

ORDINANCE NO. 2025-04

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, OF THE CITY OF TEXAS CITY, TEXAS, TITLE XV – LAND USE, CHAPTER 155, “SIGNS”, REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, there is a need to amend The Code of Ordinances of the City of Texas City, Texas, Title XV – LAND USE, Chapter 155 – Signs to make provision for the use of kiosk signs in the City of Texas City, and

WHEREAS, homebuilders and others have need for wayfinding and other signs to guide homebuyers to their new developments.

WHEREAS, the use of “bandit signs” in the rights of way by homebuilders is not compliant with the city sign ordinance and has the potential to be unsightly and distracting.

WHEREAS, the use of a kiosk sign plaza program is a common industry practice which is satisfactory to homebuilders and meets the need to guide potential homebuyers to new developments in an attractive, efficient and consistent manner with minimum burden upon city resources, and

WHEREAS, the City Commission determines that amending the Code of Ordinances of the City of Texas City, Texas, Title XV – Land Use, Chapter 155 – Signs, to make provision for the use of kiosk sign plazas will promote the health, safety, morals, and general welfare of the City and the safe, orderly, and healthful development of the City;

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

SECTION 1: The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Commission hereby further finds and determines that the rules, regulations, terms, conditions, provisions, and requirements of this ordinance are reasonable and necessary to promote health, safety, morals, or general welfare and the safe, orderly, and healthful development of the municipality.

SECTION 2: The City of Texas City’s Code of Ordinances, Section 155 SIGNS is hereby amended to add Section 155.071 Kiosk Signs as follows:

§ 155.071 Kiosk Signs: The City of Texas City, by duly executed license agreement, shall grant the exclusive right to design, erect, and maintain kiosk signs within the City of Texas City.

- a) Kiosk signs must be designed and constructed according to specifications approved by the Chief Building Official in accordance with applicable codes.
- b) Prior to erecting any kiosk sign, the licensee shall submit a sign location map to the City for approval.
- c) Kiosk signs shall include breakaway design features as required for traffic signs in the street rights-of-way.
- d) Price information is prohibited on kiosk signs.
- e) No signs, pennants, flags, or other devices for visual attention of other appurtenances shall be attached to kiosk signs.
- f) Kiosk signs shall not be illuminated.
- g) Individual sign panels on kiosk signs shall have a uniform design and color.
- h) Kiosk signs shall not interfere with the use of sidewalks, walkways, bike trails, or hiking trails; shall not obstruct the visibility of motorist, pedestrians, or traffic control signs; shall not be installed in the immediate vicinity of street intersections and shall comply with the any visibility triangle as dictated by the City of Waxahachie.
- i) No kiosk sign plaza or sign panel shall be installed within the right-of-way of a state highway without written authorization from the Texas Department of Transportation.
- j) All kiosk signs shall be maintained in like-new condition and shall be free of grass and weeds in surrounding vicinity.
- k) The agreed upon license shall be consistent and comply with this Ordinance.

SECTION 3: This ordinance shall be cumulative of all provisions of the City of Texas City, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

SECTION 4: It is hereby declared to be the intention of the City Commission of the City of Texas City, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5: All rights and privileges of the City of Texas City, Texas, are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, 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. This Ordinance shall be effective immediately upon the passage, approval and publication as required by law.

PASSED ON FIRST READING this 5th day of February 2025.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

PASSED ON SECOND READING this 19th day of February 2025.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

PASSED ON FINALLY ADOPTED this 5th day of March 2025.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney