

ORDINANCE NO. 2012-1071

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS AMENDING ORDINANCE NO. 2012-1058 SECTION 6.0, REGARDING EXEMPT SIGNS; SUB-SECTION 1 ENTITLED GOVERNMENT SIGNS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fulshear, Texas (the "City") finds that the unregulated construction and erection of outdoor signs, billboards and other structures designed to make an announcement to the general public can create structural hazards and can present impediments and dangers to traffic along roadways and Right of Ways within the City and easements; and

WHEREAS, the City Council of the City of Fulshear recognizes that protection of the City's visual environment will benefit both residential and commercial property owners and will promote a positive image of the City; and

WHEREAS, the City Council desires to promote the reasonable, orderly, and effective display of signs and to ensure that signs do not create or become hazards; and

WHEREAS, the City Council acted in Ordinance No. 2012-1058 to regulate signage; and

WHEREAS, the City Council is cognizant of certain exemptions that need clarification and believes that acting to remediate said needed clarification by amending the aforementioned Ordinance will promote and improve the general welfare of the City;

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

SECTION 1.0

PURPOSE: The purpose of this Ordinance is to revise Ordinance 2012-1058 concerning Signs, Section 6.0 regarding Exempt Signs, Sub-Section 1) entitled Government Signs to clarify which signs are and are not exempt from the regulations set forth in this Ordinance.

SECTION 2.0

AMDENDED: Section 6.0 regarding the Exempt Signs, Sub-Section 1) entitled Government Signs is hereby amended to read:

"EXEMPT SIGNS: This Ordinance shall not apply to the following types of signs:

- 1) Governmental Signs. Any:

- a) Traffic sign erected at the authorization of either the County, State or Federal Government; or
- b) Sign providing Emergency Notifications on a temporary basis lasting no more than ninety (90) days erected at the authorization of the County, State or Federal Government;
- c) Sign erected by the City pursuant to and in the discharge of any Governmental function;
- d) Any reader panel sign for public schools and libraries shall be permitted, provided that each such sign does not exceed twenty-four (24) square feet in area; meets all other design standards for monument signs; does not exceed more than one such sign per school or library site; and contains only information that relates to such school or library. Such signs must be designed in such a manner that only authorized persons may change the message. A reader panel sign shall be attached to the school's or library's monument sign. A reader panel sign may be illuminated by a single light source, but the sign itself may not contain any lights, animated display, LED display or any similar technology or light source.
- e) All Government signs other than those listed in items a), b) and c) shall be subject to the permitting requirements of this Ordinance.
- f) All Government signage is exempt from any fee charged related to Permits issued."

SECTION 3.0

PENALTY CLAUSE: Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 4.0

SEVERABILITY CLAUSE: That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 5.0

REPEALING CLAUSE: All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6.0

EFFECTIVE DATE: This Ordinance shall be effective when published as required by law.

SECTION 7.0

PUBLICATION: The City Secretary is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.


Thomas C. Kuykendall Jr., Mayor

ATTEST:


D. Gordon Offord, City Secretary