

ORDINANCE

An Ordinance Amending CHAPTER 11, SEC. 11.40, Subd. 12 of the City Code of the City of Virginia Entitled “Signs”

The City Council of the City of Virginia does ordain as follows:

Section 1.

That, pursuant to the provisions of CHAPTER 11, of the City Code, Subd. 12 shall be amended to read as follows:

SEC. 11.02. DEFINITIONS.

“Electronic Signs” – A sign, display or device that changes message copy on the sign by means of light emitting diodes (LED), fiber optics, light bulbs, Liquid Crystal Display, or other illumination devices with the display area.

SEC. 11.40 SUBD. 12. SIGNS.

A. Residential – R-1, R-2, R-3, R-4 and R-5

1. Type: Identification signs only.
2. Number: One per dwelling.
3. Size: One and one-half square feet for residential identification.
4. Height: Six feet above curb level.
5. Projection into set-back area: Any sign over one and one-half square feet shall be set back at least five feet from any property line.
6. Illumination: Lighting for illuminated signs must be indirect or diffused, but not flashing.
7. LED signs, LCD signs, and/or similar technologies are not allowed in residential district.

B. Business Districts – B-1, B-2, I-1, I-2 and MO

1. Type: Identification, business and outdoor advertising.
2. Number: Business Sign – One per principal entrance plus one for whole shopping center or highway business.
3. Size: 64 square feet.
4. Height: Signs shall not be higher from roof than seven feet to top of sign, and the highest point of any pedestal sign measured from the adjacent ground to the top of the sign shall not exceed twenty-five feet.
5. Projection: To be within three feet of street right-of-way.
6. Illumination: Signs permitted; illuminated and non-flashing.

7. Electronic Signs are allowed with the following standards:
- a. No scrolling messages allowed in the B-2 district adjacent to the Highway 53 Right-of-Way.
 - b. Only lettering portion of sign shall be animated.
 - c. Any image or message or portion thereof displayed on the sign shall have a minimum duration of fifteen seconds and shall be static display. Transition time must be no longer than two seconds; No black space is allowed in between message changes.
 - d. Electronic signs such as gas prices, time and temperature will not be restricted in time change but must follow all signage regulations set forth in this Chapter.
 - e. Any electronic signs will require the approval of the City Engineering Department.
 - f. No electronic “billboards” will be allowed in any district.
 - g. The maximum brightness of electronic signs shall not exceed 5,000 nits (candelas per square meter) during daylight hours, or of 500 nits (candelas per square meter) between dusk to dawn. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one half hour before sunset and one half hour after sunrise;
 - h. All approved electronic signs shall be made available for usage for Amber Alerts and other Emergency Community Notifications as deemed necessary by the Police Chief.
 - i. All graphics and lettering must meet public decency standards.
 - j. No electronic signs within 200’ of any railroad crossing.
 - k. Government entities are exempt from ordinance.
 - l. No portable electronic signs
 - m. Sign cannot project from building face more than eighteen inches (18’)
 - n. Electronic signs shall contain a default design that will freeze the design in one position if a malfunction occurs;
 - o. Audio speakers or any form of pyrotechnics are prohibited.

C. Performance Standards – All District

1. Any sign installed within 125 feet of a traffic signal shall be non-flashing and may not be of red, green or amber illumination. No sign may be erected that by reason of position, shape or color would interfere with the proper functioning of a traffic sign or signal.

2. Except for a temporary sign, all signs painted on buildings and fences shall be refurbished.

3. “For Rent” and “For Sale” signs may be placed in any front yard, in any District, provided such signs do not exceed 10 square feet in Residential Districts and 32 square feet in other Districts.

4. Signs advertising new home developments may be constructed in any District, providing such sign is not over 300 square feet, is at least 200 feet from any occupied home and is removed within two years.

5. Existing signs that do not comply with these performance standards shall be considered as non-conforming uses. All signs in the City shall be conforming when refurbished.

6. No sign shall overhang the public right-of-way, except traffic control signs.

7. The source of light for any illuminated sign shall not be directed into any street or property used or zoned for residential purposes.

8. There shall be no use of revolving beacons, zip flashers or similar device that would so distract automobile traffic as to constitute a safety hazard.

9. To provide reasonable flexibility in these regulations, the Building Inspector may, subject to the approval of the Commission, approve an application for a sign that exceeds the number, size or height, or signs permitted by these regulations where such exception would not be inconsistent with the intent of regulations.

10. Portable Signs. Any and all portable signs that may be permitted under the general sign provisions of this Chapter shall have a maximum size of 4' x 8' and must conform in use and location with any and all other provisions of this Chapter. A portable sign may be permitted and utilized by any eligible premises and/or occupant for a period not to exceed three (3) weeks total in any six (6) month period. Upon the user's commencement of the utilization of said portable sign, the user shall notify the City Engineering Department of how long the portable sign is to be utilized and when it will be removed. Except for these provisions, no portable signing may be utilized within any district within the City.”

Section 2.

This Ordinance becomes effective upon its passage and publication according to law.

Moved by _____, supported by _____, that the ordinance be adopted.

The President declared the Ordinance adopted.

Adopted: _____

Steve Peterson, Mayor

Attest: _____
Ronald Lackner
City Clerk/Finance Director