

Chapter 78 SIGNS

Chapter 78 SIGNS [\[1\]](#)

[Sec. 78-1. Definitions.](#)

[Sec. 78-2. Permits.](#)

[Sec. 78-3. General regulations.](#)

[Sec. 78-4. Right of inspection.](#)

[Sec. 78-5. Enforcement.](#)

[Sec. 78-6. Applicability and enforcement in city's extraterritorial jurisdiction.](#)

Sec. 78-1. Definitions.

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

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

Administrator means the code administrator, code enforcement officer, committee or board so designated, or their representative.

Animated sign (see also and note difference from "Changeable sign") means a sign, or display, manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical or other means. Animated signs include the following types:

- (1) *Naturally energized sign* means a sign whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, banners, pennants, streamers, spinners, metallic disks or other similar devices designed to move in the wind.
- (2) *Mechanically energized sign* means a sign manifesting a repetitious preprogrammed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.
- (3) *Electrically energized sign* means an illuminated sign whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:
 - a. *Flashing sign* means an illuminated sign exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as, or less than, the duration of the period of darkness (off phase), and which the intensity of illumination varies from zero (off) to 100 percent (on during the programmed cycle).
 - b. *Illusionary movement sign* means an illuminated sign exhibiting the illusion of movement by means of a preprogrammed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating or expanding and contracting light patterns.

Area (see "Sign, area of").

- CODE OF ORDINANCES

Chapter 78 SIGNS

Assembly or meeting room means a room or portion of a building used for gathering together of 50 or more persons for such purpose as deliberation, education, instruction, worship, entertainment or amusement.

Awning means a shelter projecting from, and supported by, the exterior wall of a building, constructed of nonrigid materials on a supporting framework (compare "Marquee").

Awning sign means a sign painted on, printed on or attached flat against the surface of an awning.

Back lit awning (see "Electric awning sign").

Banner sign means a sign made of fabric, or any nonrigid material, with no enclosing framework.

Billboard (see "Off-premises sign").

Blade sign (see "Ground sign").

Canopy, building, means a rigid multisided structure covered with fabric, metal or other material, and supported by a building at one or more points or extremities, and by columns or posts embedded in the ground at other points or extremities and may be illuminated by means of internal or external sources (compare "Marquee").

Canopy, freestanding, means a rigid multisided structure covered with fabric, metal or other material, and supported by columns or posts embedded in the ground and may be illuminated by means of internal or external sources.

Canopy sign means a sign affixed or applied to the exterior wall facing surface of a building or freestanding canopy.

Changeable sign means a sign whose informational content can be changed or altered by manual or electric, electro-mechanical or electronic means. Changeable signs include the following types:

- (1) *Manually activated* means signs that show alphabetic, pictographic or symbolic informational content and can be changed or altered by manual means.
- (2) *Electrically activated* means signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments and includes the following two types:
 - a. *Fixed message electronic signs* means signs whose basic informational content has been preprogrammed to include only certain types of information projection, such as time, temperature, predictable traffic conditions or other events subject to prior programming.
 - b. *Computer controlled variable message electronic signs* means signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

City means the City of Alpine and/or any jurisdiction of the city outside the city boundaries, unless the context clearly discloses a contrary intent.

Clear sight triangle means an area enclosed within an isosceles triangle having equal sides of 25 feet with the apex of the triangle at the point where two abutting streets meet.

Clearance (of a sign) means the smallest vertical distance between the grade of the adjacent street, highway or street curb and the lowest point of any sign, including framework and embellishments.

Construction sign means a temporary sign identifying an architect, project, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.

Copy means the graphic content of a sign surface in either permanent or removable letter, pictograph, symbolic or alphabetic form.

Directional/information sign means an on-premises sign giving directions, instructions or facility information, and which may contain the name or logo of an establishment but no advertising copy, e.g.,

- CODE OF ORDINANCES

Chapter 78 SIGNS

parking or exit and entrance signs. Informational signs may contain the name or logo provided that the name or logo may not comprise more than 30 percent of the total sign area, which is three square feet per sign.

Double-faced sign means a sign with two faces, essentially back-to-back.

Electric awning sign or back lit awning means an internally illuminated fixed space-frame structure with translucent, flexible, reinforced covering designed in awning form, and with graphics or copy applied to the visible surface of the awning.

Electrical sign means a sign or sign structure in which electrical wiring, connections or fixtures are used.

Electronic message center (see "Changeable sign, electrically activated").

Facade means the entire building front including the parapet.

Face of sign means the area of a sign on which the copy is placed.

Festoons means a string of ribbons, tinsel, tassels, small flags or pinwheels.

Flashing sign (see "Animated sign, electrically energized").

Freestanding sign means a sign supported permanently upon the ground by poles or braces and not attached to any building.

Frontage means the length of the property line of any one premises along a public right-of-way on which it borders.

Frontage, building, means the length of an outside building wall on a public right-of-way on which it borders.

Government sign means any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction, or for designation of, or direction to any school, hospital, historical site or public service, property or facility.

Grade means the average elevation of the finished ground level at the center of all facades of a building.

Graphic design means any artistic design, portrayal or mural, painted directly on the exterior wall, fence, window or sculpture, or other structure which is visible from any public right-of-way, and which has its artistic purpose visible from any public right-of-way, which has its purpose and effect artistic and not the identification of the premises or the advertisement or promotion of the interest of any person or business. Such graphic design may be subject to a sign permit or building permit and review and approval by the building official or the code enforcement officer.

Ground sign or blade sign means a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top. Height and setbacks are to be the same as for freestanding signs.

Height (of a sign) means the vertical distance measured from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street, or the surface grade beneath the sign, whichever is less (compare "Clearance").

Identification sign means a sign whose copy is limited to the name and address of a building, institution or person and/or activity or occupation being identified.

Illegal sign means a sign which does not meet requirements of this Code and which has not received legal nonconforming status.

Illuminated sign means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

- CODE OF ORDINANCES

Chapter 78 SIGNS

Incidental sign means a small sign less than one square foot, emblem or decal informing the public of goods, facilities or services available on the premises, e.g., a credit card sign.

Lot means a parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record or survey map.

Low profile sign or *monument sign* means a sign mounted directly to the ground with maximum height not to exceed six feet.

Maintenance means the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Mansard means a sloped roof or roof-like facade architecturally comparable to a building wall.

Marquee means a lettering changeable sign, not to exceed 24 square feet in size. This type of sign may also be known as a reader board.

Menu means a comparable list or assortment of offerings, either food items or merchandise.

Monument sign (see "Low profile sign").

Multiple-faced sign means a sign containing three or more faces, not necessarily in back-to-back configuration.

Nameplate means a nonelectric, on-premises identification sign giving only the name, address and/or occupation of an occupant or group of occupants.

Nonconforming sign means an illegal sign which does not comply with the sign ordinance or to the sign code requirements, but for which a special exception or variance has been issued.

Occupancy means the portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

Off-premises sign or *billboard* means a sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which such sign is located, e.g., billboards or outdoor advertising.

Off-site directional sign means a sign which provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the administrator in size, height and placement, as justified.

On-premises sign means a sign, the content of which is related to the premises on which it is located, referring exclusively to the name, location, product, persons, accommodations, services or activities of those premises, or the sale, lease or construction of those premises.

Owner means a person recorded as such on official records. For the purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign, unless facts to the contrary are officially recorded or otherwise brought to the attention of the administrator.

Painted wall sign means any sign which is applied with paint, or similar substance, on the surface of the wall.

Parapet means the extension of a false front or wall above a roof line.

Person means any individual, corporation, association, firm, partnership or similarly defined interest.

Point of purchase display means advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser, tire display, etc.

Pole cover means a cover enclosing or decorating poles or other structural supports of a sign.

Political sign means a temporary sign used in connection with a local, state or national election or referendum.

Chapter 78 SIGNS

Portable sign means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Portal means a covered structure forming an entrance to a building outside and with a separate roof, or as a recess in the interior as a kind of vestibule.

Premises means a parcel of land with its appurtenances and buildings which, because of its use, may be regarded as the smallest conveyable unit of real estate, and any tract that has been surveyed and delineated by a legal description, and the property upon which the business is located.

Projecting sign means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Real estate sign means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

Roof line means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

Roof sign means any sign erected over, or on top of, a building (compare "Mansard," or "Sign, wall").

Rotating sign (see "Animated sign, mechanically energized").

Sign means any device, fixture, placard or structure that uses any color, forms, graphic, illumination, symbol or writing to advertise, announce the purpose of or identify the purpose of a person or entity, or to communicate information of any kind to the public, except for the following:

- (1) Nonilluminated names of buildings, dates of erection, monument citations, commemorative tables and the like, when carved into stone, concrete, metal or any other permanent type of construction and made an integral part of a permitted structure, or made flush to the ground.
- (2) Signs required by law or signs of a duly constituted governmental body.
- (3) Signs placed by a public utility for safety, welfare or convenience of the public such as signs identifying high voltage, public telephone or underground cables.
- (4) Signs upon a vehicle; provided, any such vehicle with a sign face over two square feet is not conspicuously parked as to constitute a sign.
- (5) Temporary holiday decorations.

Sign, area of, means:

- (1) *Projecting and freestanding sign*. The area of a freestanding or projecting sign shall have only one side of any double-faced sign counted in calculating its area. The area of the sign shall be measured as a rectilinear line of not more than eight sides drawn around and enclosing the perimeter of each cabinet or module. The area shall then be summed and totaled to determine total area. The perimeter of the measurable area shall not include embellishments such as pole covers, framing, decorative roofing, support structures, etc.; provided, there is no written advertising copy on such embellishments.
- (2) *Wall sign*. The area of a wall sign shall be with a single, continuous perimeter composed of any rectilinear line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols, using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area of the smallest rectangle within the perimeter of the signage. The combined areas of the individual figures shall be considered the total sign area.

Sign, canopy, means any sign which is mounted to, and supported by, a permanent canopy, arcade or portal, the ceiling of which is no more than 16 feet above grade.

Sign, joint identification, means a sign whose area is shared by three or more businesses.

Chapter 78 SIGNS

Sign, projecting, means any sign with no more than two faces supported by a building wall and projecting from such building wall.

Sign, wall, means any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cutout letters and devices affixed to the building wall with no background or border defined on the building wall.

Snipe sign means a sign not constructed or intended for long-term use.

Subdivision identification sign means a freestanding sign, or wall sign, identifying a recognized subdivision, condominium complex or residential development.

Temporary sign means a sign not constructed or intended for long-term use.

Under-canopy sign means a sign suspended beneath a canopy, ceiling, roof or marquee.

Use means the purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained.

V sign means a sign consisting of two essentially equal faces, positioned at an angle subtending less than 179 degrees.

Value means replacement costs, including any amount owed on a 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 panes or glass, and is visible from the exterior of the window.

(Code 1978, § 21.5-1)

Cross reference— Definitions generally, § 1-2.

Sec. 78-2. Permits.

It shall be unlawful for any person to erect, alter or relocate, within the jurisdiction and extraterritorial jurisdiction of the city, any sign without first obtaining a permit and making payment of fees.

(1) *Required*. Permits shall be required for the following types of new or temporary signs:

- a. All signs having an area greater than six square feet.
- b. All illuminated signs.
- c. All signs with moving elements.
- d. All signs over a public right-of-way.
- e. All temporary signs that are portable, wheeled or footed.
- f. All off-premises signs, except temporary real estate, political and contractor signs.

(2) *Applications*. Permit applications shall contain the following:

- a. Signature of applicant.
- b. Name and address of sign owner.
- c. Name and address of person erecting the sign.
- d. Location of the building or lot to which or upon which the sign is to be attached or erected.
- e. Drawings or description showing the design and dimensions of the sign.
- f. Drawing or detailed description showing the site plan or building facade.

