

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS GOVERNING THE ERECTION, CONSTRUCTION, RELOCATION, ALTERATION, REPAIR, REMOVAL AND MAINTENANCE OF ALL SIGNS IN THE CITY OF ADDISON TOGETHER WITH THEIR APPURTENANT AND AUXILLIARY DEVICES; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. Scope

The provisions of this ordinance shall govern the erection, construction, relocation, alteration, repair, removal and maintenance of all signs in the City of Addison, together with their appurtenant and auxiliary devices.

SECTION 2. Definitions

"Sign" is defined as any device, flag, light, figure, poster, letter, word, message, symbol, plaque or poster visible from outside the premise on which it is located and designed to inform or attract the attention of persons on or off that premise, excluding search lights.

For the purpose of the ordinance the following words and phrases shall have the meaning herein ascribed to them.

A. Type

1. Ground Sign- a sign which is erected on a vertical framework consisting of two or more uprights supported by the ground.
2. Marquee Sign- any sign erected on a marquee or fixed awning.
3. Parapet Wall Sign- any sign erected on the top surface of a parapet wall.

4. Pole Sign- any sign supported by a single, free standing pole, and having no guys or braces to the ground or any structure other than the pole.
5. Projecting Sign- any sign which projects from a building and has one end attached to the building or other permanent structure.
6. Portable Sign- any sign not permanently attached to the ground or to a building or structure.
7. Roof Sign- any sign erected on a vertical framework supported by and located immediately and entirely over the roof of a building.
8. Temporary Sign- any sign erected for a specific purpose and remaining for 60 days or less.
9. Wall Sign- any sign erected flat against a wall, supported by the wall, and having the sign face parallel to and not more than twelve (12) inches from the wall surface. Neon tubing attached directly to a wall surface and also signs painted on walls shall be considered wall signs.
10. Combination Sign- any sign incorporating any combination of the features of pole, projecting, and roof signs.
11. Banner- any sign made of fabric to be temporarily attached to any structure.
12. Illuminated Sign- any sign which is illuminated internally or externally by means of electricity.
13. Vehicular Sign- any sign attached to a vehicle which does not project from front, sides, or rear surfaces of such vehicle.
14. Monument Sign- any sign which is of monolithic or semi monolithic construction being made from masonry or concrete materials, wood or steel or combination thereof, which gives the impression of a monument or marker, with no separation between the base of the sign and grade.

B. Purpose

1. Advertising Sign- any sign relating to a business activity, use or service not conducted on the premises on which the sign is placed or to a product not sold, handled, produced or fabricated on the same premises on which the sign is placed.
2. Apartment Name Sign- an accessory sign for the identification of an apartment building or complex.
3. Business Sign- a sign relating to a business, activity, use or service conducted on the premises on which the sign is placed.

4. Institutional Sign- a sign listing church services, or listing the names, use and location of various services, officers or activities within a building or group of buildings of a public or semi-public use, a charitable use, a medical center, clinic, or hospital.
5. Directory Sign- a sign informing the public of businesses or services available on the premises on which the sign is placed, such as in a shopping center, office park or medical center.
6. Political Sign- a sign relating to the election of a person to public office; to a political party; or to a matter to be voted upon at an election called by a public body.
7. Real Estate Sign- a temporary sign placed upon property and advertising that particular property for sale, rent or lease, or directing the public to homes for sale within the city.
8. Construction Sign- a temporary accessory sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator or mortgagee engaged in the design, construction and improvements of the premises on which the sign is located.

SECTION 3. Regulation of Signs

A. Permits

1. Before erection of any sign the person, persons or corporation responsible shall first obtain a permit from the Building Inspector. Application must be made and a fee paid in order to secure the permit. The permit fee for signs costing less than \$500.00 is \$10.00. For signs costing more than \$500.00 the permit fee will be 3% of the value of the sign. Applicant will be required to provide a statement of cost of the sign or signs for which permits are requested. The Building Inspector may require submission of two (2) copies of sign plans and specifications where he deems necessary. In the case of illuminated signs, a separate electrical permit must be applied for according to the existing fee schedule. A permit must be obtained for sign repairs or alterations costing more than \$25.00. Where work is begun before a permit is obtained, the applicable fee shall be doubled.

