

CITY OF MARSHALL

ORDINANCE NO. 2025-O-12

AN ORDINANCE AMENDING APPENDIX A. ZONING.  
ARTICLE XVI. SIGN CODE

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this  
23<sup>rd</sup> day of June, 2025.

ORDINANCE NO. 2025-0-

AN ORDINANCE AMENDING APPENDIX A. ZONING.  
ARTICLE XVI. SIGN CODE

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That Appendix A. Zoning. Article XVI. Sign Code of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows:

Section 16-1. Short Title.

This article shall be known and cited as the "Marhsall Sign Code."

(Ord. No. 10-3, § 1, 30, 3-26-10)

Section 16-2. Intent.

The purpose of this sign code is to preserve and protect the public health, safety, welfare and aesthetics of the city by regulating outdoor advertising and signs. It is intended to enhance the physical appearance of the city, make it a more enjoyable and pleasing community, and create an attractive economic and business climate. Also, it is intended to reduce the sign or advertising distractions which may increase traffic accidents, eliminated hazards caused by signs overhanging or projecting over public rights of way, relieve pedestrian and traffic congestion, provide more open space and avoid the "canceling out" effect of adjacent signs. This does not include governmental, historical, or memorial signs approved by the City, State, or federal government.

Section 16-3. Interpretation and construction.

Where there is a conflict between the provisions of this sign code and the zoning provisions of the city, the provisions contained in this sign code shall prevail; and if there is a found conflict between any provisions of this sign code, the more restrictive provision shall prevail.

Section 16-4. Signs.

The term sign includes any attention-getting devise or display whether affixed to a building or separate from any building.

Section 16-5. Definitions.

*Area* means the total exposed surface devoted to the advertiser's message, including all ornamentation, embellishment and symbols, but excluding the supporting structure which does not form part of the sign proper or of the display. The area of a sign, composed of characters or words

attached directly to a large uniform building wall surface, shall be the smallest rectangle which encloses the whole group.

*Architectural Sign* means any sign that is attached to or painted on a building or awning.

*Freestanding Sign* means any sign that is attached to a structure or pole separate from a building.

*Temporary Sign* means any sign or flag that is displayed for a limited period and is not permanently mounted to another object.

#### Section 16.6 General provisions

1. Signs shall not be placed on the City or State right-of-way.
2. Signs shall not exceed 96 square feet on one side.
3. Signs shall not obstruct doors, windows, emergency exits, or be attached to a standpipe or fire escape.
4. Signs shall not constitute traffic hazards.
5. Murals authorized by the Chamber of Commerce are excluded from this ordinance.

Sections 16.7 - 16.10. Reserved

#### DIVISION 2. PERMITS

Section 16.11. Required; exemptions.

(1) It shall be unlawful for any person to erect, relocate or structurally alter any sign without first obtaining a permit and making payment of the required fee(s). The erection of or relocation of a freestanding sign, architectural sign, monument sign or other signs as may be otherwise defined in this article, shall require the submission of a sign permit application to the zoning officer as part of the application process.

(2) The following signs shall not require a sign permit.

- (a) Address, nameplate and building markers.
- (b) Official identification or directional signs associated with historic sites and buildings.
- (c) Official traffic, street, and informational signs.
- (d) Political signs.
- (e) Temporary real estate signs and construction signs.
- (f) Temporary signs promoting local community events.
- (g) Temporary yard sale signs.
- (h) Window promotional signs.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

### Section 16.12. Application.

Application for a sign permit shall be made upon forms provided by the zoning officer and shall at a minimum contain or be accompanied by the following information:

- (1) Name, address and telephone number of the applicant.
- (2) Name, address and telephone number of the business.
- (3) Location of the building, structure or premises to or upon which the sign is to be attached or erected.
- (4) Name of the person, firm, association or corporation erecting the sign.
- (5) Written with the consent of the owners of the building, structure or land on or to which the sign is to be erected.
- (6) Each application shall be accompanied by a site plan drawing showing location and size of all existing and proposed signs, sign faces, proposed message and such other information to show full compliance with the provisions of this article.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

### Section 16.13. Fees.

- (1) Fifteen dollars (\$15.00) for permanent signs.
- (2) There shall be no sign permit fee charged for each sign permit application made by any church, unit of local government, tax exempt, charitable or a not-for-profit organization.

(Ord. No. 10-3, §§ 1, 30, 3-26-10; Ord. No. 2023-0-05, § I, 1-9-23)

Sections 16.14-16.20. Reserved.

