



City of Pflugerville

Legislation Text

File #: ORD-0413, **Version:** 2

Approving an ordinance on second and final reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING TITLE XV, LAND USAGE, OF THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, BY AMENDING CHAPTER 154, TITLED SIGNS; PROVIDING A CUMULATIVE CLAUSE AND REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT WITH THE AMENDED SECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed amendment to the sign ordinance aligns Chapter 154 of the City's Code of Ordinances with State law provisions outlined in Texas Local Government Code, Section 216.904 regarding placement of political signs on private real property. Accordingly, State law provides that the City may not establish regulations for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner that: (1) prohibits the sign from being placed; (2) requires a permit or approval of the City or imposes a fee for the sign to be placed; (3) restricts the size of the sign; or (4) provides for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance. However, this preemption does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political, nor does it apply to a sign that: (1) has an effective area greater than 36 feet; (2) is more than eight feet high; (3) is illuminated; or (4) has any moving elements. The attached ordinance amendment aligns the City's regulations within the parameters of State law.

Legal has reviewed and approved the ordinance.

Previous City Council Action

The City Council held a public hearing on July 10, 2018 and approved the ordinance on first reading with a vote of 4 to 1.

Staff Recommendation

Approve as drafted.

Drafter

Trey Fletcher, AICP
Interim City Manager