

Effective Date: September 9, 2008

## ORDINANCE

### REGULATING SIGNS AND ADOPTING SIGN STANDARDS IN FULTON COUNTY, ILLINOIS

This Ordinance shall amend the Fulton County Zoning Ordinance and be known, cited, and referred to as the Fulton County Sign Ordinance, and will become Section 7 of the Fulton County Zoning Code.

WHEREAS, Fulton County, Illinois has been granted authority to regulate Signs by the State of Illinois under 55 ILCS 5/5-12001 as "structures."

NOW, THEREFORE, BE IT ORDAINED by the Fulton County Board that Section 7 of the current Fulton County Zoning Ordinance be replaced in its entirety as follows:

**FILED**

AUG 13 2008

*James Nelson*  
COUNTY CLERK  
FULTON COUNTY, IL.

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## **I. INTRODUCTION**

### **A. Title**

This Ordinance shall amend the Fulton County Zoning Ordinance and be known, cited, and referred to as the Fulton County Sign Ordinance.

### **B. Purpose**

This Ordinance is adopted for the following purposes:

1. Promote the health and welfare of Fulton County residents.
2. Maintain and enhance the visual quality (aesthetics) of the County.
3. Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs.
4. Protect and enhance economic viability by assuring that Fulton County will be a visually pleasant place to visit or live.
5. Protect property values and private/public investments in property.
6. Protect views of the natural landscape and sky.
7. Avoid personal injury and property damage from structurally unsafe signs.
8. Provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention.

## II. DEFINITIONS

- A. "Abandoned Sign" means;
1. Any Sign that does not display a well maintained message for a consecutive sixty (60) day period;
  2. Any Sign the owner of which can not be located at Owner's last address as reflected on the records of the Fulton County Zoning and Community Development Office; or
  3. Any Sign no longer fully supported by the structure designed to support the sign.
- B. "Applicant" means any entity or person who submits to the County an application (building permit) to install or erect a sign.
- C. "Awning," "Canopy," or "Marquee Sign" means a sign that is mounted on, painted on, or attached to, an awning, canopy or marquee. No such signs shall project above, below, or beyond the awning, canopy or marquee. No such sign shall be illuminated and shall indicate only the name and/or address of the establishment.
- D. "Billboard Sign" means a sign upon which advertising space is rented, leased, or purchased on a periodic basis and which is non-permanent in nature.
- E. "Bulletin Board Sign" means a sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcement of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.
- F. "Business Sign" means a sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.
- G. "Church Identification Sign" means a sign giving only the name and address of a church. Such signs may be wholly or partly devoted to a readily recognizable symbol.
- H. "County" means Fulton County, Illinois.

- I. "Direction Sign" means a sign on private property without commercial message that gives direction such as entrances, exits, or street numbers.
- J. "Elevated Sign" means any sign placed upon, or supported by, the ground independent of the principal structure on the property where the bottom edge of the sign is ten feet or more above the ground level.
- K. "Elevated Roof Sign" means a sign placed on the roof of a building or structure.
- L. "Government Sign" means a sign authorized by the County, a municipality, a governmental agency, the State or Illinois, or the Federal Government.
- M. "Ground Sign" means a sign supported by one or more uprights, pylons, or foundation elements in or upon the ground and not attached to a building.
- N. "Identification Sign" means a sign giving only the name and address of a structure, business development or establishment. Such signs may be wholly or partly devoted to a readily-recognized symbol.
- O. "Large Sign" means any sign larger than sixty-four (64) square feet in area on any side.
- P. "Memorial Sign" means a sign, monument or statue serving to help people remember some person or event.
- Q. "Monument sign" means a sign whose base is greater in width than the face of the sign, and whose height is no greater than six (6) feet.
- R. "Name Plate Sign" means a sign giving the name and/or address of the owner or occupant of a structure or premises on which it is located and, where applicable, a professional status.
- S. "Obscene" has the meaning set forth under 720 ILCS 5/11-20(b) of the Illinois Criminal Code.
- T. "Owner" means the person(s) or entity(s) with an equity interest in a sign(s), including their respective successors, assigns, and heirs. Owner does not include a property owner from whom land is

leased for locating a Sign (unless the property owner has an equity interest in the Sign).

- U.** "Permit" means a Building Permit for a Sign issued by the Fulton County Zoning and Community Development Office.
- V.** "Person" means any individual or entity, including a Firm, Partnership, Association, Corporation, Limited Liability Company, Trustee, and their legal successors.
- W.** "Political Sign" means a sign relating to a candidate, political party, election, or other issue.
- X.** "Portable Display Sign" means any movable display structure, capable of relocation, under its own power, or towed by a motor vehicle. The display message of the sign may be painted or non-painted and capable of being readily altered. Portable display signs may be with or without electrical illumination and power, and with or without wheels.
- Y.** "Projecting Sign" means a Sign affixed to any part of a building or structure which extends beyond the building or structure by more than twelve (12) inches.
- Z.** "Public Indecency" has the meaning set forth under 720 ILCS 5/11-9 of the Illinois Criminal Code.
- AA.** "Residential Neighborhood Identification Sign" means a Sign at the entrance of a residential neighborhood identifying the neighborhood.
- BB.** "Roof Sign" means a Sign erected, constructed, or maintained upon, or which projects above the roofline of a building.
- CC.** "Sign" means an object, including a structure, movable object, wall or image displaying any message visible to the public. No sign shall have more than three (3) faces used to present advertising. Notices legally placed on public property and removed on a daily basis are not considered Signs.
- DD.** "Special Event Sign" means a Sign for events such as grand openings, vehicle shows, displays, craft shows, benefits, fund-raisers, festivals, and other limited term events.

**EE.** "Temporary Construction Sign" means a temporary sign indicating the names of the architects, engineers, landscape architects, contractors and similar artisans involved in the design and construction of a structure, complex, or project only during the construction period and only on the premises on which the construction is taking place.

**FF.** "Temporary Real Estate Sign" means a temporary sign pertaining to the sale or lease of a lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof on which the sign is located.

**GG.** "Temporary Sign" means a display sign that is limited in use by the duration of an event, including real estate, construction, seasonal sale of produce and political campaign signs.

**HH.** "Wall Sign" means a sign attached to, painted upon, placed against, or supported by the exterior surface of any building.

**II.** "Wetland" means land that based on soils and vegetation has been classified as "wetland" by a government agency.

**JJ.** "Window Sign" means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

**KK.** "Zoning Officer" means the Fulton County Zoning & Community Development Director.

### **III. AUTHORITY**

Fulton County, Illinois has been granted authority to regulate Signs by the State of Illinois under 55 ILCS 5/5-12001 as "structures." Any sign, shall be a structure. No land, personal property or structure shall be used for sign purposes except as specified herein.

### **IV. APPLICABILITY**

**A.** A sign lawfully established before the effective date of this ordinance, but not conforming to the regulations of this ordinance, may be continued until such time that it is substantially altered.

Repair and maintenance and change of display of a bulletin board sign and change of advertisers on a billboard sign shall be permitted. In addition, any such sign, which must at any time, be moved by reason of road repairs or utility work may be permanently or temporarily relocated within five-hundred (500) feet of the first location, If relocated beyond the term of construction work, the sign shall meet requirements of the ordinance. Any sign removed for construction work must be relocated within one hundred twenty (120) days or a new sign permit shall be required.

- B. Every sign or other advertising structure lawfully in existence on the adoption of this code shall not be altered or moved unless it be made to comply with the provisions of this article, except as otherwise provided for herein.
- C. Should any nonconforming sign be damaged by any means to an extent of more than fifty (50%) percent of its replacement cost at the time of damage, it shall not be reconstructed except in conformity with the provisions of these regulations.

- 1. Removal of non-Billboard Signs: All non-Billboard nonconforming signs not otherwise prohibited by the provisions of these regulations shall be removed or shall be altered to conform to the provisions of this regulations:

- a. when the nature of the business conducted on the premises changes and the sign is changed or modified either in shape, size, or legend, or;
    - b. when the name of the business changes and the sign is changed or modified either in shape, size, or legend.

- 2. Removal of signs upon destruction of principal structures: When a principal structure is destroyed or removed due to natural or man-made circumstances, all signs on the property shall be removed within ninety (90) days, unless a building permit has been issued to replace the structure within said time period.

## V. PROHIBITION

No sign shall be erected, enlarged, constructed or otherwise installed without first obtaining a sign permit, and a sign shall be considered legal only when in compliance with this sign regulation. All signs shall be



constructed in such a manner and of such material that they are safe and substantial.

## **VI. FEES**

Fees for Signs and Building Permits shall be set by the Fulton County Board and included in the Fulton County Zoning Fee Schedule, as amended from time to time by the Fulton County Board.

## **VII. SIGN PERMITTING PROCESS**

No sign except those listed in Section XI, may be erected or altered until a sign permit has been issued by the Fulton County Zoning and Community Development Director.

- A.** A complete Fulton County Building Permit Application shall be submitted to the Fulton County Zoning and Community Development Director.
- B.** The permit application shall include the following information:
  - 1.** The name and address of the applicant and the sign contractor who will be performing the work.
  - 2.** The location, by street address, of the building or structure to which the sign is to be attached or the lot on which the sign is to be erected.
  - 3.** A set of plans and specifications showing the location, support, attachment to the building or ground, method of illumination, and lighting intensity; and
  - 4.** A sketch showing the sign faces, exposed surfaces, and proposed message accurately represented in scale as to size and proportion and showing, if the sign is to be attached to a building, the sign on the façade of the building.
- C.** Review and Action: The Fulton County Zoning and Community Development Director shall review the sign permit application to determine whether the proposed sign complies with all the applicable sign regulations of this article. Within ten (10) business

days of the submission of a complete application for a sign permit, the Fulton County Zoning and Community Development Director shall either:

1. Issue the sign permit, if the sign complies in every respect with the standards of this Articles, if applicable ; or
  2. Deny the sign permit if the sign fails in any way to comply with the standards of this Article. The Fulton County Zoning and Community Development Director shall specify all reasons for the denial.
- D. Inspection:** Prior to installation of a sign a stakeout inspection shall be required to see if the sign meets the requirements of this article. The permittee shall notify the Zoning Officer who shall inspect such stakeout site and approve the same if it is in compliance with the provisions of this article. The Zoning Officer may, from time to time, as he/she deems necessary, inspect all signs regulated by this article for the purpose of ascertaining whether the same is secure or insecure or whether it is in need of removal or repair.
- E. Obstruction:** A sign erected in any district shall not be constructed and/or maintained so as to obstruct any fire escape, window, door, or opening used as a means of entrance or egress for fire-fighting purposes, or so as to prevent free passage from one part of a roof to any other part thereof or to another roof.
- F. Permit Expiration:** Every sign permit issued shall become null and void if installation is not commenced within ninety (90) days from the date of approval of such permit.
- G.** The Zoning Committee and Zoning Board of Appeals shall have the discretion to waive any sign permit fee if evidence is provided along with the permit application showing that the sign to be erected is for the sole benefit of a charitable or non-profit organization.

## **VIII. GENERAL STANDARDS:**

- A.** Property directly abutting a state or federal highway may have signage as allowed by the State of Illinois Department of Transportation and the applicant shall provide a copy of approval

from the Illinois Department of Transportation to the Fulton County Zoning and Community Development Director.

- B. Gross Area of Sign:** Gross area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign, exclusive of the base on which it is mounted or from which it is suspended. If more than one (1) side of a sign is utilized as a sign, then only the largest side shall be computed and shall be counted as a portion of the gross area. For computing the gross area of any wall sign which consists of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters.
- C. Sign Height:** Sign height shall be measured from the elevation of the top of the nearest curb or existing ground level to the highest element of the sign.
- D. Illuminated Signs:** A sign designed to give forth artificial light or designed to reflect light derived from any source.
1. Illuminated signs shall be designed so that light is reflected or directed away from any residential dwelling district. Any illuminated sign located on a lot adjacent to, in front of or across the street from any residential district, shall not be illuminated between the hours of 11:00 p.m. and 7 a.m. when such sign is visible from said residential district.
  2. Illuminated signs which happen to lie in direct vision behind a traffic signal shall not be in red, amber, or green illumination.
  3. Signs shall be illuminated only by steady, stationary, shielded, or shaded light sources directed solely at the sign or internal to it so that the light intensity, or brightness does not create either a nuisance to adjacent property or a traffic hazard for motorists or pedestrians.
  4. Except where a combination of individual exposed bulbs displays information, such as time, temperature, or date illuminated signs; no exposed reflective-type bulb and no strobe light or unshielded incandescent lamp shall be used on the exterior surface of any sign.
- E. Flashing or Moving Signs:** For the purpose of this regulation, any sign that is revolving, rotating, moving, animated, has moving

lights, or creates the illusion of movement shall be considered a moving sign. Any illuminated sign on which the artificial light is not constant in intensity and color at all times is considered a flashing sign.

1. Flashing signs shall not be permitted which are in any way similar to traffic signals or emergency vehicle lights.
2. A sign which displays the current time and/or temperature by use of intermittent lighting shall not be deemed a flashing sign if the lighting changes are limited to text indicating time, temperature or other public messages. Such sign shall not in any case exceed sixty-four (64) square feet in area.
3. Signs designed to change sign faces periodically throughout the day, commonly known as "tri-vision signs" shall not be considered a moving sign.

**F. Signs on Trees or Utility Poles:** No sign shall be attached to any utility pole or tree.

**G. Lineal Street Frontage:** In those districts where gross sign area is allocated based on lineal street frontage and the tract or parcel is adjacent to more than one (1) street, the lineal street frontage shall be computed as the sum of all the street frontages.

**H. Large Signs** may be established within "AC" Agricultural, "B" Business, or "I" Industrial zones provided that they meet the following conditions:

1. Not more than five (5) Large Signs may be located per linear mile of street or highway regardless of the fact that such large signs may be located on different sides of the subject street or highway.
2. No large sign shall be located within one-thousand (1000) feet of another large sign abutting either side of the same street or highway.
3. No large sign shall be located within two-hundred (200) feet of a residential zone and/or existing residence. If the large sign is illuminated, this required distance shall be increased to three-hundred (300) feet.

4. No large sign shall be located closer than twenty-five (25) feet from the property line it is facing. Setbacks shall be measured from the surface display area to the vertical extension of the property line.
5. The surface display area of any side of a large sign may not exceed four-hundred (400) square feet. In the case of large sign structures with multiple advertising, the combined surface display area of any face shall not exceed four-hundred (400) square feet.
6. The height of a large sign shall not exceed forty-five (45) feet above the grade of the ground on which the advertising sign sits or the grade of the abutting roadway, whichever is higher.
7. A large sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles, or any adjacent premises. In no event shall any large sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
8. A large sign must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. A large sign must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of message.
9. A large sign established within "AC" Agricultural, "B" Business, or "I" Industrial zones, as defined in the "Highway Advertising Act of 1972" (1972 PA 106, as amended) bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of provided thereunder, as such may from time to time be amended.
10. All large signs shall have a surety bond of appropriate amount posted at the time of the permit application to insure that the signage is appropriately decommissioned once past its useful life.

## **IX. EXEMPTIONS:**

**A. Total Exemptions:** The following signs shall be exempt from the requirements of this article, except that such signs shall comply with appropriate setback requirements as specified in this ordinance. Such signs shall not be illuminated, but may be of the beaded reflector type upon approval thereof by Fulton County Zoning and Community Development Director. Such signs shall be of the types and contain only such displays as follows:

1. Temporary signs displaying the name, location, and time of an event of public interest such as a State or County Fair, public or general election, provided such sign shall not interfere with the full view of traffic in all directions. Such sign shall be removed not more than five (5) days after the event.
2. Flags not larger than thirty-two (32) square feet displayed on private property.
3. Any flag displayed by a government body.
4. Signs of a duly constituted governmental body, such as street signs, traffic and regulatory signs, etc.
5. Warnings at railroad crossings, and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
6. Small signs, not exceeding three (3) square feet in area displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one way drives, restrooms, freight entrances and other similar signs.
7. Scoreboards and signs located inside athletic stadiums.
8. Signs for the sale of household goods at a residence (for example, garage sales or auctions) for a period not to exceed five (5) days in any calendar month, and not exceeding thirty-two (32) square feet in area.
9. Real estate signs not exceeding thirty-two (32) square feet in area.

10. Construction signs not exceeding thirty-two (32) square feet in area.

11. Political Signs related to a specific election are allowed to be erected for a period not to exceed ninety (90) consecutive days, and not exceeding thirty-two (32) square feet in area. Political Signs shall be removed within five (5) days after the election.

B. Exemptions from Sign Permit: Window signs not exceeding twenty-five (25%) percent of the window surface in "AC" Agricultural/Conservation, "B" Business, and "I" Industrial districts shall be exempt from the sign permit section of this article, but shall comply with all of the other regulations imposed by this article.

## **X. PROHIBITED SIGNS.**

A. Any sign installed or placed on public property or right-of-way shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the County shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

B. Obscene or Indecent Advertisement: No person shall display upon any sign, or other advertising structure, any obscene or indecent matter.

C. Elevated roof signs.

D. Projecting signs.

## **XI. TEMPORARY SIGNS.**

Temporary signs shall be erected and maintained in a safe and attractive manner and shall be subject to applicable regulations, except as specifically modified herein.

- A. Real Estate Signs shall be removed within one (1) week of the date of sale, rental, or lease.
- B. Temporary Construction Signs shall be no larger than sixty-four (64) square feet. Such signs are subject to yard area requirements and may be erected at the start of construction and shall be removed upon project completion.
- C. Portable display signs shall be allowed on a lot not more than two (2) times in a calendar year, and not to exceed fourteen (14) days for each occurrence.
- D. Seasonal sale of produce signs.

## **XII. MAINTENANCE.**

- A. All signs shall be maintained in a safe condition and in such a manner that they shall not become a visual detriment to the community at large. The Fulton County Zoning and Community Development Director shall be charged with the responsibility and authority to inspect all signs and direct the maintenance of said signs. Maintenance of signs is defined as keeping sign structures in a safe condition, free of rust, with broken glass or plastic replaced, electrical lights and other electrical operations in operable condition, letters and other sign components in the equivalent condition as on the sign permit or as approved.
- B. Should the Fulton County Zoning and Community Development Director find a non-maintained sign as defined above, he/she shall cause the owner(s) of said sign(s) to be notified as to the deficiency and the corrective action that is required.
- C. Should the owner fail to exhibit evidence of compliance within thirty (30) days after the mailing of the letter of notification, the Fulton County Zoning and Community Development Director shall cause the owner to be cited for violation of this regulation, according to Section 20, subsection B, of the Fulton County Zoning Ordinance.

## **XIII. SIGN STANDARDS**

Sign types not identified in a zoning district as permitted are not allowed in such zoning district unless otherwise expressly permitted by other regulations of this Zoning Ordinance.



**A. "AC" Agricultural Conservation District:**

1. Number of Signs Permitted: There shall not be more than one (1) sign per lot, except that on a corner lot two (2) signs, one (1) facing each street shall be permitted.
2. Maximum Gross Surface Area:
  - a. Bulletin Board fifty (50) sq. ft.
  - b. Business Sign thirty-two (32) sq. ft.
  - c. Identification Sign four (4) sq. ft.
  - d. Church Identification Sign thirty-two (32) sq. ft.
  - e. Name Plate Sign four (4) sq. ft.
  - f. Temporary Sign As regulated by Temporary Signs in section XI.
3. Maximum Height: Forty-five (45) feet, except when an elevated sign is located within three-thousand (3,000) feet of the center of a federal aid interstate highway interchange in which case said elevated sign shall not exceed seventy (70) feet
4. Required Setback: No sign shall be placed closer to any lot line than five (5) feet, but shall not encroach into or be located within a corner visibility zone.
5. Projection: No sign shall project beyond the property line into a public way.

**B. "R1" and "R2" Residential Districts:**

1. Number of Signs Permitted: There shall not be more than one (1) sign per lot, except that on a corner lot two (2) signs, one (1) facing each street shall be permitted.
2. Maximum Gross Surface Area:
  - a. Church Identification Sign thirty-two (32) sq. ft.
  - b. Name Plate Sign four (4) sq. ft.
  - c. Temporary Sign As regulated by Temporary Signs in section XI.
3. Maximum Height: One (1) story or fifteen (15) feet above curb level, or if no curb, street level, whichever is lower.

4. Required Setback: Five (5) feet from all property lines, but shall not encroach into or be located within a corner visibility zone.
5. Projection: No sign shall project beyond the property line into the public way.

**C. "B" Business District:**

**1. Number of Signs Permitted:**

- a. All permitted functional sign types: One (1) per zoning lot and two (2) on a corner lot with one sign facing each street.
- b. Awning, canopy or marquee, and window signs: No limitations.
- c. Ground, monument, projecting, wall, and roof signs: One (1) per zoning lot.

**2. Maximum Gross Surface Area:** The gross surface area of all signs on a lot shall not exceed six times the lineal feet of street frontage of such lot, and on corner lots or through lots, each lot line abutting a street shall be considered a separate frontage; except as modified by Temporary Signs in Section XI.

**3. Maximum Height:** Forty-five (45) feet, except an elevated sign located within three-thousand (3,000) feet of the center of a federal aid interstate highway interchange shall not exceed seventy (70) feet.

**4. Required Setback:** A ground, monument, or portable display sign shall be located not less than five (5) feet from any lot line.

**5. Illumination:** Illuminated signs shall be permitted.

**6. Projection:** A business sign attached to a building wall shall not project therefrom more than six (6) feet and an advertising sign attached to a building wall shall not project therefrom more than eighteen (18) inches.

