

EM SUBMISSION NO.: 2013EM070

PRESENTED: 5/14/13

ADOPTED: 5/15/13

**RESOLUTION TO EXTEND FOR 180 DAYS TEMPORARY MORATORIUM ON
CONSTRUCTION, SUBSTITUTION, PLACEMENT OR INSTALLATION OF ANY
DYNAMIC DISPLAY SIGN WITHIN THE CITY OF FLINT**

BY THE EMERGENCY MANAGER:

Resolution No. 2012EFM128, approved and adopted by the Emergency Financial Manager on November 2, 2012, is due to expire May 14, 2013. That resolution authorized the appropriate City Officials to enact and enforce a temporary moratorium of an additional one hundred eighty (180) days on the construction, substitution, placement, or installation of any dynamic display signage within the City of Flint, so as to afford additional opportunity to review this matter and, to the extent needed, to adopt appropriate regulations to protect the public health, safety and welfare; and

Several communities in Michigan including Flint have received recent requests to erect new or convert existing signs to new dynamic display signs; and

Unless reasonably regulated, such dynamic display signs may create potential adverse effects including visual blight, light pollution, and unsafe driving conditions; and

The current City zoning regulations regarding signage were mostly written in the 1970s before the incorporation of new digital, electric, and animated formats and much brighter LED lighting; and

The current City zoning regulations did not anticipate the use of these dynamic digital displays particularly along highways and local streets, but did prohibit earlier electric and animated signage with flashing lights, moving parts, or other devices used to depict motion within 600 feet of the right-of-way of any freeway; and

Since that time, the City of Flint has worked with the Planning Commission, community members, and city staff to develop regulations specifically applicable to the construction, substitution, placement, or installation of any dynamic display signage based upon similar regulations in neighboring jurisdictions and on October 23, 2012, the Planning Commission after conducting a Public Hearing recommended approval of these regulations; and

Additional time is required to complete the adoption process to ensure that dynamic digital displays are properly regulated so that signage that could potentially have an adverse impact on the public health, safety and welfare are not constructed, substitute, placed, or installed.

IT IS RESOLVED, that the appropriated City Officials are hereby authorized to enact and enforce a temporary moratorium of an additional one hundred eighty (180) days on the construction, substitution, placement, or installation of any dynamic display signage within the City of Flint, so as to afford additional time to enact appropriate regulations to protect the public health, safety, and welfare.

Section 1: Definitions.

For purposes of this ordinance moratorium, the following definitions shall apply:

- (a) Dynamic Display Sign (or Signage). A type of sign that has or appears to have movement or that appears to change caused by a method other than physically removing and replacing the sign or its components. A dynamic display sign oftentimes incorporates a technology allowing the sign face to change the image without the necessity of physically or mechanically replacing the sign face or its components. A dynamic display sign may include any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, or any other method that allows the sign face to present different images or displays.
- (b) Reader Board Sign means one of the following:
 - (1) *Manual*. A sign on which a copy is changed manually, periodically.
 - (2) *Automatic*. An electrically controlled sign, where different copy changes are shown on the same unexposed lamp bank or scrolling portion of the face of the sign, used as a message center reader board.

Section 2: Exemptions.

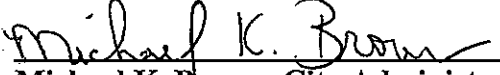
- (a) The moratorium shall not apply to repair of existing dynamic display signs as defined above.
- (b) The moratorium shall not apply to signs that do not require a building permit.
- (c) The moratorium shall not apply to Temporary Signs as described in Section 50-142.7 of the City of Flint Zoning Ordinance.
- (d) The moratorium shall not apply to signage that has been reviewed and approved by the Planning Commission pursuant to the Site Plan Review procedures described in Section 50-8.3 of the City of Flint Zoning Ordinance.
- (e) The moratorium shall not apply to one reader board sign per site if the reader board sign does exceed 32 square feet and does not interfere with traffic safety. In addition the following conditions shall apply: Reader boards may be double-faced and operate by electrical or mechanical means. Reader boards must not involve motion or rotation of any part of the structure, running animation or displays, or flashing or moving lights. Each sign may have static messages or images that

change if the rate of change between two static messages or images does not exceed more than one change per six seconds, each change is complete in one second or less, and the sign possesses and utilizes automatic dimming capabilities so that the maximum luminescence level is not more than 0.3 foot-candles over ambient light levels measured at a distance of 150 feet.

APPROVED AS TO FORM:



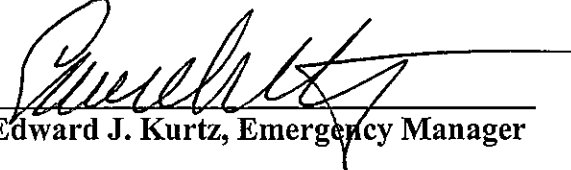
Peter M. Bade, City Attorney



Michael K. Brown, City Administrator

EM DISPOSITION:

ENACT _____ FAIL _____



Edward J. Kurtz, Emergency Manager

DATED: 5/15/13