



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 1/20/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 3/24/2010

Effective date:

Title: An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

Sponsors: THE CHAIR

Indexes: SIGNS, ZONING

Attachments: 1. Zoning Meeting Letter 2-11-2010, 2. Notice Published on 2-19-10 and 2-26-10, 3. City Plan Commission Letter, 4. Fiscal Note, 5. Hearing Notice List, 6. Early Sign Letter, 7. Notice Published on 3-30-10

Date	Ver.	Action By	Action	Result	Tally
1/20/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/3/2010	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
2/19/2010	0	CITY CLERK	PUBLISHED		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/24/2010	0	COMMON COUNCIL	PASSED	Pass	14:0
3/26/2010	0	MAYOR	SIGNED		
3/30/2010	0	CITY CLERK	PUBLISHED		

091238
ORIGINAL
070548
THE CHAIR

An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

295-407-4-d am

On March 18, 2008, the Common Council passed Common Council File 070548, thereby revising that portion of the zoning code pertaining to automatic changeable message signs. Included in these revisions were conforming conditions for the operation of off-premise electronic and tri-vision automatic changeable message signs, specifically:

1. The signs may change as frequently as once every 8 seconds.
2. No sign shall be located within 400 feet of any residential district from which the sign is visible.
3. A minimum distance of 1,000 feet is required between any 2 signs which are visible to drivers facing the same direction.
4. Audio speakers and all forms of pyrotechnics are prohibited.
5. Nuisance light, and by definition certain levels of spill light, is prohibited.
6. A light standard of 5,000 NITs (candelas per square meter) during daylight hours and 500 NITs (candelas per square meter) from dusk to dawn shall be enforced.
7. A sign determined to cause interference with traffic signals or controls, create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device, or otherwise obstructs a motorist's line of sight with traffic signals or controls, shall be turned off.
8. A malfunctioning sign that causes a glare shall be considered an acute traffic hazard and shall be turned off.

A sunset clause was included whereby these zoning code provisions pertaining to off-premise electronic and tri-vision automatic changeable message signs shall become null and void on and after March 31, 2010. This date coincided with the expected completion of a federal highway administration study on the effect of commercial electronic variable message signs on driver behavior and the potential risks to traffic safety.

This ordinance extends the expiration date of these zoning code regulations relating to off-premise automatic changeable message signs to March 31, 2011. The aforementioned federal highway administration study is in the final stages of completion, and this extension will allow the department of public works necessary time to assess and recommend any revisions to the zoning code consistent with this report.

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

Part 1. Part 11 of Common Council File 070548, passed March 18, 2008, and effective April 5, 2008, is amended to read:

Part 11. Section 295-407-4-d of this ordinance, pertaining to off-premise automatic changeable message signs, shall be null and void on and after March 31, ~~[[2010]]~~>>2011<<.

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: _____

DPW - ISD - Traffic and Lighting Design

LRB10011-1

MST

1/11/10