

ORDINANCE NO. 2025-06-09 (16)

AN ORDINANCE AMENDING CHAPTER 14 – ZONING, BY AMENDING SECTION 14.02.123 SIGN REQUIREMENTS, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council (“Council”) is the governing body for the City of Rockdale, Texas, and therefore, it must bear initial responsibility for the integrity of governance; and

WHEREAS, the zoning ordinance governs allowed sign types and designs; and

WHEREAS, to ensure the safety and welfare of citizens, the Council intends to limit clutter of signs that would distract drivers from the road; and

WHEREAS, the Council intends to establish standards for electrical signs that blink, radiate, scroll, or use other means of messaging to draw attention to the sign;

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Amendment of Section 14.02.123 Sign Requirements. Section 14.02.123 Sign Requirements is hereby amended as follows:

Sec. 14.02.123 Sign Requirements

See “Exhibit A” for Sign Requirements

Section 3. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances, and sections of the City Code of Ordinances, in conflict with this ordinance are hereby repealed to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, unlawful, unenforceable, or unconstitutional, the same shall not affect other provisions or application hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. Savings Clause. All rights and remedies of the City of Rockdale are expressly saved as to any and all violations of the provisions of any ordinances affecting zoning and all other codes affected hereby including permit issuance, or vendor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the City Charter and the Texas Local Government Code.

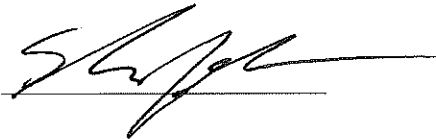
Section 7. Open Meeting Act. It is officially found and determine that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED on first reading on this the May 12th, 2025.

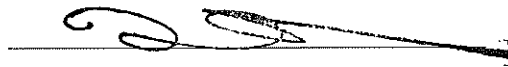
PASSED AND APPROVED on second reading on this the June 9th, 2025.

ATTEST

THE CITY OF ROCKDALE

A handwritten signature in black ink, appearing to read 'Shanna Johnson', written over a horizontal line.

Shanna Johnson
City Secretary

A handwritten signature in black ink, appearing to read 'Ward Roddam', written over a horizontal line.

Ward Roddam, Mayor

“Exhibit A”

Sign Requirements

§ 14.02.123 Sign requirements.

(A) All signs shall be designed, placed, located, erected, constructed and maintained in accordance with this section and all applicable city ordinances.

(B) Purpose. The purpose of this section is to provide uniform sign standards that promote the health, safety, and communication of the public. The following are objectives to be pursued in applying specific standards:

- (1) To identify individual business, residential, or public uses without creating confusion, unsightliness, or visual obscurity of adjacent businesses.
- (2) To ensure all signs are compatible with adjacent properties.
- (3) To regulate signage to provide the safest possible environment for residents, businesses, and visitors.
- (4) To ensure that the signage is consistent with the community values of the city and are in character with the city's comprehensive plan.

(C) General provisions. All signs erected or maintained pursuant to the provisions of this article shall be erected and maintained in compliance with all applicable federal, state, and local laws and regulations, the building code, electrical code and other applicable ordinances of the city. In the event of conflict between this article and other laws, the most restrictive standard applies.

(D) Definitions. As used in this section, the following terms shall have the meaning indicated below unless the context clearly indicates otherwise:

Attached sign. Any permanent sign attached, painted, or in some way affixed directly to a building surface.

Awning sign. Any sign or advertising painted on, printed on, attached to, or supported by an awning attached to a building or structure.

Banner sign. A sign made of fabric of any non-rigid material, including but not limited to flags and pennants.

Billboard (outdoor advertising). See definition for "off-premise sign."

Canopy sign. A sign attached or affixed to a canopy that is attached to or comprises and extension of a building.

City. City of Rockdale, Texas.

Community service (or public service). A sign which solicits support for or advertises a nonprofit community use, public use, or social institution.

Community significant sign. A sign(s) that exemplifies the cultural, architectural, or commercial identity of the city, is iconic in its location, and contributes to the surrounding neighborhood character. Examples include the following:

- (1) Historic sign. A landmark sign that exemplifies the cultural, architectural, or commercial history of the city and was constructed more than fifty (50) years before the date of application.
- (2) Vintage sign. A landmark sign that is iconic and culturally significant and was constructed between fifty (50) and twenty-five (25) years before the date of application.
- (3) Replica sign. A landmark sign that is an exact reproduction of a historic sign which no longer exists.

Damaged sign. A sign that is unsafe, unsecure, disfigured, or broken.

Detached sign. A sign that is connected to the ground which is not attached to, applied on, or supported by, any part of the building (such as a wall, roof, window, canopy, awning, arcade, or marquee) inclusive of signs on moveable objects, except signs on vehicles that are moving or are parked only temporarily, incidental to their principal use for transportation.

Electronic message sign. A sign on which informational content can be changed or altered on a fixed display screen composed of electronically illuminated segments.

Erect. To build, construct, attach, hang, place, suspend, or affix.

ETJ. Extra-territorial jurisdiction of the city.

Face or surface. The surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Foot candle. A measure of light intensity, measured in lumens per square foot, which is the amount of light received by one square foot of a surface that is one foot from a point source of light equivalent to one candle of a certain type.

