

AN ORDINANCE PROVIDING FOR THE UNIFORM REGULATION OF SIGNS WITHIN THE CORPORATE LIMITS OF THE CITY OF CRESSON, HOOD COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cresson, Texas, is a Type B general law municipality acting under its authority pursuant to the Texas Local Government Code; and

WHEREAS, City Council for the City of Cresson has determined that it is necessary, in order to provide for the health, safety and welfare of the residents of the City of Cresson and it is in the best interest of the City of Cresson; and

WHEREAS, all requirements of law have been met, including compliance with applicable provisions of the Texas Local Government Code;

NOW, THEREFORE, be it ordained by the City Council of the City of Cresson, Texas:

I. DEFINITIONS

A. "Off-Premises Outdoor Advertising Sign" – Any sign that advertises products, goods, services, business entities, or other items, entities, or activities that are not located on the same premises as the sign.

II. OFF-PREMISES OUTDOOR ADVERTISING SIGNS

A. Off-Premises Outdoor Advertising Signs as defined in Section I hereinabove, shall be and are hereby prohibited in all areas within the corporate limits of the City of Cresson, Hood County, Texas.

B. Garage sale signs, lost and found signs, political signs and signs for nonprofit entities which are not in excess of three (3) feet wide by three (3) feet high are excluded from the prohibition as set forth hereinabove in this Article II.

III. PERMIT FEES

A. No sign of any type, shall be erected within the corporate limits of the City of Cresson, Hood County, Texas, until an application for a sign permit has been submitted

to the City, approved by the City Council as evidenced by a duly executed sign permit, which permit shall not be granted until the applicant has paid the City the appropriate fee according to the permit fee schedule as adopted by the City Council.

B. The sign permit fee is established at \$75.00 per permit.

IV. PROHIBITED SIGNS

A. It shall be unlawful for any person to erect or otherwise display any sign which is not specifically authorized and controlled by this ordinance. It shall also be unlawful for any person to erect, install or otherwise display any sign which does not conform to the requirements of this ordinance.

V. PENALTY CLAUSE

A. Any person, firm or corporation in violation of any of the provisions of this ordinance shall be fined not less than \$50.00 and not more than \$2,000.00 per offense. Each day such violation exists shall constitute a separate offense. The Mayor or the Marshall shall have the authority to issue citations or file complaints in court for violations of this ordinance, said authority being in addition to any other remedy available under any other applicable ordinance or statute.

VI. SEVERABILITY CLAUSE

A. Should any section or part of this ordinance be held unconstitutional, illegal or invalid, or the application thereof, the 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 portions, the same shall be and remain in full force and effect.

VII. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON THIS THE 10th DAY OF SEPTEMBER, 2002.



JOHN CARROLL, MAYOR

ATTEST:


KELLY FLUD, CITY SECRETARY