

ORDINANCE NO. 410

AN ORDINANCE DEFINING SIGNS AND BILLBOARDS;
PRESCRIBING RULES AND REGULATIONS FOR EREC-
TION AND INSTALLATION OF SIGNS AND BILLBOARDS,
AND PROVIDING FOR PENALTIES FOR VIOLATION OF
THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ABILENE:

SECTION I. DEFINITIONS. For the purpose of this code, the

terms and definitions when used, shall have the following meanings:

- A. SIGN: Any device or surface on which letters, illustrations, designs, figures or any symbol are painted, printed, stamped, raised or in any manner outlined and used for advertising purposes.
- B. BILLBOARD: Any flat surface covered with wood or metal erected on framework on open space, or attached to posts, buildings, or other structures and used for the display of bills, posters and other advertising matters, posted, tacked or painted thereon.
- C. BANNER SIGNS: Any sign made of canvas, with or without frame work.
- D. ELECTRIC SIGNS: Any sign, the letters or designs of which are outlined by electric lamps or tubes, on which the letters or designs are painted, placed or raised, and illuminated by interior or exterior lamps so placed as to make visible the letters or designs on the sign. Billboards and ground signs which are illuminated as above shall be classified as electric signs and shall meet the requirements for wiring and electrical inspections according to the Electrical Code.
- E. GROUND SIGNS: Any advertising device or flat surface covered with wood or metal, erected on a framework on vacant property or other open space, upon which letters or designs are painted or permanently attached. Ground signs shall conform in every way to the requirements for billboards.
- F. OPEN SIGNS: Any sign constructed of open metal work or wire mesh secured to angle iron or other frame work, and the letters or designs fastened thereon.
- G. SKY SIGNS: Any sign or billboard supported or attached wholly or in part over or above any wall, building or structure. Sky signs shall be constructed entirely of metal, including the supports and braces for same, and no sky sign shall project beyond the building line.

SECTION II. PERMITS REQUIRED. No sign board, billboard, or

electric sign on any building or on the ground, such as hereafter described in this ordinance, except as otherwise provided for herein, shall be erected, or reconstructed within the City Limits of Abilene, Texas, unless a permit shall have been first secured from the office of the Building Inspector. All applications for permits for such signs, billboards, or electrical signs shall be accompanied by such drawings or descriptions as are necessary to

fully advise the person issuing the permit as to the location, construction, weight, materials and manner of securing such proposed sign, billboard or electric sign. If these drawings and descriptions conform to the regulations in this ordinance, then the Building Inspector shall issue the permit to erect the sign upon payment of the required fee. Before permission is granted for the erection of an electric sign, an additional permit shall be obtained in accordance with the Electrical Ordinance.

SECTION III. PERMITS NOT REQUIRED. Permits shall not be necessary for temporary signs or billboards to be placed on buildings or vacant space, advertising the sale or renting of such building or property upon which they are placed, when such signs or billboards do not exceed six (6) square feet in area.

SECTION IV. FEES. A permit fee of One Dollar (\$1.00) or One Percent (1%) of cost of sign, whichever is greater, will be charged for the erection of any sign or billboard, except temporary signs or billboards as set forth in Section III, of six (6) square feet or less. A fee of Two Dollars (\$2.00) will be charged for each re-inspection.

SECTION V. INSPECTION AND ACCEPTANCE. Within Twenty-four (24) hours after the erection of a sign, billboard or electric sign, the Building Inspector shall be notified and if, upon inspection, he finds it not to be erected according to the regulations of this ordinance, he shall notify the person responsible for the work.

SECTION VI. STREET SIGNS AND TRAFFIC SIGNS EXCEPTED. Nothing herein contained shall be construed as prohibiting the City of Abilene or the State of Texas from constructing and maintaining street signs and traffic signs.

SECTION VII. CONSTRUCTION OF ELECTRIC SIGNS. All electric signs within the Fire Limits shall have a structural framework of iron, steel or other metal substance of equal strength. The body and other parts of such sign shall be of non-inflammable material with the exception that a wood moulding or border, not exceeding two (2) inches in width, shall be permitted on any electric signs other than neon signs.

SECTION VIII. SIGN SUPPORTS.

A. All sign supports, brackets, guys, turnbuckles, bolts, anchors

and fastenings shall be strong enough to safely hold and support loads and other stresses which may come upon them.

B. Signs shall be supported and guyed with steel angles, chains, standard cables or wire of not less than 3/16 inch in diameter.

C. Chain supports shall have welded links of not less than 1/8 inch in diameter.

D. No cable shall be tied or twisted around any anchor or other support but shall be joined into a loop with an eyelet inserted and the loose end fastened to the standing part of the cable with approved clips, clamps or standard cable splice. A turnbuckle shall be inserted in every cable or wire hanger or guy to keep them taut.

