

AN ORDINANCE CONTROLLING THE PLACEMENT OF SIGNS WITHIN THE CITY OF UHLAND AND ITS EXTRA TERRITORIAL JURISDICTION, PROVIDING FOR REGISTRATION OF EXISTING SIGNS, PROVIDING EXEMPTIONS, AND IMPOSING A PENALTY FOR VIOLATION OF THIS ORDINANCE OF A FINE NOT TO EXCEED TWO HUNDRED DOLLARS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, THAT:

Definitions

1. The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise.

Erect: To construct, build, raise, place, affix, attach, embed, create, paint, draw, or in any way bring into being or establish, except when performed incidentally to the change of an advertising message or to normal maintenance or repair of an existing sign.

Normal Maintenance: The process of keeping a sign in good repair. When the sign is being converted from a multiple pole structure to a monopole, or is being repaired at a cost in excess of 50% of the cost of erecting a new sign of the same type at the same location, each such action constitutes a replacement rather than normal maintenance, and is not authorized.

Off Premise Sign: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

On Premise Sign: A freestanding sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activities.

Outdoor Advertising Or Sign: An outdoor sign, display, light, devise, figure, painting, drawing, message, plaque, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform.

Permit: Authorization granted pursuant to this ordinance.

2. Not later than October 1, 1992, all existing off premise signs are to be registered with and permitted by the City Office. A non-refundable fee of \$50.00 must be paid by the owner for each sign registered. Such registration is valid for one year and may be renewed upon

payment of a non-refundable renewal fee of \$25.00 per sign per year renewed, but may not be renewed for a period in excess of three years at any one time.

3. Off premise signs are not authorized and will not be erected within the city limits or the extra territorial jurisdiction as it now exists or as it may exist in the future.

4. Existing off premise signs legally erected may remain in place and be normally maintained. Any attempt to convert from a multiple pole structure to a monopole structure, or repairs at a cost of 50% of the cost of erecting a new sign at the same location is considered a replacement, and is prohibited.

5. Regardless of where located within the city limits or the extra territorial jurisdiction, an off premise sign shall cease to be a sign when it has for 365 continuous days either displayed obsolete advertising matter, was without advertising matter, or was damaged in excess of 50% of the cost of replacement, and may not be replaced.

6. On premise signs may be erected in accordance with any ordinances or codes of the City of Umland.

7. All on premise portable signs utilizing artificial light must comply with the city electrical code.

8. An on premise sign, other than an on premise wall sign, may not have a face area exceeding 400 square feet, excluding uprights, trim, and apron.

9. Exemptions: The following are exempt from the provisions of this ordinance:

A. A sign or marker giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers and waterlines.

B. A sign erected by an agency of the state or a political subdivision of the state.

C. A sign erected solely for and relating to a public election, but only if:

(1) The sign is on private property, and not on a street or road right of way or on a public utility easement.

(2) The sign is removed no later than the 10th day after the election.

(3) The surface area of the sign is not larger than 32 square feet.

(4) The sign is constructed of a light weight material.

(5) The sign is not artificially lighted.

10. In its interpretations and application, the provisions of this ordinance are the minimum requirements. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rule, regulation, or ordinance, the requirement that is most restrictive or that imposes the highest standards as determined by the city council shall govern.

11. Any person violating a provision of this ordinance shall be guilty of a Class C misdemeanor, and upon conviction shall be fined an amount not exceeding \$200.00. Each day that such violation continues shall be a separate offense. Prosecution or conviction under this provision shall not be a bar to any other remedy or relief for violation of this ordinance.

12. Should any portion or part of this ordinance be held invalid or unenforceable, the ruling shall not be construed to affect any other valid part or portion hereof, and the balance of the ordinance shall remain in full force and effect.


This ordinance shall be effective from and after its passage on September 2, 1992.

PASSED AND APPROVED this 2nd day of September, 1992.

ATTEST:



Budd Gore
City Secretary



Dan T. Sorrells
Mayor