

CITY OF VON ARMY, TEXAS

ORDINANCE NO. 2010-56

AN ORDINANCE OF THE CITY OF VON ARMY, TEXAS, PROHIBITING THE PLACEMENT OR INSTALLATION OF CERTAIN SIGNS WITHIN THE CORPORATE LIMITS OF THE CITY OF VON ARMY, TEXAS; PROVIDING EXCEPTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is deemed necessary for the well-being of the citizens of Von Army, Texas to prescribe rules and regulations as to where signs may be erected and maintained.

WHEREAS, this ordinance shall replace and supersede Ordinance No. 2008-8

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

SECTION 1. DEFINITIONS.

“Off-Premise Sign” means a sign which directs attention to a business, profession, activity, commodity, service, or entertainment other than one conducted, sold, or offered upon the premises where such sign is located.

“Portable Sign” means 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 had its wheels removed shall still be considered a portable sign.

SECTION 2. OFF-PREMISE SIGN REGULATIONS

No new construction permits shall be issued for off-premise signs except for relocation of existing signs which meet the provisions of this section, including the following spacing requirements within the corporate limits of the City:

(1) No off-premise sign shall be erected closer than three hundred (300) feet along one side of any roadway within the corporate limits of the City.

(2) No off-premise sign shall be relocated closer than seven hundred and fifty (750) feet to any other legally erected off-premise sign.

SECTION 3. PORTABLE SIGN REGULATIONS

No portable sign shall be placed or displayed or be caused to be placed or displayed on any

premise located within the corporate limits of the City, other than a storage area.

SECTION 4. NON-CONFORMING USES

Any off-premise sign or portable sign in place as of the effective date of this Ordinance shall be granted nonconforming use status.

SECTION 5. VIOLATION – PENALTY

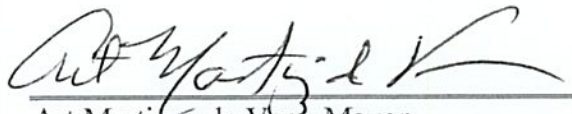
Nonconforming signs, found posted on public property in violation of this section shall be deemed a violation of this ordinance and as such, City officials may remove such signs. Each separate violation shall be punishable by a fine of fifty dollars (\$50.00). In addition, in order to remediate the harm caused to the city by violations of this ordinance, the city shall be entitled to recover a penalty in an amount equal to the cost incurred in locating, removing and disposing of such material, provided however that such penalty shall not exceed two hundred dollars (\$200.00).

SECTION 6. SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this ordinance of the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance, and the City Council hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality.

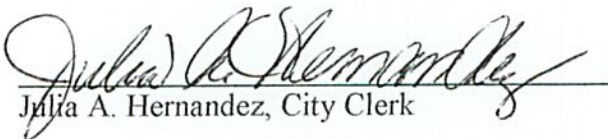
SECTION 7: EFFECTIVE DATE. That the City of Von Ormy City Clerk is hereby ordered and directed to cause this ordinance to be published in every issue of the official newspaper for two days; or one issue of the newspaper if the official newspaper is a weekly paper. This ordinance and the regulations, orders, and matters established and adopted hereby shall take effect and be in full force and effect when the publication requirement is satisfied.

PASSED, APPROVED, AND ADOPTED THIS 17th DAY OF NOVEMBER 2010.



Art Martinez de Vara, Mayor

ATTEST:



Julia A. Hernandez, City Clerk