

8-24-15

ORDINANCE NO. 29839

An ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by adding Section 51A-7.216; providing regulations for digital display on certain premise signs; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Division 51A-7.200, "Provisions for All Zoning Districts," of Article VII, "Sign Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding Section 51A-7.216, "Digital Display on Certain Premise Signs," to read as follows:

**"SEC. 51A-7.216. DIGITAL DISPLAY ON CERTAIN PREMISE SIGNS.**

(a) Effective area. The effective area of digital display may not exceed 50 square feet or 50 percent of the total effective area of the sign as allowed in the provisions for the respective zoning district, whichever is greater.

(b) Display.

(1) All digital displays signs must automatically adjust the sign brightness so that the brightness level of the sign is no more than 0.3 footcandles over ambient light conditions at a distance that is equal to the square root of the effective area multiplied by 100 from the sign. A digital display sign must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.

(2) A digital display may not increase the light level on a lot in a residential district over ambient conditions without the digital display, measured in footcandles at the point closest to the sign that is five feet inside the residential lot and five feet above the ground.

(3) Before the issuance of a digital display sign permit, the applicant shall provide written certification from the sign manufacturer that:

(A) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in this subsection; and

(B) the light intensity is protected from end-user manipulation.

(c) Change of message. Changes of message must comply with the following:

(1) Each message must be displayed for a minimum of 20 seconds in business zoning districts and 20 minutes in non-business zoning districts.

(2) Changes of message must be accomplished within two seconds.

(3) Changes of message must occur simultaneously on the entire sign face.

(4) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(d) Compliance. All nonconforming digital display premise signs must come into compliance with Paragraphs (b)(1)-(2) and Subsection (c) by August 26, 2016. The owner of a digital display premise sign may appeal to the board of adjustment for a later compliance date at any time up to the compliance date in this subsection if the owner will not be able to recover his investment in the sign (up to the date of nonconformance) by the compliance date in this subsection. The fee for the appeal of the compliance date is the same as the fee for a nonresidential special exception before the board of adjustment as set forth in Chapter 51A.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

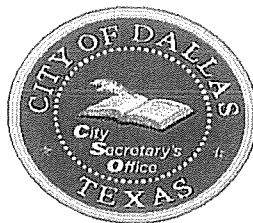
WARREN M.S. ERNST, City Attorney

By   
Assistant City Attorney

**AUG 26 2015**

Passed \_\_\_\_\_

151599



## PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL AUG 26 2015

ORDINANCE NUMBER 29839

DATE PUBLISHED AUG 29 2015

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose G. Lewis".