

STATE OF GEORGIA

COUNTY OF FULTON

First Reading: May 11, 2009
Second Reading: June 8, 2009

**ORDINANCE TO AMEND THE CITY OF ROSWELL SIGN ORDINANCE
REGARDING CHANGEABLE COPYBOARD AND CHANGEABLE ELECTRONIC
VARIABLE MESSAGE SIGNS WITHIN THE CITY OF ROSWELL**

WHEREAS, the Mayor and Council of the City of Roswell, based on studies by Jerry Weitz, Ph.D., find that the health, safety, and welfare of citizens, as well as aesthetic values, and property values are directly impacted by the number, location and size of signs in the City of Roswell; and

WHEREAS, the Mayor and Council find that signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the public health, safety and welfare to preserve the integrity of the City's Sign Ordinance; and

WHEREAS, the Mayor and Council, due to new technological advances, find that the City's existing sign ordinance prohibits animation and flashing signs but does not directly address digital or light emitting diode (LED) signage in regards to intensity of illumination, timing of message displays or transition time from message to message, or other characteristics of such signs; and

WHEREAS, the Mayor and Council have determined that serious safety questions have been raised by the Federal Highway Administration (FHWA), National Highway Traffic Safety Administration (NHTSA), and others with respect to changeable electronic variable message signs:

NOW, THEREFORE, pursuant to their authority, the Mayor and Council adopt the following ordinance:

1.

Article 22, of the *City of Roswell Zoning Ordinance, Signs*, Section 22.1 *Definition*, is amended by adding new definitions to read as follows:

Changeable Copy Board sign: A sign on which copy or sign panels may be changed, such as boards with changeable letters or changeable pictorial panels.

Changeable Electronic Variable Message sign: A programmable sign that provides changing information.

Changing Sign: A sign that electronically or electrically controls the display of time, temperature and date.

2.

Article 22 of the *City of Roswell Zoning Ordinance, Signs, Section 22.18 (c) Maximum Heights, Maximum Sizes, Setbacks Requirements, and Number Allowances shall be amended by to read as follows:*

(c) Ground sign allowed under table 22.18(2) shall have a sign structure, which consists of the base and sign face, restricted to a base of no more than thirty (30) percent and sign face of no more than seventy (70) percent within the twelve (12) feet height limit. This regulation shall not apply to templates 25, 26, 27 and 28 as allowed under table 22.18(2) and detailed under table 22.18(8).

Changeable Copyboard Signs: Entities holding regularly scheduled performances or meetings attended by 50 or more persons, exclusive of employees, shall be allowed to use an otherwise permitted ground sign to contain 65% changeable copy of the allowable ground sign area.

Ground signs permitted with the use of a convenience store with fuel pumps shall be allowed to have changeable copyboard as provided for by the laws and regulations of the State of Georgia.

Any ground sign permitted under this Section shall be allowed a portion of the sign area to include a changing sign defined as follows: A sign that benefits the public by electronically or electrically controlling the display of the current time, temperature and date.

3.

Article 22, of the *City of Roswell Zoning Ordinance, Signs, Section 22.11 (a) Prohibited Signs; Ground Signs on Double Frontage Lots, is amended to add Section 22.11(a) (21), 22.11(a) (22) and 22.11(a) (23) to read as follows:*

(21) Changeable Electronic Variable Message sign used for purposes other than traffic management or display of time, temperature and date.

(22) Changeable Copy Board sign except as allowed in Section 22.18(c).

(23) Light Emitting Diode (LED)'s signs except as allowed in Section 22.16 (e).

4.

Article 22, of the *City of Roswell Zoning Ordinance, Signs, Section 22.16 Illumination, is amended by adding Section 22.16 (e) and Section 22.16 (f) to read as follows:*

(e) Light Emitting Diode (LED)'s shall be allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

(f) Light Emitting Diode (LED) signs shall be equipped with an automatic operational night dimming device which shall lower the intensity of the illumination of the sign at night.

5.

This Ordinance is enacted pursuant to the authority granted to municipal governing authorities in Chapter 35 of Title 36 of the O.C.G.A., known as the *Municipal Home Rule Act of 1965*.

6.

All ordinances, parts of ordinances and regulations in conflict here are repealed as of the effective date of this Ordinance.

7.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of the attached text shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of such text may be renumbered to accomplish such intention.

8.

This Ordinance shall take effect and be in force from and after the date of its adoption on June 8, 2009, the public welfare demanding it.

Attest:

Sue H. Creel

Sue H. Creel, City Clerk
(Seal)

Jerry Orlans
Councilmember Jerry Orlans

Kent Igleheart
Councilmember Kent Igleheart

David C. Tolleson
Councilmember David Tolleson

Jere Wood
Jere Wood, Mayor

Rebecca Wynn
Councilmember Rebecca Wynn

Richard Dippolito
Councilmember Richard Dippolito

Lori Henry
Councilmember Lori Henry

