

CITY OF DRIPPING SPRINGS

ORDINANCE No. 1251.29

VARIANCES FROM MASTER SIGN PLANS

AN ORDINANCE ADDING SECTION 26.03.006 TO CHAPTER 26 OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING VARIANCE PROCEDURES FOR MASTER SIGN PLANS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; AMENDMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote reasonable sign regulations; and

WHEREAS, the City Council finds it necessary to provide for modified variance procedures for master sign plans to more efficiently manage minor changes to master sign plans; and

WHEREAS, the City Council finds that the modification of the rules for variances related to master sign plans is reasonable and prudent in an effort to allow for administratively approved changes to master sign plans where appropriate; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapters 211 and 216 of the Texas Local Government Code, the City has the authority to regulate signs and variance procedures; and

WHEREAS, the City Council finds that the amendments imposed by this Ordinance are reasonable, necessary, and proper for the good government of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Chapter 26 of the City of Dripping Springs Code of Ordinances is hereby amended so to read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

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. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication of caption.

7. 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 Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 8th day of August 2017, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of the City of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: 
Bill Foulds, Mayor Pro Tem

ATTEST:


Andrea Cunningham, City Secretary

City of Dripping Springs

CODE OF ORDINANCES

CHAPTER 26: SIGNS

Sec. 26.03.006 Procedure for Variances to Master Sign Plans

(a) A responsible party that wants a variance from a master sign plan adopted under this chapter must file a request for variance with the sign administrator along with a variance fee, as stated in the city's most recent fee schedule. The sign administrator will indicate what documentation the responsible party must provide in support of the request.

(b) Once the necessary documentation has been provided to the sign administrator, the sign administrator may administratively deny or approve a variance, with or without conditions, from an adopted master sign plan if the change is related to:

- (1) change the location of the sign within the area designated by the master sign plan;
- (2) change the location of the sign within the right of way or into the right of way so long as a license agreement is presented and approved by the sign administrator;
- (2) change illumination of the sign so long as the illumination complies with Article 24.06: Outdoor Lighting Ordinance;
- (3) change of sign face so long as the size of the sign face is not increased;
- (4) change in number of panels or size of panels on a monument sign so long as total size of sign face is not increased; or
- (5) change in letter size or line number so long as total size of sign face is not increased.

(c) Administrative approval is not allowed and variance procedures in Section 26.03.001 shall be followed if:

- (1) additional signs are requested;
- (2) increase in the size of the sign is requested;
- (3) change in sign type is requested;
- (4) increase in the height of the sign is requested; or
- (4) the sign administrator determines the variance request shall be reviewed in the regular

variance process.

(d) If the responsible party disagrees with a decision of the sign administrator to deny a variance request, or disagrees with the conditions placed on a grant of a variance by the sign administrator, the responsible party may submit a written request that the board of adjustment review the variance request, the supporting documents, and the sign administrator's decision. The board of adjustment can affirm, reverse, or modify the decision of the sign administrator.

(e) The board of adjustment has final authority to approve a variance or conditions on a variance.

(f) A master sign plan ordinance can modify variance procedures for its specific property.

CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2017-57

HUMAN RESOURCES

A RESOLUTION OF THE CITY COUNCIL OF
DRIPPING SPRINGS, TEXAS, AMENDING THE
PERSONNEL MANUAL OF THE CITY OF DRIPPING
SPRINGS

WHEREAS, each city should have a personnel manual directed to its employees to provide guidance on the duties and responsibilities of the city and the employees; and

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) finds it to be in the public interest, and necessary for the public health, safety and welfare, that CITY OF DRIPPING SPRINGS PERSONNEL MANUAL be updated from time to time to reflect current state and federal law and city practices related to city employees; and

WHEREAS, Section 29 C.F.R. 541.710 of the Code of Federal Regulations allows a public entity, such as a city, to deduct from the salary of an exempt employee for a partial day absence where the exempt employee is unavailable for work and who has been offered accrued paid leave but is unable to take paid leave because of exhaustion of paid leave; and


WHEREAS, the City Council finds that it is reasonable and prudent for this amended PERSONNEL MANUAL to be adopted.

NOW, THEREFORE, BE IT RESOLVED by the City of Dripping Springs City Council:

1. The City Council hereby approves the amended CITY OF DRIPPING SPRINGS PERSONNEL MANUAL pursuant to *Exhibit A*, attached.
2. The City Council approves the funds necessary for these personnel actions, as provided in the budget for the current fiscal year.
3. The City Council directs City staff to work with the Mayor and City Administrator to acknowledge the amended PERSONNEL MANUAL and receive training and information on the amended PERSONNEL MANUAL under the direction of the Mayor and City Administrator.

PASSED & APPROVED this, the 8th day of August, 2017, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: 

Bill Foulds, Mayor Pro Tem

ATTEST:



Andrea Cunningham, City Secretary