

City of St. Charles, Illinois

Ordinance No. 2009-Z-4

**An Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Regarding
Amortization of Nonconforming Signs**

**Adopted by the
City Council
of the
City of St. Charles
April 20, 2009**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, April 24, 2009**

Nancy Gamson

City Clerk



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CITY OF ST. CHARLES
PAGE

City of St. Charles, IL
Ordinance No. 2009-Z-4

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled "Zoning" Regarding Amortization of Nonconforming Signs**

WHEREAS, on or about February 11, 2009, The City of St. Charles ("the Applicant") filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding amortization of existing freestanding and wall-mounted sign; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about March 8, 2009, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about March 24, 2009, on said petition in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the petition on or about March 24, 2009; and,

WHEREAS, the City Planning and Development Committee recommended approval of the petition on or about April 13, 2009; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

SECTION ONE: The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

SECTION TWO: Chapter 17.08 entitled "Signs" is hereby amended by modifying the following Section 17.08.060, entitled "Nonconforming Signs" thereto:

"17.08.060 Non-Conforming Signs"

- A. Where a freestanding sign mounted on a pole, pylon, foundation, or other supporting structure is nonconforming, the sign and its supporting structure shall be removed or otherwise modified to conform to the provisions of this Title within five (5) years of

the effective date of this Title, or within fifteen (15) years after its initial construction, whichever is later.

- B. Where a sign other than a freestanding sign is nonconforming, it shall be removed or otherwise modified to conform to the provisions of this Title within five (5) years of the effective date of this Title, or within five (5) years after its initial construction, whichever is later.
- C. No nonconforming sign shall be changed to another nonconforming sign except that the copy, message or graphic of a nonconforming sign may be changed by replacing nonstructural components on which the copy, message or graphic is displayed, such as a plastic or metal panel or insert. No part of a nonconforming sign's supporting structure, electrical, or lighting equipment shall be replaced or modified so as to extend the life of the sign.
- D. Where a nonconforming freestanding sign including its structural components is removed, the pole, pylon, foundation, or other structure that supported the sign shall also be removed.
- E. Except as specifically provided in this Section, nonconforming signs shall be regulated in conformance to the provisions of this Title applicable to nonconforming structures.

SECTION THREE: That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of April 2009.

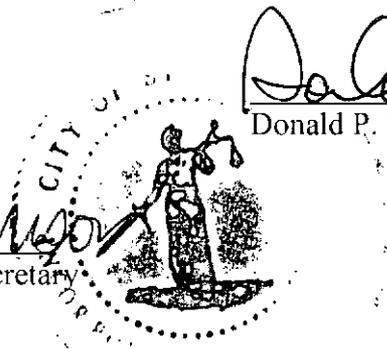
PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of April 2009.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of April 2009.


Donald P. DeWitte, Mayor

Attest:


Nancy Garrison
City Clerk/Recording Secretary



COUNCIL VOTE:

Ayes: 10

Nays: 0

Absent:

Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on April 20, 2009, the Corporate Authorities of such municipality passed and approved Ordinance No. 2009-Z-4, entitled

"An Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Regarding
Amortization of Nonconforming Signs,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2009-Z-4, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 24, 2009, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 20th day of April 2009.

Nancy Garrison
Municipal Clerk

