

ORIGINAL

ORDINANCE NO. 2003-04-01

AN ORDINANCE OF THE CITY OF LAVON, TEXAS FOR THE REGULATIONS OF SIGNS; SUPERSEDING ORDINANCE NO. 2000-07-03 AND 2001-09-05; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES; PROVIDING FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas finds it necessary to adopt and enforce Sign Regulations; and the following Ordinance shall be put in place; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:

SIGN REGULATIONS

SECTION 1 DEFINITION:

For the purposes of this section, the following definitions shall apply, unless clearly indicated to contrary. Signs defined in this section are not necessarily approved for use in the City of Lavon.

Awning. An architectural projection that provides weather protection, identity, and decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which a thin cover is attached which may be fabric or other materials, and may be illuminated.

Banner. A temporary sign made of cloth, canvas, or other light fabric.

Canopy. A canopy is a roof-like structure which shelters a use such as, but not restricted to, a gasoline pump island, and is supported by either one or more columns or by the building to which it is accessory and is open on two or more sides.

Dilapidated or Deteriorated Condition. Dilapidated or deteriorated condition shall mean any sign:

(A) Where elements of the surface or background can be seen as viewed from the normal viewing distance (intended viewing distance), to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; or

(B) Where the structural support or frame members are visibly bent, broken, dented, or torn; or

(C) Where the panel is visibly cracked or in the case of wood and similar products, splintered in such a way as to constitute an unsightly or harmful condition; or

(D) Where the sign, or its elements are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of a structural support); or

(E) Where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions; or

(F) Where the sign or its elements are not in compliance with the requirements of the National Electrical Code and/or the Uniform Building Code currently adopted by the City.

Erect. The term “erect” shall mean to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of signs on the exterior surface of a building or structure.

Facing or Surface. The word “facing” or “surface” shall mean the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.

Flag. A piece of cloth, canvas, or other light fabric, usually rectangular in shape, containing a distinctive design or message that is used as a symbol or to signal or attract attention.

Front Building Face. The front building face shall be that building face which is the primary access into a building or lease space, as determined by the Building Official. The determination of front face applicable to building spaces within a multiple occupancy building shall include all building frontage that is integral to the lease space and constructed as store front for the purpose of visibility and/or access. The area of the front building face shall be height of the vertical plane from the ground to the top of the building times the length of the front building face, exclusive of any architectural features or roof lines, as determined by the Building Official.

Gross Surface area of Sign. The “gross surface area of a sign” is the entire area within a single continuous perimeter enclosing the extreme limits of each sign. A sign having information on two (2) surfaces shall be considered as a single sign providing that the surfaces are located back to back and contain identical copy. A sign having information on two (2) or more surfaces with different copy shall be calculated as the sum of all portions and evaluated as a single sign. In the event two (2) or more signs share a single structure, i.e., directory signs, or signs on v-shaped structures, each sign or panel shall be considered separately for square footage purposes, provided that the combined area of such signs cannot exceed the total square footage allowed on a single sign.

Height. The height of a sign shall be measured from an average elevation of the finished grade along the area of sign installation, excluding any artificial berming, to the highest point of the sign.

Illuminated Sign. The term “illuminated sign” shall mean any sign which has characters, letters, figures or designs illuminated by electric lights, luminous tubes or other means that are specifically placed to draw attention to, or to provide nighttime viewing of, the subject matter on the sign face. These lights shall not interfere with traffic or surrounding land use.

Incombustible Material. The term “incombustible material” shall mean any material that will not ignite at or below a temperature of twelve hundred degrees Fahrenheit (1200F), and will not continue to burn or glow at that temperature.

Logo. A “logo” is any formalized design or insignia of a company or product that is commonly used in advertising to identify that company or product.

Non-structural Trim. The term “non-structural trim” shall mean the retainer, battens, cappings, nailing strips, latticing, and platforms that are attached to the sign structure.

Off Site. The term “off site” as used in this ordinance shall mean that the sign to which it refers must reflect goods, products, or services provided at a location other than where the sign is placed.

On Site. The term “on site” as used in this ordinance shall mean that the sign to which it refers must reflect those goods, products, or services provided at the location on which the sign is placed.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent. The word “permanent” as referred to in this ordinance shall mean a sign intended to be used for a period of longer than six (6) months.

Premises. A lot or un-platted tract or combination of contiguous lots or tracts if under single ownership as reflected in the plat records.

Searchlight. An apparatus capable of projecting a beam or beams of light in excess of two (2) million peak candlepower or 250,000 lumen.

Setback. A line defining an area on the site between the existing street right-of-way or future right-of-way, whichever is greater, and the line within which no sign shall be constructed, encroach, or project except as specifically authorized by this ordinance.

Sign. A “sign” is any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter. A sign may include but is not limited to any device, display, flag, banner, pennant, beacon, insignia, name, number, identification, illuminated translucent panel, or any other medium that is determined to be a sign.

Sign, Abandoned. The term “abandoned sign” shall mean any sign without current, valid permit, deserted, surrendered, or forsaken, cessation of use, given or relinquished with intention of never resuming a right or interest therein.

Sign, Advertising. An “advertising sign” is any sign that promotes or advertises commodities or services not limited to being offered on the premises on which such signs are located. Advertising signs may be designed to provide a changeable copy.

Sign, Agricultural. An “agricultural sign” is any sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals, or poultry raised or quartered thereon.

Sign, Apartment. An “apartment sign” is any sign identifying an apartment building or complex of apartment buildings.

Sign, Awning. An “awning sign” is any awning displaying a business name or logo.

Sign, Billboard. A “billboard sign” is any pole sign having a face exceeding one hundred (100) square feet, and which promotes or advertises commodities or services available at a location other than where the sign is located and shall include those signs, whose message space is available for lease, rent or hire.

Sign, Commercial. A sign that identifies or advertises any business, profession, service, product or activity conducted, sold or offered.

Sign, Construction. A “construction sign” is any temporary sign identifying the property owner, decorator, or financier engaged in the design, construction, or improvement of the premises on which the sign is located.

Sign, Development. A “development sign” is any temporary, on-site promotional sign pertaining to the development of land or construction of buildings. In residential districts, the intent of the sign shall be to promote the subdivision and shall not display the name of any builder.

Sign, Directional. A “directional sign” is a temporary sign that is limited, exclusively, to the identification of a specific premise, occupancy, or owner of said premises located elsewhere, and which tells the location of and/or route to said premise or occupancy.

Sign, Directory. A “directory sign” is any sign listing the occupants within shopping centers, industrial sites, retail districts, office districts, and commercial sites. The name of the center or district may be included on the sign.

Sign, Garage Sale. A “garage sale sign” is any temporary, promotional sign for the sale of personal household goods in a residential zoning district or on the property of a non-profit organization.

Sign, General Business. A “general business sign” is any sign which is used to identify a business, profession, service, product or activity conducted, sold, or offered on the premises where such sign is located

Sign, Identification. An “identification sign” is any sign that is used to identify shopping centers, industrial sites, retail districts, and commercial sites. These signs are not intended to identify individual businesses or activities within a center or district.

Sign, Institutional. An “institutional sign” is any sign used to identify schools, churches, hospitals and similar public or quasi-public buildings or institutions.

Sign, Marquee. A “marquee sign” is any permanent structure that is attached to and supported by a building and that projects outward from the building.

Sign, Model Home. A “model home sign” is any temporary sign identifying a new home, either furnished or unfurnished, as being the builder or contractor’s model open to the public for inspection.

Sign, Monument. A “monument sign” is any permanent low profile sign built on a monument base as opposed to a pole sign.

Sign, Municipally Owned. A “municipally owned” sign is any sign that identifies a park, entrance to the City, place of interest within the City, and City-sponsored event, or any municipally owned facility. A municipally owned sign does not include traffic or street identification signs.

Sign, Obsolete. An “obsolete sign” is any sign that no longer serves a bona fide use or purpose.

Sign, Pole. A “pole sign” is any sign that is erected on a vertical framework consisting of one (1) or more uprights supported by the ground.

Sign, Political. A “political sign” is any sign promoting a political issue or a particular candidate or party’s bid for elective office.

Sign, Portable. A “portable sign” is any sign that is not permanently attached or affixed to the ground, a building, or other fixed structure or object. Portable signs include those signs installed on wheels, trailers, skids, and similar mobile structures.

Sign, Projecting. A “projecting sign” is any sign, except an awning, that projects perpendicularly from a building and that has one end attached to a building or other permanent structure.

Sign, Real Estate. A “real estate” sign is any temporary sign pertaining to the sale or rental of property and advertising property only for the use for which it is legally zoned.

Sign, Roof. A “roof sign” is any sign erected upon or above a roof or parapet of a building or structure.

Sign, Subdivision Entry. A “subdivision entry sign” is any freestanding sign identifying a residential subdivision and located on site.

Sign, Subdivision Wall Plaque. A “subdivision wall plaque” is any sign attached to an approved masonry-screening wall.

Sign, Traffic. A “traffic sign” is any sign used for traffic control purposes.

Sign, Unapproved. Any sign that fails to meet the conditions of this ordinance or any sign deemed inappropriate by the City.

Sign, V-Shaped. A “V-shaped sign” is any freestanding sign constructed of two (2) panels in the form of a V, when seen from above, with a maximum angle between the panels of forty-five (45) degrees.

Sign, Wall. A “wall sign” is any sign erected flat against an exterior wall, supported by the wall, and having the sign face parallel to and not more than twelve (12) inches from the wall surface. Neon tubing, attached directly to a wall surface shall be considered a “wall sign” when forming a border for the subject matter, or when directing attention to the subject matter or when forming letters, logos, or pictorial designs.

Sign, Window. A “window sign” is any sign, banner, poster, or display located on the internal surface of the window of any establishment which advertises services, products, or sales available within said establishment or which announces opening of said establishment.

Sign Setback. Sign setback shall be the horizontal distance between a sign and the front or side property line, as measured from that part of the sign, including its extremities and supports, nearest to any point on any imaginary vertical plane projecting vertically from the front or side property line.

Sight Visibility Triangle. Where one street intersects with another, the “sight visibility triangle” is the triangular area formed by extending two curb lines a distance of forty-five (45) feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of thirty (30) feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. Where a street intersects with an alley or driveway, the “sight visibility triangle” is the triangular area formed by measuring eight (8) feet to a point along the property lines and joining said points to form the hypotenuse of the triangle.

Temporary. The word “temporary” as referred to within this ordinance shall mean a period of six (6) months, or until the advertised event is concluded, whichever comes first. If the sign is required for a longer period of time, then re-application must be made.

SECTION 2 SIGN PERMIT REQUIRED

It shall be unlawful for any person to erect, replace, alter or relocate any sign within the City without first obtaining a permit to do so, except as may be hereinafter provided. A permit is not required to repaint, repair, or resurface an existing sign.

SECTION 3 NON-CONFORMING EXISTING SIGNS

Every sign lawfully in existence on the date of passage of this Ordinance may be repaired without applying for a permit hereunder, but no such sign or sign facing shall be altered or moved unless a permit be issued pursuant to the provisions of this Ordinance. In the case where a sign facing is being replaced for the same business, a permit is not required. Temporary permits granted prior to the passage of this Ordinance shall be renewed only if the applicant complies with all provisions of this Ordinance. Any non-conforming signs not in existence will not be “grand fathered”.

SECTION 4 APPLICATIONS FOR SIGN PERMIT

Application for a permit required by this Ordinance shall be made upon forms provided by the City Secretary, and shall contain or have attached thereto the following information:

- (A) Sign use classification
- (B) Name, address and telephone number of the applicant.
- (C) Name, address, and telephone number of the owner.
- (D) Name, address and telephone number of person or firm erecting the sign.
- (E) A plan drawn to scale showing the location of the building, structure or tract to which or upon which the sign is to be attached or erected.
- (F) Position of the sign in relation to nearby buildings or structures or other related signs.
- (G) The zoning classification carried by all property located within three hundred feet (300') of the property subject to the application.
- (H) Two (2) copies of plans and specifications showing materials, methods of construction and attachment to the building or in the ground.
- (I) Copy of stress sheets and calculations prepared by a registered engineer showing that the structure is designed for dead load and wind pressure from any direction, as may be required by this Ordinance.
- (J) Such other information as the City Secretary may require to show full compliance with this Ordinance and all other laws and Ordinances of the City and State.

SECTION 5 EXEMPTIONS FROM APPLICATION FOR PERMIT

Application for a permit shall not be required for the following signs: provided however, that signs shall otherwise comply with all other applicable sections of this Ordinance.

- (A) Signs not exceeding eight (8) square feet in area, which advertise the sale, rental or lease of the premises on which such signs are located.
- (B) Name plates not exceeding one (1) square foot in area.
- (C) Temporary political signs, yard or garage sale signs set back at least ten feet (10') from roads. Political signs must be on private property and comply with all other applicable requirements of this Ordinance. Yard and garage sale signs shall be a maximum of eight (8) square feet and must be removed within two (2) days of the sale's closing.

- (D) Memorial signs or tablet, names of building and date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
- (E) Bulleting boards not exceeding sixteen (16) square feet in area for public, charitable, or religious organizations when the same are located on the premises of the institution.
- (F) On-site directional signs not exceeding eight (8) square feet provided such directional signs do not contain advertising and are not used as such. When such signs are illuminated, a permit must be obtained for the electrical components of the installation.
- (G) Traffic or street signs, legal notices, railroad crossing signs, danger, and such emergency signs, governmental signs, temporary or non-advertising signs as may be approved by the City Council.
- (H) Temporary construction signs, not exceeding sixteen (16) square feet in area, denoting the architect, engineer, or contractor only, when placed upon premises under construction.
- (I) Flags, emblems, and insignia of any governmental body and decorative displays for holidays or public demonstrations that do not contain advertising and are not used as such. In addition, a single flag, which shows an emblem or logo of a firm or corporation, is allowed when it is erected on a freestanding flagpole with a minimum setback of eight feet (8') behind the property line.
- (J) Signs located inside a building and which are not displayed so as to be visible from outside the building. Signs located in covered mall buildings shall comply with the current Building Code and Electrical Code.

SECTION 6 SIGNS REQUIRING ELECTRICAL INSPECTION

The primary alternating current wiring on all signs shall comply with the National Electric Code Specification. All secondary transformed power shall be self-contained within the sign structure. Individual lighted letters not containing secondary wiring and components are to be mounted on a common metal channel and all secondary wiring and components shall be contained within the common metal channel.

Both channel and letters must contain weep holes to drain water; each hole shall not be larger than one-half inch (1/2"), nor smaller than one-fourth inch (1/4"). No combustible materials other than approved plastics shall be used in the construction of any sign containing electrical wiring.

SECTION 7 SIGN FEES

Every applicant, before being granted a permit hereunder, shall pay to the City of Lavon a fee of \$50.00 per permanent sign for processing and issuing such permit plus any electrical permit fee for inspection and certificate. Permit fees for temporary, not promotional, signs shall be \$25.00 per sign.

SECTION 8 ISSUANCE OF PERMIT

Providing that the applicant has complied with all provisions of this Ordinance, and that the proposed sign complies with all provisions of this Ordinance, the City Secretary shall issue the sign permit to the applicant.

SECTION 9 NOT TO ISSUE TO PERSONS PREVIOUSLY FAILING TO PAY FEES

The City shall not issue a permit under the provisions of this Ordinance to any person who has previously failed or refused to pay any fees or costs assessed against him or her under the provisions of this ordinance or under the provisions of any other Ordinance or the fee Ordinance of the City of Lavon.

SECTIONS 10 PERMIT VALID ONLY FOR SIXTY (60) DAYS

If the work authorized by a permit issued under this division has not been commenced within sixty (60) days after the date of issuance, the permit shall become null and void.

SECTIONS 11 PERMIT REVOCABLE

The City may suspend or revoke any permit issued under the provisions of this Ordinance whenever it has been determined that the permit is issued in error or on the basis of incorrect or false information supplied or whenever such permit be issued in violation of any of the provisions of this Ordinance or any other ordinance of the City of laws of the State of Texas or Federal Government. Such suspension revocation shall be effective when communicated in writing to the person to whom the permit is issued, the owner of the sign, or the owner of the premises upon which the sign is located.

SECTION 12 INSPECTION

The City Inspector shall inspect annually, or at such other times as he or she deems necessary, each sign regulated by this Ordinance for the purpose of ascertaining whether the same is secure or insecure, whether is still serves a useful purpose and whether it is in need of removal or repair.

SECTION 13 REMOVAL OF OBSOLETE SIGNS

Any sign which the City determines no longer serves a bona fide use conforming to this Ordinance, shall be removed by the owner, agent or person having the beneficial use of the land, building or structure upon which the sign is located after receipt of written notification from the City Secretary. It shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction of the notice, and in the event of failure to comply with such notice, the City is hereby authorized to cause removal of such signs, and any expense incident thereto and a fine shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected. Conditions and fees are as specified:

Commercial signs over 10 sq. ft.

A) 10 days to remove sign or \$200 per day fee plus removal costs.

- B) Subsequent violations at same location or business, immediate removal or \$200.00 per day plus removal costs.

Commercial signs under 10 sq. ft.

- A) Immediate removal of sign or \$100 per day fee plus removal costs.
- B) Subsequent violations at same location or business, immediate removal or \$200.00 per day plus removal costs.

All other signs

Immediate removal of sign or \$50 per day fee plus removal costs.

SECTION 14 REMOVAL OR REPAIR OF UNSAFE SIGNS

If the City shall determine that any sign is unsafe or insecure, or is a menace to the public, they shall give written notice to the person or persons responsible for such sign. If the permittee, owner, agent or person having the beneficial use of the premises fails to remove or repair the sign within ten (10) days after written notification to do so from the City Secretary, it shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction, and in the event of failure to comply with such notice, the City is hereby authorized to cause removal of such sign, and any expense incident thereto, along with a fine of \$50.00 or \$1.00 per square foot, whichever is greatest, shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected, such removal is not positive defense for failure to comply with the written directive.

SECTION 15 APPROVAL OF VARIANCES:

The City Council may, after public hearing, grant variances to the Sign Ordinance as follows:

- (A) Setbacks or height restrictions for new signs when compliance with the required setback or height restriction would create a hardship.
- (B) Review of sign plans as provide under this Ordinance.
- (C) Size requirements when compliance with required size restrictions would create a hardship.

SECTION 16 SIGN STANDARDS

All signs located or to be located within the City of Lavon shall conform to the general provisions set forth in this section. The City may authorize additions to the Approved Signs list upon request.

All permanent signs shall be professionally made and of professional appearance.

Table 16-1 Approved Signs and Standards

Approved Permanent Signs	Standards
Freestanding	All on-site, permanent, freestanding Directory signs, Agricultural Signs, General Business Signs, Identification Signs, Institutional Signs, and Apartment signs shall be monument signs.

Approved Permanent Signs	Standards										
	<p>Monument signs shall be level with the ground and shall not exceed six feet (6') in height. For businesses that have entrances on two streets, a sign may be erected on each street; however, both signs combined may not exceed the total square footage allowed for frontage size. The following standards shall be used:</p> <table data-bbox="493 428 1032 550"> <thead> <tr> <th><u>Frontage</u></th> <th><u>Maximum Area</u></th> </tr> </thead> <tbody> <tr> <td>120 – 240 feet</td> <td>18 sq. ft</td> </tr> <tr> <td>240 – 480 feet</td> <td>96 sq. ft</td> </tr> <tr> <td>480 ft and beyond</td> <td>150 sq. ft</td> </tr> </tbody> </table> <p>At the discretion of the City and the sign owner, the City may replace any non-conforming freestanding signs at no cost to the owner.</p>	<u>Frontage</u>	<u>Maximum Area</u>	120 – 240 feet	18 sq. ft	240 – 480 feet	96 sq. ft	480 ft and beyond	150 sq. ft		
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120 – 240 feet	18 sq. ft										
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480 ft and beyond	150 sq. ft										
Marquee	<p>Marquee signs erected on the face of a marquee shall be built as an integral part of the marquee. Such sign faces shall not have a vertical height of more than four feet (4') nor exceed fifty percent (50%) of the width of such building or store frontage. Vertical clearance shall be subject to the requirements of the Projection over Private Property section. No sign shall be allowed to overhang public property unless such sign has been approved by the City Council.</p>										
Wall	<p>There may be one sign per building that is permanently affixed to the building, not in any part mounted above the highest part of the building. The allowable size of the sign is as follows:</p> <table data-bbox="467 945 1269 1096"> <thead> <tr> <th><u>Business Size</u></th> <th><u>Sign Size</u></th> </tr> </thead> <tbody> <tr> <td>Up to 1500 sq. ft.</td> <td>24 sq. ft.</td> </tr> <tr> <td>1501-3000 sq. ft.</td> <td>36 sq. ft.</td> </tr> <tr> <td>3001-6000 sq. ft.</td> <td>48 sq. ft.</td> </tr> <tr> <td>6001 sq. ft and beyond</td> <td>60 sq. ft.</td> </tr> </tbody> </table>	<u>Business Size</u>	<u>Sign Size</u>	Up to 1500 sq. ft.	24 sq. ft.	1501-3000 sq. ft.	36 sq. ft.	3001-6000 sq. ft.	48 sq. ft.	6001 sq. ft and beyond	60 sq. ft.
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6001 sq. ft and beyond	60 sq. ft.										
Projecting	<p>The horizontal portion of any projecting sign shall not be more than six feet (6') in length, not to exceed 12 square feet, measured from the building face and shall not be closed than two feet (2') from the back of the curb line. The height of the sign shall not exceed two feet (2'). Such signs shall be an integral part of the architectural design of the building. Vertical clearance shall be subject to the subsections Projection over Private Property and Awning requirements of this section.</p>										
Projection over Private Property	<p>Projections other than awning or canopy signs over private property shall be allowed over pedestrian sidewalks, walkways, and corridors, but not to exceed the following:</p> <table data-bbox="587 1402 1308 1549"> <thead> <tr> <th><u>Vertical Clearance:</u></th> <th><u>Maximum Projection</u></th> </tr> </thead> <tbody> <tr> <td>7 feet or less</td> <td>3 inches</td> </tr> <tr> <td>7 or 8 feet</td> <td>12 inches</td> </tr> <tr> <td>8 feet or more</td> <td>4 feet</td> </tr> </tbody> </table>	<u>Vertical Clearance:</u>	<u>Maximum Projection</u>	7 feet or less	3 inches	7 or 8 feet	12 inches	8 feet or more	4 feet		
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Awning	<p>An awning sign may extend the full length of the wall of the building to which it is attached and shall be no more than six feet (6') in height and shall not be placed less than seven feet (7') above the walking surface below it. Art work or copy on awning signs shall be limited to a business name and/or logo and shall not exceed twenty percent (20%) of the area of the awning and shall extend for no more than fifty percent (50%) of the length of the awning.</p>										
Canopy	<p>A canopy sign may be placed on or be an integral part of the face of a canopy. The sign may consist only the name and/or logo of the business at the location of the canopy and may be no greater in size than ten percent (10%) of the face of the canopy of which it is a part of or to which it is attached, or a maximum of twenty-five (25) square feet. An illuminated stripe may be incorporated into a canopy. The stripe may extend along the entire length of the face of the</p>										

Approved Permanent Signs	Standards
	canopy. The width or thickness of the stripe shall be limited to one-third (1/3) of the vertical dimension of the face of the canopy. The internal illumination of a canopy is limited to the portions of the canopy face on which a sign or stripe is permitted.
Agricultural	Agricultural signs, limited to advertising produce, crops or animals raised on a farm, may be erected in any Agricultural Zoning District, with a required set back of thirty feet (30') from the front and side property lines. Spacing between signs shall be a minimum of two hundred feet (200'). Agricultural signs shall be Freestanding Signs.
Apartment	Apartment Signs may be erected in residential zoning districts and shall not exceed thirty-six (36) square feet. Required set back shall be three feet (3') from the front property line and signs are limited to two (2) per apartment complex. Apartment signs shall be Freestanding Signs.
Directory	Directory signs shall be located a minimum of thirty feet (30') from adjoining property lines on lots with two hundred feet (200') of frontage and over, a minimum of 20 feet (20') on lots with over one hundred feet (100') of frontage and less than two hundred feet (200') of frontage and a minimum of ten feet (10') and less than one hundred feet (100') of frontage or less and a minimum of sixty (60) from any other free standing sign. In no case shall a separate directory sign and identification sign be permitted on the same frontage. Both signs shall only be allowed along the same frontage as one combined sign. The allotment of the total allowed area shall be the responsibility of the site owner; however, in no case shall any one tenant or business be allowed more than fifty percent (50%) of the total allowed sign area. Directory signs shall be Freestanding Signs.
General Business	General business signs may be erected in non-residential zoning districts. General Business signs shall be Freestanding Signs. Required setback shall be eight feet (8') from the front property line and shall be located a minimum of six feet (6') from adjoining private property lines and a minimum of sixty feet (60') from any other free-standing sign. General business signs shall be constructed of material that are not subject to deterioration when exposed to the weather. Internally illuminated general business signs must be constructed of incombustible material or approved plastics.
Identification	Identification signs shall be located a minimum of thirty feet (30') from adjoining property lines on lots with two hundred feet (200') of frontage and over, a minimum of twenty feet (20') on lots with over one hundred feet (100') and less than 200 feet (200') of frontage, and a minimum of ten feet (10) on lots with one hundred feet (100') or less and a minimum of sixty feet (60') from any other free standing sign. In no case shall a separate directory sign and identification sign be permitted on the same frontage. Both signs shall be allowed along the same frontage as one combined sign. Identification signs shall be Freestanding Signs.
Institution	Institution signs may be erected in non-residential and residential zoning districts, and shall be a Freestanding signs. Required set back shall be fifteen feet (15') from the front property line and institution signs are limited to one (1) per street front.
Subdivision	Upon approval of the City Council, a residential subdivision sign may be placed upon City right-of-way. Any such approved residential subdivision sign shall meet all other terms and provisions of this ordinance. Any approved residential subdivision sign must be provided permanent maintenance through a designated viable homeowners' association or other approved responsible party. The City retains the right to remove, at the owner's expense, any such sign that is not maintained under the terms of this ordinance. Subdivision signs may not exceed thirty-two (32) square feet. Signs are limited to two (2) per subdivision entryway. Subdivision signs shall be either wall mounted or freestanding. Freestanding subdivision entry signs shall only be allowed in the absence of subdivision wall signs or plaques.
Approved Temporary Signs	Standards
Banner	Temporary banner signs may be used for advertisement of events, activities, products, or commodities as follows:

Approved Temporary Signs	Standards
	<p>(a) Banner signs for nonprofit agencies – Offsite and onsite temporary banner signs may be used to advertise activities or events that are sponsored by a non-profit or governmental agency or group to benefit a program or activity of that agency or group under the following conditions:</p> <p>(1) Non-profit agencies submitting an application for a banner under this section must provide a certificate of non-profit status issued by the Internal Revenue Service.</p> <p>(2) No more than one (1) onsite and no more than two (2) offsite banners may be erected for any specific event or activity for a period not exceeding fourteen (14) days.</p> <p>(3) Such banners shall not exceed sixty (60) square feet.</p> <p>(4) Banners erected by non-profit agencies under this section must apply for a permit as prescribed by this ordinance, but shall be exempt from the permit fee requirements.</p> <p>(5) The placement of such banners shall meet the terms of this ordinance and shall be maintained during the period of time they are erected. Banner signs proposed under this section may be placed in or over public rights-of way only upon approval of the City and all applicable public agencies. The City may remove any banner signs not adequately maintained over public right-of-way.</p> <p>(6) Banners with expired permits must be removed within twenty-four (24) hours of the permit expiration.</p> <p>(b) Banner signs for all other advertising purposes – Onsite temporary banners are hereby authorized under the following conditions:</p> <p>(1) Banners shall not exceed sixty (60) square feet in area and shall not be allowed in single-family residential districts.</p> <p>(2) Banners shall be securely attached to the front or side of a building structure.</p> <p>(3) Banners shall only advertise specific onsite special events, products, or commodity promotions or grant openings or shall provide leasing information. Banners will not be used for general advertising purposes.</p> <p>(4) Banner permits will be valid for a period not to exceed thirty (30) days and additional banner permits for the same location will not be issued for a period of thirty days from the expiration date of the previous permit. Only two banner permits shall be allowed per business per calendar year.</p> <p>(5) Banners with expired permits must be removed within twenty-four (24) hours of the permit expiration.</p>
Construction	<p>Construction signs may be erected in non-residential and residential zoning districts and shall not exceed thirty-two (32) square feet with a maximum height of fifteen feet (15'). Required setback shall be twenty feet (20') from front property line and signs are limited to one per street front. A construction sign shall be removed prior to the issuance of a Certificate of Occupancy or in the case of a swelling prior to the final building inspection. Construction signs at sales offices in residential subdivisions may remain until the Certificate of Occupancy for the office is invalid.</p>
Development	<p>Development Signs may be erected in non-residential and residential zoning districts, and shall not exceed one hundred (100) square feet. Such signs must be related only to the property on</p>

