

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI; BY AMENDING CHAPTER 415: SIGN REGULATIONS, ARTICLE I; SECTION 415.030.B DEFINITIONS, DELETING CERTAIN DEFINITIONS AND ADDING NEW; AND AMENDING SECTION 415.050 PROHIBITED SIGNS, DELETING AND ADDING NEW; AND ADDING NEW SECTION 415.130.G ELECTRONIC MESSAGING SIGNS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. Chapter 415: SIGN REGULATIONS, ARTICLE 1 is hereby amended by deleting certain definitions and adding new; amending Section 415.050 Prohibited Signs by deleting and adding new; and adding new SECTION 415.130.G ELECTRONIC MESSAGING SIGNS as follows:

SECTION 415.030:B. Definitions

DELETE the following Definitions:

Animated Signs:
Changing Signs (automatic)

ADD new definition:

Electronic Message Sign: Any sign, or portion of a sign, that displays an electronic image, which may or may not include text, where the rate of change is electronically programmed and can be modified by electronic processes. Electronic message signs include computer programmable, microprocessor, or controlled electronic displays and the images can be produced from LED technology, fiber optics, light bulbs, or other illumination devices within the display area. Electronic message signs do not include projected images or messages projected onto buildings or other objects. Electronic signs are permitted only by attachment to or placement as a ground sign.

SECTION 415.050 Prohibited Signs

DELETE:

1. **Animated Signs:** Any sign which includes action or motion. For purposes of this Chapter, this term does not refer to flashing or changing, all of which are separately defined.

11. Flashing Signs; however, not including digital time and temperature signs, involving only that information and no further or additional information of an advertising nature;
15. Automatic changing signs except time and temperature and date signs;

SECTION 415.050 PROHIBITED SIGNS

DELETE:

1. Animated signs;

ADD NEW:

1. A sign with flashing, blinking characters, scrolling text, or continuous movement.

SECTION 415.130: COMMERCIAL SIGNAGE-SIGNS PERMITTED IN COMMERCIAL ZONED 'C-1 AND 'C-2'

ADD NEW:

G. Electronic Messaging Signs

Electronic Messaging Signs are permitted only in the locations described in this section and only after site plan approval from the Plan and Zoning Commission. The City Council may request a hearing to review the Site Plan also.

1. Electronic messaging signs are permitted in the C-2 General Business and PD Planned Development Zoning Districts. They are prohibited in the C-1 Neighborhood Business and Residential Zones.

Exception: Within residentially zoned areas, electronic messaging signs may be used by elementary and secondary public and private schools; churches and other non-profit and governmental buildings provided the signs meet the following criteria:

- a. Must be setback 150 feet from a residential dwelling unit.

Note: The Commission may during site plan review make some adjustments to the setback requirements if there are practical difficulties.

- b. The signs must be programmed to provide only a static display from dusk to 10:00p.m. and shall be turned off between 10:00p.m. and 7:00a.m.

2. Electronic messaging signs shall abide by the size and placement requirements of sections 425.120:B; 415.130; 415.140 and 415.150 with the exception that electronic messaging signs shall not be allowed as attached signs or off premises advertising devices. Electronic messaging signs shall only be ground mounted signs. Further the maximum size of an electronic messaging sign shall be 50sf.
3. Duration of display
 - a. Animation is allowed, but limited to a duration of two seconds followed by a static display of at least eight seconds.
No flashing, blinking or scrolling text is permitted.

4. Intensity of light

The maximum luminance produced by the sign shall not exceed 0.3 foot candles greater than the ambient light level, except as further regulated under #1 above. The maximum luminance produced by the sign shall not exceed 0.3 foot candles greater than the ambient light level, except as further regulated under #1 above. The light level produced by the sign shall be measured at the property line nearest an adjacent dwelling; or for signs in a commercial zoning district the light level shall be measured at a point perpendicular from the sign at a distance from the sign equal to the size of the sign measured in square feet. Automatic dimming capability shall adjust the signs illumination to the ambient light at all times of the day or night. Automatic dimming capability shall adjust the signs illumination to the ambient light at all times of the day or night.

5. Default control

The sign shall be equipped to freeze the display in one position if a malfunction occurs. The sign must also be equipped with a means to immediately discontinue the display if it malfunctions and the sign owner must immediately stop the display when notified by the City that the sign is not complying with the standards of this chapter.

ALL OTHER PARTS REMAIN THE SAME.

SECTION 2. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

-PASSED and SIGNED this 4th day of June, 2012.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: May 7, 2012
Second reading: May 21, 2012 amended)
Second reading: June 4, 2012 (as amended)