

## Ordinance No. 27-D

### AN ORDINANCE AMENDING ORDINANCE NO. 27 CARLTON COUNTY ZONING ORDINANCE

The Board of Commissioners of Carlton County ordains as follows:

**SECTION I** Article 2 Section 2 “Definitions” is amended by adding the following:

- 51A. Electronic changeable copy sign. 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.
- 51B. Electronic graphic display sign. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without 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, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.
- 51C. Electronic messaging sign. An electronic changeable copy sign, an electronic graphic display sign, or video display sign.
- 57A. Flashing sign. A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling, or sparkling.
- 76A. Illuminated sign. Any sign which contains an element designed to emanate artificial light internally or externally.
- 138A. Shimmering sign. A sign which reflects an oscillating sometimes distorted visual image.
- 161A. 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 buildings or other objects.

**SECTION II** Article 5 Section 16 "Sign Regulations," Subd. A is amended in its entirety to read:

Subd. A. Purpose. This Section is designed to establish a comprehensive and balanced system of sign control that accommodates the need for a well-maintained, safe and attractive environment within the County, and the need for effective communications including business identification. It is the intent of this Section to promote the health, safety, general welfare, and aesthetics of the County by regulating signs that are intended to provide reasonable communication to the public to achieve the following specific purposes:

1. To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights-of-way.
2. To safeguard and enhance private investment and property values.
3. To control public nuisances.
4. To protect government investments in public buildings, streets, sidewalks, traffic control and utility devices, parks, and open spaces.
5. To preserve and improve the appearance of the County through adherence to reasonable aesthetic principles, in order to create an environment that is attractive to residents and to non-residents who come to live, visit, work, or trade.
6. To eliminate excessive and confusing sign displays.
7. To implement the County's Comprehensive Plan.
8. To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy.

**SECTION III** Article 5 Section 16 "Sign Regulations," Subd. J is amended in its entirety to read:

Subd. J. Lighting. Signs shall not be erected or maintained which contain, include, or are illuminated by any flashing light, electronic change in messages, electronic change in background colors, electronic change in light intensity, or electronic video display, except those giving highway public service information such as lane closures, road closures, and detours, those giving time, date, and temperature, and those as provided in subsection 3. below:

1. Signs shall not be erected or maintained which are not effectively shielded so as to prevent:
  - A. beams or rays of light from being directed at any portion of the traveled way of any roadway, or
  - B. beams of light of such intensity or brilliance as to cause glare or impair vision of the operator of any motor vehicle.
2. No sign shall be erected or maintained which shall be so placed or illuminated that it interferes with the effectiveness or obscures any official traffic sign, device, or signal, or any official sign such as described Subsection C.3., above.

3. Electronic messaging signs are subject to the following provisions and requirements:
  - A. The size and location of the sign shall be consistent with all other requirements of Article 5 Section 16.
  - B. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display shall not blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance, except when the electronic message or display is changed to another message or display, and as otherwise provided in Subdivision J.3.
  - C. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display for on-site advertising signs shall not change at intervals less than eight seconds, except that on-site advertising signs twenty (20) square feet or less in area and which are located on roadways posted 45 miles per hour or less speed limit shall be exempt from any intervals between changes in messages.
  - D. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display for off-site advertising signs shall not change at intervals less than eight seconds.
  - E. The maximum duration of the transition of the electronic image or message change shall be no more than two seconds.
  - F. All electronic messaging signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
  - G. Electronic messaging signs must not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.
  - H. Electronic messaging signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
  - I. Audio speakers are not allowed with any electronic messaging sign, except as provided in subsection K. below.
  - J. Any form of pyrotechnics is prohibited in association with an electronic messaging sign.
  - K. Permitted electronic messaging signs, not facing public roads or residential properties and used in drive-through restaurants, gasoline stations, and similar establishments serving motorists, shall be exempt from provisions A.-E. of this subsection provided the electronic messaging sign area does not exceed eight inches

in height or four feet in width or extend more than five feet above the ground. Audio speakers used in connection with signs permitted in this subsection shall not be audible beyond the property on which the sign is located.

**SECTION IV** Article 5 Section 16 "Sign Regulations," Subd. N is amended by adding:

10. Which includes or displays explosives, fireworks, or any other pyrotechnical devices.
11. Which includes flashing signs except as specifically permitted in Article 5 Section 16.
12. Which includes shimmering signs except as specifically permitted in Article 5 Section 16.
13. Which includes audio devices except as specifically permitted in Article 5 Section 16.
14. Which revolves, pivots, or otherwise moves from a normal stationary or fixed position except as specifically permitted in Article 5 Section 16.

**SECTION V** This Ordinance shall be in full force and effect after its passage and publication according to law.

Approved and adopted by the Board of Commissioners of Carlton County this 13th day of November, 2007.

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Gordon Aanerud, Board Chair

ATTEST:

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Paul G. Gassert, County Auditor

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