

## **ORDINANCE NO. 234-20**

**AN ORDINANCE OF THE CITY OF COLUMBUS, TEXAS, AMENDING CHAPTER 3 BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF COLUMBUS, TEXAS BY ADOPTING ARTICLE 3.13 REGULATING SIGNS WITHIN THE CITY OF COLUMBUS AND ITS EXTRATERRITORIAL JURISDICTION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PROPER NOTICE AND MEETING.**

**WHEREAS**, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Columbus, Texas ("City Council") has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City of Columbus ("City"); and

**WHEREAS**, pursuant to Texas Local Government Code Chapter 216, the City Council has the authority to adopt sign regulations as well as procedures for adopting and enforcing the sign regulations; and

**WHEREAS**, the City Council desires to adopt sign regulations for the City; and

**WHEREAS**, the City Council is of the opinion and finds that the adoption of these sign regulations will promote the public health, safety, or general welfare;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Columbus, Texas that:

### **I. AMENDMENTS**

Chapter 3 Building Regulations of the Code of Ordinances of the City of Columbus, Texas is hereby amended by adding Article 3.13 Signs to read as follows:

### **ARTICLE 3.13 SIGNS**

#### **Sec. 3.13.001 Purpose and objectives.**

The purpose of this Article is to provide clear regulations for the permitting, design, location, construction, modification, use, maintenance and removal of signs in the City. The objectives are: to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the community's overall aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable effective outdoor advertising.

### **Sec. 3.13.002 Definitions.**

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

*Abandoned sign* means a sign advertising or identifying a person, product, or activity that is no longer in existence or ceases to operate.

*Area directional sign* means an off-premise sign designed with panels that may be replaced or changed to advertise multiple entities, services, real estate, businesses or other content and that direct, with an arrow, for instance persons to those entities.

*Banner* means any sign made of fabric, plastic or other non-rigid material designed to hang from rope or wire to advertise a business, service, or special event and not mounted in a permanent rigid frame.

*Billboard* means an off-premise sign on any flat surface erected on a framework or on any structure, or attached to posts and used for, or designed to be used for, the display of bills, posters, or other advertising material.

*Dilapidated sign* means a sign which is shabby, neglected, or in disrepair, or which fails to be in the same form as originally constructed, or which fails to perform its intended function of conveying a message. Characteristics of a dilapidated sign include, but are not limited to: structural support failure, a sign not supported as originally constructed, panels or borders missing or falling off, intended messages cannot be interpreted by the motoring public, or a sign which is blocked by overgrown vegetation outside the highway right-of-way.

*Electronic message sign* means a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

*Embellishment* means decorative features of the sign outside the sign cabinet and temporary protrusions or "cutouts" that may carry a message.

*Free standing sign* means a sign permanently attached to or constructed in or on the ground.

*Frontage roads* also known as a service road, an access road, or a feeder. A frontage road runs more or less parallel to interstate highways, and some state highways.

*Low profile pole sign* means a sign that is mounted on one or more freestanding poles or other support so that the bottom edge of the sign face is not in direct contact with a solid base or the ground and the height of the sign is no higher than ten feet.

*Mobile advertising* means a sign used to identify the occupation or license of the owner of a vehicle, such as those commonly used by real estate salespersons, pest control operators, resort, amusement, accommodation and food providers and building contractors. The sign is generally painted or attached flat to a door, trunk or fender of a vehicle and is not intended to be off-premises advertising while the vehicle is parked or stored on private or public property.

*Mobile billboard* means a sign installed or displayed on a motor vehicle or a trailer being towed by a motor vehicle in the public right-of-way for the purpose of advertising a business or entity that is unrelated to the owner of the vehicle's primary business. The term does not include a sign that is displayed or installed on a vehicle operated in the normal course of the vehicle owner's business, if the sign contains advertising or identifying information directly related to the business and is not used to display advertising that is unrelated to the business.

*Monument sign* means a sign which is attached directly to the ground or is supported by a sign structure that is placed on or anchored in the ground and is independent from any building or other structure, and does not exceed 28 feet in height.

*Nonconforming sign* means any sign within the city limits that does not comply with the provisions of this Article on the effective date of this Article or any governing amendment thereto. It is the intent of this Article that legal nonconforming signs will not be made illegal by the adoption of this Article.

*Off-premises sign* means any outdoor sign advertising a business activity or use not principally offered, sold, or conducted upon the same premises on which the sign is located.

*On-premise sign* means any outdoor sign advertising a business or use principally offered, sold or conducted upon the same premises on which the sign is located. On-premise signs include:

- (1) Signs advertising a real estate development located on premises being developed or proposed for development;
- (2) Signs identifying a real estate development which are located at the entrance of such development; and
- (3) Signs located on premises where model homes are constructed.

*Ordinary maintenance and repair* means any work, the sole purpose and effect of which is to correct deterioration, decay or damage, including repair of damage caused by fire or other disaster and which does not result in a change in the existing appearance and materials of a property.

*Park or parking* means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

*Pole or pylon signs* are freestanding signs that are supported by one or more free-standing shafts, posts, or piers extending from and permanently attached to the ground by a foundation or footing, with a clearance between the ground and the sign face. Pylon signs shall have no more than two faces.

*Political sign* means any sign announcing or promoting the candidacy of one or more persons for elective public office, or concerning any political issue appearing or which is to appear on the ballot in any public election.

*Portable sign* means a transportable sign of durable construction on wheels, skids, legs, stake(s) or framing, including trailers, used for advertising or promotional purposes, which is not primarily designed or intended to be permanently affixed to the ground or a building or structure, but which can be so anchored.

*Public service event* is an event open to the public or is an event sponsored by the city, a county, school district, or other unit of local government of the state.

*Real estate sign* means a temporary sign advertising the sale, lease, rental or construction of real property.

*Sign* means any device or surface on which letters, illustrations, designs, figures or symbols are painted, printed, stamped, raised, projected or in any manner outlined or attached and used for advertising purposes.

*Stake sign* means a temporary sign that utilizes the support structure to anchor the sign to the ground by inserting the support structure into the ground.

*Street* means a public or private right-of-way that provides primary vehicular access to adjacent land, whether designated as a street, highway, thoroughfare, parkway, throughway, avenue, lane, boulevard, road, place, drive, or however otherwise designated.

*Street, arterial* means a thoroughfare designated as a freeway, expressway, major arterial, or minor arterial in the most recently adopted city thoroughfare plan. The

primary function of an arterial is to carry traffic through the city, and is designed for as high a speed as possible, to carry as much traffic as possible. Also known as a "major thoroughfare."

*Street, collector or sub-collector* means a street that primarily carries traffic from local or residential streets to major thoroughfares and highways, including the principal entrance streets for circulation to schools, parks, and other community facilities within such a development, and also including all streets which carry traffic through or adjacent to commercial or industrial areas.

*Street, local or residential* means a street that is used primarily for access to abutting residential property and circulation of traffic within residential neighborhoods. It is of a width and design to discourage through traffic, thereby protecting the residential area. A local street serves the same purpose in a commercial or industrial district.

*Works of Art* means painted graphics that are murals, mosaics, or any type of graphic art that are painted on a wall or fence and do not contain copy, advertising symbols, lettering, trademarks, or other references to the premises, products, or services that are provided on the premises where the graphics are located or any other premises.

#### **Sec. 3.13.003 Applicability.**

- (a) A sign may be erected, placed, established, painted, created or maintained in the jurisdiction of the City only in conformance with the standards, procedures, exemptions and other requirements of this Article. These regulations apply to both commercial and non-commercial messages.
- (b) The effect of this Article is to prohibit all signs not expressly permitted or exempted by this Article, except as approved through the variance process established by this Article.

#### **Sec. 3.13.004 Jurisdiction.**

In accordance with the authority granted to the City in § 216.902 of the Texas Local Government Code, these regulations shall apply to all areas within the corporate limits of the City and within the City's extraterritorial jurisdiction.

#### **Sec. 3.13.005 Permits and registration.**

- (a) *Permits.* A building permit shall be required to build, structurally alter, or provide more than normal maintenance of a sign.

- (b) *Permit fees.* There is a permit issuance fee of \$15.00 in addition to a fee based on the following schedule:

Cost of Sign	Fee
\$ 0 to \$500	\$ 5.00
\$500 to \$2,000	\$ 10.00
Over \$2,000	\$10.00 plus \$3.00 for each additional thousand or fraction thereof.

- (c) *Exemptions.*

- (1) A permit is not required for a temporary ground "for sale" or "for rent" sign which advertises either the sale or rental of the premises upon which it is maintained and does not exceed eight (8) square feet of display surface in residential districts and fifteen (15) square feet in business districts. This exemption shall apply only to the requirements of the permit and shall not be construed as relieving the owner of the sign from the responsibility for its erection and maintenance in a safe condition.
- (2) No permit shall be required to change the advertising copy or message on a painted, printed or changeable-letter sign. Painting, repainting, cleaning or repair maintenance shall not be considered an erection or alteration which requires a permit unless a structural change is made.
- (3) No permit will be required for portable signs which are less than ten (10) square feet in area and extend no higher than forty-eight (48) inches above sidewalk or curb level.

- (d) *Alterations.*

A sign which was erected before the adoption of this Article shall not be rebuilt, relocated, nor altered without conforming to the requirements of this Article.

- (e) *Maintenance.*

The building official shall require the proper maintenance of all signs. All signs together with all of their supports, braces, guys, and anchors shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. The building official may order the removal of any sign that constitutes a hazard to the public health, safety, or general welfare by reason of inadequate maintenance or dilapidation.

- (f) *Ordinary maintenance and repair.*

No permit shall be required for ordinary maintenance or repair of a sign or changing of the advertising message on a sign. "Normal maintenance" includes changing messages without changing the sign or its components, cleaning, and replacement of bulbs or fluorescent tubes. Changing existing message panels or letters is normal maintenance.

### **Sec. 3.13.006 Nonconforming sign standards.**

A nonconforming sign is a sign that was lawfully established prior to the effective date or applicability of this Article or subsequent amendments, but does not comply with current sign regulations.

(1) *Retention of nonconforming signs.*

A nonconforming sign may continue except as otherwise provided in or authorized by this section.

(2) *Alterations.*

A nonconforming sign may not be enlarged in any way to include larger supporting structures; sign face area, or height. A change in the information on the face is allowed if the change does not increase the area of the sign face. However, any nonconforming sign shall be eliminated or made to conform to these regulations when the cost of any alteration, modification or improvement is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location.

(3) *Discontinuance, abandoned signs.*

Signs on a premise not occupied and that are abandoned for more than one year from the date the premise was abandoned shall be deemed nonconforming and removed or made to conform to current sign regulations. If the premise containing the sign is occupied and the sign has been abandoned for two years, the sign shall be removed or made to conform.

(4) *Immediate termination of illegal nonconforming signs.*

Except as otherwise provided by this Article, the building official shall cause the immediate removal of any sign that is constructed, erected or placed in violation of the provisions of this Article or that is expressly prohibited by this Article, and any sign that represents a clear and present danger to the health or safety of the public due to its structural condition.

(5) *Elimination of nonconforming sign status.*

The owner of a nonconforming sign may employ the following mechanisms in an attempt to eliminate the nonconformity:

- a. Modify the existing sign to conform to this Article.
- b. Apply for a variance from the Board of Adjustment in accordance with Sec. 3.11.007 of this Article.

#### **Sec. 3.13.007 Variance and appeal.**

(a) *Board of Adjustment.*

The Board of Adjustment shall have the authority to hear and grant requests for a variance from these regulations and administrative appeals of interpretations of this Article. A variance to the standards of this Article will be considered an exception to the regulations rather than a right.

(b) *Limitation on variances for signs.*

No variance application(s) shall be accepted for signs prohibited by this Article or for sign standards established by the City Council in an ordinance that establishes a zoning change with additional restrictions, such as a special use permit, or planned development district.

(c) *Variance and appeal process.*

Variances or appeals of interpretations of this Article shall be processed and considered in the same manner as a variance or appeal to the Board of Adjustment under Chapter 14.

(d) *Conditional sign permit.*

Notwithstanding anything in this Article to the contrary, the erection of a sign or signs may be approved pursuant to this section under a conditional sign permit approved by the City Council. The purpose of this section is to allow for a specialized review of signs which may not be appropriate generally without certain restrictions, but which, if controlled as to the number, size, height, color, location, lighting, or relation to adjacent properties, would promote the health, safety, and welfare of the community. Conditional permitting of signs shall not be based upon the content of the sign, but is intended to allow for the evaluation of the physical impact of the proposed sign on adjacent properties and to ensure adequate mitigation of potentially unfavorable factors, such as the number, size, height, color, location, lighting, and other potentially unfavorable impacts.

(e) *Application.*

An application for a conditional sign permit shall be submitted to the permitting department and shall include all documents necessary to obtain a building permit.

(f) *Conditional sign permit fees.*

The application fee for a conditional sign permit shall be \$300.00.

#### **Sec. 3.13.008 Abandoned signs and supporting structures.**

The owner of any premise on which there is displayed or maintained an abandoned sign or abandoned supporting structure shall comply with the following requirements:

- (1) The owner shall remove any sign that is deemed dilapidated and a hazard to the public health, safety, or welfare by the code enforcement officer or



designee within thirty (30) days after receiving written notice by certified mail from the code enforcement officer.

- (2) If a supporting structure used or designed to be used with a sign is deemed dilapidated and a hazard to the public health, safety, or welfare by the code enforcement officer or designee, the owner shall remove the supporting structure within thirty (30) days after receiving written notice by certified mail from the code enforcement officer.
- (3) If an abandoned supporting structure does not have a frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed or made to comply with the provisions of this Article.
- (4) Any dilapidated sign or dilapidated supporting structure not in compliance with this Article is an unlawful sign and may be removed by the City and the owner may be enjoined from continuing such violation.
- (5) If a sign, which conforms to the regulations of this Article is abandoned, the owner, user, and any persons who benefit from the sign; and the owner, operator, and tenants of the property on which the sign is located shall remove it, paint over or cover the message portion of the sign, put a blank face on the sign, or otherwise bring it into compliance with this Article so as to leave the message portion and supporting structure neat and unobtrusive in appearance, within ninety (90) days after receiving written notice by certified mail from the code enforcement officer or designee.
- (6) The following are required for the use, display, maintenance, or permitting of an alteration of any abandoned sign or supporting structure regardless of when the sign was abandoned:
  - a. *Like material.*

Only the same, like, or better quality material as that being replaced shall be used as a face on the abandoned sign. The face of the supporting structure must be one that the supporting structure is designed to support.
  - b. Routed, embossed, or raised messages or sign copy must not be visible to the ordinary observer if the face or message is blanked.
  - c. *Covered messages.*
    1. Abandoned signs may be painted in order to "blank" the face. However, the paint must completely cover the sign face or message portion of the structure. The painted over message must not show through the paint.
    2. Covered sign faces must be of a material or substance that renders the resulting sign face completely blank, opaque, and resistant to deterioration. It is a violation of this Article

to allow a covered message to bleed or show through the paint or covering.

- d. No person shall alter an abandoned sign or supporting structure without first obtaining a permit to do so from the code enforcement officer.

### **Sec. 3.13.009 Signs exempt from regulations or permits.**

#### **(a) *Exempt signs.***

The following signs shall be exempt from regulation under this Article:

- (1) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
- (2) Any sign that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;
- (3) Works of art, as defined, are not signs for the purposes of these regulations;
- (4) Holiday lights and decorations with no commercial message;
- (5) Decorative landscape lighting;
- (6) Traffic control signs on private property, such as "Stop," "Yield," and similar signs, the face of which meet state or city standards and which contain no commercial message of any sort;
- (7) Address and postbox numerals;
- (8) Government signs erected by the city, county, state, or federal government in furtherance of their governmental responsibility;
- (9) Legal notices;
- (10) Memorial signs or tablets and building markers displayed on public or private buildings and tablets or headstones in cemeteries;
- (11) Signs prepared by or for the local, state or federal government marking sites or buildings of historical significance;
- (12) Signs on windows whether painted or vinyl;
- (13) Addresses no larger than ten square feet;
- (14) Signs on operable vehicles when the vehicles or trailers have a current license and inspection;
- (15) Permanent signs on fences at outdoor athletic and sports fields and tracks, outdoor entertainment establishments, and in and around areas of public gathering so long as the sign is made of wood, masonry, or other material and not part of a building;
- (16) Pennants, banners, streamers, flags, fluttering, undulating, or moving signs which are not part of a permanent sign;
- (17) On-premise signs that are not free standing, such as wall signs, except as expressly regulated by this Article.

(b) *Signs not requiring a permit.*

The signs listed below may be erected without a sign permit provided the standards of this section are met:

(1) *A-frame signs.*

A-frame signs no taller than four feet nor wider than three feet with a maximum area per side of 12 square feet not in a right-of-way or easement, not obstructing a public sidewalk, and abutting the advertised businesses.

(2) *Construction site.*

In addition to other signs permitted by this Article, construction site signs are allowed. These signs shall not exceed a total of 100 square feet. Such signs shall be removed within one week following completion of the construction.

(3) *Directional.*

Any sign used only to direct vehicles or pedestrians to public facilities or hospitals/emergency care facilities.

(4) *Special sale signs.*

- a. "For Sale" signs placed on vehicles, provided that the area of the sign does not exceed two square feet.
- b. "Garage Sale" signs not larger than four square feet on the site of a garage sale.

(5) *"No Trespassing" or "Posted".*

These signs shall be allowed subject to the following standards:

- a. They shall not exceed four square feet in area.
- b. They shall be located on private property.
- c. There shall be not more than one per 100 feet of property line.

(6) *Parking and traffic.*

These signs shall conform to the Manual on Uniform Traffic Control Devices, as published by the U.S. Department of Transportation, Federal Highway Administration. These signs shall not exceed four square feet in area and may be placed on private property to direct and guide traffic and parking on the same private property. Such signs shall not include advertising visible from any location outside of the property on which the sign appears.

(7) *Political.*

Temporary signs advertising political parties or candidates for election or signs that otherwise provide for freedom of expression unrelated to any commercial endeavor may be erected or displayed and maintained on private property provided that they conform to state law and:

- a. Are no larger than 36 square feet;
- b. Are no taller than eight feet;

- c. Are not illuminated;
- d. Have no moving elements;
- e. Are placed with the consent of the property owner;
- f. Are not placed on or within public rights-of-way, on public property, or within visibility triangles.

(8) *Real estate.*

In addition to other signs allowed by this Article, on-premises real estate signs are permitted in compliance with the following standards:

- a. On a lot or parcel used or zoned for one or two dwellings:
  - 1. No more than one sign per lot and adjacent to a street.
  - 2. The sign may not be illuminated.
  - 3. The sign shall not exceed eight square feet in area.
  - 4. The sign(s) shall be removed within 30 days of the property's sale, lease, or issuance of certificate of occupancy.
  - 5. One additional sign may be allowed to advertise an open house, and may be placed on the property no sooner than five days before the open house and removed no later than one day after the event.
- b. On a lot or parcel used or zoned for multifamily or non-residential purposes:
  - 1. One sign allowed per 200 feet of street frontage, but not more than one sign per lot or parcel.
  - 2. No sign may be larger than 50 square feet.
  - 3. The sign(s) shall be removed within 30 days of the property's sale, lease, or issuance of certificate of occupancy.
- c. No sign may be placed in public or private street right-of-way or on public property.

(9) *Service entrance.*

A sign for building identification provided the sign area does not exceed four square feet.

(10) *Signs along streets, public ways, or railroads.*

Signs along streets, public ways, or railroads, as follows:

- a. Permanent signs, including: public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate.

(11) *Temporary inflatable signs and tethered balloons.*

Allowable for 30 consecutive days with no more than 90 days per calendar year.

### **Sec. 3.13.010 Signs prohibited.**

The following types of signs are prohibited in all districts:

- (1) Abandoned signs.
- (2) Signs imitating or resembling official traffic or government signs or emergency indicators or signals.
- (3) Snipe or bandit signs or signs attached to trees, utility poles, public benches, or streetlights.
- (4) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the sign. This does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- (5) Portable and trailer signs.
- (6) Signs on public rights-of-way, as follows:
  - a. It shall be unlawful to place a sign upon a public street, public sidewalk, public alley, public right-of-way, public curb or other public improvement, on any public bridge or part of same, or utility pole, or on any public building or structure of any kind belonging to the City, or in any public place or on any public improvement unless express consent therefore shall have first been granted by the city manager. However, coin-operated devices used to display and vend newspapers may be so placed, so long as they are not placed in a way that impedes vehicular or pedestrian traffic. This subsection (7) a. does not apply to public property leased for private business purposes.
  - b. Any noncompliant sign found within a public right-of-way or a public street, public sidewalk, or public alley shall be seized and the removal thereof is authorized. The code enforcement officer is authorized to impound any unauthorized signs found on a public street, public sidewalk, or public alley and transport or cause the same to be transported to a location to be designated by the City for storage. The custodian of the storage area shall maintain records of where such signs were located when they were so impounded and the date on which they were impounded and shall hold the signs in the storage area for a period of not more than 30 days. Any sign so held may be redeemed by the owner thereof upon the payment of a fee to the City through the custodian thereof for hauling the same to storage plus a per-day storage fee for each day the sign is stored. Such fees are on file in the city secretary's office and shall be in addition to and not in lieu of any fine imposed upon such owner for violation of this Article.

- (7) Off-premises signs, unless otherwise allowed by this Article.
- (8) Signs painted on rooftops.
- (9) Any sign which emits sound, odor, or visible matter.
- (10) Searchlights.
- (11) Temporary changeable advertisements except as allowed in Sections 3.13.009 and 3.13.014.
- (12) Pole banners except as allowed in Sections 3.13.009 and 3.13.014.

**Sec. 3.13.011 Lighting.**

- (a) No sign regulated by this Article may utilize:
  - (1) An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion.
  - (2) Any exposed incandescent lamp:
    - a. In excess of 50 watts unless a screen or diffuser is used; or
    - b. Unless wattage does not exceed ten watts.A higher wattage incandescent lamp may be used with no diffuser for lane open or closed designation.
  - (3) An exposed LED lamp with an external reflector and without a sunscreen or comparable diffusion.
  - (4) Any exposed LED lamp:
    - a. In excess of 6 watts unless a screen or diffuser is used; or
    - b. Unless wattage does not exceed 1 watt.A higher wattage LED lamp may be used with no diffuser for lane open or closed designation.
  - (5) Any revolving beacon light, flashing light, or strobes.
- (b) Electrical signs shall comply with the requirements set forth by the adopted National Electrical Code and City ordinances.

**Sec. 3.13.012 Changeable copy.**

Unless otherwise specified by this Article, any sign allowed in this Article may use manual changeable copy.

**Sec. 3.13.013 Compliance with building and electrical codes.**

- (a) No signs shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.

- (b) No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the currently adopted *International Building Code* and currently adopted *International Fire Code*.
- (c) The currently adopted *National Electrical Code* will be followed for clearances from overhead conductors. The term "overhead conductors" as used in this section means electrical conductor, either bare or insulated, installed above the ground.
- (d) No portion of any sign shall be located closer than ten feet from any electrical conductor.
- (e) No portion of a sign or sign structure shall project into any public alley unless such portion is a minimum of 18 feet in height above grade.
- (f) No sign shall be placed so that it obstructs the view for traffic movement at an intersection.
- (g) All signs shall be designed to withstand the design wind pressure as required in the City's building code.
- (h) All braces, guy wires and supports shall be designed to withstand all dead load and wind load stresses.
- (i) Any sign with more than a 40-foot height shall have plans sealed by an engineer licensed to practice in the State of Texas.

**Sec. 3.13.014 Regulation by type of sign.**

(a) *Ground signs:*

- (1) Ground signs shall not be placed so that any part of the sign is nearer to the back of curb, (or pavement edge) than eight (8) feet, and no part of the sign may extend into the right-of-way.
- (2) Signs erected at the intersection of two (2) streets shall not create a traffic hazard by obstructing the view of drivers. The sign must be seven (7) feet above street level or far enough from the intersection of the streets that it does not obstruct the view of drivers.
- (3) Ground signs are limited to an area of one square foot of sign for each two (2) feet of frontage on public streets, with a maximum of one hundred (100) square feet of area for any sign (or signs) related to one business entity.
- (4) In multiple business areas, such as strip centers, where a common sign base is used for several businesses, the aggregate sign surface shall not exceed one square foot for each two (2) feet of public street frontage or three hundred (300) square feet, whichever is smaller.

- (5) If ground signs are erected in a strip center that are separate from the common sign discussed above, the sign area shall be limited by the frontage of the business entity and/or entities erecting the separate sign.
- (6) Ground signs are limited in height to twenty-four (24) feet except along four-lane divided, limited access highways where the limit is forty-eight (48) feet in height.

(b) *Roof signs:*

- (1) Roof signs are outdoor advertising displays erected, constructed, or maintained above the roof of any building.
- (2) Roof signs are not permitted in any residential district.
- (3) Refer to the building code for complete construction details.
- (4) A roof sign may not extend beyond the wall of the building. Roof signs must be at least six (6) feet above the roof deck at the bottom edge of the sign and must have at least five (5) feet horizontal distance between supports.
- (5) A roof sign may be located on the roof edge if it covers less than fifty (50) per cent of the edge upon which it faces.
- (6) A roof sign must be entirely noncombustible and may not exceed twenty-four (24) feet above the roof deck. A registered professional engineer's analysis of the sign or roof structure may be required where it appears warranted.

(c) *Wall signs:*

- (1) Wall signs are outdoor advertising displays attached or affixed to the wall of any building, when such sign shall project not more than twelve (12) inches from the building.
- (2) Wall signs are not permitted in single-family residential districts.
- (3) Refer to the building code for complete construction details.
- (4) Wall signs must be constructed of noncombustible materials, including the face, except where they are attached to a combustible wall surface. In that case they may be faced with the same material with which the wall is faced.

(d) *Projection signs:*

- (1) Projection signs are outdoor advertising displays which are affixed to any building wall or structure and extend beyond the building wall or structure more than twelve (12) inches.



- (2) Projection signs are prohibited in all residential districts. A projecting sign may not extend above the roof line in any district.
- (3) Refer to the building code for complete construction details.

(e) *Marquee signs:*

- (1) Marquee signs are prohibited in all residential districts.
- (2) Refer to the building code for complete construction details.
- (3) Marquee signs must be constructed entirely of metal or approved plastic faces and must be at least eight (8) feet above grade or sidewalk level and not more than six (6) feet above the marquee. They may not exceed eight (8) feet in the vertical dimension in any case.

(f) *Portable signs:*

- (1) Portable signs are permitted only in business districts.
- (2) Portable signs shall not be placed so that any part is nearer to a street right-of-way than eight (8) feet back of curb and shall not be placed in a triangle formed by the intersection of two (2) rights-of-way and a line joining points twenty-four (24) feet back from the point of intersection.
- (3) Portable signs shall not have flashing lights nor shall any red, green, or blue light bulbs be allowed on portable signs located closer than twenty (20) feet to curblin or pavement edge.

(g) *Spectacular signs.*

Spectacular signs are prohibited in all zoning districts.

(h) *Off-Premise directional signage.*

Off-premise directional signage for businesses or industries may be requested for those businesses or industries that have a high volume of traffic that is generated from delivery vehicles, tourist traffic or a combination thereof. Requests for directional signage shall be made in writing to the department of public works. Final consideration to allow the directional signage at the proposed location will be addressed by the city council.

(i) *Interstate 10 and Highway 71 Corridor*

- (1) There is established an I-10 and Highway 71 corridor which shall run along both sides of Highway 71 from the middle of I-10 north to the

intersection of Bowie Street and from the middle of I-10 south to the city limit line.

- (2) Notwithstanding any other section of this Article, any sign located within the I-10 and Highway 71 corridor may have a height not to exceed eighty (80) feet and a total sign area not to exceed two hundred (200) square feet.

#### **Sec. 3.13.015 Violations and penalties.**

- (a) In the event of a violation of this Article, the responsible party will be notified by certified mail and required to correct the situation within ten (10) calendar days or as otherwise specified in this Article.
- (b) If the violation is corrected within the time set out in the letter, no charges will be filed other than a charge of failure to obtain a building and/or sign permit if such a charge is applicable. Otherwise, charges may be filed each following day until such time as the violation is corrected.
- (c) Conviction of a violation of this Article is punishable by a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00). Each day that the violation is allowed to continue shall be considered a separate offense. Any responsible party may be charged with separate violations each day the violation is allowed to continue.
- (d) In addition to the penalties set forth in this Article, the City may pursue any and all other remedies that are available at law or in equity for violations of this Article, including but not limited to civil penalties and injunctive relief.

Chapter 3 Building Regulations, Article 3.10 Streets and Sidewalks, Division 4 Signs on Right-of-Way of the Code of Ordinances of the City of Columbus, Texas is hereby repealed in its entirety.

### **II. REPEALER**

All provisions of the ordinances of the City of Columbus in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Columbus, not in conflict with the provisions of this Ordinance, shall remain in full force and effect. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

### **III. SEVERABILITY**

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.


#### **IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law.

#### **V. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED THIS THE 26<sup>th</sup> DAY OF OCTOBER, 2020.**

  
\_\_\_\_\_  
Hon. Lori An Gobert, Mayor  
City of Columbus, Texas

ATTEST:

  
\_\_\_\_\_  
Bana Schneider, City Secretary