Approved Temporary Signs	Standards
	<p>which they are located. Maximum height of a development sign shall be twenty feet (20'). Required setback for a development sign shall be thirty feet (30') or the required building line if less than thirty feet (30'). Each development may have one (1) such sign or (1) for each fifty (50) acres. A development sign must be removed when the project is ninety percent (90%) complete. In the case of a commercial project, ninety percent (90%) complete means when a Certificate of Compliance is issued for a shell building. For a residential project, ninety percent (90%) complete means when ninety percent (90%) of the subdivision is permitted.</p>
Model Home	<p>Model home signs may be erected in residential zoning districts and shall not exceed sixteen (16) square feet with a maximum height of six feet (6'). Require setback shall be fifty percent (50%) of the distance between the front property line and the building, but no less than ten feet (10') from the front property line. Model home signs are limited to one (1) per premise. Each builder in a sub-division may have one (1) model home sign and the permit for such sign shall be granted for a period of time to coincide with the validity of the model home's Certificate of Occupancy.</p>
Political	<p>Special purpose political signs may be erected at any occupancy or upon any premise, provided such signs comply with all other applicable requirements of this ordinance.</p> <p>(a) Special purpose political signs may be erected forty-five (45) days prior to any primary, general, runoff, special or local election and shall be removed within ten (10) days after the general, runoff, special or local election or after the termination of a candidacy, whichever occurs first.</p> <p>(b) Special purpose political signs on any property are limited to one grouping, limited to the number of candidates running for a particular office with only one sign per candidate or special issue.</p> <p>(c) Persons wishing to place special purpose political signs on commercial property must have written property owner's approval on file with City Hall prior to placement of signs.</p> <p>(d) Persons wishing to place special purpose political signs on multifamily property must have written approval of the property manager or homeowner's association on file with City Hall prior to placement of signs.</p> <p>(e) For purposes of this section, "grouping" is defined as an area not exceeding one hundred (100) square feet and contained within the same lot.</p> <p>(f) There is no limit placed on the total number of standard-sized political signs within the City, defined as no greater than three (3) square feet. However, only three signs larger than standard-sized political signs are allowed per candidate within the town, with the maximum size of any such sign being twenty-four (24) square feet.</p>
Promotional	<p>Promotional signage described in subparagraph (a) below is allowed for two (2), two week periods per calendar year per legal business. A two week period will commence on the first day promotional signage is displayed. The two, two-week periods shall not occur in the same or consecutive months. A legal business shall include any commercial, industrial, or institutional use for which the City has issued a Certificate of Occupancy. In the case of a special promotion for a grand opening celebration, one (1) period may be extended to a three week period provided the promotion commences within the first three (3) months of the date of issuance of a Certificate of Occupancy and the grand opening is limited to the address noted on the Certificate of Occupancy.</p> <p>(a) Promotional signage may include banners, flags, pennants, streamers, balloons, inflatable signs, and any legal signs allowed by these provisions. Any devise described as promotional signage shall not exceed an overall height of thirty-five feet (35').</p>

Approved Temporary Signs	Standards
	<p>(b) A separate permit is required for each two-week period promotional signage will be used. If any device described as promotional signage in subparagraph (a) above is installed prior to issuance of a permit, an investigative fee will be assessed in addition to the permit fee.</p> <p>(c) Promotional signage shall be contained on the property of the legal business and shall not extend into the City right-of-way. Signage shall not be located in any sight visibility triangle nor shall any combustible materials be placed in contact with lighted signs or any electrical fixtures.</p>
Real Estate	<p>(a) A person may erect and display homebuilder/real estate directional signs on public property, subject to the following provisions:</p> <p>(1) Signs may displayed between the hours of noon Friday and noon of the next following Monday. On weekends when Friday of such weekend is a legal holiday, signs may be displayed between the hours of noon Thursday and noon of the following Monday. On weekends when the next following Monday is a legal holiday, signs may be displayed between the hours of noon Friday and noon of the next following Tuesday. However, no person may erect signs between the hours of 4:00 p.m. and 6:00 p.m.</p> <p>(2) Signs shall not exceed five (5) square feet in area. Except as provided herein, no sign shall exceed thirty-six inches (36") in height as measured from ground level.</p> <p>(3) Signs shall not be placed within any median, or closer than three feet (3') to the curb or to the edge of the street pavement. Signs shall be spaced a minimum of fifteen feet (15') from any adjacent real estate directional sign.</p> <p>(4) Signs of any real estate owner or broker less than one (1) mile from the site advertised shall not be less than five hundred feet (500') apart and signs more than a mile from the site advertised shall not be less than 1,500 feet apart. No sign shall be more than three (3) miles from the site advertised.</p> <p>(5) A homebuilder/real estate directional sign shall not advertise any site located outside the city limits of Lavon.</p> <p>(6) Signs shall not be placed so as to obstruct the vision of passing motorists, nor placed in medians.</p> <p>(7) Dented, faded, or un-maintained signs are prohibited.</p> <p>(8) Signs shall not be artificially illuminated.</p> <p>(9) If a person placing or removing signs stops a vehicle on a street, in other than a legal parking space, he shall use and display emergency flashing or revolving lights, in addition to normal vehicle emergency flashing lights.</p> <p>(10) Signs erected or displayed contrary to the provision of this Section may be removed by employees and agents of the City, and either stored or destroyed, without liability to the City or its agents or employees. The owner of any sign confiscated by the City may claim the sign, if it remains in the custody of the City, upon payment to the City of fines as specified in Section 13 of this Ordinance. The payment of the fine does not work as a defense of any sort of a prosecution under this Section.</p> <p>(b) "For Sale" Real Estate signs in residential districts may erect one sign not exceeding eighteen (18) square feet in inclusive area per exposed side or face, such sign indicating an offering of property rental(s) or sale(s); any sign identifying a real estate agent or manager must</p>

Approved Temporary Signs	Standards
	<p>be combined within the permitted area of sign describing or listing the sale or rental of such property.</p> <p>(c) Real Estate signs in non-residential zoning districts shall not exceed thirty-two (32) square feet with a maximum height of fifteen feet (15'). Required setback shall be eight feet (8') from front property line and signs are limited to one per street front.</p> <p>(d) Real Estate signs shall be removed upon the sale of the property.</p>

