

ORDINANCE NO. 118

AN ORDINANCE REGULATING SIGNS AND BILLBOARDS IN BEASLEY, TEXAS, PROVIDING FOR PERMITS, AND PROVIDING FOR A PENALTY FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

**Section 1. Definitions.** For the purpose of this Ordinance, the several terms and definitions when used shall have the following meanings:

- a) **Sign:** Any device or surface on which letters, illustrations, designs, figures or any symbols are painted, printed, stamped, raised or in any manner outlined and used for advertising purposes.
- b) **Billboard:** Any flat surface covered with wood or metal erected on framework on open space, or attached to posts, buildings, or other structures and used for the display of bills, posters, and other advertising matters posted, tacked, or painted thereon.
- c) **Banner Signs:** Any sign made of canvas or other cloth with or without framework.
- d) **Electric Sign:** Any sign, the letters or designs of which are outlined by electric lamps or tubes on which the letters or designs are painted, placed, or raised, and illuminated by interior or exterior lamps so placed as to make visible the letters or designs on the sign. Billboards and ground signs which are illuminated as above shall be classified as electric signs and shall meet the requirements for wiring and electrical inspections as for electrical signs.
- e) **Ground Signs:** Any advertising device or flat surface covered with wood or metal, erected on a framework on vacant property or other open space, upon which letters or designs are painted or permanently attached. Ground signs shall conform in every way to the requirements of billboards.
- f) **Open Signs:** Any sign constructed of open metal work or wire mesh secured to angle iron or other framework, and the letters or designs fastened thereon.
- g) **Sky Sign:** Any sign or billboard supported or attached wholly or in part over or above any wall, building, or structure. Sky signs shall be constructed entirely of metal, including the supports and braces for same, and no sky sign shall project beyond the building line.

**Section 2. Permits Required.** No sign board, billboard, or electric sign on any building or on the ground, such as hereafter described in this Section, except as otherwise provided herein, shall be erected or reconstructed within the city limits of Beasley, Texas, unless a permit shall have been first secured from the City Council. All applications for permits for such sign

boards, billboards, or electrical signs shall be accompanied by such drawings or descriptions as are necessary to fully advise the City Council as to the location, construction, weight, materials, and manner of securing of such proposed sign board, billboard, or electric sign. If these drawings and descriptions conform to the regulations in this Section, then the City Council shall issue the permit to erect the sign upon payment of the required fee.

Before permission is granted for the erection of an electric sign, an additional permit shall be obtained from the City Council for the electrical wiring of the sign.

**Section 3. Exceptions - When Permits Not Required.** Permits shall not be necessary for temporary sign boards to be placed on buildings or vacant space, advertising the sale or renting of such buildings or property on which they are placed, when such sign boards or billboards do not exceed sixty (60) square feet of area.

**Section 4. Permit Fees.** A permit fee of fifteen dollars (\$15.00) will be charged for the erection of any electrical sign, regardless of size, which charge shall include fee for inspection of electric wiring. For the erection of any other sign board or billboard, except temporary sign boards or billboards as set forth in Section 3 above, of ten (10) square feet or less, there shall be a permit fee of twenty-five dollars (\$25.00) charged. For temporary sign boards or billboards of ten (10) square feet area or less, a permit will be required, but no charge will be made for same.

**Section 5. Inspection and Acceptance.** Immediately after the erection of a sign board, billboard, or electric sign, the City Council shall be notified and if, upon inspection, they find it to be erected according to the regulations of this Section, they shall issue a certificate of acceptance without further charge.

**Section 6. Weight of Signs.** No sign that projects over public space shall have a greater weight than fifteen hundred pounds (1,500#).

**Section 7. Construction of Electric Signs.** All electric signs, within the fire limits, shall have a structural framework of iron, steel, or other metal substance of equal strength and the body and other parts of such signs shall be of noninflammable material throughout. No threaded pipe or threaded pipe fittings will be permitted in any framework or standards for signs. The sign shall be of such strength as may be approved by the City Council.

**Section 8. Sign Supports.** All sign supports, brackets, guys, turnbuckles, bolts, anchors, and fastenings shall be figured strong enough to safely hold and support all loads and other stresses which may come upon them. Signs shall be supported and guyed with steel angles, chains, standard cable, or wire of not less than one-fourth inch (1/4") diameter. Chain supports shall have welded links of not less than three-sixteenth inch (3/16") diameter. No cable shall be tied or twisted around any anchor or other support,

but shall be joined into a loop with an eyelet inserted and the loose end fastened to the standing part of the cable with approved clips, clamps, or standard cable splice. A turnbuckle shall be inserted in every cable or wire hanger or guy to keep them taut. All cable, wire, brackets, strap iron, turnbuckles, anchors, bolts, and all other supports shall be galvanized or given two (2) heavy coats of protective noncorrosive paint.

**Section 9. Exists Kept Clear.** No sign of any kind shall be attached to the wall or be placed upon the roof of any building in such a manner as to obstruct any fire escape, door, window, or other passage-way leading to a fire escape or to a street exit, nor shall the sign be fastened in any manner to a fire escape.

**Section 10. Fire Walls Kept Clear.** No signs shall be erected upon the fire wall or coping of any building, nor shall it be anchored to such wall but shall be attached to and supported by other structural parts of the building.

**Section 11. Sky Signs Generally.** Any sign erected upon or above the roof of any building shall have a maximum height to be determined by the City Council.

**Section 12. Location and Heights Generally.** No sign projecting over a sidewalk or other public space shall be so hung that the lowest point will be less than seven and one-half feet ( $7\frac{1}{2}'$ ) above the sidewalk or ground level under the sign. No sign attached to the wall of any building or structure or supported by a support on the building line and extending outward therefrom shall project over a sidewalk or public space more than ten and one-half feet ( $10\frac{1}{2}'$ ).

All signs must be supported from a support on private property. No supports or obstruction will be permitted on sidewalk or public space. All signs in alleys are prohibited where signs project over public space. No sign erected above the second story of any building or multiple dwelling, shall extend beyond the walls of the building more than two feet (2'), or be so spaced as to obstruct any window or means of exit above the second floor of the building.

### **Section 13. Signs Prohibited.**

**(a) Cloth and Banner Signs.** No person, partnership, firm, or corporation shall suspend or project over or across any street, alley, or other public space or portion thereof, cloth signs or banners advertising anything or for any purpose whatsoever, without a permit.

This Subsection, however, shall not prohibit the displaying of flags and other emblems not otherwise prohibited by law, provided the flag or emblems, when suspended over a street, or public space, are securely fastened to the supporting cable by one edge only, and be allowed to swing free and further provided that permission to display the flags or emblems has been obtained from the City Council. The supporting cable shall be of sufficient

strength and anchored so as to meet the approval of the City Council. The City Council may grant a temporary suspension of this paragraph at such times as they may deem expedient on special occasions, or while festivals, or celebrations are being held.

(b) **Swinging Signs.** Every sign shall be rigidly hung so that it will not swing or vibrate in a strong wind.

(c) **Wooden Signs.** No wooden signs shall be attached to or fastened flat against the wall of any building, or hung in any other manner, inside the fire limits if the sign is more than ten (10) square feet in area.

(d) **Movable Signs, Barber Poles, Etc.** No movable signs, barber poles, etc., shall be placed on any public space.

#### **Section 14. Billboards and Ground Signs Generally.**

(a) **Location.** No billboard or ground sign shall be erected in or project over any street, alley, or public space.

No billboard or ground sign shall be erected within eight feet (8') of any residence or be so placed as to obstruct the lighting of any street, alley, or public space, or interfere with any public utility service.

No billboard shall be closer than six feet (6') to any building, nor to the side line of any lot, nor closer than fifteen feet (15') to any street line; furthermore, in all cases where the front line of any building within fifty feet (50') of the billboard is more than fifteen feet (15') from the street line, then the billboard shall not be nearer to the street line than the front line of the building is from the street line.

This Subsection shall not apply where adjoining lots are used for business purposes, nor where two-thirds (2/3) of the buildings within three hundred feet (300') of the location on the same side of the street and within the same block are used for business purposes, provided that there are three (3) or more buildings within the prescribed area used for business purposes.

(b) **Construction.** No billboard or ground sign constructed of wood or other combustible material shall be erected in the fire zones nor within fifty feet (50') of any frame building, nor within twenty-five feet (25') of any building having unprotected openings in the wall on the side nearest the billboard, provided, however, that posts and braces supporting a ground sign, and the skeleton frame of a billboard not exceeding fifteen feet (15') in height above the curb level may be of wood; and there may also be a wood molding or border, not over eight (8) inches wide around the edge of such structure. The lower edge of every such billboard shall be not less than three (3) feet above the ground, and the space between the lower edge of the billboard and the ground shall be left open or may be closed with lattice work.

(c) **Temporary Structures Used for Advertising.** Temporary structures, fences, and barricades placed around excavations or used during building operations, whether on public or private property, may be used for advertising purposes during the necessary maintenance of the barricades, so long as their use does not become a public nuisance.

**Section 15. Present Signs to Comply.** Any sign or billboard installed prior to the passage of this section which does not comply with all the requirements therein shall not later than sixty (60) days after the adoption of this section be rebuilt, repaired, or moved to conform with this section.

**Section 16. Penalties for Violation.** Any person, partnership, firm or corporation who shall erect or cause to be erected any sign or billboard as defined hereinabove within the corporate limits of the City of Beasley, Texas, contrary to the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed two hundred dollars (\$200.00), and each twenty-four (24) hours of any such violation shall constitute a separate offense.

**Section 17. Severability.** If any part of this ordinance is for any reason found to be unenforceable, all other parts nevertheless remain enforceable.

**Section 18. Effective Date.** This ordinance shall become effective after its passage and publication according to law.

Passed and Approved this 15 day of Sept, 1998.



ATTEST:

*Daniel F. Van Gossen*

City Secretary

DANIEL F. VAN GOSSEN

*James Isbell*  
James Isbell, Mayor  
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