ORDINANCE NO._____

AN ORDINANCE AMENDING CITY CODE SECTION 25-10-153 RELATING TO REQUIREMENTS FOR SIDEWALK SIGNS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection (B) of City Code Section 25-2-153 (*Sidewalk Signs*) is amended to read:

§ 25-10-153 SIDEWALK SIGNS.

(A) A sidewalk sign is permitted in accordance with the requirements of this section [~~in the downtown sign district or on property in the university neighborhood overlay (UNO) zoning district~~].

(B) The building official shall issue a sign installation permit for a sidewalk sign if the sign complies with the following requirements: [~~this section.~~]

(1) The sign must be located:

(a) on a sidewalk at least 10 feet in width;

(b) directly in front of a building that is not set back from street right-of-way, if the sign is located in the street right-of-way; [~~or~~]

(c)[~~(b)~~] for a unified development, on a sidewalk directly in front of the applicant's business;

(d) no closer than 20 feet from a driveway or pedestrian crosswalk; and

(e) in coordination with other permitted right-of-way uses, as determined by the building official.

(2) The sign must not:

(a) narrow the sidewalk to less than 10 feet in width;

(b) obstruct the line of sight for oncoming traffic;

(c) be more than four feet high; or

(d) be wider than the lesser of one-third the width of the sidewalk, or 30 inches.

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(C) An applicant must provide the building official with proof of:

(1)[~~(a)~~] an insurance policy protecting the City from liability arising from installation, use, or maintenance of the sign, in accordance with the requirements of Section 25-10-235 *(Insurance)*; and

(2)[~~(b)~~] indemnification of the City for liability arising from the installation, use or maintenance of the sign.

(D)[~~(3)~~] A sign may be displayed at a designated location on the sidewalk only during the hours the business it advertises is open to the public.

(E)[~~(4)~~] A business may not use more than one sidewalk sign.

[~~(5) A sidewalk sign may not be:~~

~~(a) more than four feet high; or~~

~~(b) wider than the lesser of one-third the width of the sidewalk, or 30 inches.~~]

(F)[~~(C)~~] Notwithstanding any other provision of this Code to the contrary:

(1) a sidewalk sign may contain or use a supporting device placed on street right-of-way; and

(2) approval by the city council of a license agreement for the use of street right-of-way is not required for a sidewalk sign.

PART 2. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

§
§
_____, 2008 § _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

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