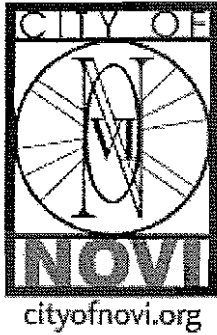


MEMORANDUM



TO: Members of the Planning Commission
FROM: Barbara ^{Baith} McBeth, AICP, Community Development
SUBJECT: Text Amendment 09-100.39 for Sign Ordinance
DATE: November 12, 2009

The attached strike-through version of the Sign Ordinance provides amendments recommended by staff, the City Attorney's office and the City Council's Ordinance Review Committee. The attached letter from the City Manager's office indicates the ordinance modifications relate to changeable copy signs.

As stated in the attached memo from the City Manager's office, the changeable copy section of the sign ordinance was previously considered for modification in the Spring of 2008. The City Council asked the Council's Ordinance Review Committee to evaluate the recommendations made for the allowable frequency of the message change, which was once per minute. The Ordinance Review Committee confirmed the one minute rotation was suitable, and recommended that ordinance standard to the City Council. City Council agreed with the Committee's recommendation and adopted the Sign Ordinance on May 12, 2008.

Following the installation of the city's LED message board on Ten Mile Road, the city received numerous positive comments about its use as a citizen communication tool. A suggestion was forwarded from the city's Communication Director, Sheryl Walsh, to increase the frequency of rotation from once per minute to once every 15 seconds. No other changes are proposed to this section (no moving or flashing graphics, no animation, etc.). The attached memo goes on to say that staff does not think the revision would compromise the safety or aesthetic considerations behind the ordinance provision as a whole.

The language has been prepared by the City Attorney's office and has been reviewed by the Community Development Department staff. The Planning Commission is asked to hold a public hearing on November 18, 2009 and forward a recommendation to the City Council regarding this amendment at that time.

If there are any questions about this text amendment, please contact the Community Development Department.

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 09-_____

AN ORDINANCE TO AMEND CHAPTER 28, "SIGNS," OF THE CITY OF NOVI CODE TO INCREASE THE FREQUENCY THAT THE TEXT OR MESSAGE ON A CHANGEABLE COPY SIGN CAN CHANGE.

THE CITY OF NOVI ORDAINS:

PART I

That Chapter 28, "Signs," Section 28-1, "Definitions," shall be amended to change the definition of "Changeable copy sign" to read as follows:

(5) *Changeable copy sign* means a sign designed so the copy can be changed either manually or electronically, while the surface of the sign remains unchanged. The images and messages displayed electronically on the sign must be static, and the transition from one static display to another must be instantaneous without any special effects. A sign on which the message changes more than ~~one time per minute (60 times per hour)~~ four times per minute (once every 15 seconds) shall be considered an animated sign.

PART II

Savings Clause. That the amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART III

Severability. That should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART IV

Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V

Effective Date: Publication. That the provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

CERTIFICATION

It is hereby certified that the foregoing Ordinance was adopted by the Novi City Council, Oakland County, Michigan, at a meeting of the Council duly called and held on the _____ day of November, 2008.

CITY OF NOVI

By: _____
Maryanne Cornelius, City Clerk

ADOPTED:

EFFECTIVE:

PUBLISHED:

1317575



cityofnovi.org

MEMORANDUM

TO: ORDINANCE REVIEW COMMITTEE
FROM: CLAY J. PEARSON, CITY MANAGER
SUBJECT: LED MESSAGE BOARD TIMING
DATE: SEPTEMBER 22, 2009

City Council was asked to consider a change to the Sign Ordinance, specifically to the changeable copy signs (LED Message Board), in April 2008. After thoughtful consideration, City Council directed the Ordinance Review Committee to evaluate the recommendation for the frequency of the message change that would be allowable, which was once per minute. The Ordinance Review Committee confirmed the one minute rotation was suitable, and recommended that the uses permitted to have such signs be permitted to make message changes no more than once per minute, for a maximum of 60 times per hour. City Council agreed with the Committee's recommendation and adopted the Sign Ordinance text amendment at its May 12, 2008 meeting.

We now find ourselves in a position to request looking at the subject Sign Ordinance provision once again. The City has had positive comments since installing the LED message board along Ten Mile Road. By all accounts, it appears to be a successful citizen service communication. We have abided by the one minute provision. Attached is a suggestion by Sheryl Walsh to change the frequency rotation from once per minute to once every 15 seconds. There is no proposed change to any of the other substantive limitations on such signs (no moving, flashing graphics, no animations, etc.), and therefore we do not think that the revision would compromise the safety or aesthetic considerations behind the ordinance provision as a whole. Perhaps the ORC can consider asking for a full City Council referral or consideration on this matter.

Pearson, Clay

From: Walsh, Sheryl
Sent: Thursday, September 10, 2009 6:52 AM
To: Pearson, Clay
Subject: LED Message Board

Clay,

Many positive comments have been received about the new LED Message Board in front of the Civic Center and I believe it will fast become a valuable communication tool.

Currently, we have nine different messages rotating through the message board queue (cityofnovi.org, Senior Variety Series, Over the Limit Under Arrest, Engage! in mailbox, September is Library Card sign up month, etc.). Under the City's ordinance, the message can change only one time per minute, thus it takes motorists nine minutes to view all messages.

Over the past several weeks, several staff have reviewed the sign rotation/timing. Although I realize the ordinance was recently amended to the current time limits, I am hoping you would consider having the Ordinance Review Committee take another look at the rotation time. A possible time change of once every 15 seconds is recommended.

If you have any questions, please let me know.
Sheryl

Sheryl Walsh
Director of Communications
City of Novi
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Novi, MI 48375

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For more information, visit **cityofnovi.org**