

ORDINANCE NO. 20090423-090

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.

(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)[(G)] 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 May 4, 2009.

PASSED AND APPROVED

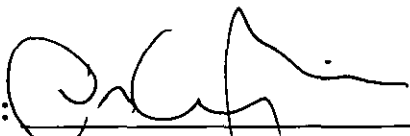
_____, April 23, 2009

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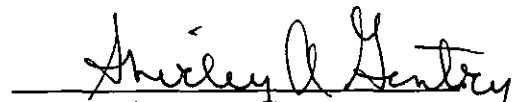


Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk