

## ORDINANCE NO. 962

AN ORDINANCE AMENDING SECTION 25 G: GENERAL SIGN REGULATIONS AND SECTION 31: DEFINITIONS OF ORDINANCE 960 AND ALSO ORDINANCE 613 OF THE CITY OF WILLISTON, ALSO KNOWN AS THE ZONING ORDINANCE OF THE CITY OF WILLISTON, TO UPDATE THESE SECTIONS IN REGARD TO TECHNICAL REGULATIONS FOR DYNAMIC MESSAGING SIGNS AND A RELATED DEFINITION.

### **SECTION 25 G: GENERAL SIGN REGULATIONS**

4. Dynamic messaging
  - a. Only permanent signs may have dynamic messaging.
  - b. Individual messages shall be displayed in no more than three screens over a period of no longer than nine seconds. Screens shall take no longer than one second to change. Messages displaying time and/or temperature shall be displayed no longer than three seconds.
  - c. Prohibited display elements:
    - Animation not related to the message displayed.
    - Any flashing of all or any part of the screen.
    - Any spinning or similar motion of all or any part of the display.
  - d. The message shall not contain materials that may be confused as traffic control devices, simulate automobiles either outgoing or oncoming, or direct the driver to make any abrupt turning movements. Light emitted shall not obscure any traffic control device.
  - e. The brightness of the illumination shall be approximately adjusted as ambient light decreases by utilizing an ambient light sensor for automatic dimming.
  - f. Light emitted shall be a maximum of 0.3 footcandle above ambient light levels measured per industry standard procedure
  - g. All regulations for dynamic messaging signs shall be applicable to all signs that fit the definition, regardless of size, construction, or mounting.
  - h. Dynamic messaging signs within 150 feet of a residential zone that face the residential zone shall display a static message between the hours of 9:00 p.m. and 7:00 a.m.
  - i. No dynamic messaging signs shall be mounted perpendicular to the surface to which they are attached. These signs must be attached to a marquee sign or freestanding sign.
  - j. The area of the sign face of the dynamic messaging portion of any sign shall be counted towards the maximum allowable sign face square footage allowed under this ordinance.
  - k. Dynamic messaging sign are not permitted in the area designated as "Renaissance Zone" by the City Planning Department. Existing dynamic messaging signs in the Renaissance Zone will be considered non-conforming signs.


### **SECTION 31 DEFINITIONS:**

**ANIMATION:** For dynamic messaging signs, any depictions of people, animals, or objects in motion.

Commissioner Cymbaluk moved the adoption of the foregoing Ordinance. The motion was seconded by Commissioner Bogar. On roll call vote of the Commissioners, the following Commissioners voted AYE": Cymbaluk, Bogar, Bekkedahl, Klug and Koeser, and the following Commissioners voted NAY": None. Absent and not voting: None.

WHEREUPON, the motion was passed and the Ordinance declared adopted this 23<sup>rd</sup> day of April, 2013.

ATTEST:

  
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John Kautzman  
City Auditor

APPROVED:

  
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E. Ward Koeser  
President of Commission

FIRST READING:

April 9, 2013

SECOND READING:

April 23, 2013

PUBLISHED:

March 31, 2013 and April 7, 2013