- CODE OF ORDINANCES

Chapter 78 SIGNS

- g. Written consent of the owner of the building, structure or land to which, or on which, the sign is to be erected.
- (3) *Fee.* Fifty cents per square foot of the sign face with a \$50.00 maximum.
- (4) *Permit exceptions.*
 - a. Replacing or updating copy.
 - b. General maintenance to any sign should not require a permit.
- (5) *Variances.* The planning and zoning commission shall have authority and power to grant variances of this chapter in a duly conducted public hearing. The commission shall also have the power to recommend extensions of time to comply.
 - a. When requesting a permit, the applicant may apply to the planning and zoning commission through the administrator for a variance from certain requirements of this chapter.
 - b. There will be a \$20.00 application fee on request for a variance.
 - c. The granting of a variance would not be contrary to the general objectives of this Code and any land use plan.
 - d. In granting a variance, the administrator may attach additional requirements necessary to carry out the spirit and purpose of this chapter in the public interest.
 - e. Written notice shall be given to adjoining and other property owners of a hearing on request for a variance, and shall be given pursuant to the procedures set forth by the codes set forth by the city.
 - f. The planning and zoning commission shall either grant or deny the variance or extension requested. Any party aggrieved by the decision of the planning and zoning commission may appeal within ten days to the city council by filing an appeal with the city clerk.

(Code 1978, § 21.5-2)

Sec. 78-3. General regulations.

- (a) *Prohibited signs in all zones.* The following prohibited signs shall be removed or brought into compliance:
 - (1) Signs, or any part of a sign, that might contribute to confusion of traffic control, or imitating signs or devices for control of traffic or railroad.
 - (2) Rotating or oscillating beacons of light, or strobe lights.
 - (3) Freestanding signs with overhead wiring to supply electric or support cables.
 - (4) Temporary signs for any period over seven days. Temporary signs may be renewed eight times per year.
 - (5) Canopy signs or hanging signs, the bottom of which are less than seven feet above grade.
 - (6) Freestanding signs whose top exceeds 30 feet above grade.
 - (7) Any sign, or part thereof, erected or constructed wholly upon or over the roof of any building that is visible from any grade of street level.
 - (8) Any wall sign, or part thereof, that projects more than 12 inches from the building wall at a height lower than ten feet.
 - (9) Signs (except wall signs) in a clear sight triangle.
 - (10) Any sign, or part thereof, that contains any audible devices.

- CODE OF ORDINANCES

Chapter 78 SIGNS

- (11) Any sign, or part thereof, that is partially or wholly illuminated by floodlights or spotlights, unless such lights are used for indirect lighting, and the illumination is shielded as not to be directly visible from the public right-of-way, or to a residential area that may be within 40 feet distant.
 - (12) Any sign that is in obvious poor repair as determined by the code enforcement officer or agency representative, which decision may be appealed to the planning and zoning commission.
 - (13) Any sign attached to trees, fences, utility poles or street furniture, which is in the public right-of-way.
- (b) *Exempt signs.* The following exempt signs shall not require a permit or payment of fee:
- (1) Construction signs. One sign shall be permitted for all building contractors, all professional firms and all lending institutions on premises under construction. Such signs shall be confined to the site of construction and shall be removed within 14 days of the beginning of the occupancy of the project.
 - (2) Real estate signs. One temporary sign located on the property it refers to for each street frontage. In residential zones, the signs shall not exceed four square feet. An additional sign with the word "sold" or "leased" may be added but not to exceed one-half of the size of the original real estate sign. In nonresidential zones, the signs shall not exceed 16 square feet and be over five feet in height.
 - (3) Advertising for community or civic events, flags or emblems or civic, philanthropic, educational or religious organizations, maintained for a temporary period not in excess of one month.
 - (4) Temporary directional signs not exceeding three square feet in area placed on private property may be permitted on approach routes to a real estate open house, garage sale, benefit sale or car wash.
 - (5) Official national, state, city or school flags for any period of time.
 - (6) Street banners and holiday decorations may be displayed during appropriate season or event.
 - (7) Residential name signs and/or address signs not exceeding 1.5 square feet.
 - (8) Private traffic directional signs which are necessary for and function only to direct traffic movement on, off of or within a premises, shall be allowed without limit as to number. Maximum size shall not exceed six square feet. Such signs shall not contain commercial advertising.
 - (9) Nameplates on mailboxes.
 - (10) Religious emblems that are located on the premises of the religious institution.
 - (11) Window signs, show cards and bulletins, as long as such signs are not illuminated.
 - (12) Memorial signs or historic markers.
 - (13) Signs required by law.
 - (14) Street banners owned and maintained by the city.
- (c) *Fee exempt signs.* The following fee exempt signs shall require a permit, but any applicable fees shall be waived:
- (1) Murals or wall art which contain no commercial message.
 - (2) Gasoline price signs. Service stations shall be permitted one double-faced, on-site sign not to exceed 12 square feet per face, and five feet in height, advertising the price of gasoline. Such signs shall not contain any advertisement other than brand name.
 - (3) One permanent identification sign setting forth the name of a center, civic, religious, educational, charitable, public or quasi-public institution, shall be permitted in accordance with the requirements of the zone in which the sign is placed.

Chapter 78 SIGNS

- (4) A single permit shall be required for the placement of temporary political signs. Such signs shall be placed only with the consent of the owner of the property on which they are posted. Such signs may be erected no earlier than 90 days prior to any primary or general election. They shall be removed within 14 days after the election to which the sign pertains. The candidate for whom the sign advertises, or the candidate's duly responsible agent, shall bear the responsibility for removal of such sign.
 - (5) One bulletin board or changeable public notice sign, not over 32 square feet and seven feet in height, for public, charitable or religious institutions, when the bulletin board or changeable public notice sign is located on the premises of such institution.
- (d) *R-3 zones, apartments.*
- (1) Signs permissible in the R-3 district include nameplates not exceeding two square feet in area.
 - (2) An apartment premises with five to 24 dwelling units may have wall signs identifying the apartments, provided the sign on any facade does not exceed 32 square feet.
 - (3) An apartment premises with more than 24 units may have wall signs identifying the apartments, provided the total number of square feet per facade does not exceed 100 square feet.
 - (4) Each premises may have one freestanding sign per each 750 feet of public street frontage. No freestanding sign shall be more than 12 feet in height.
- (e) *R-1, R-2, R-4 zoned residential areas.*
- (1) No portion of an illuminated sign shall have a luminance greater than provided by a 100 watt bulb.
 - (2) No sign, or part of a sign, shall move, flash or rotate.
 - (3) No more than one sign per premises shall be illuminated.
 - (4) Any and all illuminated signs within 40 feet of residential zones, must use shielding for the source of lighting in such manner that will prevent glare or light from the source from shining directly into or toward the residential area.
 - (5) One unlighted sign, which shall not exceed one square foot in area, indicating the name of the occupant or occupation of a customary home occupation, provided the sign is attached flat to the building.
 - (6) One sign, which shall not exceed 15 square feet in area, for church or school.
 - (7) One sign, which shall not exceed four square feet in area, for temporary unlighted sign pertaining to the lease, hire or sale of building or property upon which it is located; provided, the sign is immediately removed upon the lease, hire or sale of such building or property.
 - (8) One unlighted temporary political sign which shall not exceed 32 square feet in area.
- (f) *Nonresidential regulations.* The additional provisions of this subsection apply to all signs not in a residential zone or within 40 feet of a residential zone.
- (1) *Height.*
 - a. Height of a freestanding sign shall not exceed 30 feet above grade.
 - b. Height of a building mounted sign or projecting sign shall not exceed 40 feet above grade.
 - (2) *Size.*
 - a. Size of a freestanding or projecting sign shall not exceed 100 square feet.
 - b. Size of a building mounted sign, except a projecting sign, shall not exceed 15 percent of the area of the facade to which they are applied.

Chapter 78 SIGNS

c. Canopy signs shall not extend beyond the sides or edges of the canopy.

(3) *Number.*

- a. Wall signs shall be limited to four per facade.
- b. One freestanding sign shall be permitted for each 100 feet of street frontage.
- c. One projecting sign shall be permitted for each premises, provided it is oriented to the primary entrance, or entrance frontage.
- d. One marquee sign shall be permitted for each street frontage.
- e. One perpendicular canopy sign every 15 feet shall be permitted for each premises.

(4) *Location.*

- a. No off-premises sign shall be nearer than 150 feet to any other off-premises sign.
- b. Flush mounted wall mounted signs may protrude up to one foot into the public right-of-way, granted the bottom of such sign is at least ten feet from the grade.
- c. Building mounted signs extending above the roof shall be permitted only if they are a continuation of the plane of the facade. No roof mounted signs will be permitted.
- d. Signs painted on the roof of any building shall be permitted as long as they are not visible from any plane of pedestrian or vehicular traffic.

(5) *Illuminance near residential zones.* Any and all illuminated signs within 40 feet of residential zones must use shielding for the source of lighting in such manner that will prevent glare or illumination from the source from shining directly into or toward the adjacent residential area.

(g) *General illumination and design.*

- (1) No single light bulb used to indicate time or temperature shall have a rating greater than 40 watts.
- (2) No portion of an illuminated sign, apart from the light bulbs used to indicate time or temperature, shall have a luminance greater than that provided by a 150-watt bulb.
- (3) Separate light sources aimed at a sign, and not intended as general illumination, shall not have a wattage greater than 150 watts.
- (4) All new internally lit signs erected shall have their faces recessed within a decorative trim a minimum of two inches.
- (5) All freestanding signs over 12 feet in height, shall have a base, i.e., planter box, wall, banco, trees, bushes or other landscaping material, as long as it does not create a hazard, which shall be compatible in color and design of the building which it advertises.
- (6) All signs shall be constructed to withstand a wind velocity of not less than 75 miles per hour.

(Code 1978, § 21.5-3)

Sec. 78-4. Right of inspection.

The administrator, code enforcement officer or agency representative, shall have the right to inspect all signs in the city for the purpose of ascertaining whether they are safe, secure, in need of repair or conforming to this chapter.

(Code 1978, § 21.5-4)

Chapter 78 SIGNS

Sec. 78-5. Enforcement.

(a) *Compliance.*

- (1) If the code enforcement officer or agency representative finds that any sign is unsafe or a hazard to the public, or has been erected or is being maintained in violation of this chapter, he shall give written notice to the permittee or owner of the property on which the sign is erected. If the permittee or owner fails to remove or alter the sign so as to comply with this chapter within ten days after mailing of such notice, such sign may be removed by the city; and the permittee or owner shall bear the expense of such removal. No person refusing to pay the costs assigned, shall be issued a sign permit. If a sign is an immediate peril to persons or property, the code enforcement officer or agency representative may cause such sign to be removed summarily and without notice.
- (2) An abandoned sign, which no longer advertises a bona fide, ongoing business or a product sold, shall be subject to the rules and enforcement action as outlined in subsection (1) of this section.
- (3) The exception to this chapter is historic signs. Any sign which can be shown to exist at least 45 years ago, even if nonconforming today, may be kept in place and used in its historical context.
 - a. Historic signs must be maintained and be structurally sound.
 - b. Electrical elements of historic signs, if used, must meet requirements of the National Electrical Code and any city electrical codes that may apply.

- (b) *Penalties for violation.* Any person violating any provisions of this chapter, shall be deemed guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as provided in section 1-11. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as provided in section 1-11

(Code 1978, § 21.5-5)

Sec. 78-6. Applicability and enforcement in city's extraterritorial jurisdiction.

The sections and provisions of this chapter shall extend and be enforced within the area of the city's extraterritorial jurisdiction, as provided by V.T.C.A., Local Government Code § 216.902.

(Code 1978, § 21.5-6)

FOOTNOTE(S):

--- (1) ---

Cross reference— Buildings and building regulations, ch. 18; streets, sidewalks and other public places, ch. 86; subdivisions, app. B; zoning, app. C. [\(Back\)](#)

State Law reference— Regulation of signs by municipalities, V.T.C.A., Local Government Code ch. 216; outdoor advertising, V.T.C.A., Transportation Code § 391.031 et seq. [\(Back\)](#)