

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 188

A MORATORIUM RELATED TO CONSTRUCTING NEW OR MODIFYING EXISTING
ELECTRONIC CHANGEABLE COPY SIGNS, ELECTRONIC GRAPHIC DISPLAY SIGNS,
VIDEO DISPLAY SIGNS, FLASHING SIGNS,
MULTI-VISION SIGNS, AND ROTATING SIGNS

The Lake Elmo City Council Ordains:

.010 Recitals.

- A. The City of Lake Elmo ("City") is in the process of reviewing its regulations regarding the construction of new or the modification of existing electronic changeable copy signs, electronic graphic display signs, video display signs, flashing signs, multi-vision signs, and rotating signs of all sizes.
- B. As used herein, "Sign" means any name, identification, description, display, logo, illustration or device which is affixed to, painted, electronically displayed, or represented directly or indirectly upon a building, pole, or other surface or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.
- C. As used herein, "electronic changeable copy sign" shall be defined as 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. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.
- D. As used herein, an "electronic graphic display sign" shall be defined as a sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text 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, billboards, or other objects.

- E. As used herein, a "video sign" shall be defined as 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.
- F. As used herein, a "flashing sign" shall be defined as 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 burst 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.
- G. As used herein, a "multi-vision sign" shall be defined as any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.
- H. As used herein, a "rotating sign" shall be defined as a sign or a portion of a sign which moves in a rotating, oscillating, or similar manner.
- I. The existing Sign Code regarding electronic changeable copy signs, electronic graphic display signs, video display signs, flashing signs, multi-vision signs, and rotating signs is incompatible with City goals and may allow undesirable sign types and sizes.

J. The City anticipates that there will be additional submittals for constructing new or modifying existing electronic changeable copy signs, electronic graphic display signs, video display signs, flashing signs, multi-vision signs, and rotating signs in the City.

K. In order to permit the City Council to review and evaluate changes to the City's current sign regulations and to preserve the integrity of the planning process, the Lake Elmo City Council hereby determines that a sign moratorium for constructing new or modifying existing electronic changeable copy signs, electronic graphic display signs, video display signs, flashing signs, multi-vision signs, and rotating signs is necessary.

_____.020Duration of Moratorium. The sign moratorium will commence on the effective date of this ordinance and will continue for one year thereafter unless otherwise terminated or extended by action of the City Council.

_____.030Enforcement. The City may enforce any provision of this ordinance by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction.

_____.040Separability. Every section, provision, or part of this ordinance is declared separable from every other section, provision or part of this ordinance. If any section, provision, or part of this ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

Effective Date. This Ordinance shall be effective the day following its publication or on the day following the publication of an Ordinance Summary approved by the Lake Elmo City Council.

Adoption Date. Passed by the Lake Elmo City Council on this 6th day of February, 2007.


DEAN JOHNSTON, Mayor

ATTEST:


Thomas Bouthilet, Interim City Administrator