

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 25-10 OF CITY CODE RELATING TO OFF-PREMISE SIGNS AT PUBLIC EDUCATION FACILITIES AND TRANSIT FACILITIES; AND CREATING AN OFFENSE.

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

PART 1. The City Council finds:

1. The regulations included in this ordinance were initiated in City Council Resolution No. 20190131-037.
2. The design and locational standards in this ordinance do not:
 - a. increase confusion or driver distraction; nor
 - b. have a disruptive impact on public safety, visual aesthetics, or quality of life.
3. The regulations adopted in Part 2 of this ordinance are immaterial to the balance of City Code Chapter 25-10 (*Sign Regulations*) and unnecessary to give effect to that chapter, which it would have adopted regardless of the validity or effect of regulations adopted in Part 2 of this ordinance.

PART 2. City Code Section 25-10-4 is amended to add new definitions for “sponsorship sign” and “transit facility” to read as follows, and to renumber the remaining definitions accordingly:

§ 25-10-4 DEFINITIONS.

- (20) SPONSORSHIP SIGN means a sign used solely to identify the operator of a facility, a sponsor of a facility, or both.
- (23) TRANSIT FACILITY means a public right-of-way installation:
 - (a) owned and operated by a transit authority established under Chapter 451 of the Texas Transportation Code;
 - (b) permitted under Title 14, Title 25, or an interlocal agreement pursuant to Texas Government Code Chapter 791; and
 - (c) that includes a bus shelter, train station and related appurtenances.

PART 3. City Code Chapter 25-10, Article 7 (*Special Signs*) is amended to add a new Section 25-10-159 (*Sponsorship Signs*) to read as follows:

§25-10-159 SPONSORSHIP SIGNS.

(A) Sponsorship Signs Located on Public Primary or Secondary Educational Facilities. A sponsorship sign is allowed on a property with a single principal use of a public primary or secondary educational facility if it complies with this subsection.

(1) A sponsorship sign must be:

- (a) made of fabric or vinyl;
- (b) affixed flush to an ornamental fence;
- (c) placed at least one foot from another sponsorship sign located on the same fence;
- (d) 12 square feet or less;
- (e) designed with a maximum of two contrasting colors; and
- (f) placed at the same height as any other sponsorship sign located on the same fence.

(2) A sponsorship sign may not be illuminated or contain electronic images or moving parts.

(B) Sponsorship Signs on Transit Facilities. A sponsorship sign is allowed on a transit facility if it complies with this subsection.

(1) A sponsorship sign may not:

- (a) face portions of the right-of-way that are open to automobile traffic;
- (b) be illuminated or contain electronic images or moving parts; or
- (c) exceed 12 square feet.

(2) Only one sponsorship sign may be installed on a transit facility.

(C) A sponsorship sign allowed under this section is not required to obtain a permit under Section 25-10-211 (*Sign Installation Permit Required*) or register under Section 25-10-231 (*Registration Required*).

(D) These provisions do not override the authority of the governing body of a public primary or secondary educational facility or transit authority to prohibit the installation of one or more sponsorship signs.

PART 4. In adopting this ordinance, Council does not intend for Chapter 25-10 (*Sign Regulations*) (“Sign Regulations”) to become inoperative or fail because of this ordinance. If a court finds that the regulations adopted in Part 2 of this ordinance cause any provisions within the Sign Regulations to be invalid or unenforceable, the regulations adopted in this ordinance are severable without affecting the validity of other provisions or applications of the Sign Regulations.

PART 5. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____, 2019 §
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 § _____
 Steve Adler
 Mayor

APPROVED: _____
 Anne L. Morgan
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk