

AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI REPEALING AND REPLACING CHAPTER 12, "SIGNS" OF THE ZONING REGULATIONS.

WHEREAS, the Village of Innsbrook is authorized to adopt certain zoning regulations pursuant to RSMo 89 et seq. including regulations regarding signs; and

WHEREAS, the Village of Innsbrook last updated Chapter 12 - "Signs" in 2013 and changes in state and federal law since that time have created a need to update the sign code; and

WHEREAS, a public hearing concerning said matter was held at the Village Hall in Innsbrook, Missouri, at the hour of 5:00 p.m. (CST) on September 07, 2022, in front of the Planning and Zoning Commission; and

WHEREAS, a public hearing concerning said matter was held at the Village Hall in Innsbrook, Missouri, at the hour of 5:00 p.m. (CST) on September 20, 2022, in front of the Board of Trustees; and

WHEREAS, the Board of Trustees of the Village of Innsbrook, Missouri, does find and determine after due and careful consideration that the updated Chapter 12 - "Signs" to the zoning regulations would be in the best interest to the Village of Innsbrook.

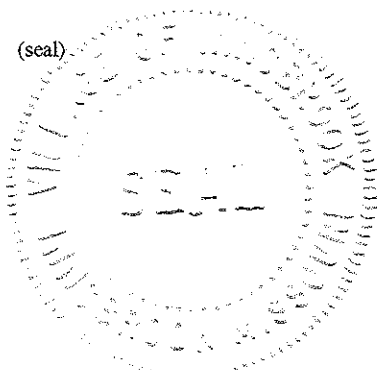
THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, MISSOURI AS FOLLOWS:


SECTION I: Chapter 12 - "Signs", is hereby amended by deleting Chapter 12 in its entirety and inserting a new Chapter 12 - "Signs" in to the Zoning Regulations.

SECTION II: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

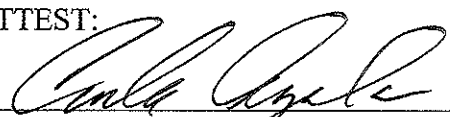
SECTION III: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Said Bill was passed and approved this 15th day of NOVEMBER, 2022, by the Board of Trustees of the Village of Innsbrook, Missouri, after having been read by title or in full two times prior to passage.





Chairman, Jeffrey S. Thomsen
Village of Innsbrook, Missouri

ATTEST:


Village Administrator/Clerk, Carla Ayala

12 SIGNS

12.01: Scope

The provisions of this chapter shall govern the design and erection of all signs and outdoor display structures, together with their appurtenant and auxiliary devices in respect to type, size, color, height, construction, material, locations, number, and structural and fire safety.

- A. *Zoning law establishes district:* The Village of Innsbrook Zoning Ordinances shall govern the area of this Village in which any sign structures shall be located.
- B. *Building code applicable:* In the absence from this chapter of specifications governing details of sign construction, the applicable standards listed in the building code shall apply.
- C. Nothing set forth in this chapter shall be interpreted as excepting any sign structure from all other applicable provisions of the Village's Ordinances.

12.02: Definitions

For the purpose of this chapter the following words shall mean:

Awning: Any structure entirely supported by the wall to which it is attached and which has a frame covered by canvas, cloth or other similar temporary material and/or which can be retracted or rolled to the structure by which it is supported.

Banner: A temporary paper, plastic or cloth device hung to a building, pole or other mounting, person or object. These are prohibited.

Billboard: A sign which (i) is located on a lot not containing a building; and (ii) is visible from any point of the traveled ways of an interstate highway.

Canopy: Any structure attached to a building at the inner end and supported on the outer end.

Erect: To build, construct, attach, hang, rehang, place, affix, or relocate, including the painting and repainting of permanent window signs.

Frontage: The length of the lot along the street side. The front of a lot bordering more than one (1) street is considered separate for each street.

Lot: A parcel, tract, plot or area of land accessible by means of a street or other permanently reserved principal means of access. A lot may be a single parcel separately described in a deed or plat which is recorded in the office of the county recorder of deeds, or it may include parts of or a combination of such parcels when adjacent to one another and used as one.

Marquee: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Non-Business: Any area within a residential zoning district, including Agricultural Forest Management Districts.

Person: Any natural person, firm, partnership, association, corporation, company, or organization of any kind.

Premises: That portion of a lot or building occupied by a single occupant, exclusive of common area, if any, shared with adjacent occupants.

Sign: Any device, fixture, placard or structure used to display or communicate information of any kind.

Sign area: The size of the sign face (panel) measured in square feet, as defined by the calculations herein; or the area of the smallest square or rectangle that can encompass all items of information if it is a wall sign. The base of a monument sign is not considered part of the sign area, unless it is incorporated as part of the sign itself. The "sign area" of a multi-faced sign is the sum of the sign areas of each face, including structural trim which can be seen from a single location on an adjacent street. If a sign is attached to a building or suspended in any manner whereby there is no apparent trim or confining border, the sign area shall be computed by drawing an imaginary straight line around a generally rectangular margin and measuring the area so encompassed by these lines.

Sign, attached: A wall sign or projecting sign attached to a building wall or the generally vertical plane of a mansard type roof.

Sign, construction: A temporary sign used during construction of new buildings or reconstruction of or additions to existing buildings.

Sign, directional: A sign which indicates a direction for vehicular or pedestrian traffic or other movement.

Sign face: Any surface of a sign including structural trim, which can be seen from a single location on an adjacent street provided that the ends, or thickness, of a sign shall not be counted as a separate sign face unless more than six (6) inches thick.

Sign, flashing: An illuminated sign on which artificial or reflected light is not steady or on which colors change. These are prohibited.

Sign, fluttering: A sign which flutters or is made of flexible materials which moves with the wind or by some other artificial means, including, but not limited to, pennants, banners, balloons, whirligigs and streamers. These are prohibited.

Sign, ground: Any detached on premises sign which has its bottom portion erected upon or supported by the ground, a ground planter box or other supports.

Sign, illuminated: Any sign which is illuminated by light sources mounted on or in the sign or at some other location.

Sign, marquee, canopy and awning: A sign attached to or illustrated on the generally vertical plane of a marquee, canopy or awning, respectively. These are considered to be wall signs.

Sign, moving: A sign, all or any part of which moves or is so designed or constructed as to facilitate movement of all or any portion thereof by means of any mechanical, electric, pneumatic, hydraulic or other natural or artificial force. These types of signs are prohibited.

Sign, permanent: A sign firmly attached to the ground, wall or other portion of a building and not designed or intended to be readily removed or relocated.

Sign, pole: Any on-site detached sign supported by one (1) or more stationary poles longer than two (2) feet above the mean grade line of the ground at its base provided that this shall not include a permitted ground sign as set forth herein.

Sign, portable: A sign that is not permanently affixed to a building, structure, or ground, and that may be readily moved or relocated. This includes signs placed on trucks, trailers or other transportable devices.

Sign, projecting: Any sign which projects more than fifteen (15) inches beyond the plane of the wall on which the sign is erected or attached. These are prohibited.

Signs, roof: Any sign erected on a roof or which projects above a wall or parapet wall but excluding marquee and canopy signs. The generally vertical plane of a mansard type roof shall be interpreted the same as a wall of a building. Roof signs are prohibited.

Sign structure: The sign and all parts associated with its construction.

Sign supports: All structures by which a sign is held up, including, for example, poles, braces, guys and anchors.

Sign, temporary: Any sign intended for a limited or intermittent period of time.

Sign, wall: A sign erected or attached against the wall of any building with the plane of the face parallel to the plane of the wall below the roof line. Any wall sign projecting more than fifteen (15) inches from the wall is prohibited as a projecting sign.

