

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (THE ZONING ORDINANCE”); ESTABLISHING THE ACCEPTABLE LEVEL OF LIGHT OUTPUT OF ELECTRONIC CHANGEABLE COPY SIGNS; ESTABLISHING THE METHOD OF MEASURING THE LIGHT OUTPUT OF ELECTRONIC CHANGEABLE COPY SIGNS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock, through Ordinance No. 7697 (“The Zoning Ordinance”), regulates signs, including electronic changeable copy signs; and

WHEREAS, the light level emitted by electronic changeable copy signs should be regulated to ensure the safety of drivers and prevent the unreasonable intrusion of light across property lines; and

WHEREAS, the City should establish a standard methodology to measure the light output of electronic changeable copy signs in order to determine compliance with this ordinance; and

WHEREAS, the Department of Community Planning has researched appropriate light levels and methods of light measurements and recommended that electronic changeable copy signs be limited to increases 0.3 foot candles to ambient light as measured by a foot candle meter at an appropriate distance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That there is hereby ADDED a subsection C to Section 14.19 of Ordinance No. 7697 (“The Zoning Ordinance”) which shall state as follows:

Section 14.19 – Changeable Copy

[Subsections A and B are unchanged by this ordinance.]

C. The light emitted by an electronic changeable copy sign shall not increase area illumination by more than 0.3 foot candles above ambient levels as measured by a foot candle meter at the distance and using the method described in this section. Existing signs shall not be exempt from the requirements of this subsection or entitled to variance from the same by Section 14.6.

1. DISTANCE. The reading should be taken with the meter aimed directly at the digital sign at the appropriate pre-set distance. Measurement distance criteria follows:

Size of Sign		Approximate distance between sign and measurement device
a.	0 – 350 square feet	150 feet
b.	351-650 square feet	200 feet
c.	651-100 square feet	250 feet
d.	Over 1000 square feet	350 feet

2. TIME. Measurements of ambient light and sign output may be taken at any time. Nighttime measurements shall be taken no less than 30 minutes past sunset and no more than 30 minutes prior to sunrise.

3. METHOD. Ambient light shall be determined using a foot candle meter at the appropriate distance as indicated in this section while the electronic changeable copy sign is off or displaying all black copy. Increased ambient light caused by the electronic changeable copy sign shall be determined by using the same meter at the same location after causing the electronic changeable copy sign to show full white copy. If the difference in the two readings is greater than 0.3 foot candles, then the light emitted by the electronic changeable copy sign exceeds the level authorized by this section.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that there is an immediate need to regulate light levels of electronic changeable copy signs in North Little Rock to reduce the distraction of drivers and emission of light across property lines; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSORS:

ATTEST:

Alderman Murry Witcher

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b