## DIVISION 3. SIGN REGULATIONS

Section 16.21. Architectural Sign - means any sign that is attached to or painted on a building or awning.

Architectural signs may be erected any place on private property with the following restrictions:

- (1) No sign may project more than six (6) feet from the building facade to which it is attached.
- (2) All signs which suspend over any sidewalk, public or private, or over a public right-of-way must have at least eight (8) feet of clearance between the base of the sign and the ground. These signs are allowed in the B-4 downtown business district only and may not extend over that portion of the right-of-way upon which vehicles travel.
- (3) The owner of any sign suspended over a public right-of-way agrees to indemnify and hold the city harmless from any liability which may arise because of the sign being projected or suspended over the public right-of-way.
- (4) Signs may be erected on the building with the following area restrictions:

- (a) If the rear or a side or sides of the property on which the business is located directly adjoins a public alley or is directly across from land zoned R-1, R-3 or R-4, the business may erect one (1) flush mount nonilluminated sign of twelve (12) square feet in area on that side of the building and one (1) additional sign not to exceed four (4) square feet in area per door or delivery entrance to mark that entrance. The sign shall be located and operated in a manner which will not interfere with traffic or create any nuisance for the public or surrounding properties by virtue of its characteristics.
- (5) Signs may be illuminated. The total illumination of the sign shall not change in intervals shorter than five (5) seconds. More rapid change in illumination constitutes a flashing sign which is prohibited by this article. Time and temperature signs and electronic changeable copy signs are permitted.

(Ord No. 10-3, §1 30, 3-26-10)

#### Section 16.22. Freestanding signs.

The following apply to freestanding signs only:

- (1) No part of any freestanding sign may be erected on, or to suspend over or otherwise encroach upon any public right-of-way.
- (2) Interstate highway hi-rise signs are permitted if they:
  - (a) Are located totally within two thousand (2,000) feet of the legally defined right-of-way for such an interchange.
  - (b) Do not exceed 200 square feet total of both sides of the sign.
  - (c) Must rise to a level between fifty (50) and seventy-five (75) feet above average terrain or highway level (whichever is greater) in overall height.
- (3) If a business wishes to erect a sign having more than two (2) sides it may do so by totaling the allowable sign area it is permitted on the two (2) sides and dividing that total by the number of sides desired. This will determine the allowable sign area for each side of the proposed sign.
- (4) Signs may be illuminated. The total illumination of the sign shall not change in intervals shorter than five (5) seconds. More rapid change in illumination constitutes a flashing sign which is prohibited by this article. Time and temperature signs and electronic changeable copy signs are permitted. The sign shall be located and operated in a manner which will not interfere with traffic or create any nuisance for the public or surrounding properties by virtue of its degree of illumination or other characteristics.
- (5) Signs shall be located a minimum of eight (8) feet away from any electrical line or equipment that may cause a safety hazard.
- (6) The following are allowed to erect a freestanding sign:

- (a) Individual businesses in individual buildings. If an individual business is an individual building has a freestanding sign and later adds or subdivides to create space for a second business, that second business may not erect a second freestanding sign, but it may erect a sign on the existing sign-area so that the total area and height of the freestanding sign remains conforming to this article.
- (b) Business development and shopping centers.
- (c) Satellite businesses within shopping areas.
- (d) Movie theaters and auditoriums in shopping centers and business developments.

Section 16.23 - Temporary Sign - means any sign that is displayed for a limited period and is not permanently mounted to another object.

- (1) The maximum sign width shall be two (2) feet and signs shall not be placed in front of the adjoining property.
  - (2) The maximum total area is 12 square feet shall be the total of both sides.
  - (3) They must be properly weighted against the wind.
  - (4) A minimum clear sidewalk width of forty-eight (48) inches shall be maintained.
  - (5) Temporary yard sale signs may be erected subject to the following
    - (a) All such signs shall be erected no more than twenty-four (24) hours prior to the yard sale and shall remain in place no more than eight (8) hours after the yard sale takes place. No total period of a yard sale shall exceed sixty (60) hours.
    - (b) No yard sale sign may be erected on or attached to a utility pole, tree on the public right-of-way, street light pole, street or traffic sign, or fire hydrant nor be located on public right-of-way.
  - (5) Chalkboards may be used for daily changing messages and no changeable letter on tracks may be used.
  - (6) They shall be designed and constructed to promote and not visually obscure the significant architectural features of the downtown business district and its buildings.
  - (7) They must be removed after business hours.
  - (8) One temporary sign may be utilized at a time.
  - (9) Signs meeting the above regulations shall not require a sign permit fee.
- (Ord. No. 10-3, §§ 1, 30, 3-26-10)

Section 16.24. Other Signage - No permit needed

- (1) Historical Signs - Signs designating historic buildings shall be flush wall signs on the building so designated.

- (2) Identification and minor directional signs - Signs designating an industrial park, subdivision, or directional signs for shopping centers must not obstruct the vision of a driver or the path of pedestrians.

#### Section 16.25. Political signs.

Political signs are permitted in all areas of the city subject to the following:

- (1) Signs may be erected sixty (60) days prior to an election and shall be removed within five (5) days after the election.
- (2) Signs must not be on the public right-of-way or be located so as to obstruct the visual clearance needed for safe vehicle and pedestrian traffic.
- (3) Signs cannot be placed on any property without the consent of the current legal property owner.
- (4) No political sign may be attached to utility poles, trees on public right-of-way, street light poles, street or traffic signs or fire hydrants.

(Ord. No. 10-3, §§ 1, 30, 3-26-10; Ord. No. 10-20, § 1, 10-11-10, eff. 1-1-11)

#### Section 16.26. Real estate signs.

Real estate signs advertising property or buildings for sale, rent, or lease are permitted in the following districts for the period of time while the property is available for sale, rent, or lease and for no more than fourteen (14) days after the sale, rental, or leasing of such property or building. No sign may be erected on, suspended over, or encroach upon the public right-of-way. No real estate sign shall be erected so as to obstruct the visual clearance needed for safe vehicular and pedestrian traffic.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

#### Section 16.27. Prohibited signs.

The following are prohibited signs:

- (1) Commercial signs which promote an enterprise that is not in existence, or product or service no longer sold.
- (2) Signs which contain statements, words or pictures of obscene, indecent or immoral character and which offend the public morals or decency.
- (3) Signs in conflict with traffic signals.
- (4) Signs on vehicles that are parked in a location which is visible to the public and for a period of time which indicates that the principal use of the vehicle is for advertising rather than transportation.
- (5) Signs which are affixed to trees, rocks, or other natural features.
- (6) Beacons which shine beams of light into the atmosphere.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

#### Section 16.28. Signs in the public right-of-way or on public property.

Signs shall not be permitted in the public right-of-way or on public property, except as follows:

(1) Permanent signs:

- (a) Public or governmental signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic, or carry out some other governmental purpose.
- (b) Informational signs of a public utility regarding its poles, lines, pipes or facilities.
- (c) Awnings, canopy or marquee signs projecting over a public right-of-way only if in the B-4 downtown business district.

(2) Temporary signs for which a permit has been issued under this article.

(3) Emergency signs erected by a governmental agency, public utility company, or contractor doing authorized or permitted work within the public right-of-way.

Any sign installed or placed on public property, except in conformance with the requirements set forth above, shall be forfeited to the public and subject to confiscation. In addition to other remedies provided for hereunder, the city shall have the right to recover from the owner or person placing a sign improperly installed or placed on public property the full cost of removal and disposal of such sign.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

Section 16.29. Enforcement.

If the zoning officer shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this article, the zoning officer shall give written notice to the owner of the sign, or if the owner of the sign is unknown to the zoning officer or not so stated on the sign, to the owner of the property upon which the sign is located. The owner of the sign or the property shall remove or alter the structure so as to comply with the standards herein set forth within thirty (30) days after such notice. The zoning officer may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

(Ord. No. 10-3, §§ 1, 30, 3-26-10)

Section 16.30. Legal nonconforming signs.

Signs existing as of June 9, 2025, and not conforming to the provisions of this article, but which were constructed in compliance with previous regulations, shall be regarded as legal nonconforming signs. Nonconforming signs which are structurally altered, damaged, relocated or replaced, or which advertise a business which use or business name is changed, or for which the lease in effect as of June 9, 2025, has expired, or is renewed, replaced, or extended

(other than through an option for an additional term contained within the provisions of the lease) shall comply immediately with all provisions of this sign code.

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Michael Smitley	/		
Warren J. Le Fever	/		
Vickie Wallace	/		
Jarod Green	/		
Robert Nelson	/		
Foster Propst	/		
<del>Rob Knott</del> Logan Swalls	/		
Greg King	/		

PASSED this 23<sup>rd</sup> day of June 2025.

APPROVED this 23<sup>rd</sup> day of June 2025.

  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 23<sup>rd</sup> day of June, 2025.

  
CITY CLERK

(SEAL)