

(New Proposed Digital Billboard Sign Text Amendment)

Chapter 6 – Advertising, Article III – Business Signs and Outdoor Advertising Signs Sec. 6-74. Definitions

Digital Billboard: Any billboard which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes, fiber optics, or other similar technology. Digital billboards include computer programmable, microprocessor controlled electronic, or digital displays that display electronic images, graphics, or pictures, with or without textual information.

Chapter 6 – Advertising, Article III – Business Signs and Outdoor Advertising Sec. 6-78(b).

Sec. 6-78(b). Digital Billboard Outdoor Advertising Signs: permits required.

Digital Billboard Outdoor advertising signs may be erected in C-2 highway commercial and C-PL planned commercial zoning districts only.

- (1) Digital billboard outdoor advertising signs may be erected in C-2 highway commercial and C-PL planned commercial zoning districts only. The maximum area of any digital billboard outdoor advertising sign shall not exceed 300 square feet in sign area, and signs are not to include as part of the measurement the structural components of trim of said sign.
- (2) Setbacks shall be 25 feet from front property line; 15 feet side; 15 feet rear; to the leading edge of sign.
- (3) Maximum height shall be 30 feet and shall be supported by a single pole. The height of the sign shall be measured from the centerline of the roadway. The pole shall have an architectural brick façade at least 10 feet high. All signs shall be designed to withstand a minimum wind load as per the current IBC code and have an engineer's stamp on the drawing.
- (4) No digital billboard shall be located within linear 2,000 feet of another digital billboard. For the purpose of this subsection, the distance between digital billboards shall be measured as the distance between the points at which lines drawn perpendicular to the highway from the location of each billboard intersect with a line along the center of the highway.
- (5) No digital billboard shall be located within linear 300 feet of a single family residentially zoned property. Measurement shall be from the residential zoning district to the outermost portion of the billboard.
- (6) No digital outdoor advertising signs shall be located a minimum of 300 feet from any residentially zoned property that fronts the street to which the sign is permitted, except where the rear lot line abuts residentially zoned property.
- (7) No digital billboard shall be located closer than 50 feet from any street, road or highway pavement edge or curb line, nor within any public right-of-way.
- (8) The owner(s) of a digital billboard must reasonably coordinate with relevant public agencies for and the display of real-time emergency information such as Amber Alerts or natural disaster directions. Owners shall also reasonably accommodate public agencies for the display of public service information if space is available.
- (9) Digital billboard outdoor advertising signs are prohibited in the historic district.
- (10) Digital signs must comply with all lighting and safety standards mandated by federal, state, or local rules or statutes, including standards adopted or amended after the date of passage of these requirements. Lighting and safety standards include brightness; message duration; and proximity of the sign to other digital displays, ramps, and interchanges.
- (11) Sign orientation: Signs shall be oriented away from residentially zoned districts and toward nonresidential districts whenever possible.

- (12) Lighting: Signs shall not be erected or maintained unless effectively shielded so as to prevent beams or rays of direct or reflected light from being directed at any portion of the street or roadway. They shall not have such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.
- (13) The maximum brightness for digital billboard signs shall not exceed an illumination of 5,000 NITS (candelas per square meter) during daylight hours nor 1,000 NITS (candelas per square meter) during the period from sunset to sunrise, as measured from a sign face at maximum brightness.
- (14) Each digital billboard sign shall have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower one for the period of time from sunset to sunrise. Each sign must appropriately, automatically, and individually adjust display brightness to conform with applicable brightness specifications as ambient light levels change at each such sign location due to sunrise, sunset, prevailing weather conditions, or otherwise.
- (15) All digital billboards shall be programmed so that the image will change instantaneously as seen by the human eye, and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change.
- (16) Each digital billboard sign shall have a default mechanism to stop the sign in one static display position should a malfunction occur.
- (17) Enforcement: The building official is hereby authorized and directed to take such steps as may be necessary to abate and remove any sign declared to be in violation of this article.
- (18) Whenever a sign is found to be in violation of this article, in that there is no permit for said sign and the technical requirements of the article are not met, i.e. abandoned, damaged, the building official shall notify the owners of the property and such sign or his agent, by personal service or by certified mail, to commence removal or correct deficiency of the sign within 30 days of the date of said notice, with said correction or removal to be completed within 60 days of receipt of said notice. Failure of the building official to notify an owner, or his agent, of any sign that is in violation of the provisions of this article does not absolve the owner, or his agent from responsibility for correction or removal.
- (19) If after 60 days from the date of said notice, the sign has not been corrected or removed, then the building official shall have the authority to effect immediate removal of said sign with the cost of said removal being assessed against the owner, or his agent, of the property on which the sign is located, and no liability shall attach to the city, its officials or agents for said removal of such a public nuisance.

Existing Outdoor Advertising Signs in Ordinance

Sec. 6-78(a). - Outdoor advertising signs (billboards); permits required.

Outdoor advertising signs shall be allowed in (C-2) highway commercial and (C-PL) planned commercial districts only.

(1) Outdoor advertising signs may be erected in (C-2) highway commercial and (C-PL) districts only. The maximum area of any outdoor advertising sign shall not exceed 300 square feet in sign area, and signs are not to include as part of the measurement the structural components of trim of said sign. No sign in violation of the maximum square footage allowable shall be repaired or replaced if damaged or destroyed except that said repairs or replacement may be made to bring sign into conformity with the provisions of this article.

(2) Setbacks shall be 25 feet from front property line; 15 feet side; 15 feet rear; to the leading edge of sign.

(3) Maximum height shall be 30 feet and shall be supported by a single pole. All signs shall be designed to withstand a minimum wind load of 100 miles per hour and have an engineer's stamp on the drawing.

(4) All outdoor advertising signs permitted to be erected under this article shall not be erected after passage of the ordinance from which this article is derived unless the sign to be erected is spaced a minimum of 2,000 feet from a then-existing outdoor advertising sign on the same side of the road as measured along a line parallel to such road; this spacing does not exclude back-to-back, side-to-side or v-type sign structures, as such sign structures are considered one sign structure for spacing requirement.

(5) All illuminated outdoor advertising signs shall be so illuminated as to adhere to the customary practices of the industry in the state at the time of passage of the ordinance from which this article is derived, providing that no lighting device shall be used which in any way imitates any traffic control device, railroad sign or signal, or highway directional sign, or in any manner directs flashing lights to a residential zone.

(6) All outdoor advertising signs, whether permitted to remain as nonconforming sign structures or erected advertising sign structures under the terms of this article that are found to be abandoned, or are considered to be in such disrepair or are so poorly maintained as to produce a visual blight, shall be subject to removal without liability after providing notice to the sign owner, if known, and the landowner to so remove the sign within 90 days. Any sign which is declared to be an illegal sign, one that is erected or placed on location in violation of this article after said article is effective, shall be removed immediately, without liability for said removal.

