

MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
March 17, 2020

Members in attendance were: Kenneth Jordan – Mayor
 Oleta Behrens - Alderman
 Marcus Amthor – Alderman
 Michael Nelson – Alderman
 Shawn Oliver - Alderman
 Stan Weik - City Manager

Mayor Pro-Tem Robert Whitten was absent.

Others present were:

- Sabrina Maultsby – City Secretary
- Charlene Lindsay – City Treasurer
- Scott Glaze – Public Works Director
- Denver Daniel – Electric Department Supervisor
- Rick Reynolds – Sanitation Department
- Charlie Boyce – San Saba Police Department Sergeant
- Michael Wadsworth – Code Enforcement Officer
- Sarah Saldivar – EDC/KSSB Executive Director
- Alice Smith – San Saba News & Star
- Owen Parks – Retired EDC President
- Linda Parks – Citizen
- Kelly Barker - Citizen
- Darrin Barker – Citizen
- John Darrin Barker – Citizen
- Michelle Barker – Citizen
- Brantley Barker - Citizen
- Greg Pannell – Dove Project
- Mirla Reyes – Citizen
- Mary Huron – Citizen
- Dee Vickery - Citizen
- Robert Britsch – Citizen
- Kathy Britsch – Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Alderman Marcus Amthor led the Invocation and Pledges.

PRESENTATIONS: Mayor Jordan Announced, Presentations would be moved prior to the Public Comments.

Denver Daniel, Electric Department Supervisor was selected as Supervisor of the Quarter for the first Quarter. Stan Weik, City Manager, and Alderman Amthor presented Denver with a plaque with his name on it and a gift certificate to a local restaurant.

Rick Reynolds, employee working in the Sanitation Department, was selected as the Employee of the Month for March. Scott Glaze, Public Works Director and Alderman Amthor presented Rick with a plaque with his name on it and a gift certificate to a local restaurant.

Mayor Jordan invited Owen Parks and his family to join him at the front of the Council Chambers. He thanked Owen for his dedication and service of twenty years with the San Saba Economic Development Commission and serving as President. Mayor Jordan presented Owen with a Crystal Award and Sarah Saldivar made his favorite fresh baked chocolate sheet cake.

PUBLIC COMMENTS:

Mirla Reyes signed up to speak and addressed the Council explaining that she lives on Bluffton and moved in with her Mother about five years ago. What is going on and is still going on for the past two years? What is happening to help us with this situation? We are doing ok but struggling with all that is going on up there.

Mary Huron also signed up to speak regarding the situation on Bluffton Street. She addressed the Council and explained that she has live in the same house on Bluffton since she was born. For the past two years she has seen a lot going on, on Bluffton. You can't sit outside and people have been seen going in my yard. She believes there is danger and would like the whole street to be cleaned up. We will continue to come to meetings and show the people we are interested. There are things that just shouldn't be going on.

City Manager Stan Weik explained that he feels we all need more direct communication regarding the situation on Bluffton. He introduced Michael Wadsworth, Code Enforcement Officer explained that the City has been trying to get things cleaned up for the past two years. Mr. Weik said that the Constable from Burnet County came over today and met with Michael to explain the procedure they go through to get the properties in Burnet County cleaned up. He said that since the people on Bluffton that the City is having issues with regarding cleaning up their property have admitted to doing this as a business and the amount of waste that has been brought in, they will be cited with multiple felonies. Letters have been sent out to the property owners on both Water and Bluffton Streets. Both streets need to be cleaned up in two different ways, the criminal activity and the unsightly materials that have been dumped on the properties. Mr. Weik and Michael have met with all of the City and County Law Enforcement, to include the County Attorney and County Judge and they are all behind us on this matter.

Mayor Jordan explained that part of the problem is that there has been illegal activity just outside the City limits and they travel from one area to the other.

Charlie Boyce, Sergeant with the San Saba Police Department was available to answer questions and concerns the citizens had regarding issues on Bluffton Street and give direction on what measures to take. He also explained that all citizens have rights and can't be arrested just because we assume they are doing something illegal, we are required to have proof. Sergeant Boyce said that he was available at all times while on duty and Law Enforcement would do everything they could within the limits of the law. If they saw someone selling drugs, to call the Police immediately and explain what they saw. He also said he would give his card to Ms. Vickery and it has his work cell phone number. If he was off duty or she could not reach him, call the dispatch and they would get someone out.

Greg Pannell with the Dove Project signed up to speak explaining that the 2020 Second Annual Golf Tournament, 4-Person Scramble benefiting the Dove Project may be cancelled or rescheduled, but there will be more discussion regarding this with the Board. Last year forty-eight people signed up to play and it did really well. Mr. Pannell explained that they would be abiding the Social Distancing during the tournament if going forward. He addressed the Council and explained how thankful they all are for the City's support. Mr. Pannell said that the Storey Street donation of what used to be the San Saba Nursing Home is up for sale and the goal of the Dove Project is to make sure it stays boarded up, keep it closed and safe.

CONSENT AGENDA:

On a motion by Alderman Oliver, seconded by Alderman Nelson, Council unanimously approved the following: minutes from the February 10, 2020 council meeting; payment of bills; approved Proclamation declaring April 7th Mayor's Day of Recognition for National Service; approved Resolution No. 2020-07 waiving noise ordinance on March 21st, 2020 at Risien Park Pavilion; approved Resolution No. 2020-08 waiving noise ordinance on March 21st, 2020 at Mill Pond Park Gazebo; approved Resolution No. 2020-09 waiving noise ordinance on April 11th, 2020 at Mill Pond Park Gazebo; approved Resolution No. 2020-10 waiving noise ordinance on March 28th, 2020 at Joe Ragsdale Pavilion.

PROCLAMATION

**City of San
Saba**

Mayor's Day of Recognition for National Service

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and WHEREAS, the nation's elected leaders are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities; they educate students for 21st century jobs, fight the opioid epidemic, respond to natural disasters, and support veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 45,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, and local leaders across the country for National Service Recognition Day on April 7, 2020.

THEREFORE, BE IT RESOLVED that I, Kenneth G. Jordan, Mayor of the City of San Saba, Texas, do hereby proclaim April 7, 2020, as National Service Recognition Day, and encourage residents to recognize the positive Impact of national service in our community, to thank those who serve:

and to find ways to give back to their communities.

Kenneth G. Jordan, Mayor
City of San Saba, Texas

RESOLUTION 2020-07

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Angela Tatsch, 1149 FM 1480, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Risien Park on March 21st, 2020 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on March 21st, 2020 at Risien Park.

Passed and approved this 17th day of March, 2020.

RESOLUTION 2020-08

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Laura Martinez, 107 W. Annex, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Mill Pond Park Gazebo on March 21st, 2020 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on March 21, 2020 at the Mill Pond Park Gazebo.

Passed and approved this 17th day of March, 2020.

RESOLUTION 2020-09

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Deryl Hoyt, 503 E. Wallace Street, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Mill Pond Park Gazebo on April 11th, 2020 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on April 11, 2020 at the Mill Pond Park Gazebo.

Passed and approved this 17th day of March, 2020.

RESOLUTION 2020-10

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, Vanessa Bustamante, 507 W. Sunset, San Saba, Texas, has asked the City Council to waive Ordinance No. 1967-4 to allow music to be played at the Joe Ragsdale Pavilion on March 28th, 2020 until 12:00 midnight.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing the playing of music from 10:00 to 12:00 midnight on March 28, 2020 at the Joe Ragsdale Pavilion.

Passed and approved this 17th day of March, 2020.

DISCUSSION/ACTION ITEMS:

The first action item was to Approve the Certification of Unopposed Candidates to re-elect City Council Mayor: Kenneth G. Jordan; Aldermen: Oleta Behrens and Robert Whitten. Alderman Nelson made a motion to accept the Certification of Unopposed Candidates. This motion was seconded by Alderman Amthor and passed unanimously.



**CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACION DE CANDIDATOS UNICOS**

To: Presiding Officer of Governing Body
Al: *Presidente de la entidad gobernante*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 2nd, 2020.

Como autoridad a cargo de la preparacion de la boleta de votacion oficial, por la presente certifico que los siguientes candidatos son candidatos unicos para eleccion para un cargo en la eleccion que se llevara a cabo el 2nd de Mayo, 2020.

Ken Jordan - Mayor - *Un Alcalde Urbanos de Consejo*
Oleta Behrens - Alderman - *Concejales Urbanos de Consejo*
Robert Whitten – Alderman - *Concejales Urbanos de Consejo*

Signature (*Firma*)

Sabrina Maultsby

Printed name (*Nombre en letra de molde*)

City Secretary

Title (*Puesto*)

3/17/2020

Date of signing (*Fecha de firma*)

(Seal) (*sello*)

The second action item was to discuss and consider approval of Resolution No. 2020-11 canceling the City Council Election and accepting the Order of Cancellation for the May 2, 2020 City Council Election declaring the unopposed candidates elected to office. Alderman Oliver made a motion to approve Resolution No. 2020-11 canceling the City Council Election and accepting the Order of Cancellation for the May 2, 2020 City Council Election declaring the unopposed candidates elected to office, seconded by Alderman Amthor, and was unanimously passed.

RESOLUTION NO. 2020-11

A RESOLUTION CANCELLING THE CITY COUNCIL ELECTION CURRENTLY SCHEDULED FOR MAY 2, 2020 AND DECLARING KEN JORDAN REELECTED AS MAYOR, AND ROBERT WHITTEN AND OLETA BEHRENS REELECTED AS SAN SABA CITY COUNCIL MEMBERS FOR TWO YEAR TERMS, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.

WHEREAS, A San Saba City Council election is currently slated for Saturday, May 2, 2020; and

WHEREAS, the San Saba City Secretary has certified in writing that Ken Jordan as Mayor, Robert Whitten and Oleta Behrens as Council Members are the only three candidates on the ballot for the three open positions and thus unopposed; and

WHEREAS, the Election Code provides for the cancellation of an election and the declaration of the unopposed candidates as elected to office; and

WHEREAS, it is desired to not incur public expense by conducting an unopposed election.

CITY COUNCIL MINUTES

MARCH 17, 2020

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

The City Council election slated for Saturday, May 2, 2020 is hereby cancelled and that Mayor Ken Jordan, Robert Whitten, and Oleta Behrens are declared reelected to the office of San Saba City Council for two year terms, that a Certificate of Election be issued to Ken Jordan, Robert Whitten, and Oleta Behrens, and that a copy of this resolution be posted on election day at each polling place that would have been used in the election.

An emergency is declared so that this resolution may become effective to cancel the election prior to the slated election date and this resolution shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED on this 17th day of March, 2020.

**ORDER OF CANCELLATION
ORDEN DE CANCELACION**

The City Council of the City of San Saba hereby cancels the election scheduled to be held on May 2, 2020 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

**Ken Jordan - Mayor
Robert Whitten – Alderman
Oleta Behrens – Alderman**

El Concejales Urbanos de Ciudad de San Saba por la presente cancela la eleccion que, de lo contrario, se hubiera celebrado el ^{ma} de Mayo, 2020 de conformidad, con la Seccion 2.053(a) delCodigo de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos unicos y por la presente quedan elegidos como se halla indicado a continuacion:

*Ken Jordan – Un Alcalde Urbanos de Consejo
Robert Whitten - Concejales Urbanos de Consejo
Oleta Behrens - Concejales Urbanos de Consejo*

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Dia de las Elecciones se exhibira una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la eleccion.

Presiding Official (Oficial que Preside)

Secretary (Secretario)

(seal) (sello)

3/17/2020

Date of adoption (Fecha de adopcion)

The third action item was to Discuss and Consider Approval of Ordinance No. 2020-02, an Ordinance of the City of San Saba, Texas, adding Chapter 3, Article 3.08, Signs, of the City of San Saba Code of Ordinance Regulating all Signs to Repeal and Replace Entirely such Regulations to Ensure all provisions Comport with State Law; Possible Abatement of Abandoned or Obsolete Signs; Providing for Enforcement and Penalty Clauses; Providing for Open Meetings; Severability, and Effective Date Clauses; and Providing for Related Matters. Alderman Amthor made a motion to approve Ordinance No. 2020-02, seconded by Alderman Oliver, and was unanimously passed.

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, ADDING CHAPTER 3, ARTICLE 3.08, SIGNS, OF THE CITY OF SAN SABA CODE OF ORDINANCES REGULATING ALL SIGNS TO REPEAL AND REPLACE ENTIRELY SUCH REGULATIONS TO ENSURE ALL PROVISIONS COMPORT WITH STATE LAW; INSTITUTING HEARING PROCEDURES TO DETERMINE THE STATUS AND POSSIBLE ABATEMENT OF ABANDONED OR OBSOLETE SIGNS; PROVIDING FOR ENFORCEMENT AND PENALTY CLAUSES; PROVIDING FOR OPEN MEETINGS; SEVERABILITY, AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of San Saba (the "City") recognizes the need to regulate signs within the City in order to preserve and protect the public health and safety and to preserve the quality of life and property values;

WHEREAS, the City has had such regulations as part of its Code of Ordinances since 2001 and desires to update such regulations in their entirety to ensure that all are in conformance and consistent with the provisions of *Chapt. 216, Tex. Local Govt. Code*;

WHEREAS, the City Council seeks to repeal and replace the current regulations relating to the regulation of signs with new regulations; providing procedures for the hearing of abandoned or obsolete signs, reclamation or disposal of such signs in order to maintain the health, safety and welfare of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, TEXAS, THAT:

Section 1. Findings of Fact. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Adding Article 3.08, Signs, San Saba Code of Ordinances. The following sections within the San Saba Code of Ordinances - Sections 3.05, 4.03, 4.04, 8.01, and portions of Chapter 14, Zoning, are hereby repealed and replaced in their entirety to read as follows with a new Article 3.08, Signs, as set forth in Exhibit A, attached hereto and incorporated herein:

Section 3. Enforcement. The San Saba Police Department or Code Enforcement Department or authorized designee are authorized to enforce the provisions of this Article.

Section 4. Penalty Clause. Any person convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Two Hundred dollars (\$200.00) and each day of such violation shall be a separate violation. For those portions of this Ordinance that shall be violations of health, safety and welfare, the fine may range from \$200 - \$1,000.00 per day for each day such violation shall continue.

Section 5. Savings Clause. All rights and remedies of the City of San Saba are expressly saved as to any and all violations of the provisions of any ordinances affecting abandoned or junked vehicles within the City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. Conflicting Ordinances. All prior ordinances of the City dealing with or applicable to abandoned or junked are hereby amended only to the extent of any conflict with the amendments set forth herein, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 7. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

Section 9. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this the 17th day of March, 2020.

3.08 SIGNS

3.08.001 Scope.

The provisions of this chapter shall apply to all signs, as the term is defined herein, within the corporate limits of the city.

3.08.002 Sign regulations—Generally.

- a) **Purpose.** The purpose of this section is to provide uniform sign standards which promote the safety of persons and property, provide for the efficient transfer of information in sign messages, and protect the public welfare by enhancing the appearance and economic value of the landscape. The objectives to be pursued in applying specific standards are as follows:
 - 1) **Safety.** To promote the safety of persons and property by providing that signs:
 - a) Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs; and
 - b) Do not create a hazard due to collapse, fire, collision, decay, or abandonment.
 - b) **Communications efficiency.** To promote the efficient transfer of information in sign messages by providing that:
 - 1) Businesses and services may identify themselves;
 - 2) Customers and other persons may locate a business or service;

- 3) No person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and
 - 4) Persons exposed to signs are not so overwhelmed by the number of messages presented that they cannot [see] the information they seek, and are able to observe or ignore messages, according to the observer's purpose.
- c) Landscape quality and preservation. To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
- 1) Do not interfere with scenic views;
 - 2) Do not create a nuisance to persons using the public rights-of-way;
 - 3) Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height, or movement; and
 - 4) Are not detrimental to land or property values.
- d) Computation.
- 1) Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof, that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.
 - 2) Computation of Area of Multifaced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
 - 3) Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, bounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the top of a curb of a public street or the grade of the land at the principal structure on the zone lot, whichever is lower.
 - 4) Computation of Maximum Total Permitted Sign Area for a Zone Lot. The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the maximum total sign area, to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage, with signs facing a maximum of two streets. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign allocation that is derived from the lot, building, or wall area frontage on that street.

3.08.003 Definitions.

Words and phrases used in this article shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the zoning ordinance shall be given the meanings set forth in the zoning ordinance. Principles for computing sign area and sign height are contained in

3.08.002(d). All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

Abandoned sign shall mean a sign that advertises or directs persons to any business, commercial transaction or activity, goods, products, or services there were once, but are no longer, offered, available or located at the advertised premises.

Animated sign shall mean a sign designed or programmed so as to seem alive and moving employing visible moving parts, changing images and/or changing colors. This includes televisions, projector screens, computer monitors of all types and sizes and/or mechanically, physically moving parts.

Billboard shall mean any sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than on the premises where such sign appears. If such business, commodity, service, or entertainment is merely incidental to the use of such property where such sign appears, such sign shall be deemed a billboard.

Business establishment shall mean a project or undertaking which involves the use of any property, building or structure, permanent or temporary, for the primary purpose of conducting on said property a legitimate commercial enterprise, or other nonresidential use, in compliance with all ordinances and regulations of the city. Multiple services and/or goods offered by a business establishment shall be considered one business establishment for the purposes of this subsection.

Business frontage shall mean the linear measurement of the side of the building which contains the primary entrance of the building.

Business park shall mean businesses located in the business park district.

Canopy Sign. Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Community sign shall mean a sign on which the sign area is shared by two or more businesses.

Digital signage shall mean a form of electronic display that shows programming, information, advertising and other messages. Digital signage may have a change of advertising no less than once every six seconds.

Double-faced sign shall mean a single sign with two parallel sign faces back-to-back.

Flag shall mean a cloth flown as an emblem, often rectangular and flown from a pole, carrying a distinctive design and used as an emblem or for signaling.

Flag banners shall mean any flag banner (teardrop flags, feather flags) made of cloth, canvas, plastic or other flexible material, with or without a frame or other supporting structure, that moves or is designed or intended to move or blow in the wind.

Flagpole shall mean a freestanding structure permanently mounted on the ground and designed and constructed for the purpose of having flags.

Freestanding sign or ground sign shall mean any sign supported by one or more columns, poles, uprights, or braces anchored in the ground and not attached to any building.

Garage sale shall mean the sale of items which a resident or group of residents wish to dispose of at discount prices, conducted from a garage and/or yard, and which items offered for sale are used or discarded by or from those residents offering them for sale.

Glare shall mean emitted light which exceeds 60 foot-candles.

Grand opening shall mean the formal offering by a new business of its goods, wares, merchandise, service, entertainment, or activity.

Identification sign shall mean any sign which carries only the firm, business, or corporate name, the major enterprise on the premises, or the principal products offered for sale on the premises.

Inflatables shall mean any device propelled by a mechanical fan.

Integrated business development shall mean a development consisting of two or more interrelated business establishments using common driveways and onsite parking facilities, including, but not limited to, shopping centers, office complexes, office buildings, and business parks.

Irregular signs shall mean separately mounted signs on one supporting structure.

Major intersection shall mean an intersection of two major thoroughfares.

Major thoroughfares shall mean US 190 and State 16, Wallace Street and High Street.

Monument sign shall mean any sign five feet or less from the natural ground level to the top of the sign.

Multifaced sign shall mean a single sign with two or more faces which are not parallel or back-to-back.

New business shall mean a project or undertaking which involves the use of any property, building, or structure, permanent or temporary, for the primary purpose of conducting in said building or structure or on said property a legitimate commercial enterprise, or other nonresidential use, in compliance with all ordinances and regulations of the city, and when such project or undertaking is new to the premises. Provided, however, a change in ownership of at least 50 percent of an ongoing project or undertaking shall constitute a new business for the purposes herein and, provided further, expansion of an existing building or structure shall constitute a new business if such expansion increases the size of the area devoted to the primary use, in building floor square footage, by not less than 50 percent.

Nonadvertising sign shall mean any sign posted on private property containing thereon a regulatory or warning notice and upon which no advertising matter is displayed.

Obsolete sign shall mean a sign relating to a business which has closed or moved away and it shall be deemed obsolete.

Office complex shall mean one or more commercial buildings with multiple businesses providing services and not delivering products directly to customers and consisting of two or more tenants using common driveways.

Open house shall mean a designated period of time during which a property is open for viewing by prospective purchasers.

Pole banner shall mean a portable banner not attached to a building that spins or flutters when contacted by air current (which includes tear drop and feather flags).

Portable sign shall mean any sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted upon a trailer, wheeled carrier, or other nonmotorized mobile structure. A portable sign which has its wheels removed shall still be considered a portable sign hereunder.

Projecting sign shall mean any sign which is affixed or attached to, and is supported solely by a building, wall, or like structure, which extends beyond the building, wall, or like structure, or parts thereof, more than 18 inches and whose angle of incidence to said building, wall, structure, or parts thereof, is greater than 30 degrees.

Public service sign shall mean a sign which provides a service or message to the public, such as time, temperature, and charity appeals.

Reader panel shall mean a permanently constructed changeable copy bulletin board lighted or unlighted with detachable precut letters and figures.

Roofline shall mean the height above finished grade of the upper beam, rafter, ridge, or purlin of any building.

Shopping center identification sign shall mean a freestanding sign structure containing the name identifying an integrated business development which may also include identification signs on which the names and nature of businesses within the development are uniformly displayed.

Sign means any structure, part thereof, or device or inscription which is located upon, attached to, or painted or represented on any land, or on the outside of any building or structure, or on an awning, canopy marquee, or similar appendage, or permanently affixed to the glass on the outside of the building or structure, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, monogram, heraldry, trademark, light, or other representation used as or in the nature of an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, corporation, association, place, commodity, product, service, business, profession, enterprise, industry, activity, or any combination thereof, where the word "sign" is used herein without further modification, the same shall be understood to embrace all regulated signs and replicas.

Sign area shall mean the total square footage of all sign facing, including that portion of the supporting structure or trim which carries any wording, symbols, identifying color, or pictures; provided, however, in the case of double-faced signs, only one face shall be computed to determine sign area.

Sign facing or surface shall mean the surface of any sign upon, against, or through which the message is displayed or illustrated; provided, however, for signs in which the words, letters, or symbols are independently mounted, the sign surface shall mean the outside dimensions of the area containing all of the individual words, letters, and symbols.

Snipe sign means a sign which is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, stakes, fences or other like objects, the advertising matter of which is not applicable to the present use of the premises on which the sign is located.

Spectacular sign shall mean a sign that has one or more of the following elements in its physical structure:

- 1) Automatically changing advertising that changes more often than once every six seconds (not including date, time and temperature);
- 2) Blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating or spotlights, or similar devices;
- 3) Lights or colored elements creating moving, shimmering or prismatic effect; (Video / Electronic) or
- 4) Rotating or moving parts.

Spinners and pennants shall mean any sign, display or attention-seeking device (that is not a flag) with spins or flutters when contacted by air currents but is not propelled by a mechanical fan, or which makes noise when spinning. Balloons are also included in this definition if they flutter or move with air currents but are not attached to a building.

Temporary sign means any sign constructed of cloth, canvass, light fabric, cardboard, wallboard, or other light materials with short life expectancies. A portable sign shall not be considered a temporary sign.

Visibility triangle shall mean the triangular area adjacent to the intersection of any public street or public alley within which sight lines are maintained for vehicular traffic. The triangle is established by measuring a distance of 25 feet from the extended curb to edge of pavement of the street or alley. A straight line connecting the ends of each measured distance that forms the hypotenuse shall establish the visibility triangle.

Wall sign means all flat signs, either of solid face construction or individual letters, symbols, or pictures, which are placed against the exterior wall of any building or structure and extending not more than 18 inches from the face of such building or structure, parallel to the building or structure, and having the advertisement on one face only.

3.08.004 Permits.

It shall be unlawful for any person to erect, structurally alter, or relocate within the city any sign without first satisfying the requirements of this section.

- 1) Sign permits: It shall be unlawful for any person, unless provided otherwise in this chapter, to erect, place, rebuild, reconstruct, or move any sign within the city without first obtaining a sign permit.
 - a) Application: All applications for sign permits shall be accompanied by a plan or plans drawn to scale which shall include the following:
 - 1) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
 - 2) The dimensions of the sign's supporting members.
 - 3) The maximum and minimum height of the sign.
 - 4) The proposed location of the sign in relation to the face of the building in front of which or above which it is to be erected.
 - 5) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.
 - 6) The location of all electrical transmission lines within 30 feet to any part of such proposed sign structure.
 - b) Issuance: Upon the filing of an application for a sign permit, the plans, specifications, and other data shall be examined by the building inspector. If it appears that such proposed sign is in compliance with the requirements of this chapter and other laws of the city, the building inspector shall issue the applicant a sign permit.

If the work authorized by a permit has not been commenced within sixty (60) days after the date of issuance, the permit shall become null and void. Permits can be extended one time only or an additional 60 days in accordance with the building code provided the permit holder requests an extension of time from the building inspector in writing prior to the date of expiration of the permit. Upon completion of the construction of the sign, the building inspector shall inspect the sign to determine if it is in conformity with the specifications approved at the time the sign permit was granted.

- 2) Pre-existing signs: Signs complying with Article XVI, Chapter 14, Exhibit A, Zoning Ordinance shall be considered and deemed as lawfully existing nonconforming structures and may be continued as such. Notwithstanding the foregoing, the person or entity holding the sign use permit for any such lawfully existing nonconforming sign shall be required to acquire a validation sticker for such sign and otherwise comply with this chapter relating to nonconforming signs and sign structures.

- 3) Exceptions: A permit shall not be required for the following:
- a) The changing of the advertising copy or message of a painted sign.
 - b) The changing of the advertising message or copy of an electric sign, if such electric sign is specifically designed for the use of replaceable copy.
 - c) The electrical, repainting, or cleaning maintenance of a sign.
 - d) The repair of a sign that is less than 50 percent deteriorated or damaged.
 - e) One open house sign on the premises.
 - f) Contractor and real estate signs not exceeding six square feet in sign area.
 - g) Signs painted directly on glass windows or doors that do not cover more than 50 percent of the glass surface.
 - h) A sign not over 32 square feet in area setting forth information concerning a building or other structure under repair or construction or advertising the sale or rental of the premises.
- 4) Stop orders: The issuance of a sign permit or a validation sticker shall not constitute a waiver of this chapter or other ordinances of the city. The building inspector is authorized to issue stop orders for any sign which is being constructed or used in violation of this [chapter] or any other ordinance of the city.

