

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS IMPOSING A TEMPORARY SUSPENSION ON THE ACCEPTANCE OF APPLICATIONS AND THE ISSUANCE OF PERMITS FOR CERTAIN OFF-PREMISE SIGNS AND DECLARING THE PASSAGE AN EMERGENCY NECESSARY TO IMMEDIATELY PRESERVE THE PUBLIC WELFARE.

WHEREAS, the Council has determined that signs and billboards located on premises to which they do not specifically relate (off-premise signs) in some areas of the community may result in harm to the welfare of the City by creating visible clutter and blight and by promoting a negative aesthetic impact in the City; and

WHEREAS, the Council has determined that it is in the best interests of the City, in the protection of the public health, safety and welfare, that the regulation and prohibition of off-premise signs should be analyzed by the staff, the regulated community, and the citizens of the City for the purpose of determining the best possible approach for such regulation under the Constitution of the United States and the State of Texas; and

WHEREAS, in order to preserve the status quo pending further investigation of the possible regulation of off-premise signs, the Council has determined that a temporary suspension should be imposed upon the acceptance of applications and issuance of permits for the construction of new off-premise signs, with certain exceptions, and that this suspension should begin as soon as possible.

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

PART 1: That there be and hereby is imposed for a period of one hundred eighty (180) days from the effective date of this ordinance a suspension upon the acceptance of applications and the issuance of permits for the erection or construction of any sign or billboard which is used and intended for use to advertise, identify or direct or attract the attention of the public to a business, institution, product, organization, event or location offered or existing elsewhere than upon the same lot, tract or parcel of land where such sign or billboard is displayed.

PART 2: That, during said one hundred eighty (180) day period, the City staff shall work with the citizens of the City to develop and present to the City Council a proposed ordinance regulating such off-premise signs, which proposed ordinance shall be

presented to the City Council in sufficient time that said ordinance, if adopted, may take effect prior to the expiration of said one hundred eighty (180) day period.

PART 3: That all permits issued for off-premise signs based on applications submitted before the effective date of this ordinance shall be valid for a period of forty-five (45) days from the effective date of this ordinance and the sign which is the subject of said permit must be erected by the end of said forty-five day period or not at all. Said permits or applications may be extended by the city for an additional thirty-day period upon presentation of satisfactory evidence of diligence toward completion of the sign and the existence of circumstances beyond the control of the permittee causing the delay.

PART 4: That the Council finds that the adoption of this ordinance relates to the immediate preservation of public welfare due to the potential negative consequences on community aesthetics of delaying this decision, thus requiring only one reading of this ordinance upon affirmative vote of at least five council members.

Said ordinance becomes effective immediately, at 9:30 a.m. on Thursday, June 22, 2006, as provided by Section 18 of the Charter of the City of Abilene.

PASSED ON FIRST AND FINAL READING at 9:30 a.m. this 22nd day of June A.D. 2006.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY