


ORDINANCE NO. 135-201


20131030000429340 1/2 \$17.00
Shelby Cnty Judge of Probate, AL
10/30/2013 02:12:41 PM FILED/CERT

AN ORDINANCE TO AMEND APPENDIX "A", ARTICLE XXII, SECTION 12 (d), THE CODE OF ORDINANCES OF THE CITY OF PELHAM, DESIGNATED AS THE SIGN ORDINANCE – OFF-PREMISE ADVERTISING SIGNS

WHEREAS, the City of Pelham has determined that it is in the best interest of the City to amend Appendix "A", Article XXII, Section 12 (d) of the Code of Ordinances, City of Pelham, Alabama, which is contained within and is a part of Ordinance No. 135-182, as herein provided, and further to amend said Ordinance by adding Section 31 thereto as hereinafter set out:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA, THAT Section 12 (d) of the SIGN ORDINANCE AS IT PERTAINS TO OFF-PREMISE ADVERTISING SIGNS SHALL BE AND IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 12 (d) Digital, Rotoboard and Variable/Changeable Electronic LED signs may display multiple messages, provided the sign is static display and does not have more than two sign faces for each direction the sign is facing. "Tri-vision" and LED display panels are also allowed on existing signs provided the static display time for each message is at least 8 seconds, and the time to change from one message to another is no greater than 2 seconds.

Signs shall not be erected and maintained which contain, include or are illuminated by any flashing, intermittent or moving lights, except those giving public service information such as, but limited to, time, date, temperature, weather or news.

Signs shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of traveled way of any interstate or primary highway and are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.

Signs shall not be erected or maintained which shall be so illuminated that they obscure or interfere with any official traffic signs, device or signal. Signs must contain static messages without movement such as animation, flashing, scrolling, or intermittent or full-motion video.

Spacing between Digital, Rotoboard and Variable/Changeable Electronic LED signs shall not be less than the minimum spacing requirements for signs under the FSA, or greater if determined appropriate to ensure the safety of the motoring public. Signs will be located where allowed for signs under the FSA except such locations where determined inappropriate to ensure safety of the motoring public.

To ensure driver safety, signs must include a default designed to freeze a display in one still position if a malfunction occurs. Signs must have a process for modifying displays and lighting levels where directed by the Department to assure safety of the motoring public.

BE IT FURTHER ORDAINED by the City Council of the City of Pelham, Alabama that said Sign Ordinance is further amended by adding thereto the following as Section 31:

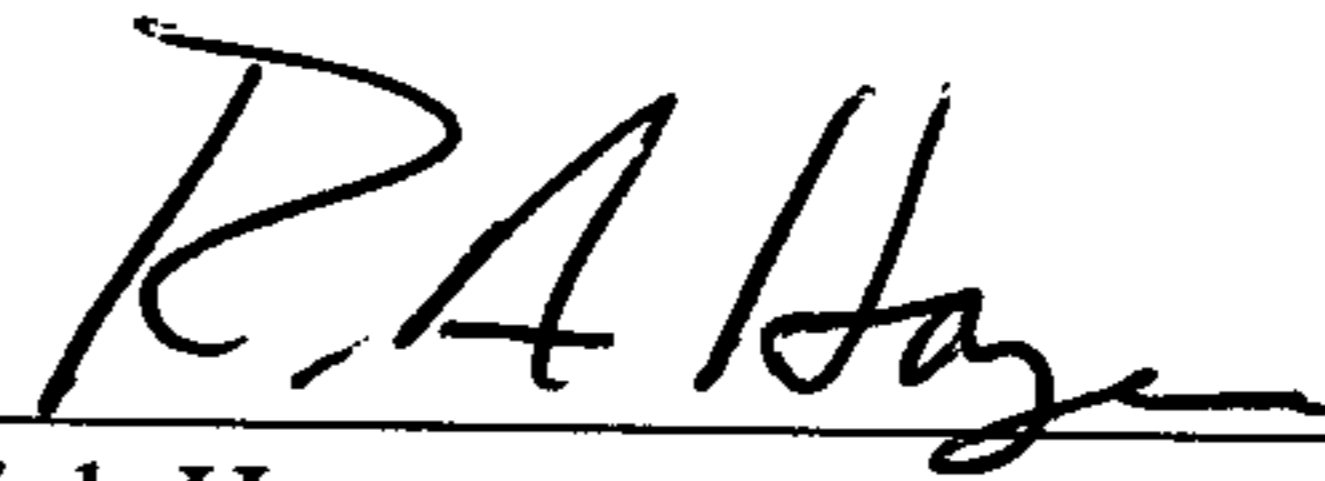
SECTION 31. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

THEREUPON Karyl Rice, a member moved and Maurice Mercer, a member seconded the motion that Ordinance No. 135-201 be given vote. The roll call vote on said motion was as follows:

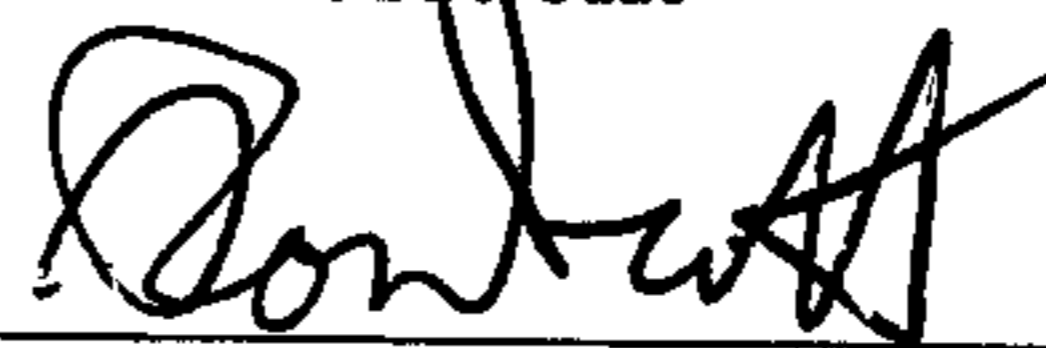
| | |
|----------------------------------|------------|
| Rick Hayes Council President | <u>Yea</u> |
| Ron Scott Council Member | <u>Yea</u> |
| Beth McMillan Council Member | <u>Yea</u> |
| Maurice Mercer Council Member | <u>Yea</u> |
| Karyl Rice Council Member | <u>Yea</u> |

Ordinance No. 135-201 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 21st day of October 2013.




Rick Hayes
Council President



Ron Scott
Council Member



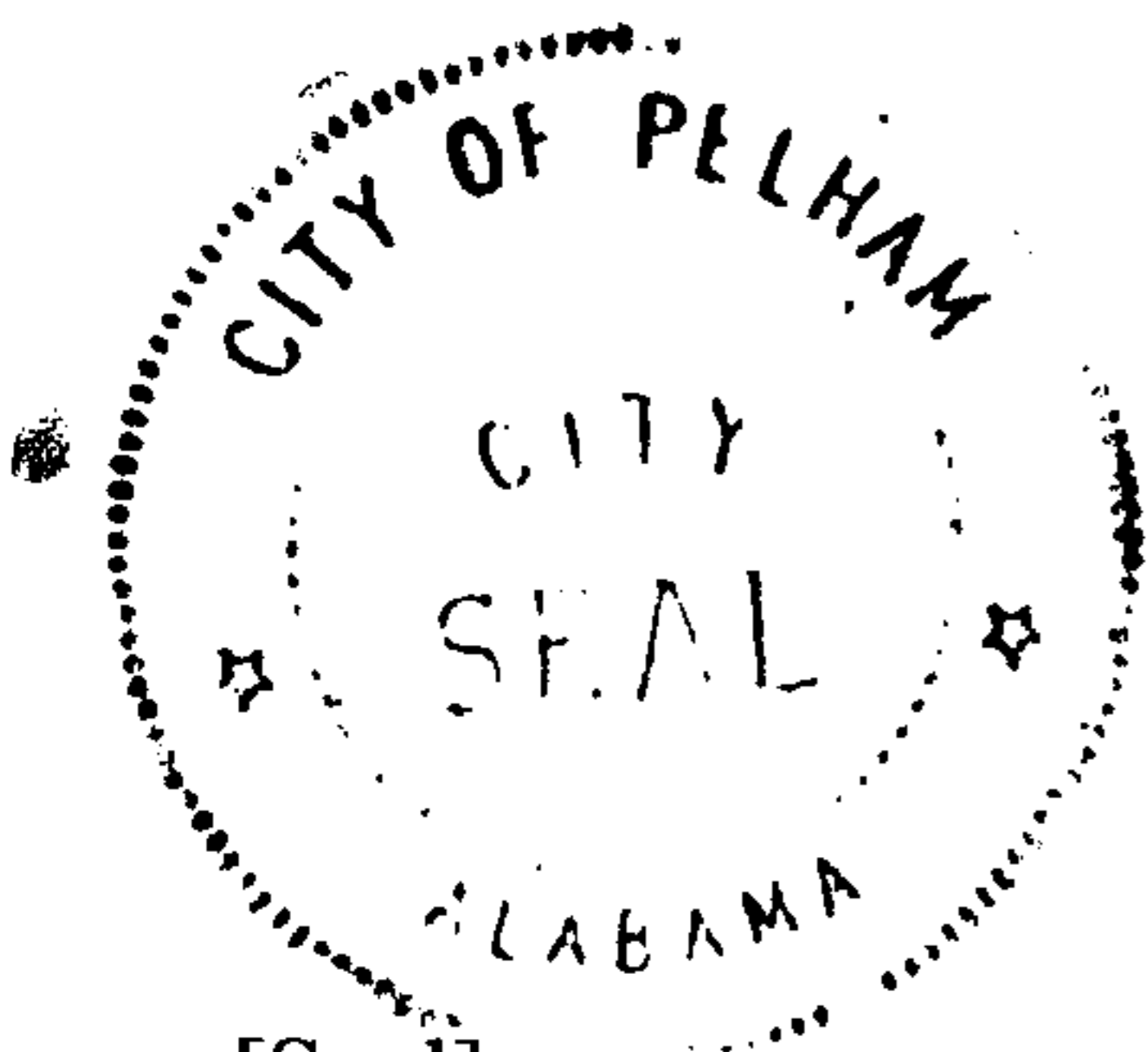
Beth McMillan
Council Member



Maurice Mercer
Council Member

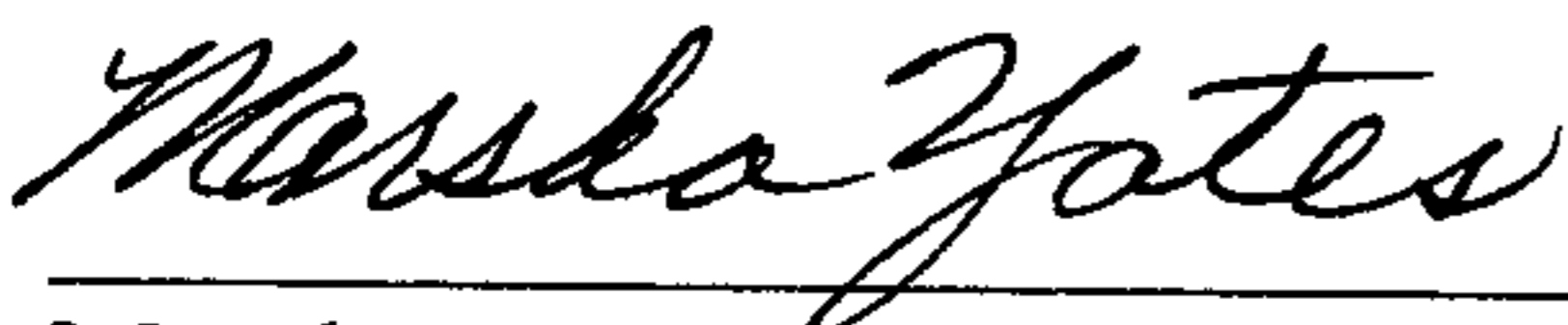


Karyl Rice
Council Member



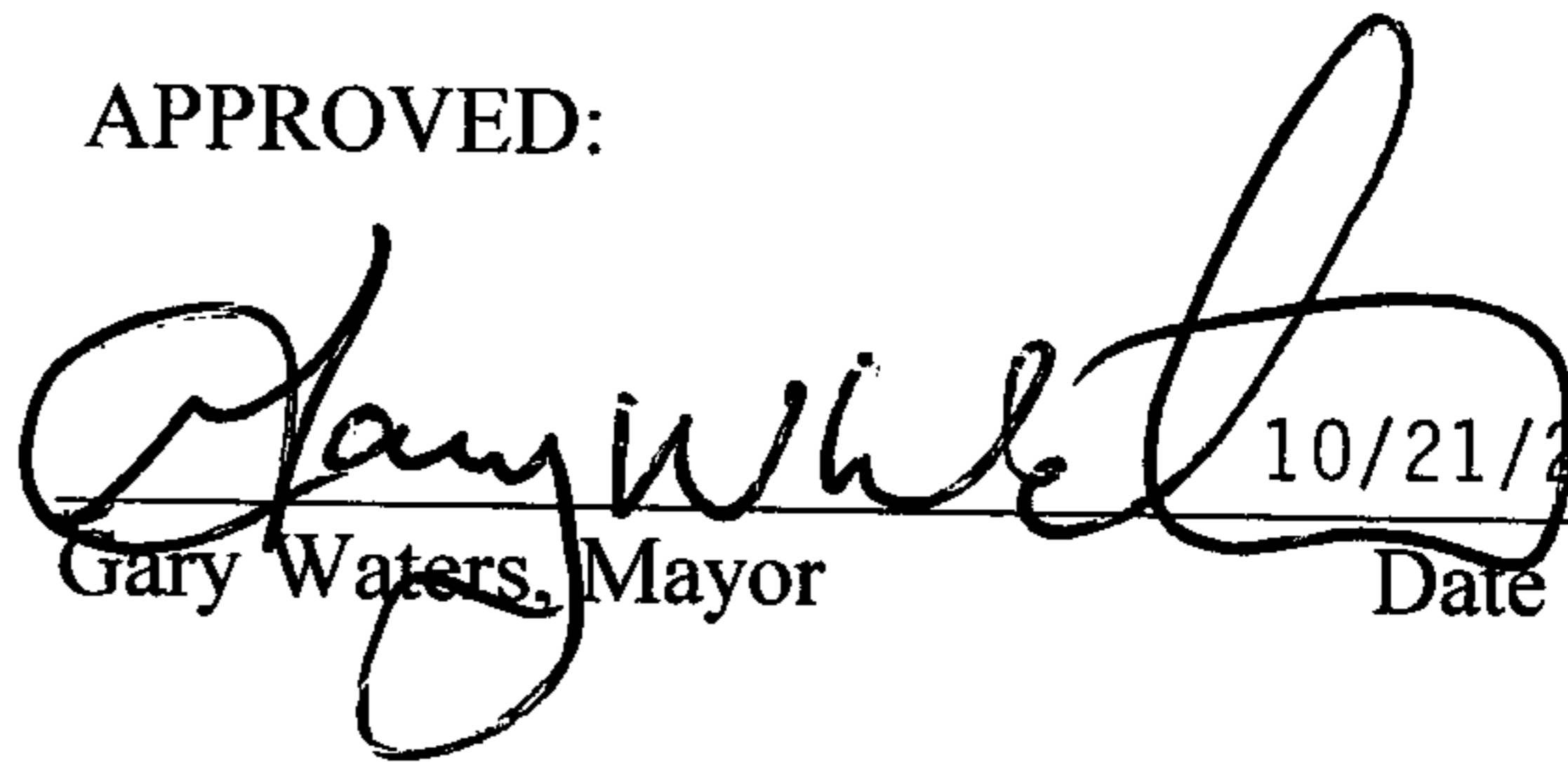
[Seal]

ATTEST



Marsha Yates, CMC, City Clerk

APPROVED:



Gary Waters, Mayor

10/21/2013
Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 135-201 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 21st day of October 2013 and duly published by posting an exact copy thereof on the 22nd day of October 2013 at four public places within the City of Pelham, Alabama, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamonline.com. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



[Seal]


Marsha Yates, CMC, City Clerk

