



Appearance Code

For the

Village of Round Lake

Village of Round Lake
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VILLAGE OF ROUND LAKE APPEARANCE CODE

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CHAPTER 1 INTRODUCTION

1.1 **Scope:**

1.1.1 The Scope of this document encompasses the following areas:

- a. The approval process and regulations regarding signage;
- b. Approval of Landscape plans and Exterior areas;
- c. Approval of Building Facades and Exteriors;
- d. The Appeals and Review Process;
- e. The Enforcement Process, Fees, Penalties and Repeals.

1.2 **Findings, Intent, Purpose and Construction:**

1.2.1 **The Village finds** that appearance and design have a direct relationship to the economic value of property, stability, safety and quality of life. When the appearance of public areas, commercial districts, and the residential districts are good, shoppers, business owners and home owners exhibit increased confidence in the community. Conversely, poor appearance, congestion, and lack of proper maintenance decreases the quality of life, property values, diminishes revenues and opportunities for the Village and individuals. As the appearance of the Village is improved, the number and character of customers, investors and visitors to the commercial districts will increase, and the residential districts will benefit.

1.2.2 **That the purposes** of this Code and the Architectural Commission are:

- a. To promote those qualities in the environment that brings value to the Village;
- b. To foster the attractiveness and functional utility of the Village as a place to live and work;
- c. To preserve the character and quality of the Village's heritage by maintaining the integrity of areas that has maintained a discernible character or is of special significance;
- d. To protect public and private investments in the Village.
- e. To raise the level of community expectations for the quality of its environment;
- f. To avoid and prevent deterioration of the character and appearance of the Village;

- g. To provide a favorable environment for residents and business activities;
- h. To preserve and enhance the condition of the Village and consequently improve property values;
- i. To enhance the environment throughout the Village;
- j. To develop and recommend standards for those seeking to develop properties and/or businesses in the Village and to the corporate authorities for their consideration and implementation.

1.3 **Liberal Construction:**

1.3.1 **The Village recognizes** that whenever any public authority legislates for the public good, it affects private rights and interests. Therefore, the Village strives to make laws which strike a fair balance between the need of the community as a whole and the needs of the individual. The limitations and requirements imposed by this Code are enacted because the reasons for them are compelling and essential to the future of the Village. It is the intent of this Code to retain Round Lake's cultural heritage, and the traditional excellence of its dining, entertainment and other business establishments, while also attracting and integrating new business establishments. It is also the intent of this code, to promote public safety, health and welfare. Accordingly, this Code shall be liberally construed to promote the interests expressed in the preceding paragraphs.

CHAPTER 2 DEFINITIONS

2.1 **Rules:**

In the construction of this Ordinance, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise.

2.1.1 Words used in the present tense shall include the future; and words used in the singular number shall include plural number, and the plural, the singular.

2.1.2 The word "shall" is mandatory and not discretionary.

2.1.3 The word "may" is permissive.

2.1.4 The masculine gender includes the feminine and neuter.

2.1.5 Any words not defined as follows shall be construed in their general accepted meaning as defined by Webster's Dictionary.

2.1.6 The section headings used in this Code are included solely for convenience and shall not affect, nor be used in connection with the interpretation of this Code.

2.2 **Definitions:**

For the purpose of this Ordinance, the following definitions shall apply:

2.2.1 **Architectural Commission, ARC or Commission:** Is the Architectural Commission of the Village of Round Lake.

2.2.2 **Applicant:** A person, firm or legal entity seeking an approval of a Certificate of Approval and/or permit required by this Code.

2.2.3 **Architectural Character:** The composite or aggregate of the characteristics of structure, form, materials, and function of a building, group of buildings, or other architectural composition.

2.2.4 **Architectural Concept:** The basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development, which produces the architectural character.

2.2.5 **Architectural Feature:** A prominent or significant part or element of a building, structure, or site.

2.2.6 **Architectural Style:** The characteristic form and detail, as of buildings of a particular historic period.

2.2.7 **Attractive:** Having qualities that arouse interest and pleasure in the observer.

- 2.2.8 **Berm:** An earth embankment that is similar to a mound except that it is extended to become a linear landform; it is often combined with fencing or planting to create a visual or sound barrier.
- 2.2.9 **Buffer Strip:** Using plant material to buffer surrounding unsightly views or between unrelated land uses (i.e. parking lot and cars buffered from neighborhood parks) and/or an area of plant material used to buffer surrounding views.
- 2.2.10 **Building Official/Building Department:** Is the Building Official or designee, or Building Department of the Village of Round Lake.
- 2.2.11 **Building Face:** Any building surface or exterior wall or projection that is adjacent to, or open to public view from any street, place, alley, thoroughfare, parking lot, or way. For purposes of this Code, a building may have more than one Building Face.
- 2.2.12 **Caliper:** The diameter of a tree's trunk, normally measured at a height of 6" above ground level.
- 2.2.13 **Canopy:** Also an awning. See marquee signs.
- 2.2.14 **Certificate of Appropriateness:** A Certificate issued by the ARC under the provisions of this Ordinance that certifies the exterior design features of an applicant's plans as suitable and as consistent with the Appearance Code.
- 2.2.15 **Combustible Material:** A material that will ignite when heated to a temperature at or below 1200 degrees Fahrenheit and continues to burn or glow.
- 2.2.16 **Compatible:** Harmony in the appearance of two or more buildings, structures, and landscape developments in the same vicinity.
- 2.2.17 **Continuity:** Unity of composition between design elements of a building, or a group of buildings, and the landscape development.
- 2.2.18 **Dead Load:** The weight of all permanent structural and non structural components of a building such as walls, floors, roofs, and fixed service equipment.
- 2.2.19 **Diameter Breast Height:** The measurement of existing trees at 4.5' above grade.

- 2.2.20 **Design Elements:** The details or components which collectively comprise the facade, building, structure, sign or landscape plan. This includes the kind, color and texture of the materials of such portion and the types of roof, windows, doors, lights, lighting, attached or ground signs and/or other fixtures appurtenant to same that will be open to public view from any street, alley, place thoroughfare or way.
- 2.2.21 **Dwelling:** Any structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.
- 2.2.22 **Dwelling Unit:** The permanent or temporary abode of a family, an individual, or group of individuals; a single unit providing complete independent facilities for the exclusive use of the family, individual, or group of individuals, including but limited to permanent provisions for living, sleeping, eating, cooking and sanitation.
- 2.2.23 **Exterior Design Feature:** The general arrangement of any portion of a facade, building, structure, sign, and/or landscaping this includes the kind, color and texture of the materials of such portion and the types of roof, windows, doors, lights, lighting, attached or ground signs or other fixtures appurtenant to such portions, that will be open to public view from any street, alley, place thoroughfare or way.
- 2.2.24 **Facade:** The external face of a building which is open to public view or adjacent to and mainly faces any street, place, alley, thoroughfare, parking lot, or way. A building may have more than one facade.
- 2.2.25 **Family:** An individual, or two or more persons related by blood or marriage or adoption, living together in a dwelling unit; or a group of not more than four persons who need not be related by blood or marriage, or adoption, living as a single housekeeping unit in a dwelling unit, and sharing common facilities as considered reasonably appropriate for a family related by blood, marriage or adoption.
- 2.2.26 **ICC Code:** International Code Council.
- 2.2.27 **Landscape Plan:** A detailed, scaled (ex. 1/8"=1'0") drawing showing:
- a. Existing vegetation noting species, size and drip lines of trees 3" of DBH and larger with a distinction shown between vegetation to be retained or removed;

- b. New plant material (proposed trees, shrubs, evergreens, groundcover and lawns) noting quantities, species (botanical and common names), and size (in caliper or height at time of installation), and graphically distinguishing between new and existing plant material and between species of new plant material;
- c. Site furnishings and specialties;
- d. Existing site conditions;
- e. Paving materials;
- f. Height and locations of flagpoles, signage, light standards and fences;
- g. Screening, noting materials used as screen, height of screen material, device or area which requires screening and height of device to be screened . Please note that exterior areas which require screening include parking, refuse storage and mechanical equipment;
- h. Storm water retention/detention areas.
- i. All other existing features such as buildings, fences, existing vegetation, walks, etc;
- j. Flow lines for drainage of surface water;
- k. Proposed improvements such as fences, patios and walls;
- l. External design features, being the general arrangement of any portion of a building, sign, landscaping or structure and including the kind, color and texture of the materials of such portion, this includes the types of roof, windows, doors, lights, attached or ground Signs or other fixtures appurtenant to such portions, that will be open to public view from any street, place or way;
- m. Logic of design;
- n. Proportions;
- o. Each Landscape Plan shall address the functional aspects of landscaping such as drainage, erosion prevention, and wind barriers, provisions for shade, energy conservation, sound absorption, dust abatement, and reduction of glare.

2.2.28 **Logic of Design:** Accepted principles and criteria of validity in the solution of the problem of design.

- 2.2.29 **Logo:** Any graphic symbol or type characters which are joined on one body as a trademark or a company signature.
- 2.2.30 **Mechanical Equipment:** Equipment, devices, and accessories, the use of which relates to water supply, drainage, heating, ventilating, air conditioning, and similar purposes.
- 2.2.31 **New Construction:** Any building or structure which is to be newly constructed or any addition to a building or structure, including the landscaping, parking and loading areas and fencing and screening related thereto.
- 2.2.32 **Owner:** All persons having a possessory interest in any property, premises or sign, the business which any sign identifies, the property where said sign is located including a leasehold interest (current or expired) or otherwise and/or the legal owner of the property.
- 2.2.33 **Professionally Done:** Professionally done shall include any sign, lettering, or graphic which is produced by a sign company, design professional, or through electronic or mechanical means. It shall not include any sign or graphics that are lettered by hand using pens, markers, etc.
- 2.2.34 **Proportions:** The balanced relationship of parts of a building, structure, signs, landscape, or other components to each other and to the whole.
- 2.2.35 **Proposed Improvement:** Any Sign (wall, freestanding or temporary); canopy; awning; building face; facade; landscaping or landscape plan; parking or loading area; fencing or screening, or other item which requires consideration and approval of the ARC.
- 2.2.36 **Public Right-of-Way:** That land area over which the Village has rights either through ownership, dedication or easement, to use for public street and utility purposes or other public use.
- 2.2.37 **Refuse:** Includes garbage, trash, refuse, droppings, brush, cuttings and any other material deemed non-desirable.
- 2.2.38 **Refuse Container:** Garbage, refuse, recycling and yard waste holders whether plastic, metal or wood.
- 2.2.39 **Refuse Enclosure Area:** An area that is enclosed and/or screened from public view and used to hold containers of refuse, recycling and yard waste.

- 2.2.40 **Residential Districts/Residential Zoning:** Those zoning districts in the Village of Round Lake consisting of E-R, R-1, R-2, R-3, R-4, R-5, and R-6 Districts.
- 2.2.41 **Sign:** Any visible name, identification, description, announcement, declaration, demonstration, display, flag, illustration, insignia, object or device illuminated or non-illuminated this includes the structure displaying or supporting any of the above, affixed directly or indirectly to or upon any building or structure, or erected or maintained upon land or a premises, which directs attention to an object, product, place, activity, person, institution, organization, service, solicitation or business. Any above described items that are visible from the exterior of the premises, including those items visible through any window or door are deemed to be “visible” as set forth above and regulated in the code.
- 2.2.42 **Sign, Advertising:** A sign which directs attention to a profession, business, activity, commodity, service or entertainment other than one conducted, sold or offered upon the premises where such sign is located, or within the building to which such sign is affixed.
- 2.2.43 **Sign, Box:** A sign enclosed by a case with internal illumination and plastic facing
- 2.2.44 **Sign, Channel:** A sign where each letter is an individual sign and each letter is lit internally or back lit.
- 2.2.45 **Sign, Conforming:** A sign which conforms to the provisions of this code, as amended from time to time, and with all applicable Ordinances, rules and regulations in effect from time to time, and shall include a sign for which a variation has been approved.
- 2.2.46 **Sign, Face:** The surface of the sign upon, against or through which the message of the sign is exhibited.
- 2.2.47 **Sign, Illuminated:** Any sign which has characters, letters, figures, designs or outline illuminated by electric lights, luminous tubes or any other means of artificial illumination.
- 2.2.48 **Sign, Marquee:** A roof-like structure of a permanent nature which projects from the wall of a building and can overhang the public way. Marquee signs shall include canopies and awnings.

- 2.2.49 **Sign, Monument:** A free-standing sign erected at grade level set firmly or below the ground surface on an approved foundation or utilizing a short wall, and not attached to any building.
- 2.2.50 **Sign, Neon:** Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.
- 2.2.51 **Sign, Non-Conforming:** A sign which does not conform to the provisions of this code, as amended from time to time, but may have which complied with the code, all applicable ordinances, rules and regulations in effect at the time of its erection.
- 2.2.52 **Sign, Obsolete:** A sign which has become no longer useful for any on-site purpose and/or a non-conforming sign which has been damaged, or fallen into disrepair and/or ceases to advertise or identify the business or use for which a sign permit was issued.
- 2.2.53 **Sign, Off-premise:** A sign that directs attention to a residence, business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed.
- 2.2.54 **Sign, Permanent:** Any sign or sign structure which is affixed or installed and is intended for long-term use.
- 2.2.55 **Signage Plan:** A plan which addresses signage for the entire premises at which signs are proposed. Such signage plan shall delineate the proposed sign or signs, all existing signs, the relationship between all signs on the premises. Such signage plan shall include proposed materials, color designations, proposed dimensions of the sign, along with dimensions of the premises, structure or structures upon which the signs are to be installed in order to provide sufficient context for the ARC to review.
- 2.2.56 **Sign, Pole:** A free-standing sign erected at grade level supported by one or more uprights (pole, pylon, standard or structure) and not attached to any building. Pole signs specifically include, without limitation, pylon signs, pole signs, blades and post signs.
- 2.2.57 **Sign, Portable:** A Sign designed to be transported by means of wheels, a sign converted to an “A” or “T” frame, a Sign attached to a trailer, a menu or sandwich board Sign, or a Sign attached to, or painted on, a vehicle parked and visible from a street or public right-of-way.

- 2.2.58 **Sign, Real Estate:** Any Sign having not more than two (2) sides which, in whole or in part, announces the sale or lease of property, excluding subdivision identification and tract identification signs.
- 2.2.59 **Signs, Temporary Advertising:** A Sign that is designed and intended to be displayed for a temporary and short, and not permanent, period of time, this is for a special, unique, limited activity such as the announcement of a grand opening, sale, limited activity, special offering or event.
- 2.2.60 **Sign, Wall:** A Sign which is affixed directly to or painted on, or otherwise inscribed on an exterior wall, including windows and doors, of any business, retaining wall, or other structure.
- 2.2.61 **Tree:** Includes both ornamental trees; a tree thirty five feet (35') or under in height at maturity (ex. crabapple, hawthorn or magnolia, etc.) and shade trees; a tree sixty feet (60') or under in height at maturity (ex. ash, maple, oak, etc.)
- 2.2.62 **Use, Special:** As listed in each district, a use subject to special provisions and which, because of unique characteristics, cannot be properly classified as a permitted use.
- 2.2.63 **Variation:** An exception of the literal provisions of this Code where strict enforcement of the Code would cause undue hardship owing to circumstances unique to the individual property or which do not occur generally to land or buildings in the neighborhood.

CHAPTER 3

APPROVAL AND REGULATION OF SIGNS

3.1 Introduction

The purpose of this Chapter is to regulate signs in such a way as to:

- a. Insure that all signs within the Village will adequately identify and promote the use while being compatible with existing land uses and/or other buildings within the general area of the Sign and/or the Village as a whole;
- b. Insure that each business establishment within the Village exhibits at least one approved wall, window, or monument sign that will adequately identify and promote the use while conforming to the provisions of this Code. Installation of appropriate approved signage shall be a required condition of any certificate of occupancy issued for a business establishment;
- c. Enhance the appearance of the Village and the business;
- d. Provide a review of the Sign and Signage Plan with regard to size, location, color, message, construction, materials, proportion and manner of display to fully promote the intents and purpose of this Code;
- e. Promote such Signs that will not confuse, mislead or obstruct the vision necessary for traffic safety or otherwise endanger the public health, safety, morals or general welfare;
- f. Insure that materials and finishes shall be selected for their safety, durability and wear as well as for their beauty;
- g. Provide a comprehensive signage plan where more than one sign is requested for a business, building or premises;
- h. Provide a comprehensive signage plan for any Planned Unit Development (PUD). Any PUD signage may be subject to review and approval by the Village Board and/or Plan Commission/ Zoning Board of Appeals in addition to review by the ARC;
- i. Provide a signage plan that complements and coordinates with the building, other structures and exterior design features creating a balance

that will promote the intents and purposes of this Code while allowing adequate identification of the business use.

3.2 **Application for Permit**

- 3.2.1 **Form of Application:** An application for a Certificate of Appropriateness shall be made by the Applicant with the Building Department, shall be signed by the Applicant, shall contain or have attached thereto the following information:
- a. Name, address and telephone number of Applicant;
 - b. Location of building, structure or lot to which or upon which the sign is to be attached or erected;
 - c. Position of the sign in relation to nearby building structures;
 - d. Ten copies of the plans and specifications and method of construction and attachment to the building(s) or in the ground;
 - e. If required by the Building Department, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other codes and ordinances of the Village;
 - f. Name of person, firm, corporation or association erecting or designing the sign;
 - g. Written consent of the legal owner of the building, structure, or land to which or on which the Sign is to be erected;
 - h. For any structure that overhangs any public property, or Public Right-of-Way, a hold harmless agreement and insurance policy in a form acceptable to the Village Clerk;
 - i. The application shall be supplemented by such other and further materials as required by the Building Department or the ARC, including a Signage Plan (see definition 2.2.47).
- 3.2.2 **Permit Required:** Applicants shall not commence construction on any proposed improvement based solely upon the approval of the ARC. Regardless of any approval by the ARC, the applicant shall have no vested right to the issuance of a permit or construction of the proposed improvement until an application for a permit has been made by the applicant and approved and issued by the Village.

3.3 Residential District Sign Regulations

No Signs shall be installed or permitted on properties which are residentially zoned except in accordance with the following provisions:

a. **Individual Dwelling Unit:**

Each dwelling unit may have one nameplate not exceeding one (1) square foot in area, indicating name of occupant; in addition, all address numbers shall be placed in a position plainly visible and legible from the street and road. All address numbers shall be Arabic numerals or alphabet letters that are 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm);

b. **Special Use:**

For a structure authorized as a "special use" other than a dwelling unit, only one identification sign not exceeding ten (10) square feet, except a church bulletin board which shall not exceed twelve (12) square feet and shall not be closer than eight (8') feet from any other zoning lot;

c. **Multi-Family:**

A single identification sign may be displayed for multi-family dwellings, except where a multi-family building is located on a corner lot. Then two such signs are permitted. The name and address of the building and the name of the management thereof may be contained on the sign. The size of each sign shall not exceed six square feet (6 sq. ft.) for multi-family dwelling containing ten (10) or fewer units, or twelve square feet (12 sq. Ft.) for multi-family dwellings containing more than ten (10) dwelling units;

d. **Residential Development Signs:**

1. One monument sign, of not more than two sign faces, shall be permitted for each principal entrance to a single-family subdivision, residential planned unit development or multiple-family residential use.
2. Maximum Gross Surface Area is not to exceed twenty square feet (20 sq. ft) per sign face.
3. The maximum height of a monument sign shall not exceed six feet (6') above grade.

