

ORDINANCE NO. 07-2020

AN ORDINANCE OF THE CITY OF OAK RIDGE NORTH, TEXAS, AMENDING CHAPTER 62 SIGNS, SECTIONS 62-2, 62-3, AND 62-24, AND ADDING A NEW ARTICLE V, SECTION 62-51; PROMOTING THE PUBLIC SAFETY AND WELFARE BY ADDING REGULATIONS FOR OFF-PREMISE DIGITAL BILLBOARD SIGN CONVERSIONS; PROVIDING AMENDED DEFINITIONS FOR BILLBOARDS; PROVIDING FOR THE SIZE, HEIGHT, AND LOCATION OF DIGITAL BILLBOARD CONVERSIONS. PROVIDING GENERAL CONSTRUCTION REQUIREMENTS AND OPERATING REQUIREMENTS FOR DIGITAL BILLBOARD CONVERSIONS BY ADOPTION OF A NEW ARTICLE V FOR CHAPTER 62 OF THE OAK RIDGE NORTH CODE OF ORDINANCES; PROVIDING FOR THE REMOVAL OF TRADITIONAL BILLBOARDS WHEN CONVERTING TO DIGITAL BILLBOARDS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of Oak Ridge North, Texas, (“City”) desires to adopt regulations for the health, safety, and general welfare of the City; and

WHEREAS, the City Council of Oak Ridge North, Texas, (“City”) finds that the control of construction, operation requirements, placement, and removal of existing traditional billboards will promote and enhance the efficient and safe use of public thoroughfares and streets; and

WHEREAS, the City Council of Oak Ridge North, Texas, (“City”) finds that the control of construction, operation requirements, and placement of new digital billboards will promote and enhance the efficient and safe use of public thoroughfares and streets.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS:

Section 1. That the facts found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. Chapter 62 of the Code of Ordinances of the City of Oak Ridge North, Texas, is hereby amended as follows:

"CHAPTER 62 – SIGNS

ARTICLE I. – IN GENERAL

Sec. 62-2. – Definitions.

Billboard sign shall mean an off-premises sign which is required to have a license or permit through the Texas Department of Transportation for the display of commercial or noncommercial messages. The term includes any of its support, frame, or other appurtenances.

Digital billboard shall mean a type of off-premises sign utilizing digital message technology, capable of changing the message or copy on the sign electronically.

Sec. 62-3. - Exemptions.

- (16) Non-commercial signs with exception to Article V of the sign code.

Sec. 62-4. - Prohibited signs.

- (11) Off-premises signs with exception to Article V of the sign code;

ARTICLE III. – REGULATIONS

Sec. 62-24. - Freestanding signs.

- (a) Table of regulations. Except as otherwise provided in this section, freestanding signs shall comply with the requirements of the following table:

TABLE 1
ALLOWABLE GROUND SIGN HEIGHTS AND SIZES BY SIGN TYPE:

Sign Type	On-Premise		Off-Premise	
	Max. Height (feet)	Max Size (sq. feet)	Height (feet)	Size (sq. feet)
Billboards*			60	672
Sign cabinets on single structure**			N/A	N/A
1 cabinet	25	80	N/A	N/A

		ea		
2 cabinets	30	60 ea	N /A	N/A
3 or 4 cabinets	35	40 ea	N /A	N/A
5 or more cabinets	40	30 ea	N /A	N/A
Exceptions***			N /A	N/A
20,000—25,000 sq.ft. building space	35	150	N /A	N/A
25,000 or more sq.ft. building space	40	200	N /A	N/A
Flag poles:				
Commercial	40		N /A	N/A
Residential	25		N /A	N/A

* The maximum off-premise billboard height, size and spacing shall be the state requirement (TXDOT).

** Size limits for cabinets are set out above. A six-foot-clear space must be provided between the ground level and bottom of first cabinet on the structure, or where the clear space is not required for traffic visibility the clear space may be solid and be of approved material.

*** Where a building or lease space in a building is 20,000 sq. ft. but less than 25,000 sq. ft., the maximum height and size shall apply.

ARTICLE V. – OFF-PREMISE DIGITAL BILLBOARD SIGNS.

Sec. 62-51. – Off-premise digital billboard signs

- A. Authorization.** An existing off-premises billboard sign and structure may be modified to support an electronic face subject to the provisions of this article.
- B. Digital billboard standards.** An off-premises digital billboard shall conform to all specifications herein:
 - 1. Dwell time.** Each message on an off-premises digital billboard shall remain static for at least eight (8) seconds and a change of message shall be accomplished within two (2) seconds.
 - 2. Change of message.** A change of message on an off-premises digital billboard face must occur simultaneously on the entire sign face.
 - 3. Malfunction.** An off-premises digital billboard face shall contain a default mechanism, that will disable the sign in one (1) position if a malfunction occurs.
 - 4. Driver impairment.** An off-premises digital billboard face shall not face light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or results in a nuisance to the driver.
 - 5. Automatic dimmer.** An off-premises digital billboard face shall be equipped with both a dimmer control and a photocell which automatically adjusts the face's intensity according to natural ambient light conditions.
 - 6. Official signage.** An off-premises digital billboard face must not resemble or simulate any lights or official signage used to control traffic in accordance with the 2011 Texas Manual on Uniform Traffic Control Devices, with Revision No. 2 published by the Texas Department of Transportation (TxDOT).
- C. Static face removal.** An existing static face off-premises billboard sign may only be modified to support an electronic face if the owner presents the Community Development Department with pictorial proof and a sworn affidavit evidencing the removal of at least two (2) static face off-premise billboards and structures within the city for every one (1) digital face to be erected. The removal of the face which the electronic face will replace shall not count toward the removal total.

1. The owner must agree to remove a total of two (2) traditional static face billboards and structures within the city limits and within a six (6) month period after the city has given consent for conversion.
 2. Size. off-premises digital billboard face may exceed six hundred seventy-two (672) square feet.
 3. Maximum height. Off-premise digital billboard height shall not exceed sixty (60) feet
 4. Completed signs. Sign faces used for this purpose must be from physically completed sign structures with complete sign faces. No partially erected/completed signs may be used.
- D. Structure modification. The owner of an existing off-premises sign may replace any structural components necessary to support a digital face. A sign structure that is modified:
1. Shall not increase the number of poles used to support the sign's superstructure.
 2. Shall not increase the sign support's height or the number of faces on the structure.
 3. Shall comply with the most recent building code adopted by the city.
 4. Shall obtain all necessary permits, including electrical and sign permits for the electronic face, from the city.
- E. Emergency messages. The owner of an off-premises digital billboard shall coordinate with local authorities to display, when appropriate, emergency information important to the traveling public such as Amber Alerts, alerts concerning terrorist attacks, natural disasters or as authorized by the office of emergency management. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
- F. City events or public awareness messages. The owner and operator of the sign must agree to donate at least forty (40) hours of copy per year for the city to display special event messages or public awareness messages. Such messages shall be displayed between the hours of 7:00AM to 10:00PM.

Sec. 62- 52 – 62-55. – reserved

Section 3. *Penalty.* Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of

the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00). If such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 4. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Oak Ridge North, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. *Repeal.* All ordinances or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. *Effective date.* This Ordinance shall become effective February 10, 2020 when published as required by law.

PASSED, APPROVED, and ADOPTED this the 10th day of February 2020.


Paul Bond, Mayor

ATTEST:


Elizabeth Harrell, City Secretary

