

ORDINANCE 2024-221

AN ORDINANCE OF THE CITY OF ALEDO, TEXAS, REPEALING AND REPLACING ARTICLE 4, “SIGNAGE,” OF CHAPTER 66, “UNIFORM DEVELOPMENT CODE,” OF THE ALEDO MUNICIPAL CODE, TO AMEND AND ADOPT REGULATIONS FOR SIGNAGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Aledo, Texas is home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City previously adopted a Unified Development Code (“UDC”) governing and regulating the subdivision and zoning of property located within the City for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the UDC had provisions regulating signage within the City; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on amendments proposed herein on November 14, 2024, and the City Council conducted a public hearing on December 5, 2024; and

WHEREAS, all requirements of law dealing with notice, publication, and all procedural requirements have been complied with in accordance with the Unified Development Code and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council deems it necessary to amend the City’s Uniform Development Code with respect to the regulation of signage located within the City; and

WHEREAS, City Council further deems that such amendments are in the best interests of the City and will promote the health, safety, and general welfare of the citizens of the City of Aledo and the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALEDO, TEXAS, THAT:

SECTION 1.

Article 4, “*Signage*,” of Chapter 66, “*Uniform Development Code*,” of the Aledo Municipal Code is hereby deleted in its entirety and replaced with Exhibit “A,” Article 4, “*Signage*,” attached hereto and incorporated herein for all purposes.

SECTION 2.

CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of ordinances and of the Aledo Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of

such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 3.
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined as provided in Section 1-10 of the City Code of Ordinances for each offense. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 4.
SAVINGS CLAUSE**

All rights and remedies of the City of Aledo are expressly saved as to any and all violations of the provisions of the City of Aledo Unified Development Code that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

**SECTION 5.
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6.
PUBLICATION CLAUSE**

The City Secretary of the City of Aledo is hereby directed to publish at least once in the official newspaper of the City of Aledo, the caption, penalty, and effective date clause of this Ordinance in accordance with Section 3.15 of the City Charter.

**SECTION 7.
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED this 5th day of December, 2024.

Nick Stanley, Mayor

ATTEST:

Staci L. King, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Alicia K. Kreh, City Attorney

Ordinance 2024-221
Exhibit A

Article 4 – Signage

1. Purpose; Applicability

- a. *Purpose:* The regulations established in this Article are intended to provide minimum standards to safeguard life, property, and public welfare by regulating and controlling the use, materials, construction, location, number, maintenance, and the permitting of certain signs and sign structures. In addition, this Article is intended to enhance the beauty of the City by limiting visual clutter. The provisions of this Article are not intended to permit a violation of any provision of any other ordinance or federal or state law.
- b. *Applicability:* The standards and regulations of this Article shall apply to all signs erected, maintained, or replaced in any district within the corporate limits of the City of Aledo.

2. General Standards and Requirements:

a. *Construction Standards:*

- i. *Uniform Sign Code:* The Uniform Sign Code, as enacted by the International Conference of Building Officials, latest edition, a copy of which is on file in the office of the City Secretary, is adopted by reference as though such code were copied at length in this section, except as such code may be amended by the provisions in this Article.
- ii. *Building and electrical codes applicable:* All signs must conform to the regulations and design standards of the building code and other ordinances of the City. The wiring of all electrical signs must conform to the electric code of the City.
- iii. *Painted signs:* Except as expressly allowed herein, no sign shall be permitted that is painted on the wall of any building or on any part of a building.
- iv. *Pole and monument signs not to be used in combination:* Where a preexisting pole sign exists, pole signs and monument signs shall not be used in combination on the same premise.

b. *Permit Requirements:*

- i. *Permit required:* Except as herein provided, no permanent sign shall be erected, placed, displayed, or located without first obtaining a sign permit from the City.
- ii. *Application for permit:* Application for a permit for a permanent sign shall be made in writing upon forms furnished by the City. Applications shall contain the location by street and address number of the proposed sign structure, with necessary drawings depicting the design and construction of the sign and either a plot plan, building elevations, and/or photographs identifying the proposed location of the sign.

c. *Location Standards:*

- i. *Placement in rights-of-way:* No sign may be erected or placed on or within public right-of-way. Any signs so erected or placed may be removed by the Designated Official without notice.

- ii. *Placement on vacant lots:* No sign may be erected or placed on vacant lots or tracts unless written permission has been given by the property owner and such documentation is provided to the Designated Official upon the Designated Official's request.
 - iii. *Sight triangle:* No permanent or temporary sign shall be located to block the visibility in the required sight triangle.
 - iv. *Setback:* All ground-mounted signs shall be setback at least five feet (5') from all property lines.
- d. *Measurement Standards:*
 - i. *Measuring Sign Area:* Sign area shall be computed as the area within the smallest single rectangle or square enclosing the extreme limits of the sign face. Supporting structures shall not be included in calculations. The sign area of a sign with two (2) faces, approximately opposed, shall be the total area of both faces. For multisided or circular signs, the calculation shall include all of the projected area.
 - ii. *Height of signs:* Sign height shall be measured from ground level at the base of this sign to the highest part of the sign.
- e. *Lighting Standards:*
 - i. *Illumination of signs:* Signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination upon adjacent public right-of-way and surrounding property. Requirements from Article 3 "Development Standards," Section 6.5, "Illumination" of the Unified Development Code, as amended, shall apply to signage and maximum illumination standards.
- f. *Enforcement and Maintenance:*
 - i. *Requirement to repair:* Whenever a sign is damaged by wind, is inadequately maintained, is of faulty construction, or is damaged by any other cause, it shall be considered a public nuisance and the owner shall be required to repair such sign substantially to its original condition as determined by the Designated Official, or at the owner's election such sign shall be removed. A nonconforming sign that has been permitted to remain in place as a nonconforming use shall be removed when the sign, or a substantial part of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other material on the sign. For purposes of this Article, a sign, or a substantial part of it is considered to have been destroyed if the cost of repairing the sign is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location.
- g. *Message Substitution:* Notwithstanding any other provision of this section, or other ordinance, any sign authorized in this section is allowed to contain a noncommercial message in place of any other authorized commercial or noncommercial message without an additional permit or approval, so long as the sign complies with the other requirements of this ordinance and other City ordinances.

h. *Nonconforming Signs:*

- i. *Existing Nonconforming Signs.* All signs that were lawfully in existence on December 7, 2023, the date of adoption of the Unified Development Code, but which no longer comply with the requirements of this Article, may exist in their present form, however, such signs shall only be altered as provided in (ii.) below. For the purposes of this provision and Article, lawfully permitted or approved existing signs that are considered to be a use of property or exceed the number of allowed signs shall not be considered to be or regulated as nonconforming signs.
- ii. *Permitted alteration of nonconforming signs.* A nonconforming sign may be altered only as follows, subject to compliance with permitting requirements set out in the ordinances of the City.
 1. Advertising copy, including letters, symbols, or other matter on the sign, may be changed, including the exchange of display faces that are designed to be interchangeable to facilitate the display of advertising copy; provided, however, display faces that are designed to be permanently attached to the supporting sign structure may be replaced only with display faces composed of like materials, e.g., a plywood display face may be replaced only with a plywood display face. Display faces may be replaced only with display faces that are the same size or smaller than the size that existed on the date of adoption of the UDC.
 2. A sign that has been blown down or otherwise destroyed by wind, fire or damages from any other source, may be repaired, provided that the cost of repairing the sign is sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, or less. If the cost of repairing the sign is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, the sign may not be altered, reconstructed, repaired or replaced, and the owner shall remove the sign or bring it into compliance with this Article, the UDC, and all other applicable ordinances of the City; and
 3. Maintenance operations may be performed on the sign. For purposes of this section, "maintenance operations" means the process of keeping a sign in good repair. Maintenance operations include:
 - a. cleaning;
 - b. painting;
 - c. repair of parts with like materials in a manner that does not alter the basic design or structure of the sign, provided that the cost of all repairs performed during any consecutive 365-day period is not more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location; and
 - d. replacement of parts with like materials in a manner that does not alter the basic design or structure of the sign, provided that the cost of all replacement of parts performed during any consecutive 365-day period is not more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location.

Examples of actions that are not maintenance operations and are therefore prohibited include, without limitation.

- a. converting a sign from a multiple pole structure to a monopole structure;
 - b. replacing wooden components with metal components;
 - c. increasing the area or height of a sign,
 - d. adding illumination to a non-illuminated sign;
 - e. adding additional display faces; and
 - f. converting a sign to utilize animated display or moveable copy technology, including but not limited to signs featuring Tri-Vision technology. If a sign is dismantled for any purpose other than an alteration or maintenance operation permitted hereunder, the sign may not be altered, reconstructed, repaired or replaced, and the owner shall remove the sign or bring it into compliance with this Ordinance, including but not limited to Article 4: Signage, and all other applicable ordinances of the City.
- 4. Other Alterations: All other alterations of any nature whatsoever in connection with nonconforming signs are prohibited. If any such alteration is performed, the owner shall remove the sign or bring it into compliance with this Ordinance, including but not limited to Article 4: Signage, and all other applicable ordinances of the City.
- i. *Prohibited Signs:* The following signs are prohibited from installation, construction, repair, alteration, or relocation within the City, except as otherwise permitted in this Ordinance:
 - i. Signs in the right-of-way, other than those belonging to a government, public utility, public service agency, or railroad;
 - ii. Signs that depict obscene material or matter or are considered obscene material or matter;
 - iii. Signs that advertise an illegal activity under federal, state, or local laws;
 - iv. Signs that are not in good repair; in violation of codes; or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters;
 - v. Abandoned signs, identifying abandoned or discontinued business. Such signs shall be removed within sixty (60) days following the abandonment or discontinuance as ordered by the Designated Official;
 - vi. Imitation traffic signs; signs that contain or are an imitation of an official traffic sign or signal; or signs that contain the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs;
 - vii. Balloons or inflatable signs;
 - viii. Electronic message board signs and electronic reader board signs that are flashing, animated, or change displays more frequently than eight (8) seconds;

- ix. Flashing signs;
 - x. Moving signs;
 - xi. Window signs utilizing exposed neon or LED-lit tubing with the appearance of neon tubing;
 - xii. Pylon and pole signs;
 - xiii. Signs attached to or affixed to trees;
 - xiv. Signs placed on or affixed to vehicles and/or trailers that are parked on a public right-of-way, public property, or private property to be visible from a public right-of-way where the apparent purpose is to direct people or attention to a location, establishment, or activity located on the same or nearby property. However, this does not prohibit signs placed on vehicles and trailers that are incidental to the primary use or ownership of the vehicle or trailer as transportation; and
 - xv. Signs attached or affixed to fences.
- j. Signs Exempt from Regulation: The following signs are exempt from the provisions and regulations of this Section:
- i. Public signs: Signs required or authorized by governmental bodies or specifically authorized for a public purpose by any law, statute, or ordinance. Such public signs may be of any type, number, area, height, location, or illumination as required by law, statute, or ordinance.
 - ii. Signs on vehicles: Signs placed on or affixed to vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer as transportation.
 - iii. Warning signs: Signs warning the public of the existence of danger but containing no advertising material; to be removed within three days upon the cessation of danger. Such warning signs may be of any type, number, area, height, location, or illumination as deemed necessary to warn the public of the existence of danger.
 - iv. Flags: Flags of governmental entities or nonprofit organizations. Nothing in this ordinance shall be construed to prevent the display of a national or state flag, or to limit flags, insignias, or legal notices, or informational, directional, or traffic signs that are legally required and necessary to the essential functions of government agencies.
 - v. Governmental signs: Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
 - vi. Address numerals: Address numerals and other signs required to be maintained by law or governmental order, rule, or regulation are allowed, provided that the content and size of the sign do not exceed the requirements of such law, order, rule, or regulation.

- vii. Athletic signs: Signs used as scoreboards in athletic stadiums.
 - viii. Directional signs: Signs that direct vehicles and pedestrian traffic, which may display arrows, words, or other symbols to indicate direction of facilities.
 - ix. Directory signs: Signs that are located adjacent to entrances or foyers and not exceeding eight (8) sq. ft. in area.
 - x. Instructional signs: Signs providing no advertising of any kind and provide directions or instructions to guide people to facilities intended to serve the public, including but not specifically limited to the signs identifying restrooms, public telephones, public walkways, parking areas, and other similar facilities.
 - xi. Traffic control signs on private property, such as “Stop”, “Yield”, and similar signs, meeting applicable TXDOT or USDOT standards and that contain no commercial message of any sort.
 - xii. Window signs with a sign area of less than one (1) square foot.
 - xiii. Certain political signs. Pursuant to Section 259.003 of the Texas Statutes, signs that contain primarily a political message and that are located on private real property with the consent of the owner, such sign having an effective sign area of 36 square feet or less, a height of 8 feet or less, are not illuminated, and contain no moving elements. This provision does not apply to signs containing primarily a political message that are displayed on signs available for rent or purchase that carry other content or messages that are not primarily political.
5. Permanent Signs Standards and Regulations: No permanent sign shall be erected, placed, displayed, or located except in accordance with Table 1, Schedule for Permanent Signs. The following provides graphic examples of permanent sign types allowed:



Monument Sign



Wall Sign



Window Sign



Shingle Sign



Canopy Sign



Historic Decorative Pole Signs



Wall Mural

Table 1 – Schedule for Permanent Signs

Sign Type	Districts Permitted	Maximum Area	Maximum Height	Number of Signs	Requirements
Monument Signs	All, except AG and DT	Residential Districts: 50 sq. ft. Nonresidential Districts/Uses: 150 sq. ft.; for developments with buildings 50,000 sq. ft. or greater, 0.0005 sq. ft. per sq. ft. of floor area, up to a maximum sign area of 500 sq. ft.	Residential Districts: 4 feet Nonresidential Districts/Uses: 6 feet for lots with one (1) tenant; twelve feet (12') for lots with multiple tenants	Residential Districts: two (2) for subdivisions; one (1) for multifamily developments Nonresidential Districts/ Uses: one (1) per lot/development; one (1) per street frontage for developments with buildings 50,000 sq. ft. or greater	Residential Districts: Allowed only for platted subdivisions or multi-family developments; external illumination only Nonresidential Districts/ Uses: No more than 30% of the sign area may be changeable copy; structure/masonry area shall not exceed 50% or be less than 30% of the sign area of the sign face; sign face may be externally illuminated or internally illuminated with no exposed light source
Wall Signs	Nonresidential Districts	No more than 10% of the exterior wall of tenant space, up to a maximum of 200 sq. ft.	Not above apparent flat roof, parapet wall, or roof eave	One (1) per exterior wall of single-tenant building; one (1) per exterior wall of tenant space for multi-tenant building	May be externally illuminated or internally illuminated with no exposed light source
Window Signs	Nonresidential Districts	No more than 25% of the total window area	NA	No more than one (1) per window	May be internally illuminated with no exposed light source
Shingle Signs	C-1, C-2, DT	4 sq. ft.	Below a roof overhang, covered walkway, or covered porch.	One (1) per tenant/establishment	May suspend parallel or vertical; minimum seven foot (7') clearance above grade below; externally illuminated only
Canopy/Awning Signs	Nonresidential Districts	15% of canopy/awning fascia area	Not above apparent flat roof, parapet wall, or roof eave	One (1) sign per canopy/awning	Externally illuminated only
Historic Decorative Pole Signs	DT	6 sq. ft.	12 feet	One (1) per lot/development	Wrought iron decoration required; externally illuminated only; signage needs to be in the standard of the historic nature of the architecture and colors of the main structure.
Wall Murals	DT	100% of exterior wall area	Not above apparent flat roof, parapet wall, or roof eave	One (1) per building or freestanding wall	Painted only with weather-resistant paint; externally illuminated only; murals may contain words or logos, but the area of words or logos shall not exceed 25% of the total area of the mural; should the mural become faded, peeled, or severely weathered, the owner of the property, upon written notice from the City Manager or their designee, repair the mural or repaint the wall on which such mural was painted within sixty (60) days of the date of such written notice.

6. Temporary Signs Standards and Regulations: No temporary sign shall be erected, placed, displayed, or located except in accordance with Table 2, Schedule for Temporary Signs.

Table 2 – Schedule for Temporary Signs

Sign Type	Permit Required	Districts Permitted	Maximum Area	Maximum Height	Time Limit	Allowances/Requirements
Standard Informational Sign	No	All	6 sq. ft.	3 feet	None	No more than one (1) sign per lot; lots shall be allowed an unlimited number of signs during a period beginning sixty (60) days before and ending seven (7) days after any federal, state, or local election. No illumination allowed.
Temporary Signs - 30 days or less	Yes	All	32 sq. ft.	Six feet (6’); if affixed to a building wall, not above apparent flat roof, parapet wall, or roof eave	Three (3) thirty (30)-day periods within any calendar year per establishment/entity	Not allowed to be installed on single-family lots. One (1) sign per establishment or entity located on a property. Temporary signs may be ground-mounted or affixed to a building wall. No illumination allowed.
Temporary Signs - More than 30 days	Yes	All	Residential Districts: 32 sq. ft. Nonresidential Districts: 64 sq. ft.	6 feet	See Allowances/Requirements	For undeveloped/vacant property (not including single-family lots) one (1) ground-mounted sign shall be allowed while a property is listed for sale. No illumination allowed. For subdivisions, one (1) ground-mounted sign shall be allowed per road frontage external to the subdivision; such signs may be installed for a period of two (2) years from the date of subdivision plat approval. No illumination allowed. For developed property (not including single-family lots) one (1) ground-mounted sign shall be allowed while a property is listed for sale or lease. No illumination allowed.
A-Frame	No	DT	6 sq. ft.	4 ft.	Only allowed during business hours	Not placed in right-of-way; may be placed on sidewalk as long as it does not restrict passage and ADA accessibility. No illumination allowed.