E. All cable, wire, brackets, strap iron, turnbuckles, anchors, bolts and all other supports shall be galvanized or given two heavy coats of protective non-corrosive paint.

F. Each guy shall have a separate anchor point.

SECTION IX. EXITS KEPT CLEAR. No sign of any kind shall be attached to the wall or be placed upon the roof of any building in such a manner as to obstruct any fire escape, door, window or other passage-way leading to a fire escape or to a street exit nor shall any sign be fastened in any manner to a fire escape.

SECTION X. FIRE WALLS KEPT CLEAR. No sign shall be erected on top of a fire wall or coping of any building.

SECTION XI. SKY SIGNS. Any sign erected upon or above a flat roof of any building shall have a minimum of three (3) feet of passage-way around the ends of the sign and between its lower edge and the roof.

SECTION XII. LOCATION AND HEIGHTS.

A. No sign projecting over a sidewalk or other public space shall be so hung that the lowest point will be less than eight (8) feet above the sidewalk or ground level under the sign.

B. No sign attached to the wall of any building or structure, or supported, extending outward therefrom, shall project over any sidewalk or public space farther than two (2) feet behind the curb.

C. All signs shall be supported from a support on private property,

and no support or other obstruction shall be permitted on sidewalks or other public space. Signs in all alleys which project over public space are prohibited.

SECTION XIII. PROHIBITED SIGNS.

A. CLOTH AND BANNER SIGNS:

1. No person, firm, partnership or corporation shall suspend or project over or across any street, alley or other public space or portion thereof, cloth signs or banners advertising anything or for any purpose whatsoever.

2. This ordinance, however, shall not prohibit the displaying of flags or other emblems not otherwise prohibited by law, provided the flags or emblems, when suspended over a street or other public place are securely fastened to the supporting cable by one edge only, and be allowed to swing free and further provided that permission to display flags or emblems has been obtained from the Building Inspector. The supporting cable shall be of sufficient strength and anchored so as to support the flags or emblems.

3. The Building Inspector may grant a temporary suspension of paragraph two (2) of this Section on special occasions, or while festivals or celebrations are being held.

B. SWINGING SIGNS: Every sign shall be rigidly hung so that it will not swing or vibrate in a strong wind.

C. WOODEN SIGNS: No wooden sign of more than ten (10) square feet in area shall be attached to or fastened flat against the wall of any building, or hung in any other manner, inside the Fire Limits.

D. MOVABLE SIGNS, BARBER POLES, ETC.: No movable sign, barber pole, etc., shall be placed in any public place or space.

SECTION XIV. BILLBOARDS AND GROUND SIGNS.

A. LOCATION

1. No billboard or ground sign shall be erected in or project over any street, alley or other public space.
2. No billboard or ground sign shall be so placed as to obstruct the lighting of any street, alley or public space, or interfere with any public utility service.
3. The setback of all billboards and ground signs shall be

the same as outlined in the Zoning Ordinance of the City of Abilene of 1946, as amended, with the exception that any billboard or ground sign constructed of combustible materials shall be set a minimum distance of four (4) feet from the property line and shall not be closer than four (4) feet to any building.

B. CONSTRUCTION. No billboard or ground sign constructed of wood or other combustible material, with the exception of utility type pole for supports and a wooden moulding or border not to exceed eight (8) inches around the edge of such structure, shall be erected in the Fire Limits. The lower edge of every such billboard or ground sign shall be not less than three (3) feet above the ground.

C. TEMPORARY STRUCTURES. Temporary structures, fences and barricades placed around excavations or used during building operations, whether on public or private property, may be used for advertising purposes during the necessary maintenance of the barricades, or so long as their use does not become a public nuisance.

SECTION XIV. PRESENT SIGNS TO COMPLY. Any sign or billboard installed prior to the passage of this ordinance may not be repaired to such an extent that the repair cost exceeds 25% of the replacement cost, unless it conforms to the terms of this ordinance.

SECTION XVI. PENALTIES AND VIOLATIONS. Any person, partnership, firm or corporation who shall erect or repair or cause to be erected or repaired any sign or billboard as defined hereinabove within the corporate limits of the City of Abilene, Texas, contrary to the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed two-hundred dollars (\$200.00), and each twenty-four (24) hours of any violation shall constitute a separate offense.

PASSED ON FIRST READING THIS THE 10th DAY OF NOVEMBER, A. D. 1950.

After said passage, a notice of the time and place when and where said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, the publication being on the 15th day of November, A. D. 1950, at least one week prior to the time advertised. After

such opportunity for the public to be heard, said ordinance was passed on its second and final reading on the 24th day of November, A. D. 1950.

Hudson Smart
Hudson Smart, Mayor

ATTEST:

Edla Jean Martin
City Secretary

APPROVED AS TO FORM BEFORE PASSAGE:

Richard J. Edmundson
Corporation Counsel

*Received by City Clerk
November 24, 1950*

2-1-51