

ORDINANCE NO. 592
2nd SERIES

AN INTERIM ORDINANCE ESTABLISHING A 90-DAY STUDY PERIOD AND MORATORIUM ON THE INSTALLATION OF ELECTRONIC CHANGEABLE COPY, ELECTRONIC GRAPHIC DISPLAY, AND VIDEO DISPLAY SIGNS AND BILLBOARD SIGNS ON EXISTING PERMITTED SIGNS AND BILLBOARDS AND THE ISSUANCE OF PERMITS FOR ELECTRONIC CHANGEABLE COPY, ELECTRONIC GRAPHIC DISPLAY AND VIDEO DISPLAY SIGNS AND BILLBOARD SIGNS IN THE CITY OF ALEXANDRIA.

The City of Alexandria does hereby **ORDAIN**:

Section 1. Purpose and Intent. The purpose and intent of this Ordinance is to prohibit the installation of electronic changeable copy, electronic graphic display, and video display signs on existing permitted signs and billboards and the installation of new electronic changeable copy, electronic graphic display, and video display signs and billboards under a permit from the City. By this Ordinance, the City intends to exercise its authority under Minnesota Statutes 462.355, Subd. 4 by the creation of an interim ordinance which has the effect of creating a moratorium on the installation or permitting of electronic changeable copy, electronic graphic display, and video display signs and billboard signs as defined herein and in Section 10.24 of the Alexandria City Code.

Section 2. Definitions.

a. **Changeable Copy Sign, Electronic.** A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs do not include official or time and temperature signs. Electronic changeable copy signs include projected images or messages with these characteristics onto building or other objects.

b. **Electronic Graphic Display Sign.** A sign or portion thereof that displays electronic, static images, static graphics, or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, re-pixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic displays. Electronic graphic display signs include projected images or messages with these characteristics onto building or other objects.

c. **Video Display Sign.** A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto building or other objects

Section 3. Preliminary Findings. The City Council hereby makes the following preliminary findings to serve as the basis for the necessary study to be made during the moratorium. These preliminary findings serve as the reasons why it is in the public interest for the City to so declare a moratorium by virtue of this Ordinance:

- 1) The current regulations and controls of the City may not adequately address the unique needs and impact of electronic changeable copy, electronic graphic display, and video display signs and billboards. Electronic changeable copy, electronic graphic display, and video display sign and billboard requests need to be deferred while appropriate revisions to the zoning ordinance are considered.
- 2) The city has not recently thoroughly studied the impacts of electronic changeable copy, electronic graphic display, and video display signs and billboards in relationship to zoning and comprehensive planning. The public health and safety interest requires that the City study, analyze and evaluate the impacts of the signs and billboards in relationship to the type of uses that may be located near streets and highways, in relationship to issues of driver distraction, in relationship to the visual clutter which may be generated by their installation and in relationship to the zoning districts that are located nearby.
- 3) This moratorium will ensure that ordinance changes will not need to be rushed through and that all the issues can be completely examined.

Section 4. Moratorium. Until the City has completed a study related to the aforementioned findings, the City shall not accept or process applications, issue permits for, or allow the installation of electronic changeable copy, electronic graphic display, and video display signs on existing signs and billboards nor shall the City accept or process applications, issue permits for, or allow the installation of new electronic changeable copy, electronic graphic display, and video display signs and billboards as referenced in Section 1 of this ordinance. This study period will last no longer than 90 days from the effective date of this ordinance, unless extended by the City in accordance with Minnesota Statutes 462.355, Subd. 4

Section 5. Study. During the period of this moratorium, The City will conduct a study, such study to help determine the regulatory controls, which may need to be adopted or revised to protect the public's health, safety and welfare. This study may include appropriate locations for the signs defined herein and billboards as defined in Section 10.24 of the Alexandria City Code and the conditions under which they may be allowed within the City, including but not limited to: Possible elimination of the permitting and installation of electronic changeable copy, electronic graphic display and video display signs and billboards; review of the allowable sizes, message duration, changeable elements, and animation for electronic changeable copy, electronic graphic display, and video display signs and billboards, appropriate locations for electronic changeable copy electronic graphic display, and video display signs and billboards, etc. Study participants may include, but not be limited to, members of the public, firms engaged in the renting, installation or other provision or utilization of such signs, and elected and appointed officials.

Section 6. Exceptions. This interim ordinance shall not apply to (1) the lawful use of existing permitted signs and billboards which do not contain any electronic changeable copy, electronic graphic display or video display features; (2) the repair and/or maintenance of any existing legally permitted sign or billboard provided that such work does not enlarge, expand or add any electronic changeable copy, electronic or video display features to the sign or billboard; (3) work on a sign or billboard necessary to preserve health, safety, life, or property in the face of an emergency; (4) electronic changeable copy signs containing only time and temperature information (5) electronic changeable copy signs containing only information on automobile fuel pricing (6) sign work or installation that has received all necessary permits and approvals from the city prior to the effective date of the ordinance.

Section 7. Effective Date. This interim ordinance shall be in full force and effect from and after its passage and publication according to law.

ADOPTED by the City Council of the City of Alexandria, Minnesota, this 8th day of January, 2007, by the following vote:

YES: MCCOLLAR, CARLSON, WEISEL, BENSON, FRANK

NO: NONE

ABSENT: NONE

/S/ H. Dan Ness, Mayor

ATTEST: _____
/S/ Jim Taddei, City Administrator