

**ORDINANCE NO. 19-2-21-05**

**SIGN CODE AMENDMENT FOR BALLOON SIGNS**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE CITY OF CORINTH UNIFIED DEVELOPMENT CODE (“UDC”), BY AMENDING SECTION 4.01.02 “SIGN REGULATION DEFINITIONS” AND SECTION 4.01.18, “TEMPORARY SIGNS REQUIRING PERMIT” OF SUBSECTION 4.01 “SIGN REGULATIONS” OF SECTION 4, “SIGN AND FENCE/SCREENING REGULATIONS” OF THE UDC; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR VIOLATIONS THEREOF AS MORE SPECIFICALLY SET FORTH HEREIN; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, the City adopted the Unified Development Code (“UDC”) which specifies types of signs allowed within the City; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing at which persons with interest were provided an opportunity to provide public input and comments and reviewed proposed amendments to existing regulations and procedures for temporary signage within the UDC; and

**WHEREAS**, after holding the public hearing, the Planning and Zoning Commission voted to recommend approval of the proposed amendments to the City Council; and

**WHEREAS**, after holding a public hearing at which persons with interest were provided an opportunity to provide public input and comments, the City Council has reviewed the proposed amendments to the regulations and procedures for temporary signage in the UDC and has determined that the incorporated amendments are appropriate to aid with the orderly development and use of land; and

**WHEREAS**, the City Council has determined that the amendments proposed relating to temporary signage will be beneficial to the public safety and welfare; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the City’s temporary signage standards and application procedures should be amended as set forth below;

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

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2.  
AMENDMENTS**

**2.01.** That the Comprehensive Zoning Ordinance, being a part of the City of Corinth Unified Development Code, Subsection 4.01 “Sign Regulations”, Section 4.01.02 (A)(3) “Sign Regulation Definitions” “Balloon”, is hereby repealed to be read in its entirety as follows with all other sections of Subsection 4.01, “Sign Regulations” not specifically amended hereby remaining in full force and effect:

“A. Definitions

- 3. Balloon. A temporary hollow sign expanded or enlarged by the use of confined or compressed air or gas.”

**2.02.** That the Comprehensive Zoning Ordinance, being a part of the City of Corinth Unified Development Code, Subsection 4.01 “Sign Regulations”, Section 4.01.18 “Temporary signs requiring permits”, is hereby repealed in its entirety, and a new Section 4.01.18 is hereby adopted to be read in its entirety as follows with all other sections of Subsection 4.01, “Sign Regulations” not specifically amended hereby remaining in full force and effect:

**“4.01.18. - Temporary Signs Requiring Permit**

A person commits an offense if person maintains, erects, causes, or otherwise allows to be erected any of the following signs on property without first obtaining a Sign Building Permit and/or without complying with the requirements set forth below:

A. Banner (Sign, Banner)

- 1. Permitted Sign Structure. Attached to building, excluding roof.
- 2. Modifications to General Regulations.
  - a. Maximum Area. 200 square feet.
  - b. Maximum Number of Signs. One (1) per site elevation.
  - c. Duration. Not to exceed ninety (90) calendar days for each permit, a maximum for two permits per year are permitted.

B. Model Home Sign (Sign, Model Home)

- 1. Permitted Sign Structure. Monument and/or ground.
- 2. Modification to General Regulations.
  - a. Maximum Height. Five (5) feet for ground signs.
  - b. Maximum Area. Sixty-four (64) square feet with a maximum of thirty-two (32) square feet per sign face.
  - c. Maximum Number of Signs. One (1) sign per model home per builder per subdivision.
  - d. Material Requirements. Not applicable.

C. Special Purpose Sign (Sign, Special Purpose)

1. Permitted Sign Structure. Attached and/or ground.
  2. Modifications to General Regulations.
    - a. Maximum Height. Nine (9) feet for ground signs.
    - b. Maximum Area. Sixty-four (64) square feet with a maximum of thirty-two (32) square feet per sign face.
    - c. Maximum Number of Signs. Six (6) total per event or occasion, not to exceed five (5) off-site signs and one (1) on site sign.
    - d. Placement Time. Twenty-one (21) calendar days, must be removed within three (3) calendar days after termination of the event.
    - e. Material Requirements. Not applicable.
    - f. Residential Adjacency. Not applicable.
- D. Development Sign (Sign, Development)
1. Permitted Sign Structure. Monument and/or ground.
  2. Modifications to General Regulations.
    - a. Maximum Height. Eight (8) feet.
    - b. Maximum Width. Four (4) feet.
    - c. Maximum Area. Sixty-four (64) square feet with a maximum of thirty-two (32) square feet per sign face.
    - d. Maximum Number of Signs. One (1) per site.
    - e. Duration. Must be removed or re-permitted one year from the date permit is issued.
- E. Grand Opening Signs
1. Permitted Sign Structure. Flags, banners, pennants, streamers, balloon, or similar device.
  2. Modifications to General Regulations.
    - a. Minimum Letter/Logo Height. Not applicable.
    - b. Maximum Height. Inflatable devices shall not be more than thirty (30) feet above ground level and shall be securely anchored at all times.
    - c. Maximum Area. Unlimited.
    - d. Maximum Number of Signs. Unlimited.
    - e. Duration. Grand Opening signs shall be permitted for thirty (30) calendar days.
    - f. Location Limitations. Shall not be allowed to extend over any public street, Right-of-Way, approved access easement, or over any other property not under the control of the permittee.
    - g. Illumination. Shall not be a nuisance to adjacent residential property.
- F. Balloon Signs
1. Permitted Sign Structure. Balloon
  2. Modifications to General Regulations.
    - a. Maximum height: The maximum height of a Balloon sign is Thirty (30) feet; balloon signs cannot be mounted on, or tethered to, the roof of a structure.
    - b. Maximum size/area: The maximum surface area of the front of an Balloon sign is sixty-four square feet.

- c. Location: Balloon signs are allowed in all nonresidential and mixed-use districts.
- d. Placement/setbacks: Balloon signs may not move, flap, wave, flutter, or twirl. A Balloon sign may not be attached or affixed to a fence, screening wall, tree, utility pole or structure, or permanent sign support. A Balloon sign may be freestanding only if it is adequately secured to the ground such that it will not move from its anchorage site, or lean over public right-of-way or adjacent property during high winds. The setbacks for inflatable signs are the same as those for a monument sign. Inflatable signs may not be placed in fire lanes or in required parking areas.
- e. Maximum number: The maximum number of Balloon signs is one per business and or lot.”

**SECTION 4.  
PENALTY**

Any person, firm or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 5.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 6.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured 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 court.

**SECTION 7.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole in part, the remaining and lawful provisions shall be

of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 8.  
EFFECTIVE DATE**

This ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF February 2019.

APPROVED:

Bill Heidemann, Mayor



ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Andy Messer, City Attorney