Sign, window, permanent: A sign that is permanently affixed to either side of the glass of an exterior door or window. For the purpose of this chapter, a glass brick wall shall be deemed a window. These must be two (2) square feet or less in area.

Sign, window, temporary: A temporary sign affixed to the inside of an exterior window or glass door. These are limited to a forty-five (45) day time period.

Street address. The official street number of a building location as determined by the U.S. Post Office. These numbers are automatically required for all properties located within the Village are to be No permit is needed.

Structural trim: The molding, battens, capping, nailing strips, latticing and platforms which are attached to the sign structure.

Village: The Village of Innsbrook, Missouri.

Zoning ordinance: The zoning ordinances of the Village of Innsbrook and the current district map related thereto.

12.03: Signs in Non-Business Areas

Subject to limitations hereinafter set forth, only the following types of signs shall be permitted in non-business area districts in accordance with the regulations hereinafter prescribed:

A. *Permanent Signs:*

1. *Wall or Ground Sign.* All subdivisions and properties used for non-residential uses located in Non-Business areas are permitted either one twenty-four (24) square foot sign per frontage or two such signs per vehicular entrance to the subdivision or institution. The maximum height for such signs shall be six (6) feet if ground mounted and ten (10) feet if a wall sign. Any ground mounted sign permitted under this subsection shall have plantings within three (3) feet of the base and no more than two (2) feet of the supporting poles shall be visible. Such signs require a permit.
2. *Ground Sign.* All properties in Non-Business areas are permitted three (3) ground signs not to exceed six (6) square feet in size. Such signs may have two (2) faces. Such signs shall not be placed within ten (10) feet of the right-of-way. Such signs do not require a permit.

B. *Temporary Signs:*

1. *Ground Sign.* New subdivisions may have two (2) additional temporary ground signs not to exceed twenty-four (24) feet in size, and eight (8) feet in height, which may be placed in a location, and for a duration, approved by the Village as part of the approval of the subdivision development. Such signs require a permit.
2. *Ground Sign.* Any properties that have a non-residential use in Non-Business areas may have two additional ground mounted signs per frontage not to exceed twenty-four (24) feet in size, and eight (8) feet in height. Such signs shall be placed not less than ten (10) feet from the right-of-way. The additional signs permitted under this subsection shall not be displayed for more than fifteen (15) consecutive days, and shall not be displayed more than fifteen (15) days in any forty-five (45) day period. Such signs require a permit.

C. *Mandatory Signs.* The following signs are hereby declared by the Village to be required to protect the health, safety and welfare of the Village's residents, and therefore are required to be located on all applicable properties as set forth herein:

1. Signs displaying the street address for all properties located in Non-Business areas. Such signage is necessary to promote the health, safety and general welfare of the Village's residents as it allows emergency responders to identify the proper address in responding to calls for services. Such signs do not require a permit.
2. Directional signs detailing the entrances, exits and traffic circulation for all institutional uses, or other non-residential uses in Non-Business areas. Such signs shall not exceed fifteen (15) square feet in size. The maximum height for such signs if ground signs or mounted to a fence shall be three and one-half (3½) feet above grade, or six (6) feet above grade if wall mounted. Such signage is necessary to promote the health, safety and welfare of the Village's residents by promoting the safe and proper flow of

vehicular and pedestrian traffic on the property. The Board of Trustees may approve, after receiving a recommendation from the Planning and Zoning Commission, a unified directional sign plan that may vary from the requirements set forth herein, upon a finding that the unified directional sign plan would promote the health safety and general welfare of the Village's residents. Such signs do not require a permit.

3. Ground Sign. Any properties that have a non-residential use in a Non-Business area where there is an active construction permit shall have an additional ground mounted sign per frontage not to exceed twenty-four (24) feet in size, and eight (8) feet in height. Such sign shall be placed not less than ten (10) feet from the right-of-way. Such sign shall display the names and contact information for the contractor, architect, engineer and property owner. Such signage is necessary to protect the health, safety and welfare of the Village's residents, as it allows for the expeditious contacting of necessary parties in the event of an emergency. Such signs require a permit.

12.04: Signs Prohibited in Non-Business Areas

Except as may be otherwise prescribed by ordinance, the following signs shall be prohibited in Non-Business areas:

- A. Banners.
- B. Billboards.
- C. Fluttering devices such as pennants, whirligigs, balloons, inflated devices, etc.
- D. Flashing lights or those that appear to move.
- E. Moving signs.
- F. Roof signs.
- G. Signs on public street right-of-way.
- H. Signs that are in disrepair or hazardous.
- I. Signs posing a danger to motorists or pedestrians or which block vision at entrances, intersections, or sharp curves.
- J. Signs directly painted on any wall or any wall of any structure.

12.05: Billboards

- A. *New Billboards.* No new billboards shall be erected within the political boundaries of the Village of Innsbrook in all locations beyond 660 feet from interstate and primary highways except in Billboard Plazas in designated areas of Special Control pursuant to subsection H. Such new billboards shall require a special use permit and shall conform to the height, size, lighting and spacing

requirement as prescribed in this Section, as modified by the designation of any area of Special Control in which the billboard is erected.

1. *Height.* All billboards shall be no greater than 30 feet in height.
 2. *Size.* All billboards shall be no greater than 80 square feet in area. Only one billboard shall be permitted on each billboard structure.
- B. *Lighting.* In addition to the lighting restrictions of 226.540(1), RSMO, which shall apply to all billboards in the Village of Innsbrook, no billboard shall be so illuminated that it:
1. Interferes with the safety of aircraft flight in the vicinity of the billboard;
or
 2. Interferes with the use of enjoyment of property of any adjacent landowners; or
 3. Allows the illumination source to be directly visible from any right-of-way or adjoining property.
- C. *Spacing.* All measurements shall be made parallel to the roadway between perpendiculars extended from the billboard locations in questions.
1. Interstate highways and freeways on the federal-aid primary systems:
 - i. No billboard shall be erected within two thousand (2,000) feet of an existing billboard on either side of the highway.
 - ii. No billboard shall be erected within two thousand (2,000) feet of an interchange, intersection at grade, or safety rest area.
 - iii. Within the limits of the Village of Innsbrook, no billboard shall be erected within one thousand (1,000) feet of an existing billboard on either side of the highway.
- D. *Designated Scenic Roadways.* No billboards shall be permitted in areas designated as Scenic Roadsides.
- E. *Minimum Setbacks.* All billboard structures must be located at least 20 feet from any property line and placed so as not to pose a visibility or other hazard to vehicular traffic in the vicinity of the sign.
- F. *Areas of Special Control.* Areas of Special Control established under subsection H may have regulations more or less restrictive than those in this section, consistent with the character of the Area of Special Control.
- G. *Billboards - Prohibited.* The following are expressly prohibited unless specifically approved as a special use by the Village Trustees:
1. Billboards employing movement including, but not limited to, changeable copy signs, pennants, flags, banners, streamers, propellers, discs, and searchlights.
 2. Billboards that include lights which flash, blink, or turn on and off intermittently, not including time and temperature signs.

3. Billboards employing direct, indirect, internal, flashing or other illumination with light sources or reflectivity of such brightness that constitute a hazard to ground or air traffic or a nuisance, as determined by the Administrator.
4. Inflatable billboards and objects, including, but not limited to, balloons.
5. Billboard which are erected or painted on a roof or which extend in height above the roofline of the building on which the sign is erected.
6. Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street or highway intersection, or extend into the public right-of-way.
7. Signs displayed on parked or stationary vehicles, where the primary purpose of the vehicle is to advertise a product or business or to direct people to a business or activity. Vehicular billboards shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

H. *Areas of Special Control.*

1. The Board of Trustees by Ordinance and following Notice and Hearing, may designate any of the following Areas of Special Control:
 - i. Architectural, historic, or scenic areas or scenic roadsides
 - ii. Billboard plazas
2. The Administrator shall maintain and shall continually revise a zoning map of the Village of Innsbrook on which the Administrator shall indicated the boundaries of all designated Areas of Special Control.
3. The Board of Trustees shall adopt special regulations for billboards in Areas of Special Control which shall be consistent with the character of the Area of Special Control.

