



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 48, Zoning, of the Code of Ordinances shall be amended as follows:

PART I That **Section 48-282(6) – Signs and Outdoor Advertising Structures, Prohibited Signs** be amended as follows:

(6) Prohibited signs.

- c. No sign, business sign or outdoor advertising structure shall be erected which contains, employs or utilizes lights or lighting which rotates, flashes, moves or alternates; except that time and temperature displays, as defined, without electronic advertising matter are permitted but must be included in computing allowable signage. Continuous printout, running or ticker-tape type message panels or signs are prohibited.

PART II That **Section 48-7 Definitions** be amended as follows:

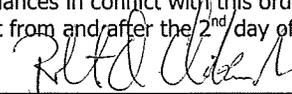
Sign. Any surface, fabric or device bearing lettered, pictorial or sculptured matter designed to convey information visually and exposed to public view, or any structures, including billboard or poster panel, designed to carry visual information.

(1) Bulletin board. A sign used to announce meetings or programs to be held on the premises of a church, school, auditorium, library, museum, community recreation center or similar noncommercial places of public assembly. . . .

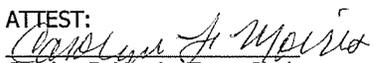
(10) Time and Temperature Display. An LED portion of a freestanding sign that is dedicated to displaying time and temperature only, without electronic advertising matter, and meets the following criteria:

- (a) The display area does not exceed 15% of the total sign area
- (b) The display consists of numbers comprised from amber LEDs on a black background
- (c) The display shall incorporate dimming technology based on ambient light levels
- (d) Number height shall not exceed 14 inches in height
- (e) Time and temperature information shall not change or alternate less than every three seconds

PART III All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the 2nd day of May 2012.


Robert O. Oakes, Jr., Mayor

ATTEST:


Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

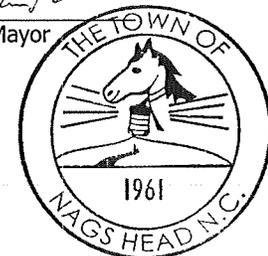
John Leidy, Town Attorney

Date adopted: May 2, 2012

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: 4 AYES 0 NAYS (Comr. Walters was not present.)





**TOWN OF NAGS HEAD
STATEMENT OF CONSISTENCY
WITH THE LAND USE PLAN FOR A ZONING TEXT AMENDMENT**

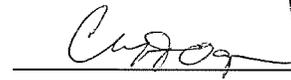
BE IT HEREBY RESOLVED by the Board of Commissioners for the Town of Nags Head, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the adoption of the requested zoning text amendment regarding time temperature displays is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest because it addresses an emerging concern related to community appearance (p. 104)

READ, APPROVED AND ADOPTED by a vote of 4 to 0 (Comr. Walters was not present.), this, the second Day of May, 2012.

ATTEST:


Carolyn Morris, Town Clerk


Robert O. Oakes Jr., Mayor


Cliff Ogburn, Town Manager