SECTION 17 PROHIBITED SIGNS

Table 17-1 Prohibited Signs and Standards

Prohibited Signs	Standard
Obscene	It shall be unlawful for any person to display upon any sign any obscene, indecent, or immoral matter.
Obstructing	It shall be unlawful to erect, relocate, or maintain a sign to prevent free ingress to egress from any door, window, standpipe or fire escape.
Traffic	It shall be unlawful to erect, relocate or maintain any sign in such a manner as to obstruct free and clear vision at any location where, by reason or position, size, movement, shape color, flashing, manner or intensity of illumination, such sign may interfere with vehicular or pedestrian traffic. Further, it shall be unlawful to erect or maintain any sign in such a manner as to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. Accordingly, no sign shall make use of the words "Stop", "Go", "Look", "Slow", "Danger", or any other similar word, phrase, symbol, or character or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to cause confusion to or otherwise interfere with, vehicular or pedestrian traffic.
Mobile	<p>(1) It shall be unlawful to attach any sign to a trailer, skid, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or constitute the sign itself.</p> <p>(2) Signs attached to or upon any vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location, or in the same vicinity, at frequent or extended periods of time, where the intent is apparent to be on of using the vehicle and signs for the purposes of advertising an establishment, service, or product. Vehicles operating under a city franchise shall be excluded from this provision.</p> <p>(3) A-frame signs and sandwich-board signs are prohibited and unlawful.</p>
Advertising	<p>(1) No person shall place on, or suspend from, any building, pole, structure, sidewalk, parkway, driveway, or parking area, any goods, wares, merchandise, or other advertising object or structure for the purpose of advertising such items other than a sign, as defined, regulated, and prescribed by this ordinance, except as otherwise allowed by ordinance.</p> <p>(2) No cloth, paper, banner, flag, device, or other similar advertising matter shall be permitted to be attached to, suspended from, or be allowed to hang from any sign, building or structure, except for one period not to exceed two (2) weeks, twice during a calendar year.</p>
Sidewalks	No person shall attach any sign, paper or other material or paint, stencil or write any name, number (except house numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public buildings, fence or structure except as otherwise allowed by ordinance.
Utility	(1) No person, firm, corporation, or association or persons, shall paste, stick, tack, nail, or otherwise place, any matter or thing for political advertising or other advertising purposes upon any fence, railing, sidewalk, or public telephone facility, or any other public property, including

Prohibited Signs	Standard
	<p>trees thereon, or to knowingly cause or to permit the same to be done for his/her benefit.</p> <p>(2) It shall also be unlawful for any person to scatter or throw any handbill, circulars, cards, tear sheets, or any other advertising device of any description, along or upon any street or sidewalk in the City of Lavon.</p>
Pole Signs	No portion of any pole or ground sign shall be erected upon or over public property, unless the same is erected by the City, or with the permission of the City for public purposes.
Illuminated	<p>No sign shall be illuminated to such intensity or in such a manner, as to cause glare or brightness to a degree than it constitutes a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, beacons; revolving, or similarly constructed signs shall not be allowed. Jump clocks showing time, temperature, and similar data may be allowed.</p> <p>No lighted sign shall be erected within one hundred and fifty feet (150') of a residential district unless the lighting is shielded from view of the residential district.</p>
Balloon	No person shall erect, maintain or permit the erection of, for advertising purposes, any balloons, flags, pennants, or other floating device anchored to the ground or to any other structure within the City of Lavon except as approved under promotional signage.
Billboard	Prohibited and unlawful.
Roof	Prohibited and unlawful.
Off Premise	Signs advertising or promoting business, offices, retail, commercial or any other use permitted by this ordinance, located at a place other than where the sign is physically located is prohibited.
Misc.	Searchlights will not be permitted within the City limits.

Any additional signs not authorized by this ordinance are to be considered prohibited signs unless granted a variance by the City.

SECTION 18 PENALTY FOR VIOLATION

- (A) Persons Responsible. The permit owner, owner, agent, person or persons having the beneficial use of the sign, the owner of the land or structure on which the sign is located, and the person in charge of erecting the sign are all subject to the provisions of this ordinance and are subject to the penalty provided for the violations of this ordinance.
- (B) Penalty. Any person or organization found to be in violation of any provision of this ordinance shall be deemed guilty of a Class C misdemeanor and shall be subject to a fine of not more than two hundred dollars (\$200.00) for each offense, and each day or portion thereof that the violation of this ordinance continues shall constitute a separate offense.

SECTION 19 SEVERABILITY CLAUSE

If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof, other than the part so decided to be invalid or unconstitutional.

SECTION 20 REPEALING CLAUSE

All ordinances or parts of ordinances in conflict or inconsistent with any of the provisions of this ordinance are hereby repealed insofar as the same are in conflict with the provisions hereof and insofar as necessary to give this ordinance full force and effect.

SECTION 21 EFFECTIVE DATE

Whereas, it appears that this ordinance should be adopted to protect the public interest, welfare, health, peace, and safety of the citizens of the City of Lavon. Therefore this ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law provides in such cases.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS ON THIS 3RD DAY OF APRIL, 2003.



Jim Albright

Jim Albright, Mayor

ATTEST:

Rosa Stovall

Rosa Stovall, City Secretary