

AN ORDINANCE AMENDING CHAPTER 3, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, AS RE-CODIFIED ON JANUARY 8, 2007, BY AMENDING CHAPTER 3, ARTICLE 3.11, BY REPLACING IT IN ITS ENTIRETY, THEREBY RE-STRUCTURING THE ARTICLE IN ORDER TO CLARIFY ARTICLE 3.11, ADDING DEFINITIONS, ADDING PROHIBITIONS, RE-CODIFYING AND EXPANDING THE PERMITTING AND REVIEW PROCESS, PROVIDING FOR FEES, ENFORCEMENT, VARIANCES, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of La Grange, Texas, has agreed and continues to agree with the American Society of Landscape Architects' determination that outdoor advertising signs tend to deface nearby scenery, whether natural or built, rural or urban; and

WHEREAS, the City Council of the City of La Grange, Texas, has agreed and continues to agree with courts that have recognized that outdoor advertising signs tend to interrupt what would otherwise be the natural landscape as seen from the highway, whether the view is untouched or ravished by man, and that it would be unreasonable and illogical to conclude that an area is too unattractive to justify aesthetic improvement; and

WHEREAS, the City Council of the City of La Grange, Texas, has previously determined and determines again that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance; and these regulations are a highly contributive means by which to achieve this desired end and have been prepared with the intent of enhancing the visual environment of the City and promoting safety and continued well-being; and

WHEREAS, the City Council of the City of La Grange, Texas, has previously determined and determines again that these regulations maintain and enhance the aesthetic environment, improve pedestrian and traffic safety, lessen unnecessary visual clutter that competes for the attention of pedestrian and vehicular traffic, regulates signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians, conserve, protect, and enhance the aesthetic quality of the City, protect property values by precluding sign-types that create a nuisance to the occupancy or use of other properties; and

WHEREAS, the City Council of the City of La Grange, Texas, has previously found and finds again that Section 216.902 of the Local Government Code provides for the application of its outdoor advertising sign regulations to extend into the extraterritorial jurisdiction (ETJ) of the city, which is also called the Sign Code Application Area and is defined in Section 42.021, Texas Local Government Code;

WHEREAS, the City Council has determined that a re-structuring of Article 3.11 is in order to clarify Ordinance No. 08-03, that new definitions and prohibitions in Chapter 3, Article

3.11, should be added in order to better serve the needs established hereby and that existing definitions and prohibitions found at Chapter 3, Article 3.11, should be expanded and clarified;

WHEREAS, the City Council has previously determined and determines again that that the provisions in Ordinance 08-03 relating to Permitting and the Review Process, Fees, Enforcement of the Ordinance, and the granting Variances should be clarified.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA GRANGE, TEXAS:

Section 1. That the Code of Ordinances, City of La Grange, Texas, Chapter 3, Article 3.11, Divisions 1-2, Sections 3.11.001-3.11.007 are hereby amended so as to hereafter read as follows:

Division 1. Purpose

The purpose of this ordinance is to regulate the use of on-premises and off-premises signs, including electronic messaging signs within the City of La Grange, and to establish administrative review procedures whereby businesses and other organizations can promptly determine whether a proposed sign and associated operating procedures will be allowed under this ordinance. Objectives to be pursued in applying specific standards are as follows:

- a. preservation and enhancement of the City as a desirable community in which to live and do business;
- b. preservation and enhancement of the City's pleasing and visually attractive environment ;
- c. enhancement of the visual environment of the City and promoting safety and continued well-being;
- d. maintenance and enhancement of the aesthetic environment;
- e. improvement of pedestrian and traffic safety;
- f. lessening unnecessary visual clutter that competes for the attention of pedestrian and vehicular traffic;
- g. regulation of signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- h. conservation, protection, and enhancement of the aesthetic quality of the City;
- i. protection of property values by precluding sign-types that create a nuisance to the occupancy or use of other properties; and
- j. leave unchanged the provisions of any La Grange City ordinances dealing with signs which are previously in force shall remain in force except where the provisions of this ordinance conflict with them, in which case the provisions of this ordinance shall supersede the provisions of previous ordinances.

Division 2. Generally

Sec. 3.11.001 Definitions

The following words and phrases used in this ordinance shall have the following meanings:

Abandoned sign. A sign which for a period of at least ninety (90) consecutive days advertises or identifies a business establishment that has been closed or abandoned.

Animated sign. A sign which has any visible moving part, flashing or oscillating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, scroll, rotate, revolve, change, flash, oscillate or visibly alters in appearance of the sign. This shall specifically exclude barber poles, and time/temperature signs.

Architectural feature. Any element or details of a building or structure that defines its style, such as, but not limited to, windows, doors, and building material coursing patterns.

Area identification sign/entry feature sign. Any sign or entry feature identifying the name of a subdivision, district or development with multiple buildings grouped together with a distinct identity.

Armature sign. A freestanding sign that hangs, suspended by chains, hooks, or similar means, below an arm extending horizontally from a single vertical support affixed to the ground.

Awning/canopy. A shelter extending from the exterior wall of a building.

Awning/canopy sign. Any sign that is painted on or applied directly to, and contained entirely within the face, valance, or side panels of an awning/canopy. When the shelter is made from rigid materials, a sign mounted to the underside or top.

Bandit sign. A temporary sign, usually made of cardboard or foam board, mounted on an angle iron or a wooden stake.

Banner. A temporary, lightweight sign that contains a message which is attached or imprinted on a flexible surface and that is typically constructed of nondurable materials, including, but not limited to, cloth, and/or plastic.

Billboard sign. A large outdoor board for displaying advertisements which promotes or advertises commodities or services available at a location other than where the sign is located. Billboard signs include those signs whose message space is available for lease, rent or hire and exceed the maximum allowance of sign display area for freestanding signs in this chapter.

Building construction sign. A nonpermanent sign identifying persons, firms or businesses directly connected with a construction project.

Building scrim sign. A large, non-rigid banner of a durable, mesh, fabric material that allows air and light to pass through, used to wrap a building or portion of a building with items of information.

Building sign. Any sign attached to any portion of a building, including accessory buildings and structures, on windows, and attached or placed on awnings/canopies.

Community service (or public service) sign. A sign which solicits support for or advertises a nonprofit community use, public use, or social institution. Such sign topics may include, but shall not be limited to, seasonal holidays such as Christmas or Easter, school activities, charitable programs, religious activities, civic wayfinding/locational signs or events of community interest. Such signs shall be placed only by units of local, state, or federal governments, nonprofit organizations, schools, the chamber of commerce, or normally recognized religious organizations.

Contractor (or construction sign) sign, residential . A sign located on the premises of a permitted residential construction project, which may be erected for a limited period of time, identifying any or all of the property owners, developers, engineers, architects, contractors, mortgagees, or other project participants in the construction or improvement of the premises, but which displays no other goods or services for sale or other advertising.

Construction traffic signage . A sign or system of signs that are placed to provide temporary wayfinding or detouring of traffic during periods of construction.

Changeable message. Items of information that may be changed or rearranged through manual, mechanical or electrical means, including time and temperature messages and EMSes.

Channel letters. Individually constructed and individually illuminated letters, graphics, or graphic elements.

City. The City of La Grange, a municipal corporation in the State of Texas.

Clearance (of a sign). The distance between the finished grade and the bottom of a sign over a public-right-of-way or walkway that shall remain clear of all obstruction.

Commercial message. Words and trademarked logos which identify the goods and services available at a business use.

Comprehensive sign plan (CSP). A coordinated plan of all signs, including exempt and temporary signs for one or more business uses, located on a development site. The CSP shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles and sign types of all signs to be installed on a site.

Detached sign is any sign not attached to a building on the property.

Directional sign. A permanent sign located on private property, directing or guiding traffic onto the property and/or toward parking, exits or other identified locations on the property.

Electronic message sign (EMS). A sign, whether on-premises or off-premises, on which informational content can be changed or altered on a fixed display screen composed of electronically illuminated segments, including but not limited to, LED (light emitting diode) signs, television screens, plasma screens, video boards, or other signs that utilize digital or other image projection technology to display a message to the public. It shall be a sign, which permits light to be turned on or off intermittently, or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use and which varies in intensity or color. It is the same thing as a Changeable Electronic Variable Message Sign. An EMS sign does not include a sign located within the right-of-way that functions as a traffic-control device and that is described and identified in the Manual on Uniform Traffic-Control Devices (MUTCD) approved by the Federal Highway Administrator as the national standard.

Elevation. A view of a building seen from one side.

External illumination (of a sign). Light shining on the outer surface of a sign. Includes backlit signs when shielding is provided.

Fascia-mounted sign. Any sign erected on the fascia of a building. For the purposes of these guidelines, a fascia-mounted sign is considered to be a type of wall sign.

Finished grade. The completed elevations of lawns, walks, roads and other surfaces brought to a grade as designed.

Flag. Any fabric, banner or bunting used as a symbol of a government, or political subdivision.

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

Garage/yard sale sign. Any sign advertising the sale of personal household goods in a residential zoning district or on the property of a nonprofit organization.

Gas/fuel price electronic message sign. An electronic sign type that is distinguished from electronic message signs due to the limited amount of information displayed and the length of time periods the message will remain unchanged. These signs are limited to displaying the gas/fuel prices only to advertise to the general public. Any messaging capacity beyond the gas/fuel price shall constitute an electronic message sign as defined and regulated herein.

Ground-mounted sign. Any sign whose means of support is primarily a structure standing on the ground.

Halation illumination (of a sign)/illumination by halation. Effect given off by cove or reverse channel lighting where the light source is shielded from direct view and illumination of a sign occurs as a result of the light reflecting off an adjacent background.

Hanging sign. Any sign suspended from an awning, canopy, eave or overhang, typically by a chain, hooks, brackets or similar devices intended to affix hanging signs to a building.

Historic-age sign. A sign that is itself of historic significance, contributes to the historic fabric of the area, or is historically linked with the operation of a business. These signs are typically at least fifty (50) years old and may be preserved in place as decorative features.

Historic District. The historic area nationally designated as the Fayette County Courthouse Historic District. (See Exhibit B HISTORIC PRESERVATION DISTRICTS ORDINANCE)

Holiday decorations. Signs or displays including lighting which are a nonpermanent installation celebrating national, state and local holidays or holiday seasons.

Home occupation sign. A sign located at a residence that displays the name of a customary home occupation.

Illuminance. A measure of the amount of light intercepting an object at a given distance from a light source measured in foot candles.

Illumination (of a sign). Any artificial source of light used to make readable the sign's message, including internally and externally lighted signs, halation, and reflectorized, glowing or radiating signs. Illumination includes light sources such as neon, cold cathode, LED (light emitting diodes) incandescent lamps, fluorescent lamps, high intensity discharge lighting and photo luminescent material.

Incidental sign. A small sign, emblem or decal (not otherwise defined herein) containing information incidental to the operation of the business, such as, but not limited to, hours of operation, telephone number, address, accepted credit cards, directory signs, information signs, drive-through menu board signs, and parking signs within a parking lot or garage.

Inflatable sign. Any hollow sign or balloon expanded or enlarged by the use of air or gas and which contains a commercial message.

Information sign. Bulletin boards, changeable copy directories or temporary signs relating solely to governmental institutions (city, county, state, school district) intended for use by the institution on whose site the sign is located.

Internal illumination (of a sign). Lighting for a sign where conduits are housed within the sign or sign cabinet so that light shines through the surface of the signs. Neon signs shall also be considered to be internally illuminated.

Items of information. A word, logo, abbreviation, number, symbol, geometric shape, or similar item that is intended to be part of the sign display area.

Kiosk. A small structure used for providing information or displaying advertisements.

Light pole-mounted banner. A banner mounted on a vertical light pole.

Logo. An emblem, letter, character, pictograph, trademark, color scheme, or symbol that is registered, trademarked, or used in media to represent any firm, organization, entity, product or service.

Lot. A single, legally created parcel of land intended as a unit for transfer of ownership or for development and having frontage on a dedicated street.

Mural. A picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction, to the advertisement of any product or service or the identification of any business.

Neon sign. A sign with tubing that is internally illuminated by neon or other electrically charged gas.

Nonconforming sign. A sign which is in conflict with the current provisions of these sign guidelines.

Novelty sign. A sign which is irregularly shaped, whose structure does not conform to the regulations defining other types of signs.

Occupant frontage. That length of a wall of a building occupied by a single business or by multiple businesses with a single entrance, which faces either a dedicated public street or internally to a parking lot or driveway of a multi-occupant center.

