

CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: ORDINANCE NO. TX-2015-02. AN ORDINANCE CONTAINING VARIOUS REFINEMENTS TO THE SIMPSONVILLE ZONING ORDINANCE.

BASIS FOR THE ORDINANCE: TITLE 6, CHAPTER 29, SOUTH CAROLINA CODE OF LAWS

ENACTING CLAUSE: NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

CITATION OF ORDINANCE REPEALED: None

PROVISION OF ORDINANCE: See provision of ordinance below.

SECTION NUMBERS: See below.

EFFECTIVE DATE OF ORDINANCE: Upon final approval by Council after second reading and signing by the Mayor.

NAME OF PERSON REQUESTING INTRODUCTION OF ORDINANCE: Planning & Zoning Manager, Jason Knudsen.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:

*NOTE: Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged.*

SECTION 1. That the City of Simpsonville Zoning Ordinance is hereby amended as follows:

4.10.7 Permissible Signs in Residential Districts

F. Electronic Message Display Signs

Signs that incorporate an electronic message display shall comply with the following standards:

1. Prohibited locations. Electronic message display signs shall be prohibited in the R-E, R-Lo, R-Mid, R-Hi, DO-TC districts and at premises adjacent to the section of Main Street (both N/S Main Street and NE/SE Main Street) beginning at Hillcrest Avenue and ending at Loma Street.

ORDINANCE #TX-2016-01

Page 2 of 3

2. Sign type. An electronic message display sign may only be installed or incorporated into a monument sign and shall not be constructed upon or mounted onto any other type of sign, building, or structure. Furthermore, the addition of an electronic message display sign to a nonconforming sign shall be strictly prohibited.

3. Maximum electronic message display area. No electronic message display sign shall exceed 24 square feet or 50 percent of the total sign display area of the sign in which it is installed, whichever is less.

4. Maximum number of signs. Not more than one electronic message display sign shall be permitted per lot.

5. Electronic message color. The electronic message display sign may be illuminated with amber or red color only.

6. Electronic message appearance. The electronic message display sign shall not simulate traffic control devices or emergency vehicles. The electronic message display sign shall not have any distracting appearance of motion, flashing, blinking, or shimmering. When the display changes, it shall change as rapidly as practicable with no flashing, change in illumination intensity, blending, twirling, or other manner which imitates movement or animation, except for scrolling.

7. Electronic message illumination. The electronic message display sign shall be equipped with an automatic dimming control to adjust the sign's brightness level such that the sign will not increase area illumination by more than 0.3 foot-candles above the ambient levels as measured by a light meter at an approximate distance of 100 feet between the sign and the measurement device. Ambient light shall be determined using a light meter at the distance indicated above while the electronic message display is turned off or displaying all-black copy.

Furthermore, the illumination from an electronic message display sign shall not encroach onto or create a visual nuisance to residential properties.

8. Hours of operation. Electronic message displays shall be turned off between the hours of 7:00 pm and 6:00 am (EST).

9. Sign orientation. An electronic message display must be perpendicular to the adjacent road front.

Furthermore, an electronic message display facing a residential lot must be setback a minimum distance of 100 feet as measured from every property line of that residential lot.

SECTION 2. REPEALER: All ordinances, orders, resolutions and parts thereof in conflict herewith are, but only to the extent of such conflict, are hereby REPEALED and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 3. PROVISION SEVERAGE: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The CITY COUNCIL hereby declares that it would have passed

ORDINANCE #TX-2016-01

Page 3 of 3

this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. SAVING CLAUSE: Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action required or existing, under any act or ordinance hereby repealed as stated in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. The CITY CLERK is hereby ordered and directed to cause this Ordinance to be published according to law.

SECTION 6. EFFECTIVE DATE: This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and signature by the Mayor.

SIGNATURE OF MAYOR PRO TEM:

Janice S. Curtis

ATTEST:

APPROVED AS TO FORM:

Phyllis Long
City Clerk

David W. Holmes
City Attorney

FIRST READING: _____

SECOND READING: _____