

STATE OF TEXAS §

COUNTY OF BEXAR §

ORDINANCE # 604

CITY OF CONVERSE §

AN ORDINANCE REGULATING SIGNS AND BILLBOARDS; DEFINING SIGN TERMS; ESTABLISHING REGULATIONS ON SIGNS IN THE CITY; SETTING PERMIT AND INSPECTION REQUIREMENTS; SETTING PENALTIES FOR VIOLATION; AND SUPERSEDING OTHER ORDINANCES IN CONFLICT.

WHEREAS, the lightweight design and easy mobility of some signs together with the frequent use of electrical components creates a potential for safety hazards. In addition, signs are often placed in close proximity to public rights-of-way, and such placement creates visual obstruction of oncoming pedestrian and vehicular traffic; and,

WHEREAS, uncontrolled placement of portable signs could have a negative impact on the health, safety and welfare of local residents; and,

WHEREAS, regulations of signs in the City will substantially promote the City's interest and observing the aesthetic beauty of the City; and,

WHEREAS, registration and annual inspection of signs are necessary measures to identify especially hazardous conditions and promote, to the extent possible, their proper operation and maintenance and to preserve the health, safety and welfare of citizens of and visitors to the City of Converse; and,

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Converse, Texas that:

SECTION I: DEFINITIONS. For the purpose of this Ordinance, the following words and terms shall have the meanings ascribed:

- A. Advertising Signs: A sign designed to attract public attention for a specific product or business. Political signs are not included within the definition of advertising signs. Political signs are regulated by City Ordinance #118 and are exempt from the provisions of this Ordinance..
- B. Animated Or Moving Sign: Any sign, or part of a sign, which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.
- C. Area of Sign: The total face area which includes the message and the border of the sign. It does not include the supporting super-structure.

- D. Awning, Canopy or Marquee Sign: A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by ordinance.
- E. Back To Back Sign: A structure containing two (2) parallel signs whose faces are oriented in opposite directions and are spaced no more than ten (10) feet apart. If each side is the same the allowed size will only be calculated for one side.
- F. Bandit Sign: A sign not to exceed four (4) square feet which is erected by home builders/developers advertising property located within the City.
- G. Banner Sign: A sign made of cloth, plastic, or other flexible material, without a frame or backing, designed to be attached to a building, pole or other structure.
- H. Bench Sign: Any advertisement on a bench.
- I. Billboard Sign: Any flat surface covered with wood or metal on framework erected on open space, or attached to metal or wooden posts, buildings, or other structures and used for the display of bills, posters, or other advertising matter that is posted, tacked, bolted, pasted or painted which advertises a use, product, or service not necessarily found on the premises.
- J. Commercial Sign: A sign which direct attention to a business, product, service or activity which is conducted upon the premises where such sign is located.
- K. Development Lot: Developed lot which is ground leased or which has structures for business in place for use as an established business.
- L. Development Sign: A ground sign announcing or describing a legally approved subdivision or land development.
- M. Electric Sign: Any sign on which letters, figures, designs or messages are formed or outlined by electric illumination, or by a transparent or translucent medium which is electrically illuminated, whether the illuminating device is obtained within or on the sign and shall also include all outside building outlining, end interim decorative displays and gas tube window outlining. Signs illuminated by electric lights which are not attached to the sign and signs which are lighted by floodlights or projectors, are not classified as electric signs within the meaning of this ordinance.
- N. Flag Pole Sign: An advertisement for promotion or grand opening which shall not exceed three (3) per property and thirty-five (35) feet in height.
- O. Flashing Sign: Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

