

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-31

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, ADOPTING A TEMPORARY EXPANSION OF CERTAIN TEMPORARY SIGN REQUIREMENTS AND TEMPORARY SUSPENSION OF FEES FOR THE CITY OF DRIPPING SPRINGS.

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

WHEREAS, on March 31, 2020 the Governor of the State of Texas closed all but essential businesses and issued requirements for individuals to stay at home; and

WHEREAS, businesses and residents in the City of Dripping Springs have been financially affected by the closures; and

WHEREAS, businesses have begun re-opening and would benefit from additional signage during the re-opening process; and

WHEREAS, residents would benefit from being able to place additional signage on their property; and

WHEREAS, the City Council has determined that it is in the best interest of the residents and businesses for the City of Dripping Springs to temporarily suspend some sign requirements; and

WHEREAS, the City Council finds that providing this ordinance as part of the Disaster Business Relief Program will assist and stimulate the economic development of the City.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL THE CITY OF DRIPPING SPRINGS:

1. FINDINGS OF FACT

The City Council finds that the facts and matters in the foregoing recitals are true and correct; and, are hereby incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

A. Temporary Sign Code Provisions. These provisions are in effect from time of execution until September 30, 2020. Any sign code provision not mentioned in this ordinance is not changed and remains in full effect.

Sec. 26.02.001 Residential districts

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(F) ~~One~~ Two additional temporary signs that may be up to nine (9) square feet in size may be located on the owner's property at any time. A permit for this sign is not required. This section does not limit the content on the additional temporary signs.

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Sec. 26.02.004 Commercial districts

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(10) Each lot may have up to one additional temporary sign that is up to thirty-six (3) square feet in size. The sign does not require a permit. The temporary sign may only be erected for long as this ordinance is effective. Any such sign shall meet all other requirements in this chapter. The sign:

(A) Each lot may have one temporary sign that meets the requirements of this section.

(i.) A sign shall not have an area greater than thirty-six (36) square feet.

(ii.) A sign shall not be more than six (6) feet in height.

(B) A sign shall not be lighted or have any moving elements.

(C) Signs may be installed on private property only with the consent of a property owner and may not be installed in, on, or over any street or right-of-way.

(D) Any sign allowed under this section for a commercial message may also contain noncommercial content.

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Sec. 26.02.005 Industrial (I), light industrial (LI), government, utility, institutional (GUI), public recreation (PR), public park or preserve (PP), and agriculture (A)

* * *

(6) Each lot may have up to one additional temporary sign that is up to thirty-six (36) square feet in size. The sign does not require a permit. The temporary sign may only be erected for so long as this ordinance is effective. Any such sign shall meet all other requirements in this chapter. The sign:

- (A) Each lot may have one temporary sign that meets the requirements of this section.
 - (i.) A sign shall not have an area greater than thirty-six (36) square feet.
 - (ii.) A sign shall not be more than six (6) feet in height.
- (B) A sign shall not be lighted or have any moving elements.
- (C) Signs may be installed on private property only with the consent of the property owner and may not be installed in, on, or over any street or right-of-way.
- (D) Any sign allowed under this section for a commercial message may also contain noncommercial content.

Sec. 26.02.007 Banners on nonresidential property

- (a) Each nonresidential property may display ~~one~~ two banners at a time.
 - (b) Banners must be securely attached to a permanently installed building, fence, or wall and they must be kept in good repair throughout the time of their display. Pipes, poles, posts or other materials may be used to erect banners so long as they are securely fashioned to the pip or other material and the material is specifically designed for the display of a banner.
 - (c) Banners shall not be placed on any site more than four (4) times within a calendar year.
 - (d) The maximum surface area for banners on nonresidential property shall be thirty-two (32) square feet. Banners do not count towards total cumulative signable area limits.
 - (e) Banners hung on nonresidential property shall not exceed fifteen (15) feet in height.
 - (f) Only two (2) ~~one~~ (1) banners at a time is permitted per nonresidential property unless additional banners are allowed under this code.
 - (g) No permit is required for these banners during the time period that this ordinance is in effect. ~~The responsible party must affix the permit sticker to the back of the banner.~~
 - (h) Time limits on banners do not apply to banners placed on property zoned GUI.
- B. Sign Placement.** Additional signs or signs allowed without a permit under this section can only be placed during the effective period of this ordinance. Once this ordinance is no longer effective the sign has to be removed within seven (7) days if it is not allowed or a sign permit has to be applied for if the sign then requires a permit all required permit fees paid.
- C. Temporary Sign and Banner Fees.** Temporary Sign Fees and Banner Fees are suspended during the effective period of this ordinance. After this ordinance is no longer valid, all signs placed under this ordinance shall be removed within seven (7) days or the appropriate application and fee shall be submitted.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict during the effective time period of

this Ordinance, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein during that time period.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapters 52 and 211 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon approval by the City Council and publication as required by law and shall be effective until September 30, 2020. The prior version of the ordinance shall be in effect after September 30, unless the period of this ordinance is extended by City Council.

PASSED & APPROVED this, the 9th day of June 2020, by a vote of 3 (ayes) to 0 (nays) to 1 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds Jr

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham

Andrea Cunningham, City Secretary

