

# ARTICLE VIII. - SIGNS

## DIVISION 1. - GENERALLY

### Sec. 26-101. - 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. Words and phrases not defined in this section, but defined in other ordinances of the city shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

*A-frame* or *sandwich sign* means an advertising device which is ordinarily in the shape of an A or some variation thereof, located on the ground, easily movable, not permanently attached thereto and which is usually two-sided.

*Abandoned sign* means a sign that advertises goods, products, services or facilities, which are no longer available to the public at the location of the sign.

*Advertising message* means that copy on a sign describing products or services being offered to the public.

*Animated sign* means any sign, which includes action or motion. For purposes of this article, this term does not refer to flashing, changeable copy or indexing, all of which are separately defined.

*Area identification sign* means a sign to identify a common area containing a group of structures or a single structure such as a residential subdivision, apartment complex, industrial park or shopping center, which is located at the entrance of the area.

*Awning* means a roof-like structure, which is not an integral part of the building it serves, but is an accessory; which is supported from the exterior wall and is composed of either rigid or non-rigid materials except for the supporting framework.

*Banner sign* means a temporary sign composed of lightweight material secured or mounted on a building at one (1) or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

*Beacon* means a revolving light or strobe light, which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention; however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

*Billboard.* See *Off-premises sign*, *off-site sign* or *outdoor advertising* (posters and bulletins).

*Building* means any structure designed or built for the enclosure, support, shelter or protection of persons, animals or property.

*Building face* or *wall* means all window, door, and wall areas of a building in one (1) plane or elevation.

*Building marker* means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

*Building official* means an agent of the city authorized to permit, inspect, approve or deny construction within the jurisdiction of the city and the city's extraterritorial jurisdiction (ETJ).

*Bulletin board* means any sign erected by a charitable, educational, religious institution or a public body, which is erected upon the same property as the institution, for purposes of announcing events which are held on the premises, and contains no commercial message.

*Canopy*. See *Awning*.

*Canopy sign* means any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

*Changeable copy sign/reader board* means a sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or surface of the sign.

*Commercial message* means any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, sale or sales event or other commercial activity.

*Construction sign* means a temporary sign identifying a building or construction site and/or any of the architects, engineers, financial institutions, contractors and suppliers involved.

*Copy* means the wording on a sign surface.

*Directional sign* means a sign of a noncommercial nature, which directs the reader to the location of public or educational institutions, to the location of historical structures or areas, to the location of public parks or buildings or to a business location.

*Display surface area* means the net geometric area enclosed by the outer extremities of all letters, characters and delineations. The display surface area shall not include the structural supports for freestanding signs.

*District* or *zoning district* means a part of the city wherein regulations of this article and the zoning ordinance apply.

*Erect* means to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.

*Estate sale* means a sale of the property or possessions of a deceased person.

*Flag* means any fabric or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

*Flashing sign* means any illuminated sign on which artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use.

*Freestanding sign* means a sign, which is attached to, or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.

*Frontage* means the length of the property line of any one (1) premise parallel to and along each public right-of-way it borders.

*Garage/yard sale* means a private sale of personal property used to dispose of personal household possessions, not for the use of any commercial venture.

*Ground sign* means a freestanding sign installed directly on the ground, sometimes called a monument sign.

*Identification and informational sign* means a sign of an identification or informational nature bearing no advertising.

*Illuminated, direct* means any sign designed to provide artificial light through transparent or translucent material from a light source within the sign.

*Illuminated, indirect* means any sign that reflects light from a source intentionally directed upon it, for example, by means of floodlights, gooseneck reflectors or externally mounted fluorescent light fixtures.

*Incidental sign* means a secondary sign not directly describing goods, products, services or facilities which are available on the premises where the sign is located; i.e., credit cards accepted, official notices required by law, trade affiliations, "entrance," "loading only," "telephone," etc.

*Indexing* means the turning and stopping action of the sections of a multi-prism sign designed to show several messages in the same area.

*Joint identification sign* means a sign that serves as common or collective identification for a group of persons or businesses operating on the same zone lot (e.g., shopping center, office complex, etc.). Such sign may name the persons or businesses included, but carry no other advertising matter.

*Lease* means an agreement by which a property owner conveys, usually for a specified rent, to other persons, permission to erect and maintain an advertising sign upon his property.

*Lot* means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, which is recognized and intended as a unit for the purpose of transfer of ownership.

*Mall* means any concentration of retail stores and/or service establishments, which share customer parking areas and are located within an enclosure having public walkways whereby a customer in one (1) store or establishment may walk to another store or establishment without leaving the enclosure.

*Mansard roof* means any roof that has an angle greater than forty-five (45) degrees and which derives part of its support from the building wall and is attached to (but not necessarily a part of) a low or slope roof and which extends along the full length of the front building wall or three-quarters ( $\frac{3}{4}$ ) of the length of a side building wall. For purposes of this article, a low slope roof shall mean any roof with a pitch less than three (3) inches rise per twelve (12) inches horizontal.

*Marquee* means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, designed and constructed as an integral part of the building to provide protection from the weather. An awning or canopy is not a marquee.

*Marquee sign* means any sign attached to or made a part of a marquee.

*Master signage plan* means an accurate plot plan to scale, showing the total of all present signs and proposed signs and their measurements.

*Multi-prism sign* means a sign made with a series of sections that turn and stop, or flip to show several pictures or messages in the same area.

*Nonconforming sign* means any advertising structure or sign which was lawfully or unlawfully erected and maintained prior to adoption of this ordinance, and which fails to conform to all applicable regulations and restrictions of this article.

*Off-premises sign* or *off-site sign* means a sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term "off site sign" shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

*On-premises sign* or *on-site sign* means a sign that directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing on the same lot where such sign is displayed; an on-site sign may also display a noncommercial message.

*Outdoor advertising sign* means an outdoor advertising sign which advertises foods, products or services not necessarily sold on the premises on which the sign is located, of which there are three (3) main types:

- (1) Poster panels or bulletins normally mounted on a building wall, roof or freestanding structure with advertising copy in the form of pasted paper.
- (2) Multi-prism signs alternating advertising messages on one (1) displayed area.
- (3) Painted bulletins, where the advertiser's message is painted directly on the back-ground of a wall-mounted, roof or freestanding display area.

*Outdoor menu board* means a permanent outdoor sign, associated with restaurants with drive-through windows, which gives a detailed list of foods served that are available at that restaurant.

*Parapet* or *parapet wall* means that portion of a building wall that rises above the roof level.

*Pennant* means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

*Permit* means a written order required by any individual, firm or corporation to construct, alter, repair (other than routine maintenance), or install any sign.

*Portable sign* means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, A or T-frames, menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

*Premises* means an area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

*Principal building* means the building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

*Projecting sign* means any sign that shall be affixed at an angle or perpendicularly to the wall of any building in such a manner to read perpendicularly or at an angle to the wall on which it is mounted.

*Public event* means any event that is authorized by the city whether funded in part, total or not at all.

*Public property* means any real property owned or leased by any governmental body and including public right-of-way.

*Public right-of-way* means the distance across a public street, alley, or other public easement measured from one (1) property line to another property line.

*Real estate sign* means a temporary sign placed upon property for the purpose of advertising to the public the sale or lease of the property.

*Residential sign* means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering the service at such location conforms with all requirements of the city.

*Roof sign* means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

*Setback* means the distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

*Shopping center* means two (2) or more retail stores and/or service establishments, or one retail store and one (1) service establishment, sharing customer parking areas, regardless of whether the stores and/or establishments occupy separate structures or are under separate ownerships.

*Sign* means any device, frame, letter, figure, character, mark, plane, point, design, picture, logo, stripe, trademark or reading matter which is used or intended to be used to attract attention or convey information when it is placed out of doors in view of the general public.

*Sign sticker* means a sticker affixed either to the face or the channel of a sign visible from the street denoting the name of the manufacturer or designated servicing company for purpose of identification by city officials or others.

*Street* means a public highway, road, alley or thoroughfare, which affords the principal means of access to adjacent lots, measured from one (1) property line to another property line.

*Street frontage* means the distance for which a lot line of a lot adjoins a public street, from one (1) lot line intersecting that street to the furthest distant lot line intersecting the same street.

*Structure* means anything constructed or erected, which requires a location on the ground, or attached to something having a location on the ground.

*Suspended sign* means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

*Temporary sign* means a sign that is used only temporarily and which is not permanently affixed.

*Wall sign* means any sign that is affixed parallel to the wall or painted on the wall of any building in such a manner as to read parallel to the wall on which it is mounted; provided however, the wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this article, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign.

*Window sign* means any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window.

(Ord. No. 2005-3885, § 1, 12-19-05)

## **Sec. 26-102. - Scope.**

The purposes of the sign regulations in this article are to encourage the effective use of signs as a means of communication, to maintain and enhance the 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 the fair and consistent enforcement of the sign regulations.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-103. - Applicability.**

A sign may be erected, placed, established, painted, constructed or maintained in the jurisdiction of the city and the city's extraterritorial jurisdiction (ETJ) only in conformance with the standards, procedures, exemptions and other requirements of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-104. - Administration.**

The building official shall be the city employee charged with the responsibility for the administration of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-105. - Sign building permits.**

- (a) No sign lawfully erected within the city or the city's extraterritorial jurisdiction (ETJ) prior to the effective date of Ordinance No. 2005-3885 shall require any new permitting or registration with the city.
- (b) No sign shall be erected within the city or the city's extraterritorial jurisdiction (ETJ), unless exempted by this article, without first obtaining a city sign building permit as set forth in this article. No sign building permit shall be issued by the building official in violation of this article. Any conforming sign erected without first having been permitted shall be charged an additional administrative fee of one hundred dollars (\$100.00). Any nonconforming sign erected shall be subject to immediate removal and other penalties as set forth in this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-106. - Computation of area, height.**

The following principles shall control the computation of sign area and sign height:

- (1) *Computation of area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, color or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets these or other ordinances or regulations and is clearly incidental to the display itself.
- (2) *Computation of area of multi-faced signs.* The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one (1) of the faces.

- (3) *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction, or the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
- (4) *Computation of maximum total permitted sign area for a lot.* The permitted sum of the area of all individual signs on a lot shall be computed by applying the formula in the appropriate section of this article.
  - (a) Pertaining to the building: a maximum of twenty (20) percent of the frontal gross area of the building. (Length X height = gross area)
  - (b) Pertaining to the free-standing sign: a maximum of eight (8) percent of the frontal gross area of the building.
  - (c) All signage shall meet wind loading requirements of wind zone it is in.

(Ord. No. 2005-3885, § 1, 12-19-05)

#### **Sec. 26-107. - Signs allowed on private property without permit.**

No commercial messages are allowed on any of the signs not requiring a sign building permit. Signs that are exempt from sign building permit requirements are as follows:

- (1) House or building identification, such as address and any building marker, having no more than four (4) square feet and attached to the referenced building.
- (2) Personal messages, such as birth announcements, anniversaries and birthdays, not to exceed six (6) square feet and displayed no longer than fourteen (14) days; yard of the month signs may be displayed for thirty (30) days.
- (3) Flags of the United States of America, any state, any city, foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as bait or antiques. Any flag not meeting any one (1) or more of these criteria shall be considered a banner sign and shall be subject to regulation as such.
- (4) Church signs.

(Ord. No. 2005-3885, § 1, 12-19-05)

#### **Sec. 26-108. - Forfeiture of signs; removal by confiscation.**

Any sign installed or placed on public property, except in conformance with the requirements of this article, shall be forfeited to the public and be subject to immediate removal by confiscation. In addition to other remedies under this article, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-109. - Existing nonconforming signs.**

Signs legally existing at the time of the effective date of this ordinance and in compliance with the then-current ordinance and not in compliance herewith shall be regarded as nonconforming signs, which may continue to exist until structurally altered, removed, destroyed as an act of god, or until the business that they are advertising is no longer in existence. Nonconforming signs that are structurally altered, relocated or replaced shall comply immediately with all provisions of this ordinance.

Any nonconforming sign that has been damaged by fire, wind, or other cause in excess of sixty (60) percent of its replacement cost shall not be restored except in conformance with the provisions of this ordinance.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-110. - Signs shall not constitute traffic hazard.**

No sign or other advertising structure as regulated by this article shall be erected or continued to be displayed at the intersection of any street or any public right-of-way in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-111. - Placing signs on public and private property.**

(a) *Placing signs on public property.* No signs other than signs approved by the Building Official shall be erected on any public property. Informational signs may be erected upon city streets or other public property under the following conditions, once approval has been obtained:

- (1) The signs direct the reader to the location of a public facility or community event attended principally by out-of-town patrons; to a facility or community event operated by a nonprofit entity and attended principally by out-of-town patrons; to a facility relating to public health, safety or welfare; to scenic or historic trails; or to general business or industrial districts.
- (2) The signs are fabricated, erected and maintained by the entity requesting the sign.
- (3) The entire cost of the signs is borne by the entity requesting the signs.
- (4) The signs are installed at locations where they would not constitute a traffic hazard.
- (5) The maximum number of informational signs permitted under this section shall be six (6) for each entity; the limitation provided hereby shall not apply to signs directing the reader (thereof) to scenic or historic trails.

(b) *Placing signs on private property.* No signs shall be placed on any private property, as permitted in this article, without written consent of the owner.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-112. - Placing signs on trees or rocks.**

No signs shall be placed or painted on any tree or rock on public property.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-113. - Placing signs on utility poles.**

No signs shall be placed on any utility pole, light pole or telephone pole, etc., except for utility identification or similar purposes.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-114. - Signs in public right-of-way.**

No signs shall be allowed in the public right-of-way, except for the following:

- (1) Signs erected by a governmental agency or a franchised public utility company.
- (2) Signs erected by a contractor doing authorized or permitted work within the public right-of-way.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-115. - Beacons and strobe lights.**

It shall be unlawful for any person to continue in operation or erect any attraction device or sign which contains a beacon or strobe light of any type.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-116. - Fluctuating illumination.**

It shall be unlawful for any person to erect any attraction device or sign, which flashes, blinks or is animated. Illumination of attraction devices or signs located in the city that fluctuate in light intensity shall be prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-117. - Use of vehicle as sign.**

It shall be unlawful to use a vehicle, boat or trailer as a sign in circumvention of this article except advertising copy may be displayed on a vehicle, which is normally used by the business in its day-to-day operations. Vehicles, boats or trailers may be used as landscaping or decoration components, but may not display any signage and may not violate any other city ordinance.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-118. - Revolving, rotating or moving signs.**

It shall be unlawful to erect an attraction device or sign, which revolves, rotates or otherwise moves.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-119. - Directional signs.**

- (a) Directional signs on private property as permitted in this article shall be no larger than four (4) square feet. Directional signs utilized for directions to non-business locations shall be limited to two (2) signs for any entity. Non-business directional signs shall not require sign building permits.
- (b) Directional signs utilized for directions to business locations shall be limited to two (2) signs for any business. Information on directional signs for businesses shall be limited to the name of the business, a directional arrow, and the distance to the business location. Business directional signs shall require sign building permits.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-120. - Pennants.**

Pennants of any type are prohibited, except [those] mounted in an approved frame.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-121. - Off premises signs.**

Off-premises signs of any type are prohibited, except sponsor's signs at community sanctioned athletic fields approved by the city council.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-122. - Portable signs.**

Portable signs are prohibited, whether mounted on vehicles, wheels, platforms or free standing. Except sixty-day special event signage three (3) times per year by permit only.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-123. - Construction signs.**

All construction signs shall comply with the regulations as established in this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-124. - Other prohibited signs.**

All signs not expressly permitted under this article or exempt from regulation under this article are prohibited in the city and the city's extraterritorial jurisdiction (ETJ). Such signs include, but are not limited to:

- (1) Outside mannequins.
- (2) Bench signs, planter box sign on public property.
- (3) Billboards, outdoor advertising signs.
- (4) Inflatable signs, tethered balloons.
- (5) Strings of lights not permanently mounted to a rigid background, except those exempt under the provisions of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-125. - Signs exempt from regulation.**

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) Works of art that do not include a commercial message.
- (3) Holiday lights and decorations with no commercial message.
- (4) Traffic control signs on private property, such as "stop," "yield," and similar signs, the faces of which meet department of transportation standards and which contain no commercial message.
- (5) Historical markers if approved by the city council, county or state historical commissions.
- (6) Community event, function or service and athletic field signs, if approved by the city council.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Secs. 26-126—26-140. - Reserved.**

**DIVISION 2. - RESIDENTIAL SIGNAGE**

**Sec. 26-141. - Purpose.**

This division will deal with the issuance of sign building permits in areas residentially zoned and with miscellaneous signs such as political signs, garage/yard sale signs, real estate signs, etc.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-142. - Miscellaneous signs allowed.**

Signage is allowed in residential districts as follows and for those services only if properly allowed or legally offered on the premises. (Refer to zoning ordinance for permitted uses). Exceptions shall not be construed as relieving the owner of such signs from the responsibility of complying with certain applicable provisions of this article. The exemptions shall apply to the requirement for building permit only, and no sign building permit shall be required for the erection of the following signs, unless otherwise required:

- (1) *Construction signs.* On-site building construction signs shall have a total, combined maximum display surface area not to exceed sixteen (16) nonilluminated square feet for residential lots. These signs shall all be attached to a single or double post, or a single freestanding sign as long as they are collectively grouped together. Only necessary signage will be allowed, and signage required by city, county, state or federal law. This signage must be erected in an orderly manner. Before the issuance of a certificate of occupancy, the builder/contractor shall be responsible for removing all signs.
- (2) *Home improvement signs.* On-site home improvement signs may be placed in the yard where the improvements are being made. A home improvement sign shall be a free-standing sign not exceeding sixteen (16) nonilluminated square feet and may be placed during construction, but must be removed after construction is complete.
- (3) *Private pier signs.* Pier signs may be placed on a private pier by the owner to designate restrictions, dangers or similar messages. No commercial messages are permitted. Maximum display surface area shall not exceed eight (8) square feet.
- (4) *Temporary subdivision signs.* In any district, one (1) temporary subdivision identification sign, not to exceed 32 square feet in area per surface may be erected at any principal entrance (not to exceed two (2) entrances) to a subdivision, provided that, in no event shall such sign remain for more than six (6) months or be erected within fifty (50) feet of an unoccupied residential dwelling.
- (5) *Permanent subdivision signs.* Permanent subdivision signs may be placed at all major entrances to the subdivision and shall be erected under the following conditions:
  - (a) Each sign shall require a sign building permit.
  - (b) All signs are placed in an acceptable easement authorized for signage, not on a public right-of-way.
  - (c) No more than two (2) signs per entrance.
  - (d) Display surface area not to exceed forty-eight (48) square feet or eight (8) feet in height. Sign must be maintained in clean, safe and structurally sound condition at all times by the entity requesting the sign.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-143. - Real estate signs.**

Real estate signs are permitted in residential districts for the purpose of advertising the sale, rent or lease of a specific piece of property under the following conditions:

- (1) *Number, type, display area permitted.* A maximum of two real estate signs may be placed on a lot provided such signs shall be limited to wall and freestanding signs with a maximum display surface area of eight (8) nonilluminated square feet.
- (2) *Temporary open house signs.* Such signs, of a size not greater than eight non-illuminated square feet, may be placed at a rate of one (1) per company, per intersection, on the days of the open house only. There shall be only one (1) route designated by signs to a particular open house. No more than six (6) directional open house signs may be placed within the city limits for anyone open house on any two (2) consecutive days. All signs must be placed on private property with approval of the property owner.

- (3) *Sold signs.* Such signs of a size not greater than twenty-five (25) percent of the sign on which it is placed, may be placed at a rate of one (1) per lot or tract, per company. All real estate signs shall be removed from the lot or tract within thirty (30) days of the sale or within thirty (30) days after the sold sign has been placed.
- (4) *Real estate sign building permits.* Real estate signs as outlined in this section shall not require sign building permits.

(Ord. No. 2005-3885, § 1, 12-19-05)

### **Sec. 26-144. - Political signs.**

Political signs are permitted to be placed on private property subject to the following conditions:

- (1) Where signs are otherwise permitted, a political sign may be erected no sooner than sixty (60) days before the election and the sign shall be removed within ten (10) days following the final election to which it applies; the owner of the property on which the sign is placed shall give permission and be responsible for its removal.
- (2) Political signs may be placed on private fences no sooner than sixty (60) days before the election and the sign shall be removed within ten (10) days after the election; the owner of the property on which the sign is placed shall give permission and be responsible for its removal.
- (3) Political signs may not be erected or placed on public property nor on public fences, public sign posts, light poles, utility poles, etc.
- (4) Maximum display area per sign shall be thirty-two (32) square feet.

(Ord. No. 2005-3885, § 1, 12-19-05)

### **Sec. 26-145. - Banner signs.**

Banner signs shall be prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

### **Sec. 26-146. - Garage/yard/estate sale signs.**

The following regulations shall regulate and control garage/yard/estate sale signs:

- (1) *Size and type.* All signs shall be no larger than four square feet, placed on a single or double stake or other freestanding structure. Signs shall not be illuminated.
- (2) *Location.* Such signs may be placed at a rate of one (1) per sale per intersection, on the day of the sale only; provided, that there shall be only one (1) route designated by signs to a particular sale. No more than six (6) directional sale signs may be placed within the city limits for any one (1) sale on any two (2) consecutive days. All signs must be placed on private property with approval of the property owner. No garage/yard/estate sale sign shall be placed, affixed, stapled, glued or taped to any utility pole, street sign, traffic sign, etc. No garage/yard/estate sale sign shall be placed in any public right-of-way.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-147. - Church signs.**

All signs for churches in residential districts shall have permission from the owner of the property or which the sign is to be placed.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-148. - Marquee signs.**

Marquee signs are prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-149. - Directional signs.**

Directional signs as allowed in this article shall be limited to wall or freestanding signs. Sign size and number of directional signs shall be regulated as specified in section 26-119. Only nonbusiness directional signs shall be permitted in residential districts.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-150. - Roof signs.**

Roof signs are prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-151. - Off-site signs.**

Off-site signs of any type are prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Secs. 26-152—26-160. - Reserved.**

**DIVISION 3. - COMMERCIAL SIGNAGE**

**Sec. 26-161. - Purpose.**

This division will deal with the issuance of sign building permits in areas that are zoned commercial. Signage is allowed in commercially zoned areas as follows in this division and only for those goods, products, services or facilities offered on the premises. A sign building permit is required as explained in division 4 of this article.

On-site building construction signs shall have a total combined maximum display surface area, not to exceed thirty-two (32) nonilluminated square feet for commercial lots. These signs shall be attached to a single or double post, or a single freestanding sign as long as they are collectively grouped together. Only necessary signage will be allowed and must be erected in an orderly manner. Before the issuance of a certificate of occupancy, the builder/contractor shall be responsible for removing all signs.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-162. - Roof signs.**

Roof signs are prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-163. - Freestanding signs.**

It shall be unlawful to erect any freestanding sign which total height is greater than thirty-five (35) feet as computed in section 26-106. Freestanding signs shall be permitted to be erected in the city, subject to the following:

- (1) *Commercial on-site freestanding signs.* On-site freestanding signs are subject to the following:
  - (a) Only one (1) on-site freestanding sign shall be permitted for each two hundred (200) linear feet of street frontage. Where more than one (1) sign is allowed, the signs shall be spaced at least two hundred (200) feet apart.
  - (b) Display surface area shall be calculated as allowing one (1) square foot of signage for each linear foot of street frontage, up to a maximum of two hundred (200) square feet.
  - (c) Freestanding sign erected on a lot at intersecting streets and within twenty (20) feet of the corner of the lot lines shall have a vision clearance of not less than seven (7) feet under the sign. Ground signs shall not be over three (3) feet high (see section 26-106).
  - (d) Sign shall be set back sufficiently not to overhang the street right-of-way.
  - (e) On-site building construction signs shall have a total, combined maximum display surface area not to exceed thirty-two (32) square feet for commercial lots. These signs shall all be attached to a single or double post, or a single freestanding sign as long as they are collectively grouped together. Only necessary signage will be allowed, and signage required by city, county, state or federal law. This signage must be erected in an orderly manner. Before the issuance of a certificate of occupancy, the builder/contractor shall be responsible for removing all signs.
- (2) *Commercial off-site signs.* Off-site signs of any type, except business directional signs as permitted in this article, are prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-164. - Projecting signs.**

Projecting signs are allowed over public property only in the downtown central business district. A minimum of eight (8) feet vertical clearance from ground elevation is required.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-165. - Wall signs.**

- (a) Wall signs shall not project more than eighteen (18) inches from the surface upon which they are mounted, provided the upper edge of a wall sign mounted on a mansard roof may project more than eighteen (18) inches so long as the sign is perpendicular to the ground.
- (b) The total signage allowed on any wall shall not be more than twenty (20) percent of the linear wall's square footage. Where a building houses more than one (1) business, wall signs shall be limited in number to one (1) wall sign per business on each wall.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-166. - Area identification signs.**

- (a) The size and location of the structure, which will contain the area identification sign, must be approved by the building official, who will approve such structure upon the criterion of traffic safety sight lines.
- (b) The maximum display surface area of each area identification sign shall not exceed thirty-two (32) square feet and will require a sign building permit.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-167. - Real estate signs.**

Real estate signs are permitted in commercial districts for the purpose of advertising the sale or lease of a specific piece of property under the following conditions:

- (1) *Number, type, display area permitted.* A maximum of two (2) real estate signs may be placed on a lot or tract, provided such signs shall be limited to wall and freestanding signs with a maximum display surface of thirty-two (32) nonilluminated square feet.
- (2) *Temporary open-house signs.* Such signs, of a size not greater than eight (8) non-illuminated square feet, may be placed at a rate of one (1) per company per intersection, on the days of the open house only. There shall be only one (1) route designated by signs to a particular open house. No more than six (6) directional open house signs may be placed within the city limits for any one (1) open house on any two (2) consecutive days. All signs must be placed on private property with approval of the property owner.
- (3) *Sold signs.* Such signs of a size not greater than twenty-five (25) percent of the sign on which it is placed, may be placed at a rate of one (1) per lot or tract, per company. All real estate signs shall be removed from the lot or tract within thirty (30) days of the sale or within thirty (30) days after the sold sign has been placed.
- (4) *Real estate sign building permits.* Real estate signs as outlined in this section shall not require sign building permits.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-168. - Fuel price informational signs.**

Signs advertising the price of motor fuels sold from a fuel pump located on the premises shall be permitted, subject to the following conditions:

- (1) Only one (1) fuel price informational sign shall be permitted per fuel pump.
- (2) Fuel price informational signs shall be limited in size to an area of two hundred sixteen (216) square inches.
- (3) Each fuel price informational sign shall be affixed directly and firmly to a fuel pump and shall be stationary.
- (4) One freestanding changeable copy sign/reader board is allowed. The size of the free-standing sign shall be determined by using eight (8) square feet per pump with a total of forty-eight (48) square feet maximum allowed.
- (5) Nothing contained in this section shall be construed to prohibit the use of other signs meeting the requirements of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-169. - Barber poles.**

Nothing contained in this division shall prohibit or restrict on-premise barber poles. Barber poles shall be permitted on the public right-of-way provided that the poles are permanently attached to the structure or building.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-170. - Freestanding bulletin boards.**

No freestanding bulletin board shall exceed sixteen (16) square feet in display surface area.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-171. - Signs on windows or doors.**

Signs on or affixed to glass surfaces of windows or doors shall be allowed without a sign building permit.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-172. - Directional signs.**

Directional signs as allowed in this article shall be limited to wall or freestanding signs. Sign size, number and information limitations for directional signs shall be regulated as specified in section 26-119.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-173. - Identification and informational signs.**

Identification and information signs are allowed provided such signs shall be limited to wall and freestanding signs with a maximum of forty-eight (48) square feet of display surface area, not withstanding restrictions on the location and number of freestanding signs prescribed by section 26-163, one (1) informational sign shall be permitted at each entrance or exit on a lot or parcel to identify the entrance or exit, provided the sign does not constitute a traffic hazard. Commercial identification and informational signs shall require sign building permits.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-174. - Church signs.**

All signs for churches in commercial districts shall have permission from the owner of the property on which the sign is to be placed.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-175. - Collection boxes for charitable or nonprofit organizations.**

Collection boxes for charitable or nonprofit organizations containing no commercial message and located on private nonresidential property are allowed without a sign building permit.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-176. - Political signs.**

Political signs are permitted to be placed on private property subject to the following conditions:

- (1) Where signs are otherwise permitted, a political sign may be erected no sooner than sixty (60) days before the election and the sign shall be removed within ten (10) days following the election to which it applies; the owner of the property on which the sign is placed shall give permission and be responsible for its removal.
- (2) Political signs may be placed on private fences no sooner than sixty (60) days before the election and the sign shall be removed within ten (10) days after the election; the owner of the property on which the sign is placed shall give permission and be responsible for its removal.
- (3) Political signs may not be erected or placed on public property nor on public fences, public sign posts, light poles, utility poles, etc.
- (4) Maximum display area per sign shall be thirty-two (32) square feet.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-177. - Banner signs.**

Banner signs shall be prohibited.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-178. - Building marker.**

Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials are allowed. Maximum size for building markers shall be eight (8) square feet. Building markers shall not require a sign building permit.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-179. - Outdoor menu board.**

Outdoor menu boards are only allowed on lots which have been approved for restaurants with drive-through windows and under the following conditions:

- (1) Only one (1) outdoor menu board shall be permitted, per order station, on a lot.
- (2) Display surface area shall not exceed thirty-two (32) square feet.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec 26-180. - Electronic message boards—Allowed.**

Electronic Message Boards signs are allowed in addition to but on the same support structure as a freestanding sign. The maximum size shall be no larger than forty (40) square feet for signs within the business corridor known as Wheeler and Commercial Streets, and no larger than twenty-four (24) square feet for all other allowed areas. Maximum sign heights shall be in accordance with the required height regulations applicable to all signs. Electronic messages shall appear and remain for a period of no less than six (6) seconds, whereas such message shall either scroll off the display rapidly or immediately be replaced by another message or symbol. Such electronic message board signs shall not be allowed as wall signs.

(Ord. No. 4039, § 1, 8-5-13)

**Secs. 26-181—26-190. - Reserved.**

**DIVISION 4. - PERMITS AND FEES**

**Sec. 26-191. - Permitting.**

- (a) If any sign requiring a permit under this ordinance is to be placed, constructed, erected or modified on a lot, the owner of the lot, authorized agent or contractor shall secure a sign building permit prior to the construction, placement, erection or modification of such a sign.
- (b) No signs shall be erected in the public right-of-way except in accordance with this article.
- (c) No sign building permit shall be issued for modification or repair of an existing or proposed sign unless such modification or repair for proposed sign is consistent with the requirements of this article in every respect and with the master signage plan in effect for that property. Minor routine maintenance shall not require a sign building permit.

(d) The procedures set out in this division shall govern the application for and issuance of all sign building permits under this article, and the submission and review of master signage plans.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-192. - Applications.**

All applications for sign building permits of any kind and for approval of a master signage plan shall be submitted to the building official on an approved form.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-193. - Fees.**

A sign building permit fee shall be one hundred dollars (\$100.00) for the first one thousand dollars (\$1,000.00) of cost of the sign and twenty-five dollars (\$25.00) for each additional one thousand dollars (\$1,000.00) of cost of the sign.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-194. - Review for completeness.**

The building official shall review an application for a sign building permit or for a master signage plan for completeness. If the application is complete, then it shall be processed within thirty (30) working days. If it is found to be incomplete, the building official shall not issue a sign building permit, but shall provide the applicant written notice of the deficiencies, with appropriate references to the applicable sections of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-195. - Drawings and specifications.**

The building official may require detailed drawings, computations, stress diagrams and other data necessary to describe the construction or installation and the basis of calculations. Documents supplied for windload will require a registered professional engineer's seal.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-196. - Action and time frame.**

The building official shall act upon an application for a sign building permit within thirty (30) calendar days.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-197. - Refusal to issue sign building permit.**

The building official shall not issue a sign building permit if the application fails to conform with the requirements of this article, any applicable master signage plan or other ordinance of the city. Such refusal shall be in writing and shall contain the reason for refusal.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-198. - Sign building permits to construct or modify signs.**

- (a) *Sign building permit for new sign or for sign modification.* Signs shall be erected, installed, constructed or modified only in accordance with a duly issued and valid sign building permit. Minor routine maintenance shall not require a sign building permit.
- (b) *Inspection.* The building official shall cause an inspection of the permitted sign construction upon request of the sign building permit holder or his agent. If the sign construction is complete and in full compliance with this article and other ordinances of the city, the building official shall approve the construction and accept the sign as complete. If the sign is not in full compliance, the building official shall refuse to approve the construction and shall notify the applicant in writing of the deficiencies and shall allow ten (10) days for correction of the deficiencies and reinspection.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-199. - Design and construction.**

All signs erected after December 19, 2005, or an existing nonconforming sign damaged more than sixty (60) percent of the replacement cost shall comply with the applicable provisions of this article, the building code, electrical code, and any other applicable ordinance of the city. Except for flags, temporary signs and window signs conforming in all respects with the requirements of this article, all signs shall be permanently attached to the ground or to a building or other structure by direct attachment to a rigid wall, frame or structure. The conversion of signs from one (1) type or classification to another shall require a sign building permit.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-200. - Sign maintenance.**

All signs shall be maintained by the owner thereof in a clean, safe and structurally sound condition.

(Ord. No. 2005-3885, § 1, 12-19-05)

## **Sec. 26-201. - Unsafe and unlawful signs.**

If any sign is found to be unsafe, insecure, a hazard to the public, abandoned, maintained in a dilapidated condition or otherwise constructed in violation of the provisions of this article, the building official shall give written notice to the sign permittee or to the property owner to either abate or repair said sign in accordance with the provisions contained herein and with the city's building code. If the permittee and/or property owner fails to remove or alter the sign or advertising structure so as to comply with the standards set forth in this article within ten (10) days of the date of written notice, such sign or other advertising structure may be removed by the city. Any expense incidental to such removal shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property.

(Ord. No. 2005-3885, § 1, 12-19-05)

## **Sec. 26-202. - Master signage plan, commercial and industrial zoning.**

No sign building permit shall be issued for an individual sign requiring a sign building permit in a commercial and/or industrial zoning district, where more than one (1) business or industry will be located, unless and until a master signage plan for the lot on which the sign will be erected has been submitted to the building official and approved as conforming to this section:

- (1) *Contents of master signage plan.* For any commercial or industrial zoned lot on which the owner proposes to erect one (1) or more signs requiring a sign building permit, the owner shall submit to the building official a master signage plan containing the following:
  - (a) An accurate plot plan of the lot, at such scale as the building official may reasonably require.
  - (b) Location of buildings, parking lots, driveways and landscaped areas on the lot.
  - (c) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this article.
  - (d) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a sign building permit or not, except that incidental signs need not be shown.
- (2) *Window signs.* A master signage plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.
- (3) *Limit on number of freestanding signs.* The master signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs by providing for shared or common usage of such signs (see subsection 26-163(1)).
- (4) *Other restrictions.* The master signage plan may contain such other restrictions as the owners of the lots may reasonably determine.
- (5) *Consent.* The master signage plan shall be signed by all owners or their authorized agents.
- (6) *Included with other procedures.* A master signage plan shall be included in any development plan, site plan, planned unit development plan or other official plan required by the city for the proposed development and may be processed simultaneously with such other plan.

- (7) *Amendment.* A master signage plan may be amended by filing a new master signage plan. Additions and changes in the amended plan must conform with all requirements of the ordinance then in effect.
- (8) *Binding effect.* After approval of a master signage plan, no sign shall be erected, placed, painted or maintained in operation, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this article. In case of any conflict between the provisions of such a plan and any other provisions of this article, this article shall control.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-203. - Sign building permit revocable.**

- (a) *Misrepresentation of application.* The building official may revoke a sign building permit or approval in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
- (b) *Violation of provisions.* The building official may revoke a sign building permit upon determination that the construction, erection, alteration or repair for which the sign building permit was issued is in violation of, or not in conformity with, the provisions of this article.
- (c) *Expiration.* Sign building permits shall expire sixty (60) days after issuance if work has not commenced. A sign building permit also expires if work is discontinued or abandoned for a period of thirty (30) days.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-204. - Stop work orders.**

Upon notice from the building official, work on any sign that is being done contrary to the provisions of this article or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property or his agent and shall state the conditions under which work may be resumed.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Secs. 26-205—26-220. - Reserved.**

**DIVISION 5. - VIOLATIONS, ENFORCEMENT AND REMEDIES**

**Sec. 26-221. - Violations.**

Any of the following shall be a violation of this article and shall be subject to the enforcement remedies and penalties provided by this article or by other applicable ordinances or state laws:

- (1) To install, construct, erect or maintain in operation any sign in a way that is inconsistent with any plan or sign building permit governing such sign or the lot on which the sign is located.
- (2) To install, construct, erect or maintain in operation any sign requiring a sign building permit without such a sign building permit.
- (3) To fail to remove any sign that is installed, constructed, erected or maintained in operation in violation of this article.

- (4) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this article.
- (5) Each sign installed, constructed, erected or maintained in violation of this article shall be considered a separate violation when applying the penalty portions of this article.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-222. - Enforcement, remedies.**

Any violation of this article or of any condition or requirement adopted pursuant to this article may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. The remedies of the city shall include following:

- (1) Issuing a stop work order for any and all work on any sign on the same lot.
- (2) Seeking an injunction or other order of restraint of abatement that requires the removal of the signs or the correction of the nonconformity.

(Ord. No. 2005-3885, § 1, 12-19-05)

**Sec. 26-223. - Penalties.**

- (a) *Criminal.* Any person who shall violate any provision of this article, or fail to comply with any of the requirements of this article, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this article is committed or continued, and upon conviction of any such violation such person shall be punished by a fine of up to five hundred dollars (\$500.00).
- (b) *Civil.* The city may file a civil action in the district court seeking an injunction and civil penalties of up to one thousand dollars (\$1,000.00) per day for each and every day or portion thereof during which any violation of any of the provisions of this article is committed or continued.

(Ord. No. 2005-3885, § 1, 12-19-05)

**State Law reference**— Enforcement of municipal ordinances, V.T.C.A., Local Government Code Chapter 54.

**Sec. 26-224. - Provisions declared to be minimum requirements.**

In the interpretation and application, the provisions of this article shall be held to be minimum requirements adopted for the promotion of public health, safety and general welfare.

Whenever the requirements of this article are at variance with the requirements of any other city ordinance or state law the highest or most restrictive standard shall apply.

(Ord. No. 2005-3885, § 1, 12-19-05)