Freestanding/pole sign. A permanent detached sign which is attached to or part of a completely self-supporting structure such as a frame or one (1) or more poles which is not attached to any building or any other structure and which is permanent affixed to the ground.

Gas/fuel price electronic message sign. An electric sign type that is distinguished from electronic message signs due to the limited amount of information displayed and the length of time periods the message will remain unchanged. These signs are limited to displaying the gas/fuel prices only to advertise to the general public. Any messaging capacity beyond the gas/fuel price shall constitute an electronic message sign as defined and regulated herein.

Gross surface area of the sign. The total area of a sign including the surface area of a sign, and the masonry area and base to which it is mounted, such as monument sign or monolith sign. The gross surface area would be the total dimensions of the entire structure.

Height. The distance from common ground level to the highest point.

Highway. Applies to all lots and tracts that have frontage along Cameron Avenue, US Highway 79, FM 487, FM 908.

Hologram/laser sign. A sign that generates a projected image into the atmosphere or onto the surface of an object, originating from a device connected to an electrical or battery power source.

Human sign. A sign that is worn (including costumes) or held by a human for commercial advertising or promotional purposes.

Illuminated sign. Any sign illuminated by electric lights.

Incombustible material. Any material which will not ignite at 1,200 degrees F or below, nor shall it continue to burn or glow at that temperature.

License. An official document issued by the city that gives permission to operate a sign installation business.

Logo. Design or insignia commonly used to identify a company or product.

Monolith sign. A permanent detached sign type in which one hundred (100) percent of the sign structure's width or base area is in contact with the ground and is independent of buildings or structures. This sign form is regulated to a narrow horizontal profile to allow for more vertical height. This sign form is constructed of solid material consisting of a singular structure from the ground up to the highest point of the sign, vertical support columns do not add to the regulated width.

Monument sign. A permanent detached sign type in which ninety (90) percent of the sign structure's width or base area is in contact with the ground and is independent of buildings or structures. The sign form is regulated to a wide profile but is limited in total vertical

height. This sign form is constructed of solid material consisting of single structure from the ground up to the highest point of the sign.

Monument sign, multi-tenant. A permanent detached sign type in which ninety (90) percent of the sign structure's width or base area is in contact with the ground and is independent of buildings or structures. This sign form allows larger height and sign surface area for developments with a variety of business needing advertising capability all located on the same premises. This sign form is constructed of solid material consisting of a single structure from the ground up to the highest point of the sign.

Multi-lot shared sign. A single detached sign identifying buildings, businesses, or multifamily complexes located on adjacent lots.

Neon sign. A gas filled glass tubing sign.

Nit. A unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One (1) nit is equivalent to one (1) candela per square meter.

Nonconforming sign. A sign which was legally in existence prior to the date of adoption by the city which made the existing sign unlawful or non-conforming.

Non-highway sign. Applies to all signage that does not front Cameron Avenue, US Highway 79, FM 487, and FM 908.

Off-premise sign. A sign used for advertising an establishment, merchandise, service, or entertainment that is sold, produced, manufactured, and/or furnished at a place other than on the property on which said sign is located.

Permanent. Any sign intended to be used for six (6) months or longer.

Permit. An official document issued by the city that allows for sign installation.

Person. An individual, partnership, firm, company, association or corporation of any kind.

Planning and Zoning Commission. The Planning and Zoning Commission of the city as appointed by the city council. Also termed as "commission" herein.

Pole sign. A permanent freestanding sign type which is supported by one (1) or more poles in or upon the ground.

Portable sign. A sign easily moved from one location to another, including signs which are mounted on skids, trailers, wheels, legs or stakes.

Setback. The minimum distance from the property line to the nearest part of a building. No sign requiring a permit may encroach, project, or be constructed on or past this line.

Sign. A structure, display, light device, painting, drawing, message, plaque, poster, billboard or other thing that is designed, intended or used to advertise, inform, or attract the attention of persons not on that premise, excluding those lights and landscape features which display words or symbols as temporary holiday decorations.

Sign, abandoned. Any sign without a valid current permit, or one which is deserted, surrendered or forsaken, unused, given up or relinquished with intention of never resuming a right of interest therein.

Signs, agricultural. Any sign identifying the farm or ranch on which it is placed and advertises the produce, crops, animals, or poultry raised or quartered thereon.

Signs, apartment. Any sign identifying an apartment building or complex of apartments.

Signs, construction. Any temporary sign identifying the property owner, architect, contractor, engineer, landscape architect, decorator, or finances engaged in the design, construction or improvement of the premises on which the sign is located.

Sign, developmental. Any temporary sign pertaining to the development of land.

Sign, directional. Any temporary sign which exclusively communicates the location or route to a premise or occupancy.

Sign, identification. Any sign used to identify shopping centers, industrial and commercial parks, and retail districts. These signs are not intended to identify individual businesses or activities within the center or district.

Sign, institution. Any sign used to identify a school, church, hospital or similar public or quasi-public institution.

Sign, marquee. Any sign erected on a marquee or fixed awning.

Sign, model home. Any temporary sign used to advertise a particular structure represented by a model or show home.

Sign, monument. Any permanent low-profile sign on a monument base.

Sign, political. A sign advertising a political candidate or party for elective office.

Sign, projection. Any sign which projects, either horizontally or vertically, from a building and which has one end attached to that building or other permanent structure.

Sign, real estate. A sign used to advertise the sale, or lease of a piece of real property.

Sign, residential subdivision. A sign used to identify a specific residential subdivision.

Sign, traffic. A sign used for traffic-control purposes.

Sign, wall. Any sign attached to the face of a building or incorporated thereon, including windows and doors, to advertise businesses in that building.

Temporary sign. A sign that is added to a premise and meant to remain in place for a limited amount of time.

(E) General requirements.

(1) Except as otherwise provided herein, no sign shall be erected, structurally changed, refaced, or reconstructed in whole or in part, within the city without a permit having been first obtained.

(2) All signs shall pertain to the identification of the primary uses and/or primary services provided or primary products sold on the premises.

(3) All signs, when applicable, shall meet the standards of the adopted city building code(s).

(4) All signs are prohibited from blinking, flashing, or pulsing lighting or messages to adversely attract attention or otherwise detract from the consistent sign forms in the city.

(5) All signs are prohibited from being erected upon trees, bridges, fences (unless specified herein), towers, utility poles, automobiles and/or vehicles, junk or abandoned automobiles and/or vehicles and dilapidated buildings shall not be used as sign supports.

(6) All developed properties within the city shall be allowed one (1) detached sign per property/development unless specified herein.

(7) There is hereby an imposed setback regulation of five (5) feet for all detached signs, unless specified herein.

(8) Illuminated signs shall not operate at a brightness level of more than 0.3 footcandles above ambient light conditions at the property line, as measured using a footcandle meter.

(F) Signs permitted. A detached or attached sign may be erected and maintained upon any commercial or industrial zoned property, unless otherwise prohibited or restricted herein; provided that not more than one (1) detached sign shall be erected or maintained upon any premise. Additionally, not more than four (4) attached signs may be attached to or

suspended from any building facade, canopy or awning. No off-premise signage is permitted.

(G) Detached signs.

(1) Monument signs.

(a) Purpose. To identify a building, business, multifamily complex, or residential subdivision through the use of a ground detached monument.

(b) Maximum size and height. Based on the geographic location of the property, all monument signs shall be regulated to a classification of either highway or non-highway and be regulated to the following:

Table 1.b.		
Monument Sign sizes and height		
	Highway	Non-Highway
Sign surface area	70 sq/ft maximum	50 sq/ft maximum
Gross surface area	90 sq/ft maximum	70 sq/ft maximum
Width	14 ft maximum	12 ft maximum
Height	8 ft maximum	8 ft maximum

The specified above maximums regulate the largest size or height authorized, unless the sign complies with the provisions of subsection 1.C.

(c) Size and height bonus allowance.

(i) Monument signs shall be allowed an increase in size and height in accordance with the table below if placement of the sign is made further from the property line than the required setback as established in section G "Detached signs" subsection E "Setback requirements" of this code. The allowance ratio in the table shall be a specified amount of additional setback distance (example: one (1) ft) from the prescribed sign setback, for a specified amount of additional size and/or height authorized to be incrementally added to the sign for each increment of specified distance from the prescribed setback. The height and size allowances can be incrementally gained but shall not exceed the maximum height and size in tables 1.C.1 and 1.C.2. Based on the geographic location of the property, all monument signs shall be regulated to a classification of either highway, table 1.C.1. or non-highway, table 1.C.2.

Formula: additional unit allowed per foot of setback.

(ii) Highway, size and height ratios.

Table 1.c.1		
Highway		
	Allowance ratio	Maximum size
Sign surface area	5 sq/ft per 1 ft setback	100 sq/ft
Gross surface area	10 sq/ft per 1 ft setback	130 sq/ft
Height	1 ft height per 1 ft setback	12 foot
Width	None	None

(iii) Non-highway, size and height ratios.

Table 1.c.2.		
Non-Highway		
	Allowance ratio	Maximum size
Sign surface area	2.5 sq/ft per 1 ft setback	70 sq/ft
Gross surface area	5 sq/ft per 1 ft setback	100 sq/ft
Height	1 ft height per 2 ft setback	10 ft
Width	None	None

(d) Allocation. One (1) monument sign per lot or tract is permitted.

(e) Setback requirements

(i) Monument signs shall be subject to a minimum ten (10) foot setback.

(f) Design.

(ii) The monument shall be a minimum of forty (40) percent solid masonry (stone, brick and/or stucco) to match the buildings.

(iii) Signs proposing to use other equivalent materials than required above consistent with the building architecture or overall sign design may be approved by the city manager or their designee.

(g) Lighting. Internal sign illumination, individual letter internal illumination, or external ground lighting angled at the sign face is authorized.

(h) Additional. If a sign is located in a public utility easement, the owner of the property is responsible for removal, relocation, or replacement at a utility company's request or upon request of the city.

(2) Monolith sign.

(a) Purpose. To identify a building, business, multifamily complex, or residential subdivision through the use of a sign type that allows more height, yet is limited to a narrower width.

(b) Maximum size and height. Based on the geographic location of the property, all monolith signs shall be regulated to a classification of either highway or non-highway and be regulated to the following:

Table 2.b.		
Monolith Sign sizes and height		
	Highway	Non-Highway
Sign surface area	70 sq/ft maximum	50 sq/ft maximum
Gross surface area	110 sq/ft maximum	80 sq/ft maximum
Width	8 ft maximum	8 ft maximum
Height	14 ft maximum	10 ft maximum

The specified above maximums regulate the largest size or height authorized, unless the sign complies with provisions of subsection 2.c.

(c) Size and height bonus allowance.

(i) Monolith signs shall be allowed an increase in size and height in accordance with the table below if placement of the sign is made further from the property line than the minimum setback as established in subsection 2.e. The allowance ratio in the table shall be a specified amount of additional setback distance (example: one(1) ft.) from the prescribed sign setback, for a specified amount of additional size and/or height authorized to be incrementally added to the sign for each increment of specified distance from the prescribed setback. The height and size allowances can be incrementally gained, but shall not exceed the maximum height and size in tables 2.c.1 or 2.c.2. Based on the geographic location of the property, all monolith signs shall be

regulated to a classification of either highway, table 2.c.1. or non-highway, table 2.c.2 additional unit allowed per foot of setback.

(ii) Highway, size and height ratios.

Table 2.c.1.		
Highway		
	Allowance ratio	Maximum size
Sign surface area	5 sq/ft per 1 ft setback	120 sq/ft
Gross surface area	10 sq/ft per 1 ft setback	160 sq/ft
Height	1 ft height per 1 ft setback	20 ft
Width	None	None

(iii) Non-highway, size and height ratios.

Table 2.c.2.		
Non-highway		
	Allowance ratio	Maximum size
Sign surface area	2.5 sq/ft per 1 ft setback	70 sq/ft
Gross surface area	5 sq/ft per 1 ft setback	100 sq/ft
Height	1 ft height per 2 ft setback	10 ft
Width	None	None

(d) Allocation. One (1) monolith sign per lot or tract is permitted.

(e) Setback requirements.

(i) Monolith sign shall be subject to a minimum ten (10) foot setback.

(f) Design.

(i) Monolith signs shall be a minimum of forty (40) percent solid masonry (stone, brick and/or stucco) matching the building(s) that they represent.

(ii) Architectural accent. Monolith signs shall include architectural accents into the sign design. Design elements from the corresponding buildings or project architectural features present in the development shall be included in the sign design. If there are no notable architectural features or attributes associated with the development,

then one (1) must be added to the sign design to improve the character of the sign. Examples of how this may be achieved is by the addition of a roof canopy to resemble a tower or arched metalwork capping the sign. Each sign is unique and architectural accent to these signs is meant to improve the sign form.

(iii) Signs proposing to use other equivalent materials than required above consistent with the building architecture or overall sign design may be approved by the city manager or their designee.

(g) Lighting. Internal illumination, individual letter illumination, or external ground lighting angled at the sign face is authorized.

(h) Relocation in utility easement. If a sign is located in a public utility easement, the owner of the property is responsible for removal, relocation, or replacement at a utility company's request or upon request of the city.

(3) Monument sign, multi-tenant

(a) Purpose. To identify a multi-tenant center through the use of a ground mounted detached monument.

(b) Maximum size and height.

(i) Sign surface area. Tenant text and logo panels shall be no more than one-hundred and forty (140) square feet total; an additional five (5) feet of sign square footage may be added to the overall sign square footage for each additional one (1) foot of setback distance that the sign is located from the property line; however, the maximum square footage shall not exceed two-hundred (200) square feet.

(ii) Gross area. The gross area of a multi-tenant monument sign shall not exceed two-hundred and forty (240) square feet total; an additional ten (10) feet of gross square footage may be added to the overall gross square footage of the sign for each additional one (1) foot of additional setback distance from the property line; however, the maximum square footage shall not exceed three-hundred (300) square feet.

(iii) Maximum height. The multi-tenant monument sign shall be no more than twenty (20) feet in height. An additional one (1) foot of sign height may be added to the overall height of the sign for each additional one (1) foot of additional setback distance from the property line; however, the maximum height shall not exceed thirty (30) feet.

(iv) The multi-tenant center name is required to be displayed on the sign and shall be no more than forty (40) square foot and shall not be counted as part of the sign surface area specified in subsection 3.b.i.

(v) The multi-tenant monument sign shall be no greater than sixteen (16) feet wide.

(c) Allotment. One (1) multi-tenant monument sign per lot is permitted.

(d) Setback requirements. Multi-tenant monument sign shall be subject to a ten (10) foot setback.

(e) Design.

(i) Multi-tenant monument signs shall be constructed with a minimum of fifty (50) percent solid masonry (stone, brick and/or stucco) to match the building(s) that they represent.

(ii) Use of tenant panels for the purpose of providing contact information for leasing space at the multi-tenant center is authorized.

(iii) Architectural accent. Multi-tenant monument signs shall include architectural accents into the sign design. Design elements from the corresponding building or project architectural features or attributes associated with the development, then one (1) must be added to the sign design to improve the character of the sign. An example of how this may be achieved is by the addition of a roof canopy to resemble a tower or arched metalwork capping the sign. Each sign is unique and architectural accent to these signs is meant to improve the sign form.

(iv) Signs proposing to use other equivalent materials than required above that are consistent with the building architecture or overall sign design may be approved by the city manager or their designee.

(f) Lighting. Internal sign illumination, individual letter illumination, or external ground lighting angled at the sign face is authorized.

(g) Relocation in utility easement. If a sign is located in a public utility easement, the owner of the property is responsible for removal, relocation, or replacement at a utility company's request or upon request of the city.

(h) Landscape. A minimum of one hundred (100) square feet of the ground surrounding the base of each sign under this section shall be landscaped

in a manner that does not conflict with other provisions of this code. Landscaping shall be installed and maintained and shall not obstruct traffic visibility.

(4) Retaining wall sign.

(a) Purpose. To identify a building, business, multifamily complex, or residential subdivision through the use of a detached sign mounted on a retaining wall.

(b) Maximum size. Surface area shall be no more than forty (40) square feet; alternative sign sizes may be considered by the Planning and Zoning Commission up to a maximum of one hundred (100) square feet, this is based on there being a wide variation of potential retaining wall configurations, such as the height, size, and location.

(c) Maximum height. The retaining wall sign shall not project above the top of the retaining wall it is constructed upon.

(d) Allocation. One (1) retaining wall sign per lot is permitted.

(e) Setback requirements. Retaining wall signs shall be subject to a zero foot setback, if the retaining wall is less than or equal to five (5) feet in height. If the retaining wall is greater than five (5) feet in height, the required setback shall be ten (10) feet from the property line.

(f) Design.

(i) The retaining wall shall be a minimum of fifty (50) percent solid masonry (stone, brick, and/or stucco) to match the building(s) for a minimum of ten (10) feet to each side of the surface area of the sign.

(ii) Signs proposing to use alternative materials consistent with the building architecture may be approved by the city manager or designee.

(g) Lighting. Internal sign illumination, individual letter internal illumination, or external ground lighting angled at the sign face is authorized.

(h) Relocation in utility easement. If a sign is located in a public utility easement, the owner of the property is responsible for removal, relocation, or replacement at a utility company's request or upon request of the city.

(H) Attached signs.

Except as otherwise provided herein, no sign shall be erected, structurally changed, refaced, or reconstructed in whole or in part, within the city without a permit having been first obtained.

(1) Permanent building signage. Signs when attached to buildings shall advertise only services or products which are offered within the building to which the sign is attached.

(a) Construction/installation standards. Such signs shall not exceed the roofline of the building by more than two (2) feet. Under no circumstances shall an attached sign be allowed to extend past the ends of a building or more than two (2) feet above the roofline of a building nor cover more than fifty (50) percent of the front or side of the building. Attached signs shall not extend more than fifteen (15) inches from the face of the building surface, unless it meets the requirements to be classified as a projection or awning sign which the applicable regulations to those sign categories shall apply.

(i) Lighting. Internal or external lighting of attached signs is allowed.

(b) Maximum size. The total area of all signs attached to the building shall not exceed one (1) square foot for each one (1) linear foot of building front. Buildings adjacent to a side street shall be allowed to include the linear footage of the side of the building adjacent to an improved side street when calculating the total allowable sign area.

(c) Awning sign.

(i) Maximum area/allocation. Awning signs shall be erected under the allotted square footage for total area attached to buildings as specified in subsection G.1.b.

(ii) Awning signs shall not be constructed of banners or non-rigid materials, unless it is constructed as a structural element of the awning itself. (Ex: business name stitched into or printed on the material of the awning canopy.)

(iii) Awning signs shall not project more than one (1) foot from the awning it is affixed.

(iv) An awning sign shall not project over the public right-of-way.

(d) Neon sign.

(i) Allocation. Neon signs are allowed but must be erected within the allotted attached signs attributing to the building.

(ii) Maximum area. Established by the maximum attached sign square footage to building.

(iii) Display. Neon signs are prohibited from pulsing, flashing, or any other function that would create a moving sign. The display of neon signs is to provide a form of fixed illumination.

(iv) Location. Neon signs are prohibited from attachment to any form of detached signage. Neon signs shall only be permitted to be attached to buildings within which a business operates. Neon signs are prohibited from attachment to accessory structures or detached structures from the primary business building.

(v) An "open/closed" neon sign shall not be counted towards the sign square footage allotment for a building.

(2) Window signage.

(a) Purpose. To maintain the functional use of windows in buildings as they are intended to be utilized and minimize the volume of signage within windows of structures.

(b) Window signs permitted. The total area of all window signs on any given elevation of a building may not exceed twenty-five (25) percent of the window area of that elevation.

(c) No single window sign shall exceed a fifty (50) percent cover of the area of the window.

(I) Electronic signs

This section governs the regulation of all permanent forms of electronic signage within the city. No sign may be erected, structurally changed or reconstructed in whole or part, within the city without a permit having been first obtained.

(1) General regulations.

(a) The city may order a sign's brightness reduced or other operation characteristics altered if the city finds that the sign interferes with or poses a traffic safety hazard to the operation of vehicles. Upon permitting of a sign the city shall require submittal of technical specifications of the sign's design to

review to ensure it does not pose a hazard to the public's health, safety, or welfare.

(b) All electronic signs shall be turned off or display a blank screen when malfunctioning.

(c) Brightness standards. The brightness standards are applicable to all forms of electronic message signs in the city.

(i) All such signs shall be equipped with light sensing devices or a scheduled dimming timer that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so that the sign does not exceed the maximum brightness levels allowed in this section

(ii) Maximum brightness shall not exceed seven thousand (7,000) nits when measured from the sign's face at its maximum brightness during daylight hours and shall not exceed one thousand (1,000) nits when measured from the sign's face at its maximum brightness at night.

(iii) If such sign is located within one hundred (100) feet of a residentially zoned property, the sign must be oriented so that no portion of the electronic sign face is visible from the residentially zoned property or if it is visible from the residentially zoned property, the sign brightness must be reduced to no greater than two hundred fifty (250) nits at night.

(iv) Prior to issuance of the permit of such sign, the applicant must provide a written certification from the sign manufacturer that the light intensity has been factory preset to not exceed the specified levels above.

(2) Electronic monument message sign.

(a) Allocation. One (1) electronic monument message sign is allowed per property. None are allowed to attach to buildings or structures.

(b) Maximum size. Shall not exceed twenty (20) square feet per side.

(c) Form. Limited to not more than two (2) sides one (1) sign face per side.

(d) Messaging standard. Electronic monument messaging signs must only display messages as a static or fixed message/image of the entire screen or

message board area for each message or image displayed. Static or fixed messages/images must be displayed for a minimum of eight (8) seconds before rotating or displaying the next message. Scrolling, blinking, or other forms of moving text is prohibited.

(e) Construction/installation standards. Electronic monument message signs are required to be installed within the structural body of the monument sign and may not be an addition to an already existing sign as an attachment. Such signs shall not project outward or upward from the main body of the sign and must be installed or erected within the body of a new or outline of an existing monument sign structure. All electronic wiring to power the electronic sign shall be concealed within the body of the monument sign and shall not be visible on the exterior of the sign.

(J) Permit fees for new permanent signs. The fee for permits shall be based on the adopted fee schedule. If any work is started or proceeded without a permit first being obtained, the above-specified permit fee shall be doubled and paid for the required permit.

(K) Signs exempt from permitting procedures. Permits and required setbacks shall not be required for the following signs, provided, however, that such signs shall otherwise comply with all other applicable sections of this article.

(1) Temporary political signs.

(2) Temporary special event signs not exceeding fifty (50) square feet in area and limited to a maximum time period of no more than fourteen (14) consecutive days, with a limit of four (4) events each calendar year, or a maximum time period of no more than forty-five (45) consecutive days with a limit of one (1) event each calendar year. For thirty (30) days following an event, no new temporary special event sign shall be allowed. The location of temporary special event signs must be approved by the building official for safety and setback purposes and, if the adjacent property owners make objections to the sign, the adjacent property owners may appeal any such application to the city council. All such signs must be removed within ten (10) days after the maximum time period allowed.

(3) Occupational signs not exceeding two (2) square feet in area and denoting only the name and profession, or occupation, in a commercial or public institutional building.

(4) On-site traffic-control signs not exceeding eight (8) square feet and used primarily to denote entrances and exits, shall not contain advertising or be used for such purpose, and shall not exceed three (3) feet in height.

(5) Residential real estate signs advertising the sale or lease of an individual residential structure and not exceeding ten (10) square feet. Residential real estate signs shall be limited to one single sign per property and shall not be illuminated.

(6) Business/industry real estate signs advertising the sale or lease of business/industrial property and not exceeding sixteen (16) square feet. Commercial real estate signs shall not be illuminated.

(7) Temporary window signs and banners subject to the regulations as specified in this article.

(L) Signs not regulated. The following types of signs shall be exempt from the permitting provisions of this article. However, regulations regarding sign location in a public right-of-way or public access easement shall apply. It is further specifically provided that the building official may, based upon the size, materials used in construction and other relevant factors, require the owner of any sign to show evidence of structural soundness and compliance with the safety requirements of this article.

(1) Governmental signs. Signs erected or maintained pursuant to the discharge of any governmental function; required by law, ordinance, or governmental regulation; or located on property owned, leased or under control of the federal or state government.

(2) Railway signs. Signs within or on railway property and placed or maintained in reference to the operation of such railway.

(3) Utility signs. Signs marking utility or underground communication or transmission lines.

(4) Vehicle signs. Signs displayed or used upon vehicles, trailers or aircraft, unless such vehicle, trailer, or aircraft on which such sign is displayed is permanently stationed for a period of seventy-two (72) continuous hours or more, or regularly used at a fixed location to serve the same or similar purpose of a permanent or portable sign not affixed to a vehicle, trailer or aircraft.

(5) Signs not visible from street. Signs where no part of such sign is visible from any public street.

(6) Holiday signs. Temporary signs containing only holiday messages and no commercial advertising.

(7) Signs on persons. Handheld signs or signs, symbols or displays on persons or animals.

(8) Unused signs. Signs being manufactured or transported, and/or properly and safely stored, and not being used, in any manner or form, for purposes of advertising.

(9) Plaques. Commemorative plaques of recognized historical societies and organizations.

(10) Private traffic control. On-site signs which direct the movement of traffic on private property or warn of obstacles, overhead clearances or control parking. The sign must be less than ten (10) feet in width, less than six (6) feet in height, and be placed where it will not interfere with the safe movement of vehicles or pedestrians.

(11) Mailboxes and newspaper racks. Signs located on mailboxes, newspaper vending machines and curbside residential newspaper holders which identify the owner and address of the premises or the name of the newspaper sold or subscribed to; provided that such devices are not placed so as to interfere with the safe movement of pedestrians or vehicular traffic.

(12) Signs on outdoor machines, devices and equipment. Signs located on outdoor machines, devices, or equipment which display the trademark, trade name, manufacturer, cost of operating or service instructions or similar information, but do not advertise the business where located. This exemption includes, but is not limited to signs on coin-operated vending machines, fuel dispensing pumps, telephone facilities, automatic teller machines, automatic vacuum cleaners, amusement rides and similar machines, devices or equipment.

(13) Athletic fields. Signs located on the field side of scoreboards and fences of athletic fields.

(14) Historic signs. Any historic designation signs not primarily advertising a commercial use.

(M) Permitting procedures

(1) Except as otherwise provided herein, it is unlawful for any person to erect, alter, or relocate any sign within the city, as defined herein, without complying with the following requirements:

- (a) Completion of a permit application;
- (b) Review and approval of a sign permit.

(2) The procedures to be followed in fulfilling the intent of these sign regulations are as follows:

- (a) A permit application must be obtained from the city;
- (b) The permit application must be properly completed and returned to the city staff, along with payment of the sign application fee as established in the fee schedule;
- (c) The Building Official or their designee shall review the permit application and, if the application is properly completed and meets the general requirements of this chapter, may approve the application;
- (d) The Building Official or their designee will forward to the City Council, any sign permit application that request a variance to the regulations established in this chapter. Such applications will be considered by the City Council at its next regularly scheduled meeting; the applicant shall be notified of the time and place of said meeting, and shall be invited and encouraged to attend;
- (E) The City Council shall approve, reject, or approve upon condition, the variance request submitted by the applicant.

(3) Permit application. Application for permits shall contain or have attached thereto the following information:

- (a) Name, address, and telephone number of the applicant.
- (b) Location of the building, structure, or lot on which the sign is to be attached or erected.
- (c) Two (2) sets of plans shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences, and sidewalks.
- (d) Two (2) blueprints or ink drawings of the plans and specifications showing method of construction, attachment to the building or ground, size, type, height, construction materials, and such other materials, and such other information as the building official may require. The building official may require plans to be prepared by a registered professional engineer who is registered by the State of Texas or an architect licensed by the State of Texas.
- (e) Copy of stress sheets and calculations showing the structure as designed for dead load and wind pressure in any direction in the amount required by this article, and all other laws and codes of the city.
- (f) Name of person, firm, corporation, or association erecting structure.

- (g) Any electrical permit required and issued for said sign.
- (h) Zoning classification carried by the property.
- (i) Estimated value of the sign.
- (j) Such other information as the building official shall require to show full compliance with this article and all other laws and codes of the city.

(N) Illuminated signs. The electrical inspector may only approve an application for an illuminated sign if the sign is to be installed on property zoned commercial or higher. The application for a permit for erection of a sign in which electrical wiring and connections are to be used shall be submitted to the electrical inspector. The electrical inspector shall examine the plans and specifications respecting all wiring and connections to determine if the same complies with the electrical code of the city. In addition, all illuminated signs shall bear the Underwriters' Laboratory label or be built to comply with the Underwriters' requirements. The electrical inspector shall approve said permit if the plans and specifications therefor comply with the requirements of this article, and shall disapprove the application if noncompliance is found. Approval by the electrical inspector must be obtained prior to the approval and issuance of any sign permit by the building official.

(O) Maintenance and removal.

(1) Maintenance required. All signs shall be maintained in good and safe structural condition, shall be painted on all exterior parts, unless coated or made of rust-resistant material, and shall be maintained in good condition and appearance. Any owner failing to maintain, repair, or remove any such sign after due notice has been given shall upon conviction be guilty of a misdemeanor.

(2) Inspection of signs. The building official or their designee shall be notified by permittee when erection of the sign is complete, and the official or their designee shall make an inspection to determine if the sign conforms to the permit. The building official or their designee at such times as he/she deems necessary, shall inspect each sign regulated by this section for the purpose of ascertaining whether the same is secure or insecure, whether it still serves a useful purpose and whether it is in need of removal or repair.

(3) Removal of unsafe and unlawful signs. If the building official or their designee shall find that any sign regulated herein is unsafe or insecure, or is a menace to the public, or is abandoned or is maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of this section, or is not permitted as required herein, he/she shall take action as follows:

(a) Except as provided in the following paragraphs (b) and (c), the building official shall give the sign or property owner written notice to repair, remove or obtain a permit for such sign as applicable within ten (10) days after such notice. If the sign or property owner fails to remove, repair, or obtain a permit for such sign so as to comply with all applicable standards and regulations, the building official shall cause the sign to be either removed or repaired and such cost shall be charged to and paid by the property owner. If such demolition or repair expenses are not paid by the property owner within thirty (30) days of such billing, then such expenses shall constitute a valid lien against the property. Such notice shall also provide the sign or property owner an opportunity to bring the sign into compliance or to request a hearing before the city council to determine whether the sign should be repaired or removed. Such appeal must be filed in writing with the city secretary within ten (10) days of the notice. After consideration of all facts, the city council shall rule upon the appeal.

(b) The building official may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

(c) Any sign located in public right-of-way may be immediately removed by anyone without notice to the owner.

(P) Sign standards. Signs are to comply with applicable law. All signs erected or maintained within the city shall be erected and maintained in compliance with all applicable state laws and with this section and article, the city's building code and the electrical code. In the event of conflict between this section and other laws, codes or ordinances, the most restrictive standard shall apply.

(Q) Signs allowed without permit.

(1) Sale or lease signs. Any realtor or property owner may erect a sign for the purpose of advertising the sale or lease of the real property on which such sign is located, subject to the following provisions:

(a) Signs advertising the sale or lease of nonbusiness property shall not exceed eight (8) square feet in area nor five (5) feet in height from ground level.

(b) Signs advertising the sale or lease of a business property shall not exceed sixteen (16) square feet in area nor eight (8) feet from ground level.

(2) Garage or yard sale signs. Any person may erect a sign on his own property, or property of another with the owner's permission, for the purpose of advertising a garage or yard sale. Name, date and address must be shown on the sign, however such signs shall be removed within twenty-four (24) hours of the sale.

(3) Handbills and circulars. Handbills and circulars are prohibited except that hand-delivered to individual persons is allowed.

(4) Political signs. Political signs may be erected on any private property; provided, that such signs comply with other applicable requirements of this section.

(5) Temporary construction signs allowed. Temporary construction signs denoting the architect, engineer, contractor, subcontractor or financier and temporary signs denoting the future location of a particular business, retail center or institution may be erected on such site of the proposed business. However, only one (1) construction sign and one (1) future location sign will be permitted on such location. No such sign shall exceed thirty-two (32) square feet in area nor extend higher than fifteen (15) feet; provided, that such signs must be located on the premises where construction, or business location being advertised, is or will be occurring. Said signs shall be removed upon issuance of an occupancy permit.

(6) Homebuilders and subdivision sign allowed. Except as and to the extent provided and limited in another ordinance of the city applicable to homebuilder and subdivision signs, freestanding signs for the purpose of identifying the location of or direction to subdivisions or major homebuilders sites are allowed. Such signs shall be on-site and shall not exceed sixty (60) square feet in area nor extend higher than fifteen (15) feet in height. A homebuilder with ten (10) lots or more qualified as a major homebuilder. The signs permitted for each subdivision or major homebuilder site shall be removed upon completion of the project. No such sign shall be located closer than one hundred (100) feet to a residential dwelling not within the subdivision.

(R) Commercial signs. No commercial sign shall be erected on any undeveloped lot or land.

(S) Nonconforming signs prohibited. Nonconforming signs erected or installed after the date of this article are prohibited and shall be removed. Signs substantially similar to, or imitating, traffic or emergency signs are prohibited at any location at which they may be seen from the travel lanes of any public roadway.

(T) Signs in right-of-way prohibited. No sign shall be erected or affixed within or project over any public right-of-way or across the public right-of-way line extended across a railroad

right-of-way. This section shall not be construed so as to prohibit vehicular signs as long as such comply with other provisions of this section; nor to prohibit the carrying or display of signs by a person or persons as long as such sign is not connected or affixed to the real property comprising the public right-of-way, its fixtures and appurtenances.

(U) Certain signs prohibited on public property. No person shall attach any sign, paper, or other material or paint, stencil, or write any name, number or otherwise mark on any sidewalk, curb, gutter, street, tree, or utility pole located on public property or within the public right-of-way, public building, public fence or public structure. This section shall not prohibit the posting of governmental signs, local school spirit signs/emblems or the painting or attachment of street address numbers to curbs.

(V) Nonconforming signs. It is the declared purpose of this section that, in time, all privately owned signs shall either conform to the provisions of this section or be removed. By the passage of this article and its amendments, no presently illegal sign shall be deemed to have been legalized unless such sign complies with all current standards under the terms of this article and all other ordinances of the city.

(1) Any sign which does not conform to all provisions of this article but which existed on the effective date of this section and was lawfully constructed or installed shall be considered as a nonconforming sign. All nonconforming signs shall be permitted in the same manner as any other legally existing sign or proposed sign; provided that no sign that was constructed or installed in violation of any state or local law, or that was originally constructed or installed without a permit that was then required at such time, shall be or qualify as a nonconforming sign.

(2) Whenever any nonconforming sign no longer advertises a bona fide business or a business which has moved away or closed, a product sold, or service rendered, such sign shall be removed within sixty (60) days. If the nonconforming sign is a wall sign, the wall sign shall be removed or painted over with a color that resembles or matches the rest of the wall of the building. If the owner of, or person responsible for the sign, or if the tenant closing a business, fails to remove the abandoned sign or paint over the wall sign, the owner of the premises shall be held responsible and the work shall be done within thirty (30) days following written notice to do so by the building official.

(3) No nonconforming sign may be enlarged or altered in a way which would increase its nonconformity.

(4) Should any nonconforming sign be damaged by any means to an extent of more than fifty (50) percent of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this article.

(W) Variances. The city council shall be empowered to vary the provisions of this section if it appears that the provisions would work in manifest injustice, considering such factors as the sign location and other pertinent factors. Such decision of the council should not however conflict with the spirit of this article, which is one of safety, provision of adequate light, open space and air, conservation of land and building values and to encourage the most appropriate use of land. All variances to these sign regulations will require a conditional use permit and a two-thirds vote of the city council to approve the variance.