I. *General Design and Construction Standards.* All billboards shall be designated, constructed and maintained in accordance with the following standards:

1. All billboards shall comply with applicable provisions of the 2009 International Building Code and the 2008 Electrical Code.
2. All billboards regulated by this ordinance shall be constructed of permanent materials and shall be attached to the ground, by direct attachment to a rigid wall, frame or structure.
3. All billboards shall be maintained in good structural condition in compliance with all building and electrical code and in conformance with this code at all times.

J. *Non-Conforming Billboards.*

1. Removal. Non-conforming billboards and billboard structures shall be removed at the owner's or leaser's expense under the following circumstances:
 - i. The billboard is abandoned.
 - ii. The billboard becomes damaged or dilapidated to 50% or more of its physical structure or economic value.

12.06 Signs in Commercial Districts.

Only one business ground sign shall be permitted to be erected within the front yard or corner side yard for each street frontage of a business or industrial use on a lot, and the bottom edge of any ground sign erected in the front yard or corner side yard shall be at least one (1) foot above ground level or at the top edge of the sign shall be less than four (4) feet in height. Such sign, including its sign structure, shall be set back from all property lines adjacent to a street one (1) foot for every ten (10) square feet of sign area for the largest single face of any sign, and in no case shall the setback be less than one fourth ($\frac{1}{4}$) of any required front or corner side yard distance. No business ground sign shall exceed a height of eight (8) feet above the grade of the closest public right-of-way line, unless approved as a Special Use. Business ground signs which are proposed to exceed these height limits shall follow the provisions for Variances under the Zoning Ordinance.

12.07: Signs Prohibited in Commercial Districts

Except as may be otherwise prescribed by ordinance, the following signs shall be prohibited in commercial districts:

- A. Banners.
- B. Fluttering devices such as pennants, whirligigs, balloons, inflated devices, etc.
- C. Flashing lights or those that appear to move.
- D. Moving signs.
- E. Roof signs.
- F. Signs on public street right-of-way.
- G. Signs that are in disrepair or hazardous.
- H. Signs that relate to discontinued businesses or uses no longer in existence.
- I. Signs posing to motorists or pedestrians, or which block vision at entrance, intersections or sharp curves.
- J. Signs directly painted on any wall or any wall of any structure.
- K. Obsolete business signs which advertise an activity, business, product or service no longer available on the premises where the sign is located and/or sign structures no longer in use are prohibited and shall be removed within fourteen (14) days after written notification from the Zoning Administrator.

12.08: Portable Signs in Commercial Districts

- A. Portable signs may not be placed upon any lot, building or structure or any portion thereof in any commercial district in the Village of Innsbrook, Missouri, except that signs which are less than two (2) feet in each height and width, and are permanently painted on motor vehicles shall not be prohibited.
- B. Signs in excess of two (2) feet measured either horizontally or vertically permanently attached or adhered in any manner to any motor vehicle or construction trailer may not be displayed in any commercial district in the Village of Innsbrook except under the following conditions:
 - 1. During the course of travel upon any roadway;
 - 2. While the device to which it is attached or by which it is being moved is stopped or parked for the purpose of loading or unloading persons or materials, but only for so long as is reasonably required to achieve such loading or unloading;
 - 3. During construction, reconstruction or remodeling of any property or premises for which a building permit has been lawfully issued construction equipment, storage trailers, offices and other mobile devices displaying signs may be located on or adjacent to the property on which the work is being performed provided: (i) such equipment is located in an area designated by the Village Administrator after consideration of traffic patterns and line-of-sight requirements for nearby traffic; and (ii) such equipment may be so located only during and within thirty (30) days before and/or after the actual construction work reflected on the building permit relating to the premises;
 - 4. Any person desiring to park or store any vehicle or device displaying a portable sign within the Village under any other circumstances may apply to the Village Administrator for a temporary permit for such display. A permit may be issued on condition that: (i) such vehicle or device be located in an area screened from public view; or (ii) if no such location is available, then the vehicle or device must be parked or stored in an area designated by the Village Administrator in reasonable proximity to the needs of the person applying for such permit and reasonably removed from public view; or (iii) that the vehicle or device be temporarily positioned in a designated location visible to the public for a specified period of time not to exceed ten (10) days and only in association with a unique or particular need or event specified by the applicant and found to be reasonably necessary by the Village Administrator, provided, however, that not more than one (1) such temporary permit shall be allowed for the needs of the occupant of any single premises in any six-month period.

12.09: Nonconformities

Any sign existing on the effective date of this chapter shall be exempt from the provisions of this chapter, according to the following:

- A. Existing permanent signs in residential districts shall not be affected by the ordinance except that should said signs be removed, replaced, or substantially altered they shall be brought into conformity with this chapter.
- B. Any permanent signs in commercial districts for which legal permits have been issued, which are larger than allowed or of a type not allowed or improperly located as required by this chapter shall be brought into compliance within two (2) years.
- C. Any permanent signs in commercial districts that exist in a multi-tenant building which has not had uniform sign standards approved by the planning and zoning commission shall be allowed to remain until such time as they are removed, replaced, or substantially altered.
- D. Existing temporary signs shall have ninety (90) days after the effective date of this chapter to be brought into compliance.

12.10: Design

- A. All sign structures on multi-tenant buildings shall be of a generally uniform appearance and of a configuration approved by the planning and zoning commission. Colors, style, size, height, and locations of sign structures shall blend in an architecturally pleasing manner to create a unified design of all signs for the building.
- B. No sign shall be erected or maintained in such a manner that pose a threat or danger to motorists or pedestrians, or that may be confused with any authorized traffic sign, signal or warning device.
- C. No sign shall make use of any vulgar or obscene language or images or other words or images offensive to persons of reasonable sensitivity or any words or images intended to degrade or insult any persons of a particular race, religion or ethnic group.
- D. All sign structures on a multi-tenant building, or within a planned business center, must have a generally uniform appearance.
- E. All lettering and symbols used on signs must be a minimum of four (4) inches in height.
- F. Box wall cabinet signs shall not be permitted in conjunction with construction of any commercial buildings constructed after the date of adoption of this appendix.

12.11: Illumination

- A. All sign illumination oriented to prevent undue glare onto any adjacent streets or residential properties.
- B. All electrical illumination devices shall be designed to be weather resistant and shatterproof.

- C. All signs with internal lighting shall be appropriately grounded and shall require an electrical permit.
- D. All sign faces, that are backlit, shall be considered to be a portion of the sign for purposes of computing the allowable sign area.

12.12: Maintenance

- A. All signs shall be maintained in good repair so as to prevent rust, peeling, flaking or fading. Broken panels, flaking or peeling paint, delamination of wood, malfunctioning lights, and other visual damage to a sign shall be repaired within forty-five (45) days of the occurrence or within thirty (30) days of notification by registered letter from the zoning enforcement officer.
- B. Any sign and its supporting frame, which provides false information in a manner that could negatively impact traffic safety shall be removed by the owner, agent or person having beneficial use of the premises or lot upon which the sign is erected, within thirty (30) days of such information becoming false or upon receipt of notice from the Village of such information being false.
- C. Any sign which is hazardous to pedestrian or vehicular traffic including, but not limited to, being hazardous by reason of obstruction of walkways or fire access or exit lanes, by restricting site distances or being located in such close proximity to travel lanes or parking areas that it may be struck by maneuvering vehicles, shall be relocated, removed, or otherwise protected within thirty (30) days of notification that such danger or nuisance exists by registered letter from the zoning enforcement officer.