Off-premises sign. Any sign normally used for promoting an interest other than that of a business, individual, products or service available on the premises where the sign is located.

On-premises sign. Any sign used for promoting a business, individual, product or service available on the premises where the sign is located.

Panel (of a sign). A flat, solid surface containing the raised, recessed, or framed part of the sign display area that is separate and distinct from the background to which it is attached, or from the sign's supports.

Parapet. The extension of a false front or wall above a roofline.

Pedestal sign. A ground-mounted sign with a height of less than five (5) feet from the finished grade and that has a panel mounted on a stand.

Pillar sign. A sign that is a stream-lined sculptural element of a single geometric shape such as an ellipse, an obelisk, or a column.

Political campaign sign. Any sign that displays information which references an election or referendum, or pertains to or advocates political views and policies that may be considered during an election or referendum.

Portable sign. Any sign not permanently affixed to a building, structure or the ground that is designed or installed in a manner allowing the sign to be moved or relocated without any structural or support changes. This term specifically includes an advertising display affixed to or installed on a vehicle or other mobile unit, such as a trailer, wheel or skid.

Post/panel sign. A freestanding sign that is not internally illuminated where the sign face is a panel that is raised off the ground by poles with a clearance of less than four feet between the finished grade and the sign display area.

Projecting sign. A sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign perpendicular to a wall attached by a bracket or similar device intended to affix this type of sign to a building.

Promotional sign. Sign and/or banner promoting drives or events of civic, philanthropic, education, neighborhood or religious organizations, or promoting special events which are lawfully permitted.

Pylon sign. A freestanding sign, that is supported by a structure extending from and permanently attached to the ground by a foundation or footing where the width of the sign structure measures less than 75 percent of the width of the sign.

Raceway. An electrical enclosure which may also serve as a mounting device for individual letters in a sign and other elements of display that are items of information.

Real estate marketing sign. Any nonpermanent sign pertaining to the sale, exchange, lease, rental, or availability of land, buildings, condominium and similar units, or apartments. Such signs may include building name and address, price and amenities, identity of seller or broker, and similar information.

Regulatory sign. A sign or notice erected and maintained by public officers or governmental agencies.

Sign Code Application Area. The corporate limits of the city and the area of is extraterritorial jurisdiction as defined by TEX. LOCAL GOVERNMENT CODE Sec. 42.021.

Wayfinding sign, also known as a kiosk signs., An off-premises sign to provide directional information for the CBD, and other special districts, public parking, points of interest (parks, historic places), cultural facilities (libraries, museums, schools, etc.).

Sec. 3.11.002 Prohibitions

- 1) Prohibited signs include, but are not limited to the following:

- a. Off-premises signs continue to be prohibited from and after July 12, 2004, unless otherwise specifically permitted by this chapter.
 - b. Abandoned signs, with the exception of freestanding signs where items of information shall be removed and the sign display area left so that it does not indicate the former use.
 - c. Electronic message signs (EMS), whether on-premises or off-premises, continue to be prohibited from and after May 27, 2008.
 - d. Billboard signs.
 - e. Animated signs.
 - f. Roof-mounted signs.
 - g. Inflatable signs.
 - h. Searchlights and any clearly similar attention getting features or devices.
 - i. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.
 - j. Merchandise, equipment, products, vehicles or other items which are not available for purchase or rental, but are intended to attract attention, or for identification or advertising purposes.
 - k. Signs, posters or outdoor advertising, except as expressly permitted, placed in the public right-of-way or attached to any public property, including but not limited to, electric utility poles, fire hydrants, meters, and public facilities.
 - l. Signs in locations that interfere with safe vehicular and pedestrian circulation or public safety signals and signs.
 - m. Signs erected, constructed or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.
- 2) The prohibitions contained herein shall apply in the Sign Code Application Area.
 - 3) Each violation of this Chapter shall constitute a misdemeanor and the penalty provision of Chapter 1, General Provisions, Section 1.01.009, and the continuing violations provisions thereof shall apply hereto.

Sec. 3.11.003 General Sign Provisions

- a) Except as otherwise provided for herein, no sign shall be erected, structurally changed, refaced, or reconstructed in whole or part, within the city or the sign application area without a permit having been first obtained.
- b) All signs shall pertain to the identification of the primary uses and/or primary services provided or primary products sold on the premises.
- c) All signs, where applicable, shall meet the standards of the adopted city building code(s).

- d) All business locations shall be identifiable by a street number and address sign which is clearly visible from the street.
- e) All signs regulated herein, must utilize typeset letters and numbers in the design and display of messages upon the sign.
- f) All signs are prohibited from blinking, flashing, or pulsing lighting or messages to adversely attract attention or otherwise detract from the consistent sign forms in the city.
- g) All signs are prohibited from being erected upon trees, bridges, fences (unless specified herein), towers, utility poles, automobiles and/or vehicles, junk or abandoned automobiles and/or vehicles and dilapidated buildings shall not be used as sign supports.
- h) All property in the city shall be allowed one (1) detached sign per property/development and a maximum of 2 signs per property.
- i) No detached sign shall be erected that exceeds thirty five (35) feet in height as measured from the base grade elevation of the ground surrounding the supporting structure to the top of the sign.
- j) There is hereby imposed a setback regulation for all detached signs of ten (10) feet, unless specified herein.
- k) Electronic Message Sign Exception. Temporary signs required by government agencies for road and street repairs, public notifications, traffic control, and similar activities are exempt from the regulations contained herein.
- l) Electronic reader boards which are oriented to be read exclusively within the site and which are not visible from a public way are allowed.

Sec. 3.11.004 Illumination Standards

The following standards shall apply to illumination of signs:

- (1) The brightness and intensity of an illuminated sign shall not be greater than necessary to meet reasonable needs of the business or use served.
- (2) No sign shall be illuminated to such intensity or in such a manner so as to cause a glare or brightness to a degree that constitutes a hazard or nuisance to vehicular traffic, pedestrians or adjacent sites.
- (3) No sign may be illuminated with fixtures that allow for the unshielded upward transmission of light.
- (4) The city may order a sign's brightness reduced or other operational characteristics altered if the city finds that the sign interferes with or poses a traffic safety hazard to the operation of vehicles.

Sec. 3.11.005 Electronic Messaging Sign Standards

- (1) *Electronic messaging signs (EMSs)* are prohibited. An EMS in operation as of the initial ordinance dated May 27, 2008 shall be considered a legal nonconforming sign as to location,

size and height restriction; however, said signs shall be subject to the operational standards of this Code as they exist or shall be amended in the future.

(2) *EMS Operation standard.* Sign shall be turned off or shall display a blank screen when malfunctioning.

Sec. 3.11.006 Sign Maintenance Standards

- 1) The property owner/occupant shall maintain the sign in a condition appropriate to its intended use and to all city standards, and has a continuing obligation to comply with all building code requirements. It shall be a violation of this section if any of the following conditions exist:
 - a. Elements of the sign have portions of the finished material missing, broken or otherwise illegible.
 - b. Any elements of the sign are inoperable, bent, twisted, dented, cracked, splintered, torn, or leaning at angles other than those at which it was originally erected.
 - c. The sign is partially disassembled.
- 2) The sign display area must display information that is current. If the information is not current a blank sign panel must be installed or the entire sign removed within thirty (30) days.
- 3) If the sign is deemed by the city to be in an unsafe condition, the owner/occupant of the business shall be notified in writing, and shall, within forty-eight (48) hours of receipt of such notification, respond to the city with a plan to correct the unsafe condition, remove the unsafe sign, or cause it to be removed. If after ten days, the unsafe condition has not been corrected through repair or removal, the city may refer the matter to the building official as an unsafe structure to be remedied in accordance with city ordinance.
- 4) Whenever any sign, either conforming or nonconforming to these regulations, is required to be repaired, repainted, refinished or cleaned, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:
 - a. The sign is not being refaced to display a new occupant, replace a panel or display new items of information
 - b. There is no alteration or remodeling to the structure or the mounting of the sign itself
 - c. There is no enlargement or increase in any of the dimensions of the sign or its structure
 - d. The sign is accessory to a legally permitted, conditional or nonconforming use.

Secs. 3.11.007-3.11.020 Reserved

Division 3. Permitting and Review Process, Fees, Enforcement, Variances

Sec. 3.11.021 Sign Permitting, Fees, Review Procedures and Enforcement

- 1) *Permit required.* No sign shall be attached, erected or otherwise constructed until all necessary permits, where allowed by this Chapter, are issued by the city.

- 2) *Fees.* All applications for sign permits shall be accompanied by the appropriate building permit and shall be subject to the applicable fees therein.
- 3) *Permission of property owner.* No sign shall be erected, constructed or maintained upon any property or building without the consent of the owner, the person entitled to possession of the property or building, if any, or their authorized representative.
- 4) *Permit application review.*
 - a. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the city to verify compliance with all applicable laws.
- 5) Applicants for a permit to install an electrical sign shall maintain the appropriate State of Texas electrical sign contractor's license or an electrical contractor's license.
 - a. For signs located in Historic District special area identified in this ordinance, the following shall be considered in the review and approval of a sign permit application:
 - 6) The design of signs shall be compatible with the character of the surrounding area and other conforming signs.
 - 7) The materials used in the construction of the sign shall be the same or similar to those found in the construction of the city's historic districts and historic landmarks in the area.
 - 8) Wherever possible, colors from historic palettes shall be used.
 - 9) Signs shall not cover, obstruct, damage or otherwise adversely affect the building's salient architectural or historic features.
 - 10) Signs shall be approved by the Main Street Design Committee.
- 11) *Permit issuance.*
 - a. *Approved plans.* Approved plans associated with a permit application shall not be changed, modified or altered without authorization from the city, and all work shall be done in accordance with the approved plans.
 - b. *Validity of permit.* If the work authorized by a permit issued under this chapter has not been commenced within one hundred eighty (180) days after the date of issuance, the permit shall become null and void.
 - c. *Suspension or revocation.* The city may, in writing, suspend or revoke a permit under the provisions of these guidelines when the permit is issued in error, is based on incorrect information supplied or is a violation of these guidelines or any other ordinance of the City of La Grange or laws of the State of Texas or the federal government. Any signs installed under a revoked permit shall be removed within ten days of written notice of the revocation.
- 12) *Inspections.*
 - a. *General.* All signs for which a sign permit is required shall be subject to inspection. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. The city shall not be liable for

expense entailed in the removal or replacement of any material required to allow inspection. The permit and approved plans are to be available and accessible at the job site for all inspections.

- b. *Inspection requests.* It shall be the duty of the person doing the work authorized by a permit to notify the city that such work is ready for inspection.
- c. *Approval required.* No work shall be done on any part of the structure beyond the point indicated in each successive inspection without first obtaining approval. Such approval shall be given only after an inspection shall have been made of each successive step in the construction.

13) *Appeals.*

- a. Municipal Sign Review Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made in the enforcement of these guidelines.
- b. Appeals shall be filed no later than ten business days from the final action on a sign permit.
- c. The decisions of city council shall be final. Any appeal shall be subject to court review as prescribed by law.

14) *Removal of signs in a prohibited area.*

- a. Any sign found within a prohibited area is hereby declared to be illegal and may be removed by the city.
- b. Any sign removed by the city shall immediately become the property of the city.
- c. The removal of any sign by the city shall not preclude the city from prosecuting any person for violating this subsection. This can include legal fees, sign removal cost, and other fines and fees.

Sec. 3.11.022. Enforcement

The Chief of Police, or his designee, shall enforce the provisions of this Article upon the request and direction of the City Building Official and/or the City Manager.

Secs. 3.11.023-3.11.035 Reserved

Section 2. That Article 3.11, Chapter 3, Code of Ordinances, City of La Grange, Texas, shall, except as amended herein, remain in full force and effect.

Section 3. This ordinance shall be cumulative of all other ordinances of the City of La Grange, and this ordinance shall not operate to repeal or affect any other ordinances of the City of La Grange except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 4. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same

would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of La Grange and the laws of the State of Texas.

PASSED AND APPROVED on the First Reading on this the 10th day of April, 2017, with 7 Councilpersons voting in favor hereof and 1 Councilpersons voting in opposition hereof.

PASSED AND APPROVED on the Second Reading on this the ___ day of April, 2017, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

CITY OF LA GRANGE, TEXAS:

BY _____
Janet Moerbe, Mayor

ATTEST:

Lisa Oltmann, City Secretary

APPROVED:

Maria Angela Flores Beck
City Attorney