



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 6/20/2006      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 12/12/2006

**Effective date:**

**Title:** A substitute ordinance relating to automatic changeable message signs.

**Sponsors:** ALD. D'AMATO, ALD. ZIELINSKI, ALD. WITKOWSKI

**Indexes:** SIGNS

**Attachments:** 1. Fiscal Note.pdf, 2. Zoning Code Technical Committee letter, 3. Photo, 4. Legislative Reference Bureau Memo, 5. CPC Letter, 6. Map, 7. E-Mail from Leslie Silletti to Ald. D'AMato dated 8/24/06, 8. Document provided by Mr. Pomeroy, 9. Federal Distracted Driving Report provided by Mr. Bryson, 10. DCD Letter for Publication.PDF, 11. DCD Letter for Publication.PDF, 12. Notice Published on 9-15-06 and 9-22-06.PDF, 13. CPC Notice Published on 10-13-06 and 10-20-06.PDF, 14. Notice Published on 1-3-07.PDF

Date	Ver.	Action By	Action	Result	Tally
6/20/2006	0	COMMON COUNCIL	ASSIGNED TO		
6/22/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/22/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/15/2006	0	CITY CLERK	PUBLISHED		
9/29/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/2/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/2/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/13/2006	0	CITY CLERK	PUBLISHED		
10/30/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/30/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/30/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/31/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/8/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/20/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/20/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/20/2006	0	ZONING, NEIGHBORHOODS &	HEARING NOTICES SENT		

11/28/2006	0	DEVELOPMENT COMMITTEE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/29/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/29/2006	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/11/2006	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE			
12/11/2006	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE			
12/11/2006	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE			
12/12/2006	2	COMMON COUNCIL	AMENDED	Pass	8:7
12/12/2006	3	COMMON COUNCIL	PASSED	Pass	8:7
12/18/2006	3	MAYOR	SIGNED		
1/3/2007	3	CITY CLERK	PUBLISHED		

060300  
SUBSTITUTE 3

ALD. D'AMATO, ZIELINSKI AND WITKOWSKI

A substitute ordinance relating to automatic changeable message signs.

295-407-3-b rc

Currently, pursuant to zoning code provisions, automatic changeable message signs may not be changed more frequently than once every 60 seconds. Under this ordinance, off-premise signs which primarily face the freeway may be changed not more frequently than once every 30 seconds. This ordinance requires that all changeable message signs be steady in nature, not flashing or scrolling at any time.

This ordinance also establishes a study to assess the future applicability of a 6-second signage regulation for off-premise signs which do not primarily face the freeway. The study involves the off-premise sign at the southeast corner of Oakland and North Avenues, in the 3<sup>rd</sup> aldermanic district, and provides for the sign to change not more frequently than once every 6 seconds, and for a period not longer than 6 months following passage and publication of this ordinance. The study will provide the department of public works the necessary data to assess the impacts that changeable off-premise signs which do not primarily face the freeway have on public safety and welfare.

Whereas, In order to maintain the public safety and welfare in the city's physical environment, it is necessary to regulate on-premise and off-premise signs; and

Whereas, It is appropriate to revise signage regulations due to innovations in technology, and to differentiate regulations according to on-premise and off-premise signs; and

Whereas, Any change in signage regulations should be assessed according to community concerns, including brightness and traffic safety; and

Whereas, Upon passage of this ordinance, off-premise signs which primarily face the freeway may be changed not more frequently than once every 30 seconds;

Whereas, Due to changes in sign technology, it is necessary to assess the future applicability of a 6-second signage regulation for off-premise signs which do not primarily face the freeway, and community concerns, including brightness and traffic safety; and

Whereas, The authorization of a study conducted by the department of public works will provide the necessary data to assess the impacts that changeable off-premise signs which do not primarily face the freeway have on public safety and welfare; and

Whereas, An opportunity for a study involves the sign located on the southeast corner of Oakland and North Avenues, in the 3<sup>rd</sup> aldermanic district; now, therefore,

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

Part 1. Section 295-407-3-b of the code is repealed and recreated to read:

**295-407. Signs.**

**3.SPECIAL SIGN TYPES.**

b.Automatic Changeable Message Signs. b-1.Automatic changeable message signs shall be permitted provided messages, other than time or temperature displays, are not changed more frequently than once every 60 seconds, excepting off-premise signs which primarily face the freeway, which may be changed not more frequently than once every 30 seconds.

b-2.The display area of changeable message signs shall be included in the calculation of the total display area of the applicable sign type.

b-3.Illumination shall be steady in nature, not flashing or scrolling at any time.

Part 2. Notwithstanding the provisions of part 1, for purposes of assessing the impacts that changeable off-premise signs which do not primarily face the freeway have on public safety and welfare, the off-premise sign located on the southeast corner of Oakland and North Avenues may be changed not more frequently than once every 6 seconds; and the department of public works shall report in writing to the common council, prior to the end of the period specified in part 3, relating to the operation of this off-premise sign.

Part 3. Part 2 of this ordinance shall be null and void 6 months after passage and publication of this ordinance.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB06286-4  
LCS  
12/12/06