

AMENDMENT TO ZONING ORDINANCE NUMBER 2000-06
Zoning Ordinance of the City of Vincent, Alabama

ARTICLE 7. SIGN REGULATIONS

7.8.6 Business Districts.

9) Electronic Message Signs. Each on premise, free standing sign that conforms to the requirements of this Article 7, may include one (1) electronic message sign ("EMS"), except that each premises shall be limited to a maximum of one (1) EMS per facing street, subject the following restrictions and conditions.

- a) The sign face area of the EMS shall be included as part of permitted sign face area of the free standing signs, and shall not be addition to the permitted sign face area.
- b) The EMS shall only display a static message and/or graphic. Except as provided herein; an EMS shall not include visually distracting techniques such as flashing, travelling, moving, rotating, fluctuating, strobing, fading, dissolving, scintillating, blinking, flickering, racing, animating, simulation motion, or varying in color or intensity. The minimum display time for the static message and/or graphic shall be six (6) seconds. The transition time between messages and graphics shall not exceed **one (1) second**.
- c) An EMS may be comprised of more than one electronic element. Such signs shall be considered to be one (1) EMS provided that the elements are combined to form one display panel that complies with the permitted EMS sign face area.
- d) All EMS signs shall have automatic dimming controls, either by photocell or via software settings, in order to bring the EMS lighting level at night into compliance with the illumination standards set forth in subsection (f) below.
- e) EMS signs shall not exceed a maximum luminance level at 8,000 Nits in daytime and 1,700 Nits at nighttime regardless of the method of illumination measured twenty-five (25) feet from the base of the EMS. EMS signs must comply with this maximum luminance level at least one-half hour before sunset. EMS signs must comply with this maximum luminance level throughout the night, if the sign is energized, until sunrise, at which time the sign may resume luminance levels appropriate for daylight conditions. As used in this Ordinance, one (1) Nit equals one (1) candela per square meter (1cd/m). The manufacturer or installer of any EMS must certify in writing that the owner of the EMS will be unable to adjust the luminance and that the proposed EMS will not exceed the luminance set forth in this subsection.
- f) No EMS shall display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver or constitute a nuisance or cause a driver to mistake the sign for a warning or danger signal, or to distract a driver from traffic control devices.
- g) All EMS signs shall contain a default mechanism that will cause the EMS sign to immediately turn off or immediately revert to a black screen if the EMS malfunctions.
- h) The conversion of any existing permitted sign to an EMS sign or the installation of an EMS sign on or within an existing permitted sign shall require the approval of a new sign permit pursuant to the provisions of this Ordinance.

- i) Exposed neon or fiber-optic tubing on EMS signs is prohibited.
- j) EMS signs shall not be permitted within 150 Ft. of any residential district, as measured by the nearest property line within the adjacent residential district to the base of the proposed sign. Any EMS located within 250 ft. of residential district shall be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on the nearest residentially zoned property.
- k) Only one EMS shall be permitted per property, regardless of the number of buildings, frontages or establishments on the property.

Changes to Other Sections:

7.8.7 Industrial Districts.

- 7) An EMS sign shall be allowed in conformance with Section 7.8.6,9.

Article 7. Sign Regulations

7.3 Definitions

EMS, an Electronic Message System is any sign that is capable of displaying works, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

7.7.3 Prohibited Signs.

12) Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other than movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles or as allowed in Section 7.8.6,9

13) Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color except for "time and temperature" signs and as otherwise provided for in Section 7.8.6/9.

That if any part, provision or section of this ordinance is declared to be unconstitutional, or invalid by any court of competent jurisdiction, such holdings shall not affect any other part, provision, or section of this ordinance not thereby affected.

This Amendment of Ordinance No. 2000-006 shall become effective immediately upon its passage and approval by the Council and the Mayor of the City of Vincent.

APPROVED AND ADOPTED ON THIS 2ND DAY OF FEBRUARY 2016.



Ray McAllister, Mayor



Joy Marler, City Clerk



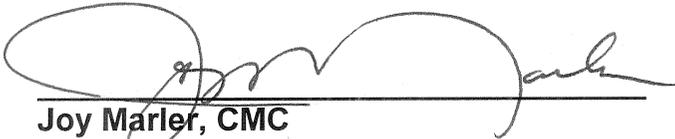
Posting Date: 2/4/2016
Posting Locations:
Vincent City Hall,
Vincent Water Board,
Vincent Public Library

CITY OF VINCENT CLECK'S
CERTIFICATION OF PUBLICATION

I, Joy Marler, City Clerk of the City of Vincent, Alabama, hereby certify the attached to be true and correct copy of an ordinance adopted by the City Council of Vincent. AMENDMENT TO ZONING ORDINANCE NUMBER 2000-06 was approved and adopted on the 2ND day of February, 2016. The ordinance was published by posting copies thereof on February 4, 2016 by Joy Marler at the public places listed below, which copies remained posted for 30 days (through March 4, 2016). When ordinance is published by posting the ordinance shall take effect five (5) days thereafter. (February 10, 2016)

Posting Locations:

- Vincent City Hall, 25 Florey Street, Vincent, Alabama 35178
- Vincent Water Board, 26 Florey Street, Vincent, Alabama 35178
- Vincent Public Library, Hwy 25, Vincent, Alabama 35178



Joy Marler, CMC
Vincent City Clerk