**D. "I" Industrial District:**

**1. Number of Signs Permitted:**

- a. All permitted functional sign types: One (1) per zoning lot and two (2) on a corner lot with one sign facing each street.
- b. Awning, canopy or marquee, and window signs: No limitations.
- c. Ground, monument, projecting, wall, and roof signs: One (1) per zoning lot.
- d. Elevated Signs: One (1) per business located on a platted lot which is no more than one-hundred (100) feet from the intersection of a federal aid highway right-of-way and a perpendicular local street.

**2. Maximum Gross Surface Area:** The total gross area in square feet of all signs on a lot shall not exceed 6 times the lineal feet of street frontage of such lot, except as modified by Temporary signs in Section XI.

**3. Maximum Height:** Forty-five (45) feet, except an elevated sign located within three-thousand (3,000) feet of the center of a federal aid interstate highway interchange shall not exceed seventy (70) feet.

**4. Required Setback:** No sign shall be placed closer to any lot line than 5 feet.

**5. Projection:** Projecting signs shall be affixed flat against the building walls and may project therefrom not more than eighteen (18) inches.

**6. Illumination:** Illuminated signs shall be permitted.

#### **XIV. PUBLIC PARTICIPATION**

Nothing in the Ordinance is meant to augment or diminish existing opportunities for public participation.

## **XV. REMEDIES**

- A.** The Owners' failure to materially comply with any of the above provisions shall constitute a default under this Ordinance, and shall cause them to be subject to fines set forth in Section 20, subsection B, of the Fulton County Zoning Ordinance.
  
- B.** Prior to implementation of the existing County procedures for the resolution of such default(s), the appropriate County body shall first attempt to notify the Applicant, Owner(s), and Operator(s), at the last known address, setting forth the alleged default(s). Such written notice shall provide the Applicant, Owner(s), and Operator(s) a reasonable time period, not to exceed sixty (60) days, for good faith negotiations to resolve the alleged default(s).
  
- C.** If the County Board determines that the parties cannot resolve the alleged default(s) within the good faith negotiation period, the existing County Ordinance provisions addressing the resolution of such default(s) shall govern, Sign permit(s) shall be revoked, and decommissioning shall be completed within six (6) months.

DRAFT

STATE OF ILLINOIS )  
 )  
COUNTY OF FULTON )

SS.

FULTON COUNTY BOARD  
MAY SESSION, A.D. 2010

ORDINANCE

WHEREAS, previously the Fulton County Board has adopted a Large Wind Ordinance; and,  
WHEREAS, it appears necessary to amend the aforesaid Large Wind Ordinance based upon the recommendation of zoning staff, the Fulton County Zoning Committee, and the Fulton County Zoning Board of Appeals and having had a public hearing on said amendment; and,

WHEREAS, it is the recommendation of the Zoning Committee that the Large Wind Ordinance be amended as set forth below.

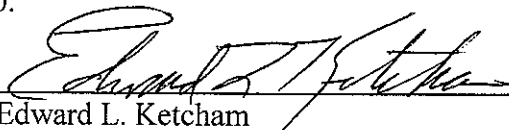
NOW, THEREFORE, BE IT ORDAINED, by the Fulton County Board as follows:

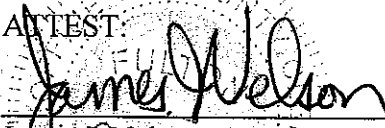
A. That Section 9.2 Large Wind Energy Systems, Subsection VIII Design and Installation, paragraph E Setbacks, item 1, be amended by deleting the crossed out language as follows:

1. All WECS towers shall be set back at least one-thousand (1000) feet or two (2) times the WESC height, whichever is greater, from any Inhabited Structure. The distance for the above setback shall be measured from the point of the Inhabited Structure foundation closest to the WECS Tower to the center of the WESC Tower foundation. ~~The owner of the Inhabited Structure may waive this setback requirement; but in no case shall a WESC Tower be located closer to an Inhabited Structure than one and one tenth (1.1) times the WESC height. (See VIII E % below)~~

B. That this Amendment shall be effective as of the date of its adoption, May 11, 2010.

ORDAINED this 11<sup>th</sup> day of May, A.D. 2010.

  
\_\_\_\_\_  
Edward L. Ketcham  
Chairman of the Fulton County Board

ATTEST:  
  
\_\_\_\_\_  
James I. Nelson  
Ex-Officio Clerk of the Fulton County Board

1036275

JAMES I. NELSON  
COUNTY CLERK & RECORDER  
FULTON COUNTY, IL

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