- P. Garage Sale Sign: A sign erected only on private property with consent of the owner and/or where the garage sale is taking place only during the time the garage sale is being held and which cannot exceed four (4) square feet.
- Q. Governmental Sign: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.
- R. Ground Sign: Any sign which is supported by structures or supports in or upon the ground and independent of support from any building.
- S. Inflated Sign: An air inflated advertisement for promotion or grand opening.
- T. LED or Video Sign: A sign with light-emitting diodes or video produced text or images.
- U. Monument Sign: A ground sign typically on a concrete base which cannot exceed 100 square feet and a height of eight (8) feet.
- V. Non-Conforming Sign: A sign which was lawful prior to the adoption or revision or amendment of this ordinance, but which fails, by reason or such adoption, revision, or amendment, to conform to the present requirement of this ordinance.
- W. Off Premise Sign: A sign which advertises a use, product or service not found on the premises where the sign is installed.
- X. Portable Signs: Any sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted on a trailer, wheeled carrier, or other non-motorized mobile structure. A portable sign which has its wheels shall still be considered a portable sign. Specific signs excluded from this definition include garage sale signs, real estate signs, governmental, political advertisements and other small signs less than 10 square feet.
- Y. Political Sign Signs that contain primarily a political message. Political signs are regulated by city ordinance #118 and are exempt from the provisions of this ordinance.
- Z. Sign: A display of a name, identification, description, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure, or piece of land and which directs attention to an object, product, place, activity, institution or business. A sign is not a display of official court or public office notices nor is it a flag, emblem, or insignia of a nation, political unit, school, or religious group. A sign shall not include a sign located completely within an enclosed building, nor holiday decorations. The term sign shall include all other devices or structures as may reasonably be included under it; whether attached or unattached. This definition also excludes all national or flute flags, non-electric window displays, graffiti, athletic scoreboards and the official announcements or signs of government.
- AA. Sign Face: The area or display surface used for the message.

SECTION II: PURPOSE.

- A. General Purpose: The regulations enacted in this ordinance are to promote the health, safety and general welfare of the city; and also provide in each area standards which promote a positive city image reflecting order, harmony and pride, thereby strengthening the economic stability of business, residential and cultural areas.
- B. Specific Objectives:
1. To insure safe sign construction.
 2. To prevent the construction of signs that would restrict the sight distance or confuse vehicle operators and or pedestrians to proceed in a safe manner.
 3. To prevent the obstruction of streets, alleys and other public places by signs.
 4. To identify individual business, residence and public use without creating confusion, unsightliness, or visual obscurity of adjacent buildings or businesses.
 5. To assure that all signs in terms of size, scale, height and location are properly related to the overall adjacent land use characteristics and development lot size.
 6. To assure all signs, the supports and bases are, in terms of color, form, material and design, compatible with other structural forms on development lots and adjacent areas.
 7. To assure, by permit and inspection, the construction of safe signs thereby preventing obstruction or streets, alleys or public places and not unduly restricting the sight or safety of vehicle operators and pedestrians.

SECTION III: GENERAL PROVISIONS.

- A. A sign permit shall be obtained prior to placement or erection of any sign not exempted herein.
- B. All commercial signs shall pertain to the identification of the primary uses and/or primary services provided or primary products sold on the premises, except for billboards, auxiliary, governmental or community service signs as provided herein.
- C. All signs, where applicable, shall meet the standards of the city building code.

- D. Except as provided, no person or business firm, acting either as principal or agent, shall alter the copy face or lettering of any sign, (except for signs with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board) either by changing the message or by renovating an existing message or shall erect any sign or sign structure until a sign permit for such work has been issued by the City Manager, or his designated representative.
- E. No sign, sign structure, or sign support shall project over any property line or into a public right-of-way except that a sign placed flat against the wall of a building which is on the property line may project eighteen (18) inches beyond the property line over public property.
- F. Trees, rocks, bridges, fences, towers, utility poles and dilapidated buildings shall not be used as sign supports.
- G. Business locations shall be identified by a street number attached to the building and must be clearly visible from the street. The characters will be a minimum of six (6) inches. Shopping malls and centers having a common address are exempt; however, the main sign for the mall or center must display the full street address.
- H. All residences shall be identified by a street number attached to the building and clearly visible from the street. The characters shall be a minimum of three (3) inches. Residences may also display a yard sign not more than one (1) square foot in area showing street address.
- I. In the event that more than one (1) sign-related definition applies to an existing or proposed sign, resulting in conflicting regulations thereon, the most restrictive regulation shall apply.
- J. Clear Sight Triangle:
 - 1. Parking Lot Driveway: A clear sight triangle shall be formed on both sides of a driveway into a parking lot. Size shall be determined by measuring ten (10) feet along the property line and ten (10) feet along the driveway. No sign more than two (2) feet in height shall be erected or placed in this triangle.
 - 2. Street Corner. A clear sight triangle shall be formed by measuring twenty (20) feet along the property line in both directions from the corner of the lot adjacent to the intersecting streets. No sign more than two (2) feet in height shall be erected or placed in this triangle. A single support with no sign structure or copy between a point thirty (30) inches and eighty-four (84) inches above the street grade is not considered a violation of clear sight triangle.

SECTION IV: SIGN REGULATION BY TYPE.

- A. Bandit Signs are permitted only between 8:00 a.m. Friday through 8:00 a. m. Monday, and on holidays.
- B. Billboards shall not exceed two hundred (200) square feet in face area. Billboards are permitted only in commercial or industrial districts. Installation of new billboards is prohibited.
- B. Development Sign may be temporarily erected until all homes in the subdivision are sold. Such signs shall not exceed two hundred (200) square feet in face area and may be indirectly lighted. Flashing or moving parts are not permitted.
- C. Garage Sales Signs in residential areas shall not exceed four (4) square feet in face area. They may not be illuminated, may not be erected earlier than two (2) days preceding the sale and shall be removed within two (2) days following the sale. Signs will show the date(s) of the sale. Signs shall not be posted on utility poles.
- D. For Sale, For Lease/Rent Signs:
 - 1. In nonresidential areas, signs may not exceed two hundred (200) square feet in face area advertising the sale or rental of buildings or the proposed use of property on which they are placed. Signs must be removed within fourteen (14) days following the date of sale or rental of the property.
 - 2. In residential areas, one (1) unlighted sign not exceeding four (4) square feet in face area may be placed on the premises where a property or building is being advertised for sale or rental. The sign must be removed within fourteen (14) days following the sale of the property or rental or vacant space concerned.
- E. Wall Signs and Canopy Signs attached to the exterior of a building may not exceed 64 square feet total area or 20 percent of the front face area. Canopy signs shall be counted as part of and limited to the total square footage allowable for wall signs. Wall signs on the side or rear of a building may not exceed 32 square feet.
- F. Gasoline Pump Islands may exhibit one (1) logo sign not exceeding thirty-two (32) square feet in gross face area and one (1) price sign per gasoline pump island not exceeding thirty-two (32) square feet in gross face area.
- G. Sloping Roof Signs shall not project horizontally or vertically beyond the roof line. Not more than ten (10) percent of any sloping roof area shall be devoted to these signs.
- H. Freestanding Signs may be constructed on developed lot with one or more freestanding buildings, not to exceed one (1) freestanding sign per developed lot, with the following stipulations:

1. Area: The area of a freestanding sign shall not exceed sixty .feet (64) square feet of gross face area.
 2. Height: The height of a freestanding sign shall not exceed thirty-five (35) feet.
 3. Setback: The setback of a freestanding sign shall be a minimum of ten (10) feet from lot lines.
 4. Corner lots: On corner lots the major or primary street shall be construed to be the development lot frontage, and no more than one (1) sign shall be permitted. On a development lot located at the intersection of two (2) major thoroughfares or two (2) expressways or a major thoroughfare and an expressway, a freestanding sign shall be permitted on each such thoroughfare or expressway.
- I. Temporary Business Promotional Signs shall only be placed in or on windows and shall have a combined area not exceeding fifty percent (50%) of the area of all the windows on the same wall. The sign area of temporary business promotional signs shall not be counted against total permitted sign area.
- J. Community Service Signs displayed for seasonal celebration shall have no size limitation if placed in or on windows. Any community service signs, not of a seasonal celebration nature, shall be placed in or on windows and shall have a combined area not exceeding fifty (50) percent of the area of all the windows on the same wall. The sign area of community service signs shall not be counted against permitted wall sign area.
- K. Portable or Wheeled Signs may be authorized for a period not to exceed thirty (30) days for business openings and special promotions. Each business may display a portable or wheeled sign for a period not to exceed thirty (30) calendar days in any calendar year. The thirty (30) calendar days may be broken into any combination of increments. Flashing parts, moving parts, or any appurtenance causing a visual distraction to motorists or pedestrians is prohibited. A permit must be obtained from the City Manager, or his designated representative. The following restrictions shall govern all portable signs permitted hereunder:
1. A portable sign shall be displayed only at the location identified in the registration form as provided by the City Manager. An annual registration fee of \$50.00 shall be paid to the building department for each portable sign.
 2. No more than two (2) portable signs may be permitted on any multiple business property. All signs shall comply with the electrical code of the City of Converse. All electrical signs as defined and regulated in this ordinance, are required to have an approved, permanent outdoor type connection, which shall be inspected and approved by the Building Inspector prior to the operation of the sign. The sign, its wiring and connection shall conform to the provisions of current electrical code. No sign shall be placed further than ten (10) feet from its electric al connection.

3. The use of extension cords more than 5 feet in length in connection with portable signs is prohibited.
 4. All portable signs shall be maintained in good repair and working condition, with fallen letters replaced within five (5) business days.
 5. All signs shall be located at least two feet inside private property in such a manner that they do not pose a hazard to vehicular or pedestrian traffic.
 6. Failure to register a portable sign or pay an annual permit and inspection fee as required by this ordinance shall constitute a violation hereof.
- L. Miscellaneous Signs, to include, no trespassing, or posted property type signs in residential zones shall not exceed two (2) square feet in face area. In nonresidential zones, these signs may not exceed four (4) square feet. Signs placed with the intent of warning or advising the public of possible danger that may be encountered on private property shall not exceed two (2) square feet in face area. In nonresidential areas, this type sign may not exceed four (4) square feet in face area. An "Opening Soon" type sign may be placed in nonresidential areas provided it is advertising the property it is placed on; and is not more than sixty-four (64) square feet in face area; and is not up for more than six months; and is maintained in good repair.
- M. Homeowners Association Information Signs may be displayed near a subdivision entrance for up to 7 days to notify residents of coming events, meetings or hazards. The Information Sign may not exceed 32 square feet in size.

SECTION V: SPECIAL DISTRICT SIGN REQUIREMENTS.

- A. Residential Districts: A person having a legal home occupation may display a nameplate on the face of the building or porch. The nameplate may contain only the name and occupation. It shall be attached directly to, and parallel to, the face of the building or porch. It shall not exceed one (1) square foot in area, shall not be illuminated in any way, and shall project not more than six (6) inches beyond the building or porch. No permit is required.
- B. Mobile Home Park District: A ground sign or wall sign not more than one hundred (100) square feet in total area may be erected on property of the mobile home park, and may be indirectly lighted.
- C. Office and Professional Districts, Neighborhood Service Districts, General Business Districts, Light Industrial Districts, Medium Industrial Districts: Signs, when attached to buildings, shall advertise only services or products which are offered within the building to which the sign is attached. No wall sign shall exceed sixty-four (64) square feet in

gross face area. Wall signs shall project no more than two (2) feet perpendicular from the wall and not more than three (3) feet vertically above the wall of the building.

- D. Garden Offices and Strip Shopping Centers: One (1) pylon sign per complex may be erected advertising the total number of office tenants. If the complex is located on a corner lot, the corner lot provision shall apply. The face area of the sign may not be larger than ten (10) feet by thirty (30) feet, mounted at least ten (10) feet above the ground with a maximum height of thirty-six (36) feet. The name of the complex and the street address with letters no less than six (6) inches high will appear at the top of the copy.

SECTION VI: PROHIBITED SIGNS. The following signs shall be-prohibited in all districts:

- A. Any signs and supports located on the public rights-of- way, including on public .streets, alleys and parkways, other than those signs and supports required by governmental authority, or for which a street use license has been issued. This section does not prohibit signs on commercial vehicles or commercial .trailers lawfully operated or parked in the normal course of business in such areas. However, this section does prohibit the use of vehicles and trailers being operated and parked on public rights- of-way as a mobile sign or billboard.
- B. Signs with flashing, blinking or traveling lights, except LED and video signs.
- C. Banners, pennants, search lights, twirling signs, sandwich or "A" frame signs, side walk or curb signs, balloons or other gas-filled objects. (These types of signs may be authorized for a period not to exceed thirty (30) days for business openings and ten (10) days for special occasions. Extensions may be permitted awaiting permanent sign fixture with proof of order. A "no fee" permit shall be obtained from the City Manager, or his designated representative.
- D. Display of merchandise or examples of work is classified as a sign, and is not permitted in any residential district.
- E. Signs which, by reasons of their size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.
- F. Any sign which emits sound, odor or visible matter which serves as a distraction to parsons within the public right-of-way.
- G. No billboards or commercial signs shall be erected advertising products or services not available on the site except as noted in Section IV, paragraph A.

- H. No billboard shall exceed 35 feet in height from the ground level unless the sign is located in a Special Sign District.
- I. No billboard shall interfere with the visibility of pedestrians or drivers of motor vehicles at street intersections, or otherwise obstruct traffic or create a traffic hazard.
- J. Signs may not be constructed of scrap materials, paper, or other such fragile materials which are not weather resistant.
- K. The use of fluorescent paint, metallic paint, or similar non-conventional paint emitting luminosity upon exposure to external radiation or bombardment by a stream of particles is expressly prohibited.
- L. Any sign in apparent compliance with this ordinance, but which staff deems is by design, construction or erection hazardous to persons will require approval of City Council.

SECTION VII: PARKING OF ADVERTISING VEHICLES. No person shall park an advertising vehicle or trailer on a public right-of-way, on public property, or on private property so as to be visible from a public right-of-way, except in accordance with Section IV paragraph L. Political signs are not included within the definition of advertising signs. Political signs are regulated by City Ordinance #118 and are exempt from the provisions of this Ordinance.

SECTION VIII: LED OR VIDEO SIGNS are permitted if they do not violate other provisions of this ordinance.

SECTION IX: EXISTING SIGNS.

- A. Signs in newly annexed areas in existence prior to annexation shall be exempt from the provisions of this Ordinance for a period of six (6) years only if they are not hazardous to the health and safety of the public and are not unsightly or offensive to the viewing public.
- B. Where existing billboard signs do not comply with this ordinance with respect to location, height, size, area of display, minimum ground clearance and are not a hazard or nuisance and are in good condition, an exception maybe granted upon filing of an application for a permit, payment of the annual billboard permit fees, when required, and passage of an inspection by the city staff official.
- C. Billboards in existence prior to the enactment of this Ordinance shall be exempt from the provisions of this Ordinance for a period of six (6) years and six (6) months, only if they are not hazardous to the health and safety of the public and are not unsightly or offensive to the viewing public. After six years and six months from the enactment of this

Ordinance, all billboards in the City of Converse shall conform to the restrictions and standards of this Ordinance.

- D. An existing non-conforming sign may not be repaired or rebuilt in the case of obsolescence or total destruction by fire or other causes. In case of partial destruction by fire or other causes, not exceeding fifty (50) percent of its fair market value, the City Manager, or his designated representative, may issue a "no fee" permit for the necessary repairs to be made to the sign. If the necessary repairs are not completed within sixty (60) days of the receipt of written notification to the sign owner, by the City Manager, or his designated representative, then the sign shall be removed either by the owner or by the city at the sign owner's expense. Under unusual circumstances and/or where the sign owner has shown "good faith" in attempting to comply with the provisions of this ordinance, an extension period of thirty (30) days may be granted to the sign owner to facilitate repairs. If the cost of rebuilding or repair exceeds fifty (50) percent of the fair market value of the sign, then the sign shall be removed at the sign owner's expense. If the sign is not removed within thirty (30) days of written notification to the sign owner, then it shall be removed by the city or its designated agent(s) at the sign owner's expense. A sign so removed under the provisions of this section shall be kept in storage for a period of sixty (60) days and if it is not claimed within said period it may be disposed of in a lawful manner by the city.
- E. All abandoned signs and their support shall be removed within sixty (60) days from the date of abandonment. All damaged signs shall be repaired or removed within sixty (60) days. The City Manager, or his designated representative, shall have the authority to grant a time extension not exceeding an additional sixty (60) days for an abandoned, non-damaged sign.
- F. Should the responsible party or parties after due notice fail to correct a violation of this section, the City Manager, or his designated representative, shall cause such signs and supports to be removed. This official, on behalf of the city, shall also take necessary action to file against the property a lien in the amount of the cost such work if such costs are not paid by the property owner within fifteen (15) days after he is billed.

SECTION X: PERMITS.

- A. Requirements. Except as otherwise provided for herein, no sign shall be erected, posted, painted or otherwise produced, changed, reconstructed in whole or in part, within the City of Converse without first obtaining a permit.
- B. Applications. Application for a permit required by this ordinance shall be made upon forms provided by the code enforcement officer. The application for commercial sign permits shall contain all information, drawings and specifications necessary to fully advise the code enforcement officer of the type, size, shape, location, zone, construction

and materials of the proposed sign and the building structure or premises upon which it is to be placed.

- C. Qualifications. Only those individuals who are properly licensed by the code enforcement officer or the State of Texas shall receive a permit to erect or alter any commercial sign. Permits for the installation, erection or alteration of any electrical components on a sign shall be issued only to those individuals who hold a commercial sign operator's license and master electrician's license and who have filed the bond and insurance required by the City. It shall be unlawful for any person licensed under the provisions of this ordinance to obtain a permit on behalf of, or for the benefit of any unlicensed person whose business activities are such that such unlicensed person would need a license to obtain a permit.
- D. Conditions for issuing permits. No permit for the erection or alteration of any sign over any sidewalk, alley, or other public property, or on or over any roof or building, shall be issued to any person except upon the condition that the permit may be withdrawn at any time in which case the sign shall be immediately removed by the owner thereof.
- E. Issuance.
 - 1. A permit shall not be issued when:
 - a. An existing billboard sign is in a deteriorated, unsafe or unsightly condition.
 - b. A sign is not in compliance with this ordinance.
 - c. A sign is proposed for construction in an area not zoned for such a sign.
 - d. Authorization of the property owner has not been obtained.
 - 2. A permit shall not be required for:
 - a. Displaying street numbers.
 - b. Political signs.
 - c. For sale, for lease/rent signs.
 - d. Simple routine maintenance, adjustments, replacement of light globes etc., on existing signs.
 - e. When a sign has been damaged by fire, windstorm or other causes, immediate work may be done to prevent damage to property or hazard to persons, and to this extent only. Notice will be given as soon as practical to the City Manager, or his designated representative.
 - f. Garage Sale signs.
- F, Fees: No permit shall be issued until applicable fees have been paid to the code enforcement officer. Fees and permits are issued as described in Ordinance #620. Additional permits and fees will be required for electric signs. Fees may be subject to change without prior notification. Sign construction permit fee schedule shall be as follows:

<u>Construction Costs</u>	<u>Fee</u>
\$1000 and less	\$ 20.00
\$1,001 and over	\$20.00 for the 1 st \$1,000 and \$5.00 for each additional \$1000.00
Portable signs	\$50.00

SECTION XI: INSPECTION AND ACCEPTANCE.

- A. A sign requiring a permit may be inspected annually by the City Manager, or his designated representative, to insure compliance with the provisions of this ordinance and other relevant city ordinances. Additional inspections may be conducted at the discretion of the City Manager, or his designated representative, during the term of the permit to enforce the provisions of this ordinance.
- B. After the erection of any billboard for which a permit has been issued, the City shall be notified, and if, upon inspection it is found to comply with this Ordinance, a certificate of acceptance shall be issued.