4. Monument Signs shall be set back a minimum distance of fifteen feet (15') from all lot lines or from the public right of way, whichever is greater, and shall be located only at a principal entrance to such single family subdivision residential planned unit development or multiple-family residential use.

e.

Additional Standards:

1. The sign shall not create any traffic hazard;
2. The sign shall be aesthetically in keeping with the character of the neighborhood; a distinction shown between vegetation to be retained or removed;
3. For purpose of orientation, direction, warning or information, not exceeding two (2) square feet;
4. No electrical signs shall be erected on properties which are residentially zoned.

3.4 Signs Announcing the Sale or Lease of Land

- 3.4.1 Real estate signs shall be professionally done and in all respects comply with the intents and purposes of this Code. Hand lettered signs are not permitted, except that the address of the property and phone number may be neatly hand lettered on a pre printed sign.
- 3.4.2 For real estate signs on residential property, there shall be one (1) real estate sign not exceeding six (6) square feet per sign face in area and four (4) feet in height to the highest part of the sign. Announcing the sale or lease of a specific property shall be permitted on the property, but not on the public right-of-way or more than 15 feet from the property line. This sign may be two-sided.
- 3.4.3 In the commercial district for any business use, one real estate sign not exceeding sixteen (16) square feet in area and eight (8) feet in height to the highest part of the sign, announcing the sale or lease of a specific property shall be permitted on the property, but not on the public right-of-way.
- 3.4.4 A maximum of three (3) open house signs announcing an open house for a specific property may be displayed no more than two days in any week. However, such sign shall not be affixed to any utility pole, municipal sign, and structure or otherwise and shall not be placed in the public right-of-way.

3.5 Commercial District Requirements - Wall Signs

3.5.1 Permitted Information:

The information contained on a wall sign shall be limited to:

- a. The legal name (or assumed name) of the business establishment, which shall not exceed five (5) words. Notwithstanding the above, the name of a legally established franchise may be displayed in lieu of the legal name of the business establishment. A listing of one of the following items, such as services, goods, business address, one phone number, advertising slogan or other phrase may be permitted but limited to an area not to exceed five percent of the gross sign area;
- b. The logo of the business establishment shall be displayed so as to be subordinate in size and prominence to the name of the business establishment. Further, the colors of corporate logos may be required to be changed or subdued to meet the intents and purposes of this Code;
- c. The date the business was actually established (ex. "Established 1867").

3.5.2 Other Sign and Design Controls:

Any wall sign for which a permit is required under this Section shall comply with the following:

- a. **Maximum Size** - Wall signs shall not exceed one and one-half square feet (1½ sq. ft.) of every lineal foot of wall area of the front facade of the space occupied by the business or one hundred (100) square feet, whichever is less. In the event the property is set back more than one hundred feet (100') from the property line, the sign face may be increased one square foot (1 sq. ft.) for every two feet (2') of additional setback beyond the one hundred foot (100') setback from the property line up to a maximum of two hundred and fifty square feet (250 sq. ft.), based on the size of the wall.
 1. The size of the wall area used shall be determined by drawing a square or rectangle around the lettering/logo of the proposed sign which encompasses the entire content of the proposed sign.
 2. The size of signs placed in or on windows or canopies shall be included in calculating the maximum signage area allowed.
 3. The size shall include all borders in calculating the maximum.

4. The building face area of floors which are not occupied by the business establishment (ex. residential areas above the business establishment) shall not be used to compute the wall area of the front façade.
- b. **Orientation and Location** - Be permitted only on the front facade of a building; or upon such other facade of a building:
1. Which is adjacent to and mainly faces a street, thoroughfare, or parking lot used for customers of the building, and which lot is part of a PUD for the parcel upon which the sign is to be located; or
 2. Which is adjacent to and mainly faces a street, thoroughfare, or parking lot used for customers of the building, and which lot is under common ownership with the parcel upon which the sign is to be located;
 3. Such Sign may not be located on any other facade of a building, including a facade which mainly faces an alley.
- c. **Limitation on Number of Facades** - Wall signs identifying the business use shall be permitted only upon one of the facades as set forth in the preceding section, unless a variation is obtained.
- d. **Preferred Design Criteria** - For any premises, the ARC shall consider the following preferred design criteria in considering the approval or recommendation for approval of any sign:
1. Illuminated “Box Signs” are not permitted. (see prohibited signs Section 3.10.13)
 2. Signs with individually cut, opaque raised letters on raceways and illuminated through the use of back lighting (reverse channel letters) are preferred. Internal illumination of individual letters and/or logos is not preferred, but may be considered where appropriate. However, illumination levels shall be regulated to insure that the illumination is appropriate in light of the proposed signage, site, and adjoining properties.
 3. Signage coloring shall complement the development, and other signage within the commercial district. Neon colors and bright colors are not preferred, but may be permitted, where they are found to enhance a design element, or otherwise are found to be appropriate due to unique site

conditions. In general, signage colors shall be complementary with the proposed development. White, earth, bronze, gold or other subdued color tones for Signs, lettering and logos are preferred.

4. While signage identifying the business is limited as set forth herein, limited additional design elements may be permitted on any structure where determined appropriate by the ARC, in the exercise of its discretion, subject to review and approval by the Village Board. Such design elements may include decorative murals, which do not specifically identify the business, lettering, phrases, decorative etchings, woodwork and/or public art which are intended to enhance the visual appeal of a structure or premises.
5. The shape of all signs shall relate to the building facade, facade of adjacent buildings, and to the signs on adjacent buildings, if applicable. The coloring of wall signs shall be consistent throughout the sign utilizing complementary tones and shades.

3.5.3 **Construction Requirements - Wall Signs**

Any wall sign for which a permit is required under this Section shall:

- a. **Materials** - Have a surface or facing of durable material, and shall otherwise comply with the requirements of Appendix 2. Materials and finishes shall be reviewed for their safety, durability, wear, and appearance. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.
- b. **Supports and Anchorage** - Be attached directly to exterior walls of solid masonry or concrete, and shall be safely and securely attached to the same by means of metal anchors, bolts, or expansion screws. No wooden blocks or anchorage with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of wall Signs attached to buildings with permitted walls of wood. No wall Sign shall be entirely supported by an un-braced parapet wall, but must be attached to parapet walls or other wall surfaces made a part of the main structure. Signs erected on a separate superstructure attached to the roof of the building or to any other part of the building above the roof line shall not be permitted.

- c. **Attachment to Wall Surface** - If attached to a building or premises, be erected parallel to the vertical wall surface and shall not project more than twelve (12) inches from the wall upon which it is attached, nor project beyond the end or top of the wall to which it is attached.
- d. **Approval by Building Department** - All electrically illuminated Signs shall be approved as to electric wiring and devices by the Building Department. All wiring and accessory electrical equipment shall conform to the requirements of the National Electrical Code listed in the ICC Code as adopted by the Village.
- e. **Additional Permits** - Electrical permits are required for the erection or maintenance of illuminated signs (no permit is required to replace or re-letter an illuminated sign unless the replacement or re-lettering requires a change in wiring or piping).
- f. **Illumination** - All Signs whether indoors or outdoors shall be subject to the following restrictions regarding illumination:
 - 1. A Sign shall not be illuminated by other than electrical means and electrical devices. Wiring shall be installed in accordance with the requirements of the National Electrical Code listed in the ICC Code as adopted by the Village.
 - 2. Any lighting shall be placed on the same property as the wall sign.
 - 3. No blinking, flashing, fluttering or other illuminating device, nor any illumination which has a change in light intensity, brightness or color shall be permitted. (This prohibition is not intended to apply to any approved time/temperature sign nor to seasonal holiday lighting).
- g. **Safety and Design Concerns** - No Sign shall be located, erected, altered or maintained so as to obstruct any fire escape, or any window, or door, or opening used as a means of egress, or for fire-fighting purposes, or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form, shape or manner to a fire escape or be so placed as to interfere with any opening required by law for ventilation.
- h. **Servicing Devices** - Ladders, platforms, hooks, rigs and all other devices for the use of servicing personnel shall have safety devices and design loading in

accordance with the safety requirements in the ICC Code as adopted by the Village.

3.6 **Commercial District Requirements - Monument/Free Standing Signs**

3.6.1 Unless otherwise permitted below, the information contained on Monument/Free Standing Signs shall be limited to:

- a. The legal name (or assumed name) of the business establishment, which shall not exceed five (5) words. Notwithstanding the above, the name of a legally established franchise may be displayed in lieu of the legal name of the business establishment. A listing of one of the following items, such as business address, one phone number, advertising slogan or other phrase may be permitted but limited to an area not to exceed five percent of the gross sign area;
- b. The logo of the business establishment. The logo of the business establishment shall be displayed so as to be subordinate in size and prominence to the name of the business establishment. Further, the colors of corporate logos may be required to be changed or subdued to meet the intents and purposes of this Code;
- c. The date the business was actually established (ex. "Established 1867").

3.6.2 **Other Sign and Design Controls**

All Signs for which a permit is required under this Section shall comply with the following:

- a. **Monument Signs** - Monument Signs may be permitted as part of an overall Signage Plan and shall comply with the following specific requirements:
 1. No more than one Monument Sign shall be allowed per lot or per development. Further, provided that where a development or integrated shopping center under single ownership or unified control, has separate and distinct entrance drives, up to two monument signs may be erected. However the total surface area of the combined signs may not exceed 3% of the front facade and no sign may exceed thirty six (36) square feet per sign face;
 2. The total surface area of the Monument Sign shall not exceed the greater of thirty six (36) square feet or 3% of the front facade of the building.

