

Mayor and Town Council of Mountain Lake Park  
Ordinance No. 2020-01 Zoning Ordinance Amendment for Electronic Signs

**TOWN OF MOUNTAIN LAKE PARK**

**ORDINANCE NO. 2020-01**

**ZONING ORDINANCE AMENDMENT FOR ELECTRONIC MESSAGE CENTER SIGNS**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK AMENDING THE ZONING ORDINANCE TO REPEAL OR AMEND CERTAIN PROVISIONS OF THE ZONING ORDINANCE REGULATING ELECTRONIC MESSAGE CENTER SIGNS; AND TO ADOPT NEW PROVISIONS TO REGULATE SUCH SIGNS.**

**WHEREAS**, the Mayor and Town Council of Mountain Lake Park is authorized by the Maryland Local Government Annotated Code Title 5, Subtitle 2, or its successor, and by the Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Mountain Lake Park, and

**WHEREAS**, on December 5, 2013, the Mayor and Town Council of Mountain Lake Park adopted a zoning ordinance regulating uses, and

**WHEREAS**, the Town finds that Electronic Message Center signs should be permitted by the zoning ordinance in certain locations with specific provisions.

**BE IT ORDAINED AND RESOLVED**, the following is added to Article 2. Definitions:

234A Electronic Message Center Sign:

An electronically activated changeable sign and display whose variable message capability can be electronically programed. An Electronic Message Center Sign may have patterned illusionary movement whereby illuminations of the sign or portions of the sign are characterized by simulated movement through alternated or sequential activation of various illuminated elements.

**BE IT FURTHER ORDAINED AND RESOLVED**, the following is added to Section 405:

405 Table of Use Regulations

MISCELLANEOUS & ACCESSORY USES

(67A) Electronic Message Center Sign

PD	TR	SR	C	AR	R	SW
N	N	SE	SE	SE	SE	N

**WHEREAS**, Section 705(A.) of the December 5, 2013 Zoning Ordinance states:

705 A. On-Premises Signs

1. All signs permitted in Section 704 at the standards prescribed therein except as otherwise provided in this Section.
2. Signs for permitted non-residential uses provided:
  - a. The aggregate area of all signs attached to or printed on a building

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shall not exceed ten percent of the area of the building face to which they are attached or painted, or two hundred square feet whichever is less.

- b. Free-standing signs identifying a single building or its business or a shopping center in accordance with the following schedule:

<u>Total Street Frontage</u>	<u>No. Signs Permitted</u>
1 to 1,000 feet	1
Each additional 1,000 feet	1

The area of any free-standing sign shall not exceed one square foot for each lineal foot of street frontage occupied by the use on which or in connection with which the sign is to be erected, but in no case shall the area of a sign exceed two hundred square feet.

**BE IT FURTHER ORDAINED AND RESOLVED**, Section 705(A.) of the Zoning Ordinance is rescinded and replaced by the following:

**705 A. On-Premises Signs**

1. All signs permitted in Section 704 at the standards prescribed therein except as otherwise provided in this Section.
2. Signs for permitted non-residential uses provided:
  - a. The aggregate area of all signs attached to or printed on a building shall not exceed ten percent of the area of the building face to which they are attached or painted, or two hundred square feet whichever is less. Regardless of the total size of a sign, no more than 12 square feet of that sign may be an electronic message center sign.
  - b. Free-standing signs identifying a single building or its business or a shopping center in accordance with the following schedule:

<u>Total Street Frontage</u>	<u>No. Signs Permitted</u>
1 to 1,000 feet	1
Each additional 1,000 feet	1

The area of any free-standing sign shall not exceed one square foot for each lineal foot of street frontage occupied by the use on which or in connection with which the sign is to be erected, but in no case shall the area of a sign exceed two hundred square feet. Regardless of the total size of a sign, no more than 12 square feet of that sign may be an electronic message center sign.

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**WHEREAS**, Section 706(K.) of the December 5, 2013 Zoning Ordinance states:

706(K.) LED, LCD, Scrolling Message, and Single Message Electronic signs are not permitted in any zoning district except for public safety purposes.

**BE IT FURTHER ORDAINED AND RESOLVED**, Section 706(K.) of the Zoning Ordinance is rescinded and replaced by the following:

707 Special Provisions for Electronic Message Center Signs

Electronic Message Center (EMC) signs shall be permitted for accessory on-premise uses by Special Exception in Commercial, Suburban Residential, Agricultural Resource Area and Rural Area districts. On-premise EMC signs shall be subject to the following additional standards and limitations:

- A. EMC signs shall not exceed 12 square feet.
- B. Intervals for messages require a minimum of 5 - 15 seconds between changes of message and graphics shall be no longer than 15 seconds.
- C. Animated changes in the display shall be limited to blur, fade or wipe and the transition time shall be limited to a maximum of 2 seconds.
- D. Scrolling and flashing are prohibited.
- E. Maximum brightness is allowed to be no more than 10,000 nits during daylight and 700 nits at night (or rough equivalent in foot candles or lumens) and automatic brightness control shall be linked to an ambient light level sensor.
- F. The display shall go dark automatically in the event of a major failure or malfunction.
- G. All EMC signs placed within 150 feet of a residential structure are to be oriented perpendicular to residential frontages and will be operational no sooner than 7 a.m. and no later than 10 p.m., except for public safety purposes.
- H. All applicants for EMC signs shall provide:
  1. A form executed by the owner/end user agreeing that permit issuance is conditional and based upon the use of the agreed upon display settings.
  2. Proof of UL48 (or ETL equivalent) listing and a valid copy of the FCC Manufacturers Testing Certificate.

**BE IT FURTHER RESOLVED**, this ordinance amendment shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Mountain Lake Park. A public hearing on this zoning ordinance amendment shall be held on the 4th day of June 2020, at 6:00 p.m. at the Town Hall located at 1007 Allegany Drive, Mountain Lake Park, Maryland 21550.

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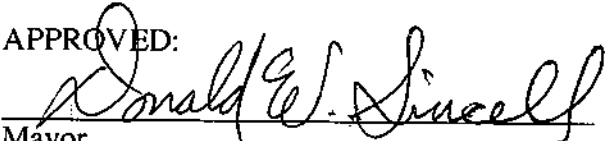
**INTRODUCED** this 7th day of May 2020. **SECOND READING** this 4th day of June 2020.  
**ADOPTION** this 4th day of June 2020.

**AND BE IT FURTHER ORDAINED AND RESOLVED**, this Ordinance shall be effective  
June 14, 2020.

ATTEST:

  
\_\_\_\_\_  
Clerk Treasurer

APPROVED:

  
\_\_\_\_\_  
Mayor

Filed and recorded June 9, 2020,  
in O & R Record, Liber T.W.M., No. 8,  
folio 651, one of the Records in the  
Office of the Clerk of the Circuit Court  
for Garrett County, Maryland, and compared  
by:

*Henry L. Gibson*, Clerk