SECTION XII: SPECIAL SIGN USE DISTRICTS CREATED. The following special sign use districts (SSUD's) are created with specific requirements as specified:

- A. SSUD-1. The area extending two hundred (200) feet on both sides of the Toepperwein Road right-of-way from the intersection of Toepperwein Road and Miller Road east to the intersection of Toepperwein Road and FM 1976 is hereby designated as SSUD-1. The following criteria shall apply to all signs in SSUD-1:
 - 1. Area: No sign shall exceed sixty-four (64) square feet in gross face area.
 - 2. Height. No sign shall exceed twenty-five (25) feet in height.
 - 3. Setback: All signs shall have a minimum setback of ten (10) feet from lot lines. All other non-conflicting provisions of this ordinance shall apply to SSUD-1.
- B. SSUD-2. The area extending two hundred (200) feet on both sides of Kitty Hawk Drive right-of-way from the Universal City limits to bridge over Salitrillo Creek is hereby designated as SSUD-2. The following criteria shall apply to all signs in SSUD-2:
 - 1. Area: No sign shall exceed sixty-four (64) square feet in gross face area.
 - 2. Height. No sign shall exceed twenty-five (25) feet in height.

3. Setback: All signs shall have a minimum setback of ten (10) feet from lot lines. All other non-conflicting provisions of this ordinance shall apply to SSUD-2.

C. SSUD-3. The area extending two hundred (200) feet on both sides of FM 78 right-of-way from the Universal City limits to south City of Converse City limit is hereby designated as SSUD-3. The following criteria shall apply to all signs in SSUD-3:

1. Area: No sign less than forty (40) feet high shall exceed four hundred (200) square feet in gross face area. Signs above forty (40) feet may be four hundred (400) square feet in gross face area.

2. Height: No sign shall exceed sixty (60) feet in height.

3. Setback: All Signs shall have a minimum setback of ten (10) feet from lot lines or as specified by the Texas Department of Highways and Public Transportation if applicable.

D. SSUD-4. The area extending two hundred (200) feet on both sides of FM 1604 right-of-way from the Universal City limits to south City of Converse City limit is hereby designated as SSUD-4. The following criteria shall apply to all signs in SSUD-4:

1. Area: No sign less than sixty (60) feet high shall exceed four hundred (400) square feet in gross face area. Signs above sixty (60) feet may be six hundred (600) square feet in gross face area.

2. Height: No sign shall exceed ninety (90) feet in height.

3. Setback: All Signs shall have a minimum setback of ten (10) feet from lot lines or as specified by the Texas Department of Transportation if applicable.

SECTION XIII: PENALTIES FOR VIOLATION. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance, upon conviction thereof, shall be fined an amount not less than \$25.00 nor more than \$200.00; provided, however, in the event a defendant has previously been convicted under this ordinance, defendant shall be fined an amount not less than \$50.00 nor more than \$500.00 for a second conviction hereunder, and shall be fined an amount not less than \$100.00 nor more than \$1,000.00 for a third conviction hereunder and for each shall constitute a separate offense. Each day of violation of this Ordinance shall be deemed a separate offense.

SECTION XIV: VARIANCE AND APPEAL PROCEDURE. A request for a variance of requirements as set forth in this ordinance may be made to the Zoning Commission. Upon approval of the Zoning Commission no further action is required. If the variance is denied by the

Zoning commission, the petitioner may appeal to the City Council. The City Council will consider the request for a variance based upon the merits of the case as presented and make the final decision.

SECTION XV: SEVERABILITY. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION XVI: SUPERSESSON. This Ordinance supersedes City of Converse Ordinance #604 dated June 6, 2000.

PASSED AND APPROVED this 18th day of August, 2009.

Al Suarez, Mayor

ATTEST:

A.I. Hieronymus
City Secretary