

SECTION 39

SIGN REGULATIONS

39-100 Purpose: The regulations established in this section are intended to provide minimum standards to safeguard life, property, and public welfare regulating and controlling the use, materials, construction, location, number, maintenance, and the permitting of certain signs and sign structures. In addition, the ordinance is intended to enhance the beauty of the City by limiting visual clutter. The provisions of this section are not intended to permit a violation of any provision of any other ordinance or federal or state law.

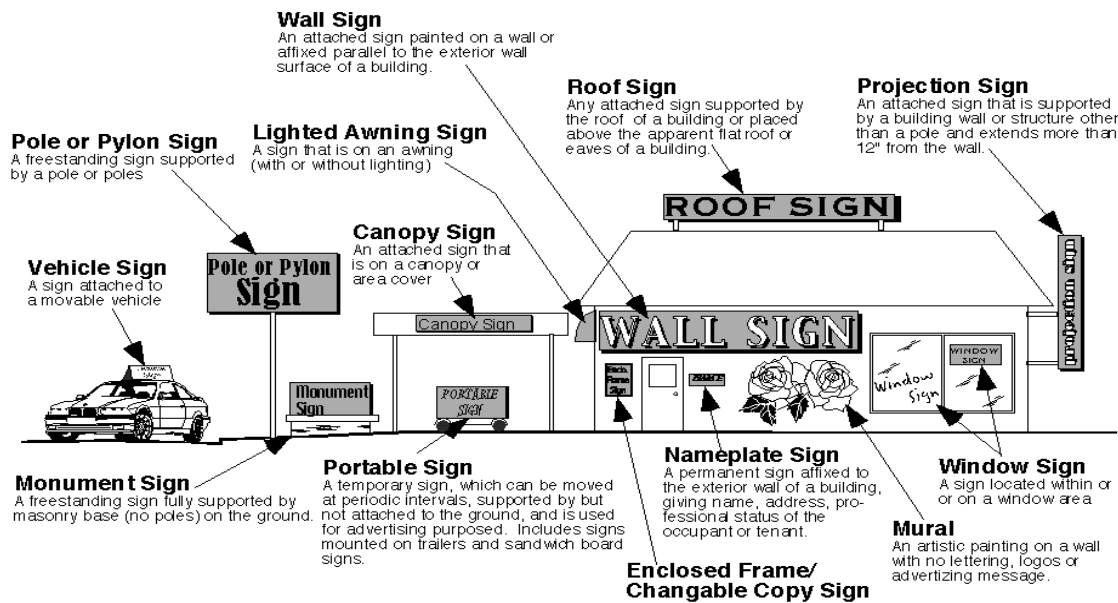
39-105 Definitions: For the purposes of *Section 39. Sign Regulations*, the following definitions shall apply:

- (a) *Awning* – A structure made of cloth, with metal or other material for support and which is affixed to a building in such a manner that the structure may be raised or retracted to a position against the building.
- (b) *Balloon or Inflatable Sign* – Sign in the form of or attached to a balloon or other inflatable, inflated or floating device, which measures more than three feet across in any direction.
- (c) *Banner* – A sign made of paper, plastic, or fabric, with or without a frame, containing characters, letters, illustrations, or ornamentation. Banner does not include a flag.
- (d) *Billboard* – A permanent ground or pole sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere than upon the premise where the sign is located.
- (e) *Builders Sign* – A temporary sign, which provides direction or announces the location of model homes or group of homes built by one builder.
- (f) *Canopy* – A structure made of metal or other material with frames affixed to a building and carried by a frame, which is supported by the ground.
- (g) *Commercial Message* – any message contained on any sign that advertises, promotes, solicits, or endorses a product or service of an establishment, organization, corporation, company, or individual for the purpose of encouraging a consumer to purchase said product or service. This does not apply to messages that contain a specific public or civic announcement and does not advertise, endorse, display, or encourage any purchase of a service or product offered by any establishment, corporation, company, or individual.
- (h) *Construction sign* - A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development when placed upon the premises where work is under construction, but only for the duration of construction or wrecking.
- (i) *Directional or Instructional sign* – A sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public, including but not limited to those signs identifying restrooms, public telephones, public walkways, parking areas, and other similar facilities.

- (j) *Directory sign* – A sign which indicates the name and/or address of the occupant, the address of the premises, and/or identification of any business or occupation which may exist at the premises
- (k) *External illumination* – Illumination of a sign by an artificial source of light, which is not contained within the sign itself.
- (l) *Flag* – Any fabric containing distinctive color, pattern, or symbols, used as a symbol of a government, political subdivision, or non-profit organizations.
- (m) *Flashing sign* – An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color when the sign is illuminated. For the purpose of this ordinance, any moving illuminated sign displaying alternating illumination being turned on and off which induces a strobe or pulsing effect shall be deemed to be a flashing sign.
- (n) *Gross surface area* – The area of the smallest rectangle enclosing the extreme limits of characters, lettering, illustrations ornamentations, or other fixtures, material, or color forming part of the sign. Structural supports bearing no sign copy shall not be included in gross surface area; however, if any portion of the required structural supports become enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign. Gross surface area shall be measured on one side only of a two faced (back to back) sign carrying the same image and message on both faces. Two faced signs carrying different messages and images on each side shall be considered as separate signs.
- (o) *Ground sign* – A sign which is supported by two or more columns, poles, uprights or braces placed in or upon the ground and is not part of a building.
- (p) *Illuminated sign* – A sign which is an artificial source of light is used in connection with the display of the sign.
- (q) *Marquee* – A permanent roof-like structure extending from part of the wall of a building not supported by the ground, and constructed of durable material such as metal, glass, or wood.
- (r) *Monument sign* – A sign, which is supported upon its own foundation, separate from a building (other than a ground or pole sign).
- (s) *Moving sign.* – A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the movement of parts or through the impression of movement, including automatic electronically controlled copy changes, but not including flags, banners or pennants.
- (t) *Nameplate sign* – A non-illuminated sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located.

- (u) *Off-premise sign* – A sign that 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.
- (v) *On-premise sign* – A sign which is located upon the premises where the business, profession, activity, commodity, service or entertainment referred to by the sign is located.
- (w) *Permanent sign* – A sign that is fixed in nature that is erected, affixed, or maintained on a premises for a period of time, which is regulated by *Table 1. Schedule of Permanent Signs*.
- (x) *Pole sign* – A sign that is mounted on a single freestanding column, pole, upright, or brace placed in or upon the ground and is not a part of a building.
- (y) *Portable sign* – Any temporary sign supported by the ground but not attached to the ground, which can be regularly moved from a location at periodic intervals, and which is located upon the premises where the business, profession, activity commodity, service, or entertainment referred to by the sign is located. The term “Portable sign” shall include the following:
 - (1) A sign which is mounted on a trailer or wheels or is part of a trailer and by its design can be towed from one location to another by the use of attached wheels or by attaching an axle to existing mounts;
 - (2) An “A-frame” type sign;
 - (3) A sign affixed by pole or poles to a portable base made of wood, metal, or concrete;
 - (4) A sign suspended or attached to a stand with an inverted “T” base; and
 - (5) Any sign that the base is inserted into a sleeve mounted or driven into the ground which can be easily extracted from said sleeve by simple lifting or removing bolts.
- (z) *Premises* – A lot or tract, or a combination of contiguous lots or unplatted tracts if the lots or tracts or combination are under a single ownership and are reflected in the plat or deed records of Johnson or Tarrant Counties. Multi-tenant locations shall be considered as being one premise.
- (aa) *Reader Board signs* – A sign comprised of non permanent letters, numerals, or symbols which may be changed by adding, removing, or rearranging the letters, numerals, or symbols, either manually or electronically.
- (bb) *Real Estate sign* – A sign relating to the sale, lease, or rental of the premises upon which such a sign is placed.
- (cc) *Roof sign* – A sign erected or maintained in whole or in part upon, against, or directly above the roof or parapet line of a building.
- (dd) *Search Light sign* – A large outdoor lighting apparatus used to attract attention to a business or a specific location.

- (ee) *Secondary sign* – Signs located on premises identifying uses in a mixed-use multi-tenant commercial shopping center.
- (ff) *Sign* – Any identification, description, illustration, or device illuminated or non-illuminated which is visible to the general public and directs attention to a project, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise, or facsimile, or any emblem, painting, flag, banner, pennant, or placard designed to advertise, identify or convey information.
- (gg) *Street grade* – The average elevation of the projected corners of a property, adjacent to a dedicated street right-of-way or roadway easement, the elevation of the corners being measured at the top of curb, or centerline of street if no curb is present.
- (hh) *Temporary event* – An event such as a “grand opening”, or a “going out of business sale” which lasts for a period of time not to exceed 60 days.
- (ii) *Temporary sign* – A non-permanent sign erected, affixed, or maintained on a premises for a period of time regulated by *Table 2, Schedule of Table Signs*.
- (jj) *Wall sign* – A sign attached or painted directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in a place substantially parallel to an exterior building wall to which it is attached or by which it is supported by.
- (kk) *Warning sign* – A sign, containing no advertising material, warning the public of the existence of danger.
- (ll) *Window sign* – A sign attached to, placed upon, or painted on the exterior or interior of a window or door, of a building, which is intended for viewing from the exterior of such building.
- (mm) *Yard sign* – Any sign of a temporary nature other than a development, real estate, builders or construction sign, which includes the advertisement of a service of which has been performed on premise, or construction/repair that has been performed on premises.



Typical Sign Types

39-110 Schedule for Permanent Signs: No permanent sign shall be erected, placed, displayed or located except in accordance with the *Schedule for Permanent Sign* contained in *Table 1*.

39-115 Pole and Monument Used in Combination: Except where otherwise provided, pole and monument signs shall not be used in combination on the same premise. Each premise shall be permitted only one pole sign or one monument sign. A pole sign or monument sign may be used in combination with other permanent signs listed in *Table 1, Schedule of Permanent Signs*.

39-120 Schedule for Temporary Signs: No temporary sign shall be erected, placed, displayed or located except in accordance with the *Schedule for Temporary Sign* contained in *Table 2*.

39-125 Permanent Off-Premises Signs: The following regulations apply to existing permanent off-premise signs adjacent to Interstate Highways and Federal-aid Primary Highways, as those terms are defined in the Highway Beautification Act. The construction of new permanent off-premises signs shall be prohibited in any zoning district effective September 1, 2002. The following regulations apply to all permanent off-premise signs.

- (a) No more than two panels or sign faces will be allowed for each sign.
- (b) Each panel or sign shall not exceed 300 square feet in total area.

Table 1
Schedule of Permanent Signs

Sign Regulation Sign Type	Permitted District	Permit Required?	Maximum Area (in sq.ft.)	Height of Sign	Number of Signs	Setback	Spacing of Signs
Canopy, Marquee, or Projection	GR, CC, C, I	YES	50% of the canopy, marquee, or projections sign	---	One for each main structure or tenant for each street frontage	---	---
Roof	GR, C,CC,I	YES	200 sq.ft. in GR and 300 sq.ft. in C & I	10 ft. from top of roof, not to exceed a total distance of 40 ' from ground	One for each main structure	---	---
Ground	A,, GR, C, CC, I (Only adjacent to roadways with design speed of 55 mph)	YES	200 sq.ft. in GR and 300 sq.ft. in C & I	70' Adj. To I-35 50' adj. To SH 174 30' at all other locations. 10' clearance from ground to sign	One for each premises (Multi-tenant sites see §39-140)	10' (any portion of the sign)	100' separation from adjacent ground sign on each premises & minimum of 50' on adjacent premises
Monument	A,NS,GR,CC, C,I	YES	100 sq.ft. in NS,GR, & CC and 200 sq.ft. in C & I	8 Feet	One for each premises (Multi-tenant sites see §39-140)	10' (any portion of the sign)	No restrictions
Nameplate	NS,GR,CC,C,I	NO	5 sq.ft. in GR, CC and 10 sq.ft. in C, I	---	One for each main structure or tenant for each street frontage	---	---
Pole	A, GR, C, CC, I (Only adjacent to roadways with design speed of 55 mph)	YES	200 sq.ft. in GR and 300 sq.ft. in C & I	70' Adj. To I-35 50' adj. To SH 174 30' at all other locations. 10' clearance from ground to sign	One for each premises (Multi-tenant sites see §39-140)	10' (any portion of the sign)	100' separation from adjacent ground sign on each premises & minimum of 50' on adjacent premises
Wall	NS, GR, CC, C,I	YES	25% of exterior wall that is facing the street	Attached to structure and not to exceed the roof line of the structure	One sign for each business or tenant, for each street frontage	---	---
Window	NS, GR, CC, C, I	NO	40% maximum coverage for signs facing public streets	---	---	---	---

Table 2
Schedule of Temporary Signs

Sign Regulation Sign Type	Permitted District	Permit Required?	Maximum Area (in sq.ft.)	Height of Sign	Number of Signs	Setback	Spacing of Signs	Time Limitation
Real Estate	All districts	NO	Res=6 sq.ft/ea face & 12 sq.ft total surface Non-res.= 75 sq.ft/ea face & 150 sq.ft total surface	Res. = 5 feet Non-Res. = 15 feet Measured from greater of base of sign or street grade.	1 sign / premise.or 1 sign for each abutting street	10 feet from curb or improved surface. & 15 feet from any point of vehicular access	No Restrictions	Must be removed within 7 days of sale, lease, or rental
Search Light	GR, C,CC,I	YES	---	---	Maximum of 3 located on premise	Must be on premise	---	14 days maximum
Banner (Structure Attached)	All districts (Attached to Structure Only)	YES	80 sq.ft. with a maximum width of 4 feet	Banner shall not extend above the roof line.	1 per street frontage	Attached to Structure	---	30 days with 60 days between displays. Maximum 4 displays per year. ¹
Banner (Light pole Attached)	All districts (Attached Light Pole Only, Vertical Banner)	NO	35 sq.ft. per pole	35 feet from ground at base of pole	Maximum of 2 vertical banners per pole	---	---	90 days, may be replaced with new vertical sign
Balloon or Inflatable	GR, C, CC, I	YES	----	Meet Spinks Air Hazard Zone Requirements	2 per premise	Secured on premise	---	14 days Maximum
Political	All districts	NO	---	---	---	---	---	---
Portable (On Premise Only)	A, GR,C, CC, I	YES	25 sq.ft. each face & 50 sq.ft. total surface	8 feet measured from ground at base of sign.	1 sign per premise (not tenant or business) at any one time.	On premise, 10' from curb or edge of paving & 15' from access drive	50' from any other portable sign	15 days maximum display with 90 days between displays
Construction	All districts	NO	Res = 50 sq.ft. each face & 100 sq.ft. total surface Non-Res = 200 sq.ft. each face & 400 sq.ft. total surface	15 feet measured from the sign base.	1 sign per premise or 1 sign for each abutting street.	On premise, 10' from curb or edge of paving & 15' from access drive	No Restrictions	60 days prior to construction through 14 days after completion of construction
Garage Sale	"A" district and all residential districts	YES	306 sq.in. City issued signs only	---	1 sign per premise and 2 signs located off premise with owners consent	On premise, 10' from curb or edge of paving & 15' from access drive	No Restriction	Sign must be removed 3 days after completion of the garage sale
Yard	All districts	NO	Res = 6 sq.ft. each face & 12 sq.ft. total surface Non-Res = 15 sq.ft. each face & 30 sq.ft. total surface	3' Measured from sign base	1 sign per premise or 1 sign for each abutting street.	On premise, 10' from curb or edge of paving & 15' from access drive	No Restriction	For the duration of the activity; but removed 30 days following completion.
Home Builder's Sign (See §12-70 Burleson Code)	All districts	Annual Permit	4 sq.ft. each side (24"x24")	3 feet measured from sign base	---	On premise, 3 feet from curb or edge of paving	No Restriction	Permitted Noon Friday until Noon Monday

¹ Following issuance of a certificate of occupancy, a new business may one time only display a single structure attached banner for a period not to exceed 90-days. This 90-day period shall be counted as one of the four, 30-day display periods allowed within a given calendar year.

- (c) No off-premise sign shall exceed the height limit as provided for in *Table 1, Permanent Signs*.
- (d) No off-premise sign shall exceed 60 feet in length, inclusive of border and trim.
- (e) Each off-premise sign shall have a minimum ground clearance of 10 feet.
- (f) All off-premise signs shall set back a minimum of 10 feet from any highway right-of-way line.
- (g) No sign shall extend into any area identified as an Airport Air Hazard Zone as defined by Spinks Airport Air Hazard Zoning Ordinance as adopted by Resolution No. 503.
- (h) Illumination of off-premise signs shall be shielded upward to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area and shall not be of such intensity or brilliance as to cause glare or impair vision. The Spinks Airport Air Hazard Zoning Ordinance, as referred to by Resolution 503 shall govern all illuminated signs located within identified air hazard zoning districts.

39-130 Prohibited Signs: The following signs are prohibited from installation, construction, repair, alteration, or relocation within the City, except as otherwise permitted in this ordinance:

- (a) “A” Frame or Sandwich Board Signs. “A” frame or sandwich board and sidewalk, or curb signs, are prohibited except as a temporary sign or when located in the OT Overlay District.
- (b) Banners and balloons or inflatable signs. Banners and balloons or inflatable signs, except as a temporary sign and permitted herein.
- (c) Moving and Flashing Signs: Moving and flashing signs except for reader boards, which convey a message. Any sight source that produces a revolving beam or beacons that resemble emergency vehicle lights shall be prohibited.
- (d) Signs on Parked Vehicles. Signs mounted, bolted, or constructed to truck beds or trailers, where the sole apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property. However, this does not prohibit vehicle signs that comply to *Section 39-145, Vehicle Signs*.
- (e) Signs extending into Spinks Airport Air Hazard Zone, as defined by Resolution 503, or which have external illumination that is directed upward and toward aircraft.
- (f) Signs that resemble traffic control signs or emergency information signs.

- (g) Signs attached to utility poles or other surfaces which are not the properties of the utility or which serve a public purpose and are located within a public right-of-way or easement.
- (h) New permanent off-premise signs.
- (i) Except as provided for by Section 39-140, any combination of a projection, wall, or roof sign is prohibited. These signs may be permitted individually according to the regulations provided in *Table 1, Schedule of Permanent Signs*.
- (j) Portable signs that convey a commercial message. Portable signs used for civic and public events may be permitted according to the regulations provided in *Table 2, Schedule of Temporary Signs*.

39-135 Signs Exempt From Regulations: The following signs are exempt from the provisions and regulations of *Section 39. Sign Regulations* of this code:

- (a) Public Signs. Signs required by governmental bodies or specifically authorized for a public purpose by any law, statute, or ordinance. Such public signs may be of any type, number, area, height, location, or illumination as required by law, statute or ordinance.
- (b) Signs on vehicles. Signs placed on or affixed to vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer as transportation.
- (c) Warning Signs. Signs warning the public of the existence of danger but containing no advertising material; to be removed within three days upon the subsidence of danger. Such warning signs may be of any type, number, area, height, location, or illumination as deemed necessary to warn the public of the existence of danger.
- (d) Flags. Flags of governmental entities or non-profit organizations.
- (e) Governmental Sign. Signs of duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
- (f) Address Numerals. Address numerals and other signs required to be maintained by and placed in accordance with law or governmental order, rule or regulations.
- (g) Athletic Signs. Signs used as scoreboards in athletic stadiums.
- (h) Directional Signs. Signs which direct vehicles and pedestrian traffic, which may display arrows, words, or other symbols to indicate direction of facilities.
- (i) Directory Signs. Signs that are located in or adjacent to entrances or foyers.

- (j) **Instructional Signs.** Signs, providing no advertising of any kind, which provide direction or instruction to guide persons to facilities intended to serve the public, including but not specifically limited to the signs identifying restrooms, public telephones, public walkways, parking areas, and other similar facilities.

39-140 Multi-Tenant Signs: Multiple signs shall be permitted on commercial shopping center sites having multi-tenants in accordance with the following regulations:

- (a) The number of signs shall be determined as provided in the following table:

Leasable Square Feet (In Entire Shopping Center)	Number of Additional Pole or Monument Signs
Up to and including 100,000 sq.ft	One freestanding sign per adjacent street frontage
Over 100,000 sq.ft.	Two freestanding signs adjacent to primary street frontage and One additional monument sign for each secondary street frontage

- (b) **Other Signs –** Each tenant may be permitted one additional sign, which will be limited to one of the following: A canopy, marquee, wall, reader board, or nameplate sign meeting the requirements of *Table 1, Schedule of Permanent Signs*.

39-145 Vehicle Signs: Signs attached, affixed, or painted on vehicles shall be subject to the following regulations:

- (a) Vehicles may have a sign that identifies the vehicle as belonging to such business by displaying the name, address and/or telephone number of such business and/or identifies the type of product or service offered by such business
- (b) The primary use of the vehicle is for the daily transportation of products or the delivery of services in connection with the business;
- (c) Vehicles upon which signs are displayed shall have current license and inspection according to the licensing and inspection regulation of the State of Texas;
- (d) Vehicles upon which signs are displayed shall be maintained in operable condition.
- (e) Signs attached to vehicles which are being displayed for periods longer than 72 hours are deemed to be portable signs and shall be subject to the regulations pertaining to portable signs.
- (e) Signs attached or affixed to vehicles being displayed on vehicle sales or rental lots are deemed to be exempt from these regulation, if the purpose of the attached or affixed

sign is to advertise the sale or rental of the vehicle upon which it is attached or affixed.

- (f) Temporary construction trailers and vehicles located on construction sites that bear the contractor advertising are exempt from these regulations.

39-145 Illumination: Signs may be illuminated provided that the provisions of this section are complied with;

- (g) **Brightness Limitations.** The lighting intensity of a sign, whether resulting from internal illumination or external illumination, shall not exceed 75 foot candles when measured with a standard light meter perpendicular to the face of the sign from a distance equal to the most narrow dimension of the sign.
- (h) **Glare.** Signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination, upon adjacent public right-of-way and surrounding property.
- (i) **Electrical Permit.** All signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the City's Electrical Code.

39-150 Compliance with Airport Air Hazard Zoning: All signs shall comply with the Spinks Airport Air Hazard Zoning Ordinance as identified in Resolution No. 503. In the event that regulations of this *Section 39, Sign Regulations* conflict with the Airport Air Hazard Zoning Ordinance, the most restrictive regulation shall apply.

39-155 Visibility Triangle: No permanent or temporary sign shall be located to block the visibility triangle as defined in the Burleson Subdivision Regulations.

39-160 Noncommercial Messages: Any sign authorized in this ordinance is allowed to contain a noncommercial message in place of any other authorized message.

39-165 Abatement of Sign Violations and Removal of Unsafe Signs:

- (a) Any sign that is structurally unsafe or that constitutes a hazard to the health, safety, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, abandonment or other cause is hereby declared to be a public nuisance and shall be abated by demolition or removal.
- (b) Should the Code Enforcement Officer determine that any sign is not properly maintained, is unsafe or insecure or has otherwise been constructed, erected or maintained in violation of the provisions of this chapter, he shall give written notice to the permit holder or owner thereof. Such notice and order shall contain substantially the following:
 - (1) The registration number, if available, location and business name of the sign, sufficient for identification of such sign;
 - (2) A statement that the Code Enforcement Officer has found such sign to be in violation of this chapter or other laws, together with a general description of such violation;
 - (3) The amount of time required to bring the sign into compliance with this chapter or any other law, said time not to exceed ten (10) days. The Code Enforcement Officer may extend the time of notice when it is shown that such corrections cannot be accomplished within the original ten-day time period.
- (c) In addition to the above, the Code Enforcement Officer may issue citations or pursue any other administrative or legal remedy in order to abate any sign which is in violation of this chapter or any other law.
- (d) Notwithstanding anything contained herein to the contrary, the Code Enforcement Officer may cause any sign which is dangerous to persons or property to be removed summarily and without notice.