

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. ____**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 62 (SIGNS), SECTION 62-137 AND SECTION 62-143 AND ADDING SECTION 62-148 OF THE CODE OF ORDINANCES OF THE TOWN TO AMEND REGULATIONS FOR THE DISPLAY OF FLAGS AND FOR SIGNS ON SINGLE-FAMILY AND DUPLEX RESIDENTIAL PREMISES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) is a home rule municipality having full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, the City Council desires to amend the Code of Ordinances to make amendments to the regulations governing the display of signs and signage on single-family and duplex residential premises; and

WHEREAS, the City Council also desires to amend the Code of Ordinances to make amendments to the regulations governing the display of flags within the boundaries of the Town; and

WHEREAS, after due deliberations and consideration of, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

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

SECTION 1. Section 62-1 (Definitions), “Flag” of the Code of Ordinances shall be amended to read in its entirety as follows:

Flag means any fabric or bunting containing distinctive colors, patterns, symbols or graphic depictions or text. The term "flag" does not include feather signs which are prohibited.

SECTION 2. Section 62-137 (Government signs) of the Code of Ordinances shall be amended to read in its entirety as follows:

Sec. 62-137. – Government Signs -- Nothing in this chapter shall be construed to prevent the display of governmental signs including signs for the control of traffic or other regulatory purposes, street signs, danger signs, railroad crossing signs and signs of public service companies indicating danger and/or aids to service or safety where are erected by or on approval of the town.

SECTION 3. Section 62-143 of the Code of Ordinances shall be amended to read in its entirety as follows:

Sec. 62-143.- Single-family, duplex or townhome residential premises.

- (a) A single-family, duplex or townhome residential premises may display one detached, non-illuminated sign which may advertise a garage sale on the premises or refer to the sale or lease of the premises. The sign shall not exceed three (3) square feet.
- (b) In addition to the signs permitted above, a single-family, duplex or townhome residential premises may display not more than three (3) signs. Each sign shall not exceed six (6) square feet.
- (c) Political signs are not subject to the three-sign limit set forth in subsection (b) above and shall comply with TEXAS ELECTION CODE Section 259.003, as amended.

SECTION 4. Section 62-148 shall be added to the Code of Ordinances to read in its entirety as follows:

Sec. 62-148. – Flags

- (a) Flags are limited to three (3) per premises. Each flag shall not exceed 40 square feet in size.
- (b) Flagpoles shall not exceed thirty (30) feet in height.
- (c) Flags smaller than six (6) square feet are exempt from these limitations.
- (d) A meritorious exception as set forth in subsection 62-32(a) is required for flags or flagpoles that exceed the above size and height limitations.

SECTION 5. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 6. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

SECTION 7. All ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 8. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12th day of January 2021.

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

PUBLISHED ON:
