
**THE VILLAGE OF SUMMIT
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 22-O-20**

**AN ORDINANCE AMENDING CHAPTER 13 "SIGNS" OF THE ZONING
ORDINANCE OF THE VILLAGE OF SUMMIT (TITLE 11 OF THE VILLAGE
CODE) TO REGULATE MURALS**

**SERGIO RODRIGUEZ, Village President
COLLEEN LAMBERT, Village Clerk**

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TRUSTEES

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WHEREAS, the Village of Summit, Cook County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village may amend the text of the Zoning Ordinance of the Village of Summit from time to time to meet the changing needs of the Village; and

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) find it to be in the best interests of the health, safety, and welfare of its citizenry to amend Chapter 13 “Signs” of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) to regulate murals as permitted uses.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Summit, Cook County, Illinois, by and through its home rule powers, as follows:

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2: Chapter 13: Signs of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) is hereby amended by adding the following subsection:

11-13-12 Murals

(a) Applicability: Murals (as defined herein) shall be included within the categories of permitted signs in accordance with the regulations of this

Section. Murals are intended to provide for artistic expression to enhance community life in the Village of Summit, to beautify the Village, and to provide for and protect the use and enjoyment of property in the Village of Summit.

- (b) **Definitions.** Whenever the following words or phrases are used, they shall, for the purposes of this chapter, have the meaning ascribed to them in this Section, except when the context otherwise indicates:

Mural. An inscription, word, drawing, figure, painting, writing, mark, or design that is written, etched, painted, sprayed, or drawn directly upon the exterior of any building or other structure that has been made with the permission of the owner. As such, a “mural” shall be otherwise included within the class of “wall signs” in Section 11-13-6(B): Signs Allowed of this Zoning Ordinance. Any such inscription, word, drawing, figure, painting, writing, mark, or design that is written, etched, painted, sprayed, or drawn directly upon the exterior of any building or other structure or object that is made without the permission of the owner shall not be a “mural” but shall instead be a defacement of property prohibited by Section 6-14-2(A) of the Village Code, and/or posting of bills prohibited by Section 6-1-57 of the Village Code.

- (c) **Limit to the Number of Murals Permitted on a Building or Structure.** No person shall locate a mural on more than two (2) walls of a building or structure, subject to the provisions of this Zoning Ordinance pertaining to variances for one (1) additional mural on one (1) additional wall.

- (d) **Buildings and Structures.** Murals on Buildings and Structures shall comply with all provisions of Chapter 13 of the Zoning Ordinance, except any provision in this Subsection 12 shall control over any conflicting provision in Chapter 13 of the Zoning Ordinance.

(1) **Location Restrictions.** Murals on Buildings and Structures shall be permitted uses in any MX, C-1, C-2, I-1, I-2, and I-3 Zoning Districts.

(2) **Requirements.** Murals may cover any one wall of a Building or Structure completely, except as noted below, but shall not cover more than 50 percent of any other wall of the same building or structure. However, no mural shall be placed on the front facia of any building, and no mural may cover completely any windows, doors, or openings on any wall.

- (e) **Maintenance of Murals.** All murals permitted under this Zoning Ordinance shall be kept clean, sanitary and free from waste and defacement, and shall be otherwise maintained in good condition. The owner(s)/applicant(s) shall be responsible for maintaining the condition of the mural. If a mural is not properly maintained, in the determination of the Village and its officials, the owner(s)/applicant(s) shall have 30 days to take whatever steps are necessary

to correct the defects. In the event that no steps are taken to correct the defects, the owner(s)/applicant(s) shall be subject to a daily fine of no less than \$50, and shall be subject to a code hearing complaint pursuant to Chapter 15, Title 7 of the Village Code.

(f) Miscellaneous Regulations of Murals.

- (1) Murals that are predominantly commercial in nature are permitted but not favored. Murals in the Village of Summit are intended to provide an outlet for artistic expression and freedom of expression to beautify the overall community in the Village of Summit.
- (2) Murals shall not contain gang symbols, or depict unreasonable or offensive acts, utterances, gestures, or displays that create a clear and present danger of a breach of the peace or imminent threat of violence. Murals shall not contain obscene or defamatory depictions or words, or otherwise incite violence or criminal activity. By way of examples and not a limitation, the following subjects shall be prohibited from being displayed on any mural: drugs, alcohol, and sexual acts, and negative depictions of race.
- (3) Murals may not depict material (whether illustrations, depictions, or words) harmful to minors.

(g) Permit.

(1) Requirements. No person shall allow a mural on their property without a sign permit issued by the Village.

(a) Process. An applicant for a permit for a mural shall be in conformity with the application processes set forth in Section 11-13-9 of the Zoning Ordinance and Section 7-5-1 of the Village Code, including the payment of applicable permit fee(s). In addition to and consistent with the provisions of Section 11-13-9 of the Zoning Ordinance and Section 7-5-1 of the Village Code, such permit application shall be submitted to the Clerk of the Village and the Building Department, shall be referred to the proper Village committee for its review and recommendation, and then shall be forwarded to the Village Board for its approval consistent with Section 7-5-1B of the Village Code. Once granted, a permit for a mural must be renewed annually, and shall also be subject to an annual inspection. The annual renewal fee shall be \$100, or the amount of the original permit, whichever is less.

(b) Insurance. A certificate of insurance in the amounts specified in Section 7-5-1(C)(1) of the Village Code shall be provided for murals, which, in addition to covering accidents and incidents associated with the creation of the mural, shall also

protect and hold harmless the Village for any injuries relating thereto.

(c) Performance Bond. In addition to the certificate of insurance specified in Section 11-13-12(g)(1)(b) of this Subsection, a performance bond in the amount of one hundred thousand dollars (\$100,000.00) shall be provided for the maintenance of the mural as required by Section 11-13-12(e) of this Subsection. Such performance bond shall be renewed periodically if the amount of the performance bond has been depleted because of its use to maintain the mural.

(d) Permits for Certain Applicants. Permit applications for murals made by not-for-profit companies or entities, charities, schools, churches, and public bodies may be exempt from the permit and renewal fees in subsection (a), the insurance requirements in subsection (b), and the Performance Bond requirements in subsection (c) with the approval of the Village Board.

(h) Other Restrictions. Nothing in this section shall be construed as a restriction other than a reasonable time, place, and manner restriction as permitted by law.

SECTION 3: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

SECTION 4: That if any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

(Intentionally left blank)


ADOPTED by the President and Board of Trustees of the Village of Summit, Cook County, Illinois this 18th day of July 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
PARKER	✓				
WASKO				✓	
JULIUS	✓				
DARDOVSKI	✓				
ORTIZ				✓	
SULLIVAN	✓				
PRESIDENT RODRIGUEZ					
TOTAL	4				

APPROVED by the President of the Village of Summit, Cook County, Illinois on this 18th day of July 2022.


 SERGIO RODRIGUEZ
 VILLAGE PRESIDENT

ATTEST:


 COLLEEN LAMBERT
 VILLAGE CLERK



To: President Sergio Rodriguez and the Board of Trustees of the Village of Summit

From: Summit Zoning Board of Appeals

Date: July 13, 2022

Re: Findings and Recommendations on the Proposed Text Amendment to the Zoning Ordinance Regarding Murals in the Village of Summit

The Summit Zoning Board of Appeals held a duly noticed public hearing on June 7, 2022 at 6:30 P.M. Zoning Board Members present were Chairman McGowan, Secretary Anderson, Member Davila, Member Dinon, and Member Tichacek. Present also were Village Clerk Colleen Lambert and Village Attorney Jayman A. Avery III.

Pursuant to Section 11-15-2 of the Zoning Ordinance, the Zoning Board held a public hearing to consider a Text Amendment to the Zoning Ordinance of the Village of Summit regarding murals on buildings. There were no public comments. At the close of the public hearing, the Board voted (5) yes (0) no to recommend approval of this Text Amendment subject to the conditions contained herein.

The Board considered all relevant factors and determined that the proposed Text Amendment concerns a subject matter not currently authorized under the Zoning Ordinance. The Board found and specifically states that the proposed Text Amendment is in conformity with the Comprehensive Plan of the Village of Summit and is necessary and desirable to meet the challenges of a developing and changing condition and area of regulation.

The Zoning Board of Appeals thus recommends that the Village Board approve the Text Amendment with the following changes to the original draft that are included in the attached draft of the Text Amendment: 1) that no mural be allowed on the front of any building (Section 11-13-12(d)(2)); 2) that a \$50.00 fine be authorized for failing to maintain a mural on any building (Section 11-13-12(e)); 3) that the owner/applicant is required to maintain the mural on his/her building (*id.*); 4) that drugs, alcohol, sex, and negative depictions of race be prohibited on murals (Section 11-13-12(f)(2)); 5) that the annual renewal fee be increased to \$100.00 (Section 11-13-12-(g)(1)(a)); and 6) that permit applications be submitted to and approved by the Village building committee and the Village Board of Trustees prior to issuance (*id.*). There were two minor changes to the Text Amendment due to legal requirements. *See* Section 11-13-12(a); Section 11-13-12(d)(1).

Respectfully Submitted,
/s/Jayman A. Avery III
Village Attorney Jayman A. Avery III on
behalf of the Zoning Board of Appeals

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION