

**CITY OF WASILLA
ORDINANCE SERIAL NO. 11-08**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 16.32.030, DEFINITIONS; AND AMENDING WMC 16.32.050, SIGNS PROHIBITED; TO PROVIDE CLARIFICATION REGARDING ELECTRONIC MESSAGE CENTER SIGNS.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of section. WMC 16.32.030, Definitions, is hereby amended to read as follows:

The following definitions pertain only to this chapter.

* * *

“Changeable copy sign (automatic)” means a sign on which the copy changes automatically on a lampbank or through mechanical means (i.e., electrical or electronic time and temperature units. **This does not include electronic animation – see definition of “Copy”.**)

* * *

Section 3. Amendment of subsection. WMC 16.32.050.E., Signs prohibited, is hereby amended to read as follows:

16.32.050 Signs prohibited.

The following types of signs are prohibited in all districts:

- A. Abandoned signs;

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

- B. Signs imitating or resembling official traffic or government signs or signals response vehicles;
- C. Snipe signs or signs attached to telephone or utility poles, public benches, or streetlights;
- D. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the sign (this does not apply to allowed portable signs or to signs or letters on buses, taxis or vehicles operating during the normal course of business).
- E. Signs with flashing, intermittent, revolving or blinking illumination, or an alternating light pattern or which are animated, other than electronic message centers, **as permitted within this chapter**. No sign regulated by this chapter may utilize:
 - 1. An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion,
 - 2. Any revolving beacon or flashing light,
 - 3. Signs using exposed incandescent light sources exceeding sixty (60) watts per source;
- F. Signs using reflectors, mirrors or other devices intended to focus or direct illumination from the sign to any other place;
- G. Signs exceeding a maximum height of thirty (30) feet or the height of the roof line whichever is less;
- H. Off-premises signs.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on January 24, 2011.



VERNE E. RUPRIGHT, Mayor

ATTEST:



AMANDA E. CHARLES, Acting City Clerk

[SEAL]

VOTE: Harris, Holler, Katkus, Menard, Sullivan-Leonard and Woodruff in favor.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

ORDINANCE SERIAL NO. 11-08: AMENDING WMC 16.32.030, DEFINITIONS; AND AMENDING WMC 16.32.050, SIGNS PROHIBITED; TO PROVIDE CLARIFICATION REGARDING ELECTRONIC MESSAGE CENTER SIGNS.

Agenda of: January 10, 2011
Originator: City Planner *[Signature]*

Date: December 28, 2010

Route to:	Department	Signature/Date
	Chief of Police	
X	Finance Director	<i>[Signature]</i> 12/28/10
X	Interim Deputy Administrator	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE E. RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes *or* no

Funds Available yes no

Account name/number: None

Attachments: Proposed Ordinance Serial No. 11-08 (2 pp)
Planning Commission Resolution Serial No. 10-20 (3 pp)

SUMMARY STATEMENT: In order to assist City staff in addressing sign violations within the City Limits, staff drafted the attached amendment to the sign code. This amendment clarifies the adopted regulations regarding animation on electronic message center signs and does not create any new rights nor expand or create any new restrictions.

As required by the Wasilla Municipal Code, the Planning Commission conducted a public hearing on November 9, 2010, to discuss the draft ordinance, obtain public input, and provide a recommendation to the City Council. The Planning Commission adopted Resolution Serial No. 10-12 that recommends approval of the draft ordinance.

STAFF RECOMMENDATION: Introduce and set for public hearing Ordinance Serial No. 11-08.

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 10-20**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION AMENDING
WMC 16.32.030, DEFINITIONS; AMENDING WMC 16.32.050, SIGNS PROHIBITED;
TO PROVIDE CLARIFICATION OF ELECTRONIC MESSAGE CENTER SIGNS.**

WHEREAS, the Planning Staff requested to amend WMC 16.32.030, Definitions, and 16.32.050(H), Signs prohibited; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, on November 9, 2010, the Wasilla Planning Commission held a public hearing on this request; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the current provisions of the WMC; and

WHEREAS, after due consideration, the Wasilla Planning Commission determines that the proposed amendment is appropriate; and

WHEREAS, after due consideration, the Wasilla Planning Commission determines that these proposed amendments provide further guidance to the public on existing ordinances. These amendments create no new rights nor do these amendments expand or create new restrictions. It is clear that these amendments provide explanation of the existing state of the law; and

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby adopts the WMC amendment and forwards this recommendation for adoption to the City Council with no conditions as follows:

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

Amendment of section. WMC 16.32.030, Definitions, is hereby amended as follows:

16.32.30 Definitions.

The following definitions pertain only to this chapter.

“Changeable copy sign (automatic)” means a sign on which the copy changes automatically on a lampbank or through mechanical means (i.e., electrical or electronic time and temperature units. **This does not include electronic animation – see definition of “Copy”.**)

Amendment of section. WMC 16.32.050(H), Signs prohibited, is hereby amended as follows:

16.32.050 Signs prohibited.

The following types of signs are prohibited in all districts:

- A. Abandoned signs;
- B. Signs imitating or resembling official traffic or government signs or signals response vehicles;
- C. Snipe signs or signs attached to telephone or utility poles, public benches, or streetlights;
- D. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the sign (this does not apply to allowed portable signs or to signs or letters on buses, taxis or vehicles operating during the normal course of business).
- E. Signs with flashing, intermittent, revolving or blinking illumination, or an alternating light pattern or which are animated, other than electronic

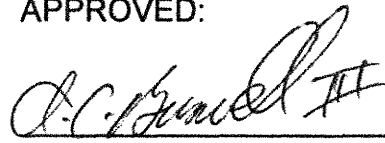
Bold and underline added. [CAPS AND BRACKETS, DELETED.]

message centers, as permitted within this section (see also "Definitions"). No sign regulated by this chapter may utilize:

1. An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion,
 2. Any revolving beacon or flashing light,
 3. Signs using exposed incandescent light sources exceeding sixty (60) watts per source;
- F. Signs using reflectors, mirrors or other devices intended to focus or direct illumination from the sign to any other place;
- G. Signs exceeding a maximum height of thirty (30) feet or the height of the roof line whichever is less;
- H. Off-premises signs.

APPROVED by the Wasilla Planning Commission on November 9, 2010.

APPROVED:



A.C. Buswell, III, Chairman

ATTEST:



Tina Crawford, City Planner

VOTE: Passed
 YES: Buswell, Kelly, Ledford, Miller
 NO: King

Bold and underline added. [CAPS AND BRACKETS, DELETED.]