

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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 25th day of October A.D. 2007.

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 12th day of September, 2007, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 1st day of November, 2007, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes 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 1st day of November, A.D. 2007.

ATTEST:


CITY SECRETARY


MAYOR
APPROVED:


CITY ATTORNEY

EXHIBIT "A"

Section 23-129 (D)

DELETE: (1) Exceptions: The following exceptions shall be considered signs and allowed in the right-of-way, subject the approval of the City Council, to include issuance of a street use license, and all other conditions deemed appropriate to ensure the public safety.

(a) Waiting benches and other items providing a public service having advertising affixed to them

(b) District Identification Signs. Signs that identify the entrances to recognized areas or districts of Abilene, including but not limited to neighborhoods, historic districts, and business parks.

ADD: (1) Exceptions: The following exceptions shall be considered signs and allowed in the right-of-way, ~~subject the approval of the City Council, to include issuance of a street use license, and all other conditions deemed appropriate to ensure the public safety.~~

(a) Waiting benches and other items providing a public service having advertising affixed to them; subject to the approval of the City Council, to include issuance of a street use license, with any conditions deemed appropriate to ensure public safety and aesthetics.

(b) District Identification Signs: Signs that identify the entrances to recognized areas or districts of Abilene, including but not limited to neighborhoods, historic districts, ~~and~~ business parks, and colleges and universities; subject to the approval of the City Council, to include issuance of a street use license, with any conditions deemed appropriate to ensure public safety and aesthetics.

(c) Wayfinding Signage: Directional wayfinding signs authorized by the City's approved wayfinding signage plan. Such wayfinding signage that is placed outside of the right-of-way on private property shall not count against that property's otherwise allowable on-site signage.

(d) Banners: Banners or banner signs, including street banners and decorative banners attached to utility poles, shall be permitted, but only as authorized by and subject to requirements of the City's banner program.