with the proper glass lenses concentrating the illumination upon the area of the sign and preventing glare upon the street or adjacent property.

(10) The distance measured between the principal faces of any attached projecting sign shall not exceed eighteen inches (18").

(11) No attached projecting sign shall be secured with wire, strips of wood or nails, nor shall any projecting sign be hung or secured to any other sign.

(12) All attached wall signs shall be safely and securely attached to the building wall by means of metal anchors, bolts or expansion screws of not less than three-eighths inch (3/8") in diameter, embedded in said wall at least five inches (5"); provided, however, that such signs may rest in, or be bolted to strong, heavy metal brackets or saddles set not over six feet (6') apart, each of which shall be securely fixed to the wall as hereinbefore provided. In no case shall any attached wall sign be secured with wire, strips of wood, or nails. (Ord. 115-2004, § 1, 12-6-2004)

(13) The interior and exterior surface of any window pane between five (5) and seven (7) feet measured from grade shall be completely uncovered and unobstructed in order that the interior of the structure is visible from the exterior. Attached Signs and hanging Illuminated Signs shall cover no more than twenty-five percent (25%) of the remaining interior and exterior surface of said window panes. Signage that is exclusively used to state hours of operation, whether or not the business is open or closed, that indicate the name of the business, or are otherwise incidental to the business may be allowed between five (5) and seven (7) feet measured from grade so long as it covers no more than twenty-five percent (25%) of the total pane. This subsection shall apply only to the first story of buildings. This subsection shall be in full force ninety (90) days after the effective date of the ordinance.

(14) Perforated window films and decals may be permitted to cover any and all parts of the window pane, including the entirety of the pane, but must be no less than fifty percent perforated and must allow the interior of the building to be visible from the exterior. This subsection shall apply only to the first story of buildings. This subsection shall be in full force ninety (90) days after the effective date of the ordinance.

Sec. 4-65. Freestanding Signs

(a) Location and Size:

(1) Outdoor advertising signs shall be no nearer the street than the building line established by law.

(2) No freestanding signs shall be nearer than two feet (2') to any other sign, building or structure; providing, however that a sign of continuous panels shall be considered as one sign for this provision.

(3) Freestanding on premises signs may have an aggregate area not exceeding one square foot for each linear foot of lot frontage and not to exceed total sign area per lot as identified by zoning district in this article.

(4) Outdoor advertising signs shall meet the following qualifications:

- a. Allowed by right in B-4, I-1 and I-2 zoning districts (maximum area of 300 square feet).

b. Outdoor advertising signs up to seventy two (72) square feet to be considered a use authorized by the board of appeals in B-1, B-2 and B-3 zoning districts.

c. Maximum length of twenty five feet (25').

d. Maximum height of twenty five feet (25') (to include support post(s) and be measured from grade level to top of sign).

e. Minimum one thousand foot (1,000') separation between outdoor advertising signs includes both sides of street.

f. Minimum twenty five foot (25') front yard setback.

g. Minimum ten foot (10') side yard setback.

h. Minimum fifty foot (50') setback from residentially zoned parcel.

i. New sign locations, or locations where signs are rebuilt shall landscape along and around the base support poles with low level shrubs and perennials and/or annual plantings.

(5) In the case of a lot with frontage on more than one street, freestanding signs in accordance with subsections (a)(1), (a)(2), and (a)(3) of this section may be permitted on each street. In no case shall allowable sign area be transferred from one street frontage to another street frontage.

(6) Freestanding signs identifying churches, fraternities or other similar uses in residential zoning districts shall not exceed thirty (30) square feet in area nor six feet (6') in height from the top of the sign to the ground, shall be limited to one sign (attached or freestanding) on the premises of said use, and shall be set back at least ten feet (10') from all lot lines.

(7) Freestanding sign identifying commercial uses in residential and conservation zoning districts approved by the board of zoning appeals shall not exceed thirty (30) square feet in area nor six feet (6') in height from the top of the sign to the ground, shall be limited to one sign (attached or freestanding) on the premises of said use, and shall be set back at least ten feet (10') from all lot lines.

(8) Freestanding signs for special use permits granted by the city council shall be allowed only when authorized by said council, and shall conform to the requirements of this article.

(9) No part of a freestanding sign shall be located over the public right of way. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-66. Roof Signs

(a) *Location And Size:*

(1) For the purposes of this article, roof signs shall be considered as attached signs when determining the allowable square foot area and total square foot area of all permitted signs. Temporary signs are prohibited from being affixed to roofs.

(b) *Erection:* Requirements for erection of a roof sign are as follows:

(1) No roof sign shall be erected or maintained with the face thereof nearer than five feet (5') to the outside wall toward which the sign faces; however, if the sign is under twenty (20) square feet, it shall not be erected with the face thereof nearer than one foot (1') to the outside wall toward which the sign faces.

(2) All roof signs shall have a space at least five feet (5') in height between the base of the sign and roof level, and have at least five feet (5') of clearance between the vertical supports thereof.

(3) Every roof sign shall be thoroughly secured to the building by iron, or other metal anchors, bolts, supports, rods, or braces. When erected upon buildings that are not constructed of entirely fireproof material, the bearing plates of said sign shall bear directly upon masonry walls and intermediate steel columns in the building. No roof sign shall be supported or anchored to the wooden framework of a building.

(c) *Inspection of Roof:* No sign shall be placed upon a roof unless said roof has been determined by an architectural or structural engineer to have sufficient strength to safely carry the proposed sign together with the signature and seal of the architectural or structural engineer making said inspection shall be placed upon or attached to all plans for proposed roof signs before a permit will be issued. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-67. Electronic Message Sign

1. The sign shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.
2. The electronic message sign shall contain a default mechanism to turn the sign off in case of malfunction or shall be manually turned off within 24 hours of a reported malfunction.

3. All electronic message signs shall be illuminated at a level no greater than 0.3 footcandles using a footcandle (Lux) meter over ambient light levels at a preset distance depending on sign area, measured as follows:

Sign size (square feet)	Distance from sign light source
0 to 100	100 feet
101 to 350	150 feet
351 to 650	200 feet
Over 651	250 feet

4. Electronic message signs that are adjacent to a residential zoning district shall not have the sign's luminance exceed one footcandle when measured at any boundary line with adjoining residential zoned property and shall also be turned off between the hours of 10:00 p.m. and 6:00 a.m. The Planning and Redevelopment Administrator may restrict or expand these hours as part of the sign permit based on these times the use is open to the public.
5. Electronic message signs are only permitted on freestanding signs and projecting attached signs, and are subject to the requirements for that sign type within the district.
6. Electronic message signs must be integrated into the design of the larger sign structure. The electronic message sign is limited to a maximum of 50 % of the total area of the sign. No sign structure that includes a manual changeable copy sign may also include an electronic message sign.
7. Only one electronic message sign per lot is permitted. For the purpose of this regulation, a multi-tenant development where the development as a whole is comprised of separate lots of record, the entire development including outlot parcels and inline development, is considered one lot.
8. Each message or image displayed on an electronic message sign must be static for a minimum of two (2) seconds plus one second for transition of messages; such transiting may include scrolling, fading in, dropping in, or similar moving copy changes. Multi-color messages and static messages are permitted. Video display screens are prohibited.
9. Electronic message signs cannot operate as a commercial outdoor advertising sign. This does not include public service messages.

Sec. 4-68. Temporary Signs

1. Temporary signs which advertise real estate for sale, rent or lease, or advertise a subdivision being developed, shall be restricted to six (6) square feet in area when located on residentially zoned property of less than two (2) acres, and shall be removed upon completion of the sale, rent or lease of the property or sale of all lots in the subdivision.

Such signs shall be located on the property, and shall be located not less than ten feet (10') from any street right of way.

2. Temporary signs, which advertise real estate for sale, rent or lease, or advertise a subdivision being developed shall be restricted to ninety six (96) square feet in area, when located on property of two (2) or more acres. Said signs shall be located on the property not less than ten feet (10') from any street right of way lines, and shall be removed upon completion of the sale, rent, or lease of the property or sale of all lots in the subdivision.
3. Temporary signs which advertise contractors, engineers, developers, architects, etc., for a site being developed shall be restricted to a total area of ninety six (96) square feet in area and located not less than ten feet (10') from any street right of way line or in conformance with the setback regulations of the zoning district in which it is located, whichever is least restrictive. Such signs shall be removed upon completion of the development and issuance of an occupancy permit by the building official.
4. Nonelectric, temporary signs placed in windows of buildings with commercial or industrial uses which advertise sales, specials, or closeouts shall be restricted to illumination by normal lighting of the building. Such signs shall be removed upon termination of the sale, special or closeout.
5. Every temporary sign shall be attached to a wall or pole with steel cables, bolts or other suitable fastenings or firmly affixed into the ground so as to prevent movement. (Ord. 115-2004, § 1, 12-6-2004)
6. Freestanding temporary signs shall not exceed two (2) per frontage at any one time.
7. Temporary signs that are on display for more than thirty (30) continuous days are prohibited.

Sec. 4-69. Signs Allowed By Zoning District

(a)*Office District (O-1)*: Attached signs allowed up to thirty two (32) square feet in area, or twenty percent (20%) of building frontage, whichever is less. Freestanding sign (only 1 freestanding sign per street frontage) allowed up to thirty two (32) square feet in area. Ten foot (10') setback from all lot lines and six foot (6') maximum height from grade to top of sign. Total sign area allowed per property is sixty four (64) square feet.

(b)*Office Research And Technology District (ORT)*: Attached signs allowed up to thirty two (32) square feet in area, or twenty percent (20%) of building frontage, whichever is less. Freestanding sign (only 1 freestanding sign per street frontage) allowed up to thirty two (32) square feet in area. Ten foot (10') setback from all lot lines and six foot (6') maximum height from grade to top of sign. Total sign area allowed per property is sixty four (64) square feet.

(c)*Neighborhood Business District (B-1)*: Attached signs allowed up to eighty percent (80%) of building frontage.

Freestanding sign (only 1 freestanding sign per street frontage) setback ten feet (10') from all property lines and a fifteen foot (15') maximum height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is two hundred fifty (250) square feet, with a maximum freestanding sign area of one hundred twenty (120) square feet.

(d)*Central Business District (B-2)*: Attached signs allowed up to eighty percent (80%) of building frontage.

Freestanding sign setback one foot (1') for signs of one hundred (100) square feet or less. For each ten (10) square feet over one hundred (100) square feet in area there is an additional one foot setback from property lines. Fifteen foot (15') maximum height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is five hundred (500) square feet, with a maximum freestanding sign area of one hundred twenty (120) square feet.

(e)*Community Business District (B-3)*: Attached signs allowed up to eighty percent (80%) of building frontage.

Freestanding sign setback one foot (1') for signs of one hundred (100) square feet or less. For each ten (10) square feet over one hundred (100) square feet in area there is an additional one foot (1') setback from property lines. Twenty foot (20') maximum height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is five hundred (500) square feet, with a maximum freestanding sign area of one hundred sixty (160) square feet.

(f)*Highway Business District (B-4)*: Attached signs allowed up to eighty percent (80%) of building frontage.

Freestanding sign setback one foot (1') for signs of one hundred (100) square feet or less. For each ten (10) square feet over one hundred (100) square feet in area there is an additional one foot (1') setback from property lines. Twenty five foot (25') maximum height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is five hundred (500) square feet with a maximum freestanding sign area of one hundred sixty (160) square feet.

(g)*Light Industrial District (I-1)*: Attached signs allowed up to eighty percent (80%) of building frontage.

Freestanding sign setback one foot (1') for signs of one hundred (100) square feet or less. For each ten (10) square feet over one hundred (100) square feet in area there is an additional one foot (1') setback from property lines. Twenty five foot (25') maximum

height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is five hundred (500) square feet, with a maximum freestanding sign area of one hundred sixty (160) square feet.

(h) *General Industrial District (I-2)*: Attached signs allowed up to eight percent (80%) of building frontage.

Freestanding sign setback one foot (1') for signs of one hundred (100) square feet or less. For each ten (10) square feet over one hundred (100) square feet in area there is an additional one foot (1') setback from property lines. Twenty five foot (25') maximum height from grade to top of sign. Total sign area allowed based on one square foot for each linear foot of lot frontage. Total sign area allowed per property is five hundred (500) square feet with a maximum freestanding sign area of one hundred sixty (160) square feet.

(i) *University/College District (U-1)*: Attached signs identifying uses affiliated with a college, university or seminary, and shall not exceed thirty (30) square feet in area. Freestanding signs shall not exceed thirty (30) square feet in area, nor six feet (6') in height from the top of sign to the ground and shall be set back at least ten feet (10') from all lot lines. The property's use must meet the thirty foot (30') separation requirement from any residentially zoned or one- and two-family used lot, as specified in the U-1 district. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-70. Permitted Signs for Nonconforming Uses

1. *Signs Permitted Upon Approval*: A sign or signs pertaining to a nonconforming use on the premises may be permitted upon approval by the board of zoning appeals only after all of the following conditions are satisfied, and only if a sign would be allowed on the premises if said use were properly zoned.
2. It is the intent of this section to allow nonconforming uses to have one sign for the purpose of identification but because of the nature of nonconforming uses, they shall be more restricted than those allowed for permitted uses. All signs under this section shall comply with all other applicable sections of this article.
3. Signs on nonconforming uses may be replaced only with signs of the same size or smaller, at the same location on the building or premises (or in a less conspicuous location) and of the same lighting (or less), but shall not be in violation of any other section of this article.
4. Only one sign shall be permitted on the premises of a nonconforming use except signs regulatory for parking areas.

5. If no sign existed on the premises during the six (6) months immediately preceding application for a sign permit under this section, the following regulations shall apply:

- a. A freestanding or attached sign shall not exceed fifteen (15) square feet in area.
- b. A freestanding sign shall not exceed six feet (6') in height from the top of the sign to the ground, and shall be set back at least ten feet (10') from all lot lines.
- c. No flashing lights or rotating signs shall be allowed.
- d. No roof signs shall be allowed. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-71. Prohibited Signs

1. The following signs shall not be permitted, erected, or maintained in any zoning district.
 - a. Except for traffic warning devices and signs giving public service information, such as, but not limited to, time, date, temperature, weather, or similar information, signs which incorporate in any manner moving, scintillating, or revolving lights, or signs with flashing lights that have a change frequency of less than five (5) seconds.
 - b. Any revolving sign with a rotation frequency more than eight (8) revolutions per minute.
 - c. String lights other than holiday decorations.
 - d. Any sign which obstructs free passage from one part of a roof to any other part and free ingress or egress from a required door, window, fire escape, roof opening or other required exitway.
 - e. Portable signs with the exemption of sidewalk signs that are six feet (6') in area, measuring both sides collectively, or smaller.
 - f. Freestanding banners or spinners, except as the city council may authorize temporarily for civic or nonprofit organizations.
 - g. Temporary signs that are in place for more than thirty (30) continuous days.
 - h. Vehicle signs.

- i. Video display screens.
 - j. Strobe lights, moving or fixed spotlights, and floodlights/searchlights.
 - k. Flashing lights.
 - l. Temporary signs or banners wrapped around a permanent sign structure, light post, or similar fixture along with any sign attached or affixed with zip-ties, adhesives, or similar non-permanent means.
2. All signs prohibited by this section shall be removed within seven (7) days of owner receiving notice from the city. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-72. Nonconforming or Nuisance Signs:

1. *Nonconforming Signs:* A nonconforming sign may be continued and shall be maintained in good condition, but it shall not be:
- a. Changed to another nonconforming sign.
 - b. Structurally altered, except for normal maintenance and copy changes as long as maintenance does not exceed fifty percent (50%) of the replacement value of the sign at any one time and not to exceed fifty percent (50%) of the outdoor advertising signs.
 - c. Reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty percent (50%) of the appraised replacement cost as determined by the building official.
 - d. Moved to another location unless brought into conformance.
2. *Unsafe And Unlawful Signs:* If community and economic development department staff find that any sign regulated herein is structurally unsafe; constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment, defined as having no active copy on an outdoor advertising sign within the past ninety (90) days or the advertisement of a business, concern or use which has been closed for greater than ninety (90) days; is not kept in good repair; is capable of causing electrical shocks to persons likely to come in contact with it; constitutes a safety risk to emergency first responders by limiting their field of vision; or is unlawfully installed, erected or maintained; he or she shall give written notice to the permittee and/or owner thereof. If the permittee and/or owner fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, said sign shall be removed or altered to comply by the community and

economic development department at the expense of the permittee or owner of the property upon which it is located.

3. *Removal Of Signs (Obsolete Signs).* The property owner shall remove all obsolete signs within ninety (90) days after termination of business. Removal of obsolete signs shall include the supporting structure, exclusive of any building.
4. *Maintenance Provision:* The owner of any sign requiring a permit shall be required to maintain an exterior which is properly painted, galvanized or otherwise treated to prevent rust and deterioration of all parts, including lighting and supports. All signs, and landscaping around the sign base, shall be required to be adequately maintained and shall not become tattered, torn, frayed, ragged, shredded, unkempt or the like. The sign shall be repaired within sixty (60) days following notice from the city of a violation. (Ord. 115-2004, § 1, 12-6-2004)

Sec. 4-73. Administration and Appeal

1. *Administration:* This article shall be administered by the inspection division and the planning and redevelopment division, each according to its obvious responsibilities according to the meaning of the language contained herein. Upon presentation of proper credentials, these persons or their duly authorized representatives may enter at reasonable times any building, structure or premises in the city of Rock Island to perform any duty imposed upon them by this article.
2. *Right Of Appeal:* Any person aggrieved by any ruling of any person charged with the administration of this article may take an appeal to the appropriate appeal board: building code board of appeals, electrical code board or the board of zoning appeals.
3. *Jurisdiction:*
 - a. Appeals taken from requests relating to construction shall be filed with the building official or the electrical inspector, as the case may be, shall be subject to the procedures established by those respective commissions, and are not subject to the provisions of this section.
 - b. In addition to the jurisdiction authorized in section 5.9 of the Rock Island zoning ordinance, the board of zoning appeals, hereinafter referred to as "the board", is hereby vested with the following jurisdiction and authority:
 - i. To hear and decide appeals from and review any order, requirement, decision or determination made by any person charged with the administration of this article, except appeals relating to the construction as identified under subsection (c)(1) of this section. The Board may reverse or affirm, wholly or in part, or may modify or amend the order, requirement, decision or determination appealed

from to the extent and in the manner that the Board may decide to be fitting and proper on the premises, and to that end, the Board shall also have all the power of the officer from whom the appeals are taken.

- ii. To hear and decide all matters referred to it or upon which it is required to pass under this article.
 - iii. To hear and pass upon applications for variances from a strict application of the terms of this article, in the manner and subject to the standards set out in subsection (f) of this section.
- c. *Provision Of Regulation:* The creation, membership and meeting rules, application process and fee, and stay of proceedings provisions for the Board, as established under article V of the Rock Island zoning ordinance shall apply to all appeals and variances from this article.
- d. *Hearing Of Appeals:*
- i. An appeal of a decision shall be taken within thirty five (35) days after such decision is made.
 - ii. All final administrative decisions of the Board under this section shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act" of the State of Illinois, approved May 8, 1945, and all amendments and modifications thereto. The term "administrative decision" is defined as in the "Administrative Review Act".
- e. *Variances:*
- i. The Board may vary the application of this article in harmony with its general purpose and intent, in accordance with the procedure set forth herein, where there are practical hardships in the way of carrying out the strict letter of any provisions of this article. Any such variance shall be granted only after a public hearing before the Board. The Board shall make final decisions on all variances except for variances for business zoned properties on parcels twenty thousand (20,000) square feet or larger in total area. In those circumstances, the Board will conduct the public hearing and then make a recommendation to the City Council for final action.
 - ii. A variance may be granted only when special circumstances involving size, shape, topography, location or surroundings affect the property referred to in the application, when denial of said application would cause unreasonable or unnecessary hardship, and when said sign will not cause substantial injury to the

value of other property in the vicinity nor be detrimental to the public safety or welfare and the neighborhood in which it is located.

- f. *Decisions Of The Board:* All decisions and findings of the Board, on appeal or upon application for a variance, after a hearing, shall in all instances be final administrative determinations and shall be subject to review by court as may be provided by law. (Ord. 115-2004, 12-6-2004; Ord. 015-2018, 4-23-2018)

Sec. 4-74. Penalties:

The City may file an ordinance complaint with the Municipal Code Enforcement Service (MUNICES) in order to enforce regulations within this article. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25.00) nor more than seven hundred and fifty dollars (\$750). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 115-2004, 12-6-2004)

Secs. 4-75 through 4-110 reserved.

Section Two: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Three: This ordinance shall be in full force and effect from and after its passage and approval, as required by law.


MAYOR OF THE CITY OF ROCK ISLAND

PASSED: November 11, 2019

AYES: Aldermen

Spurgetis
Swanson
Parker
Poulos
Geenen

APPROVED: November 12, 2019

ATTEST:


CITY CLERK

NAYS: None

ABSENT: Hurt
Clark

value of other property in the vicinity nor be detrimental to the public safety or welfare and the neighborhood in which it is located.

- f. *Decisions Of The Board:* All decisions and findings of the Board, on appeal or upon application for a variance, after a hearing, shall in all instances be final administrative determinations and shall be subject to review by court as may be provided by law. (Ord. 115-2004, 12-6-2004; Ord. 015-2018, 4-23-2018)

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