

Late Backup

ORDINANCE NO.

#64
6-10-10

1 AN ORDINANCE AMENDING CITY CODE SECTIONS 25-10-3 AND 25-10-103
2 AND ADDING A NEW SECTION 25-10-157 AUTHORIZING THE PLACEMENT
3 OF MEMORIAL MARKERS IN THE PUBLIC RIGHT-OF-WAY.
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5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
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7 **PART 1.** City Code Section 25-10-3 (*Definitions*) is amended to add a new definition of
8 "memorial marker" to read as follows and to renumber the remaining definitions
9 accordingly:

- 10 (7) MEMORIAL MARKER means a marker honoring a City of Austin public
11 safety officer killed in the line of duty.
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13 **PART 2.** Subsection (H) of City Code Section 25-10-103 (*Signs Prohibited in Public*
14 *Right-of-Way*) is amended to read:

- 15 (H) This section does not prohibit the installation, use, or maintenance in the right-
16 of-way of:

- 17 (1) a sidewalk sign;
18 (2) a projecting sign in the downtown sign district;
19 (3) a street banner; ~~or~~
20 (4) a wall sign that is mounted flat against the building and extends not more
21 than 18 inches from the facade of a building and into right-of-way; or
22 (5) a memorial marker.
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24 **PART 3.** City Code Chapter 25-10 (*Sign Regulations*) is amended to add a new Section
25 25-10-157 to read as follows:

26 **§ 25-10-157 MEMORIAL MARKERS.**

- 27 (A) A memorial marker is permitted in the public right-of-way accordance with the
28 requirements of this section.
29 (B) The building official shall issue a sign installation permit for a memorial marker
30 if the following requirements are met:
31 (1) The memorial marker must be placed in coordination with other permitted
32 right-of-way uses, as determined by the building official.

(2) The memorial marker may not:

(a) be placed within:

(i) 20 feet of a driveway or pedestrian crosswalk; or

(ii) an ADA accessible sidewalk;

(b) narrow an existing or planned pedestrian travel way, including a sidewalk or crosswalk;

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

(d) be taller than 5 feet, 4 inches or wider than 20 inches;

(e) block an entrance or doorway;

(f) extend onto an abutting property without written approval of the landowner; and

(g) interfere with the maintenance of existing utilities, infrastructure, or amenities that lawfully occupy the right-of-way, including but not limited to lamp posts, parking meters, mail boxes, traffic signal stanchions and control boxes, fire hydrants, trees, benches, planters, bus shelters, or traffic control devices.

(3) At least 10 days prior to issuing an installation permit for a memorial marker under this section, the building official shall provide mailed notice of the proposed memorial marker to the owners of property within 25 feet of the proposed memorial marker.

PART 4. This ordinance takes effect on June 11, 2010.

PASSED AND APPROVED

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_____, 2010

Lee Leffingwell
Mayor

APPROVED: _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk