

BILL 10180A

ORDINANCE 10044

AN ORDINANCE AMENDING THE KIRKWOOD CODE OF ORDINANCES, CHAPTER 5, SECTIONS 5-9, 5-10 AND 5-14 PERTAINING TO ELECTRONIC CHANGEABLE MESSAGE SIGNS.

WHEREAS, staff has researched and reviewed various sources of information regarding electronic changeable message signs and presented recommendations to the City Council, and

WHEREAS, the City Council has determined that it is in the best interest of the citizens to regulate electronic changeable message signs.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. The Kirkwood Code of Ordinances, Chapter 5, Section 5-9 “Definitions” is hereby amended by adding the following:

Electronic changeable message sign means a sign whose alphabetic, graphic, or symbolic informational content or display, either whole or in part, composed of electrically illuminated or mechanically-driven changeable segments, may be changed or altered by means of electrical, electronic or computerized programming.

Illuminated sign means any sign which is brightened by light sources either mounted on or in the sign or at some other location.

SECTION 2 The Kirkwood Code of Ordinances, Chapter 5, Section 5-10 “Exemptions” (a) (1) is hereby amended by adding the following:

- (vii) are electronically changeable message signs provided such signs are in compliance with the regulations set forth herein.

SECTION 3 The Kirkwood Code of Ordinances, Chapter 5, Section 5-14 “General technical requirements”, (f) “Message permitted” is hereby amended by deleting (3) in its entirety and inserting the following in lieu thereof:

(3) Electronic changeable message signs are prohibited within the Downtown Kirkwood Historic District but are otherwise permitted subject to the following limitations:

- a. The maximum brightness of the sign shall be:

All electronic changeable message signs shall come equipped with automatic dimming technology which automatically adjusts the sign’s

brightness in direct correlation with natural ambient light conditions at all times.

No electronic changeable message signs shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a present distance depending on sign area.

Prior to the issuance of any permit, the owner shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the above brightness provisions.

- b. Electronic changeable message signs must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a measure to immediately discontinue the display if it malfunctions.
- c. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous with no special effects or the transition may provide a black screen for at least one second.
- d. Each line of copy and graphics in an electronic changeable message sign must be at least six inches in height.
- e. Electronic changeable message signs shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manor imitating movement, or any other means not providing constant illumination.
- f. Each message shall be illuminated for at least 10 seconds before transitioning to a new message, except for electronic changeable message signs within 250 feet of an interchange, an at-grade intersection not controlled by a stop sign or stop light, a signed curve, or a pedestrian walkway, then each message shall be illuminated for at least 30 seconds before transitioning to a new message.
- g. Electronic changeable message signs shall only be allowed on monument signs, and the electronic message area may occupy no more than 35 percent of the entire sign structure.
- h. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- i. Electronic changeable message signs must be constructed perpendicular with the road in all residentially zoned districts, whether single-family, multi-family, townhouse, or mixed use where residential housing is

permitted except for corner lots where the Electronic Changeable Message sign shall not be located within twenty-five (25) feet of the point of intersection of the curb or edge of two intersection streets and the placement of said sign can be arranged so that the sign can be read from the intersection. The electronic message in all residential zoned districts shall not be displayed between the hours of 10:00 p.m. and 6:00 a.m.

Digital Billboard Ban:

- a. No electronic changeable message sign shall be allowed on any billboard outdoor advertising structure in any district.

SECTION 4. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF NOVEMBER 2011.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading: October 20, 2011

2nd Reading: November 3, 2011