

CHANGEABLE SIGN ORDINANCE

ADOPTED
17 DECEMBER 2015

THIS IS TO CERTIFY THAT THIS ORDINANCE WAS ADOPTED BY MAJORITY VOTE AT THE SPECIAL TOWN MEETING HELD DECEMBER 17, 2015 AT THE TOWN HALL.

A handwritten signature in cursive script that reads "Angela Phillis". The signature is written in black ink and is positioned above the printed name and title.

ANGELA PHILLIS, TOWN CLERK
ADOPTED 12/17/15

CHANGEABLE SIGN ORDINANCE

Sec. 5-101 Authority

The Town of West Gardiner, Maine hereby enacts this "Changeable Signs Ordinance" (hereinafter the "Ordinance") pursuant to 23 M.R.S.A §1914 (11-A), 30-A M.R.S.A §3001.

Sec. 5-102 Purpose

The purpose of this Ordinance is to regulate the frequency and manner of change of display on each side of a changeable sign in a manner contrary to that provided by State law, and to do so in a manner that promotes highway safety and to also assist local businesses to compete with businesses in other cities and towns.

Sec. 5-103 Definitions

1. Changeable Sign means an on-premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another on each side.
2. Display means that portion of the surface area of the changeable sign that is, or is designed to be or is capable of being periodically altered for the purpose of conveying a message.
3. Dissolve is a mode of message transition of accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
4. Fade is a mode of message transition accomplished by varying light intensity, where the first message gradually reduces the intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
5. Flashing is the conspicuous intermittent exhibit of changing light or color effects with a period of change of less than 4 seconds.
6. Frame is a complete, static display screen on a changeable sign
7. Frame Border is a visual effect used to create the edge or form the outer boundary of a frame.
8. Frame Effect is a visual effect used to change from one message to another in the following ways:
 - A. Drizzle Effect is a mode of message transition where a complete or partial message appears to rain from the top of the display filling from the bottom to the top.
 - B. Flash Effect is a mode of message transition where a complete or partial message continuously blinks.
 - C. Mesh Effect is a mode of message transition where a complete or partial message appears as strands from opposite sides of the display interlacing to create a frame.
 - D. Pan Effect is a mode of message transition where a complete or partial message appears to scroll on a horizontal or vertical plane to accommodate the complete viewing of a message larger than the display area.
 - E. Radar Effect is a mode of message transition where a complete or partial message appears in a clockwise sweeping motion.
 - F. Resolve Effect is a mode of message transition where a complete or partial message appears to solidify a portion of pixel intervals.

- G. Scroll Effect is a mode of message transition where a complete or partial message appears to rotate on a vertical or horizontal plane.
- H. Shutter Effect is a mode of message transition where a complete or partial message appears as strands that rotate on a vertical or horizontal pivot point to create a solid message.
- I. Slots Effect is a mode of message transition where a complete or partial message appears to rotate on multiple horizontal axes at separate intervals.
- J. Spin Effect is a mode of message transition where a complete or partial message moves in a clockwise or counterclockwise sweeping motion.
- K. Spring Effect is a mode of message transition where a complete or partial message decompresses from a start position, such as top, bottom, center, right or left.
- L. Travel Effect is a mode of message transition where the message appears to move horizontally across the display surface.
- M. Twinkle Effect is a mode of message transition where a complete or partial message appears to sparkle.
- N. Wave Effect is a mode of message transition where a complete or partial message appears to fill the display surface from the lower left corner to right top corner in a single wave like motion.
- O. Wavy Effect is a mode of message transition where a complete or partial message appears in ripple like motion.
- P. Wink Effect is a mode of message transition where a complete or partial message appears to expand from the horizontal axis.
- Q. Wipe Effect is a mode of message transition where a complete or partial message glides in or out from a start position, such as top, bottom, center, right or left.
- R. Zip Text Effect is a mode of message transition where a complete or partial message appears to move and stack sections of the message from a start position such as the top, bottom, right or left.
- S. Zoom Effect is a mode of message transition where a complete or partial message appears to expand horizontally and/or vertical.
9. Lot means a lot for which the deed was legally recorded, or that was created by a plan legally recorded, in the registry of deeds for the county where the lot is located. Contiguous lots of record in the same ownership are considered on lot.
10. Message means a communication conveyed by means of a visual display of text, a graphic element or pictorial or photographic image.
11. Scroll is a mode of message transition where the message appears to move vertically across the display surface.
12. Sign Assembly means the display, border, trim and all supporting apparatus, including posts, columns, pedestals and foundations.
13. "Time and Temperature Sign" means a changeable sign that electronically or mechanical displays the time and temperature by the complete substitution or replacement of a display showing the time with a display showing the temperature.
14. Travel is the mode of message transition where the message appears to move horizontally across the display surface.
15. Video Animation is the broadcasting of moving visual images.

Sec. 5-104 Regulations

1. Each message shall be a fixed static display with a 4 (four) second hold rate of change minimum between changes. Time and/or temperature can change at a rate of every 1 (one) seconds. All modes and effects are allowed with the following exceptions: flashing, to include flash effect, or display continuous streaming of information; to include drizzle effect, twinkle effect, wavy effect or video animation, including frame border.
2. The display may comprise up to 100% of the surface area of a changeable sign.
3. The sign must be located outside State and/or Towns right of way and cannot project beyond the property line of the lot on which it is placed.
4. No sign may be located so as to obstruct a traffic control devise or in a manner which would obscure the view of approaching or merging traffic.
5. No more than 1 (one) changeable sign may be permitted within 300 (three hundred) feet of another changeable sign per lot on the same side of the traveled way.
6. The highest point of the display of a changeable sign may not exceed a height of 25 feet above either the center line of the nearest public way or actual ground level adjacent to the sign, whichever is lower.
7. Rooftop. No changeable sign may be mounted on any rooftop.
8. All text and graphics will be permitted 24 (twenty-four) hours a day.
9. No sign which advertises or calls attention to any products, businesses, or activities which are no longer sold or carried on shall remain on the premises for more than six months after the product, business, or activity has ceased being sold or carried on.
10. Illumination should not exceed the following: daytime of 2000 cd/m² and night time of 60cd/m².

Sec. 5-105 Non-conforming Signs

All signs legally in existence at the time of the enactment of this Ordinance and which are nonconforming in terms of height or setback from right of way and/or lot lines shall be exempted from the height and setback provisions of this Ordinance until such time as the sign may be removed, replaced, or reconstructed. However, all signs must immediately comply with the remaining provisions of this Ordinance, including the display hold rate and prohibition on flashing.

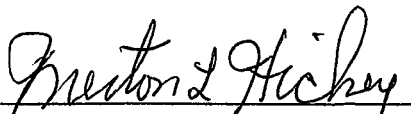
Sec. 5-106 Administration


Pursuant to 23 M.R.S.A §1914 (11-A), the changeable signs within the municipality and displays on each side of those changeable signs shall comply with all other requirements of State law. The Town shall notify the Maine Department of Transportation in writing that it has adopted this Ordinance and shall send it a copy of the same. The Town of West Gardiner shall administer the provisions of this Ordinance.

ARTICLE 2. To see if the Town will vote to accept the proposed
Changeable Sign Ordinance.


Adopted as read December 17, 2015.


Gregory A. Couture


Merton L. Hickey


Earle L. McCormick

Attest:


Angela Phillis
Town Clerk