

ORDINANCE NO. 10-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE CITY OF GREENVILLE CODE OF ORDINANCES, CHAPTER 28 ZONING REGULATIONS, SECTION 5-4 SIGN REGULATIONS, PROVIDING REGULATIONS FOR TEMPORARY SIGNS IN THE CENTRAL AREA (CA) ZONING DISTRICT; PROVIDING FOR A REPEALING, SEVERABILITY, AND PENALTY CLAUSE AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER JANUARY 12, 2010.

WHEREAS, City Staff has been requested by members of the Main Street Advisory Board that Chapter 28, Section 5-4 Sign Regulations of the Code of Ordinances of the City of Greenville relating to temporary sandwich boards and temporary free standing signs in the Central Area (CA) Zoning District be amended; and

WHEREAS, proposed changes are as follows:

Section 5-4.3 Definitions:

- 44: SIGN, TEMPORARY SANDWICH BOARD: Any temporary sign of A-frame construction designed for placement on the sidewalk in front of a place of business being advertised that is not permanently attached or anchored to the ground, wall or building, which complies with all of the design specifications of the Main Street Advisory Board; sandwich board signs are generally two (2) sided.**
- 45: SIGN, TEMPORARY FREE-STANDING SIDEWALK: Any temporary sign designed for placement on the sidewalk in front of a place of business being advertised that is not permanently attached or anchored to the ground, wall or building, which complies with all of the design specifications of the Main Street Advisory Board; free-standing sidewalk signs can be single or double-faced.**

Section 5-4.6 Sign Standards:

(G)Standards for Temporary Signs. All temporary signs shall conform to the requirements outlined below. Except where specifically authorized, temporary signs may not be lighted.

(16) Sandwich Board and Free-Standing Sidewalk Signs in the Central Area (CA) zoning district. A person may erect and display Sandwich Board or Free-Standings Sidewalk Signs on public rights-of-way in the Central Area (CA) zoning district, subject to the following provisions:

- (a) Only one sandwich board or free-standing sidewalk sign shall be allowed per business;**
- (b) Signs shall be weighted to withstand wind;**
- (c) Signs shall be removed after business hours;**
- (d) Signs shall not obstruct the sidewalk, shall be visible at all times, and shall comply with any applicable provisions of the Americans with Disabilities Act;**
- (e) A Certificate of Design Compliance from the Main Street Advisory Board shall be required prior to the issuance of a sign permit;**
- (f) Sandwich board signs shall not exceed twelve (12) square feet in area per side and shall not exceed three (3) feet in width and four (4) feet in height;**
- (g) Free-standing sidewalk signs shall not exceed six (6) square feet in area per side and shall not exceed three (3) feet in width and five (5) feet in height.**

Section 5-4.7 Nonconforming and Prohibited Signs:

(C) Prohibited Signs

- (5) Permanent portable signs, twirling signs, sandwich or “A” frame signs, sidewalk or curb signs, cloth, paper, or other similar advertising matter **are prohibited, except as otherwise allowed by ordinance.**

Section 4-1.7 Permitted Use Schedule:

USE TYPE	A	SF-E	SF-1	SF-2	SF-3	SF-4	PH	SFA	2F	MHP	MF-1	O	NS	GR	HR	C	CA	I-1	I-2	
SIGN AND IDENTIFICATION USES																				
<u>Free-Standing Sidewalk Sign (temporary)</u>																			<u>P</u>	
<u>Sandwich Board Sign (temporary)</u>																			<u>P</u>	

WHEREAS, notice of a hearing was published in a newspaper of general circulation in the City, which stated the time and place of hearing, which time was not fewer than fifteen (15) days after first day of such publication; and

WHEREAS, on December 21, 2009, the Planning and Zoning Commission, and, after the public hearing, approved this request; and

WHEREAS, a public hearing was held by the City Council prior to approval of the proposed amendment;

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

SECTION 1. The recitals set forth above are hereby found by the Council to be true and correct, and are incorporated by reference herein and expressly made a part hereof as if copied verbatim.

SECTION 2. The City Council of the City of Greenville hereby amends Chapter 28, Section 5.4, Sign Regulations to read as follows:

Section 5-4.3 Definitions:

- 44: SIGN, TEMPORARY SANDWICH BOARD: Any temporary sign of A-frame construction designed for placement on the sidewalk in front of a place of business being advertised that is not permanently attached or anchored to the ground, wall or building, which complies with all of the design specifications of the Main Street Advisory Board; sandwich board signs are generally two (2) sided.
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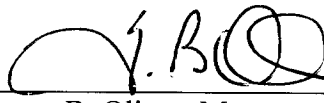
SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of conflict only.

SECTION 4. A person who violates this Ordinance is guilty of a separate offense for each day or part of day the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$2,000.00.

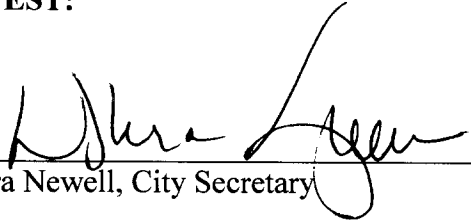
SECTION 5. That if any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Greenville, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

SECTION 6. This Ordinance shall be in full force and effect from and after January 12, 2010.

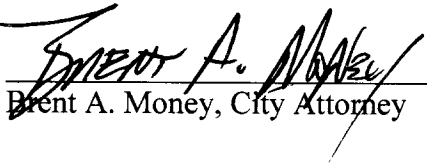
PASSED AND APPROVED, this the 12th day of January, 2010.


Thomas B. Oliver, Mayor

ATTEST:


Debra Newell, City Secretary

APPROVED AS TO FORM:


Brent A. Money, City Attorney