

**ORDINANCE NO. 2017-18**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING ORDINANCE 2014-44, CHAPTER 22 BUILDINGS AND BUILDING REGULATIONS, ARTICLE XX SIGN REGULATIONS, SEC. 22-442 DEFINITIONS AND SEC. 22-447 ATTACHED SIGN REGULATIONS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Wylie, Texas ("Wylie") to amend the City Ordinance, Chapter 22, Article XX.

**NOW, THEREFORE BE IT, ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

**SECTION 1: Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Amendment to City Ordinance Chapter 22, Article XX** The City of Wylie's City Ordinance Chapter 22, Article XX is hereby amended as shown in Exhibit "A".

**SECTION 3: Savings/Repealing Clause:** Wylie's City Ordinance, as amended, shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

**SECTION 4: Severability:** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Wylie hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 5: Penalty Provision:** Any person, firm, corporation or entity violating this Ordinance, as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Wylie from filing suit to enjoin the violation. Wylie retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 6: Effective Date:** This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

**DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, this 13<sup>th</sup> day of June, 2017.**

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Eric Hogue, Mayor

ATTEST:

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Carole Ehrlich, City Secretary

*DATE OF PUBLICATION: June 21, 2017, in the Wylie News*

Sec. 22-442. - Definitions.

*Sign area* means the actual area of a face of the sign, unless the sign is not of a regular shape. In the case of an irregularly-shaped sign, the entire area within a single continuous perimeter forming the most applicable single regular shape enclosing the extreme limits of each sign shall be the "gross surface area." In the event two or more signs share a single structure, each sign or panel may be considered separately for square footage purposes, except that the combined footage of such signs cannot exceed the total square footage allowed for the sign.

Sec. 22-447. - Attached sign regulations.

Unless otherwise specifically provided, the regulations set forth in this section shall be applicable to all attached signs that are allowed under this article.

(1) *Wall signs.*

- a. *Where allowed.* Wall signs shall be limited to buildings located in a nonresidential zoning district or to churches, apartments, schools and other nonresidential uses, with the exception of model homes, located within a residentially zoned district.
- b. *Installation requirements.* All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface, except for projecting signs as allowed in section 22-447(6). Wall signs shall not extend above the wall or building surface to which the sign is attached. Banner signs shall not be utilized as permanent wall signs, but only as promotional signs as allowed in section 22-450.
- c. *Maximum sign area.* Wall signs may be installed on each face of a building described in section 22-447(1)(a) except for signs located on the side or rear wall of a building where the sign would face an adjacent residential zoning district. Signs shall not, in total, exceed two square feet for every linear foot of the primary façade of the building or lease space, with no one sign exceeding 75% of the total allowed square footage.. Wall signs mounted to the side or rear of a building shall not exceed the square footage area of signs mounted to the front of the building.

(2) *Signs attached to a building(s).* No portion of any type or style of a sign will be allowed to project above the vertical plane of the exterior wall, parapet, mansard or the fascia panels of a canopy upon which they are attached.

(3) *Illumination of attached signs.* Attached signs may only be illuminated utilizing internal lighting. Exterior letters with exposed neon lighting are allowed.

(4) *Window signs.* Window signs do not require a permit or a permit fee. Window signs must meet the following regulations:

- a. Window signs must not obscure more than 25 percent of the window area per panel.
- b. The sign area shall be measured by drawing a rectangular or square box around the sign elements, then multiplying the height by the width. For signs whose shape is irregular, the box must enclose all elements of the sign.
- c. No illuminated window signs shall be allowed within two feet of the window surface, except for open/closed signs.

- (5) *Awning signs* . Awning signs must meet the following regulations:
- a. An awning may extend the full length of the wall of the building to which it is attached and shall be no more than six feet in height and shall not be placed less than eight feet above the sidewalk.
  - b. Artwork or copy on awning signs shall be limited to a business name and/or logo.
  - c. The artwork or copy for an awning sign shall not exceed 20 percent of the area of the awning and shall extend for no more than 60 percent of the length of the awning.
- (6) *Projecting signs* .
- a. Signs shall be constructed of noncombustible material.
  - b. Signs shall not project more than three feet, measured from the building face and shall not be closer than two feet from the back of the curb line.
  - c. Signs shall be at least eight feet above the sidewalk.
  - d. Signs may be illuminated in conformance with this article or other applicable city regulations.
  - e. Signs shall be compatible in design, shape, and material with the architectural and historic character of the building.
  - f. Signs shall not exceed 16 square feet per sign face.
- (7) *Canopy sign* . Canopy signs must meet the following regulations:
- a. A canopy sign may be attached to, or be an integral part of the face of a canopy.
  - b. A canopy sign may consist of only the name and/or logo of the business at the location of the canopy.
  - c. The artwork or copy on a canopy sign shall not exceed ten percent of the face of the canopy, or a maximum of 25 square feet, whichever is greater.
  - d. An illuminated stripe may be incorporated into a canopy. The stripe may extend along the entire length of the face of the canopy. The width or thickness of the stripe shall be limited to one-third of the vertical dimension of the face of the canopy. The internal illumination of a canopy is limited to the portions of the canopy face on which a sign or stripe is permitted.
- (8) *Electrical signs* . Every sign with any type of electrical connection must be recognized by an approved listing agency with a permanent label properly affixed or be designed and assembled by a state licensed master or sign electrician registered with the City of Wylie. An electrical permit and approved inspection are required prior to the erection or attachment to the permanent structure.

(Ord. No. [2014-44](#), §§ 2, 3(Exh. A), 12-9-2014)