

AN ORDINANCE AMENDING THE BRANSON MUNICIPAL CODE, CHAPTER 70 SIGNS, BY ALLOWING THE USE OF CERTAIN TYPES OF LIGHTS ON COMMERCIAL PROPERTIES, HAVING A LEGAL SPECIAL USE PERMIT FOR AMUSEMENT PARLORS, COMMERCIAL RECREATION, OR THEATERS

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: That Section 70-15 of the Branson Municipal Code is hereby amended so that Section 70-15 shall hereafter read as follows:

SECTION 70-15. PROHIBITED SIGNS

(a) Prohibited signs are signs which:

1. Contain or are an imitation of an official traffic sign or signal.
2. Are flashing, high intensity signs, such as strobe lights, or a[A]re of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which obscure any traffic or street sign or signal.
3. Move in any manner, have a major moving part, or swing because of the manner of their suspension or attachment as a result of wind pressure, unless professionally designed to operate in this manner. Not included in this prohibition are signs, which are designed to include small, integral parts, which flutter due to wind pressure.
4. Cause odor or sound emission.
5. Operate or employ any motion picture projection or video projection in conjunction with any advertisements.
6. Are classified as portable signs.
7. Are classified as wind signs.
8. Are classified as moving billboard signs.
9. Are classified as hazardous due to any of the following conditions:
 - a. Conflicts with traffic control signs or signals or various private signs resulting in vehicular or pedestrian safety hazards.

- b. Signs placed in locations or in a manner that create a danger to the public during periods of inclement weather or high winds.
 - c. Signs, which create a hazard due to collapse, fire, collision, decay, abandonment, or other safety considerations.
 - d. Signs, which obstruct firefighting or police surveillance.
- (b) In addition to the prohibited signs listed in this section, the use of **any light that projects a beam beyond the property line, including, but not limited to outdoor laser lights, search lights, and flood lights, [and any light that projects a beam beyond the property line]** is prohibited without written approval from the board of aldermen. Such approval shall be **in the form of a resolution designating approval** as temporary signage for a period not to exceed fourteen (14) **consecutive** days. The applicant shall provide evidence of FAA and FDA approval prior to review by the board of aldermen. **Any amusement parlor, commercial recreation, or theater, which has a valid Special Use Permit for such business operation, and which applies for and is issued a valid sign permit, is exempt from this section. Conditions for approval of the sign permit include: evidence of FAA and FDA approval; evidence that the sign is not classified as hazardous in accordance with this Section; and, evidence that the lights will not project in a manner that creates a danger to the public or neighboring businesses.**

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS ~~[BRACKETS, STRICKEN]~~ HAS BEEN DELETED.

Section 2: This ordinance shall be in full force and effect from and after its passage and approval.

Read this first time on this ___ day of ____, 2005.

Read this second time, passed, and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this ___ day of ____, 2005.

Louis E. Schaefer - Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa K Westfall
City Clerk



Joseph L. Johnson
City Attorney