

ORDINANCE NO. 2016-002

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 3, ARTICLE 3.06, DIVISION 1, SECTION 3.06.003(F) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS, PROVIDING RESTRICTIONS ON THE PLACEMENT OF SIGNS; PROVIDING FOR EXCEPTIONS TO THE RESTRICTIONS ON PLACEMENT OF SIGNS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE, PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Ovilla, Texas, is a Type-A General Law Municipality within the State of Texas; and

WHEREAS, the City Council of the City of Ovilla, Texas, finds and determines that placement of signs on public property should be restricted, subject to certain limited exceptions; and

WHEREAS, the City Council of the Ovilla, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Ovilla, Texas, to amend the City's current sign ordinance to restrict the placement of signs on public property, subject to certain limited exceptions.

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

SECTION 1. AMENDMENT OF CHAPTER 3, ARTICLE 3.06, DIVISION 1, SECTION 3.06.003(F) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS

Chapter 3, Article 3.06, Division 1, Section 3.06.003(f) of the Code of Ordinances of the City of Ovilla, Texas is hereby amended to read as follows:

**3.06.003 General Standards**

\* \* \*

(f) Placement of signs.

(1) Restrictions. No person, firm, corporation or other entity shall erect, place or cause to be erected or placed any sign on public property, including, but not limited to, signs attached to any public utility pole or structure, street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, in a public right-of-way, or any other location on public property. No sign shall be erected or placed on a vacant lot or tract unless written permission has been given by the property owner and such documentation is provided to an official or officer of the City upon request.

(2) Exceptions.

(a) The section does not prohibit the posting of temporary political signs on Tract 1, during a voting period if posted outside the area of one hundred (100) feet from an outside door through which a voter may enter the polling place as defined in Sections 61.003 and 85.001 of the Texas Election Code. A time limitation for posting of political signs is defined in Chapter 3, Section 3.06.005 of the Ovilla Code of Ordinances. A map labeling city property as Tract 1, is attached hereto as Exhibit A.

(b) Real estate directional signs permitted herein and which meet the requirements of state law may be posted in public rights-of-way no earlier than 12:00 noon on

ORDINANCE NO. 2016-002

Friday and must be removed no later than 12:00 noon on Monday. If either Friday or Monday is a holiday, the permitted hours shall be extended to include any such holiday. Such signs shall be posted no closer than fifty (50) feet to any street intersection.

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the

11 day of JANUARY, 2016.



Richard Dormier, Mayor

ATTEST:

  
Pamela Woodall, City Secretary



APPROVED AS TO FORM:

  
Ron G. MacFarlane, Jr., City Attorney