3.08.005 Prohibited signs.

a) The following signs or types of signs are prohibited:

- 1) Billboards.
- 2) Signs which advertise or otherwise direct attention to a product, service, activity, person, institution, or business which no longer occupies or is conducted, sold, manufactured, produced, or offered upon the premises where the sign is displayed.
- 3) Signs which move or contain visible moving parts (animated and/or spectacular are examples); provided, however, the provisions of this subsection shall not prohibit time and temperature components of permitted monument signs which are not otherwise intended as an attention getting device or barber poles of traditional design not to exceed 20 inches high which revolve during the time a barbershop is open for business.
- 4) Signs which contain statements, words, or pictures of an obscene, indecent, or immoral nature which offend public morals or decency.
- 5) Signs which interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device.
- 6) Portable or wheeled signs.
- 7) Spectacular signs or any sign that mimics car headlights, emergency vehicle lights or sounds or, has a glaring, strobe effect.
- 8) Signs attached to or located upon exposed amenities such as benches, trash containers, fences, trees, shrubs, and the like; provided, however, information about the manufacturer or distributor of benches and trash containers may be placed on their products not to exceed ten percent of one surface of the bench or trash container.
- 9) Signs placed on the rear of any building except for identification nameplates or signs on a commercial or industrial establishment not exceeding two square feet in area and located near and for the purpose of identifying delivery entrances and authorized parking areas.
- 10) Reader panel signs or those with runners, slots, or tracks in or on which changeable letters and numerals can be mounted, provided, however, that such signs shall be permitted if totally encased to prevent tampering.

11) Garage sale signs are prohibited anywhere other than the premises of the event. The sign may be erected one (1) day prior of the event and must be removed within 24 hours of the end of the garage sale.

12) Snipe signs.

13) It shall be unlawful for any person to erect, alter, or relocate any energized/animated sign within the City of San Saba.

b) Hazards.

1) It shall be unlawful for any person to erect, structurally alter, or relocate any sign in such a manner as to obstruct or in all probability cause to obstruct:

- a) Ingress or egress;
- b) Lighting or ventilation;
- c) Firefighting;
- d) Escape from a building; or
- e) Free passage from one part of a roof to any other part thereof.

2) It shall be unlawful for any person to attach any sign to an exterior stairway, fire escape, fire tower, or balcony serving as a horizontal exit.

3) It shall be unlawful for any person to erect, structurally alter, or relocate a sign in such a manner that all or any portion of such sign or its supporting structure will interfere in any way with the free use of any fire escape, exit, or standpipe, or obstruct any required ventilator, door or stairway.

4) Any cloth sign or banner that is attached to a building shall be flameproof.

5) The city's building official, or his duly qualified representative, shall be the sole judge of a violation under this subsection.

6) Any neon sign or signage shall be inspected by the City of San Saba code official, or his duly qualified representative.

c) Traffic hazards.

1) It shall be unlawful for any person to erect, structurally alter, or relocate a sign in such a manner as to constitute a hazard to pedestrian or vehicular traffic, or in such a manner as to obstruct free and clear vision, regardless of location, by reason of the position, shape, color, or movement which may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Nor shall such sign make use of any word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse vehicular or pedestrian traffic.

2) The building official of the city, or a duly-qualified representative, shall enforce said laws.

d) Illumination of signs.

1) It shall be unlawful for any person to erect, structurally alter, relocate, or maintain any sign which creates glare upon a public street, sidewalk, or adjacent residential property.

- 2) Non-energized signs may be illuminated from an independent artificial source provided such illumination is concentrated upon the area of the sign only, and does not cause glare upon any street, alley, driveway, parking area, or adjacent residential property.

3.08.006 Signs permitted and regulated in residential and suburban districts.

- a) Temporary signs. Certain temporary signs in residential and suburban districts shall be permitted.

- 1) *Real estate signs* for single-family units or vacant lots in platted subdivisions:
 - a) One temporary on-premises sign not exceeding six square feet shall be permitted for each single-family dwelling unit or vacant lot in a platted subdivision in order to give information concerning leasing, renting, or selling of such while such dwelling or lot is actually available for lease, rent, or sale. No permit shall be required for the erection of temporary real estate signs under this subsection.
 - b) Such temporary sign may be located anywhere on the premises, provided that such sign shall not project beyond the property line and shall not have a height of more than five feet over the natural ground level.
- 2) *Vacant land sales*.
 - a) A temporary monument sign or signs shall be permitted for each tract or parcel of land in residential and suburban districts, other than subdivided residential lots, in order to give information concerning leasing, renting, or selling of such property.
 - b) Such temporary signs may be located anywhere on the tract or parcel, provided they are set back a minimum of ten feet from any street frontage and a minimum of 200 feet from street intersections. Provided, however, that parcels qualifying by size for two signs may erect a maximum of one sign at the intersection of two streets and further provided that each tract shall be permitted at least one sign. One temporary sign not to exceed 32 square feet in area shall be allowed on each street frontage of a ten-acre or larger tract of land not to exceed a total of two signs. Tracts of land under ten acres in size shall be permitted one sign not to exceed 32 square feet in area.
- 3) *Contractor identification signs*. One temporary on-premises sign of a size not to exceed six square feet shall be allowed for each contractor only during the period that the contractor is engaged in active construction, repair, or maintenance of the premises. Such temporary sign may be located anywhere on the premises, provided that such sign may not project beyond the property line and shall not have a height greater than five feet above the average finished grade. No permit shall be required for the erection of such sign.
- 4) *Subdivision signage*. Temporary signage shall be permitted upon approval of a sign plan for a residential subdivision. Sign plans should provide a way for a developer to identify important areas in the development and should contain high quality understated signs that consolidate as many messages as possible in as few signs as possible. Unless specifically prohibited, signs permitted under this subsection may be combined or contain directional information for private community/recreational facilities provided, however, that such a combination and/or addition results in the erection of the same number or fewer signs than if permitted separately. The guidelines which follow shall dictate the size and location of residential subdivision signage. Signs shown in the plan should conform to the following guidelines:
 - a) *Entrance signs*.
 - 1) Each homebuilder and developer in a subdivision shall be entitled to a maximum of 16 square feet of space on one temporary monument sign, such sign which shall not exceed a total 80 square feet, at each major entrance to the residential subdivision. Provided, however, that such sign for any subdivision wherein two or less homebuilders or

developers own all undeveloped lots therein shall not exceed 48 square feet. Further, each major entrance to each section of the subdivision shall be allowed one monument sign of a maximum area of 32 square feet to provide information about lot or home sales. However, in the case when the major entrance to the subdivision is also a major entrance to a section of the subdivision, that entrance shall be limited to an 80 square foot sign, unless limited to a maximum of 48 square feet as provided in this paragraph.

2) Temporary signs authorized at subdivision entrances by the above paragraph shall be removed when 80 percent of the total lots of the subdivision have homes constructed thereon. The temporary signs permitted at the major entrances of a section of the subdivision shall be removed when 80 percent of the total lots in that section have homes constructed thereon.

b) *Subdivision section directional signs.* Developers or builders requesting subdivision section directional signs shall attach to such sign permit application(s) a proposed plan for the location of directional signs. Sign permits for directional signs shall be approved if they meet the following criteria:

- 1) An active model home sales office site is located in subject subdivision section.
- 2) Generally, directions shall be provided from the entrance of the subdivision nearest to the entrance of the section in which the model home sales office sites are located. A more distant major entrance will be allowed if it can be demonstrated that overall either fewer signs shall be erected or there shall be less of an impact on adjoining properties.
- 3) Directional signs shall be approved at intersections where turns onto different streets are necessary leading to the subdivision section. In instances where no turns are involved but the distance from the major entrance to the subdivision and the subdivision section is greater than one mile, one directional sign shall be approved for each mile of distance separating the two points. Such signs shall be located to be equally spaced between the major subdivision entrance and the subdivision section.
- 4) Signs permitted herein shall not exceed eight square feet in area, have a top height not to exceed 3½ feet and a bottom height not to exceed 1½ feet.
- 5) Landscaping shall be provided to screen the rear of the sign from view by the public. Such landscaping will be low maintenance vegetation that does not require irrigation to survive.
- 6) The copy of signs permitted herein shall be limited to one or more of the following: (a) the name of the subdivision; (b) the name of the subdivision section; (c) the distance to the subdivision section; and (d) the direction to the subdivision section.
- 7) Subdivision section directional signs permitted herein shall be removed upon the expiration of the valid use of land or lots as a model home sales office site in subject subdivision section.

c) *Permanent identification signs:*

- 1) Single-family residential subdivisions. Single-family residential subdivisions are allowed permanent monument signs at each major entrance to the subdivision. The total sign surface area at each entrance shall not exceed 32 square feet. Subdivisions which consist of more than one platted section are allowed an additional 16 square foot monument sign for each major entrance to each section therein; however, in the case where the major entrance to the subdivision is also a major entrance to a section of the

subdivision, that entrance shall be limited to a 32 square foot sign. Monument signs shall not be located in the visibility triangle.

2) Multiple dwelling complexes. A townhouse, condominium, or apartment complex is allowed one sign with a total surface area not to exceed 24 square feet. The permitted sign may be a monument sign or a wall sign. A monument sign shall be set back from any property line by ten feet and shall not be located in the visibility triangle. If a wall sign is erected, it shall be flush mounted and shall not project above any wall.

3) Private community/recreational facilities signage:

(i) *Identification signs.* Each private community/recreational facility located in a residential development is allowed a permanent identification sign. If such facility is located within a subdivision development the proposed identification signage shall be included in the subdivision sign plan. Such signs shall be located on the site of the facility being identified and shall consist of a sign no larger than 48 square feet in area and no higher than five feet above average finished grade. Additionally, wall signs of a size up to one-half square foot per linear foot of facility frontage shall be permitted.

(ii) *Directional signs.* Private community/recreational facilities located in residential subdivisions are allowed directional monument signs no larger than 16 square feet which may be erected in the subdivision to which it applies at intersections of major thoroughfares, collector streets, and residential streets in order to provide directions to the private community/recreational facilities. Such signs shall only be erected at intersections of major thoroughfares, collector streets and residential streets where turns onto different streets are necessary in leading to the private community/recreational facilities. The sign plan for a subdivision shall provide the fewest number of signs necessary to provide directions from one or the nearest major entrance of the subdivision to the residential streets on which private community/recreational facilities are located.

3.08.007 Signs permitted and regulated in commercial and industrial districts.

In commercial and industrial zoned districts on-premises signs are allowed which comply with the provisions of this subsection.

1) Temporary real estate signs.

a) Signage (to include banners) shall be permitted for each parcel of land in commercial and industrial districts in order to give information conveying leasing, renting, selling, or renovation of such property.

b) Such signs may be located anywhere on the tract or parcel, provided they are set back a minimum of 30 feet from street intersections. Tracts of land with more than one road frontage may be allowed an additional sign for each additional frontage. One temporary sign not to exceed 100 square feet in area shall be allowed on each street frontage.

c) Such signs may remain until ten days after building or space is leased, sold or renovated.

d) When applying to a strip center each space available for lease may have a sign not to exceed 16 square feet indicating the space is available for lease.

2) **Commercial and industrial subdivisions.** Commercial and industrial subdivisions of a size of at least 5 acres are allowed one permanent identification monument sign of a maximum size of 32 square feet at each major street entrance to the subdivision.

3) **Individual business establishments.** Each business establishment within a commercial or industrial zoned district shall be allowed signage in accordance with the provisions of this subsection. If, however, such business establishment is part of a shopping center or integrated business development the signage allowed shall be as provided in subsection (4) of this section.

It is further provided, however, that a single occupant detached commercial establishment located on a lot or tract in a commercial subdivision separate from a shopping center or integrated business development within such subdivision, shall be allowed signage in accordance with the provisions of this subsection, if such business establishment is separated by a substantial distance from the shopping center or integrated business development and only incidentally shares parking facilities and driveway access.

a) *Permanent signs:*

1) *Wall signs:*

- (i) **Size and number.** Wall signs are permitted for each individual business establishment with an allowable total sign area of 1½ square feet of signage for each linear foot of business frontage.
- (ii) **Location and height.** A wall sign may not project above the roof line of a building except for buildings with parapet walls in which case the signage shall be flush with the wall and shall not project above the parapet. Signs placed on mansard, gambrel, and other sloping roofs must be perpendicular to the ground with all permanent structural supports covered from view. Except for wall and identification signs which are permitted elsewhere, wall signs may be placed on the front or sides but not the rear of a building.

2) *Monument signs:*

- (i) **Size and number.** One monument sign ranging in size from a minimum of 32 square feet to a maximum of 50 square feet is permitted for each individual business establishment, provided the location and height requirements set forth in subsection (ii) below are met.
- (ii) **Location and height.** The monument sign shall be set back from street rights-of-way by a minimum of ten feet, from interior side property lines by a minimum of ten feet, or rear property lines by a minimum of 50 feet. If consistent with the above spacing and setback requirements, the monument sign allowed for a tract may be placed on any street frontage enjoyed by that tract.

3) *Ground signs (freestanding):*

- (i) **Size and number.** One ground sign is permitted for each business establishment with an allowable total sign area of 125 square feet, including the frame. A reader panel shall be treated as a ground sign. Ground signs located on property adjacent to State 16 and US 190 and situated entirely within a 100-foot distance of said highway right-of-way shall be allowed a maximum of 300 square feet of total sign area including any reader panel that might be included. A freestanding, "single business", sign shall not have more than three cabinets when being circumscribed as one ground sign with visible air space between cabinets.
- (ii) **Location and height.** A ground sign shall be set back so that no part of such sign overhangs public property. The height including any part of the sign or structure shall not exceed 35 feet in height above the highest finished grade at the front property line. Ground signs located on property adjacent to State 16 and US 190 and situated entirely within a 100-foot distance of said highway right-of-way shall not exceed 35 feet in height. The sign must be located on the site where the goods or services are offered. Ground signs located in the triangle of visibility shall have a minimum of eight foot of clearance from the natural ground to the bottom of the sign panel.

- 4) *Projecting signs*
 - (i) One projecting sign per building face, or wall, of a business property.
 - (ii) A projecting sign shall not extend more than four feet from the building face, or wall, to which it is attached and shall not exceed 12½ square feet in area.
 - (iii) The distance from the bottom of the sign to the ground or sidewalk shall be a minimum of eight feet.
 - (iv) Projecting signs shall be pinned away from the building wall at least six inches.
 - (v) Projecting signs may not extend vertically above the windowsill of a second story.
- 4) Integrated business developments. Integrated business developments within commercial or industrial zoned districts and the business establishments located therein shall be allowed signage in accordance with the provisions of this paragraph.
 - a) *Permanent signs*:
 - 1) *Wall signs*:
 - (i) Size and number. Each business establishment in an integrated business development is permitted wall signs with an allowable total sign area of 1½ square feet of signage for each linear foot of business frontage.
 - (ii) Location and height. A wall sign may not project above the roof line of a building except for buildings with parapet walls in which case the sign shall be flush with the wall and shall not project above the parapet. Signs placed on mansard, gambrel, and other sloping roofs must be perpendicular to the ground with all structural supports covered from view. Wall signs identifying businesses in an integrated business development may be placed on any wall of the building in which the business is located except the rear wall.
 - 2) *Monument signs*:
 - (i) Size and number. The total sign areas for all monument signs in an integrated business development shall not exceed one square foot of sign area for each 300 square feet of gross usable area or square footage of the building up to a maximum sign area of 300 square feet; provided however, that each sign must meet spacing, size and height requirements contained in this paragraph. It is further provided, however, that each integrated business development shall be allowed at least one 32 square foot monument sign for each frontage enjoyed by that tract and that an integrated business development with only a single frontage shall be allowed at least one 50 square foot sign. Except as provided hereafter, no monument sign may be larger than 96 square feet nor smaller than 32 square feet. Integrated business developments which qualify by size for the total sign area of 300 square feet allowed for monument signs and which can meet spacing requirements contained herein may erect one 160 square foot sign. However, if a 160 square foot sign is erected, such development shall be limited to 225 square feet of total allowable sign area.
 - (ii) Location and height. The monument sign shall be set back from the street rights-of-way by a minimum of ten feet and from interior or rear property lines by a minimum of 50 feet. The monument sign shall have a minimum spacing from other monument signs of 100 feet. The measurement of such spacing shall be from the closest points of the two signs. If consistent with the above spacing and setback requirements, the maximum size monument sign allowed for a tract may be placed on any street frontage enjoyed by that tract.

3) *Freestanding community signs:*

- (i) One freestanding community identification sign is permitted for each integrated business development.
- (ii) The total sign area of such freestanding sign shall not exceed 125 square feet plus an additional ten square feet for each business establishment in the complex up to a maximum of 225 square feet, including the frame. A reader panel shall be treated as a ground sign. Freestanding signs located on property adjacent to State 16 and US 190 and situated entirely within a 100-foot distance of said highway shall be allowed a maximum of 300 square feet plus an additional 15 square feet for each business establishment in the complex up to a maximum of 500 square feet.
- (iii) Location and height. A freestanding sign shall be set back so that no part of such sign overhangs public property. The height, including any part of the sign or sign structure, shall not exceed 35 feet above the highest finished grade at the front property line. Freestanding signs located on property adjacent to State 16 and US 190 and situated entirely within a 100-foot distance of said highway shall be allowed a maximum height of 35 feet above the finished grade at the front property line. The sign must be located on the site where the goods or services are offered.
- (iv) It shall be the responsibility of the permit holder to allocate the sign area of the freestanding identification sign among the tenants.

4) *Option for directory sign in office park and business park districts:*

- (i) One freestanding directory sign for the sole purpose of uniformly listing the names of the tenants is permitted for each building in which their area multiple tenants in the office complex if the complex chooses not to use wall signs.
- (ii) The total sign area of such sign shall not exceed 240 square inches per tenant.
- (iii) Directory signs shall not exceed five feet in height and shall be located within 20 feet of the building.

5) *Options for shopping centers 40,000 square feet or larger.* A shopping center consisting of 40,000 square feet or greater will be allowed a second freestanding sign located on the secondary street to which there is access when such center is located at a major intersection. The second sign shall be no larger than 100 square feet plus not more than 50 additional square feet of reader panel. The maximum height of the second sign shall be 50 feet.

6) *Canopy signs:*

- (i) Size and number.
 - 1) Canopy signs for businesses with canopies that are not attached to a building (i.e.: gas station islands) shall be computed based on the length of the canopy along the business frontage. The allowable sign area shall be computed at the ratio of 1½ square feet of wall sign for each linear foot of canopy along the business frontage.
 - 2) Signs on canopies attached to a building shall be considered as wall signs and governed by the regulations thereof.
- (ii) Location and height. Canopy signs must be flush mounted on the canopy and shall not project above or below the face of the canopy or extend laterally from the canopy. Signs allowed on canopies shall not be of a height greater than 20 feet above finished grade.

b) *Temporary signs:*

- 1) *Under construction signs.* Temporary monument signs for commercial or industrial developments which are under construction may be permitted in addition to permanent signs allowed by this subsection in order to give information concerning leasing, renting, selling, financing, and/or contracting. Such temporary sign shall be removed 12 months from the date of its erection or when the construction of the development is completed, whichever first occurs.
 - (i) *Size and number.* Temporary monument signs permitted under this subparagraph shall not exceed 32 square feet in area. Commercial or industrial developments which are ten acres in size or greater are allowed a total of two monument signs while developments smaller than ten acres in size are allowed one monument sign.
 - (ii) *Location and height.* Temporary monument signs may be located anywhere on the site provided they are set back a minimum of ten feet from any street frontage and a minimum of 200 feet from street intersections; provided, however, that at least one sign shall be permitted for each tract.
- 2) *Grand opening signs.* A wall sign to advertise grand opening celebrations for an individual business establishment shall be permitted for a period not to exceed 14 days. Such 14-day period shall begin on the date of erection of the sign, and the sign shall be totally removed prior to the expiration of the 14th day.
 - (i) *Size and number.* One temporary sign (which may be in the form of a banner) of a size not to exceed 32 square feet shall be permitted.
 - (ii) *Location and height.* Such sign shall comply with the location and height standards contained in subsection 1.1.7(3) a.1(ii).

3.08.008 Signs for civic events.

Temporary signs that provide information about and/or direct the public to a special event of civic interest, such as parades, organized holiday festivities or celebrations, special events on the behalf of charitable or nonprofit organizations are allowed provided a sign plan is submitted to and approved by the city council. Such sign plan shall comply with the following general requirements:

- 1) One, 32 square foot monument sign may be placed at each major entrance to the event.
- 2) Additional signs or banners may be located at specified locations in the city as approved by the city council.
- 3) Directional signs shall not exceed 16 square feet in area.
- 4) Signs shall be erected only for a time period not to exceed ten days before and two days after the event.
- 5) Such signs may be located on private property only with the permission of the property owner. In no case shall a sign be located on a public right-of-way without the consent of the city council.

3.08.009 Signs for areas zoned specific use.

Generally, the regulations for wall and monument signs as established by subsection 1.1.7(3) for commercially zoned areas shall apply to areas zoned for specific use. However, more strict rules may be applied by the city council in granting a specific use permit when it is deemed necessary for the protection of adjacent properties and the public interest.

3.08.010 Signs displaying noncommercial messages.

Notwithstanding any other provision of this section, any sign that may display a commercial message may also display any noncommercial message, either in place of or in addition to the commercial message, so

long as the sign complies with other requirements of this section or to other ordinances that do not pertain to the content of the message displayed.

3.08.011 Vehicles Used Solely as Signs.

Signage is allowed on a truck, bus, car, or other motorized vehicle provided all the following criteria are met:

- a) Primary purpose of such vehicle or equipment is not the display of signs;
- b) Signs are painted upon applied directly to an integral part of the vehicle or equipment;
- c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate;
- d) Vehicles and equipment are not used primarily as static displays advertising a product or service, not utilized as storage, shelter, or distribution points for commercial products or services for the general public; and
- e) During periods of inactivity exceeding 5 working days such vehicle/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in the active construction projects and on-premises storage of equipment and vehicles offered to the general public for rent or cars shall not be subjected to this condition.

3.08.011 Abandoned or Obsolete signs.

a) Any sign now or hereafter existing which no longer advertises a bona fide business conducted or a product sold at said premises, shall be removed by the owner, agent, or person having the beneficial use of the building or structure upon which the sign may be found or associated within twelve (12) months after the said business has been closed; provided, however, if the premises containing the sign is leased, such sign shall be removed within twenty-four (24) months after the most recent tenant ceases to operate on the premises.

b) The poles or supports for out-of-business signs may be left in place as long as the poles/supports do not violate safety or electrical codes and as long as the building official determines that the poles or supports can be utilized by the next owner, agent, or person occupying the building. If the sign pole or support is in the right-of-way or is a nonconforming sign structure, it must be completely removed.

c) Except as provided in subsection (b), all signs, cabinets, and parts to the abandoned or obsolete sign shall be removed from the premises and disposed of. If the abandoned or obsolete sign or sign parts are not removed within the time frames stated herein, the building official is hereby authorized to cause removal of such sign, sign parts, and sign pole or supports. The building official shall send notice of this action to the owner, and if owner fails to respond within fourteen (14) days, the building official shall be authorized to have the sign removed. All expenses incidental to this sign removal shall be paid by the owner of the land, building, or structure to which the sign is attached or upon which it is erected.

3.08.012 Nonconforming signs.

- a) Signs erected without a permit either prior to or after the adoption of this section, are illegal signs if a permit was required for its erection according to the law in effect at the time the sign was erected. It shall be unlawful to maintain any illegal sign. It is a defense to prosecution under this subsection if the sign has been made to comply with the provisions of this section so that a permit may be issued.
- b) All signs which were legally erected pursuant to a valid permit or legally maintained and which do not conform to the provisions of this section are nonconforming signs. Nonconforming signs shall be removed or modified so as to conform with the requirements of this section within six years of the date the sign became nonconforming, with the following exceptions:
 - 1) The conformity dates for the removal or modification of those signs for which the conformity date is required to be extended or for which financial compensation is required under state or federal law shall be extended for so long as the conformity date extension or financial compensation continues to be required by state or federal law.

- 2) Signs which constitute a hazard to pedestrian or vehicular traffic, unauthorized signs or portions thereof which are located on or extend over public property, snipe signs, signs with spinners, streamers, pennants or the like, and portable signs shall be removed or made to conform within 60 days after the effective date of this section.
- 3) No nonconforming sign shall be repaired or renovated at a cost in excess of 50 percent of the replacement cost of the total sign structure, unless such sign is brought into conformity with this section. No nonconforming sign shall be repaired or renovated where the effect of such repair or renovation shall be to enlarge or increase the structure of the nonconforming sign. For the purposes of this subsection, routine maintenance shall not be considered to be repair or renovation.

3.08.013 Variance.

- a) A relaxation of the terms of this section may be permitted where such variance will not be contrary to the public interest and where, because of conditions peculiar to the property and as the result of the actions of the applicant, a literal enforcement of this section would result in unnecessary and undue hardship. A variance is authorized under this subsection only for height, sign area, freestanding sign or ground sign and length of time allowed to remove or to make conform a nonconforming sign.
- b) Any variance sought under this subsection shall be submitted to the city council in accordance with the provisions provided in section 3.08.017 of this chapter.

3.08.014 Exceptions and exemptions.

In order to provide for unique circumstances that have a peculiar public need, the following type signs shall be exempt from the provisions of this section:

- 1) Any sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance, or governmental regulation.
- 2) Commemorative plaques and identification emblems of recognized historical societies and organizations.
- 3) Decorations clearly incidental, customary, and commonly associated with a national, local, ethnic, or religious holiday. Such decorations may be displayed for only the length of time that such holiday or event is normally and customarily celebrated by the public.
- 4) Nameplates not exceeding two square feet for residents or occupants of commercial, industrial, and professional buildings or dwellings, apartments, boarding or rooming houses, or other similar facilities.
- 5) Monument signs erected by residential homeowner associations at major entrances to the subdivision for which it is associated. Such monument signs shall not exceed 16 square feet in area.
- 6) Monument signs erected on-site by public and private developments directing or denoting the entrance, exit, parking, and direction of traffic flow, providing such signs are not prohibited or further regulated by other provisions of this section or other ordinances of the city. Such signs shall not exceed two square feet in area.
- 7) Protection or security signs erected by the occupants of a premises denoting no trespassing or security devices. Such signs shall not exceed four square feet.
- 8) Flag of any governmental entity provided that such flag is flown in accordance with established rules of etiquette. There shall be no flag poles mounted on roofs nor flags displayed on or from roofs.

