

ORDINANCE NO. 340

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BANDERA AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 HISTORIC PRESERVATION AND SIGNS, DIVISION 3. SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Bandera, Texas (the "City"), has previously adopted regulations to provide for the regulation of signs and the issuance of permits and variances for erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of certain buildings and structures in the City including signage; and,

WHEREAS, the City Council of the City has evaluated the effectiveness of the regulations and deems it necessary to amend the City's Code of Ordinances by revising Chapter 3, Article 3.05, Division 3, Signs to address public health safety and welfare concerns created by certain aspects of L.E.D and E.M.C. signage; and,

WHEREAS, Section 211.002 and Section 211.003 of the Texas Local Government Code, as amended, authorize the City to adopt, amend, and repeal certain zoning regulations relating to buildings and other structures in the City; and

WHEREAS, this code amendment comes to the City Council with a recommendation of approval from the Planning and Zoning Commission; and,

WHEREAS, the City Council finds that amending the City's Code of Ordinances as described herein will further promote the public health, safety, and general welfare of the City.

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

I. CODE AMENDMENT

The City of Bandera Code of Ordinances, Chapter 3 Building Regulations, Article 3.05 Historic Preservation and Signs, Division 3 Signs, is hereby amended as set forth in the attached Exhibit A, which is fully incorporated herein by reference.

II. REPEALER

All ordinances, or part thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein for the period of time stated.

III. SEVERABILITY

It is hereby declared to be the intention of the City Council of the City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

IV. PROPER NOTICE AND MEETING

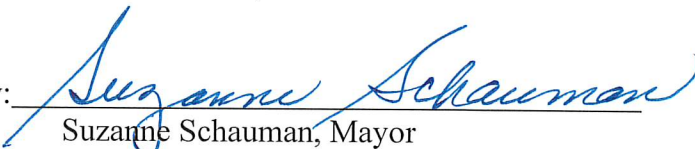
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, as amended.

V. EFFECTIVE DATE

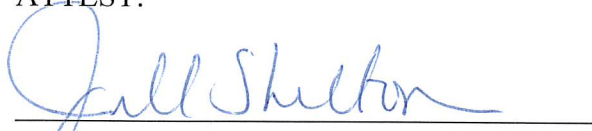
This ordinance shall become effective immediately upon its passage.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 18TH DAY OF JANUARY, 2018.

CITY OF BANDERA, TEXAS

By: 
Suzanne Schauman, Mayor

ATTEST:



Jill Shelton, City Secretary

EXHIBIT A

CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.05 HISTORIC PRESERVATION AND SIGNS, DIVISION 3. SIGNS IS HEREBY AMENDED AS FOLLOWS:

I. Section 3.05.091 Definitions

ADD:

LED Signs Light emitting diode signs utilizing light emitting semiconductor diodes that emit light when conducting current and used in electronic displays and outdoor lighting.

EMC Signs Electronic Message Center signs utilizing variable electronic technology and systems used in electronic displays.

II. Section 3.05.103 Prohibited Signs

ADD:

- (14) LED signs and EMC signs are not allowed in the Bandera city limits or Extraterritorial Jurisdiction.