

ORDINANCE NO. 087-058

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 14, SIGNS, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICATION FEE AMOUNTS; PROVIDING FOR MERITORIOUS EXCEPTION LATE FEE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 14 of the Code of Ordinances, Town of Addison, Texas, is hereby amended by amending Sec. 14-2 to read as follows:

Sec. 14-2. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Building" means a structure which has a roof supported by columns, walls or air for the shelter, support or enclosure of persons, animals or chattels.

"Effective Area" means the area enclosed by drawing a rectangle of horizontal and vertical lines which fully contain all extremities of the sign drawn to scale, exclusive of its supports. The measurement is to be calculated from the viewpoint which gives the largest rectangle of that kind, as the viewpoint is rotated horizontally around the sign. The effective area for attached signs shall mean the sum of the areas of the minimum imaginary rectangles enclosing each word attached to any particular Facade.

"Facade" means any separate face of a building, including parapet walls and omitted wall lines, or any part

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of a Building which encloses or covers usable space. Where separate faces are oriented in the same direction, or in the directions within forty-five (45) degrees of one another, they are to be considered as a part of a single Facade.

"Premises" means a lot or unplatted tract, or a combination of contiguous lots or unplatted tracts if the lot or tract, or combination is under single ownership and is reflected in the plat records of the City.

"Sign" means any device, flag, light, figure, picture, letter, word, message, symbol, plaque or poster visible from outside the Premises on which it is located and designed to inform or attract the attention of persons not on those Premises, excluding searchlights.

"Sign, attached" means any Sign attached to, applied on or supported by any part of a Building (such as a wall, roof, window, canopy, awning, arcade or marquee) which encloses or covers usable space.

"Sign, detached" means any Sign connected to the ground which is not an attached Sign, inclusive of Signs on movable objects, except Signs on vehicles which are moving or are parked only temporarily, incidental to their principal use for transportation.

"Sign Device" means any flag, banner, pennant, streamer or similar device that moves freely in the wind. All wind devices are considered to be Signs, and are regulated and classified as attached or detached, by the same rules as other Signs.

"Sign, meritorious exception" means any Sign which fails to conform to all applicable regulations and restrictions of this Code and for which a special permit has been issued.

"Sign, movement control" means a Sign which directs vehicular or pedestrian movement within or into the Premises on which the movement control Sign is located.

"Sign, nonpremises" means any sign which is not a Premises sign.

"Sign, political" means any type of nonpremises Sign which refers only to the issues or candidates involved in a political election.

"Portable and/or display" means a Sign or display surface temporarily fixed to a standardized advertising device or structure which can be regularly moved from location at periodic intervals and is not permanently affixed to real property.

"Sign, premises" means any sign the content of which relates to the Premises on which it is located referring exclusively to the name, location, products, persons, accommodations, services or activities of or on those Premises, or the sale, lease or construction of those Premises.

"Sign, protective" means any Sign which is commonly associated with safeguarding the permitted uses of the occupancy, including, but not limited, to "bad dog," "no trespassing" and "no solicitors."

"Sign, special purpose" means a Sign temporarily supplementing the permanent Signs on the Premises.

"Sign, support" means any pole, post, strut, cable or other structural fixture or framework necessary to hold and secure a Sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch in height, nor is internally or decoratively illuminated.

"Sign, vehicular" means any Sign on a vehicle moving along the ground or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include Signs which are being transported to a site of permanent erection.

"Zoning District, Business" means any zoning district designated by the comprehensive zoning ordinance of the Town of Addison as LR, C, I-1, I-2, I-3. Any PD District is also included in this list, unless specifically excluded by its provisions.

"Zoning District, Nonbusiness" means any zoning district not designated as a business district in accordance with the preceding Definition.

SECTION 2. That Chapter 14 of the Code of Ordinances, Town of Addison, Texas, is hereby amended by amending Sec. 14-39 to read as follows:

Sec. 14-39. Application Fee Amounts.

Fees for a permit to erect, alter, replace or relocate a Sign shall be Fifty Dollars (\$50.00) for each Sign.

SECTION 3. That Chapter 14 of the Code of Ordinances, Town of Addison, Texas, is hereby amended by adding Sec. 14-43 to read as follows:

Sec. 14-43. Meritorious Exception Sign Application Fees.

Fees for an application for a permit for a Meritorious Exception Sign shall be Two Hundred Dollars (\$200.00) for each sign, with a maximum amount per building of Four Hundred Dollars (\$400.00).

SECTION 4. That Chapter 14 of the Code of Ordinances, Town of Addison, is hereby amended by adding Sec. 14-44 to read as follows:

Sec. 14-44. Meritorious Exception Sign Late Fee.

If a Sign is erected, placed or maintained in violation of the provisions of this Code prior to any authority, permission or approval of the City to do so, and an application for meritorious exception is sought, there shall be paid by the applicant for such meritorious exception a late fee equal to twice the amount of the meritorious exception fee. Payment of the late fee does not excuse full compliance with the provisions of this chapter.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be 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 all ordinances of the City in conflict


with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 8. The fact that the present code of Ordinances does not provide for certain sign application fees and is therefore, inadequate to properly safeguard the general public health and safety, creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED by the City Council of the Town of Addison, Texas, this the 22nd day of September, 1987.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY