



Legislation Details (With Text)

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File created: 6/2/2015 **In control:** COMMON COUNCIL

On agenda: **Final action:** 9/22/2015

Effective date:

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

Sponsors: ALD. WITKOWSKI

Indexes: ADVERTISING, OUTDOOR, SIGNS

Attachments: 1. Proposed Substitute B, 2. Proposed Substitute A, 3. Zoning Code Technical Committee Letter, 4. City Plan Commission Letter, 5. LRB Memo to Ald. Witkowski, 6. Notice Published on 6-25-15 and 7-2-15, 7. Notice Published on 7-31-15 and 8-7-15 for a CPC Meeting, 8. Hearing Notice List, 9. Notice Published on 10-8-15

Date	Ver.	Action By	Action	Result	Tally
6/2/2015	0	COMMON COUNCIL	ASSIGNED TO		
6/10/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/10/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/12/2015	1	CITY CLERK	DRAFT SUBMITTED		
6/15/2015	1	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
6/15/2015	1	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
6/26/2015	1	CITY CLERK	PUBLISHED		
7/13/2015	1	CITY PLAN COMMISSION	HELD IN COMMITTEE	Pass	5:0
7/31/2015	1	CITY CLERK	PUBLISHED		
8/17/2015	1	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
9/9/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/15/2015	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
9/15/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	4:0
9/22/2015	2	COMMON COUNCIL	PASSED	Pass	15:0
9/29/2015	2	MAYOR	SIGNED		
10/8/2015	2	CITY CLERK	PUBLISHED		

150280
SUBSTITUTE 2

ALD. WITKOWSKI

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

295-407-4-e cr

295-505-c-1 am

With respect to on-premise automatic changeable message signs, this ordinance:

1. Prohibits signs within 35 feet of most residential property (districts RO1 and RO2, schools and religious assemblies 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.
7. Repeals the code section that requires schools and religious assemblies to turn off message signs between 10 p.m. and 7 a.m.

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 illuminated message displayed on an automatic changeable message sign facing the property line of a residence in a planned development district or of a residence in a residential district other than R01 or R02 shall not be located within 35 feet of the property line. An automatic changeable message sign shall be considered facing a property line if the face of the sign is not more than 30 degrees from perpendicular to the property line. A changeable message sign located on the premises of an elementary or secondary school, college and religious assembly shall be exempt from the 35-foot setback provision, but is subject to all other provisions of this section.

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.

Part 2. Section 295-505-5-c-1 of the code is amended to read.

295-505. Design Standards.

5. SIGNS.

c. Elementary and Secondary Schools, Colleges and Religious Assembly.

c-1. Changeable Message Signs. Changeable message signs, both automatic and manual, shall be permitted~~[[provided that all internal illumination is turned off between the hours of 10 p.m. and 7 a.m.]].~~

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: _____

LRB 158737-2

Aaron Cadle

September 9, 2015