

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT", SUBPART C, "SIGNS AND BILLBOARDS", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW: PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart C, "Signs and Billboards", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

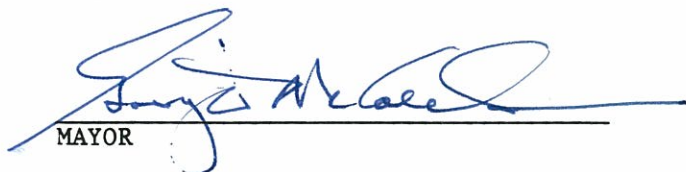
PASSED ON FIRST READING this 24 day of January,
A.D. 19 91.

A notice of the time and place, where and when 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, said publication being on the 6 day of January, 19 91, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance shall become effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 14 day of February,
A.D. 19 91.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

EXHIBIT "A"

Amend: Section 23-128, Definitions

DELETE: Section 23-128(13) & (17)

ADD: Section 23-128

(13) Sign, abandoned. Any sign which no longer correctly directs or exhorts any person or advertises a bona fide business lessor, owner, product, service, or activity.

(17) Sign, damaged. Any sign which has become deteriorated or damaged and requires reconditioning to restore it to an average, normal state of repair, when such reconditioning requires the replacement of broken or damaged glass or other materials, or the straightening of any sign support or other portion of the sign when the sign structure is leaning to such a degree as to be in danger of falling or collapse. A sign shall be considered damaged whenever the cost of repairing such damage is equal to or greater than 50% of the cost, excluding sign supports, of erecting a new sign of the same type at the same location.

Amend: Section 23-129, General Provisions
(add the underlined portion)

(C) All signs, including those painted on the walls of buildings, shall be permanently maintained in a safe, structurally sound condition, and in good repair including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. All braces, bolts, clips, supporting frames and fastening shall be free from deterioration, termite infestation, rot or loosening. All signs shall further be maintained in compliance with any additional requirements for signs as are specified in Chapter 8 of the Code of Ordinances of the City of Abilene and other applicable requirements of said Code.

Amend: Section 23-183, Stop Orders, Revocation of Permit; Repair
or Removal Required.

DELETE: Section 23-183(D) & (E)

ADD: Section 23-183

(D) All abandoned signs shall be brought into compliance within forty-five (45) days from the date of notification. Compliance with the Ordinance shall be accomplished by painting over or removing the face of the sign until such time as the sign correctly directs or exhorts any person or advertises a bona fide business lessor, owner, product, service, or activity.

(E) All damaged signs shall be repaired within forty-five (45) days from the date of notification.

A sign shall be considered damaged whenever the cost of repairing such damage is equal to or greater than 50% of the cost, excluding sign supports, of erecting a new sign of the same type at the same location.

-END-