- 9) Political signs. Shall be in conformance with Section 259, Election Code. Temporary political campaign signs provided that:
 - a) Signs advertising for or against the passage of any measure or the election of any candidate which are prohibited, except within 90 days before the election to which they relate and 14 days after said election. Such signs may remain in place between a primary election and general election, and between a general election and a run-off, provided that the measure or candidate will be on the general or run-off election, as applicable.
 - b) No such sign shall be more than 20 square feet in sign area. This limitation shall not apply to billboards that exist and are in compliance with this chapter.
 - c) No permit shall be required for the erection of a temporary political sign.
 - d) Political signs shall not be allowed in the right-of-way of any street, nor on any city property.
- 10) Signs located in the interior of a building which are designed and located to be viewed by the general public outside of the building area viewed by the public.
- 11) Signs on vehicles regulated by the city or any other governmental unit.
- 12) Signs on licensed commercial vehicles, including trailers; provided, however, that such vehicles shall not be used as parked or stationary outdoor signs and further provided that such vehicles or trailers are not designed or constructed for the primary purpose of providing an advertising medium.
- 13) Directory signs, menu boards and the like which are designed to be read from a distance no greater than ten feet.
- 14) Banners and balloons for an individual business establishment in commercial zones shall be permitted provided that:
 - a) No more than one banner may be displayed at any one time per business as long as maintained as specified in subsection (14)i;
 - b) No banner or balloon shall be displayed above the first floor of any building;
 - c) A banner or balloon shall be attached to the building front or side but not the rear of a building;
 - d) No banner or balloon shall obstruct vehicular or pedestrian traffic;
 - e) A banner or balloon shall be constructed of weather-resistant materials;
 - f) Each calendar year a schedule of events and celebrations which indicate the days such banners or balloons shall be displayed is submitted to and approved by the city;
 - g) Grand opening balloons or banners are allowed for a maximum of 14 consecutive days;
 - h) Any amendment to the schedule of events and celebrations which indicated the days such banners or balloons shall be displayed is submitted to and approved by the city;
 - i) The banners or balloons may not be tattered, torn or faded in appearance.
- 15) *Civic and church signs.* The city council may erect, or approve and permit to be erected, entrance signs at or near the city limits for the benefit of visitors, on which may be listed institutional names, churches, and points of interest. Civic organizations and churches may be permitted to place their insignias thereon. In addition, each church or institution may erect a maximum of four directional signs as long as each does not exceed four square feet.

- 16) *Administrative special exception for not for profit entities.* Temporary yard size signs may be placed in private yards and other approved areas so long as the signs are for a public interest event or to promote an event sponsored by a nonprofit, school (including sports teams), civic, church, governmental or other public interest entity. Prior written permission must be obtained from the city manager/city attorney and said permission shall be effective for no longer than 14 days. Removal of the signs must be provided for in the request for this permission and a responsible party must be named for said sign removal; said party shall be subject to prosecution in municipal court under the sign ordinance for any failure to timely remove the signs or placement in unapproved areas.
- 17) *Spinners or pennants.* No more than two spinners or pennants may be displayed at a shopping center at any one time and no more than one spinner or pennant may be displayed at a business at any one time.
- 18) *Pole banner.* No more than one pole banner may be displayed at a business at any one time and it may not be placed within any city or public right-of-way.
- 19) *Inflatables.* No more than one inflatable may be displayed at a business at any one time.
- 20) *Signs promoting Keep San Saba Beautiful Programs.* Sign promoting event or program sponsored by Keep San Saba Beautiful may not exceed two square feet.

3.08.015 Sign administration and enforcement.

(a) Sign administrator designated. The Building Official, hereinafter called the "sign administrator," shall administer and enforce the terms and conditions of this article and all other provisions of laws relating to signs. The Sign Administrator may delegate the duties and powers granted to and imposed upon him by this article to other persons serving under him. The Sign Administrator is directed to enforce and carry out all provisions of this article.

(b) Powers of sign administrator. The sign administrator shall have the power and authority to administer and enforce the conditions of this article and all other laws relating to signs. Included among such powers are the following specific powers:

- 1) Every sign for which a permit is required shall be subject to the inspection and approval of the sign administrator. When deemed advisable by the sign administrator, a sign may be inspected at the point of manufacture if such point is within or adjacent to the city limits;
- 2) Upon notice and issuance of a stop order from the sign administrator, work on any sign that is being conducted in a manner contrary to the provisions of this article or is being conducted in a dangerous or unsafe manner shall be immediately stopped. Such notice and order shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, written notice shall not be required to be given by the sign administrator. Following the issuance of a stop order, the sign administrator shall initiate proceedings to revoke any permit issued for the work covered by such stop order, consistent with subsection (3) below, unless the cause of the stop order is resolved to the sign administrator's satisfaction;
- 3) The duties of the sign administrator shall include the responsibility of insuring that all signs comply with this article and any other applicable law, and that all signs for which a permit is required do in fact have a permit. The sign administrator shall make such inspections as may be necessary to initiate appropriate action to bring about compliance with this article and other applicable law if such inspection discloses any instance of

noncompliance. The sign administrator shall investigate thoroughly any complaints of alleged violations of this article.

4) The sign administrator shall have, and is hereby granted, the power and authority to revoke any and all licenses or permits authorized by this article for violation of the terms and provisions of this article; provided that the sign administrator shall conduct a hearing prior to the revocation of any license or permit authorized under this article to determine the facts incident to the pending revocation. The person whose license or permit is under consideration shall be given at least ten (10) calendar days' written notice of the hearing and shall be permitted to present relevant facts and legal argument regarding the pending revocation. Following such hearing, the sign administrator shall consider the merits of the case and shall present a written opinion prior to any act. Provided further, however, that if in the opinion of the sign administrator the health, safety or welfare of the citizens of the city is endangered by any violation of this article, the sign administrator may immediately revoke any or all licenses or permits authorized by this article and shall conduct the necessary hearing as soon as possible thereafter, but in no case later than three (3) business days after the effective date of the revocation unless the affected licensee or permittee shall request, in writing, a later date;

5) The sign administrator shall have the authority to adopt regulations required to implement the provisions of this article; and

6) In accordance with any agreement between the City of San Saba and the State of Texas or the United States Government, the sign administrator is hereby authorized to enforce any applicable terms and provisions of the Texas Highway Beautification Act, Tex. Civ. Stat. Ann., Art. 6674v-1, The Agreement for Carrying out National Policy Relative to Control of Outdoor Advertising, entered into between the United States of America and the State of Texas, by instrument dated May 2, 1972, and any supplements or amendments to said Acts or agreements, and any rules or regulations promulgated by the State of Texas or the Texas Highway Department, pursuant to the said Act or agreements, with regard to signs.

3.08.016 Revocation of permits.

- a) Sign inspection. The sign inspector shall make the determination regarding location of any license or permit. Decisions of the sign inspector may be appealed to the Planning and Zoning Commission as provided herein.
- b) Revocation. After a hearing with Planning and Zoning Commission, the sign inspector may revoke any permit or license issued hereunder for any violation of any applicable law. The sign inspector shall mail or deliver notice of the hearing to the owner, lessor, permittee, or licensee at least ten days before the hearing on the proposed revocation. The owner, lessor, permittee, or licensee and the city may present relevant evidence at the hearing. The owner, lessor, permittee, or licensee may choose to be represented by an attorney at his own expense.

3.08.017 Appeals.

Any person aggrieved by any action of the sign inspector or Planning and Zoning Commission may appeal to the city council by notifying the city secretary of such appeal in writing within ten days after the action of the sign inspector. The city council shall hear the appeal within 45 days after said notice. The procedure shall be the same as for revocation of a permit.

3.08.018 Fees.

See the City of San Saba Fee Schedule and are nonrefundable.

3.08.019 Sign companies.

- a) Signs regulated by the State of Texas may only be installed by a state licensed electrical sign contractor that is registered with the City of San Saba.
- b) Signs not regulated by the State of Texas may only be installed by a general contractor licensed by the City of San Saba.
- c) Signs under 16 square feet in size and signs painted on existing walls and/or screening fences are exempt from the above requirements.

3.08.020 Structural requirements for permanent signs.

It shall be the sole responsibility of the owner of the permitted sign to ensure compliance with the structural requirements designated below:

1) Design.

- a) *General.* All signs and sign structures shall be designed and constructed to resist wind forces as specified Chapter 16 of the 2015 International Building Code—General Provisions. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such manner as not to overstress any of the elements of the building.
- b) The overturning moment produced from lateral forces shall in no case exceed two-thirds of the dead-load-resisting moment for all signs. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building for all signs. The weight of earth superimposed over footings may be used in determining the dead-load-resisting moment. Such earth shall be carefully placed and thoroughly compacted.
- c) The allowable stresses in wire ropes and steel guy rods and their fastening shall not exceed one-fourth of their rated tensile strength.
- d) *Wind loads.* All signs and sign structures shall be designed to resist wind loads as prescribed in wind design requirements of Chapter 16 of the 2015 International Building Code.
- e) *Vertical design loads.* Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind loads.
- f) *Working stresses.* All signs shall be designed to conform to the requirements of Chapter 16 of the 2015 International Building Code—General Provisions regarding allowable working stresses. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel rods.

2) Construction.

- a) *General.* The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of the 2015 International Building Code.
- b) *Materials.* Materials for construction of all signs and sign structures shall be of the quality and grade as specified for buildings in the 2015 International Building Code, Chapter 16.
- c) *Nonstructural trim.* Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics, or any combination thereof, consistent with the 2015 International Fire Code.
- d) *Anchorage.* Members supporting un-braced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values stated in Chapter 16 of the 2015 International Building Code. All ground signs shall be anchored to resist the wind load specified in the building code acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective

- resistance to pullout amounting to a force 25 percent greater than the required resistance to overturning.
- e) *Signs attached to masonry.* Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied.
 - f) *Wooden blocks.* No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing whenever anchors or supports consist of wood embedded in the soil, the wood shall be pressure treated with a preservative approved by the sign administrator.
 - g) *Un-braced parapet wall.* No anchor or support of any sign will be connected to or supported by an un-braced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified in the International Building Code.
 - h) *Display surfaces.* Display surfaces in all types of signs may be made of metal, wood, glass or "approved plastics", unless otherwise prohibited herein or prohibited by the 2015 International Fire Code.
- 3) *Electrical requirements.* All electrical fixtures, equipment and appurtenances installed in conjunction with a sign shall be designed and installed in accordance with the 2017 National Electrical Code published by the National Fire Protection Association.

3.08.021 Sign maintenance and removal.

- a) *Maintenance.* All signs shall be thoroughly and continuously maintained in a safe condition and the paint shall be kept in good condition, except for parts made of galvanized or noncorroding metal or treated with effective wood preservative. All parts shall be free from deterioration, termite infestation, rot, or loosening. All signs shall be able to withstand safely at all times the wind pressures specified in any applicable law. If any sign is not so maintained, the sign inspector shall give written notice to the owner, lessee, or permittee thereof to so maintain the sign, and said person shall comply with said notice.
- b) *Removal of signs.*
 - 1) Any notice to bring any sign into compliance with this chapter shall state that the sign may be subject to removal after a hearing. If such order is not complied with within 30 days, the sign administrator may initiate proceedings to revoke the permit and remove the sign at the expense of the owners, lessee, or permittee. Any sign company which received a permit for any removed sign or sign covered by a revoked permit shall be deemed to have forfeited the performance bond required by this chapter, and the sign administrator shall apply the proceeds of said bond to the removal of the sign.
 - 2) Any abandoned or obsolete sign may be removed by the city at the expense of the owner, lessee, or permittee of the sign or the premises.
 - 3) The city shall be entitled to a lien against any premises from which the city removes a sign, to secure reimbursement to the city of all costs of removal.
 - 4) Any sign in violation of this chapter may be seized, transported, and impounded by the sign administrator after a hearing as provided herein. The custodian of the storage area shall maintain records of where such signs were located when they were impounded and the date of impoundment and shall hold the signs in the storage area for a period of not more than 30 days. Any sign so held may be redeemed by the owner thereof upon the payment of a fee to the city consisting of a total of \$50.00 for seizing the sign plus \$5.00 per day storage fee for each day or part of a day the sign is stored. Such fee shall be in addition to and not in lieu of any fine imposed upon such owner for violation of this chapter. Any sign impounded and

- 5) stored and not redeemed by the owner thereof within 30 days may be destroyed or sold at auction by the city.
- 6) The removal of any sign by the City by and through the sign administrator under any provision of this chapter shall require a hearing before the Planning and Zoning and a determination by said Planning and Zoning that the sign should be removed. The procedure shall be the same as for revocation of a permit.

3.08.022 Signs resembling official signs.

No sign shall resemble any official marker erected by any governmental unit, or by reason of position, shape, or color conflict with the proper functioning of, or be confusing with, any traffic sign, signal, or emergency vehicle. Use of words such as "stop," "look," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse any driver or traffic is prohibited.

3.08.023 Proper shielding of lighted signs; interference with drivers of motor vehicles.

No sign shall contain lights which are not effectively shielded so as to prevent light from being directed at any portion of a street or highway from which the lights or light rays are visible and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle. **3.08.024 Signs not to create easements.**

No permit for a sign shall create any easement.

3.08.025 Accumulation of rainwater prohibited.

All signs shall be constructed so as to prevent the accumulation of rainwater in the signs.

3.08.026 Locations.

- a) No person shall place, construct, reconstruct, erect, or use any sign, or cause any of said things to be done, on any private or public property of any nature whatsoever, without the permission of the person or governmental entity owning or controlling the property. If such governmental entity is the city, then the city administrator, in his/her discretion, may grant or deny such permission, and any such permission must be in writing.
- b) No sign shall be erected nearer than ten feet horizontally or eight feet vertically from any utility pole.
- c) Roof signs must have one foot of open space between the roof line and the bottom of the sign and three feet of open space between the sign structure and the edge of the roof, and between sign structures.

3.08.027 Other laws.

- a) This chapter shall in no way impair the application of or excuse full compliance with all fees, permits, and other provisions of the building code, electrical code, or any other applicable ordinances or laws. To the extent of any conflict, this chapter shall control.
- b) This chapter shall not impair any private restrictions or agreements regulating signs, to the extent that such private restrictions or agreements are more restrictive than this chapter.

3.08.028 Nonliability.

The city and its officers, agents, and employers shall not be liable for any action, nonaction, event, situation, or any other matter in any way related to this chapter. This chapter shall not limit any liability of any person except the city.

3.08.029 Violations and penalties.**1. Violations.**

Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning ordinance, and by state law:

- (A) To install, create, erect, or maintain any sign requiring a permit without such permit;
- (B) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- (C) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed; or
- (D) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

2. Separate Violations

Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

3. Penalties.

Any violation or attempted violation of this chapter or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. Any individual who recklessly violates any provision of this chapter is guilty of a misdemeanor and upon conviction will be subject to a fine not less than \$1.00 nor more than \$500.00. Remedies of the city include the following:

- (A) Issuing a stop-work order for any and all work on any signs on the same lot;
- (B) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;
- (C) Imposing any penalties that can be imposed directly by the city under the zoning code;
- (D) Seeking in court the imposition of any penalties that can be imposed by such court under the zoning code; and
- (E) In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of the zoning ordinance and building code for such circumstances.

3.08.030 Notice.


Any written notice required or allowed by this chapter shall be deemed received when deposited in the United States first class mail, addressed to the address supplied by the addressee to the city, or to any address that the sign inspector believes correct, or when actually received by any means, whichever is earliest.

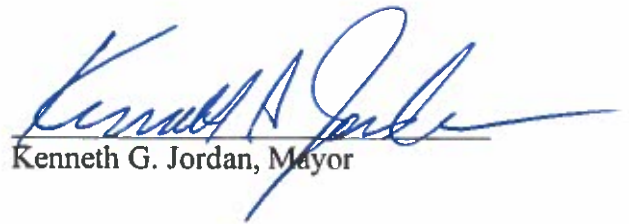
CITY MANAGER'S REPORT: City Manager Weik gave a brief report on the following activities in the City of San Saba: Prior to the incident that occurred on Bluffton Street, the City had been working trying to clean up Bluffton and Water Streets; We are going after the property owners and will be fining the people that a running businesses in the residential area \$1,000.00 per day which is considered a felony; it is taking a long time to clean up, but that is what we want; Water Wheel is up and running; Mill Pond is starting to turn dark, the Pond is turning over and the moss will come up; City Hall will not be shutting down, we have preventative disinfectant, and masks available for our employees; test kits available for COVID-19 available by the end of the week or you can go through the drive-through testing, but required to a questionnaire; may need to do our next Council meeting telephonically; met with City Staff about the importance of their jobs; the San Saba River Golf Course hired a new Golf Pro, Michael Whitley.

OTHER REPORTS: None

As there was no further discussion, the meeting adjourned at 6:53 p.m.

ATTEST:


Sabrina Maulsby, City Secretary


Kenneth G. Jordan, Mayor