

ORDINANCE NO. O2020-34

**AN ORDINANCE AMENDING SECTION 8-14-8  
OF THE WARRENVILLE CITY CODE  
REGARDING LEGAL NONCONFORMING SIGNS**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Chapter 14, titled "Signs," of Title 8, titled "Building Regulations," of the Warrenville City Code ("**City Code**") regulates signs installed within the City ("**Sign Ordinance**"); and

WHEREAS, the term "grandfather clause" originally referred to laws adopted by some states after the Civil War to disenfranchise African Americans by requiring the passage of literacy tests, the payment of poll taxes, or other requirements in order to vote but exempting voters descended from men eligible to vote before the enfranchisement of African-Americans; and

WHEREAS, due to the racist origins of the term and the availability of a synonymous term, the City desires to amend Subsection 8-14-8.D of the Sign Ordinance to remove the term "grandfathered" and replace it with "legal non-conforming"; and

WHEREAS, pursuant to the City's power under applicable law and the home rule powers of the City, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the Sign Ordinance pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Amendment to Subsection 8-14-8.D. Subsection 8-14.D, titled "Nonconforming Signs" of Section 8-14-8, titled "Administration and Enforcement", of Chapter 14, titled "Signs," of Title 8, titled "Building Regulations": [additions are **bold and double underlined**; deletions are ~~struck through~~]

"D. Nonconforming Signs:

\* \* \*

4. Termination Of Nonconforming Signs:

a. Termination By Abandonment: Any nonconforming sign, the use of which is discontinued for a period of ninety (90) days, shall be presumed abandoned and shall not thereafter be reestablished. Any period of such discontinuance caused by government actions, strikes, material shortages or acts of God, and without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for purposes of this chapter.

b. Termination By Change Of Business: Any nonconforming sign

advertising or relating to a business on the premises on which it is located shall be terminated upon any change in the nature of the business; provided, however, such termination shall not be required if there is no change in the name or manner in which the business is conducted and such change, ownership or control does not require the modification or alteration of any existing sign.

c. Termination By Damage Or Destruction: Any nonconforming sign damaged or destroyed, by any means, to the extent of thirty five percent (35%) of its replacement cost shall not be restored but shall be terminated.

d. Termination At End Of Ten Year Period: Nonconforming sign shall be brought into conformance within ten (10) years of the effective date hereof, or such signs shall be subject to removal upon the order of the Zoning Administrator or his/her designated representative.

e. Exceptions: The requirements of this chapter shall not apply to the thirty four inch (34") diameter antique Chevrolet clock and the four foot nine inch (4'9") high, six foot (6') long Chevrolet sign attached to the face of the building located at 28W 265 Warrenville Road. This clock and sign were originally installed in the mid to late 1930s. Due to their historical significance, this clock and sign are hereby deemed "~~grandfathered~~ **legal nonconforming** and exempt from the amortization requirements of this chapter."

**SECTION 3: EFFECTIVE DATE.** This Ordinance shall be in full force and effect after its passage, approval, and publication in the manner provided by law.

PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK