

CITY OF SEVEN POINTS

ORDINANCE NO. 222

SIGNS

AMENDED
Date 6-19-01

See #285

AN ORDINANCE AMENDING CHAPTER 3 SECTION 21 OF THE BUILDING CODE IN THE CODE OF ORDINANCES; PLACING RESTRICTIONS ON SIGNS LOCATED IN THE CITY OF SEVEN POINTS, TEXAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Seven Points, Texas in order to provide for the general welfare of the citizens of this City is permitted to enact certain rules and regulations and to set fees for permits issued by the City of Seven Points, Texas;

NOW, THEREFORE, Be it Ordained by the City Council of the City of Seven Points, Texas:

That Chapter 3, Section 21, of the Building Code styled Signs in the Code of Ordinances of the City of Seven Points, Texas is hereby amended as follows:

ARTICLE I. IN GENERAL

Sec. 21-1. Purpose.

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

(1) Safety. To promote the safety of persons and property by providing that signs:

- a. Do not create a hazard due to collapse, fire, decay or abandonment;
- b. Do not obstruct firefighting or police surveillance; and
- c. Do not create traffic hazards by confusing or distracting pedestrians, obstacles or other vehicles or to read traffic signs.

(2) Communications efficiency. To promote the efficient transfer of information in sign messages providing that:

- a. Those Signs which provide messages and information most needed and sought by the public are given priorities;
- b. Businesses and services may identify themselves;
- c. Customers and other persons may locate a business or service;
- d. No person or group is arbitrarily denied the use of the sight lines from the public right-

of-way for communication purposes; and

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

(3) Landscape quality and preservation. To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that signs:

- a. Do not interfere with scenic views;
- b. Do not create a nuisance to persons using the public rights-of-way;
- c. Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height or movement; and
- d. Are not detrimental to land or property values;
- e. Do not contribute to visual blight or clutter;
- f. Are architecturally compatible and harmonious with the structure to which they pertain and to neighboring structures.

Sec. 21-2. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Animation means copy or other images that flash or move or otherwise change.

Banner means a temporary sign containing a worded message or graphic image composed of lightweight material secured or mounted so as to allow movement caused by wind.

Building means a structure which has a roof supported by columns, walls or air for the shelter, support or enclosure of persons, animals or property.

City or town means the City of Seven Points, Texas.

Code enforcement administrator means that person appointed by the Seven Points City Council as the code enforcement administrator or his designee.

Copy means letters, characters, illustrations, logos, graphics, symbols, writing or combination thereof, designed to communicate information of any kind, or to advertise, announce the purpose of, or identify the purpose of a person or entity, or to identify or advertise a business or business product, or to advertise the sale or lease of a premise.

Effective area means the area enclosed by drawing a rectangle of horizontal and vertical lines which fully contain all extremities of the sign drawn to scale, including architectural design elements such as decorative bordering, but exclusive of the sign supports. The measurements is to be calculated from the viewpoint which gives the largest rectangle of that kind as the

viewpoint is rotated horizontally around the sign.

Facade means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building oriented in the same direction, or in directions within forty-five (45) degrees of one another, they are to be considered as part of a single facade.

Luminescent gaseous tubing means exposed tubes used in or as signs and which contain luminescent inert gases including, but not limited to, neon, argon and krypton.

Person means an individual, corporation, sole proprietorship, government or governmental subdivision or agency, trust, partnership, or two (2) or more persons having a joint or common economic interest.

Premises means a lot or tract, or a combination of contiguous lots or tracts if the lot or tract, or combination is under single ownership and is reflected as a single premise in the plat records of the city.

Responsible party means the owner, operator, occupant, employee or other person working at, employed by, responsible for, or in charge of the premises at issue, and includes the name of the advertiser or other person whose name appears on the sign.

Sign means any device, flag, light, figure, picture, letter, word, message, symbol, plaque or poster visible from outside the premises on which it is located and designed to inform or attract the attention of persons not on the premises.

Sign, attached means any sign attached to, applied on or supported by any part of a building (such as a wall, roof, window, canopy, awning, arcade or marquee) which enclosed or covers usable space.

Sign, detached means any sign connected to the ground which is not an attached sign, including signs on movable objects, but excluding signs on vehicles which are moving or are parked only temporarily, incidental to their principal use for transportation.

Sign device means any flag, banner, pennant, streamer or similar device that moves freely in the wind. Balloons inflated by any means, secured or unsecured, are considered to be sign devices. All sign devices are considered to be signs, and are regulated and classified as attached or detached by the same rules as other signs.

Sign erector means a person who is hired to install, construct, erect or repair such sign in the city, and his employees, representatives and subcontractors.

Sign, meritorious exception means any sign which fails to conform to all applicable regulations and restrictions of this Code and for which a special permit has been issued.

Sign, monument means a freestanding sign having a low profile and made of stone, concrete,

metal, routed wood planks or beams, brick, or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves.

Sign, movement control means a sign which directs vehicular or pedestrian movement within or into the premises on which the movement control sign is located.

Sign, non-premises means any sign which is not a premise sign.

Sign, political means any type of non-premises sign which refers only to the issues or candidates involved in a political election.

Sign, portable means a sign which is easily moved from one location to another, including signs which are mounted on skids, trailers, wheels, legs or stakes, and which is not fixed permanently to the ground, and which is not an attached sign, political sign, or a sign which refers solely to the sale or lease of the premises.

Sign, premises means any sign the content of which relates to the premises on which it is located referred exclusively to the name, location, products, persons, accommodations, services or activities of or on those premises, or the sale, lease or construction of those premises.

Sign, protective means any sign which is commonly associated with safeguarding the permitted uses of the occupancy, including, but not limited to "bad dog," "no trespassing," and "no solicitors."

Sign support means any pole, post, strut, cable or other structural fixture or framework necessary to hold and secure a sign, providing that said fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one (1) inch in height, nor is internally or decoratively illuminated.

Sign, vehicular means any sign on a vehicle parked for a period of twenty-four (24) consecutive hours.

Special event means events which are sponsored in whole or in part by the city and include only events as designated by the city council.

Visibility triangle is a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within the adjacent curb lines and a diagonal line intersecting such curb lines at points fifty (50) feet back from their intersection.

Zoning district, business means any zoning district designated by the comprehensive zoning ordinance No. 125, and amendments thereto, and that are designated B-1, B-2, L-1, AND RM-2 Districts of the City of Seven Points. Any planned development district is also included in this list, unless specifically excluded by its provisions.

Zoning district, non-business means any zoning district not designated as a business district.

Sec. 21-3. Administration.

The provisions of this chapter shall be administered and enforced by the code enforcement administrator as appointed by the Seven Points City Council.

Sec. 21-4. Enforcement.

Violations of this chapter shall be enforced by all remedies allowed by law including, but not limited to, removal of the sign and citation issued to the responsible party.

Sec. 21-5. Compliance with laws required; conflict.

All signs erected or maintained pursuant to the provisions of this chapter shall be erected and maintained in compliance with all applicable state laws and with the building code, electrical code, and other applicable ordinances of the city. In the event of conflict between this chapter and other laws, the most restrictive standards applies.

Sec. 21-6. Maintenance.

Every Sign in the city, regardless of whether any permit is required for such sign, shall be maintained in a safe, presentable and sound structural and operational condition at all times, including the replacement of non-functioning, broken, defective, or missing parts, painting, repainting, cleaning and any other acts required for the maintenance of such sign. All signs and Sign supports, brackets and frames shall be kept painted or otherwise treated to prevent rust, rot or deterioration. Signs not meeting the standards imposed by this chapter shall be subject to removal or repair.

Sects. 21-7--21-10. Reserved.

ARTICLE II. PERMIT

Sec. 21-11. Required.

No person shall cause a sign to be erected, constructed, relocated, altered, repaired or maintained until a permit for such has been issued and the fee paid, except as otherwise provided in this chapter.

Sec. 21-12. Applications.

All applications for permits under this chapter shall include a drawing to scale of the proposed sign, and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the plot plan or building facade indicating the proposed location of the sign and specifications.

Sec. 21-13. Permanent detached signs.

Applications for permit for permanent detached signs shall be applied for by the responsible party for the premises. Owner of the premises shall consent to such application.

Sec. 21-14. Lapse of sign permit.

A sign permit shall lapse automatically if not renewed or if the certificate of occupancy for the premises expires, is revoked, or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of thirty (30) days or more and is not renewed within fourteen (14) days of a notice from the city to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

Sec. 21-15. Revocable.

The code enforcement administrator may suspend or revoke any permit issued under the provisions of this chapter whenever he shall determine that the permit is issued in error or on the basis of incorrect or false information supplied, or whenever such permit be issued in violation of any of the provisions of this chapter or any other ordinance of this city or laws of this state or the federal government. Such suspension or revocation shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign or the responsible party of the premises upon which the sign is located.

Sec. 21-16. Permit value only for ninety days.

If the work authorized by a permit issued under this chapter has not been commenced within ninety (90) days after the date of issuance, the permit shall become null and void.

Sec. 21-17. Refund of fees.

No refunds for a sign permit shall be granted after such fees have been tendered.

Sec. 21-18. Fee--Required.

Every applicant, before being granted a permit under this article, shall pay to the city the applicable fee herein defined.

Sec. 21-19. Fee--Amounts generally.

See # 285

Fees for a permit to erect, alter, replace or relocate a sign shall be as follows:

<u>Sign Size</u>	<u>Fee Amount</u>
Eight feet (8') in height and/or Eight feet (8') in width	

and below

Above Eight feet (8') in height and/or
Eight feet (8') in width but below
Twenty feet (20') in height and/or
Twenty feet (20') in width

Any application to erect, alter, replace or relocate a sign that exceeds Twenty feet (20') in height and/or Twenty feet (20') in width must be submitted to the building inspector, for the City of Seven Points, Texas, to approve said application and to set a reasonable fee therefor, subject to the approval of the City Council of the City of Seven Points, Texas.

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Sec. 21-20. Repair permit.

It shall be unlawful for any person to repair, to make alterations to any sign requiring a permit without first obtaining a repair permit and making payment of the fee required. Fees for a permit to repair shall be ten dollars (\$10.00).

Sec. 21-21. Late fee.

When a sign is erected, placed, or maintained, or work is started thereon before obtaining a Sign permit, there shall be a late fee equal to twice the amount of the sign permit fee. The late fee does not excuse full compliance with the provisions of this chapter.

Sec. 21-22. Meritorious exception application.

Application for meritorious exception shall be applied for by the responsible party of the premises and the owner of the premises shall consent to such exception.

Sec. 21-23. Meritorious exception sign application fees.

Fees for an application for a meritorious exception sign shall be two hundred dollars (\$200.00) for each sign with a maximum amount of four hundred dollars (\$400.00) per premises for each application.

Sec. 21-24. Meritorious exception sign late fee.

If a sign is erected, placed or maintained in violation of the provisions of this Code prior to any authority, permission or approval of the city to do so, and an application for meritorious exception is sought, there shall be paid by the applicant for such meritorious exception a late fee equal to twice the amount of the meritorious exception fee. Payment of the late fee does not excuse full compliance with the provisions of this chapter.

Sec. 21-25. Electrical permit.

Prior to issuance of a sign permit for a sign in which electrical wiring and connections are to be used, an electrical permit must be obtained according to the existing fee schedule. The electrical inspector shall examine the plans and specifications submitted with the application to insure compliance with the electrical code of the city. No sign shall be erected in violation of the electrical code.

Sects. 21-26--21-30. Reserved.

ARTICLE III. ATTACHED SIGNS

Sec. 21-31. Generally.

Attached signs are permitted in all business zoning districts subject to the following restrictions:

Sec. 21-32. Premises signs.

Also see #285
Sec. 21-32

- (1) All attached signs must be premise signs.
- (2) Metal backing is required for all attached wall signs. Wood backing is prohibited.
- (3) There shall be only one (1) sign for each facade for each tenant.
- (4) All signs and their messages shall be mounted parallel to the building surface to which they are attached. No sign or message shall project more than eighteen (18) inches from the surface to which they are attached. Signs shall not be mounted on roofs and shall not project above roof line.
- (5) Copy on awnings and canopies is prohibited.

Sec. 21-33. Area.

Total effective area of attached signs shall not exceed the following schedules

- (1) On an attached sign located at a height of up to thirty-six (36) feet, the effective area is limited to one (1) square foot of sign area for each linear foot of building frontage not to exceed one hundred (100) square feet.
- (2) An attached sign located at or exceeding a height of thirty-six (36) feet shall be permitted an increase in maximum effective area. Such increases shall not exceed four (4) square feet in effective area for each additional one (1) foot of height above thirty-six (36) feet measured from the base of the sign to the building grade.
- (3) Attached signs may be located on each facade; however, the sum of the effective area of all attached signs shall not exceed twice the allowable effective area as specified in above paragraphs (1) and (2).

(4) Building's with four (4) or more stories in height may have not more than two (2) attached signs per facade provided that:

- a. Each sign is designated for a separate tenant.
- b. One (1) sign must be located on or near the uppermost story of the building, while the second sign is to be located on the first or ground level floor specifically to identify a first floor occupant/tenant.
- c. Signs may be no closer than thirty (30) feet apart.
- d. The combined effective square footage of both signs may not exceed twice the allowed effective square footage as specified in above paragraphs (1) and (2).

(5) Maximum letter/logo height of attached signs shall not exceed twice the allowable effective area as specified in above paragraphs (1) and (2).

Maximum letter/logo height of attached signs shall be determined by the following schedule:

Sign Height (feet)	Letter/Logo Height (inches)
0-36	16
37-48	36
49- 100	48
101-150	60
151 and up	72

- a. Letter heights in excess of seventy-two (72) inches must be approved by the city council.
- b. Additionally, the above table represents the maximum letter and/or logo height in each individual sign height category. Where the sign is totally composed of individually mounted letters, either one letter or logo may be twenty-five (25) percent taller than the specified maximum letter/logo height.

Sec. 21-34. Window signs.

(1) Signs in windows facing public rights-of-way are limited to ten (10) percent of the window area per facade.

(2) The outlining of a window on two (2) or more of any sides with lighting, luminescent gaseous tubing, or by any similar means shall constitute one hundred (100) percent of the total window area as a sign.

Sects. 21-35--21-40. Reserved.

ARTICLE IV. DETACHED SIGNS

Sec. 21-41. Generally.

Detached signs are permitted in business zoning districts as provided in this article.

Sec. 21-42. Premises signs.

Also see # 285

Detached signs must be premises signs only; off-premises signs are prohibited.

Sec. 21-43. Number of signs.

Only one (1) detached sign of any type may be erected on any premises except that:

(1) Premise, which have more than four hundred fifty (450) feet of property frontage along the public way, other than an alley, may have not more than one (1) additional detached sign for each additional three hundred (300) feet of frontage.

(2) Any premises with frontage along more than one (1) public way may have a permanent detached sign along each public way provided that the each frontage way is at least three hundred (300) feet in length.

(3) All permanent detached signs must be no closer than one hundred fifty (150) feet apart, with no two (2) detached signs of any type being closer than fifty (50) feet apart.

(4) Signs within the visibility triangle at all intersections, which include that portion of public right-of-way, any corner lot within the adjacent curb lines and a diagonal line intersecting such curb lines at points fifty (50) feet back from their intersection, are prohibited.

Sec. 21-44. Setback, effective area and height.

A minimum setback of ten (10) feet is required of all detached signs. A minimum setback of fifteen (15) feet from the public right-of-way is required for signs exceeding ten (10) square feet in effective area or ten (10) feet in height. A minimum setback of twenty (20) feet is required for all signs exceeding twenty square feet in effective area or fifteen (15) feet in height.

Sec. 21-45. Specifications.

Also see # 285

Both single-tenant and multi-tenant pole signs shall be allowed and shall be governed by the design standards and regulations as set forth herein.

(1) Single tenant pole signs must be exactly thirty-six (36) square feet in effective area and must be exactly twenty (20) feet in height measured from ground elevation to the top of the sign.

(2) Multi-tenant pole signs must be exactly seventy-two (72) square feet in effective area and must be exactly twenty (20) feet in height measured from ground elevation to the top of the

signs. No single tenant shall occupy more than thirty-six (36) square feet of sign area on a multi-tenant sign.

(3) Design standards shall be as follows:

Sign supports:

8" x 8" structural steel tubing.

Sign cabinet:

Paint grip sheet metal on angle iron frame with angle retaining rim to secure sign face.

Single-tenant sign cabinet dimensions:

6'10" wide x 5'10" high x 8" deep.

Multi tenant sign cabinet dimensions:

6'10" wide x 11'6" high x 8" deep.

Sign face:

Flat, clear acrylic sheet, all copy and background sprayed on second surface with acrylic colors.

Sign finish:

Degrease, prime, and finish coat all exposed metal surfaces as required.

Sign support and cabinet color: Pantone 404©

Painted surfaces are to match special color; color swatch will be provided by the City of Seven Points. COLOR NUMBER: Pantone #404©

Internal illumination:

Internal illumination provided by fluorescent lamps spaced no further than twelve (12) inches on center.

Overall sign height:

All signs are to be twenty (20) feet in height.

Sec. 21-46. Monument signs.

Also see # 285

Monument signs must be built on a monument base as opposed to a pole base with no

separation between the base of the sign and natural grade. A. monument sign contains only the name, logo, address and product or service of the establishment. No advertising or promotional information is permitted thereon. Such sign may be single or double faced. Such signs with base shall not exceed six (6) feet in overall height above the natural or average grade and the actual sign face shall not exceed forty-eight (48) square feet in area per side. One monument sign per adjoining street will be allowed. Brightly colored can signs made of plastic or similar materials shall not be considered as monument signs. A minimum setback of twenty (20) feet from the public right-of-way is required.

Sec. 21-47. Multi-family premises.

Multi-family premises may have detached signs subject to the following restriction:

(1) Number of signs. Each premises may have not more than one (1) detached premises sign, provided, however, that premises with more than seven hundred fifty (750) feet of frontage along a public way, other than an alley, may have not more than one (1) additional detached sign for each five hundred (500) feet of additional frontage.

Sects. 21-48--21-50. Reserved.

See # 285

ARTICLE V.
REAL ESTATE/ LEASING/ CONSTRUCTION SIGNS

Sec. 21-51. Real estate/leasing/construction signs generally.

Real estate, leasing and construction signs are permitted in all zoning districts as provided by this article.

Sec. 21-52. Signs on undeveloped property.

Signs on undeveloped property shall be specifically limited to real estate, development and/or temporary construction signs and must comply with sign design and size criteria as set forth elsewhere within this chapter.

Sec. 21-53. Real estate/leasing signs.

Permission is granted to property owners for the erection of a sign to advertise the sale, lease or rent of the property or undeveloped land on which the sign is located. Real estate signs must be spaced at least fifty (50) feet apart along a lot frontage, and there may be no more than four (4) such signs per lot, the total effective area of each of such signs may not exceed thirty-six (36) square feet, and such signs shall be no taller than sixteen (16) feet in overall height. Such signs shall not be placed on utility or light poles, public or private. Such signs shall be removed as soon as the property or land to which they refer has been sold, or seventy-five (75) percent rented or leased, or for a period of eighteen (18) months from the date of the sign permit for said real estate signs, whichever occurs first.

Sec. 21-54. Real estate directional signs.

See # 285

Off-premise real estate directional signs are prohibited. (I d. No. 091-007, 1, 2-26-91

Sec. 21-55. Construction signs.

Permission is granted to developers to erect temporary construction signs designed to identify contractors, financiers, architects, engineers, and to advertise the coming of new businesses on the premises to which the sign pertains. Such signs shall not be erected prior to the issuance of a building permit for the project to which the sign pertains, and must be removed prior to the issuance of a certificate of occupancy. Such signs shall comply with the provisions of this chapter provided that no sign shall contain more than thirty-six (36) square feet in effective area. All such signs shall comply with the design standards and regulations as determined by the city. In the case of residential subdivision development, such signs shall be allowed until seventy-five (75) percent. of the residential lots have been sold or eighteen (18) months after the issuance of the first certificate of occupancy whichever event is the first occurring.

Sects, 21-56--21-60. Reserved.

ARTICLE VI. MOVEMENT CONTROL SIGNS

Sec. 21-61. Generally.

Movement control signs may be erected at any occupancy or any premises, other than a single-family or duplex premises, may be attached or detached and may be erected without limit as to number provided that such signs shall comply with all other applicable requirements of this chapter. The occupant of premises who erects a movement control sign shall comply with the following requirements:

- (1) Each sign must not exceed two (2) square feet in effective area.
- (2) If a sign is an attached sign, the words must not exceed four (4) inches in height.
- (3) Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premises on which the sign is located.
- (4) The sign must contain no advertising.
- (5) Lettering on the attached and detached movement control sign, not to exceed four (4) inches in height, may be used for identification purposes only.

Sects, 21-62--21-65. Reserved.

ARTICLE VII. TEMPORARY SIGNS

Sec. 21-66. Temporary banner signs; prohibited, exceptions.

Temporary banner signs are prohibited in all zoning districts in the city except for the following:

(1) Any premises or any nonresidential occupancy may display one (1) banner sign announcing a grand opening of a new business. Display of such sign is limited to a maximum of sixty (60) days per opening. The privilege to begin display of such sign expires six (6) months after the issuance of a certificate of occupancy. Use of grand opening signs only apply to new ownership. Size of banner is limited to fifty (50) square feet with at least one-half of all readable copy stating "Grand Opening" or "Now Open."

(2) Any premises or any nonresidential occupancy may display banner signs containing a message directly relating to a special event provided, however, that such banners may be displayed no more than eight (8) days prior to the special event and must be removed within two (2) days after the conclusion of the special event.

Sec. 21-67. Special purpose political signs--Authorized.

Special purpose political signs may be erected at any occupancy or upon any premises, provided such signs comply with all other applicable requirements of this chapter.

Sec. 21-68. Same--Use during election period.

(1) An occupancy may erect special purpose political signs for a period of sixty (60) days prior to any primary or general election and shall remove the signs within ten (10) days after the election.

(2) Special purpose political signs may be erected upon the premises, must be spaced at least fifty (50) feet apart along a lot frontage, and there may be no more than four (4) signs per lot, the total effective area of which may not exceed thirty-six (36) square feet.

(3) Persons wishing to place special purpose political signs on commercial property must have written property owner's approval on file with the code enforcement administrator prior to placement of signs.

(4) Persons wishing to place special purpose political signs on multi-family property must have written approval of the property manager or homeowner's association on file with the code enforcement administrator prior to placement of signs.

Sects. 21-69-- 21-75. Reserved.

ARTICLE VIII. EXEMPTIONS

Sec. 21-76. Exempt signs generally.

Exempt signs as designated under this article are allowed without a permit in all zoning districts in accordance with this article.

Sec. 21-77. Government signs.

(1) Nothing in this chapter shall be construed to prevent the display of governmental signs for control of traffic or other regulatory purposes, street signs, danger signs, railroad crossing signs and signs of public service companies indicating danger and or aids to service or safety which are erected by or on approval of the city.

(2) Nothing in this chapter shall be construed to prevent the display of a national flag and/or state flag whose size does not exceed forty (40) square feet and which flag is displayed upon a flagpole which does not exceed thirty (30) feet in height. All national flags or state flags in excess of the foregoing sizes must apply for a meritorious exception as set forth in section 21-111 herein.

Sec. 21-78. Holiday decorations.

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Nothing in this section shall be construed to prevent tree lights or attached building lights of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local, or religious holiday, provided such lights shall be displayed November 15 to January 15 only. Additionally, the code enforcement officer may allow tree lights and grant a permit if such lights meet the following criteria:

- (1) Such lights do not camouflage or divert attention from traffic signals or directional signals;
- (2) Such lights and wiring thereto is in conformity with the electrical code of the city;
- (3) Such lights shall not glare upon the street or adjacent property; and
- (4) Such lights shall not "blink," flash, or move by any means.

Sec. 21-79. Air traffic signs.

Air traffic signs are exempt.

Sec. 21-80. Gasoline signs.

Gasoline price per gallon or credit card signs may be mounted on pump islands only, with maximum total area of any single sign face not to exceed four (4) square feet.

Sec. 21-81. Words on machinery or equipment.

Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice

machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, and project no more than one (1) inch from the surface of the device.

Sec. 21-82. Protective signs.

The occupant of any premises may erect not more than two (2) protective signs, in accordance with the following provisions:

- (1) Each sign must not exceed one (1) square foot in effective area.
- (2) Detached signs must not exceed two (2) feet in height.
- (3) Letters must not exceed four (4) inches in height.

Sec. 21-83. Single-family or duplex residential premises.

A single-family or duplex residential premises may display One (1) detached, non-illuminated sign which must advertise a garage sale on the premises or refer to the sale or lease of the premises, and may display detached political signs in the required front yard of the dwelling no closer than five (5) feet to any street curb line. Only One (1) of each type of sign may be erected, not exceeding three (3) square feet each. All detached special purpose and political signs must conform to all the restrictions set forth in this chapter.

Sec. 21-84. No trespassing; no dumping; no parking.

No trespassing, no dumping and no parking signs are allowed without a permit but must adhere to all restrictions set forth elsewhere in this chapter.

Sec. 21-85. Business Sign.

A business operating with a valid permit from the City of Seven Points, to do business in the City of Seven Points, and doing business within the City Limits of the City of Seven Points may, without a permit, erect One (1), attached or detached, sign not exceeding Eight Feet (8') in height and Eight Feet (8') in width and must adhere to all restrictions set forth elsewhere in this chapter.

Sec. 21-86. Other Garage Sale Signs.

A person, or persons, may display a detached, non-illuminated sign which advertises a garage sale, on property within the City of Seven Points, Texas, with the consent of the owner thereof, that refers to a garage sale being held, at a place certain, in the City of Seven Points, Texas, not exceeding three (3) square feet each. Such signs must be removed from their respective locations three (3) days after the date advertised on the sign that such garage sale will take place. Failure to remove said signs shall be deemed a violation of this ordinance and subject to the penalties therefor. All garage sale signs must adhere State law and to all restrictions set

forth elsewhere in this chapter.

Sects, 21-87--21-90. Reserved.

ARTICLE IX. PROHIBITIONS

Sec. 21-91. **Animation prohibited.**

No sign shall be erected or altered to include animation, parts which move, flashing or blinking lights which may be distracting to motorists. This prohibition does not include time and temperature signs.

Sec. 21-92. **Advertising by balloon prohibited.**

Advertisement by means of a balloon or other inflated sign anchored to the ground, a building or other structure is prohibited.

Sec. 21-93. **Hazardous or nuisance signs.**

No sign shall be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed.

Sec. 21-94. **Imitation of traffic and emergency signs.**

No person shall cause to be erected or maintained any sign using any combination of forms, words, colors or lights which imitate standard public traffic regulatory or emergency signs or signals.

Sec. 21-95. **Searchlights.**

Searchlights are specifically prohibited.

Sec. 21-96. **Sign on sidewalks, street, etc.**

No person shall attach any sign, paper or material, or shall paint, stencil or write any name, number (except house numbers) or otherwise permanently mark on any sidewalk, curb, gutter or street.

Sec. 21-97. **Signs on trees, poles, etc.**

No person shall attach or maintain any sign upon any tree or public or private utility pole or structure.

Sec. 21-98. **Portable signs.**

See # 285

Portable signs are specifically prohibited.

Sec. 21-99. Temporary real estate directional signs.

see # 285

Off-premise temporary real estate directional signs are prohibited.

Sec. 21-100. Roof signs prohibited.

see # 285

No sign shall be located on or project over the roof of a building.

Sec. 21-101. Signs in rights-of-way.

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 line or extended across a railroad right-of-way. No sign shall be erected closer than ten (10) feet from the existing public right-of-way.

Sec. 21-102. Sign on fence, wall, etc.

No person shall paint a sign or attach a sign, other than a nameplate sign or a "Bad Dog" sign, to the outside of a fence, railing or a wall which is not a structural part of a building, whether or not on the property line.

Sec. 21-103. Building Code.

No sign shall be erected in violation any other section included in the building code of the city.

Sec. 21-104. Moving signs.

No sign shall be allowed which moves by any means.

Sec. 21-105. Luminescent gaseous tubing.

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

Sec. 21-106. Interchangeable copy.

see # 285

Interchangeable copy on any type of sign is specifically prohibited.

Sec. 21-107. Obscene, indecent and immoral matter.

It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.

Sec. 21-108. Vehicular signs, prohibited.

Vehicular sign is prohibited.

Sects. 21-109, 21-110. Reserved.

ARTICLE X. NON-CONFORMANCE / MERITORIOUS EXCEPTION

Sec. 21-111. Purpose.

It is the declared purpose of this article that in time all privately owned signs shall either conform to the provisions of this chapter or be removed. By the passage of this chapter 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 chapter and all other ordinances of the city. Any sign which does not conform to all provisions of this chapter shall be a nonconforming sign if it legally existed as a conforming or nonconforming sign under the terms of this chapter under prior ordinances, or an illegal sign if it did not exist as a conforming or nonconforming sign under prior ordinances, or an illegal sign if it did not exist as conforming or nonconforming sign, as the case may be.

Sec. 21-112. Condemnation; notice.

Signs adjudged by the code enforcement administrator to be structurally unsafe or to be more than fifty (50) percent destroyed or dilapidated may be condemned. A condemnation letter will be sent to the owner of the property stating that the sign must be demolished within fifteen (15) days of the receipt of the letter. If the sign is not removed within the period allotted, the city may remove the sign at the property owner's expense.

Sec. 21-113. Nuisances.

All of the following signs shall be considered a public nuisance, and the city may, without notice, remove and impound any of the following signs:

- (1) Any sign erected or existing that constitutes a traffic hazard;
- (2) Any sign erected without a permit, either prior to or after the adoption of this chapter, if a permit was required;
- (3) Any sign erected in violation of the provisions of this chapter; and
- (4) Any sign erected in or over a public right-of-way, either prior to or after adoption of this chapter.

Sec. 21-114. Impounded signs--Recovery.

Impounded signs may be recovered by the owner within fifteen (15) days of the date of impoundment by paying a fee as follows:

- (1) A fee of five dollars (\$5.00) for signs which are twelve (12) square feet or less in area.
- (2) A fee of ten dollars (\$10.00) for signs which are larger than twelve (12) square feet or less in area.

Sec. 21-115. Same--Disposal.

Signs not recovered within fifteen (15) days of impoundment may be disposed of by the city in any manner it shall elect.

Sec. 21-116. Removal of certain nonconforming signs-- When required.

The City of Seven Points will follow all applicable state regulations in the removal of nonconforming signs. Upon requirement of removal, the town will institute any necessary procedures before any legal boards required by state legislation.

Sec. 21-117. Same--Repair or renovation of nonconforming signs.

No nonconforming sign shall be repaired or renovated except to bring the sign into compliance with the provisions of this chapter. Any nonconforming signs which are damaged in excess of fifty (50) percent of its current value must be demolished and not repaired unless such proposed repairs would bring the sign into compliance with the provisions of this chapter.

Sec. 21-118. Procedures for a meritorious exception.

(1) In the development of the sign criteria, a primary objective has been to ensure against the kind of signage that has led to low visual quality. On the other hand, an equally primary objective has been the guarding against overly controlled signage.

(2) It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly not conforming to this chapter and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.

(3) In order to determine the suitability of alternate materials, and methods of construction, and to provide for reasonable interpretation of the provisions of this chapter there shall be and is hereby created a sign review board of appeals consisting of three (3) or more members of the city council. The code enforcement administrator or his designee shall be ex officio member and shall act as the staff to the board. The board shall have the authority to adopt reasonable rules and regulations for the enforcement of the sign ordinance and the authority to make recommendations to the full council. The council may consider appeals on the basis that such regulations and/or standards will, by reason of exceptional circumstances or surroundings,

constitute a practical difficulty or unnecessary hardship.


ARTICLE XI

That this Amendment shall take effect immediately after its passage and publication as required by law.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF SEVEN POINTS, TEXAS THIS THE 11TH DAY OF OCTOBER, 1994


Marian Hill, Mayor

ATTEST:


Terry Abbott, City Secretary