

ORDINANCE NO. 07-2013

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," ARTICLE XIV, TITLED "SIGN REGULATIONS," TO ADD A NEW SECTION 14.21, TITLED "MOVING COPY (ELECTRONIC MESSAGE CENTER) SIGNS," FOR THE PURPOSE OF ESTABLISHING CRITERIA FOR OPERATION OF MOVING COPY (ELECTRONIC MESSAGE CENTER) SIGNS.

WHEREAS, the City of Oak Ridge desires to establish criteria for the operation of moving copy (electronic message center) signs in response to concerns expressed by the community; and

WHEREAS, the following changes have been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has approved the same; and

WHEREAS, the following changes are a result of a collaborative effort between city staff, the Commission, the Oak Ridge Chamber of Commerce, representatives from the sign industry, and citizens to examine current sign regulations in an effort to clarify regulations regarding moving copy (electronic message center) signs; and

WHEREAS, a public hearing thereon has been held as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XIV, titled "Sign Regulations," is hereby amended by adding a new Section 14.21, titled "Moving Copy (Electronic Message Center) Signs," which new section shall read as follows:

Section 14.21. Moving Copy (Electronic Message Center (EMC)) Signs.

Moving copy (electronic message center (EMC)) signs shall adhere to the following provisions and restrictions in addition to those stated in the sign requirements by zoning districts.

1. Length of Time for Display. Each message displayed in the foreground of an EMC sign shall be static (sign which includes no animation or effects simulating animation) and depicted for a minimum of five (5) seconds. Transition from one message to another shall be continuous without flashing, change in light intensity, animation or other type of movement between messages except that fade-ins/fade-outs of messages are permitted. The use of standard effects that are part of the EMC software capabilities, and are generally shown in the background of a message .i.e. leaves falling, snowflakes, clouds passing and other seasonal repetitive patterns and are not the primary EMC message but merely a design element intended to compliment the primary communication are permitted. This expressly prohibits full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC.
2. EMC Patterned Illusionary Movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive patterns designed to appear in some form of constant motion.
3. Surface Area. The EMC portion of the sign shall be an integrated part of the total sign surface area. The surface display area for the EMC shall not exceed forty percent (40%) of the overall allowable sign area for pole signs and fifty percent (50%) of the overall

allowable sign area for ground signs. For pole signs only, the EMC shall be located on the bottom portion of the overall sign.

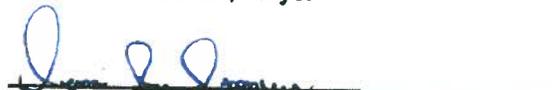
4. Location of EMC in Residential and Public Park Areas. Ground signs that include EMCs shall not be located within one hundred (100) feet of any residential uses, residential zoning districts, or public parks. Pole signs that include EMCs shall not be located within two hundred (200) feet of any residential uses, residential zoning districts, or public parks. This measurement shall be made from the sign structure to the nearest residential or public park property line.
5. Outdoor Athletic Fields. Outdoor athletic fields with permanent seating shall be allowed to have EMC signs provided that the display is: (a) used only during the sporting event and the activities related to the event on the day of the event, (b) EMCs are an integrated part of the scoreboard, and (c) the surface display area of the EMC shall not exceed more than fifty percent (50%) of the front face of the scoreboard.
6. Temporary EMC Signs for Recreational/Sporting Venues on Publicly Owned Spaces. For recreational and sporting venues within publicly owned spaces, EMC signs may be allowed on a temporary basis for the duration of the event provided the orientation of the display is towards the participants/spectators. Live video may be displayed on the temporary EMC signs for the duration of the event.
7. Light Intensity. No EMC copy sign shall interfere with the effectiveness of an official traffic control device as determined by the City Engineer. All such signs shall automatically dim via photo cell technology (sensory controlled), which shall adjust to ambient light conditions via gradient change. The brightness of such signs shall not exceed 10,000 nits (measured at white levels) during day light hours and not to exceed 750 nits at night. For the purpose of this subsection, night shall mean apparent sunset as determined by the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, for the specific geographic location and date. All applications shall include a letter from the sign manufacturer to verify the dimming capabilities and brightness of the sign. No sign permit shall be issued without certification of the manufacturer regarding brightness capability of the EMC sign. The owner of such sign is responsible for making any adjustments to the brightness of the sign following notice by the City of non-compliance with these requirements.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Thomas L. Beehan, Mayor


Diana R. Stanley, City Clerk

Public Hearing: 08/12/2013
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