

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2009-29

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4
5 AN ORDINANCE

6 AMENDING SECTION 14-8.10 SFCC 1987 ESTABLISHING THE PURPOSE OF THE
7 SIGN CODE; ESTABLISHING REQUIREMENTS FOR ELECTRONIC MESSAGING
8 SIGNS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.

9
10 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

11 Section 1. Section 14-8.10(A) SFCC 1987 (being Ord. #2001-38, §2 as amended)

12 is amended to read:

13 (A) Purpose; Applicability

14 (1) Purpose

15 Section 14-8.10 is intended to establish a comprehensive and balanced
16 system of sign control that accommodates the need for a well-
17 maintained, safe and attractive environment within the City, and the need
18 for effective communications including business identification. It is the
19 intent of this Section to promote the health, safety, general welfare, and
20 aesthetics of the City by regulating signs that are intended to provide
21 reasonable communication to the public to achieve the following specific
22 purposes:

- 23 (a) To eliminate potential hazards to motorists and pedestrians using
24 the public streets, sidewalks, and rights-of-way;
25 (b) To safeguard and enhance private investment and property

1 values;

2 (c) To control public nuisances;

3 (d) To protect government investments in public buildings, streets,
4 sidewalks, traffic control and utility devices, parks, and open
5 spaces;

6 (e) To preserve and improve the appearance of the City through
7 adherence to reasonable aesthetic principles, in order to create an
8 environment that is attractive to residents and to non-residents
9 who come to live, visit, work, or trade;

10 (f) To eliminate excessive and confusing sign displays; and

11 (g) To encourage signs which by their design are integrated with and
12 harmonious to the surrounding environment and the buildings
13 and sites they occupy.

14 (2) *Applicability*

15 (a) No signs intended to be read from off the premises shall be
16 erected or constructed without a building permit, except as
17 otherwise provided in this section. Except as set forth in
18 paragraph (b) below, all signs in all zoning districts shall
19 conform to the requirements set forth in this section.

20 (b) Section 14-8.10 shall not apply to City banners erected by the City or
21 its designee for the purpose of commemorating the 400 year
22 anniversary of the founding of La Villa Real de la Santa Fe de San
23 Francisco de Asis. The Governing Body shall adopt a resolution
24 regarding the banners providing for such specifics as dates, location,
25 number, design approval process, installation and maintenance.

1 **Section 2. Section 14-8.10(B)(1) SFCC 1987 (being Ord. #2001-38, §2) is**
2 **amended to read:**

- 3 (1) Sign Illumination
- 4 *Sign illumination shall be either indirect with the source of light*
- 5 *concealed from direct view or shall be through translucent light diffusing*
- 6 *materials. There shall be no exposed electrical conduits. However,*
- 7 *outside Historic Districts and except for landmarks structures, electronic*
- 8 *messaging signs as set forth in §14-8.10(C)(5)(b) and electricity*
- 9 *activated gas tubing, including neon, is allowed.*

10 **Section 3. Section 14-8.10(C)(5) SFCC 1987 (being Ord. #2001-38, §2) is**
11 **amended to read:**

- 12 (5) No sign shall be erected or maintained which contains, includes, or is
- 13 illuminated by any flashing light, electronic change in messages,
- 14 electronic change in background colors, electronic change in light
- 15 intensity, or electronic video display, except:
- 16 (a) Those giving public service traffic information such as lane
- 17 closures, road closures, and detours; and
- 18 (b) Electronic messaging signs subject to the following:
- 19 (i) The number, size and location of the sign shall be
- 20 consistent with all other requirements of §14-8.10.
- 21 (ii) The electronic display background color tones, lettering,
- 22 logos, pictures, illustrations, symbols, and any other
- 23 electronic graphic or video display shall not blink, flash,
- 24 rotate, scroll, change in illumination intensity, or
- 25 otherwise change in outward appearance, except when

1 the electronic message or display is changed to another
2 message or display.

- 3 (iii) The message or display shall be changed no more
4 frequently than once per 24 hour period except for
5 clocks and thermometers. This frequency may be
6 exceeded by the public schools for emergency and
7 special circumstances.
- 8 (iv) Electronic messaging signs shall not exceed a maximum
9 illumination of 2000 nits (candelas per square meter)
10 during daylight hours and a maximum illumination of
11 500 nits (candelas per square meter) between one half-
12 hour before sunset and one half-hour after sunrise as
13 measured from the sign's face at maximum brightness.
- 14 (v) Electronic messaging signs shall have an automatic
15 dimmer control to produce a distinct illumination change
16 from a higher illumination level to a lower level for the
17 time period between one half-hour before sunset and one
18 half-hour after sunrise.
- 19 (vi) Audio speakers are not allowed with any electronic
20 messaging sign.
- 21 (vii) Electronic messaging signs shall use energy efficient
22 lighting such as, but not limited to, LED and compact
23 fluorescents.

24 **Section 4. Section 14-8.10(C)(6) SFCC 1987 (being Ord. #2001-38, §2) is**
25 **amended to read:**

1 (6) No sign shall have movable parts; except that those signs or marquees
2 having design and construction features for changing of legend or
3 inscription may be approved. The message shall be changed no more
4 frequently than once per 24 hour period.

5 **Section 5. Section 14-8.10(E)(7) SFCC 1987 (being Ord. #2001-38, §2) is**
6 **amended to read:**

7 (7) Clocks and Thermometers

8 Clocks and thermometers, when constructed within or as a part of a sign or when
9 displayed as a separate sign, shall, in addition to other regulations herein for
10 signs, conform to the following special regulations and exceptions:

- 11 (a) The hands of the clock and the motive mechanism shall not be classed as
12 moving parts;
- 13 (b) Illuminated numerals will not be classed as blinking or flashing lights;
14 however, the electronic messaging sign requirements set forth in 14-
15 8.10(C)(5) shall be met;
- 16 (c) Clocks and thermometers shall not exceed 40 inches in either vertical or
17 horizontal dimension; and
- 18 (d) All clock signs shall keep accurate time and all thermometer signs shall
19 accurately record the temperature. If these conditions are not complied
20 with, the instruments shall be promptly repaired or removed.

21 **Section 6. Section 14-8.10(H)(10) SFCC 1987 (being Ord. #2001-38, §2) is**
22 **amended to read:**

23 (10) Illumination Restrictions

- 24 (a) No signs shall be permitted that are animated by any means,
25 including flashing, scintillating, blinking, or traveling lights or

1 any other means not providing constant illumination.

2 (b) Illumination for each side of a projecting sign, if lighted by
3 goose neck lights, shall be evenly distributed.

4 (c) Wall signs to be illuminated shall be so constructed as to have all
5 illumination from behind each letter. No visible bulbs, neon
6 tubing or other lighting shall be allowed.

7 (d) Electric signs may be placed inside windows and glass doors;
8 provided, that their proportions are not in excess of the window
9 area so allowed under paragraph (4) above.

10 (e) No electric outdoor lights placed in trees, shrubs, or other types
11 of vegetation shall be allowed when publicly visible except
12 during the traditional holidays.

13 **Section 7. [NEW MATERIAL.] Article 14-12 SFCC 1987 (being Ord. #2001-**
14 **38, §2 as amended) is amended to include the following definition:**

15 **ELECTRONIC MESSAGING SIGN**

16 An electronic changeable copy sign, an electronic graphic display sign, or video display sign as
17 follows:

18 (A) Electronic changeable copy sign. A sign or portion thereof that displays electronic,
19 non-pictorial, text information in which each alphanumeric character, graphic, or
20 symbol is defined by a small number of matrix elements using different combinations
21 of light emitting diodes (LED's), fiber optics, light bulbs or other illumination
22 devices within the display area. Electronic changeable copy signs include computer
23 programmable, microprocessor controlled electronic displays.

24 (B) Electronic graphic display sign. A sign or portion thereof that displays electronic,
25 static images, static graphics or static pictures, with or without information,

1 defined by a small number of matrix elements using different combinations of
2 light emitting diodes (LED's), fiber optics, light bulbs or other illumination
3 devices within the display area where the message change sequence is
4 accomplished immediately or by means of fade, repixelization or dissolve modes.
5 Electronic graphic display signs include computer programmable,
6 microprocessor controlled electronic or digital displays. Electronic graphic
7 display signs include projected images or messages with these characteristics
8 onto buildings or other objects.

9 (C) Video display sign. A sign that changes its message or background in a manner
10 or method of display characterized by motion or pictorial imagery, which may or
11 may not include text and depicts action or a special effect to imitate movement,
12 the presentation of pictorials or graphics displayed in a progression of frames
13 which give the illusion of motion, including but not limited to the illusion of
14 moving objects, moving patterns or bands of light, or expanding or contracting
15 shapes, not including electronic changeable copy signs. Video display signs
16 include projected images or messages with these characteristics onto buildings or
17 other objects.

18 **Section 8.** This Ordinance shall be reviewed by the Governing Body six months
19 from the date of adoption.

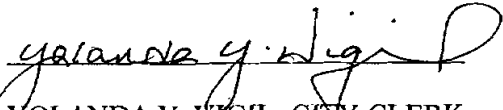
20 PASSED, APPROVED, and ADOPTED this 24th day of June, 2009.

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24 DAVID COSS, MAYOR
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1 ATTEST:


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4 YOLANDA Y. VIGIL, CITY CLERK

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6 APPROVED AS TO FORM:

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9 FRANK D. KATZ, CITY ATTORNEY

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25 Jp/ca/jpmb/2009 ord/electronic signs