B. Dimensions

1. Unless otherwise specified in this ordinance, the maximum dimensions for any sign hereafter constructed in the City shall be thirty-six (36) square feet.

2. Maximum height of any sign shall be twenty (20) feet from ground level, with the exception of building signs, which may not project more than six (6) feet above a parapet wall.

3. Minimum ground clearance of any ground sign, pole sign, projecting sign, or combination sign, except as otherwise specified in this ordinance, shall be five (5) feet.

4. Maximum area of wall signs and maximum letter height shall not exceed the following schedule:

<u>Number of Stories</u>	<u>Maximum Area</u>	<u>Maximum Letter Height</u>
1	50 sq. ft.	16 inches
2	75 sq. ft.	24 inches
3	100 sq. ft.	36 inches
4	150 sq. ft.	48 inches

In no case shall maximum wall sign area exceed one hundred and fifty (150) square feet.

5. No vehicular sign may be more than three (3) square feet in area and may not project over the front, rear or side surfaces of the vehicle on which it is placed. The primary purpose of such signs shall not be identification of the business premises.

6. Directory signs may be constructed to a maximum of seventy-two (72) square feet on either side. This applies to on-premises advertising only.

7. Monument signs may have maximum dimensions of seventy-two (72) square feet per side, but may not be more than four (4) feet above grade. Larger monument signs may be reviewed by the City Council.

C. Location

1. No sign shall be erected closer than ten (10) feet from an existing public right-of-way or be constructed so as to project over such right-of-way.

2. No sign shall be erected nearer than five (5) feet to a power pole, telephone pole or utility pole or line. No sign shall be erected so as to interfere with traffic control lights or signs or be located dangerously. Whether a sign interferes with the aforementioned device or is dangerously located shall be judged by the Building Inspector. No sign may be attached to trees, utility poles or fences, with the exception of warning or traffic control signs on utility poles, and a sign of not more than one (1) square foot in area, stating the name and address of the builder of the fence on which the sign is placed.

3. Except as otherwise provided in this ordinance, there shall be no more than one (1) sign other than signs attached to a building on any premises. "Premises" is defined as a building.

4. Shopping or retail, or office centers may have one (1) sign which is not attached to the building and constitutes a directory of businesses on the premise. Each business will, in such cases be allowed one (1) sign attached to the building in which it is housed or attached to its specific lease space.

5. Off-premises advertising signs are prohibited.

D. Construction

1. Construction standards for signs shall be governed by

the Uniform Sign Code as heretofore adopted and by applicable Sections of the Uniform Building Code, 1973 Edition. Construction for signs must be begun within sixty (60) days after the permit is applied for or a new permit must be taken out. Construction of signs must be completed within one hundred and twenty (120) days after the permit has been approved.

2. Portable signs are specifically prohibited.

3. Illumination of signs shall be designed so as not to cause dangerous glare or hazard. Intermittent flashing signs are not allowed. Neon window outlining shall be considered as a sign and subject to all requirements of this ordinance.

4. No sign is allowed which moves by any means.

5. Each sign shall be maintained in good order at all times and shall not constitute a hazard to safety.

E. Nonconforming Uses

1. Signs adjudged by the Building Inspector as failing to comply with the provisions of this ordinance shall be removed within five (5) years of the effective date stated herein. No such sign shall be repaired, extended or altered, except to change its message or to bring it into compliance with the provisions of this ordinance. Portable signs as defined herein must be removed within sixty (60) days of the effective date of this ordinance.

F. Condemnation, Demolition and Impoundment

1. Signs adjudged by the Building Inspector to be structurally unsafe or to be more than fifty percent (50%) destroyed or dilapidated may be condemned. A condemnation letter will be sent to the owner of the property stating that the sign must be demolished within fifteen (15) days of the receipt of the letter. If this is not done within the period allotted, the City may remove the sign at the property owner's expense.

2. Nonconforming signs which are damaged must be

demolished and not repaired unless such proposed repairs would, in the judgement of the Building Inspector, bring the sign into compliance with, the provisions of this ordinance.

3. All of the following signs shall be considered a public nuisance and the City may, without notice, remove and impound any of the following signs at the property owner's expense.

- a. any sign erected or existing that constitutes a traffic hazard in the opinion of City staff.
- b. any sign erected without a permit after the passage of this ordinance when the erection of such sign requires a permit.
- c. any sign erected in violation of the provisions of this ordinance.

G. Exemptions

1. Subject to the following requirements, the following signs are exempt from only the permit requirements of this ordinance; and all other requirements apply:

- a. Special Event Signs- civic organizations and other non-profit organizations may be allowed by the Building Inspector to erect signs promoting special events at the location and times and under the conditions he specifies.
- b. Personal Property Sale Signs- provided they do not exceed four (4) square feet, may be erected by a home owner in his front or side yard, providing it is at least fifteen (15) feet from street pavement and there is only one such sign on the premises per street frontage.
- c. Real Estate Signs- providing they do not exceed nine (9) square feet in area may be erected to advertise sale, lease or rent of the property on which they are located. Such signs may not be located in any public right-of-way. Real estate signs must be spaced at least fifty (50) feet apart along lot frontage and there may be no more than four (4) such signs per lot. Directional signs pointing to home sales may be erected, if they are not in any public right-of-way and do not exceed four (4) square feet. Real estate signs shall be removed as soon as the property to which they refer has been sold, rented or leased. A sign bearing the word "sold" may be used to replace the real estate sign providing that the new sign is no more than one (1) square foot in area.

- d. Political Signs- not exceeding six (6) square feet in area may be erected not less than fifteen (15) feet from street pavement by a homeowner in his yard or by a property owner on his property. Such signs may be erected not earlier than thirty (30) days before the public election to which it is to pertain and must be removed not later than five (5) days after the same public or run off election. Only one (1) such sign per premises per candidate may be erected. No signs or posters may be attached to trees, walls, utility poles, fences, or to any structures in any public right-of-way. Such signs, however, may be placed in the windows of private businesses with the owner's consent. Signs on vehicles are allowed provided no signs is more than three (3) square feet in area, does not project from the front, sides or rear surfaces of the vehicle, and the same time limit applies.
- e. Grand Opening or Special Sales- signs, banners or flags may be erected by any business in a properly zoned area for a period not exceeding thirty (30) days in any six (6) month period in connection with grand openings or special sales being held by said business.

2. The following signs are exempt from all provisions of this article except for those governing safety, and no permit will be required.

- a. inside signs not defined as window signs.
- b. traffic and other signs erected or maintained by a governmental agency.
- c. official and posted legal notices.
- d. street name signs erected by the City.
- e. nameplates not exceeding two (2) square feet in area.
- f. national, state and historical flags (flagpoles must comply with the requirements of the City's building code).
- g. no trespassing signs.

H. Variance Appeal

Signs may vary from the size, location or construction requirements of this ordinance provided permission is given by the Planning & Zoning Commission. Application for a variance must be made fourteen (14) days prior to the meeting at which the variance

is to be considered. The filing fee is fifty dollars (\$50.00). The decision of the Planning & Zoning Commission is final.

SECTION 4. That all ordinances and provisions contained therein of the City of Addison in conflict with the provisions of this ordinance be and the same are hereby repealed and all other provisions of said ordinances not in conflict with the provisions of this ordinance remain in full force and effect.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance, shall upon commission be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each day such violation continues shall constitute a separate offense.

SECTION 7. The fact that the present sign ordinance is inadequate to properly safeguard the general public welfare, health and safety, creates an urgency and an emergency, and requires that this ordinance become effective immediately upon its passage and publication of the captioned as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS on this the 9th day of August, 1977.

APPROVED:

Jerry Redding
MAYOR

ATTEST:

John W. Milligan
CITY SECRETARY 497126-

APPROVED AS TO FORM:

ATTORNEY