12.13 Permits, Administration, and Enforcement

1. Sign Permit Application

On and subsequent to the effective date of this Ordinance, any person proposing to erect any business, advertising or other sign not specifically listed as an exempt sign shall submit to the Zoning Officer an application for a sign permit. Application for such permit shall be accompanied by detailed plans, including proposed advertising copy, and other necessary information to determine the location and compliance with all applicable regulations. A permit shall be issued within ten (10) days of the date of an application submission including fees or the applicant shall receive a written notice indicating the status of the application.

2. Permit Fees

Permit fees for business, advertising, and other signs, as established by the Village Board and which may be periodically amended, must be submitted at the time application is made for the sign permit.

3. Permit Expiration

If the work associated with a sign permit has not been completed within one (1) year of the date of the issuance of the permit, such permit shall become null and void.

4. Enforcement

The Zoning Enforcement Officer of the Village of Innsbrook or the Zoning Officer's designee shall be responsible for the enforcement of this chapter and may at any reasonable time, inspect any sign regulated by this chapter.

A. *Written notice to be given of violations.*

1. *Permanent signs.* If it is found that any permanent sign has been erected in violation of this chapter the zoning enforcement officer or the Zoning Officer's designee shall give written notice to the owner of the sign or, if the owner cannot be located within thirty (30) days by the Zoning Enforcement Officer, to the owner of the premises on which the sign is located, or if the sign erection is not complete, to the sign erector, stating:

- i. The violations found; and
- ii. The specific standards which must be met; and
- iii. That the conditions must be brought into compliance within thirty (30) days; and
- iv. That failure to comply with the terms of such notice shall constitute grounds for the zoning enforcement officer to order removal of the sign at the expense of the sign owner, and/or owner of the premises, as provided by this chapter; and

2. *Temporary signs.* If it is found that any temporary sign has been placed in violation of this chapter the Zoning Enforcement Officer or the Zoning Officer's designee shall give written and verbal notice to the owner of the property on which the sign is placed or, if the owner cannot be located, to the tenant of the premises on which the sign is located stating:

- i. The violation found; and
- ii. That the sign must be either removed or brought into compliance within forty-eight (48) hours; and
- iii. That failure to comply with the terms of such notice shall constitute grounds for the Zoning Enforcement Officer to order removal of the sign at the expense of the sign owner and/or owner of the premises, as provided by this chapter; and

- B. *Signs not brought into compliance may be removed by zoning officer.* The Zoning Enforcement Officer may remove, or cause the removal of, a sign if the violations set out in a written notice have not been corrected within the specified time period after delivery of the notice.

- C. *Costs to sign owner, premises owner, or sign erector.* The cost of sign repair or removal shall be a joint and several obligation of the owner of the sign and/or the owner of the property on which the sign is located.
- D. *Expenses incurred to be assessed as lien on property.* In the event of failure by any party to reimburse the Village within sixty (60) days for the cost incurred for repair or removal ordered by the zoning enforcement officer, the Board of Trustees shall certify the charges for repair or removal to the Village Administrator as a special assessment represented by a special tax bill against the real property on which the sign had been erected. The tax bill shall be a lien upon the property and shall be enforced to the same extent and in the same manner as all other special tax bills. The assessment shall bear interest at the rate of eight (8) percent per annum until paid.
- E. *Persons owing costs of sign repair or removal not to be issued further sign permits.* The zoning enforcement officer shall not issue any further sign permits to persons refusing to pay costs assessed for the removal of illegal signs nor to agents or representatives of such persons.

12.14: Severability

If any section, sentence, clause or phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this chapter.