

CITY OF LAVON, TEXAS
ORDINANCE NO. 2019-10-01

Amend Sign Code – Variable Messaging Signs

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING CHAPTER 4, “BUILDING REGULATIONS”, BY AMENDING ARTICLE 4.05 “SIGNS”, TO ADOPT RULES, REGULATIONS, PROCEDURES, RELATING TO VARIABLE MESSAGING SIGNS; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, the City Council of the City of Lavon, Texas (the “City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Lavon, Texas (“Lavon”) to adopt regulations pertaining to variable messaging signs; and

WHEREAS, the City Council has authority under state law to adopt the regulations herein; and

WHEREAS, the City Council has discussed regulating illuminated multiple messaging signs and/or electronic variable messaging signs and has determined that regulating these type of signs will maintain and enhance the aesthetic environment, improve pedestrian and traffic safety, and lessen unnecessary visual clutter that competes for the attention of pedestrian and vehicular traffic, and will not interfere with, obstruct the vision of or district motorists bicyclists, or property values by precluding sign-types that create a nuisance to the occupancy of use of other properties; and

WHEREAS, the City Council finds that these regulations should be updated to provide for the efficient enforcement of same and that these regulations are in the best interest of the City and the public health, safety, and welfare of the City.

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

SECTION 1. RECITALS:

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

SECTION 2. AMENDMENT:

The Code of Ordinances of the City of Lavon, Texas is hereby amended by the addition of Article 4.05.009 Prohibited Signs, to read entirely as follows:

(C) Illuminated multiple messaging signs and illuminated and/or electronic variable messaging signs are prohibited.

SECTION 3. SAVINGS/REPEALING CLAUSE:

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4. SEVERABILITY:

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Lavon hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.


SECTION 5. EFFECTIVE DATE:

This Ordinance shall become effective immediately upon its adoption and its publication as required by law.


SECTION 6. OPEN MEETINGS:

That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

PASSED AND APPROVED by the City Council of the City of Lavon, Texas this 15th day of October 2019.


Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/ City Secretary

