COMMONWEALTH OF KENTUCKY
MASON FISCAL COURT
ORDINANCE NO. 15-01

AN ORDINANCE ADOPTING THE RECOMMENDATIONS OF THE MASON COUNTY JOINT PLANNING COMMISSION AND AMENDING THE SIGN REGULATIONS AT ORDINANCE NO. 02-07, CHAPTER 411, TO DELETE CERTAIN RESTRICTIONS ON POLITICAL SIGNS CONSISTENT WITH FEDERAL LAW, AND TO PROHIBIT ELECTRONIC SIGNS IN CERTAIN ZONES, WHILE REGULATING SUCH SIGNS WHERE ALLOWED.

WHEREAS, the Mason Fiscal Court adopted a Land Use Ordinance, by virtue of its Ordinance No. 02-07, as amended; and

WHEREAS, the Maysville-Mason County Joint Planning Commission held a duly noticed Public Hearing on February 4, 2015, to consider proposed text amendments to such Ordinance pertaining to the sign regulations contained therein; and

WHEREAS, the Maysville-Mason County Joint Planning Commission adopted Findings of Fact recommending text amendments to Ordinance No. 02-07; and

WHEREAS, the Fiscal Court of Mason County, Kentucky, unanimously approved the proposed amendments to its Ordinance No. 02-07, such amendments affirming the Findings of Fact, Conclusions of Law, and Recommendation of the Maysville-Mason County Joint Planning Commission.

NOW THEREFORE, be it **ORDAINED** by the Fiscal Court of Mason County, Kentucky, as follows:

1. Section 411.3, titled "Exempt Signs" is AMENDED by replacing 411.3(L) as follows:

(L) Non-Commercial Signage. Signs on behalf of candidates for public office or measures on election ballots, provided the signs, shall not be located within or over the public-right-of-way or attached to any public property or utility poles.

2. Section 411.4, titled "Prohibited Signs", is AMENDED to add the additional language at the end of existing Section 411.4(I), titled "Changing Signs", providing "except signs meeting the requirements of Section 411.41."

3. A new Section 411.41 is created, titled "Electronic Message Signs", which should be inserted in the ordinance as follows:

Electronic signs which are capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means are permitted with a permit in all zones except R-1, R-2, TH-1, MH, A-1 and A-2 (other zones recommended by the Planning Commission are solely located within the City of Maysville), subject to the following requirements:

(A) Operational Limitations. Such display shall be monochromatic, shall contain static messages only, and shall have not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity.

(B) Minimum Display Time. Messages may be changed once every 60 minutes.

(C) Message Change Sequence. The change of messages must be accomplished immediately.

(D) Size. Electronic message size is limited to 25% of maximum sign area in zone where sign is to be located.

4. Except as specifically amended hereby, Ordinance No. 02-07 shall be in full force and effect, and shall be republished to include these amendments thereto.

Given first reading this 10th day of March, 2015.

Thereafter, given second reading, and unanimously adopted, after publication in accordance with KRS Chapter 424 this _____ day of _____, 2015.

Joseph P. Pfeffer

Hon. Joseph P. Pfeffer
Judge/Executive

ATTESTED BY:

Stephanie B Schumacher

Stephanie Schumacher
Mason County Clerk