

## CITY OF GRAND JUNCTION

### ORDINANCE NO. 4420

#### **AN ORDINANCE REGARDING LIGHTED, MOVING AND CHANGEABLE COPY ON AND OFF PREMISE SIGNS**

The Zoning and Development Code has heretofore provided that signs that flash, move, blink, change color, chase or have other animation effects are prohibited. With changing technology many signs are now capable of displaying much more information in the form of electronic messages and images. The conventional wisdom regarding electronic signs is that electronic signs cause accidents by distracting the driver, but that has not definitively proven to be the case.

In a report entitled *Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction* the Federal Highway Administration (FHWA) could make no conclusive finding correlating electronic signs and roadway safety. In another study of tri-vision billboards the FHWA found that tri-vision signs do not appear to compromise the safety of the motoring public and a majority of states allow tri-vision signs with no reports of increases in traffic accidents in those states due to tri-vision signs being installed adjacent to highways. There is data that flashing lights do contribute to accidents; however, the FHWA has determined that electronic signs when operated in a certain manner do not constitute flashing, intermittent or moving lights.

In order for electronic signs not to become distracting the signs must change messages at only reasonable intervals. A common, long-lived sign that motorists are familiar with is the "time and temperature" display. Those signs change every 1-2 seconds and do so without any negative impact on traffic safety. Changes of messages and/or light intensities that occur at intervals of 1-2 seconds are by FHWA's definition not flashing, intermittent or moving.

According to the *Symposium on Effective Highway Accident Countermeasures*, our mobile society requires traffic-oriented messages that are easily discernable and quickly readable and understandable. To assist safety and to meet the need for information, signs should provide drivers with clear images and messages, which are visible under most conditions.

Because the City's Code does not recognize the technological advances that are available for commercial and non-commercial signs and in accordance with the foregoing recitals, the Legislative Committee of the City Council, which has been tasked with studying this issue, does recommend to the City Council the repeal and reenactment of paragraph 6 of Chapter 21.06.070 and the amendment of Section 21.06.070(g)(4) by the addition of subparagraph (vii) as follows, of the Zoning and Development Code all as more particularly stated herein below.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:**

Section 21.06.070 of the City of Grand Junction Zoning and Development Code regarding lighted, moving and changeable copy signs is repealed and reenacted as follows:

Prohibited signs are signs which:

6. Do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted and/or amended. See, C.R.S. 43-1-401 *et. seq.*

And

Section 21.06.070(g)(4) of the Zoning and Development Code regarding Off Premise (Outdoor Advertising Sign) is amended by the addition of subparagraphs (vii) as follows.

Off Premise signs erected on ground or wall locations (and roof locations done within the regulations and limitations of roof signs) shall only be permitted in the C-2 (General Commercial) and I-1 and I-2 (Industrial) zones subject to the following conditions:

21.06.070(g)(4)(vii) Prohibited Signs:

- (vii) Are signs that do not comply with the law, rules and regulations of the State of Colorado as now or hereafter enacted or amended. See, C.R.S. 43-1-401 *et. seq.*

Introduced on first reading this 20<sup>th</sup> day of January, 2010.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this 5<sup>th</sup> day of April, 2010.

/s/ Bruce Hill  
President of the Council

Attest:

/s/ Stephanie Tuin  
City Clerk