

ORDINANCE NO. 087-078

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 PURPOSE; PROVIDING FOR LUMINESCENT GASEOUS TUBING; PROVIDING FOR REMOVAL OF CERTAIN NONCONFORMING SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

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 to amend only the definitions of "Effective Area" and "Sign" in Sec. 14-2, to read as follows:

Sec. 14-2. Definitions.

"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. The area within the perimeter formed by artificial illumination on any sign, building or structure shall be counted as part of the total allowable sign area.

"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 pre-

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mises, and which term shall include searchlights and exposed tubing which contains luminescent inert gases.

SECTION 2. That Chapter 14, Article I, of the Code of Ordinances, Town of Addison, Texas, is hereby amended to amend Sec. 14-3 to read as follows:

Sec. 14-3. Purpose.

Signs use private land and the sight lines created by the public rights-of-way to inform and persuade the general public by publishing a message. This chapter provides standards for the erection and maintenance of private signs. All private signs not exempted as provided in this chapter shall be erected and maintained in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and in part to achieve the following:

1. Safety: To promote the safety of persons and property by providing that signs:
 - a. do not create a hazard due to collapse, fire, collision, decay or abandonment;
 - b. do not obstruct fire-fighting or police surveillance; and
 - c. do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles or to read traffic signs.
2. Communications efficiency: To promote the efficient transfer of information in sign messages by providing that:
 - a. those signs which provide messages and information most needed and sought by the public are given priorities;
 - b. businesses and services may identify themselves;
 - c. customers and other persons may locate a business or service;

d. no person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and

e. persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore said messages, according to the observer's purpose.

3. Environment quality and preservation: To protect the public welfare, to enhance the image, attractiveness and appearance of the environment, to promote the aesthetic and economic value of the landscape and to preserve and improve the quality of life in the Town of Addison, by providing that signs:

a. do not interfere with scenic views;

b. do not create a nuisance to persons using the public rights-of-way;

c. do not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;

d. are not detrimental to land or property values;

e. do not contribute to visual blight or clutter;

f. are architecturally compatible and harmonious with the structure to which they pertain and to neighboring structures.

SECTION 3. That Chapter 14, Article I, of the Code of Ordinances, Town of Addison, Texas, is hereby amended to add Sec. 14-25 to read as follows:

Sec. 14-25. Luminescent Gaseous Tubing. The use of exposed tubes which contain luminescent inert gases, including, but not limited to, neon, argon and krypton, and which are visible from the exterior of structures, is specifically prohibited except as an attached sign which shall conform to this chapter.

SECTION 4. That Chapter 14, Article IV, of the Code of Ordinances, Town of Addison, Texas, is hereby amended by adding subparagraph (g) to Sec. 14-118 to read as follows:

Sec. 14-118. Removal of certain nonconforming signs--when required.

(g) Signs which do not conform to Sec. 14-25 of this chapter shall be removed before November 15, 1992.

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 5. 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 Four Hundred Dollars (\$400.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 6. The fact that the present code of Ordinances does not provide for nonconforming signs and is therefore, inade-

quate 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 10th day of November, 1987.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY