

ORDINANCE NO. 90558-0808

**AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE
RELATING TO SIGN REGULATIONS IN THE CITY OF
MUSCATINE, IOWA.**

WHEREAS, the Planning and Zoning Commission recommends amending the Sign Regulations of the City Code to define, regulate, and provide for the installation of message centers within the City of Muscatine; and

WHEREAS, a public hearing has been conducted by the City Council on said amendments to the City's Sign Regulations;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA that the following amendments to the Sign Regulations be incorporated into the City Code:

Section 1. That Title 10, Chapter 23, Section 1 Definitions be amended to include the following definition:

Sign, Electronic Message Center: A light emitting diode (LED) sign that is controlled via electronic communication. An electronic message center (EMC) sign has information created on a computer using a software program that allows the user to display static or moving messages consisting of text, **graphics, video graphics, and animation, including the use of multiple colors on a contrasting background.** Unless otherwise provided herein, EMC's shall not be permitted to change pages or images more frequently than once every two (2) seconds. The use of EMC's shall be restricted to on-site advertising and/or the promotion of not-for-profit community-wide events or activities.

Historic Consideration: The use of Electronic Message Center Signs within any Historic District as approved for listing to the National Register of Historic Places by the National Park Service is prohibited.

Section 2. That Title 10, Chapter 19, Section 2 (B) 3 be amended to add the following:

Churches, **and other permitted uses in single family residential zoning districts** shall be permitted to erect one bulletin board sign in addition to other signage permitted in this chapter. The bulletin board sign may be illuminated changeable letter or LED message center not to exceed eighteen (18) square feet in area, be turned off between the hours of 11 P.M. and 7 A.M. and shall be set back from all property lines a minimum of twenty-five (25) feet, or the same distance as the principal structure; whichever is less. Electronic message centers (EMC) **permitted by this section shall be restricted to red or amber alpha numeric displays on a dark background. Message changes shall not occur more frequently than once in every four (4) seconds.**

Section 3. That Title 10, Chapter 19, Section 2 (C) be amended to add the following:

In the R-5, R-6, and S-2 Districts, there may be one (1) wall sign related to the name or use of each occupant, and not more than one (1) electronic message center, per parcel, set back from the front property line the distance at least equal to the square footage of the EMC, but in no case shall the EMC exceed twenty-five (25) square feet in area. **EMC's permitted in this section shall be restricted to red or amber alpha numeric display on a dark background. Message changes shall not occur more frequently than once in every four (4) seconds.**

Section 4. That Title 10, Chapter, 19, Section 2 (D), be amended to include "electronic message centers" in the first unnumbered paragraph so that it states as follows:

In the C-1, C-3, M-1, and S-1 Districts, there may be roof signs, wall signs, projecting signs, post signs, marquee signs, electronic message centers, and awning signs when displaying no advertising matter, except pertaining to the business conducted in the building on the premises on which such sign is placed. Exception: The use of signs to promote not-for-profit community-wide events or activities.

Section 5. That Title 10, Chapter 19, Section 2 (D), be amended to include a new unnumbered paragraph to add the following:

In the C-2 District, Electronic Message Center (EMC) signs shall not exceed twenty-five (25) square feet in area and shall be restricted to alpha numeric displays on a dark background. Message changes shall not occur more frequently than once every four (4) seconds.

Section 6. That all ordinances or parts of ordinances in conflict therewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED this 21st day of August, 2008.

**BY THE CITY COUNCIL OF THE
CITY OF MUSCATINE, IOWA**


Richard O'Brien, Mayor




A. J. Johnson, City Clerk

1st Reading: July 17, 2008

2nd Reading: August 7, 2008

3rd Reading: August 21, 2008

Publication _____

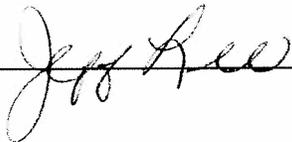
PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk
Ordinance #90558-0808

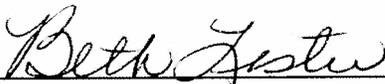
Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

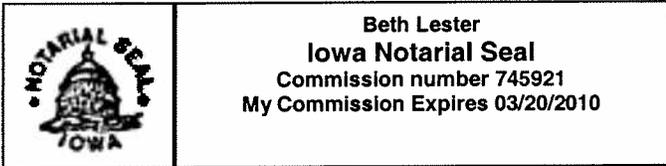
September 3, 2008

Jeff Lee 

**STATE OF IOWA
MUSCATINE COUNTY**

Subscribed and sworn to before me this
3rd day of September 2008


Beth Lester, Notary Public



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Section 5. That Title 10, Chapter 19, Section 2 (D), be amended to include a new unnumbered paragraph to add the following:
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Section 6. That all ordinances or parts of ordinances in conflict therewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA
Richard O'Brien, Mayor

ATTEST:
A. J. Johnson, City Clerk

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