However, in no event shall any single sign exceed 60 square feet per sign face;

3. The Monument Sign shall not exceed six (6) feet in height, including any foundation and supporting structure;
 4. The Monument Sign shall not exceed eight (8) feet in length, including any foundation and supporting structure;
 5. The Monument Sign shall be in proportion to the building and development. The maximum sizes set forth herein may be reduced considering the size of the buildings or structures and other permitted signage. The design and shape of any approved monument signs shall relate to the building facade, facade of adjacent buildings, and to the signs on adjacent buildings, if applicable. The coloring of monument signs shall be consistent throughout utilizing complementary tones and shades;
 6. Notwithstanding the above, the monument sign shall be planned, constructed and located so as to provide for the safety of pedestrians and traffic in the areas adjacent to the sign, and the sign shall not obstruct the view of pedestrian and vehicular traffic;
 7. Further, provided that if approval is granted as set forth above, for integrated shopping centers under single ownership or under unified control, the sign shall contain only the name and location of the integrated shopping center; however, if requested by the applicant, the ARC may consider including the name of all of the occupants of the Center;
 8. Any monument sign for which a permit was issued prior to approval of this code, and which may be made non-conforming by the size, construction or type of sign provisions of this Section, may be repaired and maintained (subject to ARC review) despite the fact that the sign may exceed the maximum size provisions set forth above notwithstanding the provisions of section 4.4 below and not to exceed a period of five (5) years after approval of this Code;
 9. No Monuments Sign shall have more than two faces;
- b. **Prohibited Types** - Pole signs, clocks, or other advertising devices erected upon poles, pylons, standards or separate supports are prohibited;

- c. **Orientation and Location** - Is permitted only in the front yard of the premises. Such sign may not be located in any other yard;
- d. **Preferred Design Criteria** - For any premises, the ARC shall consider the same criteria as described above in considering the approval or recommendation for approval of any sign;
- e. In no event shall any sign be placed or maintained in a location relative to a public or private street, alley, driveway or other means of ingress or egress so that the sight of vehicular and/or pedestrian traffic is impaired for users of ingress and egress.
- f. The shape of the sign shall relate to the building facade, facade of adjacent buildings, and to the signs on adjacent buildings, if applicable. The coloring of signs shall be consistent throughout the sign utilizing complementary tones and shades.

3.6.3 **Construction Requirements - Monument/Free Standing Signs.**

All Signs for which a permit is required under this section shall meet the regulations as previously established in this code (i.e. materials, supports and anchorage, permits, etc).

3.7 **Commercial District Requirements - Window Signs**

If approved, signs may be placed in or on windows or glass pane doors however, the size of such sign shall be included in calculating the maximum sign area allowed for all other signage. Unless otherwise permitted below, the information contained on window signs shall be limited to:

- a. The legal name (or assumed name) of the business establishment, which shall not exceed five (5) words. Notwithstanding the above, the name of any practicing licensed professional or legally established franchise may be displayed in lieu of the legal name of the business establishment. A listing of one of the following items: business address, one phone number, advertising slogan or other phrase may be permitted but limited to an area not to exceed five percent of the gross sign area;
- b. The logo of the business establishment;
- c. The date the business was actually established (ex. "Established 1867");

- d. Notwithstanding any other provision of this Ordinance to the contrary, any window sign for which a permit is sought, may contain one telephone number and area code of the business establishment, provided that there is compliance with the following requirements:
1. No more than one telephone number (including area code) and/or internet address shall be allowed for each business establishment;
 2. The above shall be in letters or numbers not exceeding four inches (4") in height;
 3. If installed on a window pane, the top edge of the letters or numbers shall be no higher than forty eight inches (48") above ground level on the first floor and no higher than twelve feet (12') from the bottom edge of the window pane on the second floor or above. If on a glass door, the top edge of the letters or numbers shall be no higher than forty eight inches (48") above floor level in front of the door;
 4. The above shall be permitted only in or on a window pane or on a glass door and is not permitted on any other sign, wall sign, marquee or freestanding sign.

3.7.1

Other Sign and Design Controls

Any window sign for which a permit is required under this Section shall:

- a. **Maximum Size** - window and wall signs combined shall not exceed fifteen percent (15%) of the wall area of the front Facade of the space occupied by the business or one hundred (100) square feet, whichever is less. In addition to the above, the following standards must be adhered to:
1. The size of the sign area used shall be determined by drawing a square or rectangle around the lettering/logo of the proposed sign which encompasses the entire content of the proposed sign;
 2. The size of signs placed in or on walls or canopies shall be included in calculating the maximum sign area allowed for all signs;
 3. The building face area of floors which are not occupied by the business establishment (ex. residential areas above the business establishment) shall not be used to compute the wall area of the front façade.

- b. **Orientation and Location** - Be permitted only on the front window of a building;
- c. **Preferred Design Criteria** - For any premises, the ARC shall consider the same preferred design criteria as outlined above in Section 3.5.2d in considering the approval or recommendation for approval of any sign;
- d. In all other respects, the sign must comply with all other requirements of this Code and the Ordinances of the Village of Round Lake;
- e. All window signs shall be professionally done and in all respects comply with the intents and purposes of this Code. Hand lettered signs are not permitted.

3.8

Commercial District Requirements - Other Signs and Regulations

- a. **Neon Advertising Sign** – Neon advertising signs are discouraged. (See Section 3.10.6);
- b. **Governmental or Public Utility Signs** - Signs erected by the Village, signs for control of or to provide information to traffic and other governmental regulatory purposes (e.g. street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected by or on the order of a public officer in the performance of his or her public duty) shall be exempt from the provisions of this Code;
- c. **Marquee Signs** - Signs attached to or hung from a marquee, canopy or awning may be permitted to supplement and/or in lieu of other signage, and shall be completely within the borderline of the outer edge of the marquee or canopy and shall in no instance be lower than eight (8) feet above the ground or surface over which the marquee or canopy is located.

The shape of all such signs shall relate to the building facade, facade of adjacent buildings, and to the signs on adjacent buildings, if applicable. The color of such signs shall be consistent throughout and utilize complementary tones and shades;
- d. **Awning and Canopy Signs** - Signs on awning(s) or canopies may be permitted to supplement and/or in lieu of other signage, provided that the size of letters on such awnings shall not exceed eight (8) inches in height. The shape of all awning signs shall relate to the building facade, facade of adjacent

buildings, and to the awning signs on adjacent buildings, if applicable. The coloring of awning signs shall be consistent throughout the awning utilizing complementary tones and shades;

- e. **Multiple Tenant Buildings** – For a multiple tenant building where tenants do not have exterior wall frontage facing one public street there shall be no more than two signs. One sign will be for the name of the building and the second sign will be to designate the directory of all occupants of the building. The directory shall be limited to one square foot (1 sf.) in area for each tenant in the building. The combined signage for the two signs shall not exceed the size limitations established in Section 3.5.2 (a);
- f. **Miscellaneous signs** - Other signs proposed to be erected by any person, other than the Village, in the commercial district, including parking lot signage, signs for control of, or to provide information to pedestrians, traffic and other regulatory purposes (e.g. towing signs, parking restrictions, etc.) are not exempt from the provisions of this Code and a permit shall be obtained for any such sign's.
- g. **Signs Accessory to Parking Area** - These signs are subject to the following:
 - 1. **Area and Number** - Signs designating parking area entrances or exits are limited to one sign for each such exit or entrance and to a maximum size of three square feet (3 sf.) each. Signs designating the conditions of use or identity of such parking area are limited to nine square feet (9 s.f.) in size. The number of such signs allowed shall be considered on an as-needed basis;
 - 2. **Height** - No sign shall project higher than seven feet (7') above the established average grade of the parking area;
 - 3. **Projection** - No sign shall project beyond the property line.
- h. **Other Design Elements** - While signage identifying the business is limited as set forth herein, limited additional design elements may be recommended for approval on any structure if determined appropriate in the discretion of the Architectural Commission, subject to review and approval by the Plan Commission/Zoning Board of Appeals and the Village Board;

- i. **Preferred Design Criteria** - For any premises, the ARC shall consider the following preferred design criteria as set forth herein in considering the approval or recommendation for approval of any sign;

3.8.1 **Business Establishment Signs**

Each business establishment within the Village shall exhibit at least one approved wall, window, or monument sign that will adequately identify and promote the use while being conforming to the provisions of this Code. Installation of appropriate approved signage shall be a required condition of any certificate of occupancy issued for a business establishment;

- a. **Address** - Each business premises shall display its address on the front of the premises and on the back door of the premises;
- b. **Flag Poles** - No flag pole shall exceed 30 feet in height and no advertising is permitted other than a business logo, where approved.

