

ORDINANCE NO. 2022-O-029

AN ORDINANCE OF THE CITY OF ATHENS, TEXAS, AMENDING CHAPTER 22, ARTICLE V, SECTION 22-41(f)(11) OF THE CITY CODE OF ORDINANCES REGARDING EXEMPTION FROM PERMITTING FOR GOVERNMENTAL SIGNS, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 7th day of February 2022, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to recommend approval of the amendment of the Zoning Ordinance to allow for exemption from permitting for governmental signs.

WHEREAS, on the 14th day of February 2022, the City Council of the City of Athens, Texas after due notice as required by law, held a public hearing for the said amendment to Chapter 22 of the City Code of Ordinances and heard from those opposed to said modification and those in favor of same. After the close of the public hearing, the ordinance amendment was read aloud for the first time as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The City Council hereby authorizes the amendment of Chapter 22, Article V, Section 22-41(f)(11) as shown below. For clarity, the new text to be added to the ordinance is shown in highlights.

Sec. 22-41. Sign regulations.

(f) *General provisions for signs.*

(11) *Signs exempt from permit:* A permit shall not be required for the following signs provided, however, such signs shall otherwise comply with all other applicable provisions of this sections of the zoning ordinance and with any other applicable city code/ordinance:

- a. Temporary construction or real estate signs not exceeding eight (8) square feet in area when located in residential districts, and thirty-two (32) square feet in area when located in any other zoning district.
- b. Memorial plaques, building identification signs and building cornerstones when cut or carved into the masonry surface or when made of noncombustible material and made an integral part of the building or structure. These signs shall not exceed four (4) square feet in area.
- c. On-site directional and directory/informational signs not exceeding eight (8) square feet in area and three (3) feet in height, provided that such directional or directory/informational signs do not contain advertising and are not used as such. On-site directional and directory/informational signs are only permitted behind the front building line.
- d. Political signs.
- e. Traffic or other municipal signs, legal notices, danger and such emergency, temporary or non-advertising signs as may be approved by the city council or the city manager or his authorized

representative, when placed in compliance with the "Uniform Manual of Traffic Control Devices" and with applicable city codes/ordinances.

- f. Temporary special occasion announcement signs on residential lots for a maximum time limit of five (5) days.
- g. Religious emblems when installed in compliance with this section and with other applicable City codes/ordinances.
- h. Seasonal decorations for a maximum of sixty (60) days, provided traffic visibility is not affected.
- i. Nameplates.
- j. Incidental signs.
- k. Menu boards.
- l. Governmental signs erected by the city, county, state or federal government in furtherance of their governmental responsibility.

Section 2. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 3. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

First reading on the 14th day of February 2022.

PASSED, APPROVED and ADOPTED this the **28th** day of **February 2022** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Toni Clay, Mayor	Aye
Aaron Smith, Mayor Pro Tem	Aye
Robert Gross, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Mark Carroll, Councilmember	Aye
Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary