

Lender:

AKBAR ALI
902 BAYSHORE
SAN LEON, TX 77539



20th STREET
(60' Public R.O.W.)

0.9000 ACRES
39206 SQ. FT.

Lot 7 Lot 8 Lot 9 Lot 10 Lot 11 Lot 12

Lot 6

Fnd 1/2" I.P.

Lot 43

25.00' 25.00' 25.00' 25.00' 25.00'

Lot 37

Lot 42 Lot 41 Lot 40 Lot 39 Lot 38

FRAME HOUSE
Pier & Beam

6.5'

24.6'

6.1'

31.5'

29.1'

B L O C K
1 4 3

PROPOSED
LOCATION FOR
SIGN

ABANDONED R.O.W.
FOR 21st STREET
F.C. NO. 009-87-2263
O.P.R.R.P.C.C.T.

THE CERTIFICATION SHOWN HEREON IS REVOKED AND THIS SURVEY IS
NULL AND VOID IF THIS DOCUMENT IS ALTERED IN ANY MANNER, USED
OR RELIED UPON BY ANY PERSON OTHER THAN THOSE ADDRESSED
HEREON, OR DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE OF THE
SURVEYOR ON A COLOR COPY.

AVENUE E
(60' R.O.W.)

SUBJECT PROPERTY LIES WITHIN THE BOUNDARIES
OF BACIFF MUNICIPAL UTILITY DISTRICT (per commitment)

ACCORDING TO FLOOD INSURANCE RATE MAP 4854700035C & 4854700100C
DATED 05-02-1993 THIS TRACT HEREBY SURVEYED LIES WITHIN ZONE
"C" AND IS NOT IN THE 100 YEAR FLOOD PLAIN. THIS
STATEMENT IS BASED ON SCALING THE LOCATION OF SAID SURVEY ON
THE ABOVE REFERENCED MAP AND IS FOR FLOOD INSURANCE RATES
ONLY AND NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

Fnd 1/2" I.P.

Fnd 1/2" I.P.

6.6'

SIGN

Fnd 1/2" I.P.

N 59°51'00" E 301.62'

S 59°51'00" W 325.67'

Fnd 1/2" I.R.

POWER POLE

N 19°15'38" W 127.29'
PORTION OF
BLOCK 152
HIGHWAY 146
(100' Public R.O.W.)

B L O C K
1 5 2

POB POWER POLE
N 19°15'38" W
330.96'

Fnd 3/4" I.R. POC

NOTE:
- BASIS FOR BEARINGS: RECORDED PLAT
- DISTANCES SHOWN ARE GROUND DISTANCES
- ALL ABSTRACTING DONE BY TITLE COMPANY

LEGEND:
U.E. - UTILITY EASEMENT
S.S.E. - SANITARY SEWER EASEMENT
A.E. - UNOBSTRUCTED AERIAL EASEMENT
B.L. - BUILDING LINE
C.I.R. - CAPPED IRON ROD
--- WOOD FENCE
--- CHN. LINK FENCE



TETRA
SURVEYS & APPRAISALS
5909 WEST LOOP SOUTH SUITE 600
BELLAIRE, TEXAS 77401
(713)462-6100 FAX (713)432-1003

BORROWER: **AKBAR ALI**

ADDRESS: **HIGHWAY 146**

LOT: 7, 8, 9 & 10 BLOCK: 143

SUBDIVISION

CLIFTON BY THE SEA

RECORDING

VOL: 254 PG: 61 M/R

SURVEY & ABSTRACT

EDWARD PAYNE SURVEY, A-164

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS PLAN REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

SIGNED: **ROBERT A. MARLOWE**
REGISTERED PROFESSIONAL LAND SURVEYOR NO 4218

SCALE: 1" = 40'

DATE: 04-08-2008

DRAWN: MSS

C.F. NUMBER: 2453-08-1036

JOB NO.: 034N0804

CITY: TEXAS CITY

COUNTY: GALVESTON

STATE: TEXAS

Chapter 98

SIGNS*

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TEXAS CITY CODE

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ARTICLE I. IN GENERAL

Sec. 98-1. Title of chapter.

This chapter shall be known and cited as the Sign Regulations.
(Ord. No. 93-69, § 1(39-1), 11-17-93)

Sec. 98-2. Purpose of chapter.

The purpose of this chapter is to establish reasonable regulations for the design, construction, installation and maintenance of all exterior signs in the city in order to:

- (1) Balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) Further the objectives of the comprehensive plan;
- (3) Protect the public health, safety and welfare;
- (4) Reduce traffic hazards;
- (5) Facilitate the creation of an attractive and harmonious community;
- (6) Protect property values;
- (7) Promote economic development; and
- (8) Preserve the right of free speech exercised through the use of signs containing noncommercial messages.

(Ord. No. 93-69, § 1(39-2), 11-17-93)

Sec. 98-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Banner means any sign constructed of cloth, canvas, light fabric, or other light material, and shall include advertising balloons.

Erect means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs.

Facing and *surface* mean the surface of the sign upon, against or through which the message is displayed or illustrated on the sign.

Illuminated sign means any sign which has characters, letters, fixtures, designs or outlines illuminated externally by electric lights or internally by luminous tubes.

Incombustible material means any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.

Monument sign means any freestanding sign having a low profile and made of masonry, metal, routed wood planks or beams, durable plastic or similar materials, including individual

lettering, which repeats or harmonizes with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base. Message boards and electronically displayed time and temperature may not occupy more than 24 square feet of the area of the sign face.

Other advertising structure means any marquee, canopy, awning or street clock.

Permittee means a person receiving an erection permit pursuant to the provisions of this chapter.

Pole sign means any sign supported by one or more columns, poles, uprights or braces anchored in or on the ground and not attached to any building and as defined by the Standard Building Code.

Portable sign means any sign designed or constructed to be easily moved from one location to another, and mounted upon or designed to be mounted upon a wheeled carrier or other framed structure.

Sign means any structure, part thereof, or device or inscription which is located upon, attached to, or painted or represented on any land or on the outside of any building or structure, or on an awning, canopy, marquee, or similar appendage, or displayed or shown so as to be seen from the outside of the building or structure, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, monogram, heraldry, light, or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, corporation, association, place, commodity, product, service, business, profession, enterprise, industry, activity, or any combination thereof. When the word "sign" is used herein without further modification, the same shall be understood to embrace all regulated signs.

Sign area means the total square footage of all sign facing, including that portion of the supporting structure or trim which carries any wording, symbols, identifying colors, or pictures; provided, however, in the case of double-faced signs, only one face shall be computed to determine sign area.

Structural trim means the molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

(Ord. No. 93-69, § 1(39-3), 11-17-93; Ord. No. 99-28, §§ 1—3, 5-5-99; Ord. No. 00-55, § 1, 9-20-2000)

Cross reference—Definitions generally, § 1-2.

Sec. 98-4. Periodic inspection.

The building inspector shall inspect periodically, or whenever deemed necessary, each sign or other advertising structure regulated by this chapter for the purpose of ascertaining whether the structure is unsafe, in need of repair, not in conformance with the permit application, or otherwise in violation of the provisions of this chapter.

(Ord. No. 93-69, § 1(39-8), 11-17-93)

Sec. 98-5. Variances.

Within 30 days after denial of a sign permit by the building inspector, a request for variance may be filed with the board of adjustments. The board of adjustments may grant a variance if it finds that the unusual shape, topography or characteristics of the property in question prevent signage allowable under the provisions of this chapter from adequately identifying the business or other activity located on such property.

(Ord. No. 93-69, § 1(39-9), 11-17-93)

Sec. 98-6. Certain information to be posted on signs; minimum clearance.

(a) Every permitted sign or other advertising structure shall display in a conspicuous place, in letters no less than one inch in height, the date of erection, the permit number and the voltage of any electrical apparatus used.

(b) All signs and sign structures shall have a minimum clearance of 14 feet vertically, and shall have a clearance equal to the sign's height from any transmission line carrying 750 volts or greater.

(Ord. No. 93-69, § 1(39-12), 11-17-93)

Sec. 98-7. Temporary business signs.

(a) *Definition.* The term "temporary business sign," as used in this chapter, shall mean any sign, banner, pennant or other advertising display constructed of cloth, canvas, light fabric, cardboard or other light materials, with or without frames, with or without words, intended to be displayed for a limited period of time on the property of the business.

(b) *Size and weight limitations.*

(1) *Size limitation.* No temporary business sign of combustible material shall exceed four feet in one of its dimensions or 60 square feet in area.

(2) *Weight limitation.* Temporary business signs weighing in excess of 50 pounds must be approved by the building inspector as conforming to the safety requirements of the building code of the city.

(c) *Projection over public property.* No temporary business sign shall extend over or into any street right-of-way, alley, sidewalk or other public thoroughfare.

(d) *Anchorage and support.* Every temporary business sign shall be attached with wire or steel cables. No strings, ropes or wood slats for anchorage or support purposes shall be permitted.

(e) *Maximum display period.* Temporary business signs shall not be allowed to remain for a period exceeding 15 days in a six-month period.

(f) *Permitted advertising.* The advertisement contained on any temporary business sign shall pertain only to the business, industry or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.

(Ord. No. 93-69, § 1(art. III, § P(1)—(6)), 11-17-93)

Secs. 98-8—98-30. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT*

Sec. 98-31. Nonconforming signs.

Any sign or other advertising structure except portable and temporary signs legally in existence on November 17, 1993, shall be allowed to remain as a nonconforming sign and may continue its nonconforming use status unless:

- (1) The sign is damaged by more than 50 percent of its total replacement value.
- (2) The sign has been issued a temporary permit or there are conditional restraints.
- (3) The sign is structurally altered to change its size, shape or height or location.
- (4) Any existing sign which does not meet the requirements of sections 98-92 through 98-102 shall be brought into compliance with these requirements upon written notice by the building official or removed within 30 days of notice.

(Ord. No. 93-69, § 1(39-32), 11-17-93)

Sec. 98-32. Notice of violation; removal or alteration of unlawful signs.

If the building official finds that any sign or other advertising structure is prohibited by the provisions of this chapter, including signs in violation of maintenance and outdated message provisions under sections 98-92 and 98-93, the building official shall give written notice to the permittee or the owner of the property upon which the structure is located. If the permittee or owner fails to remove or alter the structure so as to comply with the standards set forth in this chapter within ten calendar days after such notice, the building official may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the permittee or owner. The building official may cause any sign or other advertising structure which presents an immediate peril to persons or property to be removed or altered immediately and without notice.

(Ord. No. 93-69, § 1(39-33), 11-17-93; Ord. No. 99-28, § 4, 5-5-99)

Sec. 98-33. Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to the penalty set out in section 1-7. Each day such violation is committed or permitted to continue shall constitute a separate offense.

(Ord. No. 93-69, § 1(39-34), 11-17-93)

*Cross reference—Administration, ch. 2.

Sec. 98-34. Protection of First Amendment rights.

Any sign allowed under this chapter may contain, in lieu of any other copy, any lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other requirements of this chapter. (Ord. No. 93-69, § 1(39-36), 11-17-93)

Secs. 98-35—98-60. Reserved.**ARTICLE III. PERMIT*****Sec. 98-61. Required.**

Except as provided in section 98-67, it shall be unlawful for any person to erect, relocate or structurally alter within the city any sign or other advertising structure as defined in this chapter without first obtaining an erection permit from the building inspector and making payment of the fee required by section 98-64. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and its requisite permit fees. No permit is required for repair, repainting or maintenance which does not entail structural change or for change of copy or message. Any change of the sign face will be considered a structural change. (Ord. No. 93-69, § 1(39-4), 11-17-93; Ord. No. 99-28, § 5, 5-5-99)

Sec. 98-62. Application.

Application for a sign erection permit shall be made upon a form provided by the building inspector and shall contain and have attached the following:

- (1) Name, address and telephone number of the applicant.
- (2) Location of the building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- (3) Position of the sign or other advertising structure in relation to nearby buildings or structures.
- (4) Two blueprints or drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
- (5) A copy of registered professional engineer's certification and calculations showing that the structure is designed to meet the wind pressure and dead load requirements of this chapter and all other laws and ordinances of the city.
- (6) Name of the person erecting the structure.
- (7) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.

***Cross reference**—Compliance with certain statutes prerequisite to permit denial, suspension or revocation, § 2-1.

- (8) Any required electrical permit.
 - (9) An insurance policy or bond as required by section 98-65.
 - (10) Such other information as the building inspector shall require to show full compliance with this chapter and all other laws and ordinances of the city.
- (Ord. No. 93-69, § 1(39-5), 11-17-93)

Sec. 98-63. Issuance; time limit for completion of work.

Upon the filing of an application for a sign erection permit, the building inspector shall:

- (1) Examine the plans and specifications and the premises upon which the proposed structure shall be erected.
- (2) Issue a permit if the proposed structure complies with the requirements of this chapter and all other laws and ordinances of the city. If the work authorized under an erection permit is not completed within six months after the date of issuance, the permit shall become null and void.

(Ord. No. 93-69, § 1(39-6), 11-17-93)

Sec. 98-64. Fee.

Every applicant, prior to issuance of a permit pursuant to section 98-63, shall pay to the city a nonrefundable fee in accordance with the SSBCI permit fee schedule on file with the building official for each sign or other advertising structure regulated by this chapter.

(Ord. No. 93-69, § 1(39-7), 11-17-93)

Sec. 98-65. Bond or liability insurance.

Every applicant for a sign permit shall, before the permit is granted, file with the building inspector a continuing bond in the penal sum of \$5,000.00, executed by the applicant and a surety company to be approved by the city attorney and conditioned for the faithful observance of all laws and ordinances relating to signs and other advertising structures, and which shall indemnify and save harmless the city from any and all damages, judgments, costs or expenses which the city may incur or suffer by reason of the granting of the permit. A liability insurance policy issued by an insurance company authorized to do business in the state which conforms to the provisions of this section may be permitted in lieu of a bond.

(Ord. No. 93-69, § 1(39-10), 11-17-93)

Sec. 98-66. Revocation.

The building inspector may revoke any permit issued under this article where there has been a violation of the provisions of this chapter or a misrepresentation of fact on the permit application.

(Ord. No. 93-69, § 1(39-11), 11-17-93)

Cross reference—Compliance with certain statutes prerequisite to permit revocation, § 2-1.

Sec. 98-67. Signs exempted from permitting process.

The following signs are exempt from the permit requirements of this chapter:

- (1) Temporary signs not exceeding eight square feet in area which advertise the sale, rental or lease of the premises upon which the sign is located. Such signs shall be removed no later than seven days following sale or rental of the subject property. These type signs must be located on private property. Banners are not exempt and shall be permitted as a temporary sign as set out in section 98-7.
- (2) Temporary political signs concerning candidates for public office or ballot issues as provided in this subsection. Such signs are exempt from the permitting process if they are:
 - a. Located in residential areas and the sign size is four square feet or less, or located in commercial or open undeveloped land and the sign size is 32 square feet or less;
 - b. Not erected earlier than 60 days prior to the election or referendum;
 - c. Removed seven days after the election or referendum; and
 - d. Only located on private property.
- (3) Temporary signs advertising the date, time and location of a garage or yard sale and not exceeding four square feet in area. Such signs shall be posted no more than three days prior to and removed one day after the sale.
- (4) Signs attached to the inside of a window and not exceeding four square feet in area which do not exceed 25 percent of the area of the window pane.
- (5) Signs which are an integral part of the historic character of a landmark building or historic district.
- (6) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospitals, historical sites or public facilities.
- (7) Flags of any government or governmental agency or any patriotic, religious, charitable, civic, educational or fraternal organization not exceeding 40 square feet in area.
- (8) Temporary signs in conjunction with special community events by nonprofit organizations, a campaign of a church, or other community activity. Such signs shall not exceed 32 square feet in area, shall not be erected more than ten days in advance of the event and shall be removed within one day after the termination of the event. Temporary signs shall be securely anchored and shall not exceed seven feet in height from ground level.
- (9) Temporary displays or decorations customarily associated with any national, state, local or religious holiday or celebration. Such signs shall be erected no more than 45 days before and removed no later than 14 days after the celebration.
- (10) Handheld signs of a noncommercial nature not set on or affixed to the ground and not exceeding ten square feet in area.

- /(11) Temporary signs identifying the architect, engineer, developer or contractor when placed upon construction sites and not exceeding 64 square feet in area. Such signs shall not be erected prior to approval of a site plan and shall be removed no later than seven days after completion of the project.
- (12) Commercial building occupational signs identifying the name and profession of the occupant and not exceeding two square feet in area.
- (13) Memorial or commemorative plaques or tablets denoting a building name and/or date of erection or a location of historic significance and not exceeding four square feet in area.
- (14) Any sign for informational (non-advertisement) purposes not exceeding one square foot in effective area with letters not exceeding four inches in height.
- (15) Property identification signs indicating address and/or name and not exceeding two square feet in area for residential land uses or five square feet in area for nonresidential land uses.

(Ord. No. 93-69, § 1(art. III, §§ A—O), 11-17-93; Ord. No. 94-22, § 1, 11-16-94; Ord. No. 99-28, § 6, 5-5-99)

Secs. 98-68—98-90. Reserved.

ARTICLE IV. PROHIBITED SIGNS

Sec. 98-91. Failure to obtain proper permits.

No sign or other advertising structure shall be erected or maintained in violation of the permit requirements of section 98-61.

(Ord. No. 93-69, § 1(39-16), 11-17-93)

Sec. 98-92. Damaged or inadequately maintained signs.

No sign or other advertising structure shall be inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration or holes. Damaged signs shall be repaired or removed within 30 days of notice.

(Ord. No. 93-69, § 1(39-17), 11-17-93)

Sec. 98-93. Outdated signs.

No sign or other advertising structure shall advertise a business or product which is no longer in existence. Abandoned or outdated signs shall be replaced or moved within 30 days of notice.

(Ord. No. 93-69, § 1(39-18), 11-17-93)

Sec. 98-94. Obstructions to doors, windows or fire escapes; attachment to standpipe or fire escape.

No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

(Ord. No. 93-69, § 1(39-19), 11-17-93)

Sec. 98-95. Traffic hazards.

No sign or other advertising structure shall:

- (1) Obstruct free and clear vision at any street intersection.
- (2) Interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device because of its position, shape or color.
- (3) Make use of the words "Stop," "Look," "Drive-in," "Danger" or any other word, phrase, symbol or character in a manner that interferes with, misleads or confuses traffic.

(Ord. No. 93-69, § 1(39-20), 11-17-93)

Cross reference—Traffic and vehicles, ch. 118.

Sec. 98-96. Unsafe signs.

No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate design, construction, repair or maintenance.

(Ord. No. 93-69, § 1(39-21), 11-17-93)

Sec. 98-97. Illuminated signs.

No sign or other advertising structure shall be illuminated with lights which glare into or upon the surrounding area or any residential premises or distract operators of vehicles or pedestrians on the public right-of-way. This includes any private sign attached to or located on public property or in a public right-of-way or easement.

(Ord. No. 93-69, § 1(39-22), 11-17-93)

Sec. 98-98. Flashing signs.

No sign or other advertising structure shall have lights or illuminations that flash, move, scroll, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations except as provided in section 98-101 hereinbelow.

(Ord. No. 93-69, § 1(39-23), 11-17-93; Ord. No. 99-28, § 7, 5-5-99)

Sec. 98-99. Obscene signs.

No sign or other advertising structure shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

(Ord. No. 93-69, § 1(39-24), 11-17-93)

Sec. 98-100. Vehicular signs.

No sign shall be painted on or attached to a motor vehicle used primarily for the display of such sign. This section shall not prohibit the identification of a business or its products or services on its vehicles operated and parked in a manner appropriate to the normal course of business. No vehicle sign shall extend beyond the frame or body more than 12 inches.

(Ord. No. 93-69, § 1(39-24), 11-17-93; Ord. No. 99-28, § 8, 5-5-99)

Cross reference—Traffic and vehicles, ch. 118.

Sec. 98-101. Moving signs.

No sign shall have visible moving, revolving or rotating parts or visible mechanical movement of any kind, except for the movable hands on street clocks, or other apparent visible movement achieved by electrical, electronic or mechanical means, which changes every 15 seconds or less.

(Ord. No. 93-69, § 1(39-25), 11-17-93; Ord. No. 99-28, § 9, 5-5-99)

Sec. 98-102. Posting signs on trees, utility poles or other fixtures.

No person shall attach or maintain a sign upon any tree, street sign, bench, fence, utility pole or other public or private amenity.

(Ord. No. 93-69, § 1(39-26), 11-17-93; Ord. No. 99-28, § 10, 5-5-99)

Cross reference—Utilities, ch. 122.

Secs. 98-103—98-130. Reserved.

ARTICLE V. ALLOWABLE SIGNS

Sec. 98-131. On-premises freestanding signs.

The two common type ground/freestanding signs allowed are pole-supported and monument style signs. These signs must be located on the site where the goods or services are offered.

- (1) *Pole-supported signs.* On-premises pole signs are permitted only in districts zoned D, D-1, E, E-1, E-2, E-3, E-4, F, F-1, G, G-2 and H.

Standards:

- a. One skirted sign is permitted for each development, with an allowable total sign area of 80 square feet, including the frame. The skirted sign may not exceed 20 feet in height. The skirt width shall be a maximum of four feet and a minimum of two feet.
- b. Only one single pole for each single business is allowed and a maximum of two poles is allowed for integrated business signs.
- c. No additional sign shall be permitted for a business that is located on the corner of two streets.

- d. Signs shall have a maximum length to width ratio and width to length ratio of three to one. The minimum bottom height of a pole sign shall be nine feet.
 - e. Integrated business developments (multi-tenant centers). Multi-tenant centers may increase the area of the sign by a maximum of 15 square feet per additional tenant, up to a maximum area of 155 square feet for six tenants. For integrated business developments (multi-tenant centers) of more than six tenants, a maximum of two signs is allowed with a 100-foot minimum separation. Temporary business and portable signs shall be permitted according to section 98-7 and section 98-134.
- (2) *Monument signs.*
- a. Number of signs. The only type of ground sign permitted in district C, C-1, O-P and P-I is a monument sign. Only one monument sign may be installed per premises or developed lot.
 - b. Single-occupant parcels.
 - 1. Height. Detached monument signs, including the base, advertising single occupancies, shall not exceed six feet in height above the average grade of the development.
 - 2. Area. Signs may be single- or double-faced, with the actual sign face not exceeding 60 square feet per side. Total cross-sectional area shall not exceed five square feet.
 - 3. Location. The sign may be located five feet inside the property line provided it does not create hazards to traffic or pedestrians. The building official shall approve the exact location of the sign. A setback from the corner of 45 feet is required at all intersection corners.
 - c. Integrated business developments and multi-occupant parcels.
 - 1. **Parcels having two or more businesses, as permitted by individual certificate of occupancy permits, may have a multi-occupancy (community) pedestal sign in place of a single-occupancy sign.**
 - 2. A multi-occupancy pedestal sign shall not exceed six feet in height above the average grade of the nearest public right-of-way. Signs may be single- or double-faced, with the actual sign face not exceeding 60 square feet plus five square feet for each business in the center. Total cross sectional area shall not exceed eight square feet.
 - 3. Multifamily developments with main entrances on different streets or 250 feet apart shall be permitted one pedestal sign at each such entrance.
- (3) *Detached accessory signs.* A maximum of two detached accessory signs, such as menu boards for drive-through restaurants, are permitted per lot or tract. The sign shall not exceed six feet in height and shall be single-faced, with the message area not exceeding 20 square feet. The signs shall not face a public right-of-way which serves the front of the building.

- (4) *Businesses in the IH-45 highway corridor.* For purposes of this subsection, the highway corridor shall mean an area adjacent to and either side of the right-of-way line of IH-45 within the limits of the city. Within the highway corridor the maximum height of a ground sign shall be 42½ feet and a maximum square footage of 160 square feet. Pole signs shall be skirted.

(Ord. No. 93-69, § 1(39-27), 11-17-93; Ord. No. 99-28, §§ 11, 12, 5-5-99, Ord. No. 00-42, § 1, 7-19-2000; Ord. No. 01-16, § 1, 7-3-2001)

Sec. 98-132. Attached signs.

This section shall apply to all attached signs, including painted wall signs and temporary business signs.

(1) *Number of signs.*

- a. Single-occupancy buildings shall not be limited as to number of signs allowed.
- b. A multi-occupant building may have up to one attached sign for each occupant on each side of the building.

(2) *Total area.* Total effective area of attached signs shall not exceed the lesser of the following:

- a. The total area of all attached signs on each side of a building shall not exceed two square feet per length of wall on that side of the building.
- b. In districts zoned E, E-1, E-2, E-3, E-4, F, F-1, G and H, no single attached sign shall exceed 250 square feet in effective area.
- c. No attached sign shall exceed 100 square feet in effective area in districts O-P, D, D-1 and P-I.

(3) *Projection from building surface.* All attached signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project not more than 18 inches from the surface except as follows:

- a. Any on-premise or any nonresidential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building surface, but not above the roof, provided that the sign does not exceed 20 square feet in effective area and that no part of the sign descends closer to site grade than ten feet, or projects into or over any public right-of-way.
- b. No business or nonresidential occupancy may erect a sign above the eaves or edge of the roof, or above a parapet, or above or below an edge of a canopy.

(Ord. No. 93-69, § 1(39-28), 11-17-93; Ord. No. 00-55, § 2, 9-20-2000)

Sec. 98-133. Off-premises signs.

(a) Off-premises signs shall only be allowed within 100 feet of the right-of-way line of Interstate Highway 45, State Highway 3, and State Highway 146 south of Loop 197 North, FM 517 (from Gum Bayou to State Highway 146), and State Highway (from Loop 197 north to State Highway 646), and only if the sign is located in districts zoned E, E-2, E-3, E-4, F, F-1, G, H and S-P.

- (b) Signs must be located a minimum of 100 feet from all other zoned districts.
- (c) Signs must be located a minimum of 300 feet from the intersection of any state highways and 100 feet from the intersection of any non-state road or street.
- (d) Maximum face area of the sign shall not exceed 672 square feet per side, including structural trim. Maximum height shall be 42½ feet from ground level.
- (e) There shall be a minimum separation of 3,500 feet between off-premises signs on the same side of the highway.
(Ord. No. 93-69, § 1(39-30), 11-17-93; Ord. No. 04-54, § 1, 11-3-2004)

Sec. 98-134. Portable signs.

- (a) *Permitted signs for businesses.* Portable signs shall be permitted, on-premises, on a temporary basis, one time per certificate of occupancy, for the initial opening of a business for a period of time not exceeding 30 days; plus, a portable sign may be used for a maximum continuous period of 30 days per calendar year on-premises.
- (b) *Permitted signs for governmental agencies.* Portable signs shall be permitted on a temporary basis for use by governmental agencies for notification of general public events and public information.
- (c) *Permitted signs for nonprofit organizations.* Portable signs shall be permitted on a temporary basis for use by nonprofit organizations with an annual use of not more than 15 days.
- (d) *Location generally.* The location of a portable sign must be approved by the building official and may not constitute a traffic hazard.
- (e) *Area.* The maximum area per side of the sign shall be 60 square feet.
- (f) *Location of business signs.* Portable signs for businesses shall be located on the site and shall be allowed only in districts zoned O-P, D, D-1, P-I, E, E-1, E-2, E-3, E-4, F, F-1, G, G-1 and H.
- (g) *Construction standards.* Portable signs shall be securely anchored and constructed and erected in accordance with the city building code and electrical code.
- (h) *Setbacks.* Setbacks shall be in accordance with section 98-131(2), pertaining to monument signs.
- (i) *Permit fee.* The permit fee for portable signs shall be \$10.00, plus an electrical permit fee of \$5.00 if the sign is lighted.
(Ord. No. 93-69, § 1(39-31), 11-17-93)

Sec. 98-135. Garage sale signs.

The person holding a garage sale shall be entitled to post two on-premises and two off-premises temporary signs on private property only. Said signs shall not exceed two square feet in size. All signs must be removed by Sunday at 6:00 p.m. after the sale, or the holder of the sale is subject to penalties.

(Ord. No. 99-28, § 13, 5-5-99)

Sec. 98-136. Off-premises subdivision identification and directional signs.

(a) *Location.* Off-premises signs shall not be located on public rights-of-way and shall maintain a five-foot setback from public right-of-ways. Off-premises signs will only be permitted on undeveloped private property with the written consent of the property owner or agent for the owner of said property.

(b) *Permit.* A registered sign contractor shall submit a permit application which shall include a site plan, sign specifications, and a notarized copy of the property owners consent form. A permit fee of \$25.00 will be assessed for each sign.

(c) *Size.* Off-premises signs will not exceed 64 square feet per sign face, maximum height of twelve feet, minimum height of four feet to bottom of sign.

(d) *Number of off-premises signs.* For the purpose of marketing, a recorded subdivision will be allowed two off-premises signs. Such permitted signs are allowed for a maximum period of two years and upon expiration of such two-year period shall be promptly removed. If the subdivision is less than 80 percent sold at the end of such two-year period, the sign may be permitted for two additional years. At the end of the additional two-year time period said sign will be promptly removed.

(e) *Off-premises sign information.* The off-premises sign shall be limited to the following information:

- (1) Name of the subdivision;
- (2) Location of the subdivision;
- (3) Distance of the subdivision;
- (4) Directions (with directional map) to the subdivision.

(Ord. No. 04-10, § 1, 5-5-2004)