

ORDINANCE NO. 1585

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
BY REVISING SECTION 1-3, DEFINITIONS**

BE IT ORDAINED by the Council of the City of Poquoson, Virginia:

Section 1: That the Sign Ordinance of the City of Poquoson, Virginia be amended by modifying Section 3(d)(4), Permitted Signs, to read as follows:

Section 3(d)(4) – Permitted signs.

(d) *Commercial districts and commercial uses in all other districts:*

- (4) *Electronic message signs.* Electronic message signs are permitted for use ~~by the City of Poquoson and/or the city school system only.~~ Such signs shall comply with the following standards:
1. Electronic message signs shall display static messages only with no animation, no effects simulating animation and no video. The messages shall not dissolve, fade, scroll, travel flash, spin, revolve, shake or include any other type of movement or motion.
 2. Messages or images must be fixed and unchanged for a period of eight or more seconds.
 3. Each transition from one message to a subsequent message shall be accomplished immediately with no fade, dissolve, scroll or travel.
 4. Electronic message signs shall be allowed as a freestanding sign only and must meet all the provisions set forth in subsection (d)(1) of this section. Electronic message signs in combination with allowable freestanding sign area, shall not exceed 48 square feet.
 5. No electronic message sign located within 250 feet of any portion of a single or multiple family dwelling district shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m.
 6. The illumination of such signs shall be no greater than 1,400 nits or foot candles from sunrise to sunset or 250 nits or foot candles between sunset and sunrise, and shall be equipped with automatic brightness control which will operate at all times the display is lit, and which can further dim the display's brightness when ambient conditions do not require the maximum allowed brightness. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the maximum intensity level and the owner/operator understands and agrees to these restrictions.
 7. In the event that the electronic message sign is placed within a flood zone height restrictions may be relaxed to allow for the sign to be erected at the base flood elevation.
 8. Electronic message signs must be maintained in good repair and working order. If at any time the sign does not display messages as it was intended to do, the display must be disabled until the necessary repairs are made.
 9. When electronic message signs are placed in residential districts, the allowable illuminated intensity (nits) may be reduced or increased at the discretion of the zoning administrator due to locational circumstances, to include but not limited to the amount of lighting in the area and the proximity to residential dwellings.

This ordinance shall be enforced by the zoning administrator.

Section 2: That this ordinance shall be in effect on and after 30 days from its adoption.

ATTESTE:

ADOPTED: February 12, 2018

Evie Insley, City Clerk

W. Eugene Hunt, Jr., Mayor

The foregoing ordinance was adopted by the affirmative roll call vote of a majority of the members in attendance, the ayes and nays recorded in the minutes of the meeting as shown below:

Councilman Green
Councilman Cannella
Councilwoman Andrews

Mayor Hunt

Councilman Hux
Councilman Southall
Vice Mayor Freeman