

..Number

150280

..Version

PROPOSED SUBSTITUTE B

..Reference

..Sponsor

ALD. WITKOWSKI

..Title

A substitute ordinance relating to the regulation of automatic changeable message signs.

..Sections

295-407-4-e cr

..Analysis

This ordinance establishes the following regulations for on-premise automatic changeable message signs:

1. Prohibits signs within 35 feet of most residential property (RO1 and RO2 are exempted).
2. Requires signs face away from residential properties.
3. Sets daytime and nighttime illumination limits of 465 and 28 lumens, respectively.
4. Prohibits spill light and glare lighting nuisances.
5. Prohibits interference with the clear visibility of traffic control signals.
6. Requires signs be equipped with automatic dimmer/shut-off and freeze display mechanisms in case of malfunction.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-407-4-e of the code is created to read:

295-407. SIGNS.

4. AUTOMATIC CHANGEABLE MESSAGE SIGNS.

e. In addition to the provisions of pars. a to c, on-premise electronic and tri-vision automatic changeable message signs shall conform to the following conditions:

e-1. The sign face of an automatic changeable message sign shall not be located within 35 feet of the property line of a property zoned residential other than RO1, RO2 or a planned development district zoned for residential use. A changeable message sign located on the property of an elementary or secondary school, college and religious assembly shall be exempt from this provision.

e-2. The vertical geometric plane of a sign's illuminated face shall be not more than 30 degrees from perpendicular to the property line of the nearest neighboring property zoned residential.

e-3. Daytime sign light output from 30 minutes before sunrise to 30 minutes after sundown shall be limited to 465 lumens. Nighttime sign light output from 30 minutes after sundown to 30 minutes before sunrise shall be limited to 28 lumens.

e-4. Any sign creating spill light or glare, as defined in s. 80-19, shall be declared a nuisance as provided in s. 80-19.

e-5. No sign shall interfere in any way with the clear visibility of any traffic control signal.

e-6. Every sign shall be equipped with an automatic dimmer/shut-off mechanism to automatically dim illumination or shut the sign off if illumination limits are exceeded. Every sign shall also be equipped with a mechanism to freeze the display, display a static image or shut off the sign in case of display malfunction.

LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

..Requestor

..Drafter

LRB 158737-2

Aaron Cadle

July 7, 2015