3.9 **Commercial District Requirements - Temporary Signs and Regulations**

The following temporary signage is permitted and regulated as follows:

- a. **Event Signs** - A sign not exceeding sixteen (16) square feet in total surface area and six (6) feet in height announcing a drive or event of a religious, civic or philanthropic organization may be permitted on the premises of said organization provided that the sign will be used for not more than fifteen (15) days prior to the event and provided that the sign be removed within two (2) days after the completion of the event;
- b. **Project Identification Sign** - One sign not exceeding sixteen (16) square feet in total surface area may be placed on the premises of a business, project or building under construction facing each right of way;
- c. **Temporary Advertising Signs** - Temporary Advertising Signs are permitted as follows:
 - 1. The sign is permitted only for the announcement of a grand opening sale, special offering or event; and
 - 2. The sign shall be contained entirely within the lot or premises and specifically, no such sign shall be posted or placed upon any sidewalk, parkway, or public right-of-way; and

3. The sign shall be used for not more than fifteen (15) days prior to the event and the sign shall be removed within two (2) days after the completion of said event; and
 4. The sign shall bear the date it was posted, and may not be reused or the event or offering reposted within 45 days of the initial posting; and
 5. The sign, if posted in or near a window pane or glass door, shall not exceed 4 square feet. Nor shall the total of all signage posted in the window pane(s) or glass door area exceed fifty (50%) percent of the glass area of the window pane(s) or glass door; and
 6. No temporary sign shall be illuminated; and
 7. The occupant of the premises shall keep a log of all temporary advertising signs posted at the premises. The log shall include the date of posting; the event or offering posted; the date of removal, and the identification of the employee making the posting. The log shall be exhibited immediately upon request to any agent of the Village for inspection and copying. Signs announcing charitable, civic, and philanthropic or community sponsored events and event signs are not subject to the log requirements; and
 8. The sign shall be professionally done and in all respects comply with the intents and purposes of this Code. Hand lettered signs are not permitted; and
 9. There shall be a \$25.00 fee for all temporary signs constructed within the Village.
- d. **Valet Signs** - The Village Administrator may authorize temporary signs designating approved valet parking services;
- e. **Political Signs** - Political Signs are not regulated by this Code except that any political sign shall be removed by any candidate or any political committee within two (2) days after the election in which the political issue is decided. Failure of any candidate or political committee to remove a political sign shall make both liable for violation of this Code. However, no political sign shall be placed or erected upon any public way or place except as herein provided.

3.10 Commercial District Requirements - Prohibited Signs

The following signs are prohibited:

- a. The permanent use of banners, flags, pennants, ribbons, streamers, spinners or helium filled balloons used as a sign shall not be located, erected, altered or maintained in the Village for Commercial use. Village banners and signs are exempt from this requirement;
- b. Pole signs, clocks, inflatable devices or other advertising devices erected upon poles, pylons, standards or separate supports;
- c. Portable Signs;
- d. Any open spark or flame shall not be used for display purposes unless specifically approved by the Building Department and Fire Department;
- e. Hand lettered signs. All signs shall be professionally done and in all respects comply with the intents and purposes of this Code;
- f. Neon signs are not permitted, but may be allowed under the following guidelines:
 1. Neon window signs must conform to specific design guidelines to be approved;
 2. The guidelines limit the number of neon signs to a maximum of one with the exception of two for cleaners, grocery, bar, convenience store and restaurants;
 3. The total combined area of each sign shall be no more than five (5) square feet per sign;
 4. These signs shall not cover more than 10% of the window they are placed in and they shall not contain more than two different colors of neon light;
 5. Neon window or door borders are not permitted;
 6. An "Open" neon sign is the only neon sign allowed when permitted;
- g. Blinking, flashing or fluttering or any illumination which has a change in light intensity, brightness or color shall be permitted. (This prohibition is not

intended to apply to any approved time/temperature sign nor to seasonal holiday lighting);

- h. Signs with changing messages or content, revolving mechanisms, including alternating slats which change the message or signage content;
- i. Light or string of lights shall be illuminated except during holiday seasons and then may only be illuminated during that specific holiday season; and
- j. Signs may be placed or erected upon any public way or place except as herein provided; and
- k. Except as specifically permitted herein, no person shall post, stick, stamp, tack, paint or otherwise fix, any sign, notice, placard, bill, card, poster, advertisement or other device calculated to get the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, flagstone or any other portion or part of any public way, with the exception of directional signs posted by a Village official; and
- l. Illuminated building faces, unless submitted for approval, however, if approved, those building faces shall not face a residential district; And
- m. Illuminated Box Signs, both as Wall Signs and Monument/Free Standing Signs. However, illuminated Box Signs may be approved in certain exceptional circumstances, where they are deemed to be appropriate due to the location of the sign, or have unique site characteristics; and
- n. Signs, lettering and announcements on trucks and delivery vehicles used to circumvent the signage regulations of this Code. Trucks whose primary purpose is the display of a billboard or display are specifically prohibited and;
- o. Roof top signs; and
- p. Off-premise signs.

3.11 **Removal of Non-Conforming Signs**

- 3.11.1 Non-Conforming signs may remain so long as the use which they advertise or identify remains the same. However, after a period of five (5) years that the sign became non-conforming, the non-conforming sign must be removed unless a Certificate of Appropriateness for that non-conforming sign is submitted to and approved by the Architectural Review Commission; and

- a. Non-Conforming Signs shall not be changed, repaired, reconstructed, or modified in any manner whatsoever. However, routine maintenance such as painting and changing of light bulbs is permitted.
- b. Once a non-conforming sign becomes damaged, falls into disrepair, is no longer safe and structurally sound; the non-conforming sign becomes obsolete and no longer advertises or identifies an existing use or does not comply with the Code, the owner shall remove or cause to be removed the non-conforming obsolete sign. The removal of the non-conforming sign includes not only the sign face but all poles, bases, supports, braces, guys, anchors, and any other supporting structures within 30 days of the date the non-conforming sign becomes obsolete. Further, the premises to which the sign was attached shall be restored to a good and safe condition; and
- c. The above shall not apply to non-conforming monument signs.

3.11.2

Obsolete Signs

After any building, development or portion thereof is vacated, or any time that a sign shall cease to advertise or identify its original use but the sign met all other applicable Ordinances, rules and regulations in effect at the time the sign became obsolete, the Owner shall remove or cause to be removed:

- a. The obsolete sign face within thirty (30) days; and
 - b. The obsolete sign, in its entirety, including all poles, bases, supports, braces, guys, anchors and any other supporting structures within sixty (60) days, pursuant to Section 3.11.3; and
1. Any non-conforming sign that did not comply with the Code, and all applicable Ordinances, rules and regulations in effect at the time that sign became obsolete, shall be removed or caused to be removed by the owner within thirty (30) days. This includes the sign face all poles, bases, supports, braces, guys, anchors and any other supporting structures. Further, the premises to which the sign was attached shall be restored to a good and safe condition.
 - c. The above shall not apply to obsolete non-conforming monument signs.

3.11.3

Removal

Within thirty (30) days of the date that the conforming sign became obsolete the owner shall remove or cause to be removed the obsolete sign. This includes all poles, bases, supports, braces, guys, anchors, and any other supporting structures. However, the ARC may recommend to the Village Board an extension of the time period for the removal of the sign. An Application of Appropriateness for the extension shall be submitted to the ARC, showing good cause why the conforming obsolete sign should not be removed within the time period provided in this Code. The ARC may at its discretion, recommend the extension, and further conditions that are reasonably required to implement the intent and purposes of this Code. The report of the ARC recommending the granting or denial of the extension shall be forwarded to the Village Board for consideration and approval or denial. The Village Board may impose further conditions, as it determines, that are reasonably required to implement the intent and purpose of this Code. Thereafter, a further extension of time may be granted by filing and submitting an Application of Appropriateness submitted to the ARC and the Village Board. The application must show good cause as to why the conforming obsolete sign should not be removed within the time periods granted above. The Village Board may grant such extension, and further may impose additional conditions that are reasonably required to implement the intent and purpose of this Code. In its discretion, the Village Board may refer this matter back to the ARC for consideration for any further extension.

Upon expiration of the time periods set forth above, and provided that no permits have been issued for the modification and/or maintenance of the sign and structure, the owner shall remove the obsolete sign in its entirety, including all poles, bases, supports, braces, guides, anchors and any other supporting structures.

3.11.4

Shopping Centers

For integrated shopping centers under single ownership or under unified control that maintain a sign erected showing the name of the integrated shopping center and the name of the occupants of the center:

- a Whenever the sign, or portion thereof, ceases to advertise or identify a business or use within the shopping center, the Owner shall remove or cause to be removed the obsolete sign, or portion thereof, within thirty (30) days after the use ceases.

3.11.5 **Removal of Sign Face**

Any sign face that is required to be removed pursuant to the terms of this Code shall be considered removed either when the sign in its entirety has been removed, or when the sign face, lettering, graphics or other information identifying the obsolete use has been fully removed. All work shall be professionally done and in all respects comply with the intents and purposes of this Code. In no event shall the sign face be simply covered, or any interior areas of a sign receptacle or box remain exposed.

3.11.6 **Building Face Restored**

Whenever a sign is removed from a building facade, the facade shall be restored following removal of the sign.

3.11.7 **Liens**

If signs are not removed within the time period provided pursuant to the terms of this Code, the Village may have those signs removed at the expense of the Owner. The expense of each sign removal shall constitute a lien upon the premises until paid in full.

3.12 **Maintenance of Signs and Premises**

3.12.1 **Alterations**

A sign shall not be enlarged or relocated except in conformity to the provisions for new signs, nor until a proper permit has been secured. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration provided the conditions of the original approval and the requirements of this Code are not violated.

3.12.2 **Relocating Signs**

Any sign that is moved to another location, either on the same or to other premises, shall be considered a new sign and a permit shall be secured for any

work performed in connection with the relocation of that sign as required by this Code.

3.12.3 **Duty to Maintain Sign**

All signs together with all their supports, braces, guys and anchors shall be kept in good repair and shall at all times be maintained to conform to, at least, the minimum standards prescribed by this Code and the Ordinances of the Village. Non--conforming signs shall also be maintained, and shall be removed once they become damaged or fall into disrepair. Notwithstanding the above, the changing of bulbs is permitted without ARC approval, and painting of sign poles is permitted, following ARC approval.

3.12.4 **Duty to Maintain Premises**

It shall be the duty of all persons, whether an owner or a person holding a present possessory interest in a lot or premises having a sign, to at all times maintain the lot or premises in the vicinity of all signs in a neat, clean, sanitary and inoffensive condition. The possessor or owner shall also to keep the lot free and clean of all debris, junk and other materials and substances which would tend to create a condition detrimental to the appearance of the property, the Village, or the health, safety, and welfare of the citizens of Round Lake.

3.12.5 **Sign Removal**

When any sign becomes insecure, presents a danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected or maintained in violation of any of the provisions of this Code, the owner or the persons having a present possessory interest in the lot or premises upon which the sign is placed shall upon written notice of the Building Department make all such signs conform to the provisions of this article or shall remove them within ten (10) days. In the case of immediate danger, all such signs shall be removed immediately. The persons having a present possessory interest in the sign or the owner of the lot or premises shall be afforded a hearing before the ARC to show cause why the sign shall not be removed. If within ten (10) days after the ARC finds that the sign is unsafe or is not maintained in accordance with this Code or was unlawfully erected or installed, the Building Department may cause the removal of the sign

and charge the cost of removal to the owner or persons having a present possessory interest in the sign or the owner of the lot or premises concerned.

3.13 **Removal of Miscellaneous Obsolete Structures**

3.13.1 Within thirty (30) days after any antenna tower, pole, refuse enclosure, storage structure, satellite dish, or ancillary structure in the commercial district ceases to be used, is vacated, or is no longer used for its intended function, the Owner or persons having a present possessory interest shall:

- a. Remove or cause the obsolete structure to be removed, in its entirety, within thirty (30) days, including all poles, bases, supports, braces, guys, anchors and any other supporting structures.

3.14 **Notary Public Disclosure**

Notwithstanding any other provision of this Code to the contrary, any sign approved for a Notary Public who is not an attorney, which is in a language other than English, shall contain the following disclaimer, in accordance with 5 ILCS 312/3-103:

"I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN ILLINOIS AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE."

The above disclaimer shall be of a conspicuous size and shall be in the language in which the sign appears.

CHAPTER 4

APPROVAL OF LANDSCAPE PLANS AND EXTERIOR AREAS

4.1 Introduction

The purpose of this Chapter is to enhance the appearance of properties within the Village in such a way as to:

- a. Insure that all properties other than single family dwellings, or existing duplex dwellings, that are substantially remodeled, renovated or developed (including additions) within the Village are reviewed for landscape design elements both on the property and adjacent public ways; and
- b. Provide a review of landscape plans with regard to design elements, planting materials, proportion and manner of display to fully promote the intents and purpose of this Code as well as the Landscaping and Tree Manual; and
- c. Promote such plantings and landscape design elements that will not obstruct the vision necessary for traffic safety or otherwise endanger the public health, safety, morals or general welfare; and
- d. Insure that plantings and landscape design elements are selected for aesthetics and durability; and
- e. Enhance architectural features, strengthen vistas and important areas, and provide shade.

4.2 Application for Permit

Where the exterior of the property is being remodeled, renovated or developed (including additions) within the Village, other than a single family or existing duplex dwelling An application for landscape approval shall be made by the Applicant to the ARC upon such forms as may be provided by the Building Department.

4.2.1 Contents of Application

The application shall contain or have attached thereto the following information:

- a. Name, address and telephone number of Applicant; and
- b. Written consent of the legal owner of the building or structure; and
- c. Location of the building or structure to be constructed or altered; and
- d. Site Plan -- Ten (10) drawings of the project these drawings must included specifications, elevations and methods of construction, a scaled drawing appropriate to the project with sufficient detail to clearly convey the form and

nature of all site improvements and modifications and their relationships to adjacent properties. Documentation may be required to include:

1. Project address; Graphic scale with a north reference; square foot area calculations for building, pavement and landscaping; dimensioned property lines, easements and building setbacks; adjacent streets, alleys and sidewalks; parking spaces including handicapped spaces; trash/refuse location and enclosures; proposed equipment (generators, compactors, transformers, HVAC, etc.); and existing and proposed contours at 2'-0" maximum intervals (if applicable); and
2. Landscape Plan -- Rendered in color and including depiction of: existing vegetation noting species, size and drip lines of trees 2-1/2" and larger, with a distinction shown between vegetation to be retained or removed; new plant material noting quantities, species (botanical and common names), and size (in caliper for trees or height of multi-stemmed shrubs at time of installation), and graphically distinguishing between new and existing plant material and between species of new plant material; site furnishings and specialties; paving materials; height and locations of flagpoles, signage, light standards and fences; screening, noting materials used as screen, height of screen material, device or area which requires screening and height of device to be screened (exterior areas which require screening include parking, refuse storage and mechanical equipment); and storm water retention/detention areas; and
3. Lighting Plan -- A separate overlay to the above referenced site plan with site and building lighting highlighted. Documentation must include photometric documentation or separate print-out showing compliance with the zoning ordinance, reference code keyed to light fixture catalog cuts and Lamp types; and
4. Building Plan (Minimum Scale 1/8"=1'-0") -- Documentation shall include a grade level plan which indicates openings and articulation of the exterior wall and the relationship of this level to the project site; floor plans of all levels on separate drawings; roof plan with equipment, skylights and other

appropriate features; and graphically distinguish between new and existing construction; and

5. Building Elevations (Minimum Scale 1/8"=1'-0") -- A drawing which provides exterior views of all new and existing building facades and indicates the relationships of all visible building features and color rendering of significant views; and
 6. Site Section -- A section through the site at appropriate locations indicating buildings, trees, light standards, grade variations, fences and other critical structures. Reference plane of section cuts to site plan; and
 7. Scale Model or Building Perspective -- A scale model or color rendering of significant views of the building and its surrounding area; and
 8. Material Samples -- A display board which illustrates actual site and building materials. Samples shall provide an accurate representation of color, texture, finish and range variations; and
 9. Photographs -- Current color photographs (minimum size 4" x 6") of the site showing all building elevations, surrounding properties and landscape views. Format shall be a minimum 4" x 6" size color print. Panoramic photographs are preferred.
- e. The application shall be supplemented by other materials as required by the Building Department or the ARC.

4.2.2 **Appearance**

Upon submission of an application, the applicant may be required to appear before the ARC for clarification of the proposed landscape plans. Approval must be obtained from the Building Department along with a Certificate of Appropriateness from the ARC before any permit is issued.

4.3 **Landscaping Approval Required**

No building permit shall be issued for any new construction nor for any premises which is substantially altered, remodeled or improved within the Village (except single family or dual (2) family dwellings), unless the Applicant shall provide and obtain approval of a landscape plan showing the premises (in addition to the parkway and off-street parking area requirements herein) to be treated with decorative elements, plantings, berms or other innovative means as required in this Code. The following specific provisions shall apply wherever practicable:

- 4.3.1 Any construction, addition, or enlargement for all uses, (except single family or dual (2) family dwellings) shall be permitted only upon compliance with the following at a minimum:
- a. Shade trees of not less than 2½ inch caliper shall be planted within or surrounding the proposed construction, addition or enlargement. The plantings shall be at a rate and spacing determined by the ARC & Round Lake Village Tree Preservation Ordinance, based upon the proposed use and intent, and the purpose of this Code; and
 - b. Planting islands of shrubs and/or trees, and decorative berms shall be implemented into landscape plans for screening of outdoor areas. This includes patios, outdoor service areas and service yards, and other places in which individuals, patrons or employees tend to congregate. This shall be accomplished by the use of walls, fencing, plantings or combinations of the above; and
 - d. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments; and
 - e. Plant material shall be selected for interest in its structure, texture and color and for its ultimate growth. Plants that are non invasive, hardy, harmonious to the design or intent of the area and of attractive appearance shall be used; and

- f. Each area in the commercial district for which a landscaping plan is required, which abuts residential property, shall provide screening that has been approved by the ARC. Screening shall consist of a solid fence, or wall, not less than five (5) feet nor more than six (6) feet in height or a continuous dense hedge of shrubbery or evergreens, a planted earth berm or a combination of both.

4.4 **Approval Process**

After review and consideration of the material presented, the ARC shall move to approve a Certificate of Appropriators if it finds that:

- a. The proposed exterior design features of the development are consistent with the intent and purposes of this Code. The proposed exterior design shall be suitable and compatible with the character of neighboring buildings and structures existing or under construction and with the character of the neighborhood and zoning district, and contribute to the favorable environment of the Village; and
- b. The exterior design features of the development will not be detrimental to the harmonious appearance and orderly growth of the Village; and
- c. The exterior design features of the development will not cause a substantial depreciation in the property values or taxable values in the neighborhood.

4.5 **Criteria for Appearance Review**

The purpose of these criteria is to establish a checklist of those items which affect the physical aspect of the Village's environment. Pertinent to appearance is the design of the site, building and structures, paved areas, planting, signs, street hardware, and miscellaneous other objects which are observed by the public. These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles which can result in creative solutions that will develop a satisfactory visual appearance within the Village, preserve taxable values, and promote the public health, safety and welfare. These criteria shall include:

4.5.1 **Relationship of Buildings to Site**

- a. The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, safe pedestrian movement, and parking areas; and

- b. Site planning in which larger set backs & yards are greater than the minimum zoning requirements are encouraged to provide an interesting & harmonious relationship between those buildings; and
- c. Parking areas shall be treated with decorative elements that may include building wall extensions, plantings, berms or other innovative means so as to largely screen parking areas from view from public ways; and
- d. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings; and
- e. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground; and
- f. Adjacent public utilities shall be relocated underground or to the rear of the premises whenever possible.

