

Village of Morton Zoning & Code Enforcement Department

120 N. Main St., Morton, IL 61550

Phone: (309)266-5361 Fax: (309)266-5508 Email: bmarks@morton-il.gov

MURAL PROCEDURES FOR A VILLAGE SPONSORED MURAL PERMIT APPLICATION

(If the mural is being sponsored by a public body other than the Village of Morton, please proceed to page 2 and complete the Mural Permit Form)

The following steps must be taken before a mural permit will be issued by the Village of Morton:

1. Consultation or meeting with the Mayor to determine whether the Mayor desires the Village to move forward as the sponsor for the mural
2. If the Mayor approves, the mural proponent must complete the Village's mural permit application form and submit it to the Zoning and Code Enforcement Officer
3. Village Zoning and Code Enforcement Officer will provide the Village Attorney a copy of the mural permit application form
4. Village Attorney will prepare a license agreement. The license agreement is sent to the mural proponent for signatures
5. Once the license agreement is signed and returned to the Village Attorney, a resolution approving the license agreement will be prepared by the Village Attorney and placed on the agenda for approval by the Village Board of Trustees
6. Village Board of Trustees adopts the prepared resolution approving the license agreement
7. Village Zoning & Code Enforcement Officers issues a permit for the mural

Signature of Applicant: _____

Date: _____

By my signature, I acknowledge I have read the requirements listed above, have completed all pages of this permit application, and have provided any required additional documentation. I also acknowledge the proposed mural conforms to all guidelines as outlined in section 10-9-8 of the Morton Municipal Code.

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MURAL PERMIT FORM

MURAL SPONSOR: _____ (Individual paying to have mural installed)	Email: _____
Address: _____	Phone: _____

PROPERTY OWNER: _____ (Owner of building upon which mural is to be installed, list if different than sponsor)	Email: _____
Address: _____	Phone: _____

PROJECT INFORMATION

Mural Location Address: _____

PIN Number: _____

Zoning District: _____

Please also provide the following with the Mural Permit Application:

- Building elevation drawn to scale, and one (1) 8½" x 11" reduction suitable for photo copying, that identifies:
 - The façade on which the mural is proposed
 - The location of existing and proposed murals
 - The mural dimensions
 - The height of the mural above grade
 - The location and angle of direction for all lights for the mural

Signature of Applicant: _____

Date: _____

By my signature, I acknowledge I have read the requirements listed above, have completed all pages of this permit application, and have provided any required additional documentation. I also acknowledge the proposed mural conforms to all guidelines as outlined in section 10-9-8 of the Morton Municipal Code.

4. Spacing:

- (a) On all streets and highways within the jurisdiction of this Title, no advertising sign may be established within one thousand three hundred twenty feet (1320') of any other advertising sign, measured on the same side of the street.
 - (b) The minimum distance between structures shall be measured along the nearest edge of the pavement between points directly opposite the center of the signs along each side of the highway and shall apply only to structures located on the same side of the street or highway.
- (C) "For Sale" Or "For Rent" Signs Within I-1 And I-2 Districts: There shall be no more than one (1) sign per zoning lot, except that on a corner lot, one (1) sign shall be permitted on each street side. No sign area shall exceed sixty four (64) square feet nor shall any sign exceed seven feet (7') in height.
- (D) One (1) construction sign not exceeding thirty two (32) square feet is permitted for a time period no longer than necessary to complete the activity to which it refers. If the sign refers to more than one (1) activity, then the activity completed last shall apply with respect to the time the sign may exist. (Ord. 07-31, 9-4-07)

10-9-8: MURALS:

- (A) Definitions: Whenever the following words or terms are used in this section, they shall have the meanings herein subscribed to them unless the content makes such meaning repugnant thereto:

MURAL: The word "mural" shall mean a painting or graphic art or combination thereof applied to an exterior wall or applied to a substrate which is attached to an exterior wall, which is not used or intended to be used as an advertising device for any goods produced or sold, services rendered, or business conducted, and does not contain any brand name, product name, or abbreviation of the name of any product, company, profession or business, any logo, trademark, trade name or other commercial message, or any political or religious message or endorsement prohibited by the First Amendment.

GRAFFITI: The word "graffiti" shall mean unauthorized inscribing, spraying of paint, or making symbols using chalk, dye, ink, paint, spray paint or similar materials on public or private places, structures, or other surfaces.

PUBLIC BODY: The words "public body" shall mean any body politic and corporate, including but not limited to counties, townships, cities, villages, incorporated towns, school districts, and all other municipal corporations.

- (B) Permitted Murals: Public bodies shall be permitted to install and display murals which meet all of the requirements of this section. No murals shall be installed, displayed or owned by any individuals or entities other than public bodies.
- (C) Regulations on Permitted Murals: No mural shall be permitted except in compliance with the following requirements:
1. Murals may be installed in the B-1, B-2, B-3, I-1, and I-2 zoning districts. Murals shall not be permitted in the R-S, R-1, R-2, R-3, or R-4 zoning districts. Murals may not in any zoning district be applied or installed upon a building which is used exclusively for residential purposes.

2. Murals shall not be installed or displayed upon the exterior façade of any building except a building owned by a public body or a building owned by a private party but for which the public body has obtained a license agreement, lease, or other similar instrument which grants the public body the right to use the portion of the building upon which the mural is to be installed and displayed by the public body.
3. Murals shall only be permitted on the side or rear walls of buildings.
4. The lighting of murals shall be designed and installed in a method and manner which shall minimize the effects of the mural lighting on neighboring properties.
5. Graffiti shall not be considered a mural and shall not be permitted.
6. Murals shall not contain any material characterized as "obscene" as defined by Section 6-2-18 of the Village Code.
7. No part of the mural shall extend above the roof line.
8. A mural shall not extend more than 6 inches from the plane of the wall upon which it is installed or to be affixed.

(D) Content Selection: Public bodies who desire to install and display a mural pursuant to this Ordinance shall be responsible for taking all necessary steps, and making all necessary arrangements to commission, purchase, license or own the artistic content of the mural. Each public body which installs and displays a mural pursuant to this ordinance shall be responsible for the content of the art subject to the limitations contained in this section. Multiple public bodies may cooperate on a single mural project.

(E) Administrative Review Process: Art murals shall not be installed without first obtaining a permit from the Village of Morton Director of Planning and Zoning. If an application is denied by the Village of Morton Director of Planning and Zoning the applicant may appeal such denial to the Village Board. All applicants must submit the following information for any mural permit to be considered:

1. Building elevation drawn to scale, and one 8.5" x 11" reduction suitable for photo copying, that identifies:
 - (a) The façade on which the mural is proposed;
 - (b) The location of existing and proposed murals;
 - (c) The mural dimensions;
 - (d) The height of the mural above grade; and
 - (e) The location and angle of direction for all lights for the mural.
2. Written description of the type of mural (painted, mosaic, etc.) and details showing how the mural is affixed to the wall surface.
3. If a mural is to be constructed on a building other than one owned by the public body which is requesting the permit, the public body shall produce with the application for a mural permit such documents as may be necessary to evidence the license, lease, or other agreement in place between the public body and the private property owner which permits the public body to install a mural on the proposed façade.
4. No fee is required for approval of a mural.

5. A mural permit shall only be granted to public bodies. Private parties shall not be eligible to receive a mural permit.

(F) Expiration, Maintenance, and Alterations:

1. Expiration: If the mural is not completed within six months of issuance of a mural permit, the permit is void, and no further work on the mural may be done at the premises until a new permit has been secured.
2. Maintenance: Building owners are responsible for ensuring that a permitted mural is maintained in good condition and is repaired in the case of vandalism or accidental destruction. Muralists and building owners are encouraged to consider protective clear top coatings, cleanable surfaces, and/or other measures that will discourage vandalism or facilitate easier and cheaper repair of the mural if needed.
3. Alterations to the mural area may be allowed but must be approved by obtaining new permit through the process described in Section 10-9-8(D).
4. Grandfather Clause: Any displays constituting murals under this Section currently in existence at the time of approval of this ordinance shall be deemed to be allowed under this ordinance. Any material alterations, other than routine maintenance, to such a mural would be subject to the provisions herein.
(Ord. 19-03, 6-4-18)

10-9-9: **APPLICATION OF OTHER LAW:** The provisions of the Highway Advertising Control Act of 1971 as now in force or as may be amended from time to time shall apply where applicable notwithstanding any of the provisions of this Chapter.

10-9-10: **SEVERABILITY CLAUSE:** If any section, subsection, subparagraph, sentence, clause, or phrase of this Chapter or any part thereof, or application thereof to any person, firm, corporation, public agency, or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. It is hereby declared to be the legislative intent of the Board of Trustees that this Chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not then been included.

10-9-11: **VIOLATION AND PENALTY:** The provisions of Title 10, Chapter 10, Section 5 of the Morton Municipal Code shall apply to any violations of this Chapter. (Ord. 83-16, 9-6-83)