4.5.2

Relationship of Buildings and Site to Adjoining Area

- a. Attractive landscape transition to adjoining properties shall be provided; and
- b. Harmony in texture, lines, and masses is required. Redundant or monotone appearances shall be avoided; and
- c. Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures; and
 - 1. Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance, as defined in the Appearance Code; and
 - 2. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting appearance and stable surface for walking and sitting if seating is provided; and
 - 3. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and provide shade. Spectacular effects shall be reserved for special locations only as approved by the ARC & Building & Zoning; and

4. Unity of design shall be achieved by repetition of certain plant varieties and other materials, and by correlation with adjacent developments; and
5. Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area, harmonious to the design non-invasive, hardy and of good appearance shall be used; and
6. Plants that may be susceptible to injury by pedestrian or motor traffic, shall be protected by appropriate curbs, tree guards, or other devices; and
7. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings; and
8. Where building sites limit planting, the placement of trees in parkways or paved areas are encouraged. The ARC may exercise discretion if in its opinion; the minimum criteria of the Code cannot be fulfilled on the existing site. Such discretion may be forwarded to the Plan Commission/Zoning Board of Appeals and Village Board for their review; and
9. Screening of service yards, and other places which tend to be unsightly, shall be accomplished by use of walls, fencing, planting, or combinations of all the above. Screening shall be equally effective in winter and summer; and
10. In areas where general planting will not prosper, other materials such as fences, walls, and paving of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible; and
11. Provision for watering landscape areas shall be included in the design; and
12. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and in keeping with good green practices while excessive brightness shall be avoided, particularly adjacent to residential areas.

4.5.4

Building Design

- a. Architectural style is not restricted. Evaluation of appearance of a project shall be based on the quality of its design and relationship to its surroundings; and
- b. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development; and
- c. Materials.
 1. Materials shall have good architectural character and shall be selected for harmony of the building and adjoining buildings; and
 2. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those which are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways; and
 3. Materials shall be of a durable quality; and
 4. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious to their surroundings; and
 5. Building components such as windows, doors, eaves, and parapets shall have good proportions and relationship to one another.
- e. Colors shall be harmonious with compatible accents; and
- f. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways; and
- g. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design; and
- h. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening. It shall also be complementary with the architectural concept of the building; and

- i. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siding shall be used to provide visual interest. In multiple building projects, variable siding or individual buildings may be used to prevent a monotonous appearance.

4.4.6 **Miscellaneous structures and street hardware**

- a. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings; scale shall be appropriate; colors shall be in harmony with buildings and surroundings, and in keeping with the Round Lake Villages lighting schemes; and
- b. Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.

4.4.7 **Maintenance - planning and design factors**

- a. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep; and
- b. Materials and finishes shall be selected for their durability and wear as well as aesthetics. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.
- c. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

4.4.8 **Factors for evaluation.**

The following factors and characteristics which affect the appearance of a development will govern the ARC's evaluation of a design submission:

- a. Conformance to ordinances and this Code; and
- b. Logic of design; and
- c. Exterior space utilization; and
- d. Architectural character; and
- e. Attractiveness; and
- f. Material selection; and

- g. Harmony and compatibility; and
- h. Circulation - vehicular and pedestrian; and
- j. Maintenance aspects.

4.5 **Parking Lots**

To achieve attractive landscape transition between off-street parking areas and adjoining properties or public streets, all such areas shall be treated with decorative design elements, plantings, berms or other innovative means as required in this Code.

The following specific provisions shall apply:

- 4.5.1 Any construction or enlargement of off-street parking and loading areas for all uses, (except single family or dual family dwellings) shall be permitted only upon compliance with the following:
 - a. No permit shall be issued for construction of any new parking area (except single family or dual (2) family dwellings), unless the applicant agrees that plantings and trees as determined sufficient by the ARC shall be planted therein. In special circumstances the ARC shall show good cause in writing that such planting will not be in the best interest of the Village. At a minimum, shade trees of not less than 2 ½ inch caliper shall be planted within or surrounding any parking area at a rate of not less than one tree for the first 5,000 square feet of parking and loading areas. One tree shall be added for each additional 5,000 square feet, or part thereof, of parking and loading areas; and
 - b. All trees shall be of a caliper or height specified by the ARC, and of a species, quality and placement as may be approved by the ARC and the Building Department. Trees selected shall take into account cleanliness, ease of maintenance, resistance to disease and adverse conditions and the avoidance of concentrations of single species; and
 - c. The lower most branches of any tree extending over pavement maintained for vehicular and pedestrian traffic or parking must be at a height of no less than nine (9) feet; and
 - d. The planting of any low-hanging branched trees which might impair vision is also prohibited. No person shall plant any tree in a parking lot without first obtaining approval from the ARC and the Building Department; and

- e. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments; and
- f. Plant material shall be selected for interest in its structure, texture and color, and for its ultimate growth. Plants that are indigenous, non-invasive and hardy to the area, harmonious to the design of the surrounding area, and of attractive appearance shall be used.

4.5.2. Parking and loading areas abutting any street or abutting residential uses shall also comply with the following:

- a. Each parking and loading area abutting a public street (other than approved driveway cuts) shall provide a buffer strip of five (5) feet minimum width for the entire length of the property line; and
- b. Each such area abutting residential property shall provide a sight screen as outlined above in Section 4.5.1(f); and
- c. Planting islands of shrubs and/or trees within parking lots or loading areas shall be encouraged; and
- d. Parking areas and related traffic ways shall be enhanced with landscaped areas, including trees or tree groupings; and
- e. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments; and
- f. Plant material shall be selected as outlined above; and
- g. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms or other innovative ways as a means to screen parking areas from view from public ways; and
- h. In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

4.5.3 Trees, plantings and improvements placed or authorized by the Village shall be exempt from the provisions of this Code.

4.6 **Parkways and Public Ways**

No building permit shall be issued for any new construction nor for any premises which is substantially altered, remodeled or improved within the Village, (except single family or dual family dwellings), unless the applicant agrees that turf, plantings and trees, as

required in this Code and the Round Lake Village's present Tree Ordinance, and as determined sufficient by the ARC, shall be planted in the public parkway adjoining the premises to be improved. Unless the ARC can show good cause in writing that such planting(s) will not be in the best interest of the Village, the following specific provisions shall apply:

- 4.6.1 Trees shall be planted approximately forty (40) feet apart at a rate of not less than one (1) tree for any frontage of less than forty (40) feet, two (2) trees for any frontage of forty (40) feet, and two (2) trees for each additional forty (40) feet of frontage or part thereof; and
- 4.6.2 All shade trees shall be of a species, quality and placement as may be approved by the ARC and the Building Department, and caliper as specified by the Village of Round Lake Tree Ordinance. These trees shall take into account cleanliness, ease of maintenance, resistance to disease and adverse conditions and the avoidance of concentrations of single species; and
- 4.6.3 Trees used for street or parkway plantings shall follow the National Arbor Day Foundation/Tree City U.S.A. guidelines. Please see the Round Lake Public Works Department for more information.
 - a. Round Lake Illinois is a Tree City U.S.A. member in good standing. Round Lake strives to receive a growth award every year and to do so Round Lake's Appearance Code was created.
- 4.6.4 Trees, plantings and improvements placed or authorized by the Village shall be exempt from provisions of this Code.

4.7 **Refuse Areas and Mechanical Equipment**

In all zoning districts in which a business, commercial, or multiple family use exists (a property containing three (3) or more family living units) a refuse enclosure area is required as follows:

- 4.7.1 The ARC may promulgate certain approved refuse enclosures and screening devices to be implemented for the purposes set forth above. Such pre-approved screening methods and designs may be implemented by the building official and permits issued for same, without the necessity of the applicant appearing before the ARC, provided the proposed enclosure or screening device fully complies in

all respects with all other applicable ordinances. The building official may solicit such approvals from time to time from the ARC, on behalf of the Village, or on behalf of any applicant.

- 4.7.2 All garbage and Refuse (see definitions), shall at all times be kept in the enclosed and screened Refuse Enclosure Area except when the Refuse is actually being collected. The Refuse Enclosure Area shall consist of a concrete surface surrounded by an approved screening fence or landscape screening of a height sufficient to screen all refuse and containers from view from adjoining properties and public or private ways. The Refuse Enclosure Area shall be designed with a gate or gates to allow access by the scavenger service for removal of the containers, and/or refuse, and a separate entry to the Refuse Enclosure Area for depositing of refuse by users of the enclosure (hereinafter “man-way”). The requirement of a man-way may be waived by the ARC if not practicable in a particular application or premises; and
- 4.7.3 Notwithstanding any other provision of this Code, or sections of the Zoning Code, approval neither of the Plan Commission/Zoning Board of Appeals nor of the Village Board is required for the issuance of permits for refuse enclosures in any commercial district. However, at the next regular meeting of the Village Board, the building official shall report to the Village Board the nature of all permits issued pursuant to this Ordinance; and
- 4.7.4 Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening. Further, to the greatest extent practicable, they shall not be located in front yards or adjacent to any public way; and
- 4.7.5 On all commercial property used for business purposes, mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways; and
- 4.7.6 Screening of service yards, and other places which tend to be unsightly, shall be accomplished by use of walls, fencing, planting, or combinations of the above. Screening shall be equally effective in winter and summer.

4.8 **Fences**

Anyone wishing to erect a fence within the Village shall obtain a fence permit from the building department. However, no permit shall be issued for any fence (other than a temporary construction site fence) to be constructed within the commercial district until the ARC has reviewed the application and issued a Certificate of Appropriateness; and

4.8.1 All fences shall comply with the following regulations:

- a. Except in the C-1 Local Shopping District, no fence shall be erected or maintained in a front yard of any lot adjoining a public street in any district, to a height greater than three (3) feet. Only open fencing is permitted in a front yard; and
- b. No fences shall be erected or maintained in a side yard or a rear yard in any district (except in the commercial district) to a height greater than six (6) feet; and
- c. Fences in any commercial district shall comply with the following:
 1. No fence shall be erected or maintained in the commercial district to a height greater than eight (8') feet. Open wrought iron fencing is desired in any yard in the commercial district; and
 2. In areas of the commercial district in which a fence for screening purposes is required by any Ordinance of the Village of Round Lake, each screening fence shall not be in excess of eight (8') feet and shall consist of a decorative "board on board", brick, other fencing or other material approved by the ARC; and
 3. In no event shall any wall, fence or other structure or planting be placed or maintained in a location relative to a public or private street, alley, driveway that would negatively affect the vision triangle. The wall, fence or other structures shall be maintained to provide a clear view of all vehicular or pedestrian traffic; and
 4. "Chain-link" type fencing, with or without filler strips, barbed wire and/or electrically charged fences are prohibited; and
 5. All fence materials shall be new and of good quality and durability acceptable for exterior use; and

6. The Planning & Zoning Board may grant a variation to allow an applicant to erect a fence which is required for screening purposes other than as permitted above. Such approval shall be in the sole discretion of the Planning & Zoning Board.

d. In all zoning districts, the finished side of the fence (side without fence posts) shall face the adjoining property or public way.

4.8.2 Any fence and/or any landscaped screening used to satisfy the requirements of this Code shall be continually maintained for the duration of the use involved.

4.9 **Maintenance and Upkeep**

In general, maintenance and upkeep are required for all the parts and objects which compose the Village's image. Lawns and plantings require considerably more periodic attention than do buildings; nonetheless, both require maintenance in order to retain a good appearance. Improper and inadequate maintenance decreases value and results in bad appearance. Therefore it is necessary that maintenance be a concern of the ARC. There shall be a continuing obligation upon the owner of any building or property for which landscape plantings have been approved pursuant to this Code, or and existing plantings, to be maintained and replace any that may have deteriorated or have been damaged or defaced. The property owner, or occupant/lesser, shall be responsible for the following:

4.9.1 All trees, shrubs and plantings required by this Code shall be provided and maintained. The property owner or occupant is required to maintain the adjacent parkway including, but not limited to, mowing grass and raking leaves. However, the Village will be responsible for pruning and removing any trees located in the Village parkways which it determines detrimental to the health, safety and welfare of the public; and

4.9.2 Any tree, shrub or plant on private property which overhangs any public way that impedes or interferes with traffic or travel on public ways or streets shall be trimmed by the Owner so that the interference or obstruction is removed. Any tree or limb of a tree which has become dead or decayed or broken and likely to fall on or across any public way shall be removed immediately or as soon as practical; and

- 4.9.3 Landscape materials, other than plantings, which have deteriorated or have been damaged or defaced, shall be properly repaired or replaced; and
- 4.9.4 Plant materials which have deteriorated or died shall be replaced with healthy plantings, or the area redesigned with other treatment to provide an attractive appearance; and
- 4.9.5 Planting materials shall be kept watered, fed, cultivated, and pruned as required to give a healthy and well-groomed appearance during all seasons; and
- 4.9.6 Any vacant or abandoned lot shall be appropriately maintained. This shall include removal of any previously permitted pavement surfaces, and installation and maintenance of landscaping including grass, sod, or other decorative materials. Any such property shall be kept free and clear of litter and debris; and
- 4.9.7 Sidewalks, curbs and gutters, roadside berms, and other public improvements in the public right-of-way shall be maintained as necessary; and
- 4.9.8 Refuse containers of an aesthetically satisfactory design and color shall be placed in locations which will encourage their use, to avoid littering of waste materials.

CHAPTER 5

APPROVAL OF BUILDING FACADES AND EXTERIORS

Introduction

- 5.1 The purpose of this Chapter is to enhance the appearance of properties and the Village in such a way as to:
- 5.1.1 Ensure that designated properties remodeled, renovated or developed within the Village are reviewed to ensure acceptable appearance of exterior areas thereby promoting consistent renovation of such structures; and
 - 5.1.2 Provide a review of the exterior plan with regard to design features, components and proportion to fully promote the intents and purpose of this Code; and
 - 5.1.3 Promote such exterior improvements and design features that will enhance the structure and will not obstruct the vision necessary for traffic safety or otherwise endanger the public health, safety, morals or general welfare. Limited additional design elements may be permitted on any structure where determined appropriate by the ARC; and
 - 5.1.4 Ensure that all exterior design features are selected for their durability as well as for their appearance.

5.2 Facades

Approval by the ARC, as provided below, is required before any person, firm, partnership or corporation shall:

- 5.2.1 Construct any new building within any zoning district, including PUD's, of the Village; and
- 5.2.2 Alter, paint, redesign or modify the structure of any facade upon any building whether or not the building may be located in an area zoned for business; and
- 5.2.3 Alter, paint, redesign or modify the structure of any facade upon any building within the commercial districts; and
- 5.2.4 Construct or establish any outdoor garden area, patio, deck, private outside dining or drinking area, exterior sales area, exterior (including rooftop) living, entertainment or display area, outdoor sales area (including merchandise sale or display carts) within the commercial district. Any temporary sales or display area

permitted by the Village, or mobile vendor licensed by the Village is exempt from this prohibition; and

5.2.5 Obtain a Certificate of Occupancy for any business use, unless the building or structure which will contain the business use is reviewed for appearance as provided in this Code for new buildings or remodeling of existing buildings; and

5.2.6 Improvements authorized by the Village shall be exempt from the provisions of this Code.

5.3 **Applications**

Application for any permit referred to above shall be made upon forms provided by the building department and shall be signed by the applicant.

5.3.1 **Contents of Application**

Each application shall contain all information outlined in Section 4.2.1 a-e as well as the following:

- a. Wall Section -- Profile through a typical exterior wall to convey articulation and relationships of materials to the building; and
- b. Manufacturers Specs -- Manufacturers' descriptive and information brochures as necessary to clarify aesthetic and/or operational characteristics of exposed equipment, specialties, etc.

5.3.2 On each application, the applicant, or their designated agent, shall appear before the ARC for approval of the Certificate of Appropriateness prior to approval and issuance of a building permit. Failure to appear before the ARC may jeopardize approval of the Application of Appropriateness.

5.4 **Approval**

After review of the material presented, the ARC shall recommend approval if it finds that the application meets the approval standards outlined in Section 4.3 and 4.4 of this code.

5.5 **Maintenance and Upkeep**

In general, maintenance and upkeep are required for all the parts and objects which compose the Village's image as outlined in Section 4.10 of this Code.

CHAPTER 6
APPEALS AND REVIEW

6.1 Appeals and Review

Any Applicant aggrieved by any ARC decision, recommendation or denial, concerning the interpretation of the Code, may take an appeal to the Village Planning & Zoning Board of Appeals. Written notice of each appeal shall be filed with the Village within ten (10) days of notification of the recommendation, denial, interpretation, or ruling.

CHAPTER 7

ENFORCEMENT, FEES, PENALTIES AND REPEALER

7.1 Enforcement

7.1.1 Sign Enforcement

It is the duty of the building official, or his designee, to exercise supervision over all signs erected, altered or maintained, and to inspect all signs. Whenever it appears to the building official that any sign has been erected, altered or is being maintained in violation of this Code, he shall issue a notice in writing to the owner of each sign, or to the person maintaining the property or to the owner of the property upon which the sign is placed. The notice shall inform each person, firm or corporation of the violation of the Code and direct him/her/them to make corrections, alterations or repairs so as to place each sign in a safe, substantial and secure condition. The notice shall also inform him/her/them to make the sign comply with the requirements of this Code within a time period as set forth in this Code. If the person, firm or corporation so notified fails or neglects to comply with the requirements of each notice, and the sign falls within the terms of this Code, it shall be abated as provided herein.

7.1.2 Property Enforcement

It is hereby the duty of the building official, or his designee, to exercise supervision over provisions of this Code and to cause inspection of all such regulated properties, improvements and required maintenance to be made. Whenever it appears to the building official that any property or improvement has been erected, altered or is being maintained in violation of this Code, he shall issue a notice in writing to the property owner, occupant, and/or to the person maintaining the property, informing each person, firm or corporation of the violation of the Code. The notice shall direct him/her/them to make alterations, repairs or removal and to do everything deemed necessary or advisable to place the property in compliance with the requirements of this Code within the time period as set forth in this Code.

7.2 **Declaration of Nuisance**

All signs or other improvements erected, altered or maintained in violation of this Code or any of the clauses or provisions of the Code, in violation of the Ordinances or laws of the Village of Round Lake or the State of Illinois are hereby declared to be a public nuisance and subject to treatment and abatement. After five (5) days notice to the property owner, occupant and/or person maintaining the property to remove any improvement so erected, altered or maintained contrary to law shall be abated as a common nuisance by any officer of the fire department, police department or building department. If the nuisance(s) is not abated as required herein, the Village may employ any resources that are necessary to abate or remove the nuisance. Any and all costs incurred in the enforcement of this Code, or abatement of the nuisance shall be assessed, and shall be paid in full upon notification to the owner, occupant and/or the person maintaining the nuisance. In the event the property owner, occupant and/or person maintaining the property does not pay the fees as directed in the billing notification, then the Village shall file a lien against the property in which the public nuisance is located for the amount of those costs.

7.3 **Correction**

In the event that the Village, or any enforcement officer, finds that the work under any permit issued is not in conformance with the information supplied in the approved permit application and/or is in violation of this Code, or any other Ordinance of the Village, or is found that there has been any misrepresentation in connection with the application for the permit, the applicant shall be notified of the findings and the owner shall correct those violations without delay; and

- a. In the event the correction is not made within seven (7) days of the date of the notification, the Village may revoke the Permit and serve written notice of revocation upon the Applicant and/or its agents.

7.4 **Fees**

All fees pertaining to building and sign permits, or appeals to the ARC, shall be established by action of the Village Board from time to time. Those fees shall be paid to the Village Collector, who shall give a receipt and account for payments at regular intervals to the Village Board.

7.5 **Violations – Penalty** (See section 1.08 of the Village Code)

7.6 **Effective Date**

This Village of Round Lake Appearance Code shall take effect and be in force from and after its passage, approval and publication, as provided by law.

7.8 **Section Headings**

The Section headings used in this Code are included solely for convenience and shall not affect, nor be used in connection with the interpretation of this Code.